

**Do Political Parties Matter at the Local Level?
The Role of Local Political Parties on Rezoning
Decisions in Vancouver (1999-2005)**

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ABSTRACT

This research seeks to understand the role played by local Vancouver parties in rezoning decisions made between 1999 and 2005. During this six year period, two parties with vast ideological differences held power—the Non Partisan Association (NPA) and the Coalition of Progressive Electors (COPE).

Two methods were used in this study—a content analysis and elite interviews. Analysis of the data revealed that political parties do appear to make a difference in shaping rezoning decisions. Comparing the results of rezoning decisions between COPE and NPA Councils revealed a difference in approval/refusal rates as well as the amount of changes made to applications. The data also revealed how differences in the rezoning decisions of these two parties may be attributed to a difference in political ideology party cohesiveness, and the way in which these parties responded to the public.

Keywords: land use planning; local government, local political parties

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1.0 INTRODUCTION

There is agreement in practice and in literature regarding the central role that federal and provincial political parties play in the Canadian democratic process.¹ However there is much less agreement about the role of parties at the local level. Civic councils have final authority and decision-making power over areas such as budgets, long range policies, and bylaws amendments. Like governments at the senior levels, local councils have the power to approve new policy and overturn decisions of previous councils. Local parties, where they exist, might be assumed to play a role similar to parties at the senior levels of government. Such parties do not however act in a vacuum. Other influences such as organized community groups and the civic bureaucracy are also important factors at the local level.²

One area of municipal affairs where both Council and the civic bureaucracy play a substantial role is in the realm of land-use, and more specifically, in the rezoning process. The subject of this research study is this area of overlap-where the highly technical planning exercise overseen by civic bureaucrats intersects with both the public and the political realm of decision-making. Specifically, this study seeks to answer the question: do political parties matter at the local level?

¹ *Royal Commission on Electoral Reform and Party Financing, Final Report: Reforming Electoral Democracy*, 4 Volumes. (1991). Ottawa: Minister of Supply and Services.

² Stewart, K and P.J. Smith. (2005). Policy Analysis for Whom? Institutional Inadequacy and the Potential for Democratic Policy-Making Deviation in Eight Canadian Cities. In Dobuzinskis, L., Howlett, M., and Laycock, D. (Eds.). *Policy analysis in Canada: The State of the Art*. Toronto: University of Toronto Press. and Hamel, P. (1993). City, Modernity and Postmodernity: The Crisis of Urban Planning. In *Canadian Journal of Urban Research*. 2(1). pp. 16-29.

1.1 BACKGROUND

To 'rezone' is to legally change the use of a parcel of land through amendments to municipal by-laws. In Vancouver, this is either initiated by City staff following a policy planning study, or by the public through a privately-submitted application. In either case, a report is drafted by City staff and submitted to City Council. At a Public Hearing meeting of Council, there is an opportunity for staff, the applicant, and community members who support or oppose to speak directly to their politicians.³ City Council makes all decisions regarding changes to the Zoning and Development By-law and has the authority to outright refuse or approve a rezoning application, or to grant approval subject to conditions.

1.2 PURPOSE OF STUDY

There is a vast amount of literature documenting the important role that political parties play at the senior levels of Canadian government. The situation is much less clear at the local level—both in literature and in practice. The purpose of this research study is to assess the role of local political parties and determine whether they make a difference in land-use decisions through a case analysis of rezoning processes in Vancouver between 1999 and 2005. During this six year period, two ideologically different parties held power—the Non Partisan Association (NPA) from 1999 to 2002, and the Coalition of Progressive Electors (COPE) from 2002 to 2005.⁴ Through a grounded theory approach, which involves content analysis of primary rezoning documents and elite interviews, this project compares the rezoning decisions made by these two Councils.

³ City of Vancouver. Land Use and Development Policies Guidelines. (n.d.). Retrieved November 3, 2006 from <http://vancouver.ca/commsvcs/guidelines/pol@guide.htm>

⁴ The council of 2002 – 2005 was the only election that COPE ever won. In the civic election of 2005, NPA re-established a majority on Council. With a few exceptions, NPA has dominated Vancouver Council since their formation (see section 3.1 for more details).

1.3 ORGANIZATION

This paper begins with a literature review in section 2.0 summarizing the importance of Canadian political parties at the senior levels, and compares it to the experience at the local level. Next, section 3.0 provides a rationale as to why Vancouver was chosen as a case for this study. It describes the city's unique position in the Canadian local political landscape and summarizes the brief history of its distinct partisan tradition. Section 4.0 explains the rezoning process in Vancouver and outlines the roles of the various actors involved. In section 5.0, the research question and methodology are discussed. I use a grounded theory approach, and employ two qualitative methods—a content analysis and elite interviews. Section 6.0, describes the main findings and themes. Data reveals that political parties do matter and can be attributed to a difference in political ideology, level of party cohesiveness, and the way in which these parties responded to public. Section 7.0 analyzes these themes further and applies it to cases where rezoning applications were refused. Finally, sections 8.0 and 9.0 discusses the role of other variables and considers the reliability and validity of this study.

2.0 LITERATURE REVIEW

The importance of political parties at the federal level has been studied extensively by the Lortie Royal Commission on Electoral Reform and Financing.⁵ While there is much written about the importance of parties at the federal and even provincial levels, there is much less literature about parties at the local level and therefore much more debate as to their influence and importance.⁶ The purpose of this section is to briefly review the literature on the role of Canadian political parties and to compare the party experience at the local level with the experience at the senior levels. The central theme explored is whether or not local political parties can play a prominent role—similar to their senior counterparts—in government. This section establishes that the body of literature regarding local Canadian political parties is still relatively new, with no strong agreement about their existing role. There is some agreement, however, that there is a need to establish political parties at the local level.

2.1 ROLES AND FUNCTIONS OF SENIOR LEVEL POLITICAL PARTIES

Carty states that political parties are almost sacred institutions in Canada.⁷ Among other things, parties can set new policy directions, articulate the public interest, and carry out decisive government action. In short, political parties have determined Canada's political development.⁸ Political parties at the senior levels of government are essential components of democratic political systems. Most formal definitions include the existence of competitive political parties as a key feature that define them from another

⁵ *Royal Commission on Electoral Reform and Party Financing, Final Report: Reforming Electoral Democracy*, 4 Volumes. (1991). Ottawa: Minister of Supply and Services.

⁶ Tindal, C. R., Tindal, S.N. (2004). *Local Government in Canada*. (6th ed). Toronto: Nelson. pp.284-287, 315-331.

⁷ Carty, R. K. (Ed.). (1991). *Canadian Political Parties in the Constituencies*. Toronto: Dundurn Press Limited. pp.21.

⁸ Smith, D. (1992). History and importance of political parties. In Carty, R. K. (Ed.). (1991). *Canadian Political Systems*. Peterborough: Broadview Press pp.531

type of political system.⁹ Parties are central to political representation in a democratic system. According to Meisel and Mendelsohn, political parties play seven important roles. They:

- mobilize citizens by creating linkages between citizens and the democratic institutions. They serve to liaise between the institutions of government and the citizens they serve;
- set policy agendas and formulate policies. These policy areas can be very broad, including topics such as healthcare and national defense at the national level, education at the provincial level, and land-use at the local level. They also bridge the gap between policy makers and citizen priorities;¹⁰
- organize elites who then shape political debate;
- act as important instruments of change and action. Parties are the “public policy instruments” that permit the non-violent articulation of citizen demands for policy change.¹¹ Political parties determine policy directions and carry out government action;
- influence how government is organized. They can change the formal arrangements of governments both at the political and administrative level. For example, at the national levels, the party in power can create, change, or downsize ministries. In 1993, Prime Minister Kim Campbell reduced the number of government departments from 32 to 23 and removed or demoted 53 high-level bureaucrats;
- structure the vote and election. This is often done through the recruitment of candidates for political parties and in the development of platform messages. Carty notes that a vital part of winning an election campaign is how successful the party’s strategists are at creating and executing their parties’ “marketing plans;”¹² and
- organize public opinion, aggregate interests, and forge compromises. Parties in Canada tend to play down differences. They try to articulate a common vision by brokering ideas, class, and interests to create consensus.¹³

⁹ Archer, K., Gibbins, R., Knopff, R., & Pal, L. (1995). *Parameters of Power*. Calgary: Nelson. pp. 441.

¹⁰ *Ibid.*..411.

¹¹ Lighbody, J. (2006). *City Politics, Canada*. Toronto: Broadview Press, ltd. pp. 227.

¹² Carty, R.K., Cross, W., Young, L. (2000). *Rebuilding Canadian Party Politics*. Vancouver: UBC Press. pp.178-210.

¹³ Carty, R.K. (1992). On the Road Again: The Stalled Omnibus Revisited in Carty, R.K. (Ed). (1992). *Canadian Political Party Systems*. Toronto: Broadview Press. pp. 626.

2.2 POLITICAL IDEOLOGY

It is important to note the role that ideology plays in political parties. Many empirical studies suggest Canadian political parties hold different ideological positions. This impacts policy choices, decisions, and actions. In a study by Donald Blake on the ideological differences between delegates at Liberal and Progressive Conservative conventions, he concluded they held different opinions on matters of policy.¹⁴ Johnson demonstrated that ideological cohesiveness explains some differences in attitudes between federal parties. In a study of attitude structure of party activists in major federal parties, Archer and Whitehorn concluded that there were significant differences in attitudes between party activists from different federal political parties on major issues.¹⁵

Ideology of parties is important at the federal level. As noted in section 2.1, parties can substantially impact policy decisions and be an important instrument of change. If parties can formulate policies based on their ideological positions at the federal level, can they also impact policy decisions at the local level? The implications of this question is explored in sections 3.2, 3.3, and 7.6.

2.3 POLITICAL PARTIES AT THE LOCAL LEVEL

As noted in the sections above, there is general agreement in both practice and literature that political parties play a major role in the democratic process at both the federal and provincial levels in Canada. At the local level however, there is still much debate about their role. Unlike many western countries, most Canadian cities do not

¹⁴ Blake, D. (1988). Division and Cohesion: The Major Parties. in Party Democracy. In Perlin, G. (Ed). (1998). in *Canada: The Politics of national Party Conventions*. Scarborough: Prentice-Hall Canada. pp. 47 – 48.

¹⁵ Archer, K., Whitehorn, A. (2001). *Opinion Structure Among Party Activists: A Comparison of New Democrats Liberals and Conservatives*. In Thorburn, H.G., Whitehorn, A. (Eds.). (2001). *Party Politics in Canada*. Toronto: Prentice Hall. pp. 116.

have organized political parties. According to Lightbody, for the most part Canadian cities follow the Victorian tradition of non-partisan elections.¹⁶

Where they exist, local political parties can play a role in articulating policy choice, providing policy continuity, stimulating interest in local politics, and encouraging citizen participation at the community level by addressing local issues.¹⁷ They share some of the same seven roles as federal parties—such as mobilizing citizens involvement in government, serving as a link between the civic administration and citizens, and setting and implementing the policy agenda.¹⁸ According to Lightbody, city politics has not matured in the 21st century in the same way federal and provincial parties have. He describes their track record in political organization across Canadian cities as “episodic.”¹⁹ In large part, this is due to the lack of organized political parties or non-partisanship in most Canadian cities. Weak integration of party politics at the local level translates to less accountability and policy continuity. Lightbody notes that most Canadian municipal parties, where they exist are cadre parties—“weakly knit caucus parties.”²⁰ Cadre parties function as loose coalitions, rather than as formal political parties. They are often plagued by factionalism. As such, they do not provide consistency or cohesion in policy choices.

2.4 THE NEED FOR POLITICAL PARTIES AT THE LOCAL LEVEL

Local government academics such as Tindal and Tindal and Lightbody argue for the need for political partisanship at the local level. As described above, unlike formal parties at the federal and provincial levels, most local political parties, where they exist, function

¹⁶ Lightbody, J. (2006). *City Politics, Canada*. Toronto: Broadview Press, Ltd. pp. 227.

¹⁷ Tindal, C. R., Tindal, S.N. (2004). *Local Government in Canada*. (6th ed). Toronto: Nelson.

¹⁸ Lightbody, J. (2006). *City Politics, Canada*. Toronto: Broadview Press, Ltd. pp.227-234.

¹⁹ *Ibid*...224.

²⁰ *Ibid*...234.

as loose coalitions that tend to vote inconsistently on policy matters. They argue that the formation of more rigorous local political parties would provide clear policy choice and accountability. This is especially true if policy directions were to be included in election platforms. Lightbody further argues that political ideology can give “electors real choices over public policy” and articulate competing viewpoints.²¹ Political ideology of parties can manifest itself in the decisions a City Council makes. As discussed in section 2.4, members of federal parties hold different ideological positions which can translate into different policy choices and decisions. Parties can also represent diverse interests and provide opposition at the local level. For example, Lightbody notes some local party systems have been known to assign a critic to even the most mundane civic functions.²²

²¹ *Ibid...*236.

²² *Ibid...*235.

3.0 THE CASE OF VANCOUVER

Vancouver is one of the few cities in Canada where a long tradition of partisanship exists at the local level.²³ This section will explain (i) why Vancouver is unique; (ii) how local political parties developed in the city; (iii) the different political ideology and platforms of the two dominant local parties; and finally, (iv) the role that the local administration plays in political life and government. Aside from describing the Vancouver context, the purpose of this section is to provide a solid rationale as to why Vancouver—with its long partisan history—was chosen as the case to conduct this research study. Secondly, this section establishes a difference in ideology and platform between the two dominant local parties. The intent is to set-up the central question of this study—whether local political parties impact decision-making, and specifically, whether differences in the parties' ideology and platform affect local rezoning decisions. The results are discussed in sections 6.0 and 7.0.

Several factors contribute to Vancouver's distinct political character. First, Vancouver enjoys a higher level of autonomy from the provincial government than most Canadian cities.²⁴ It is the only municipality in British Columbia governed under a separate municipal charter—the Vancouver Charter. Tennant describes Vancouver as “remarkably autonomous in matters of civic structure, procedure and operation,”

²³ Tennant, P. (1981). *Vancouver City Politics, 1929 – 1980*. in Feldman, L.D. (Ed). (1981). *Politics and Government of Urban Canada*. (4th ed.). Toronto: Methuen. pp. 127-130.

²⁴ Punter, J. (2003). *The Vancouver Achievement: Urban Planning and Design*. Vancouver: UBC Press. pp. 13-14. In addition, according to Stewart and Smith, Vancouver's City Council has the lowest capacity to supervise staff in its civic bureaucracy, when compared to all major Canadian cities. In a comparison of city employees to Councillors, Vancouver had the lowest ratio at 1800:1. See: Stewart, K and P. J. Smith. (2007). *Immature Policy Analysis: Building Capacity in Eight Major Canadian cities*. In Dobuzinskis, L., Howlett, M., and Laycock, D. (Eds). (2007). *Policy Analysis in Canada: The State of the Art*. Toronto: University of Toronto Press. pp. 265-287.

particularly as it pertains to the way in which the government is structured, the distribution of power, and its decision-making protocols.²⁵

Secondly, Vancouver is the only large Canadian municipality that has an at-large electoral system.²⁶ An at-large system favours the largest cohesive voting group, usually rewarding them with all or most of the seats, even if they do not receive a majority of votes. For example, in the 1993 civic election, the NPA was awarded 90 per cent of the seats on Council, but only received 48 per cent of the vote.²⁷ COPE received 34 per cent of the vote, but only won 10% of the seats. Applying a straight proportional calculation to the 1993 election results, NPA deserved to win five seats, and COPE only three. According to Stewart, this system has produced a lack of opposition on Council due to the distortion in the way votes are translated into seats, lower voter turnout, and discontinuous geographic coverage.²⁸ In the case of Vancouver, the at-large system has contributed to the dominance of a single party—the NPA. Stewart notes the “NPA has held an almost continuous lock on all elected positions in Vancouver...includ(ing) 68% of all council seats.”²⁹

Thirdly and most important to the subject of this project, Vancouver is unique in that it is one of a handful of Canadian cities—alongside Winnipeg, Montreal, and Edmonton—that has established political parties with clear platforms. Lightbody describes

²⁵ Tennant, P. (1981). *Vancouver City Politics, 1929 – 1980*. In Feldman, L.D. (Ed). (1981). *Politics and Government of Urban Canada*. (4th ed.). Toronto: Methuen. pp. 127-130.

²⁶ *Ibid.*...130.

²⁷ Stewart, K. (2003). *Think Democracy: Options for Local Democratic Reform in Vancouver*. Vancouver: Institute of Governance Studies. See Table 1: 1993 City Council Vote-to-Seat Distortion.

²⁸ Stewart, K. (1997). *Measuring Democracy: The Case of Vancouver*. In *Canadian Journal of Urban Research*, 6(2). pp. 160-178.

Also see Tennant, P. (1981). *Vancouver City Politics, 1929 – 1980*. In Feldman, L.D. (Ed). (1981). *Politics and Government of Urban Canada*. (4th ed.). Toronto: Methuen. pp. 128-129, for discussion of at-large elections.

²⁹ Stewart, K. (1997). *Measuring Democracy: The Case of Vancouver*. In *Canadian Journal of Urban Research*, 6(2), pp.170.

Vancouver as “Canada’s most completely partisan city.”³⁰ The presence of established local political parties—rare in the Canadian context—allowed for research of the central hypothesis of this study to be carried out.

