

The Garden City Lands “public consultation”

The Garden City Lands application gives the impression that the public have been meaningfully consulted about the project and application. For instance, “3.0 Public Consultation” (pages 22–25 of Appendix 5), describes “three crucial phases for public engagement.” I contend that the consultation has been largely a façade and that the public have often been misled, manipulated, and ignored in the first two phases.

The third phase would be post-exclusion. With the Lands’ dollar value multiplied fifty-fold by then and with the City getting no land unless each step meets the approval of its partners, there would be less possibility of real consultation than pre-exclusion.

The applicants initially made much of the “public consultation,” presumably expecting to use it to prove to the Commission and community that they had public support. As it turned out, citizens soon identified the shortcomings of the methods and discredited them.

Since Canada Lands Company is the project manager for exclusion application, this analysis inevitably reflects on the credibility of that party in the three-party applicant consortium, as well as on the credibility of the other two parties to a lesser extent. One aspect of the public consultation is that it showed that the parties are not as credible as one might expect, at least in matters related to the Garden City Lands.

In this submission, I will analyze the consultation in the first phase and then briefly address the second one. The first phase consisted mainly of the following:

- Richmond Community Survey
- Open house display boards and open house survey
- Notices of application on the Lands
- *Garden City Lands in Richmond’s City Centre* brochure

Richmond Community Survey

The so-called Richmond Community Survey in 2007 was used to mold opinions under the guise of gathering them. In the survey report, there are figures for support of the Garden City Land agreements, as expressed early and late in the phone interviews, and those statistics seemingly show that respondents became more supportive while being interviewed. However, far from proving public support, the figures show that misleading methods begot misleading results.

To understand better, let’s delve into an example. First, the context: only a minority of the respondents initially said they understood the ALR or were aware it includes the Garden City Lands. Most of them had to rely on what the interviewers told them. When asked the key question of whether ALR lands can be used for non-agricultural community use, the respondents did surprisingly well, with only about a quarter of them choosing the incorrect answer. (The question was fuzzy, but I am saying that “Yes” is better than “No” because ALR can sometimes be used for non-agricultural community use.)

Now the mind-boggling part. All the respondents were then told this: “In fact, lands in the ALR may **only** be used for agricultural and **not** for other community uses.” Of course that is wrong. People who are familiar with the *Agricultural Land Commission Act* know that the Commission may permit non-farm use “on any terms the Commission considers advisable” (*ALC Act*, 29.1b), typically for uses that don’t compromise the farmland’s long-term viability for farming. What’s more, the “survey” company’s press release would later express the same correct fact. The press release correctly states that “playing fields, recreational and cultural amenities . . . would require application to the Agricultural Land Commission to either remove the land from the Agricultural Land Reserve or obtain special approval from the Agricultural Land Commission for ‘non-farm use’” (www.richmond.ca/news/2007_city/communitysurvey.htm, September 18, 2007).

The falsity highlighted in this example was fed to the respondents at a pivotal point. It undoubtedly misled them, inflating the figures that the survey leaders construed to be support. The example is just the tip of the iceberg.

The survey results are based on responses from 508 Richmond people. Those were citizens who consented to be interviewed with the expectation that their input would be gathered for the common good, not manipulated. And the situation was actually worse than that, as has been explained by one of the citizens who were interviewed. For the rest of the story, please see the letter to the editor from that Richmond citizen, Barbara Huisman, on the next page.

Thursday, October 25, 2007

letters

Garden City lands phone survey was skewed

Editor:

Thank you to Jim Wright for his Oct. 20 Digging Deep column.

I thought I was the only one who thought the Richmond community survey regarding the Garden City lands was a scam.

I myself received a phone call asking for my responses to this survey. I tried to answer, but it soon became clear that real feedback was not what this survey was about.

They start by asking if you know what the Agricultural Land Reserve is. I did. Was I aware that it included Garden City Lands? I was. From there it went downhill. I was expecting to be asked if I was in favour of removal of the lands (which I am not) but to my surprise that question never came up! Instead the questions seemed to be geared towards getting me to say what kind of development I would favour. I could see that what they wanted was to be able to come back to the community and say that a majority of the community wants a certain kind of development. It sounds very democratic on the surface.

I told the interviewer that the survey was skewed and that I wanted to voice my objection to the removal of the lands. But there was no place for that opinion. She was sympathetic but there was nothing she could do, she said. So I said I would have to opt out of the survey, because I wouldn't have my responses turned somehow into support for development of those lands.

So when Jim Wright writes about the 508 people that were interviewed (and sure enough the results were skewed) it is inter-

esting to think that people like myself, who know what the ALR is about, are not in those numbers. I wonder how many others had to abort the survey for similar reasons?

In short, we can't trust the results of this survey.

Barbara Huisman
Richmond

Open house display boards

In February 2008, the applicants held a series of open houses with related communications materials that included a set of display boards (attachment 9 of application appendix 5). As an example of the kind of information provided to the open house visitors, I will analyze the images, particularly the photos. In application appendix 5, the images are described as “images of the potential development built forms and open space” (p. 23). I do not know what the term “development built forms” means. However, since the Garden City Lands Coalition had members interacting with the public at all the open houses, I do know that the visitors assumed the display board photos were meant to enable a good impression of what the proposed development would be like.

In the analysis, the 54 relevant photos (all the photos except aerial shots and transit images) consist of the following:

- 20 of open space/park

- 17 of food growing and food

- 9 of low-rise buildings (“low rise” = 3–5 storeys, according to Appendix 10)

- 8 of sports

The photos include no high rise buildings other than in the distance in one photo of open space. In contrast, analysis of the proposed development shows that almost all the construction would have to be high rise (6-16 storeys, according to Appendix 10). If the trade and exhibition centre goes ahead, 65% of the Lands will be covered with high-density construction. Without the trade centre, 57.5% would go to high-density construction. (That’s because the purchase agreement allots an extra 7.5% of the Lands to the Band-CLC partnership in that event.) While the display board photos show ubiquitous sunshine, the City spaces scattered throughout the property (as specified by both the MOU and reiterated in the purchase agreement) would very often be in the shadow of the high rise buildings.

In brief, five-sixths of the photos show open space and activities that could be permitted *with the Lands current status as ALR land*. In contrast, the images do not realistically depict the proposed development; on the contrary, they ignore the high-rise construction, which is what the development is all about. Predictably, open house visitors looked mainly at the pictures, rather than the overwhelming text. (I and other Garden City Coalition members attended and chatted with the visitors.) Therefore, I conclude that the visitors were misled, not meaningfully informed. Many of the visitors may have seen through to the truth, but that was typically *in spite of* the display boards or *in reaction against* them.

Open house survey

The public relations staff at the open houses, who were friendly and capable, passed out survey forms to the visitors and also pointed out the option to fill out the survey online. The applicants have included the open house survey results with the application. I find them revealing, as I believe the Commission will if the panelists can somehow find time to go through the comments in the completed surveys.

As those of us who tried filling out the survey know, it was difficult to fill it out in ways that would not enable the applicants to “show” support for the application. The questions are skewed, with limited options. For example, there is no built-in way for respondents to indicate that they do not want the lands to be removed from the ALR, an option that the respondents would most likely have overwhelmingly chosen that option, as they did in newspaper polls (e.g., 92% opposed to ALR removal).

Sound statistical analysis of the survey forms would show strong support for ALR-permitted uses of the lands. More important, the opinions expressed in comments, which the survey designers could not skew, are enlightening. A representative example is this comment from a retired Richmond farmer:

There will be no benefit to Richmond as long as land speculators continue to buy farmland for the single purpose to make windfall profits through rezoning sooner or later with no work—and very little cost: a scandal of our times where the rich continue to get richer at the expense of the rest of society. (John Massot)

Here is another representative comment, this one related to question 3:

This sentence is extremely difficult to understand. I am not sure I understand it, and I am university educated and English speaking. I strongly disagree that developing the Garden City lands will benefit agriculture. Please make your questions simpler. Otherwise your results are questionable.