3.1 WHY DID VANCOUVER DEVELOP LOCAL POLITICAL PARTIES?

The history of political parties in Vancouver dates back to the 1937, when the formation of a left-wing civic party prompted business interests to form a political party—the NPA.³¹ At the beginning, the NPA did not consider itself a political party; they formed to keep the “socialists” out of city hall.³² The NPA dominated city council from the 1940s until the late 1960s, when concern about urban renewal projects, the pace and location of developments, and the proposal for a new expressway prompted the formation of two new political parties.³³ In 1968, The Elector’s Action Movement (TEAM) formed to challenge the dominance of the NPA. TEAM was essentially a liberal, middle-class party consisting of a coalition of diverse interest, including business representatives, community workers, and academics.³⁴ They sought to introduce development controls in neighbourhoods and promoted the concept of more ‘livable’ communities. Formed in 1966 by the Vancouver and district Labour Council, COPE’s aim was to put social policy on the local agenda.³⁵ TEAM won two successive elections of 1972 and 1974, but became badly divided by 1978, never winning a majority Council again. The NPA’s dominance was challenged in the Councils of 1982 and 1984, led by Mayor Mike Harcourt. These Councils saw various loose coalitions of COPE, TEAM, and independent NDP Councillors. By 1986, mayoral candidate Gordon Campbell re-

³⁰ Lighbody, J. (2006). *City Politics, Canada*. Toronto: Broadview Press, Ltd. pp.227-234.

³¹ Tennant, P. (1981). *Vancouver City Politics, 1929 – 1980*. In Feldman, L.D. (Ed). (1981). *Politics and Government of Urban Canada*. (4th ed.). Toronto: Methuen. pp. 130.

³² *Ibid*...130.

³³ Tindal, C.R., Tindal, S.N. (2004). *Local Government in Canada*. (6th ed). Toronto: Nelson. pp. 327.

³⁴ *Ibid*...327.

³⁵ *Ibid*...327.

established NPA dominance, which would last throughout the 1990s³⁶ until the recent COPE victory of 2002. TEAM disbanded in the mid-1980s, while NPA and COPE remain the established dominant parties today.³⁷

3.2 IDEOLOGY OF NPA AND COPE

Vancouver's two dominant local parties have distinct political ideologies and platforms. As stated above, the NPA formed in 1937 in response to the arrival of the socialist party, the Cooperative Commonwealth Federation (CCF), into local politics. At that time, NPA's purpose was to oppose their left-wing policies on Council and "to keep parties and politics out of city hall."³⁸ Perhaps ironically, NPA has since been Vancouver's dominant local party since 1940 with the exception of seven elections during the 1970s and early 1980s.³⁹

It is worth noting that the NPA state that they do not have an official party platform like COPE. Individual candidates run their own election platforms. Yet, as Lightbody asserts, non-partisanship is itself an ideology.⁴⁰ There is also evidence that while the party does not put out an official party platform, their candidates as a whole do have a consistent and cohesive overall direction. This is discussed in more detail in section 3.3. Lightbody notes that it is a conservative approach that favours the status quo—which is usually dominated by upper-class policy elites. Thus, anti-partyism is class politics and

³⁶ *Ibid...*329.

³⁷ The subject of this paper pre-dates the events of the most recent 2005 election that saw the introduction of a new political party – VISION Vancouver, the result of a split in the 2002 – 2005 COPE Council.

³⁸ Tennant, P. (1981). *Vancouver City Politics, 1929 – 1980*. In Feldman, L.D. (Ed). (1981). *Politics and Government of Urban Canada*. (4th ed.). Toronto: Methuen. pp. 130.

³⁹ Stewart, K. (1997). *Measuring Democracy: The Case of Vancouver*. In *Canadian Journal of Urban Research*, 6(2). pp.172. These are the elections of 1972, 1974, 1976, 1978, 1982, 1984, and 2002.

⁴⁰ Lightbody, J. (2006). *City Politics, Canada*. Toronto: Broadview Press. pp.235.

conservative in ideology.⁴¹ Historically under the NPA, civic policy concentrated on commercial growth and development.⁴² Tennant summarizes NPA's political ideology, historically, as "the view of the city as a whole community in which fragmentation...should be avoided, in which commerce, guided by private enterprise, is the fundamental civic activity, and in which the virtuous citizen is the single-family homeowner."⁴³ Lightbody notes that NPA has traditionally viewed the affairs of City Council as "a business, a homogenous bourgeois enterprise, and somehow beyond politics." Similarly, Tindal & Tindal and Tennant conclude that NPA is a local political party—one that has achieved extraordinary success.⁴⁴

Formed in 1966, COPE had its roots as a socialist party focusing on social issues and the needs of the disadvantaged. They sought to dilute the control of the middle class over City Council.⁴⁵ COPE's basis of support has traditionally been in the working class and organized labour. Over the years, COPE has emphasized the importance of neighbourhood involvement in planning exercises, and the need to address social and environmental issues.⁴⁶

3.3 NPA AND COPE PLATFORMS OF 1999 AND 2002

This section seeks to highlight the difference in platform between COPE and NPA in the elections of 1999 and 2002. It is based on an analysis of election coverage in the

⁴¹ *Ibid.*...235.

⁴² Tennant, P. (1981). *Vancouver City Politics, 1929 – 1980*. In Feldman, L.D. (Ed). (1981). *Politics and Government of Urban Canada*. (4th ed.). Toronto: Methuen. pp. 132.

⁴³ *Ibid.*...132.

⁴⁴ See: Tennant, P. (1981). *Vancouver City Politics, 1929 – 1980*. In (1981). Feldman, L.D. (Ed). *Politics and Government of Urban Canada*. (4th ed.). Toronto: Methuen.; Tindal, R.C, Tindal, S.N. (2004). *Local Government in Canada*. (6th ed). Scarborough: Nelson., and Lightbody, J. (2006). *City Politics, Canada*. Toronto: Broadview Press, Ltd.

⁴⁵ *Ibid.*...137.

⁴⁶ Tindal, C.R., Tindal, S.N. (2004). *Local Government in Canada*. (6th ed). Toronto: Nelson. pp. 327 and Punter, J. (2003). *The Vancouver Achievement: Urban Planning and Design*. Vancouver: UBC Press. pp. 14.

Vancouver Courier local newspaper from September 1st to mid-November in 1999 and 2002. Whether differences in political platforms influence rezoning decisions made by NPA and COPE will be analyzed in section 7.4.

In the 1999 electoral campaign, NPA focused on law and order and fiscal responsibility.⁴⁷ The COPE platform focused on affordable housing; more drug programs; policies to address air and water quality; and providing more transit service, cycling lanes, and measures to enhance pedestrian safety.⁴⁸ There were similar differences in ideological positions between COPE and NPA in the 2002 election. NPA's electoral promises included fiscal responsibility, economic development through the lowering of the commercial tax rate, more transit choice, and protection of the existing low income rental stock.⁴⁹ COPE's campaign called for more affordable housing; legalizing secondary suites as a way to house more people; encouraging the development of green space and complete communities, more transit service, and support for the 'four pillars' drug policy.⁵⁰

⁴⁷ See: Johnson, P. (1999, October 31). Unfinished Business Lures Owen to Fray. *Vancouver Courier*. pp. 6.; Smedman, L. (1999, November 17). Candidates Face Grilling for Stands on Crime Issues. *Vancouver Courier*. pp. 14.; Jennifer Clarke paid media. NPA. Advertisement. (1999, November 7). *Vancouver Courier*. pp. 11.; Garr, A. (1999 October 31). Owen Gets Home Field for First Debate. *Vancouver Courier*. pp. 8.

⁴⁸ See: Johnson, P. (1999, October 3). COPE Hopes for Toe-Hold. *Vancouver Courier*. pp.6.; Applebe, A. (1999, October 3). Lack of hoopla a good sign, says Louis. *Vancouver Courier*. pp. 7.; Smedman, L. (1999, November 17). COPE After Leady Condo Vote. *Vancouver Courier*. pp. 13.; Tim Louis paid media. Advertisement. *Vancouver Courier*. (1999, November 7). pp. 10.; COPE/Green paid media. Advertisement. (1999, November 7). pp.10.

⁴⁹ See: Squaring Off. (2002, October 20). *Vancouver Courier*. pp.1, 4 – 7.; O'Connor, N. (2002, October 27). Candidates Face Grilling on Urban Growth. *Vancouver Courier*. pp. 15.; Jennifer Clarke & NPA paid media. Advertisement. (2002, November 6). *Vancouver Courier*. P. B1-B4.

⁵⁰ See: O'Connor, N. (2002, October 27). Candidates Face Grilling on Urban Growth. *Vancouver Courier*. pp. 15.; Squaring Off. (2002, October 20). *Vancouver Courier*. P.1, 4 – 7.

It should also be noted that a campaign against Big-Box retail was part of COPE Councillor Anne Robert's campaign. This has significance to findings in section 7.5 See: O'Connor, N. (n.d.) South Van Wal-Mart in Jeopardy. *Vancouvercourier.com*. Retrieved December 8, 2006 from <http://www.vancourier.com/issues02/114102/news/114102nn7.html>.

3.4 VANCOUVER'S CITY ADMINISTRATION

The previous sections of this paper have focused on the importance of political parties in the Canadian context. Parties, however, do not operate in a vacuum. In Canadian cities, the city bureaucracy also plays a significant role in local government, particularly at the policy level, as noted by Tindal and Tindal.⁵¹ The following paragraphs briefly describe the ways in which the city bureaucracy shapes municipal affairs and policy in Vancouver.

Vancouver has a city manager system—a centralized form of city administration. Under this system, administrative activities are largely separated from Council with the goal of improving coordination of administrative activities and freeing Councillors from these time-consuming duties.⁵² A consequence of this system, however, is the separation between Council and bureaucracy in the area of policy-making. The result is that policy-making by the civic administration can occur outside the political arena. Thus, in this system, much of the power is rooted in the expertise of the professional staff, especially where excessive details creates pressure on Councillors' time.⁵³ In a comparison of the number of civic employees to city Councillors in major Canadian cities, Smith and Stewart note that Vancouver has the lowest ratio of Councillor to staff. One potential implication of this configuration is a bureaucracy with more relative autonomy and influence over civic matters.⁵⁴

⁵¹ Tindal, C.R., Tindal, S.N. (2004). *Local Government in Canada*. (6th ed). Toronto: Nelson. pp. 327. and Punter, J. (2003). *The Vancouver Achievement: Urban Planning and Design*. pp. 265-273.

⁵² Lighbody, J. (2006). *City Politics, Canada*. Toronto: Broadview Press. pp. 278-279.

⁵³ *Ibid.*...pp.145–150.

⁵⁴ Smith, P., Stewart, K. (2005). Policy Analysis for Whom? Institutional Inadequacy and the Potential for Democratic Policy-Making Deviation in Eight Canadian Cities. In Dobuzinskis, L., Howlett, M., and Laycock, D. (Eds). *Policy analysis in Canada: The State of the Art*. Toronto: University of Toronto Press.

Lightbody notes that bureaucrats play an important and 'enduring' role both in defining and structuring policies.⁵⁵ They develop policy options by moving available resources and applying their first-hand knowledge of the issues and interests involved. Because of senior bureaucrats' continuity of service, politicians often rely on their advice when making difficult policy choices.⁵⁶ Punter notes that it is the contributions of both politicians and planning staff that have shaped land-use decisions in Vancouver.⁵⁷ The next section describes the role of both Vancouver's civic administration and City Council in a particular type of land-use decision-making – the rezoning process.

⁵⁵ Lightbody, J. (2006). *City Politics, Canada*. Toronto: Broadview Press. pp. 279

⁵⁶ *Ibid.*...281.

⁵⁷ Punter, J. (2003). *The Vancouver Achievement: Urban Planning and Design*. pp.14.

4.0 THE REZONING PROCESS IN VANCOUVER

This section provides background on the rezoning process in Vancouver. It explains what happens in a rezoning and the roles staff and City Council play in the process. In Vancouver, land-use considerations are governed by numerous Council approved land-use and development policies and guidelines, including the Zoning and Development By-law.⁵⁸ A rezoning is the process of changing the land use (zoning) of a specific site.

Rezoning can occur in three ways. First, they can be a change to an already existing standard zoning district as outlined in the Zoning and Development By-laws. The second form is a change made to the text of an already existing zone in the Zoning and Development By-law, Official Development Plan, or to an existing Comprehensive Development District (CD-1). The third and most common type is to change the zoning of a site into something which does not fit within existing zoning rules. In these cases where no existing 'zones' apply, the Vancouver Charter gives Council the power to create unique, site-specific zoning bylaws through a zoning designation called a Comprehensive Development District (CD-1). A CD-1 is a custom-designed zone with its own bylaw that governs its uses as well as its development. This type of rezoning—the creation of a new CD-1—will be the subject of research for this paper.⁵⁹

Currently there are over 400 CD-1 sites in Vancouver. Rezoning can be initiated by a private party (developer, architect, or landowner) or by the Director of Planning.⁶⁰ The

⁵⁸ City of Vancouver. Land Use and Development Policies Guidelines. (n.d.). Retrieved November 3, 2006 from <http://vancouver.ca/commsvcs/guidelines/pol@guide.htm>

⁵⁹ Please see Appendix B for a rationale as to why only this type of rezoning was included in this study.

⁶⁰ Privately-initiated and Director of Planning-initiated rezonings follow different processes. Director of Planning initiated rezonings are usually for large sites that have undergone an extensive planning process. Some involve public lands. Refer to section 8.4 for a fuller explanation of the differences and implications.

majority of rezoning applications are privately-initiated.⁶¹ All rezonings require Council approval and a Public Hearing process.

For privately-submitted applications, the first step of a rezoning process requires the applicant to submit a letter of enquiry to the staff at the Rezoning Centre with details of their intent. The Rezoning Centre is the workgroup at Vancouver City Hall that handles most rezoning applications.⁶² Usually a meeting between staff and the enquirer follows. Staff provide advice on applicable Council policy, identify issues that may arise, and indicate whether the application may be controversial. As well, they may indicate the position (recommendation/refusal) that the Planning Department—based upon adopted planning policies—may take at Council. Staff advises the applicant on how to proceed based on whether they believe a rezoning would have a chance of being approved by Council. This is usually determined by staff's understanding of Council policies, past practice, and public input.⁶³

Once the application is received, staff review background materials and notify community members of the proposal. The applicant is required to place a sign on the site and to notify the public of the application. A letter is mailed to registered property owners within a two-block radius of the site, although this is negotiable.⁶⁴ They then seek input from various City departments and advisory bodies. Depending on community

⁶¹ Refer to Table 1 in Section 6.1 and discussion in 8.4 for more details.

⁶² City of Vancouver (2006). *Rezoning Centre*. Vancouver, BC. Retrieved December 10, 2006 from <<http://vancouver.ca/commsvcs/currentplanning/rezoning.htm>>

⁶³ City of Vancouver, Law Department (2003). *Council's Role in Rezoning and Public Hearing*. Vancouver, BC: Connell, F.)

⁶⁴ Depending on community interest, staff may decide to expand the notification area.

interest, a public information meeting may be held to solicit additional input from nearby residents, property owners, and interested groups.⁶⁵

Directory of Planning-initiated applications are usually preceded by a long planning program and extensive public consultation. Most often, the rezoning application is motivated by the need to implement a previously approved planning policy. An example of this would be the rezoning application of S.E. False Creek, which came at the end of an extensive planning program that lasted several years.

For both privately-submitted and Director of Planning-initiated rezonings, the application along with all the input gathered from the public and other City Departments, is evaluated by staff. A report containing an analysis of the application along with staff's recommendation of outright approval, approval with conditions, or refusal is prepared and sent to City Council. If Council is willing to consider the application, it is then referred to a Public Hearing—which is required by the Vancouver Charter before Council can approve a zoning change.⁶⁶ At the Public Hearing, staff makes a presentation about the application, including an analysis of the issues, a summary of the public input, and the staff recommendation. The applicant, community members (opposed or in support), and other interested parties are then given an opportunity to speak. Council can ask clarifying questions of staff and other parties. Council then makes a decision to approve or refuse the application. Site specific (CD-1 type) rezonings are normally approved with

⁶⁵ City of Vancouver (2006). *Rezoning Procedures in Vancouver*. (2006). Vancouver, BC. Retrieved December 8, 2006 from <http://vancouver.ca/commsvcs/planning/landuse5.htm>>

⁶⁶ *Ibid...* <http://vancouver.ca/commsvcs/planning/landuse5.htm>>

In general, Council refers all reports to Public Hearing. It is rare for Council to hold back, change, or dismiss an application at this stage. The exception occurs when Council disagrees with staff on the merits of considering an application. However, even if Council disagrees with staff on policy interpretation, they will usually still refer the application to Public Hearing so it can play out in the public arena—they can hear comments from the applicant, community, and staff before making the final decision. Interviewees noted that almost all reports are deferred to Public Hearing. Most could not recall an instance of when a report was held back.

conditions. The conditions may relate to site servicing, transportation requirements, design development, etc. Council has the power and authority to change the conditions of approval in the staff report, or add additional conditions depending on the issues and concerns raised at a Public Hearing.

There are three types of staff recommendations to Council. Again, the most common type is to recommend approval that is subject to conditions being fulfilled by the applicant. Typical conditions include: additional traffic studies, lighting, landscaping, parking spaces, bicycle facilities, under grounding utilities, etc. The other types of recommendation are refusal and outright approval. In general, the majority of reports to Council recommend approval with conditions. It is rare for staff to recommend outright approval or refusal.⁶⁷

The applications are evaluated on planning principles, urban design guidelines, neighbourhood fit, technical issues, and how well the applicants address issues and concerns identified by neighbours.⁶⁸ Typically, rezoning applications require seven to ten months to process before going to Public Hearing.

⁶⁷ As the rezoning process is one of complex negotiation that involves many departments, it is rare that an application will meet all the requirements of staff. Thus, outright approval is very rare, especially in complex large CD-1 rezonings. Refusal is also rare. Applicants pay a substantial fee in order to initiate a rezoning process—ranging from \$16,000 to upwards of \$90,000 for new CD-1s. As such, it is in both the staff and applicants interest to negotiate a product that is successful for all stakeholders: the citizens, Council and the applicant. Staff operate on a consensus-building approach to inquiries which attempts to resolve issues.

⁶⁸ Rezoning applications are evaluated on relevant Council approved planning policies. They are also evaluated on a number of technical considerations, including the completion of a legal survey plan and plans showing context, site, floor plans, roof, landscape, elevation and cross sections. In addition, they are evaluated on their context and massing model, design rationale, and rationale for the changes of use, height, space, and site. The applicant is also required to develop and carry out a public consultation program.

4.1 ROLE OF PUBLIC HEARINGS AND CITY COUNCIL

The Vancouver Charter requires an advertised Public Hearing be held before Council can consider approving a zoning change.⁶⁹ It is a legal requirement that must follow due process. Once an application has been referred to a Public Hearing, Council members are not permitted to entertain commentary from the public or the applicant. As described above, members of the public and the applicant have an opportunity to address Council at the Public Hearing.

The role of City Council in the rezoning process and Public Hearings is outlined in both City policies and practices and in the Vancouver Charter.⁷⁰ According to the Vancouver Charter, City Council must give all members who feel affected by a proposed rezoning an opportunity to be heard.⁷¹ Council's role is to act fairly and to listen to what people say at the Public Hearing. Only Council has the final decision-making authority to approve, refuse, or alter the conditions of approval of a rezoning application. They may decide whether or not to approve or refuse based only on the representations made at the Public Hearing. According to past protocols, Councillors are to remain neutral observers if they are in attendance of public events during the rezoning process. Once Council has referred an application to Public Hearing, they must not engage in discussion with the public about the application until the Public Hearing. Council decisions are final and cannot be appealed.

⁶⁹ City of Vancouver, Law Department (2003). *Council's Role in Rezoning and Public Hearing*. Vancouver, BC: Connell, F.

⁷⁰ See both: City of Vancouver, Law Department (2003). *Council's Role in Rezoning and Public Hearing*. Vancouver, BC: Connell, F). and Vancouver Charter. (1953). *Vancouver Charter, Chapter 55, Planning and Environment*. 1953. Sections. 562, 565, 566.

⁷¹ *Ibid*...sections 562, 565, 566.

4.2 ROLE OF CITY STAFF

The power and duties of Vancouver City staff as it pertains to the rezoning process is detailed in both the Zoning and Development By-law as well as in City policies and practices.⁷² The City of Vancouver has a Rezoning Centre staff group which handles most rezoning applications. The role of these staff is to take an application from the inquiry stage to bylaw enactment, ensuring due process is followed. They provide advice on rezonings and evaluate rezoning applications. Through their advice and evaluation, they serve the development community, citizens, and City Council. Staff consider whether the application is in the public good—that is, reasons why the rezoning would serve the city as a whole. Staff also prepare rezoning reports, carry out the notification process, conduct assessment, and coordinate staff and public input. They act as mediators and try to resolve contentious issues during the application stage before the final report to Council at Public Hearing.

4.3 SUMMARY

The impact of political parties in Canada at the federal and provincial level is clear. Parties play an important and defining role in our democratic process. They set policy directions and carry out government action. Their impact at the local level is less clear. The literature provides some evidence in the handful of Canadian Cities where local political parties exist, that these councils can play a larger role in local government and provide more continuity in policy choice. The literature also suggests that political parties do not function in a vacuum, and points to the importance of other actors who shape policy choices, such as the public bureaucracy. Given these trends, how much

⁷² City of Vancouver (2006). Zoning and Development Bylaw (No 3575). Vancouver, BC. Retrieved December 8, from <http://vancouver.ca/commsvcs/BYLAWS/zoning/zon&dev.htm> and City of Vancouver (2006). *Rezoning Procedures in Vancouver*. (2006). Vancouver, BC. Retrieved December 8, 2006 from <http://vancouver.ca/commsvcs/planning/landuse5>.

decision-making power do local political parties really have? Where political parties exist, can they play an important role, such as those of federal political parties in the areas of government action, policy-setting, and decision-making? Specifically, in the case of Vancouver where there is considerable involvement from staff in the rezoning process, what role do the ideologically different NPA and COPE parties play in these rezoning decisions? The remaining sections attempt to explore some of these questions further.

5.0 RESEARCH QUESTION: DO LOCAL POLITICAL PARTIES MATTER?

The central question of this study is explored through a comparison of rezoning decisions made in Vancouver by two different political parties. As discussed in the previous section, Vancouver's rezoning process involves many players—the bureaucrats, public stakeholders, the applicant, and the political parties who make the final land-use decisions. What role do local political parties play in this complex process?

Specifically, this project focuses on the rezoning decisions made between 1999 and 2005. This timeframe was chosen because there was a change in the governing party during this period. It attempts to answer this question by comparing the decisions made at Public Hearings between the NPA Council (1999 – 2002) and COPE Council (2002 – 2005) through an analysis of Public Hearing minutes, Council reports, and agendas (refer to section 5.1 for more details). The intent of the study is to determine whether there were differences in decision-making between these two parties during their respective terms on City Council. In comparing the decisions between these two parties, this research attempts to explore the following sub questions:

- Was there a difference in the rate of approval, refusal, and amendments made to applications between the two Councils?
- What is the role of political ideology? Did the difference in political ideology between the two Councils play a role in rezoning decision-making?
- Was there a difference in why the two Councils approve, refuse or amend applications?
- What is the role of the community? Did the two Councils respond differently to community opposition or support?

- What is the role of other potential influences on the rezoning process, such as the geographic location of the site, size of the site, zoning, initiator of application, and staff recommendations? Did these factor play different roles between the two Councils?
- What impact did policies have in Council decisions?

As the data set used in this research study is broad, the purpose of these sub questions is to narrow the focus of the research. Presumably, if political parties play a role, the findings will show a difference in decisions made by the two Councils.

5.1 DATA SET

The primary data includes rezoning reports, agendas, and Public Hearing Minutes for all rezoning applications between 1999 – 2005.⁷³ The data set spans two Civic Councils—the NPA dominated Council of 1999 – 2002, and the COPE Council of 2002 – 2005, and is a complete universe (100% sample). There are 53 new rezoning applications in total—18 during the NPA Council and 35 during the COPE Council.⁷⁴ The minutes, reports, and agendas were analyzed to investigate differences between parties in their voting patterns, approval and refusal rates, types of changes made to applications, and the role that opposition and support played in the process. This is the main data used in this research study.

Five semi-structured elite interviews were also conducted to supplement the primary data. The purpose of the interviews was to confirm initial findings and to clarify any trends or patterns which emerged from the data. It is important to note that these two data sets do not have equal weight in this research. The actual decisions of Council on

⁷³ Rezoning changes to existing CD-1 sites were not included in the data. See Appendix B for reasons why this data was excluded.

⁷⁴ Staff interviews suggest that a boom in the economy, demand to develop the downtown, or more time for developers to generate interest with rezonings, are possible reasons why there were significantly more rezoning applications during 2002 – 2005.

rezoning applications—found in Public Hearing minutes, Council reports, and agendas—is the focus of this study. The interviews played a secondary role. They were used to provide a ‘check’ on the content analysis and to clarify issues arising from the analysis of the primary data.

The interviews were conducted with City Staff employed in the Rezoning Centre.⁷⁵

These civil servants are directly responsible for facilitating/managing the rezoning process, authoring the reports, attending Public Hearings, and liaising with the applicant, public, other City Staff and Council. Elite staff interviews were chosen because staff have the most complete overview and general knowledge of each rezoning application. They have knowledge of relevant City policies, familiarity with stakeholder interests, as well as an understanding of Council’s interests and the memory of what occurred during Public Hearings.

5.2 RESEARCH PARADIGM

The theoretical perspective of this research paradigm is interpretivistic. The fundamental tenant of this approach is that the world is socially constructed, subjective, and that what happens is driven by human interests.⁷⁶ The focus is to construct meaning and to understand events that have recently happened. The research is inductive, starting with a large body of data in an attempt to reveal patterns. The paradigm allows for trends, patterns, and meanings to be constructed from the data.

⁷⁵ I considered conducting interviews with the members of the party executive, individual Councillors, and community members. However, in order to ensure all opinions would be included, interviews would need to be conducted with almost every Councillor that sat on both terms (as no one Councillor could entirely represent the views of their party). In addition, many interviews would need to be conducted in the community to reflect all the different interests involved. The scope of that work would be too large for a four month project, but could be the subject of a future study.

⁷⁶ Gray, D., (2004). *Theoretical Perspectives and Research Methodologies. Doing Research in the Real World.* Sage. pp.22

5.3 RESEARCH METHODOLOGY—PURPOSE, INTENT, AND ASSUMPTIONS

The purpose of this research is explanatory. It will attempt to explain processes and activities that have occurred in the past (rezoning decisions between 1999 – 2005) and look for patterns and correlations. The research is both extensive and intensive. It is extensive because it examines all new rezoning decisions between 1999 – 2005. It is also intensive in that it attempts to uncover any unusual cases and explore why they are unusual.

The research approach is grounded theory, a qualitative method of comparative analysis. It generates a theory about a substantive case.⁷⁷ In this project, it is based on a concept-indicator model, which involves conceptual coding of empirical indicators.⁷⁸ This is an inductive approach that generates theory from data and seeks to understand actions from the point of view of those involved.⁷⁹ In this case, this point of view includes Council members, members of the community, and staff. This study will focus on the rezoning decisions made by the COPE and NPA Council members. Staff comments are used to confirm findings around rezoning decisions and to provide context.

This approach assumes that it is valid to compare all data and develop meaning. It assumes that the researcher can maintain some theoretical, social and analytical distance, while assimilating data and allowing concepts and patterns to emerge from the

⁷⁷ Glaser, B. (1992). *Emergence vs. Forcing: Basics of Grounded Theory Analysis*. Sociology Press. pp. 129.

⁷⁸ Glaser, B., Strauss, A. (1967). *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Aldine. pp. 271.

⁷⁹ Glaser, B. (1998). *Doing Grounded Theory: Issues and Discussions*. Sociology Press. pp. 254.

data.⁸⁰ Grounded theory assumes that social events that occur are not random, but that they will re-occur over time.

5.4 RESEARCH AND ANALYTICAL METHODS

The research approach is primarily qualitative. Two qualitative methods—semi-structured elite interviews and document analysis of all new CD-1 rezoning reports and their corresponding Public Hearing minutes that occurred over two City Councils between 1999 – 2005—provide the analytical framework that attempts to explain whether local political parties make a difference in rezoning decisions. Four steps were involved in conducting and analyzing the data:

5.4.1 Step One

All agendas, Public Hearing minutes, and rezoning reports pertaining to new CD-1 applications between 1999 and 2005 were obtained. The information in these documents was sorted, coded, categorized, and entered into a database created for this project. Based on a pretest of six rezoning applications,⁸¹ the database structure and a list of fields was developed and refined.⁸² Data for each application was entered into the database. Among other fields, the data captured included voting patterns of individual party members, nature of opposition and support, who initiated the application, geography, size of application, staff recommendations, outcome (refusal or approval) of application, and any new motions added.

⁸⁰ *Ibid.*...121.

⁸¹ Six rezoning were chosen for two reasons. First, six is roughly 10 per cent of all applications. Second, the study spans six years, so I was able to conduct a test using one application per year. This was representative of the types of fields that would need to be created in a database. New fields were also added during the data entry phase (see Step Two). All data was checked for consistency.

⁸² See Appendix C for full list of fields in database.

5.4.2 Step Two

Once the database entry was completed, the data was coded into themes. An initial summary and analysis of trends was completed. In addition, possible variables that *could* influence whether an application was refused, approved, or approved with changes were noted and explored. Obvious trends, patterns, unusual cases, and questions which emerged from the reports and minutes requiring further clarification were also noted. Some of the possible relationships explored during this step included: the relationships between approval/refusal/changes made to applications and who initiated the rezoning application, the location of the rezoning application, the role of opposition/support expressed at Public Hearing, and party platform.

5.4.3 Step Three

The elite interview questions were developed from the initial findings from step two.⁸³ Five elite interviews were conducted with senior City Staff from the Rezoning Centre. The purpose of the interviews was to confirm and verify initial results and to further explore and explain trends and patterns that emerged. The interviews also provided an opportunity to meet with staff who worked directly on these applications and clarify issues that were unclear in the reports and minutes.

5.5.4 Step Four

The completed interviews were transcribed and coded into themes. The results were then compared with those from previous steps. New insights and patterns were noted. More research was conducted to make sense of these new patterns. This involved finding related reports and memos, and re-analyzing and re-synthesizing data from step two. Charts and statistics were prepared to summarize results of the interviews and

⁸³ See Appendix D for full list of interview questions.

Public Hearing minutes. The analysis was then organized into the following sections:
main themes, analysis of findings, and further considerations.

6.0 SUMMARY OF FINDINGS: MAIN THEMES

This section summarizes the results of the document analysis and elite interviews. It shows that Vancouver political parties played a key role in the rezoning process. The analysis shows a difference between the COPE and NPA Councils in both their approach and ultimately in their rezoning decisions. The COPE Council was more likely to refuse and amend applications than NPA. The analysis uncovered three factors that may explain why COPE refused and also changed more applications than NPA: these are (i) difference in political philosophy between the parties; (ii) level of party cohesion; and (iii) the different role each party saw for public involvement. These themes will be analyzed further in sections 7.0 to 7.4.

Between 1999 to 2005, an analysis uncovered three applications that were refused—all of which occurred during the COPE -Council of 2002 to 2005. The significance of these three applications will be examined more closely in sections 7.5. to determine factors that may have led to refusal. Section 8.0 will conclude with a discussion on the role that other 'control' variables may have played in influencing the results. These variables include geography, existing zoning, staff recommendations, and who initiated the application.

To provide context for these findings, this next section (6.1) will begin with an overview of the rezoning data during this six year period and summarize the difference between the two Councils. It is intended to provide a background understanding of the forces at play, many of which are independent of political decisions.

6.1 PROVIDING CONTEXT—SUMMARY OF PRIMARY DATA

The following summary noted in Table 1 provides context as to the amount, nature, and locations of rezoning activity between 1999 – 2005. These results are largely free from political influence. Municipal councils do not as a collective body decide when, where, and what type of rezoning is submitted to the City. Although they may receive advice from City staff about the likelihood of success based on staff knowledge of existing policies, the decision to submit an application is ultimately made by the developer

Table 1. Summary of Background Findings

	Categories	NPA (1999 - 2002) Number	NPA (1999 - 2002) %	COPE (2002 - 2005) Number	COPE (2002 - 2005) %	Total Number	Total %
1	Total number of applications	18	34%	35	66%	53	100%
2	Who initiated the application?						
	Privately initiated	13	72%	28	80%	41	77%
	Staff initiated	5	27%	7	20%	12	23%
3	Add additional density?						
	Yes	16	89%	28	80%	44	83%
	No	2	11%	7	20%	9	17%
4	Size of Site						
	under 1000 m2	2	11%	3	8%	5	9%
	1001 - 10,000 m2	9	50%	16	46%	25	47%
	over 10,000 m2	7	39%	16	46%	23	43%
5	Zoning (current zoning)						
	Residential	7	39%	12	34%	19	36%
	Industrial	2	11%	5	14%	7	13%
	Commercial	2	11%	0	0%	2	4%

	Categories	NPA (1999 - 2002) Number	NPA (1999 - 2002) %	COPE (2002 - 2005) Number	COPE (2002 - 2005) %	Total Number	Total %
	mixed use	7	39%	17	49%	24	45%
	CD-1 (comprehensive development district)	0	0%	1	3%	1	2%
6	Proposed Zoning						
	CD-1 (comprehensive development district)	17	94%	34	97%	51	96%
	Residential	1	6%	1	3%	2	4%
7	Proposed Use						
	Special Needs Residential Facility (SNRF)	4	22%	1	3%	5	9%
	mixed use	8	44%	17	49%	25	47%
	Residential	3	17%	10	29%	13	25%
	Commercial	0	0%	2	6%	2	4%
	Industrial	0	0%	0	0%	0	0%
	cultural/insititutional (e.g. community centre)	0	0%	3	9%	3	6%
	area plan (official development plans)	3	17%	2	6%	5	9%
8	Location						
	Westside	5	28%	10	29%	15	28%
	Downtown	5	28%	14	40%	19	36%
	Eastside	7	39%	11	31%	18	34%
	various areas (e.g. amend zoning city-wide)	1	6%	0	0%	1	2%

Fifty-three new CD-1 rezoning applications were processed between 1999 – 2005. More rezoning applications occurred during the COPE Council (35) than the NPA Council (17).⁸⁴ The majority of total applications were privately- initiated (77%) as compared to staff-initiated (23%). A slightly higher number of applications were privately-initiated during the COPE Council (80%) than the NPA Council (72%). Staff interviews confirmed that historically, the majority of rezoning applications are privately-submitted. Staff noted the percentage difference of privately and publicly submitted applications in this six year period are fairly typical of previous Councils.

The majority of applications added housing density (83%). More applications that added density occurred during the NPA Council (89%) than COPE (80%). In terms of size, almost all rezoning applications were over 1,000 m² (90%). There was little difference in the size of applications reviewed during the COPE (92%) and NPA (89%) Councils. However, COPE reviewed more applications that were over 10,000 m² (46%) than NPA (39%). In large part, this was due to the fact that COPE reviewed more applications in the Downtown, which tended to be for rezonings that are larger in scale than those in other neighbourhoods.⁸⁵

Almost half of all applications proposed were for mixed-use developments (47%), followed by residential (28%), Special Needs Residential Facilities (SNRF)⁸⁶ (9%), and commercial (4%). NPA Council reviewed more SNRF applications (22%) than COPE

⁸⁴ See footnote 82 above for possible reasons why there were more rezoning applications during the COPE (2002 – 2005) Council.

⁸⁵ As noted in the opening of section 6.1, the type of rezonings that are reviewed by Council is not within the control of Council. That is, Council does not decide what type of application is submitted or when it is received. Those decisions are largely made by the applicant.

⁸⁶ SNRFs are considered a residential application. For the purposes of this project, I separated them out because these types of applications have attracted much controversy in the past. I sorted them out as their own category in case there could be a possibility some significant result could be found in terms of how Councils treat them. This did not prove to be the case.