I hope the commissioners find out from the comments what the community really thinks.

More specifically, I wish to bring attention to the egregious question 6, the question that everything else in the open house survey leads up to, presumably in order to get respondents to express support for the proposed development:

The principles of “Smart Growth” involve urban development approaches that are socially, environmentally and fiscally responsible. The Smart Growth principles are: building a complete community; building green; building economic vitality; and fostering a legacy. The agreement between the three partners will allow the City of Richmond to follow these Smart Growth principles on future development of Garden City Lands. Do you support future development of Garden City Lands based on the Smart Growth principles? (“Feedback Form,” p. 4)

It's safe to say that the opponents of the exclusion application (along with the supporters) support any future development of the Lands being based on Smart Growth principles, so our answer would be “Strongly agree.” However, that would be incorrectly taken to mean support for the proposed development, which is **not** based on genuine Smart Growth principles. The stated phrases describing “Smart Growth” in the question are nice sentiments, but they are not the principles stated by Smart Growth B.C., which are consistent with the principles of other Smart Growth America and Smart Growth Canada Network organizations.

The falsity of representing the proposed development of the Garden City Lands as “Smart Growth” (and it was a capitalized “Smart Growth,” by the way) was so extreme that the executive director of Cheeying Ho went beyond Smart Growth B.C.’s usual practice of not commenting on specific local issues. She sent Richmond council a diplomatic but strong letter. After quoting question 6, Ms. Ho wrote:

However, one of the key smart growth principles absent from the above statement is to “Protect and Enhance Agricultural Lands” including land within the Agricultural Land Reserve (ALR). This principle is included in the definition used by dozens of smart growth organizations and advocates from across North America. Furthermore, for a project or proposal to be considered “smart growth” it must incorporate not only some, but all of the principles: [The ten principles were then listed.]

We are therefore writing to request that the term ‘smart growth’ be removed from the Garden City Lands public consultation process and that all principles of smart growth (including farmland protection) be used when defining the term in the future. (Feb. 20, 2008)

Despite Ms. Ho’s letter, the project manager and the other applicants have not publicly acknowledged their error. I can only assume that they see nothing wrong with misleading the public in such a serious way—misconstruing and devaluing the important concept of “Smart Growth” while supposedly informing the citizens and learning from them.

Notices of application on the land

This is a relatively minor point, and the error I will point out may be simply a matter of sloppy information. However, it is still part of the pattern of misleading and confusing information in the applicants' engagement with the public.



From February 2008 on, signs with the content shown above were posted around the Garden City Lands. The photo shows misleading wording. According to the signs, the Garden City Lands are "**surplus** from the Agricultural Land Reserve." Since they have not been excluded from the ALR, they are not surplus to the ALR, and they are also not surplus to anything. They were *once* surplus to federal needs, but they are *not* surplus *now*.

Beyond that, it happens that they are quite likely not to be surplus later if federal ownership of the Lands is restored. Hon. Gerry Ritz, Minister of Agriculture, responded to a Garden City Lands Coalition petition with the somewhat encouraging letter that I am providing on the next page.

Minister
of Agriculture and
Agri-Food
and Minister for the
Canadian Wheat Board



Ministre
de l'Agriculture et de
l'Agroalimentaire
et ministre de la
Commission canadienne du blé

Ottawa, Canada K1A 0C5

JUL 08 2008

Quote: 120372

Mr. Jim Wright
President
Garden City Lands Coalition Society
8300 Osgoode Drive
Richmond, British Columbia V7A 4P1

Dear Mr. Wright:

Thank you for your letter regarding the Garden City Lands Coalition's basic petition to restore the ownership of the lands for program needs within the Agricultural Land Reserve. The concerns of the public are important in developing public policy, and I appreciate being made aware of the views of the many signatories of the petition you enclosed.