(3%). COPE Council reviewed more residential (29% as compared to 17% by NPA) and mixed-use applications (49% as compared to 44% by NPA).

Turning to location of sites, there is a fairly even split between applications in the Eastside (34%), Westside (28%), and Downtown (28%). The NPA Council reviewed more applications in the Eastside (39%) compared to COPE (31%). COPE reviewed more applications in the downtown (40%) compared to NPA (28%).

6.2 SUMMARY OF PUBLIC INPUT AT PUBLIC HEARING-CORRESPONDENCE AND SPEAKERS

Table 2 below summarizes the nature of public correspondence, a theme that directly relates to local party decision-making.

Table 2. Summary of Public Input at Public Hearing

	Categories	NPA (1999 - 2002) Number	NPA (1999 - 2002) %	COPE (2002 - 2005) Number	COPE (2002 - 2005) %	Total Number	Total %
1	Summary of correspondence						
	support letters	216	44%	298	33%	514	37%
	support petitions	3	1%	0	0%	3	0%
	opposition letters	236	49%	577	64%	813	59%
	opposition petitions	1	0%	4	0%	5	0%
	other letters	30	6%	16	2%	46	3%
	Total letters/petitions	486	-	895	-	1381	-
2	Summary of speakers						
	Speakers in support	130	53%	140	38%	270	44%
	Speakers in opposition	98	40%	206	56%	304	50%
	Speakers other	17	7%	22	6%	39	6%
	Total speakers	245	-	368	-	613	-

A total of 1381 letters and petitions regarding rezoning applications were received from the public between 1999 and 2006. As a percentage of the total applications reviewed

by each Council, the amount of correspondence received was similar between both Councils⁸⁷. During the NPA Council, an average of 27 letters per application was received. Similarly, 26 letters per application was received during the COPE Council. It is important to note that almost half of the correspondence (46%) received during the NPA Council was for one application, the Arbutus Corridor Official Development Plan, a contentious issue. Similarly, over half of the correspondence (55%) received during the COPE Council was also for a contentious application—townhouses on 2876 West 33rd.

The total number of speakers, as an average per application, was higher during the NPA than COPE Council. There was an average of 14 speakers per application during the NPA Council as compared to 11 speakers during COPE. However, the number of speakers in opposition to rezoning applications was higher during the COPE Council (56%) than NPA (40%). The role that public opposition and support played during Public Hearing will be further examined in sections 7.1 and 7.3 below.

6.3 APPROVAL, REFUSAL, AND CHANGES TO APPLICATIONS

Table 3 summarizes rates of approval/refusal and changes made to applications by NPA and COPE between 1999 and 2006.

⁸⁷ This number is determined by the following formula: total number of correspondence (of X Party) /total number of applications (of X Party).

Table 3. Summary Approval, Refusal, and Changes to Rezoning Applications

	Categories	NPA (1999 - 2002) Number	NPA (1999 - 2002) %	COPE (2002 - 2005) Number	COPE (2002 - 2005) %	Total Number	Total %
1	Approval/Refusal Rate						
	Approve	18	100%	32	91%	50	94%
	Refuse	0	0	3	9%	3	6%
2	New conditions added by Council	5	28%	12	34%	17	32%
3	Refused application and/or made amendment	5	28%	15	43%	20	38%

Overall, six per cent of applications were refused by Council. During the NPA Council all applications were approved, compared to 91 per cent of applications during COPE Council. Over the six year period, Council added or amended conditions to 28 per cent of applications. Breaking this down by Party, the NPA Council made changes to 28 per cent of applications, while COPE made changes to 34 per cent of applications. Looking at the total number of applications that were refused or changed, NPA made changes and/or refused 28 per cent of applications. COPE made changes and/or refused 43 per cent of applications.

Applying a purely quantitative analysis (Pearson's Chi Test) to the data shows the following: the difference between the two parties in amendment or refusal rates is not significant (see Appendix C). However, as noted in Section 3.0⁸⁸, a refusal by City Council is rare in the context of Vancouver's rezoning process, where problem-solving and negotiation are highly emphasized. In addition, while the difference in amendment rates between the two parties does not prove to be significant according to the Chi Test, it is argued that the reasons why amendments were made and the number made per

⁸⁸ See footnote 67

application are significant. Possible explanations as to why COPE refused and changed more applications will be detailed in sections 7.1 and 7.5.

6.4 SIGNIFICANCE OF PRIMARY DATA SUMMARY—IMPLICATIONS OF RESULTS

There are several implications that should be considered when examining these findings. The first is that there were substantially more rezoning applications reviewed by COPE than NPA (32% higher). Since this data set is a complete universe, each individual application is significant. In addition, each application can be very different. Had NPA reviewed more applications, the results may have been different.

The second implication relates to the difference that location and type of application may have played in the results. A higher percentage of Eastside and SNRF applications were reviewed by NPA. COPE reviewed more Downtown and mixed-use applications. This may have played a role in the results. For example, perhaps COPE added more conditions to downtown applications because the impacts were perceived to be greater than in other residential neighbourhoods across the city. The role of geography and zoning is examined further in section 8.1 and 8.2 in a discussion of other variables. The analysis suggests that geography played a limited role in influencing Council's decision around rezonings.

7.0 ANALYSIS OF MAIN THEMES

Political parties appear to make a difference in shaping rezoning decisions during Public Hearings. Comparing results of the COPE and NPA Councils revealed a difference in Council approval/refusal rates or changes to applications (e.g. adding conditions). During this period, the COPE Council was more likely to refuse applications and add conditions than the NPA Council.

In an analysis of both the document review and the interview results, three main explanations emerge: There is less party cohesion during the COPE Council (2002 – 2005) than the NPA Council (1999 – 2002). Second, public input expressed during Public Hearing led to more changes and/or refusal of applications during the COPE Council. Third, political philosophy of parties played a role in determining whether an application was approved or changed. These themes will be discussed in the next section, followed by an analysis of how these factors played a part in the three refused applications.

7.1 COPE COUNCIL IS MORE LIKELY TO REFUSE AND CHANGE APPLICATIONS

As Table 3 indicates, three applications (6%) were refused in the six years of Public Hearings. All three occurred during the COPE Council. They were: 26 S.W. Marine Drive (Canadian Tire), 86 S.E. Marine Drive (Wal-Mart), and 2876 West 33rd (Fee Simple Rowhouse). Two of these applications were related to 'Big Box' retailers. It is important to note here that some COPE Councillors ran individual campaigns against 'Big Box' retail stores in the 2002 election. Councillor Anne Roberts, for example, ran an anti-Wal-Mart campaign as part of her 2002 election platform. This will be discussed further in section 7.5.

Breaking voting patterns down by party over the six years⁸⁹ revealed that COPE was more likely to vote against rezoning applications. As shown in Table 4, of the three applications that were refused, NPA voted to approve two: 26 S.W. Marine Drive and 86 S.E. Marine Drive. For 2876 West 33rd, the NPA vote was split. Between 1999 – 2002, COPE Councillors voted against one application, while NPA, as a party, voted to approve all applications.

Table 4. Breakdown of Refused Applications by Party (1999 – 2005)

Refused Applications	NPA Voting Record by Party	COPE Voting Record by Party
26 SW Marine	Approve	Refuse
86 SE Marine	Approve	Refuse
2876 W. 33rd	Split Vote	Refuse

In addition, individual Councillors were more likely during the COPE Council to refuse applications than NPA Councillors. During the 2002 – 2005 COPE Council, several Councillors voted to refuse up to 17 per cent of all applications (see 7.2 and Table 5 for further discussion).

The data also revealed that the COPE Council was more likely to amend applications by changing or adding conditions (refer to Table 3 in section 6.3 for more details). The NPA Council made changes to 28 per cent of applications, while COPE made changes to 34 per cent of applications. Looking at the total number of applications that were refused or changed, NPA made changes and/or refused 28 per cent of applications. COPE made changes and/or refused 43 per cent of applications.

⁸⁹ This analysis involved separating out the voting behaviour of the two Councils during their two terms in office. Between 1999 – 2002, I grouped the responses of the eight NPA Councillors together as 'NPA,' and the two COPE Councillors together as 'COPE.' Similarly, between 2002 – 2005, I grouped the responses of the eight COPE Councillors together as 'COPE,' and the two NPA Councillors as 'NPA.'

In addition, not only did the COPE Council amend slightly more applications, they were more likely to add more conditions to each application than the NPA. For the five amended applications, NPA added or amended one condition per application. COPE added up to five conditions per application in several instances (South East False Creek and 900 Pacific Boulevard). Thus, the COPE Council was more likely to both refuse and change applications as compared to NPA.

7.2 PARTY COHESION AND VOTING DISCIPLINE

An analysis of the data in Table 2 revealed more party cohesion in voting behaviour by NPA than COPE. During the NPA Council of 1999 – 2002, NPA Councillors voted to approve all applications, except in one instance. During the COPE Council (2002 – 2005), there was much less cohesion in voting. All COPE Councillors voted against an application at least once, with several Councillors voting to refuse up to six applications (17%). It is interesting to note here that the two COPE Councillors (Bass and Louis) that were on Council during both terms were the ones who voted to refuse the most applications (17%) during the 2002 – 2005 Council.

Interviewees suggested several explanations for lack of party cohesion during the COPE Council. The COPE split—the so called ‘classic’ versus ‘light’—may have played a role.⁹⁰ There was more diversity of opinion within the COPE Council during this time. Therefore, COPE had to make more amendments to each application in order to rally support from the different factions in the party. COPE Councillors were also more likely to vote according to their own political philosophy. As the 2002 to 2005 term progressed, COPE

⁹⁰ COPE ‘classic’ was the contingent of the party that was more true to the traditional COPE platform: representing the underprivileged and the working class. They included: Anne Roberts, Tim Louis, Fred Bass, David Cadman, and Ellen Woodsworth. COPE ‘light’ were the members with more ‘centralist’ views. They included: Larry Campbell, Jim Green, Raymond Louie, and Tim Stevenson.

'classic' and 'light' positions on issues became more and more irreconcilable.⁹¹ They fought and voted against each other on a number of ideological issues, including the Olympics, Wal-Mart, a proposed ward system, bike lanes, ethical purchasing, gambling, and what to do about protestors at city hall.⁹² The differences between COPE 'classic' and 'light' became so great that the factions formalized their split into two separate parties—Vision Vancouver and COPE—in July 2005, three months before the civic election that saw NPA elected back into power.⁹³ According to then NPA Councillor Sam Sullivan in 2005, "The COPE council has fought so bitterly in the last two years that there is now two political parties."⁹⁴ There is evidence in previous studies that also support this trend. Tennant notes that historically, party discipline in Vancouver parties is "not highly developed."⁹⁵ In contrast, the NPA Council (1999 to 2002) tended to be more cohesive and coordinated as illustrated in Table 2 below.

Table 5. Voting Record: NPA and COPE 1999 - 2005

Vancouver Council (1999 - 2002)			Vancouver City Council (2002 - 2005)		
Councillor	not in favour	not in favour %	Councillor	not in favour	not in favour %
NPA			COPE		
Owen	0	0%	Campbell	1	3%
Clarke	0	0%	Bass	6	17%
Kennedy	0	0%	Cadman	2	6%
Dan Lee	0	0%	Green	3	9%
Don Lee	0	0%	Louie	3	6%
McCormick	0	0%	Louis	6	17%

⁹¹ Link, B. (2005, October 13). On the record. *Vancouver Courier.com*. Retrieved December 8, 2006 from <http://www.vancourier.com/issues05/102205/news/102205nn1.html>

⁹² *Ibid...* <http://www.vancourier.com/issues05/102205/news/102205nn1.html>

⁹³ Woodward, J. (2005, August 8). *Globeandmail.com*. Retrieved December 8, 2006 from http://www.theglobeandmail.com/servlet/story/LAC.20050815.BCVISION15/PPVStory?URL_Article_ID=LAC.20050815.BCVISION15

⁹⁴ *Ibid...* http://www.theglobeandmail.com/servlet/story/LAC.20050815.BCVISION15/PPVStory?URL_Article_ID=LAC.20050815.BCVISION15

⁹⁵ Tennant, P. (1981). *Vancouver City Politics, 1929 – 1980*. In Feldman, L.D. (Ed). (1981). *Politics and Government of Urban Canada*. (4th ed.). Toronto: Methuen. pp. 145.

Vancouver Council (1999 - 2002)			Vancouver City Council (2002 - 2005)		
Councillor	not in favour	not in favour %	Councillor	not in favour	not in favour %
Price	0	0%	Roberts	3	9%
Puil	0	0%	Stevenson	3	9%
Sullivan	1	6%	Woodsworth	2	6%
COPE			NPA		
Bass	1	6%	Ladner	1	3%
Louis	1	6%	Sullivan	1	3%

7.3 ROLE OF PUBLIC INPUT AND OPPOSITION

Public opposition or support expressed during Public Hearing can play a role in determining whether an application is refused or amended. Public input can be expressed in two ways: by speaking directly to Council at Public Hearing or through correspondence. There is a link between public input and amendments made during Public Hearings by both the NPA and COPE Councils.

However, in terms of what prompted amendments, data revealed that COPE was more likely to make amendments in response to public concerns and input expressed during Public Hearings. The NPA was more likely to amend applications based on concerns/input expressed by the applicant or developer.

In the three applications that the COPE Council refused—Wal-Mart, Canadian Tire, and row simple townhouses at 2876 W. 33rd Ave—a significant amount of correspondence was received and many speakers were present at the Public Hearing. In all these cases, the Public Hearings were extended—additional nights were added—so all the speakers could be heard. In addition, 80% of the Public Hearing correspondence received during the COPE Council were related to these three applications. Thirty-eight per cent of all speakers at Public Hearings during the 2002 – 2005 COPE Council were

addressing these three items. The important role of public input combined with political ideology (e.g. anti-Wal-Mart campaigns advocated by some COPE Councillors) will be addressed in section 8.5.

During the NPA Council, amendments were made to five applications (28%), all of which were approved. Of those amended applications, there were three applications where opposition and questions were directed at Council in the form of letters and speakers at the Public Hearing. In those three cases, the public spoke in opposition to certain elements of the application or asked for aspects of the application to be changed. Amendments in two of these cases resulted from concerns expressed by the applicant during Public Hearing. One was related to relaxing a parking condition, and the other was about the lack of enforceability of a housing regulation (refer to Section 7.4.1 for more details). In both of these situations, the applicant expressed concerns related to financial hardship or concerns about the unfairness of a condition of approval.

As for the COPE Council, amendments were made to 12 applications (34%). Of these amended applications, over half (58 %) had speakers/correspondence at the Public Hearing. Of the public input that was received at Public Hearing, one percent was neutral, 37 per cent were in support of the application, and 62 per cent were opposed to the application, or parts of the application. The types of amendments made by Council to these applications were varied, but contained some commonalities such as: public involvement in traffic management plans/future designs; enhancement of the environment, and additional conditions asking for more public amenities. Thus amendments made by COPE were more related to concerns expressed by community members at Public Hearing.

This was confirmed in the interviews. Most interviewees commented that the public played a larger role in decision-making in the COPE Council. As one interviewee put it, individual COPE Councillors would often engage the public and ask them what could be done to lessen the impacts on neighbours.

7.4 ROLE OF POLITICAL IDEOLOGY

Political philosophy of the parties played a role in determining whether a rezoning application was approved, refused, or amended. This section outlines the way in which political philosophy influenced the way that the COPE and NPA Councils made rezoning decisions. According to the literature, local media sources, and interviewees, NPA tended to be more pro-business, more concerned about being equitable in their treatment of all applicants, had more confidence in the bureaucratic process, and was more likely to treat each application based on its own merits as it related to adopted planning principles. In contrast, COPE Council tended to run each application through a series of ideological considerations that were more left-leaning in nature. Interviewees also stated that political philosophy played a larger role in the COPE Council than the NPA Council.

7.4.1 NPA Council (1999 – 2002)

As noted earlier, NPA Council was more pro-business and responsive to developers. They were more likely to respond to applicant concerns or requests. The data shows that there are two instances during the NPA 1999 – 2002 Council when a developer asked for a condition to be changed or relaxed and Council amended the condition as requested. One was in relation to a parking condition, and the other referred to the enforceability of a housing regulation.

NPA was also influenced by their philosophical belief in equity—in treating all applicants/applications the same. Evidence was found in the data to support this claim. In one case (1220 East Pender), the applicant asked Council to remove a clause recommended by staff which had not been applied to similar applications. Council agreed to amend the motion on the basis that they needed to treat all applications fairly and equitably.

According to an interviewee, the NPA Council was also more inclined to consider applications based on locally accepted planning principles, rather than make decisions on ideological considerations. As will be discussed in section 7.5, the decisions to refuse two rezoning applications at 26 S.W. Marine Drive and 86 S.E. Marine Drive were largely based on the philosophical outlook of COPE which opposed Wal-Mart as a corporation, rather than established planning policies, which allowed 'Big Box' retail as a conditional use. The NPA Councillors supported these applications, which were consistent with Council-adopted planning policies and included numerous conditions of approval that the applicants were prepared to fulfill.

7.4.2 COPE Council (2002 – 2005)

As noted in the discussion about party cohesion in 7.2, differences between COPE 'classic' and 'light' became so pronounced that the party eventually disintegrated and split into two separate parties—COPE and Vision Vancouver. COPE 'light,' which became Vision Vancouver, considered itself 'centre-left' on the ideological spectrum, while COPE 'classic' placed themselves more firmly on the left.⁹⁶ During the Wal-Mart debate, which will be discussed in more detail in the next section (7.5), this split

⁹⁶ Burrows, M., (2005, November 24). COPE Politicians Say They Will Stay the Course. *Straight.com* retrieved on December 8, 2006 from <http://www.straight.com/article/cope-politicians-say-theyll-stay-the-course>

manifested itself in the different rationales 'classic' and 'light' used to explain their refusal of the application. COPE 'classic' took an ethical stand against Wal-Mart, while 'light' refused the application based on its negative impacts to surrounding small businesses.

Nevertheless, in general, both contingents of COPE had left-leaning philosophical positions on issues. The variation between the two was in the degree of 'leftness.' Both these ideological positions included an emphasis on social housing, sustainability/environmental considerations, pedestrian and bike safety, responding to neighbourhood concerns, and increasing social benefits.

As one interviewee noted, "COPE would run each application through their philosophical lens." An example is the rezoning application for South East False Creek, where the COPE Council added a series of conditions to increase the level of environmental and social sustainability. Other common conditions added by COPE also related to their party platform/philosophy. These included additional bicycle parking, increased public amenities, ensuring a level of public consultation during the design/operation stage; and measures to improve/secure affordable housing.

7.5 WHY WERE SOME APPLICATIONS REFUSED?

This next section will examine the applications refused during this period of study. Based on the document analysis and interviews, a combination of factors—including party philosophy, public opposition, different levels of party cohesion, and the applicant's approach and attitude—led to the refusal of 86 S.E. Marine Drive (Wal-Mart), 26 S.W. Marine Drive (Canadian Tire), and 2876 West 33rd (Row Simple Rowhouses). How these factors contributed to the COPE Council's decision to refuse these three applications will be examined in sections 7.51 to 7.53 below.

It is important to note here the significance of a refusal by Council. It is not uncommon to amend rezonings, but it is rare for Council to refuse an application. There is a substantial cost to the applicant in a rezoning application—fees paid to the City range from \$16,000 for a small project to upwards of \$96,000 for a large one. There are also other costs associated with the rezoning process, such as conducting transportation and parking studies, design work, and carrying out public consultation activities. As such, staff will advise applicants early regarding a project's potential success (based on existing policy, community sentiment, etc.). A staff member is assigned to help ensure that the process is satisfactory. Often this means ensuring impacts to the adjacent community are being addressed through the application. Staff may also check in with Council early on in the process if an application is controversial, has complex issues, if City policy is unclear, or if the application conflicts with City policy.⁹⁷ Staff can ask Council for direction before proceeding with the application by taking an "issues" report to a Planning and Environment meeting of Council. This report may give Council the option to refuse the application or to instruct staff to process it.⁹⁸ In addition, much negotiation occurs between the staff, developer, and the community during the process to ensure everything is being done to address concerns by all stakeholders, that the project is in keeping with established policies, and that the project is in the interest of the public good. As such, the presence of three refusals during the COPE Council is fairly significant.⁹⁹

⁹⁷ City of Vancouver, Law Department (2003). *Council's Role in Rezonings and Public Hearing*. Vancouver, BC: Connell, F.

⁹⁸ *Ibid.*... *Council's Role in Rezonings and Public Hearing*. Vancouver, BC: Connell, F.

⁹⁹ It should be noted that at the time of writing, Canadian Tire has re-submitted a rezoning application, and the applicant of 2876 West 33rd has submitted a similar application in an Eastside community. There are rumours that Walmart will re-submit, but to date, no application has been received by the City. The likelihood of success of a Wal-Mart and Canadian Tire resubmission under the NPA dominated 2005 – 2008 Council will be discussed briefly in sections (7.5.1: Political Parties Matter) and (7.5.2). The Row Simple Town House application by the same

7.5.1 86 S.E. MARINE DRIVE (WAL-MART)

One interviewee commented that Wal-Marts are unique everywhere. No other development anywhere in North America gets as much press coverage and attention as a new Wal-Mart. They are a lightning rod for debate and controversy, often resulting in local anti-Wal-Mart campaigns.¹⁰⁰ At the time of writing, there is no Wal-Mart store in Vancouver. Placing this in a regional context, there are five such stores in the Lower Mainland.¹⁰¹ This section below will discuss the factors that led to the refusal of this rezoning application. According to the content analysis and confirmed by interviewees, two main reasons were noted: (i) the left-leaning philosophy of COPE, especially the 'classic' contingent, who struggled with a series of 'ethical' considerations in whether to approve the application; and (ii) the high natured-profile of this application which included intense public opposition both leading up to and during Public Hearing, contributed to the refusal of this application. Finally, party cohesion also played a role in this application to the degree that the two factions of the COPE party needed different rationales to justify their decision to refuse the application.

Role of Political Ideology

Although not part of Council's official record during the Public Hearing, the COPE 'classic' contingent was opposed to this application for philosophical reasons.¹⁰² The interviews, as well as articles in local newspapers, described COPE's disapproval of Wal-Mart based on their corporate entity. Wal-Mart is a non-union company, with a

applicant of 2876 West 33rd will likely be less controversial as the neighbourhood does not have design controls.

¹⁰⁰ O'Connor, N. (2005, August 4). Wal-Mart Says Fewer People Protesting. Vancouver Courier.com. Retrieved December 8, 2006 from:

<http://www.vancourier.com/issues02/022102/news/022102nn3.html>

¹⁰¹ Walmart (2006). Retrieved from: http://www.Wal-Mart.com/cservice/ca_storefinder.gsp and

¹⁰² Philosophical comments made by the parties regarding Wal-Mart are not found in the minutes of the Public Hearing. (See section 3.6 on role of staff and Council during rezonings). They were noted by interviewees and in various newspaper articles.

human rights and labour record that is often questioned.¹⁰³ The debate was ideological. After the 'no' Wal-Mart decision was made, NPA Councillor Peter Ladner alluded in an interview with CBC that there was an "undercurrent" that wasn't officially part of Council's debate. Ladner stated that it was "about Wal-Mart's labour practices, its sourcing practices, the satanic nature of giant multinational corporations."¹⁰⁴

In an interview with a local newspaper, COPE Councillor Anne Roberts asked "What kind of country are we trying to create? Not a Soviet-style government that's going to try and regulate everything. At the same time, we don't want unfettered capitalism."¹⁰⁵

COPE Councillors Tim Louis and Ellen Woodsworth also publicized their ideological views. They criticized Wal-Mart's business practices before rejecting the application. "When elected, we do not park our consciences at the door," Louis told Council. "We need to take a position that does what is right....This is a very progressive, positive vote in favour of an ideology."¹⁰⁶

In fact, one member of the COPE Council made the anti-Wal-Mart campaign part of her election platform. Past-Councillor Anne Roberts was the chair of the Building Better Neighbourhoods Group, a coalition of small businesses and environmental groups who were against a Wal-Mart store in Vancouver.¹⁰⁷

¹⁰³ No Wal-Mart for Vancouver. (2005, June 29). CBC News On-Line. Retrieved November 3, 2006 from: http://www.cbc.ca/canada/british-columbia/story/2005/06/29/bc_Wal-Mart20050629.html

¹⁰⁴ *Ibid.*...http://www.cbc.ca/canada/british-columbia/story/2005/06/29/bc_Wal-Mart20050629.html

¹⁰⁵ Woolley, P. (2005). City Rejects Big-Box Stores. *Straight.com*. Retrieved November, 3, 2006 from <http://www.straight.com/content.cfm?id=11344>

¹⁰⁶ *Ibid.*...<http://www.straight.com/content.cfm?id=11344>

¹⁰⁷ The Hometown Advantage. (2002, May 01): *Vancouver Coalition fights Wal-Mart*. Retrieved November 3, 2006 from http://www.newrules.org/retail/news_archive.php?browseby=slug&slugid=109 and Thomas, S. (2005, November 13). Wal-Mart Reluctant Star of Documentary. *The Vancouver Courier.com*. Retrieved November 3, 2006 from <http://www.vancourier.com/issues05/113105/news/113105nn3.html>

In the interviews, staff noted that Council's decision to refuse Wal-Mart was not primarily based on planning principles. The application for a 'Big Box' retailer such as Wal-Mart was consistent with the existing Highway Oriented Retail Policy.¹⁰⁸ In addition, impact studies and mitigation measures that would normally be required and approved in other comparable applications were part of this rezoning package. Staff noted that the applicant had been extremely cooperative in accepting the proposed conditions.

Impact of Party Cohesion

COPE 'light' struggled with this application as well. They did not want to make their decision based solely on the ethical considerations of Wal-Mart as a corporate citizen. During the debate, Councillors in support of Wal-Mart criticized their peers for "voting ideologically instead of voting according to the City's land-use policies."¹⁰⁹ Publicly, as reflected in the Public Hearing minutes, some COPE Councillors stated that their refusal of the application was based on the impacts—traffic, pollution, and its effect on the small businesses in the surrounding neighbourhood. In this case, the different factions of COPE managed to resolve their concerns to deliver an almost unified vote to refuse the application. However, it should be noted that the COPE Mayor did not vote in the same way as the rest of his party. Larry Campbell, who identified himself as a centralist, supported the application based on established land-use policies, and "suggested that the rest of council's opposition to the development had more to do with ideology and the business practices of Wal-Mart than with land use."¹¹⁰

¹⁰⁸ City of Vancouver (2002). Highway Oriented Retail (HOR) Rezoning Policies and guidelines: Marine Drive Industrial Area.

¹⁰⁹ Woolley, P. (2005). City Rejects Big-Box Stores. *Straight.com*. Retrieved November, 3, 2006 from <http://www.straight.com/content.cfm?id=11344>

¹¹⁰ Vancouver Turns Down Proposal for City's 1st Wal-Mart. (2005 June 29). *CBC.ca* Retrieved December 8, 2006 from <http://www.cbc.ca/money/story/2005/06/29/walmart-050629.html#skip300x250>

Role of Public Opposition

The intense public opposition associated with this application also played a role in the decision. While we will never know whether the public opposition alone could have decided the fate of Wal-Mart, it most likely made it politically easier for the Councillors who were already opposed. As one interviewee said, public opposition can make a difference when it reinforces the already-held positions of individual Councillors.

The application received a significant amount of media coverage. While there was a large number of Vancouverites in support of Wal-Mart, the opposition was better mobilized, more vocal, and received more media attention. For the Public Hearing, City staff received 173 letters commenting on the application and 55 speakers spoke to Council, with 65% of the letters and speakers opposed. Extra Public Hearing dates were added to accommodate all speakers who wished to address Council.

Political Parties Matter

Political parties clearly played a role in the outcome of this application. Both the NPA Councillors voted to approve the application. Both felt the decision should have been based on City-approved land-use policies, and not on ethical considerations. They believed mixing ethical considerations with zoning issues was dangerous, as they are impossible to enforce. Councillor Peter Ladner told his fellow Councillors, "this is very unfair, I'm not a Wal-Mart shopper, not crazy about the things that they do, but I believe in [consumer] choice."¹¹¹ The NPA felt ethical considerations were not enough to prevent an application from being considered by the City.

¹¹¹ No Wal-Mart for Vancouver. (2005, June 29). CBC News On-Line. Retrieved November 3, 2006 from http://www.cbc.ca/canada/british-columbia/story/2005/06/29/bc_Wal-Mart20050629.html

When the COPE Council refused the Wal-Mart application, they also asked staff to revisit and report back on the current Highway Oriented Retail Policy. Under the existing policy, a big box retailer like Wal-Mart may be a permitted use. In July 2006, staff presented options for revising the Highway Oriented Retail Policy to the new NPA-dominated Council. Three options were presented: (i) repeal the current policy allowing big box retail; (ii) amend the current policy to exclude retail uses (e.g. Wal-Mart) that have anticipated retail and traffic impacts on the surrounding neighbourhood; or (iii) retain the existing policy as is.¹¹² In a six (NPA) – five (Visions and COPE) split decision, the NPA Council voted in favour of retaining Highway Oriented Retail zoning on Southeast Marine Drive, giving Wal-Mart the green light to resubmit their application.¹¹³ The NPA Council had the opportunity to repeal the policy that allows ‘Big Box’ retail or to amend the policy to exclude ‘Big Box’ uses, but chose not to. However, at the time this paper was submitted, no application has been submitted or decisions made.¹¹⁴

7.5.2 26 S.E. MARINE DRIVE (CANADIAN TIRE)

The application for a new Canadian Tire was refused because of its association with Wal-Mart, both in terms of timing and geography. The application was received by the City at roughly the same time. In addition, this application was right next to the Wal-Mart. The application had the same impacts as Wal-Mart, but none of the highly publicized ideological questions around corporate ethics and labour standards. When asked why Council’s decision was a refusal, staff interviewees responded that the

¹¹² City of Vancouver (2006). *The Implications of Repealing the Highway Oriented Retail (HOR) Policies and Guidelines: Marine Drive Industrial Area*. Vancouver, BC: Burpee, H., Challis, Lynda. Retrieved November 3, 2006 from:

<http://vancouver.ca/ctyclerk/cclerk/20060706/documents/sc1.pdf>

¹¹³ City of Vancouver (2006). *Special Council Meeting Minutes July 6 and 17, 2006*. Vancouver, BC. Retrieved November 3, 2006 from:

http://vancouver.ca/ctyclerk/cclerk/20060706/documents/scmin_001.pdf. The Vancouver Charter allows an applicant to resubmit after 18 months if their application was previously refused.

¹¹⁴ A Wal-Mart resubmission is anticipated. It is not clear why they have not yet submitted.

decision was influenced by the Wal-Mart application. Since both applications were submitted around the same time, Council could not approve Canadian Tire and refuse Wal-Mart. The impacts of a Canadian Tire store are similar to a Wal-Mart, even if the COPE Council was not philosophically opposed to Canadian Tire in the same way. In addition, another Canadian Tire rezoning application in a different part of town had been approved not long after this application was rejected. It can be argued that if the COPE Council was ideologically opposed to Canadian Tire, or all 'Big Box' retailers, they would not have approved a Canadian Tire application anywhere in the city.

7.5.3 W. 33Rd AVENUE (FEE SIMPLE ROWHOUSES)

Various reasons can be attributed as to why the application for 2876 West 33rd was refused. This application was for a modern three storey rowhouse project in the Westside of Vancouver. According to staff interviews, Council rejected this application for three reasons. First, the applicant did not do enough to address neighbourhood concerns. Second, there was strong neighbourhood opposition at the Public Hearing. It received more letters in opposition than the Wal-Mart application. Finally, the application was a weak interpretation of existing city policy. Although City staff were aware of the concerns surrounding the design, they recommended approval because it was in keeping with Council-approved policies to support new housing types.

According to the interviews, the applicant should have done more to address community concerns. The modernist design of the building was in contrast to the community's desire to protect the heritage character of the area. Residents had fought hard in the 1990s to institute design guidelines that recommended heritage-style design with pitched

roofs.¹¹⁵ During the Public Hearing, many speakers expressed their concern about the proposal's lack of fit with the character of the neighbourhood. Staff commented that to achieve a successful outcome, the applicant would usually try to address community concerns.

The public opposition played a large role in this decision. The application received some media attention and was covered in the local Vancouver newspapers. The City received 346 oppositional letters/emails and 36 residents spoke in opposition at the Public Hearing. Comparing this to the Wal-Mart Public Hearing, this application received more oppositional correspondence by a factor of 3.42. While there were more speakers in opposition to Wal-Mart, this was only by a factor of 1.16. Putting these two applications in context—one for a controversial world-wide 'Big Box' retailer that attracts media wherever it goes and the other for a low/medium density townhouse development in a residential neighbourhood—one gets a sense of just how intense the opposition was to this development.

The outcome of the Public Hearing was a split decision (three-three) with five Councillors absent. The lack of party cohesion and absent Councillors likely played a role in the refusal as well. The COPE 'light' Councillors who were present—Green and Louie—voted against the application along with NPA Ladner, while the COPE 'classic' Councillors present—Roberts and Woodsworth, along with NPA's Sullivan—voted in favour of the application. The COPE Classic Councillors may have voted in favour of the application because of their desire to see new housing types introduced in the City. This would have been consistent with their state goal to provide more affordable housing

¹¹⁵ Carrigg, D. (2004 August 05). Triplex Too Ugly For Dunbar, Says Neighbour. Vancouver Courier.com. Retrieved November, 5, 2006 from <http://www.vancourier.com/issues04/072104/news/072104nn4.html>

choices. The COPE 'light' and NPA Councillors may have assessed the application based of its own merit, concluded that it was a weak interpretation of existing City policy and found that the applicant did not do enough to address neighbourhood concerns.¹¹⁶

¹¹⁶ It would have been interesting if the entire Council had been present. Perhaps there would have been a different outcome.

8.0 DISCUSSION—ROLE OF OTHER VARIABLES

In the data set, several variables were identified that could also play a role in affecting the outcome of rezoning decisions. These are: geography, zoning, size, staff recommendations, and whether the application was initiated by staff or by a private applicant. This section will explore the role of these other variables, as summarized in Table 6 and below.

Table 6. Summary of Party Record: Amended Applications and Other Variables

Other Variables	NPA		COPE	
	Number	Percentage	Number	Percentage
Location				
Westside	3	60%	3	20%
Eastside	1	20%	5	33%
Downtown	1	20%	7	47%
Zoning				
residential	2	40%	7	47%
commercial	1	20%	3	20%
Industrial	1	20%	0	0%
Mixed	1	20%	5	33%
Size				
<1,000 m(2)	0	0%	2	13%
1,000 - 10,000 m(2)	3	60%	7	47%
>10,000 m(2)	2	40%	6	40%
Initiated by				
Private	4	80%	12	80%
Staff	1	20%	3	20%

8.1 GEOGRAPHY

Geography played an important role in whether an application was amended/refused or approved unamended. This was confirmed by a Chi test (see Appendix C for more details). Geography played a more significant role in NPA Council decisions (1999 – 2002) than the COPE Council. Of the 18 applications the NPA reviewed, 28 per cent were from the Westside. However, 60 per cent of the applications the NPA amended were in the more affluent Westside. In all cases, the conditions were in response to community concerns. It is difficult to conclude anything definitively, but there may be a correlation between geography and Council decisions on rezonings. Certainly incomes are higher in the Westside of Vancouver than on the Eastside. According to 2001 Census data, the average household income of Westside communities is almost double at \$87,502, as compared to \$45,779 in Eastside communities.¹¹⁷ According to Stewart, those who live in communities with the highest socio-economic status, participate in elections more consistently and frequently than those who live in the communities with the lowest socio-economic status.¹¹⁸ Stewart also notes that the NPA has had success in gaining the support of the upper-class,¹¹⁹ those who tend to live on the Westside, in Vancouver. In the case of 2876 West 33rd and other Westside applications, such as the Arbutus Corridor, Councillors amended several conditions based on overwhelming community opposition.