Prime Minister Harper and the Government of Canada are developing Canada's next generation of agricultural programming, Growing Forward. Under this new policy framework, we will develop programming focused on science and innovation, the environment, and competitiveness for producers and the agri-food sector.

The federal government is supportive of efforts in British Columbia, and elsewhere in Canada, to protect agricultural land for the future. We are following with interest the initiatives of communities, community organizations, universities, and colleges to promote urban agriculture.

While Agriculture and Agri-Food Canada does not currently have a program requirement that could accommodate the Garden City lands, should these lands be available in the future for agricultural uses, the Department would consider that option.

Again, thank you for writing to me on this matter.

Sincerely,

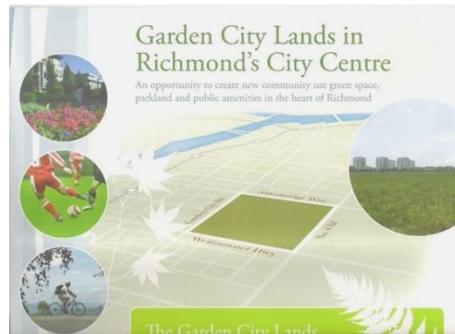
A handwritten signature in blue ink, appearing to read "Gerry Ritz".

Gerry Ritz, PC, MP

c.c.: Mr. John Cummins, MP

Canada

Garden City Lands in Richmond’s City Centre brochure



Prior to the public hearings, the applicants sent a lavish brochure—four large pages printed in colour—to almost all Richmond homes as a newspaper insert. I described it in my submission to the Garden City Lands Public Hearing on March 12, 2008:

It appears to be an expensive brochure for a luxury upscale development, “Garden City Lands in Richmond’s City Centre.” That kind of brochure would typically show what the homes are like. However this propaganda flyer shows buildings that are not like the typical buildings. Out of the eight buildings that look as though they might be part of the development, only one has more than four levels. The other seven out of eight are all three or four levels, including parking. Even the City’s general manager of planning and development has said more than once that the buildings would be mid-rise, which means six to twelve storeys (with one or two parking levels as well). If the buildings would fit into the mid-rise category, most would be near the top of that range. In other words, the photos throughout the propaganda flyer provide a thoroughly false impression of what the buildings and development would be like. It’s just like the thoroughly irrelevant photos that a Canada Lands person went on and on showing us yesterday. (Day 2 submission, p. 22)

Once again, the project manager, presumably with the acquiescence of the other applicants, had gone to great expense to mislead the people of Richmond about the proposed development of the Garden City Lands. It seems likely that one reason for doing that was to be better able to show community consultation, community need, and community support when bringing this application to the Commission. However, any community support the applicants may have attracted would be meaningless, since it would be support for a fictional development that is very unlike what will come about if the Lands get excluded from the ALR.

Phase 2: The Public Hearing

The citizens finally had a real opportunity to express themselves in the Garden City Lands Public Hearing, which took place in a period of almost 24 hours in five days. The huge blemish, however, was that the applicants practically prevented the public from speaking on the first day. People were jammed into every bit of space in the council chambers and outside the doors, waiting to hear fellow citizens and be heard themselves. The hearing was scheduled for three hours and thirty minutes, and the applicants used up three hours and twenty-five minutes, which was about two and a half hours more time than they should have needed to make their case. Although Richmond Council mercifully decided to extend the hearing by half an hour to let a few people be heard, the enthusiasm of many of the citizens who came to participate had been smothered. A large number of those who had lined up early to get on the speakers' list did not return, and there were far fewer people present to participate on the subsequent days.

Despite the inexcusable first day, I commend Richmond Council for allowing each speaker ample time to get his or her message across. As the commissioners have probably noticed for themselves by now, there were many excellent presentations, with the majority opposed to the application. (My feeling was that the ones in favour of the exclusion were generally parties with a financial stake in the development going ahead, while those who were opposed seemed to be speaking for the good of the community. However, my view may not be entirely unbiased.)

The advice of the majority of presenters did not seem to have much effect at the time.