¹¹⁷ City of Vancouver (2006). Community Web Pages. Retrieved December 10, 2006 from http://www.vancouver.ca/community_profiles/CommunityList.htm.

For this calculation, Westside communities = West Point grey, Kitsilano, Dunbar/Southlands, Arbutus Ridge, Kerrisdale, Shaughnessy, Fairview, South Cambie, Oakridge, and Marpole. Eastside communities = Mount Pleasant, Riley Park, Kensington Cedar-Cottage, Sunset, Victoria/Fraserview, Killarney, Renfrew-Collingwood, Hastings-Sunrise, Grandview-Woodlands, Strathcona, and the Downtown Eastside.

¹¹⁸ Stewart, K., (1997). Measuring Local Democracy: The Case of Vancouver. *Canadian Journal of Urban Research*. 6(2). pp. 167-176.

¹¹⁹ *Ibid...* 173.

Of the applications that the COPE Council amended or changed, almost half (47%) were located in the Downtown core.¹²⁰ See Table 3 below for more details. One interviewee noted that the COPE Council was generally more concerned with securing public benefits from rezonings than the NPA Council. Geography may have played a role because the majority of downtown rezonings tended to be large-scale applications where significant public benefits packages were negotiated. A scan of the amendments COPE made to rezoning applications in the Downtown reveals many were related to securing public benefits such as rooftop gardens, large-scale public art, and social housing

Much of COPE's support base has been in the Eastside of Vancouver.¹²¹ Yet the data did not reveal any conclusive trends that showed COPE treated Eastside rezoning applications differently than those on the Westside. It should be noted, however, that two of the three refused applications (26 S.E. Marine Drive and 86 S.W. Marine Drive) were in the Eastside. Although as discussed in section 7.5, the primary reasons for refusal of these applications were intense public opposition and political ideology, not geography.

8.2 ZONING

The types of zones which were amended and refused applications were a mix of residential, commercial, and mixed-use. One interviewee noted that regardless of the zoning of an application, most concerns and resulting amendments are related to

¹²⁰ None of these amended applications were located in the Downtown Eastside.

¹²¹ A scan of the 1999 and 2002 election results by voting districts, showed that a higher percentage of voters in the Eastside support COPE than in the Westside Vancouver neighbourhoods. See: City of Vancouver (2002). 2002 Vancouver Election Results. Retrieved November 18, 2006 from <http://city.vancouver.bc.ca/ctyclerk/election2002/2002electresults.htm> and City of Vancouver (1999). 1999 Vancouver election Results. Retrieved November 18, 2006 from <http://city.vancouver.bc.ca/ctyclerk/election99/results/>

residents. That is, whether an application is in a residential, commercial, or industrial area, it is always the impact on residents in surrounding residential part of the areas that is at issue. As shown in Table 6 above, more applications during both the NPA and COPE Councils were in residential areas (40% of all amended applications for NPA and 47% for COPE). It appears that during this period, both COPE and NPA Councils amended applications to address concerns of nearby residents, although COPE was more likely to amend applications in residential areas. Thus, neighbourhood concerns, not the specific zoning, are what matter. In the rezoning process, this usually takes the form of public input and opposition at Public Hearings. This topic was discussed in sections 7.2 and 7.5.

8.3 SIZE

Rezoning applications, whether approved without changes, amendments, or refusals, tended to be for sites over 1,000 m². However, size of the site did not appear to play a significant role in the rezoning process or decisions. Comparing the size of all rezonings during this time period with applications that were refused or amended shows no significant differences.

8.4 PRIVATELY-INITIATED VERSUS CITY STAFF-INITIATED REZONINGS

An analysis of the data showed a correlation between privately and staff-initiated rezonings with regard to amendments or refusals. This is confirmed through a Chi test (see Appendix C). Council is more likely to amend a privately-initiated rezoning. This is corroborated by interviewees who noted that it is rare for Council to refuse an application initiated by staff. The process is different for a privately-submitted and staff-initiated application. For privately-initiated rezonings, the applicant submits the application. Staff then conduct analysis and write and report. This is followed by a decision of Council at

Public Hearing (refer to Section 3.4 for more details). Staff-initiated applications are usually proceeded by a long planning program, extensive public consultation, followed by a rezoning report before going to Public Hearing. Council would have been kept informed of these planning programs. They would have also approved these planning processes early on. Council, therefore, is usually familiar with these applications. They can also be high profile and contentious. Council may have a considerable degree of interest in these applications, such as the Arbutus Corridor Official Development Plan Rezoning, or the Southeast False Creek Official Development Plan. Therefore, who submits an application (staff or private applicant) makes a difference in whether it is amended/refused. This is related to the difference in the process between a staff-initiated and privately-initiated rezoning.

8.5 SUMMARY OF STAFF RECOMMENATIONS

For each application, staff usually recommends many different types of conditions be included for approval by Council. Most are fairly standard—they are conditions of approval for almost all applications. The following are typical conditions: form of development, design development, landscaping, safety, parking, noise, affordable housing, lighting, character, signage, community amenity contributions, engineering conditions (utilities, dedications, service), issues related to sustainability, and legal agreements. Although conditions can be standard, each application is unique.¹²² A scan of the data showed there were more heritage, community amenity contribution, Engineering dedications/services/utilities, and landscaping conditions attached to applications reviewed by the COPE Council. As shown in Table 5, there were more

¹²² Staff recommendations are complex. Some recommendations are related to by-law enactment. Some are conditions related to the development permit stage that follows the rezoning process. Some recommendations are standard. Finally, some are the result of negotiations.

legal conditions attached to the rezonings reviewed by NPA Council—28 per cent as compared to 11 per cent by COPE.

Table 7. Staff Recommended Conditions of Approval: NPA vs. COPE

Staff Recommended Conditions of Approval	NPA Council	COPE Council
Form of Development	33%	91%
Development Design	61%	91%
landscaping	33%	74%
CPTED (safety design)	50%	69%
Parking	44%	46%
Lighting	5%	11%
Character	33%	40%
Noise	28%	77%
Sign-related	22%	40%
Safety (Community-related)	17%	3%
Public art	6%	6%
Community Amenity Contribution	22%	34%
Heritage	17%	37%
Fire	0%	14%
Engineering Dedication	6%	37%
Engineering Services	17%	20%
Engineering Utilities	33%	86%
Engineering Traffic	17%	17%
Legal Agreements	28%	11%

As a percentage, there were more conditions attached to applications reviewed by COPE than during the NPA Council. Approved Council policies directs most of the conditions that are attached. However, it would be overstating the role of political parties to suggest that the parties themselves affected the formulation of the conditions attached to rezoning reports. There is no direct relationship between the Council and the number or types of conditions included in a rezoning report which is recommended by staff.

There may be some indirect correlation, although this would be difficult to prove. For example, staff may shape conditions based on the interests of the Council of the day. Where Council plays a role is in deciding whether they agree with staff recommendations outlined in each application. Council has the final decision-making power to approve, refuse, or amend the application. During Public Hearing, Council listens to staff, applicant, and the public. They ask questions, engage in debate with other Councillors, and decide whether the staff recommendations meet all the needs of the stakeholders involved. If Council has a priority they feel has not been met, they can amend the conditions or refuse the application. Therefore, an amendment to an application could also be reflective of how effective Council judges the rezoning process was in addressing the interests of stakeholders. Or it could be reflective of the difference between staff opinion and the opinion of Council.

8.6 THE APPLICANT

The applicant can also play a role in rezoning decisions. In general, applicants have more success in the rezoning process if they are experienced with public consultation, willing to listen and address neighbourhood concerns, and take advice from City staff with respect to following established city policies. This sentiment was noted in staff interviews.¹²³

¹²³ It is difficult to find evidence of this in the primary data, as it only reflects the proceedings of the Public Hearing, which is at the end of the rezoning process. The only way of getting a true picture of the role of the applicant is to observe the process while it was happening and interview community stakeholders and staff. Although not possible within the scope of this project, this would be an interesting topic of future study.

9.0 RELIABILITY AND VALIDITY

Two methods were used in this research project to address the issues of reliability and validity. The coding of the Public Hearing minutes were verified and clarified during the interview stage. Both sets of data were compared in the final analysis and significant changes or differences were noted. Where possible, some findings were also verified by the literature review and a scan of local media content. In general, the interviews consistently confirmed the results of the data analysis. Drafts of findings were distributed to several interviewees during the research project as a final check on research validity. This was confirmed.

10.0 CONCLUSION

Local political parties do matter. Through a grounded theory research approach, the primary data of Public Hearing minutes, Council reports, and agendas were analyzed and narrowed down, allowing patterns to emerge. Meanings and explanations were constructed through a comparative analysis of the rezoning decisions made over two political terms of office. The analysis of the data in this study demonstrates that local parties do play an important role in rezoning decisions in Vancouver between 1999 and 2005. The study also revealed that other factors such as civic staff, public expressions of support or opposition also played a role. Different decisions were made by two ideologically dissimilar political parties during this period. These patterns were confirmed through interviews and literature. Grounded theory approach assumes that social events are not random, but re-occur over time. Thus, the general consistency of these decisions across two different local administrations certainly supports the central hypothesis that local parties influence civic decision-making.

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APPENDICES

APPENDIX A. GLOSSARY OF ACRONYMS

NPA

Non Partisan Association—formed in 1937

COPE

Originally formed as the 'Committee of Progressive Electors' in 1968, COPE changed their name to the 'Coalition of Progressive Electors' when they merged with the Civic NDP Party in 1990

COPE 'classic'

The faction of the 2002 COPE Council that represented the traditional view of COPE members. They were: Tim Louis, Fred Bass, Ellen Woodsworth, David Cadman, and Anne Roberts

COPE 'light'

The faction of the 2002 COPE Council who were more centre-left in their positions than the traditional COPE membership. Light members were: Larry Campbell, Raymond Louie, Tim Stevenson, and Jim Green

Vision Vancouver

The formalization of the split between COPE 'classic' and 'light' in 2005. 'Light' members formed a new civic party—Vision Vancouver

ZONING TERMS

SNRF

Special Needs Residential Facility provide housing and support services for people who have needs that cannot be looked after in their own homes, but they do not require hospital-level care

Zoning and Development By-law

A collection of regulations that govern how development may occur in the various zones in the City of Vancouver

CD-1

A Comprehensive Development District is a tailor-made zone to the intended form of development

MIXED-USE

A zoning district that can allow a mix of different uses in a district, e.g. residential, commercial, and institutional

Residential

A zoning district that is residential in nature. Can refer to single family or multi family areas

Industrial

A zoning district that allows industrial uses

Commercial

A zoning district that allows a range of commercial activities in the area

APPENDIX B. DATA CONSIDERATIONS

There was a second set of rezoning data that was not considered in this research study. In addition to new CD-1 rezonings—a change from an existing zone to a comprehensive district, there is also another type of rezoning: amendments to existing CD-1s. This section explains this type of rezoning and outlines the reasons why it was not included in this study.

Changes to existing CD-1s can involve minor text changes or more substantial changes. Small changes are referred to as 'minor' text amendments. Many involve administrative or corrective changes, such as small-scale changes to a paragraph of the by-law, and correcting errors (e.g. a calculation in floor space).

There are also amendments to existing CD-1s that are larger in scope than the minor text amendment type described above. Examples of these include: amendments that permit a new use to an existing CD-1, adding an additional floor, allowing special needs facilities such as seniors housing on the site, etc.

One way to distinguish whether these types of amendments are 'minor' or 'major' is to look at the fee schedule—the cost to the applicant to make amendments. A change to a paragraph would cost the applicant approximately \$7000. Any fee above \$16,000 denotes a more significant change.

Combing through all the Public Hearing items, I found 21 CD-1 amendments which had a fee of \$16,000 or more. There were 12 during the NPA 1999 – 2002 Council, and nine during the COPE 2002 – 2005 Council. This data however, does not include staff-initiated rezonings or instances where fees were waived. Reasons why the fees are

waived are various. It could be a rezoning application that involves a significant public good component, such as providing social housing; or the application is part of a larger process where substantial fees were already paid. There is no way of knowing, except to search through every individual rezoning file. I do not have access to these files

In addition, this category of rezonings are often different than new CD-1 rezonings. In many instances, the political ramifications may not be as great. Often, they do not include an extensive public process, as they would have already undergone one when the site was originally rezoned. As well, the land-use is not being changed in many of the amendments. Rather, they are changing the form of development, or permitting a new use that is allowable within the existing guidelines. As such, the political considerations for these types of rezonings are often different than new CD-1s. For example, the neighbourhood impacts of a rezoning amendment to a CD-1 which would allow an additional floor to a downtown tower would be very different in scope to a new CD-1 rezoning applying for a new large-scale residential mixed-use tower in the downtown.

A test was completed on 12 'amendments to existing CD-1type' rezoning applications. The voting patterns of the two Councils were compared. This was done in an attempt to decide whether to include this data set in the study.

Results show that voting patterns, as compared to those on new CD-1 rezonings, do not differ significantly during the COPE Council (2002 – 2005). It showed similar patterns to those conducted on new CD-1 rezonings—more split in voting than NPA, more conditions than NPA, but all were approved. During the NPA Council (1999 – 2002), all amendments were approved as well. However, there was evidence of less cohesive

voting—three of the six applications I examined were not passed unanimously. In addition, the six applications I examined during the NPA Council had almost none or little public involvement during Public Hearing, so voting patterns of Councillors in this class of rezonings do not appear to be correlated to community opposition or support.

While it would have been interesting to include this data set in this research study, the logistical limitations of incorporating the data (i.e. getting access to the files and complete fee schedules) were too great, especially given the timing and scope of this research project. Further the intent of this type of application, as well as their impacts to the surrounding communities, are quite different as compared to new CD-1 rezonings, whose impacts are usually greater.

**APPENDIX C.
QUANTITATIVE DATA CONSIDERATIONS - CHI TEST**

Although this study is a primarily qualitative one, some quantitative analysis was conducted in order to assess the statistical significance of the differences between COPE and NPA in their approval/refusal/amendment rates of rezoning applications. The results of the Chi test show there was no significant difference between the two parties. However, as described extensively in sections 3.0 and 7.0 of this paper, these differences are important when the context of the entire rezoning process, as well as the individual decisions around the refusals and amendments are taken into account. The analysis does show that location of the application and who initiates the application (staff or private applicant) make a difference in whether an application is amended/refused or approved unamended.

Chi Test 1.0: Approval vs. Refusal

Observed

Rezoning Applications	NPA	COPE	Total
approved	18 (100%)	32 (91%)	50 (94%)
refused	0	3 (9%)	3 (6%)
Total	18 (100%)	35 (100%)	53 (100%)

Expected

Rezoning Applications	NPA	COPE	Total
approved	17.0	33.0	50
refused	1.0	2.0	3
Total	18	35	53

Chi Test: $(O-E)^2 / E$

Rezoning Applications	NPA	COPE	Total
approved	0.06	0.03	0.09
refused	1.02	0.52	1.54
Total	1.08	0.56	1.64

Chi-sq

0.20095393

*result would be significant if test yielded a score above 0.5

Chi Test 3.0: Location

Rezoning Applications	Eastside	Westside	Downtown	Total
Amendments or Refusals	5	7	8	20
No Amendments or Refusals	11	8	14	33
Total	16	15	22	53

Expected

Rezoning Applications	Eastside	Westside	Downtown	Total
Amendments or Refusals	6.0	5.7	8.3	20.00
No amendments or Refusals	10.0	9.3	13.7	33.00
Total	16	15.0	22.0	53.00

Chi Test: (O-E)² / E

Rezoning Applications	Eastside	Westside	Downtown	Total
Approved	0.18	0.32	0.01	0.50
Refused or Amended	0.11	0.19	0.01	0.30
Total	0.29	0.51	0.02	0.80

Chi-sq **0.6658835**

The Chi test shows that the location of application plays a role in affecting whether an application is amended/refused or is approved unamended.

Chi Test 4.0: Privately-Initiated vs. Staff-Initiated

Rezoning Applications	Privately-initiated	Staff-initiated	Total
Amendments or Refusals	16	4	20
No Amendments or Refusals	24	9	33
Total	40	13	53

Expected

Rezoning Applications	NPA	COPE	Total
Amendments or Refusals	15.1	4.9	20
No amendments or Refusals	24.9	8.1	33
Total	40	13	53

Chi Test: (O-E)² / E

Rezoning Applications	NPA	COPE	Total
Approved	0.05	0.17	0.22
Refused or Amended	0.03	0.10	0.13
Total	0.09	0.27	0.36

Chi-sq **0.550845763**

The test shows there is a significant difference between privately-initiated and staff-initiated applications as it relates to refusals/amendments/no amendments.

Chi Test 5.0: Opposition and Support vs. No Opposition or Support

Rezoning Applications	Opposition or Support	No Opposition or Support	Total
Amendments or Refusals	11	11	22
No Amendments or Refusals	9	22	31
Total	20	33	53

Expected

Rezoning Applications	Opposition or Support	No Opposition or Support	Total
Amendments or Refusals	8.3	13.7	22
No amendments or Refusals	11.7	19.3	31
Total	20	33	53

Chi Test: $(O-E)^2 / E$

Rezoning Applications	Opposition or Support	No Opposition or Support	Total
Amendments or Refusals	0.88	0.53	1.41
No Amendments or Refusals	0.62	0.38	1.00
Total	1.50	0.91	2.41

Chi-sq

0.120732293

*result would be significant if test yielded a score above 0.5

*opposition or support = any application that received letters, correspondence, or had speakers at the public hearing

The above charts tested whether or not the presence of opposition or support in any form (letters, speakers, emails, etc..) had an affect on whether an application was refused/amended or approved unamended. However, this test did not take into account the degree of support or opposition. That is, for example, an application receiving one letter of support was counted the same as one receiving 10 or more letters. Further, this chart did not separate out opposition and support.

**APPENDIX D.
DATABASE FIELDS**

The following is a list of all the fields in the database constructed for this research project.

OPEN = open text field (data that doesn't fit into pre-determined lists)

Some Categories/Variables:	Field in database
Rezoning Title	Open/text
Date	Open/text
Initiated by	List (Director of Planning or Private)
Nature of application:	List (residential housing, mixed-use, SNRF, commercial) and Open field
Additional density:	(Yes/No)
Location Community	List (all Vancouver communities)
Location: Commercial/Residential/Industrial/Mixed use	List (commercial, residential, industrial, mixed use)
Current Zoning	Open
Proposed new Zoning	Open
Staff Recommendation (text)	Open (describe conditions of rezoning report and specifics of application)
Staff Recommendation (list)	List (approval outright as is, refusal, approval w/ new conditions)
Nature of staff recommendation (conditions)	List (form of development, design development, landscaping, parking, lighting, height, character, noise, sign, noise, safety, public art, heritage, fire, engineering dedication, engineering services, engineering traffic, engineering utilities, legal agreements, community amenity contribution) and Open field
# of opposition letters	Number
# of support letters	Number
# of opposition speakers	Number
# of support speakers	Number
Nature of comments	Open/text
New Motions introduced by Council (if any)	(Yes/No)
Who introduced the motion(s)? (Councillor? Staff)	Open
Nature of new Motion(s): e.g. traffic, parking, social housing, drug policy, etc...	Open

Some Categories/Variables:	Field in database
Motion approval/refusal	Open (record approval, refusal, who refused)
Voting record of individual Councillors on application: (individual and by Party)	List (individual Councillors 1999 – 2002, 2002 – 2005, NPA 1999, COPE 1999, NPA 2002, COPE 2002)
Outcome	List (approval as is, refusal, approval with conditions)
Other: (include explanatory comments about the application, record anything out of the ordinary that happened)	Open/text

Notes:

1. Database was built using FileMaker Pro. This program was chosen because of its compatibility with the Macintosh OS platform. However, I would strongly recommend using Microsoft Access if using a PC. It is more powerful and compatible with the Microsoft suite of programs.
2. A simple form within the database was designed for the data entry.
3. I originally designed the staff recommendation field as an open text field – notes were entered which were coded manually later. As I used a grounded theory approach, I discovered after entering all the data that staff recommendations could be more significant to the research than originally anticipated. It required further coding and better organization. I went back and added a series of yes/no sub-fields under this main field. They included: form of development, design development, landscaping, etc. I went back and re-entered all 53 applications into these new sub-fields.
4. After data-entry was complete, data was exported into an Excel spreadsheet for analysis.

APPENDIX E. SEMI-STRUCTURED ELITE INTERVIEW QUESTIONS

INTERVIEW GUIDE

Do Political Parties Matter at the Local Level? The Role of Local Political Parties on Rezoning Decisions in Vancouver (1999 – 2005)

Interviewees

Interviews were conducted with rezoning planners who handled the majority of applications during 1999 to 2005. Most were senior rezoning planners. A list was compiled initially of all rezoning planners in the Rezoning Centre, and supplemented with the advice of interviewees.

Purpose

The purpose of the interviews was to confirm and clarify the results of the analysis I had prepared of the primary data from the analysis of the Public Hearing Minutes, Council Reports, and agendas. Interviewees were supplied with a summary package, including: (i) a one page summary outlining the research question, purpose and methods of the study; (ii) a table of initial findings; and (iii) a written summary of all findings. I went over the findings with each interviewee at the beginning of the interview. This usually took approximately 20 minutes.

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A. Opening/Warm-up Questions

1. What is your position and what is your role in the rezoning process?
2. What are your thoughts on these findings? Do any surprise you? If yes, why?
 - a. *Probe:*
 - i. Why do you think there were significantly more rezoning application during the NPA Council than COPE Council?
 - ii. Why do you think COPE Council made more amendments to rezoning reports than NPA Council?

B. In the next section of questions, probe the difference between the NPA Council (1999 – 2002) and COPE Council (2002 – 2005) for the following themes.

3. What role do you think community opposition/support play in the NPA and COPE Council decisions around rezoning?
4. In your experience, did the NPA and COPE Councils treat rezoning applications initiated by staff differently than those initiated privately? If yes, why do you think this is the case?

5. In your experience, did the NPA and COPE Councils treat rezoning applications in residential neighbourhoods differently than those in commercial areas? If yes, can you give me specific examples when this was the case?
6. In your experience, did the NPA and COPE Councils make changes to applications based on party platform? If yes, can you give me examples of where you believed this has happened and why?
7. **The following applications were refused during the COPE Council of 2002 – 2005. I'd like to ask you a few questions about why you think these applications were refused.**

Why do you think Council refused the following applications?

- a. Wal-Mart
 - b. Canadian Tire
 - c. 2876 West 33rd (Row Simple Rowhouse)
8. In your experience as staff, did you notice any difference in the way the two Councils handled rezoning applications? If yes, how (e.g. during Public Hearings, direct involvement during the application, etc...)

C. Closing Questions

9. Do you have any other thoughts or comments you want to share with me?
10. Do you have any questions you would like to ask me about this research?

**APPENDIX F.
INTERVIEW QUESTIONS – SUMMARY OF THEMES**

Q1. Are your thoughts on these findings? Do any surprise you? If yes, why?

A. Reaction to findings

1. Not Surprising

- Nothing surprising; a given
- No big surprises on the findings
- Nothing surprising

2. Interesting/intrigued

- Intrigued by findings
- Interesting

B. Difference in Party Cohesion

1. COPE less cohesive in voting(COPE split – lite vs. classic)

- COPE not voting as a block because of the COPE split;
- COPE factions would vote together;
- before the COPE split, they would vote together

2. COPE less cohesive in party make-up/more diversity of opinion within party

- COPE different party make-up
- COPE – more diversity in political opinion because the Council was comprised of people with different backgrounds (e.g. COPE Classic, COPE lite)
- There was more diversity of opinion reflected in Council debate during the COPE years
- greater interest by individual Councillors to table motions independently and to be heard

3. NPA more cohesive

- NPA caucused
- NPA has a coordinated party stance generally

C. COPE more willing to entertain diversity of opinions/responding to public

1. COPE – willing to entertain a diversity of opinion/new ideas

- there was a broader diversity of opinion expressed within the Council
- greater interest in entertaining debate

2. COPE – more inclined to listen to the public and to try to introduce conditions to satisfy public

- More amendments by COPE
- COPE more inclined to listen to what the public had to say - they would turn and ask them questions; also made a point of thanking them
- COPE also more concerned about benefits package (always asked questions)

3. NPA – less inclined to respond to public concerns/entertain new ideas way of doing things

- NPA – less likely to respond to public's concerns
- in contrast to the business-like approach in NPA years

D. NPA – more confidence in the bureaucratic process

- NPA historically, has had more confidence in the bureaucratic process and a willingness to align itself with staff advice, especially during rezonings where there was no obvious controversy

E. Other

- Types of applications also play a role in whether they are refused/approved
- Only there for three years, didn't have time to really notice trends
- COPE Council

Q1.2 Why do you think there were more applications processed during the COPE years?

1. Developers generating projects during soft market

- sometimes when the market gets soft – developers have more time to start playing around with rezoning applications

2. Boom

- Vancouver was going through a boom period
- greater development pressure? Upturn in the economy?

3. Downtown getting built out; trying to find new ways of developing areas in downtown were getting built-out; trying to get more in Downtown

Q.1.3. Why do you think COPE made more amendments to rezoning applications?

1. Difference in philosophy – COPE had to run applications through their philosophical lens, NPA more willing to consider applications on their own merit

- COPE classic – had philosophical constraints (affordable housing, environmental issues, bicycling, reducing parking) – they would run their lens through these philosophical considerations;
- COPE was also more interested in jurisdictional issues (issues that were in the realm of the provincial or federal)
- NPA – more inclined to consider applications on their own merit, then based on philosophical constraints

2. Difference in party cohesion – COPE was not as unified as NPA in voting, opinions

- COPE wasn't as unified, voted differently and saw things different
- COPE members had more diverse opinions – felt they needed to get their point across
- COPE was not unified – so sometimes they would have to make changes to get all COPE Councillors to support an application (e.g. one Councillor did not want to support the application as it was, so would have to make a change to appease some of the members)

3. COPE – more responsive to public concerns

- COPE more interested in responding to the public (see above)

Q.2 What role do you think community opposition/support play in Council decisions around rezonings?

1. Opposition can make a difference in influencing rezoning decisions

- Opposition can influence Council (e.g. 33rd/McKenzie; Wal-Mart; Canadian Tire)
- At Public Hearing, you'd generally hear more opposition; even support is driven by the opposition (it's a proactive move to counter those in opposition)
- Strong opposition and support is effective in Public Hearing
- Council does respond to opposition – will make amendments on the floor to address concerns

2. Opposition/support makes a difference when its in-line with a public interest (e.g. social housing); opposition/support does not make a difference when its based on NIMBY

- Anything to do with a public interest (e.g. social housing whether the opposition is about NIMBY), then opposition has very little role in Council's decision
- But if opposition is in the public interest (e.g. philosophical concerns and site impacts associated with Wal-Mart)

3. Opposition/Support plays a role if its in-line with Council's interest/views; it does not play a role if opposition/support is not in line with Council's interest

- If opposition/support was in line with Councillors' interest, then yes it would make a difference (e.g. COPE did not respond to a lot of opposition on Westside applications; Harrison Drive was supported by Council even though the people who came out to the Public Hearing were opposed)

4. Opposition/support and geography plays a role with individual Councillors IF it doesn't make a difference to the outcome (when its not a deciding vote)

- In the last 15 – 20 years, in Suburban rezonings: If the rezoning is in the area where the Councillor lives or is ethnically based (eg. Chinese Councillor), then the Councillor can depart from the way their party will vote, but only if there's majority support for the application (will not do it if they are the deciding vote)

5. Opposition plays the same role in both Councils

- The role that opposition plays no difference between Councils

6. Opposition/support plays more of a role with COPE than with NPA

NPA

- Seemed less interested in what the community had to say
- Had a clear idea of what the party would support
- Deals with more mega projects and social housing projects – had to have a unified voice

COPE

- Didn't have agreement on basic principles
- (e.g. Woodsworth – would always turn to the crowd and ask what it is that Council could do to make the application better)
- COPE was more conciliatory – whether it was appropriate or not
- Voted with own philosophy; not so much party-line voting; driven by personal guilt so would introduce all kinds of conditions (e.g. 1380 Horby) – have community contribute in co-design without a mechanism for conflict resolution
- Opposition played a role – was not able to take staff advice despite instances where public consultation was extensive and balanced – always felt the need to respond to opposition at Public Hearing)

Q.3. In your experience, does Council treat rezoning applications initiated by staff differently than those initiated privately? If yes, why do you think this is the case? Any difference between the Councils?

- 1. Yes, Council treats staff-initiated and privately-initiated applications differently: more familiar with staff-initiated rezonings as it is at the end of a long process**
 - Staff initiated – if rezoning is submitted by staff, it means that it is at the end of a process that Council is familiar with; it's following adopted policy, so most director of planning initiated rezonings are going to be approved because Council has been involved throughout the whole process and the rezoning is usually just the last step
 - Staff initiated – Council has a better understanding of opposition ahead of time, and is willing to proceed (usually there's a big process that would have come before a rezoning – e.g. an ODP, etc.); may be more support by Council because of prior knowledge
 - Staff-initiated – Council treats more favourably because they are in the City's interest; does not come from nowhere – they are very aware of what's going on; rezoning is a natural extension of the process
 - More favourable during Public Hearing
Privately initiated – if not controversial, the application does not receive a lot of attention prior to the Public Hearing (in these cases, Council's role is more to review the application)
- 2. No, they don't treat them differently**
 - Council doesn't treat the Public Hearing differently whether it's a private or staff initiated rezoning
 - Don't treat them differently
- 3. COPE – more willing to entertain diverse opinions/changes to applications (private/staff)**

Q.4. In your experience, does Council treat rezoning applications in residential neighbourhoods differently than those in commercial areas? If yes, can you give me specific examples when this was the case?

- 1. No – because in all cases, its residents in the adjacent neighbourhoods or affected neighbourhoods that are being considered**
 - In all these cases, it's the residents in the adjacent neighbourhoods or lands that come out (they have concerns and are the ones in support or opposed to an application)
 - Its always the residents who Council has to consider
 - In the downtown, there has traditionally been little opposition; but now that the area is getting more residential, there is now more opposition to projects in the downtown

- 2. Yes, Council treats them differently – more opposition when application is in residential neighbourhood**
 - in residential areas there is more opposition.
 - Context sensitive
 - Residential rezonings bring more lay people to Public Hearings
 - Council is well prepared to listen to their comments – maybe more likely to respond to community members; they exhibit a sensitivity to residents
 - This is the case for both Councils
 - NPA – more confident to support controversial applications, less likely to oppose applications
 - COPE – more likely to oppose

- 3. Yes, Council treats them differently – assessment based on the zoning**
 - Council treats application based on the zoning
 - The assessment for a rezoning in a commercial area is different than one in a residential area

- 4. Difference between COPE & NPA – COPE wanted more benefits, made more changes; NPA figured out a standard, more likely to support controversial applications**
 - Difference in the way they behaved was more in the substance of the rezonings (COPE would want more benefits (e.g. social housing))
 - NPA figured out a standard that was equitable and tried to apply that through the way they treated all applications
 - NPA – more confident to support controversial applications, less likely to oppose applications; COPE – more likely to oppose

Q.5. In your experience, does Council make changes to applications based on party platform? If yes, can you give me examples of when you believed this has happened and why?

- 1. COPE will make changes based on philosophy, NPA will treat applications based on their own merit**
 - COPE classic – strong philosophical position on issues (e.g. Ann Roberts)
 - Especially in cases of application that have 'political values'

- Some things that come up at rezonings are of political values (eg. Whitecaps, casino, Olympics, Wal-Mart). Split can occur between left and right leaning; can predict this ahead of time
- Would usually want an Increase in social benefits; may not have been convinced by pro performa analysis or decision
- COPE lite and NPA – more apt to treat application on their own merit
 - More apt to respond to developer who is crying foul
 - Council will vote together on certain issues and act on certain things

2. Philosophy of individual Councillors more influential than philosophy of party

- Individual platforms are more influential than Party Platform
- Even though COPE voted against Wal-Mart
- Parties don't take a party position
- At Public Hearings, the council takes as individuals, not as a party
- Councillors portray themselves as individuals – make individual decisions as opposed to party
- Although, there is occasion when they caucus
- Sometimes Council will vote as a party; never explicitly talk about it as a party decision, always as an individual decision (different groups within the parties -- COPE lite vs. COPE classic)
- Predictable response by Council based on personal political platforms
- Individual Councillors can make commitment (vote not in favour), even if the application is supported overall
- Individual Councillors are willing to vote 'not in favour' in some instances to reflect their political commitments, especially the COPE Council

3. Applicant also plays a role in whether application gets approved/changed. If applicant is willing to take staff advice and respond to public concerns, it makes Council's job easier to approve without adding more conditions

- Usually, philosophy doesn't play a role in Public Hearings because by the time the application gets to public hearing, there is usually no reason it wouldn't go through because the application has been massaged so long by so many departments
- (e.g. 1380 Hornby)
 - seiged by opposition
 - applicant was not gracious
 - Director of planning had to fight hard to get it approved
 - An memo was sent prior to pubic hearing to inform Council of controversy (issues report)
 - Council wanted to approve it, but the applicant was making it difficult)
 - Long discussion by Council – questions to the people what they could do to improve it
 - Issue: site was too small
 - Applicant can play a role in making it easy or hard to approve

Q.6. Why do you think Council refused the following applications?

1. Wal-Mart

A. Philosophically opposed to Wal-Mart the entity (political values) 'ethical voters'

- Philosophically opposed, especially COPE lite
- Philosophical
- Opposition was based on political reasons, not based on policy, or even an interpretation of the policy; this signifies a policy shift
- Not approved because of Wal-Mart the entity – non-union company, impact to neighbourhood retail, labour, human rights, environment
- Not a good citizen – political values, not about planning principles or the form of development
- Refused it on ethics 'Wal-Mart the evil – sweatshop labour' (e.g. Louis)
- Ethically opposed to Wal-Mart – the corporate citizen

Party platform opposed to big box/Wal-Mart

- Party platform was opposed to Wal-Mart (opposed to big box)
- Question: Do we want to be in a city with big box retail?
- OPE – wanted to be the kind of City that we say we are
- Councillors were also individually opposed to Wal-Mart – this is reflected during the debate and questions at Public Hearing

B. Wal-Mart was not refused because of the rezoning analysis – COPE not against 'big box stores'

- Council did not refuse the rezoning based on the rezoning analysis
- It was not to do with planning principles
- The issue was not big box stores
- The Highway Oriented Retail policy was adopted in 2001 and revisited in 2003 January by COPE. They supported it. They were just against Wal-Mart

C. Some Councillors refused Wal-Mart because of planning principles 'impact voters)

- Others Councillors based their decision on planning principles – transportation, environment, and impact on shopping areas
- COPE Councillors voted against Wal-Mart on two main principles: ethically opposed to Wal-Mart as corporate Citizen and the transportation, social, environmental impacts. COPE lite – the impacts. COPE classic – the ethical consideration. Two types of Councillors – ethical voters; impact voters

D. Opposition played a secondary role in the Wal-Mart decision

- Opposition didn't play a role (it wasn't as if the Council was swayed by the opposition)
- Council philosophically opposed Wal-Mart, and it helped to have a lot of people who were not in support of Wal-Mart

E. Opposition played an important role in the Wal-Mart decision

- The opposition against Wal-Mart (local neighbours, citizens at large) helped Council refuse the application (it was philosophical opposition)

Opposed to Wal-Mart the citizen (ethics)

- There was a lot of opposition from the community to Wal-Mart as a corporate citizen
- Political opposition was against Wal-Mart as a corporate citizen, and not about the site specific concerns

Opposed to site specific concerns

- There was also opposition that was contained within site specific concerns – environment, traffic, surrounding retail (however, this was not the reason that the application was rejected); these site specific issues helped the Councillors turn down Wal-Mart

F. Voice of support not as influential (Support/opposition is only important when it aligns with Councils views)

- Interesting to note that there was also considerable support for Wal-Mart as well
- Voice of support was less influential
- Staff was supportive of the application within the policy context (big box was allowed)

G. NPA voted differently – based on planning principles, not ethics

- NPA does not vote based on ethics
- They vote based on staff analysis and planning principles
- They are more open to seeing it as people who supported it
- Councillors more confident to follow the policy of the day; even Larry Campbell was following the adopted policy of the day (note: COPE lite vs. COPE classic)

H. NPA more philosophically supportive of business

- Their philosophical lens is more supportive of business
- NPA – philosophically in favour of business; more typical of Councils everywhere where real estate is a primary consideration
- Issues Report
- Staff conducted a retail impact study and extensive public process – reported to Council and asked them if we should continue with the process – said yes. It was the NPA Council of July 2002

I. The Wal-Mart case is unique

- Wal-Mart is probably an anomaly – Wal-Marts are unique everywhere
- No other store gets the same amount of press as Wal-Mart does everytime it does anything; this coupled with a left-leaning Council produced the result

2. Canadian Tire

A. Canadian Tire was a casualty of Wal-Mart – Because both applications came in at the same time, could not approve one and not the other

- Couldn't approve Canadian Tire and refuse Wal-Mart
- Policy basis allowed staff to consider approval which COPE reviewed earlier in their term – they chose to keep the policy

- Council had to refuse them both – the impacts were the same, even though they were not philosophically opposed to Canadian Tire the same way they were opposed to Wal-Mart
- Canadian Tire was a 'casualty' of Wal-Mart
- The ethical voters had to use these arguments to also turn down Canadian Tire
- If Council voted against Wal-Mart based on transportation, environment, retail impacts, they would have to vote against Canadian Tire as well because the impacts were the same
- Canadian Tire was refused because of its association with Wal-Mart
- Not the same political opposition corporately, but it would have been impossible to refuse Wal-Mart and then not refuse Canadian Tire (interesting to note that the Canadian Tire site was approved on Cambie Street earlier)

B. Opposition to big box, impacts

- Some people have a problem with big box retail
- Sucks life out of neighbourhood
- Same as Wal-Mart
- Traffic impact, lack of confidence in existing policy supporting big box retail
- Impacts were the same as Wal-Mart

3. Westside Townhouse Project

A. Applicant did not respond to neighbourhood concerns

- Applicant himself was a well known Liberal politician (very little listening to what people said)
- Public opposition – didn't do his homework
- If there is good process, the opposition's concerns should have been worked out during the process
- Usually, rezoning applications get supported because applicants do a good job responding to community concerns
- There was not enough done to work through the community's concerns during the process
- If it had been a more reasonable applicant and different architect, it would have likely gone through. Applicant had a single vision that did not fit with the rest of the community – staff have made a case for increased density and diverse context.
- A more responsive applicant who worked more closely to satisfy their concerns and to keep the density down would have yielded a different result, perhaps
- Council may have approved the application had the applicant responded to the opposition at Public Hearing

B. Strong neighbourhood opposition

- Strong neighbourhood opposition that was orchestrated by the community
- Bad relationship between community and developer – that's what ended it
- Opposition played a role – applicant was secondary; policy context was 1st
- Failed because there was such strong immediate opposition to the project based on aesthetics and proposed density

C. Applicant did not take staff advice

- Applicants listen to staff advice about what will be acceptable (interestingly, both Canadian Tire and Wal-Mart tried to satisfy the conditions laid out, but that did not address the larger philosophical questions)

D. Weak interpretation of policy

- This was not political – people anticipated opposition in the neighbourhood; there was a policy framework to support this move; it wasn't an exceptional example of what the policy tried to achieve
- Neighbourhood opposition carried the day coupled with weak reflection of the intent of policy
- Individual Councillors appreciated the goal of the policy (more density)
- Those Councillors who believed in the policy would support it
- COPE lite – not worth forcing
- COPE Classic – felt more strongly about the policy – it was progressive and it was trying to encourage affordability
- Applicant had a single vision that did not fit with the rest of the community – staff have made a case for increased density and diverse context.

E. Application out of context

- The application was out of context – a modern building in RS5 heavily design controlled neighbourhood
- Applicant had a single vision that did not fit with the rest of the community

8. Other thoughts?

A. NPA – more predictable decision making; COPE saw their role to challenge some long standing policies

- NPA – would more boldly vote with staff for policy, but would show sensitivity to speakers
 - More continuity with NPA – more predictable in decision-making
- COPE – more likely to stray from policy or present motions politically, but also less patient with delegates
 - It was their role to question the long-time policy that they had inherited from NPA
- Newness of party – there was an appetite to challenge anything; but because of inexperience, they felt it was their role and mandate to question policy

B. Some limitations of Research

- Do some applicants get more service and support from staff?
- What about the inherent conflict in cost recoverable applications
- In considering a rezoning, are both parties being 100% fair and equitable to all clients?
 - NPA – developer funded
 - COPE – trade unions, philosophical constraints
 - The rezonings talk about the questions of land-use – they should all be treated the same (stakeholders are community, immediate neighbour, organizations, special interest group, developer)
 - Concern that cost recovery – developer working hand-in-hand with staff

C. Other data to explore

- Explore major CD1s – see what trends may be uncovered

9. Background information about the rezoning process

- a. would be a written inquiry – this would go to DRM (a meeting with internal staff that discuss the rezoning inquiry and considers how it fits into the existing policy and based on a policy discussion gives advice as to whether to allow it to proceed, what changes are required to proceed, etc...)
- b. if it's a serious inquiry, may assign a rezoning planner to handle from beginning; may need to meet with them
- c. direction about how a rezoning should proceed comes from DRM – sometimes the considerations are quite detailed – reasons why there would be certain conditions; discussion about the public interest and the public good
- d. staff may also take an issues report to Council if application is controversial and seek advice from Council on how to proceed
- e. Council would usually always refer the report to Public Hearing
- f. Rezoning planner and director of planning would be present to answer questions

Public interest vs. public benefits

- Staff consider both the public interest and public good in rezoning applications (due diligence)
- Public interest – is needed; some reasons why the rezoning would serve the community; is the rezoning in the public's interest?
- Public benefit – is recent as is user pay; notion of no more windfall projects; the public (city) will take a percentage back to serve the public good (e.g. financing growth is an example)
 1. Is the rezoning providing a public benefits? Few things that Council has agreed is a benefit (restricted)
 - a. housing benefit (social housing)
 - b. heritage benefit (density transfer)
 - c. social benefit (daycare)
 2. public benefits are determined by a Public Benefits Committee – they determine what is needed for the site

Does Council have prior knowledge of rezoning applications?

- Council receives short DRM notes at the planning and environment committee– gives descriptions of rezoning application – lets Council know about new rezonings
- After applications come in, sometimes there is an issues report (if at this point, staff does not know if they should proceed, they will write a short report to Council asking whether to refuse the applicant or to proceed). This is because there is a high cost to rezoning applications
- In this case of Wal-Mart, there was an issues report – Council said to proceed. (NEED to find out from LYNDIA why they allowed them to proceed).

What happens at Council when they refer the rezoning application to Public Hearing?

- Council can ask questions at this time (to familiarize themselves with the issues before Public Hearing; also a chance to ask staff to follow-up on the application before it goes to Public Hearing)
- Technically, the Vancouver Charter allows Council to refuse an application at Council. The Charter specifies that if Council wants to consider or approve a rezoning, they must hold a Public Hearing. The application costs the applicant a lot of money; it's important to hear what everyone has to say
- Once an application has been referred to Public Hearing, Council is not supposed to talk to anyone in the public about the application until at Public Hearing; Council cannot indicate how they will vote to the public

Staff recommend refusal?

- In the old days, staff used to recommend refusal, occasionally
- But in the last 20 years, staff try not to bring controversial applications to Council without having worked out the issues as best as we can (save Council from controversial situations)
- Problematic issues get worked out sooner rather than later
- If the application is very problematic – would tell the applicant not to go ahead, rather than waste people's money and time
- Some applicants will go ahead anyway and take their chances with Council – big risk for applicant – usually takes them nine months to go through the rezoning process

Council's role

- They make a decision on a rezoning report based on the information that staff provide and what they hear from the community
- Staff work really hard to take proposals that will be successful (so not to waste people's time). Example: Harrison Drive – worked with applicant as much as possible and met with the community a number of times.
- Council makes final decision – makes sure that staff have done their job
- Last chance for public to give their input
- Council may decide that some areas need further emphasis

The way in which Public Hearings were conducted

- There was a difference in the way the way that COPE and NPA ran the Public Hearings. The mayors chair the meetings and there was a different in styles between Owen and Campbell. The way the Mayor (Chair) runs the meetings plays a role at the Public Hearing in terms of response to the public (whether people feel encouraged to speak, etc...)
- Owen was a 'chairman.' He showed more patience with the broad range of people who showed up
- Campbell encouraged people to be brief. He introduced the five minute rule – asked speakers to move to the back of the line after five minutes
- Owen and Campbell were very different in the way they dealt with the public – how they respected the public and other Councillors

APPENDIX G. TABLES

Table 1. Summary of Background Findings

	Categories	NPA (1999 - 2002) Number	NPA (1999 - 2002) %	COPE (2002 - 2005) Number	COPE (2002 - 2005) %	Total No.	Total %
1	Total number of applications	18	34%	35	66%	53	100%
2	Who initiated the application?						
	Privately initiated	13	72%	28	80%	41	77%
	Staff initiated	5	27%	7	20%	12	23%
3	Add additional density?						
	Yes	16	89%	28	80%	44	83%
	No	2	11%	7	20%	9	17%
4	Size of Site						
	under 1000 m2	2	11%	3	8%	5	9%
	1001 - 10,000 m2	9	50%	16	46%	25	47%
	over 10,000 m2	7	39%	16	46%	23	43%
5	Zoning (current zoning)						
	Residential	7	39%	12	34%	19	36%
	Industrial	2	11%	5	14%	7	13%
	Commercial	2	11%	0	0%	2	4%
	mixed use	7	39%	17	49%	24	45%
	CD-1 (comprehensive development district)	0	0%	1	3%	1	2%
6	Proposed Zoning						
	CD-1 (comprehensive development district)	17	94%	34	97%	51	96%
	Residential	1	6%	1	3%	2	4%
7	Proposed Use						
	Special Needs Residential Facility (SNRF)	4	22%	1	3%	5	9%
	mixed use	8	44%	17	49%	25	47%
	Residential	3	17%	10	29%	13	25%
	Commercial	0	0%	2	6%	2	4%

	Categories	NPA (1999 - 2002) Number	NPA (1999 - 2002) %	COPE (2002 - 2005) Number	COPE (2002 - 2005) %	Total No.	Total %
	Industrial	0	0%	0	0%	0	0%
	cultural/institutional (e.g. community centre)	0	0%	3	9%	3	6%
	area plan (official development plans)	3	17%	2	6%	5	9%
8	Location						
	Westside	5	28%	10	29%	15	28%
	Downtown	5	28%	14	40%	19	36%
	Eastside	7	39%	11	31%	18	34%
	various areas (e.g. amend zoning city-wide)	1	6%	0	0%	1	2%
9	Staff recommendation						
	approval subject to conditions	17	94%	35	100%	52	98%
	other (refer to Council for more info)	1	6%	0	0%	1	2%

Table 2. Summary of Public Input at Public Hearing

	Categories	NPA (1999 - 2002) Number	NPA (1999 - 2002) %	COPE (2002 - 2005) Number	COPE (2002 - 2005) %	Total Number	Total %
1	Summary of correspondence						
	support letters	216	44%	298	33%	514	37%
	support petitions	3	1%	0	0%	3	0%
	opposition letters	236	49%	577	64%	813	59%
	opposition petitions	1	0%	4	0%	5	0%
	other letters	30	6%	16	2%	46	3%
	Total letters/petitions	486	-	895	-	1381	-
2	Summary of speakers						
	Speakers in support	130	53%	140	38%	270	44%
	Speakers in opposition	98	40%	206	56%	304	50%
	Speakers other	17	7%	22	6%	39	6%
	Total speakers	245		368	-	613	-

Table 3. Summary Approval, Refusal, and Changes to Rezoning Applications

	Categories	NPA (1999 - 2002) Number	NPA (1999 - 2002) %	COPE (2002 - 2005) Number	COPE (2002 - 2005) %	Total Number	Total %
1	Approval/Refusal Rate						
	Approve	18	100%	32	91%	50	94%
	Refuse	0	0	3	9%	3	6%
2	New conditions added by Council	5	28%	12	34%	17	32%
3	Refused application and/or made amendment	5	28%	15	43%	20	38%

Table 4. Breakdown of Refused Applications by Party (1999 – 2005)

Refused Applications	NPA Voting Record by Party	COPE Voting Record by Party
26 SW Marine	Approve	Refuse
86 SE Marine	Approve	Refuse
2876 W. 33rd	Split Vote	Refuse

Table 5. Voting Record: NPA and COPE 1999 - 2005

Vancouver Council (1999 - 2002)			Vancouver City Council (2002 - 2005)		
Councillor	not in favour	not in favour %	Councillor	not in favour	not in favour %
NPA			COPE		
Owen	0	0%	Campbell	1	3%
Clarke	0	0%	Bass	6	17
Kennedy	0	0%	Cadman	2	6%
Dan Lee	0	0%	Green	3	9%
Don Lee	0	0%	Louie	3	6%
McCormick	0	0%	Louis	6	17%
Price	0	0%	Roberts	3	9%
Puil	0	0%	Stevenson	3	9%
Sullivan	1	6%	Woodsworth	2	6%
COPE			NPA		
Bass	1	6%	Ladner	1	3%
Louis	1	6%	Sullivan	1	3%

Table 6. Summary of Party Record:
Amended/Refused Applications and Other Variables

Other Variables	NPA		COPE	
	Number	Percentage	Number	Percentage
Location				
Westside	3	60%	3	20%
Eastside	1	20%	5	33%
Downtown	1	20%	7	47%
Zoning				
residential	2	40%	7	47%
commercial	1	20%	3	20%
industrial	1	20%	0	0%
Mixed	1	20%	5	33%
Size				
<1,000 m(2)	0	0%	2	13%
1,000 - 10,000 m(2)	3	60%	7	47%
>10,000 m(2)	2	40%	6	40%
Initiated by				
Private	4	80%	12	80%
Staff	1	20%	3	20%

Notes:

1. Formula = total number in each category of conditions/total number of application during NPA or COPE Council

Table 7. Staff Recommended Conditions of Approval: NPA vs. COPE

Staff Recommended Conditions of Approval	NPA Council	COPE Council
Form of Development	33%	91%
Development Design	61%	91%
landscaping	33%	74%
CPTED (safety design)	50%	69%
Parking	44%	46%
Lighting	5%	11%
Character	33%	40%
Noise	28%	77%
Sign	22%	40%
Safety (Community-related)	17%	3%
Public art	6%	6%
Community Amenity Contribution	22%	34%
Heritage	17%	37%
Fire	0%	14%
Engineering Dedication	6%	37%
Engineering Services	17%	20%
Engineering Utilities	33%	86%
Engineering Traffic	17%	17%
Legal Agreements	28%	11%

Table 8. Role of Other Variables on Amended and Refused Applications

Applications that were amended or refused by Council	Location	Zoning	Size m(2)	Initiated by?
1055 W. 41	westside	residential	16,180	private
7250 Oak	westside	residential	5,099	private
601 W. 10	downtown	commercial	5,806	private
1220 E. Pender	eastside	industrial	1,810	private
Arbutus Corridor	westside	mixed	over 10,000	staff
1402-1436 Kingsway	eastside	commercial	9,729	staff
475 Howe	downtown	mixed	3,274	private
1380 Hornby	downtown	mixed	836	private
900 Pacific	downtown	residential	20,000	private
2876 W. 33	westside	residential	724	private
3702 Welwyn	eastside	residential	6,540	private
SE False Creek	downtown	mixed	32 hectares	staff
955 Burrard	downtown	residential	3,215	private
26 S.E. Marine	eastside	commercial	29,768	private
86 S.W. Marine	eastside	commercial	50,448	private
826-848 W. Hastings	downtown	mixed	1,158	private
2970 Celtic	westside	residential	34,090	private
1133 W. Georgia	downtown	mixed	2,426	private
1835 W. 17	westside	residential	3,323	private
K&K Housing Plan	eastside	residential	less than 10,000	staff

Notes:

1. Refusals/amendments: 20 rezoning applications were amended by Council between 1999 – 2005
2. Location: 30% of amended applications were on the Westside, 30% were on the Eastside, and 40% were in the Downtown
3. Zoning: 45% of amended applications were residential, 20% were commercial, 5% were industrial, and 30% were mixed-use
4. Size: 10% of amended applications were less than 1000 m², 55% were between 1000 m² and 10,000 m², and 35% were over 10,000 m²
5. Applicant: 80% of amended applications were submitted by a private applicant, 20% were submitted by staff