

ITEM	10
MANAGER'S REPORT NO.	14
COUNCIL MEETING	94/03/07

TO: CITY MANAGER 1994 MARCH 02

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 01.301

**SUBJECT: VANCOUVER PORT CORPORATION'S DRAFT PORT 2010  
LAND USE MANAGEMENT PLAN**

PURPOSE: To provide Council with information regarding the Vancouver Port Corporation's Draft PORT 2010 Land Use Management Plan.

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**RECOMMENDATIONS:**

1. **THAT** the Port of Vancouver be requested to revise the land use designation for the General Chemical Ltd. lands and the adjacent VPC waterlot from Marine Use and Port Services to Port Recreation.
2. **THAT** the Port of Vancouver review the scope of the uses permitted in the proposed Land Use Designations and examine the provisions for municipalities to be involved in the environmental review process as outlined in this report.
3. **THAT** a copy of this report be forwarded to:

*Patrick McLaughlin  
Director, Port Development  
Vancouver Port Corporation  
1900 Granville Square  
200 Granville Street  
Vancouver, B.C. V6C 2P9*

**REPORT**

**1.0 BACKGROUND**

On 1994 February 07 Council received copies of the Vancouver Port Corporation's (VPC) draft PORT 2010 Land Use Management Plan for its review and comment.

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The PORT 2010 Planning program has been initiated to establish a long term vision for land use management in the Port of Vancouver. Beginning in 1989, the VPC undertook forecasting research to project terminal needs in the future. Following this research, stakeholder consultations and a public information program were held to communicate the VPC's initiatives and to obtain feedback. This initial phase concluded with the identification of business sectors in which there would be terminal capacity shortfalls, given forecasted demand.

The second phase of PORT 2010 introduced detailed project review processes as well as land use designations for lands within the Port's jurisdiction. Further consultation was held through presentations to Port stakeholders and customers, the public, government and other agencies. Draft PORT 2010 processes and land use designations were forwarded to the Port's neighbouring municipalities for review. The draft plan has been refined to incorporate comments received.

The Vancouver Port Corporation is now in the final phase of its planning program. Based on the work undertaken thus far, the VPC has produced a complete draft Land Use Management Plan and has distributed it for review.

## **2.0 REVIEW OF DRAFT PORT 2010 LAND USE MANAGEMENT PLAN**

The Vancouver Port Corporation's PORT 2010 Land Use Management Plan is intended to form the basis for decision making in the development of the Port of Vancouver. It represents the establishment of VPC's land use management policies, designations, processes and the identification of strategic development initiatives in the Port.

The following reviews the draft Management Plan and the methods through which land use management decisions will be made. The relationship of the Plan to the City is examined including its environmental appraisal procedures, project review and building permit processes.

### **2.1 Land Use Policies**

The Port 2010 document outlines a number of land use policies which are intended to guide and manage the Port's future growth as follows:

#### **Port Terminal Policies**

- ensure that the existing and future capacities of deep-sea terminal operations are maintained and protected.

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- ensure the required terminal facilities are provided to maintain Vancouver as the "home port" for the Alaska cruise industry.

### **Non-Terminal Use Policies**

- protect waterfront land and lots in support of port service industries that are dependant upon waterfront access.
- support marine-related commercial and public sector harbour operations.
- support non-marine related commercial operations in appropriate locations.

### **Port Recreational Policies**

- continue to manage its recreational water resources to the benefit of marine recreational users.
- recognize existing parks through their designation as Port Recreation.
- consider public waterfront access in future land use planning to facilitate the enjoyment of the working port environment and the natural waterfront setting.
- establish a set of guidelines and development standards regarding appropriate recreational foreshore use by residential interests.

### **Community Policies**

- encourage adjacent municipalities to maintain compatible land uses adjacent to VPC designated Deep-Sea Terminal and Marine Use and Port Services land.
- in providing service to its customers in both the national and regional interest, address local and municipal concerns regarding port operations and developments through responsible development processes which include appropriate public consultation.

### **The Environment**

- continue to sustain and protect all environmental elements relating to property and operations within its jurisdiction.

### **Ground Transportation**

- be proactive in planning with the railways, municipal and provincial highways authorities, and terminal operators to ensure effective transportation systems serve the port.

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### **Urban-related Land Uses**

- pursue private sector development of its lands not required for long term port uses to realize revenue to strategic port projects.

## **2.2 Land Use Designations and General Land Use Guidelines**

The Land Use Management Plan designate all of the VPC lands and water areas for one of the following:

### **Deep-Sea Terminals**

- grain elevators
- storage, handling and distribution of products in bulk, break-bulk and general cargoes
- storage, handling and distribution of containers
- cruise ship terminals
- conditional uses

Sites within this designation are intended for deep-sea facilities. Future development within this designation shall take into consideration adjacent uses.

### **Marine Use & Port Services**

- marine-related industrial and commercial uses
- Sea Bus and transit-related facilities
- conditional uses

All sites in this designation should be easily accessible either by land or water transport. Future development within this designation shall take into consideration adjacent uses.

### **Port Recreation**

- parks and plazas
- recreational docks and mooring
- residential docks
- habitat conservation
- conditional uses

These areas must be accessible to the general public, be considered safe, and must not have an adverse impact on the environment.

### **Urban & Mixed Port Use**

- Urban uses or urban uses combined with compatible port-related facilities.

Future development within this designation shall take into consideration adjacent uses.

In reviewing the foregoing, staff is of the opinion that they are too general in nature and could result in considerable latitude being exercised in their interpretation. While the Port 2010 document provides additional descriptive information on each designation together with examples of specific permitted uses, it may be appropriate for the Port to examine the range of uses now accommodated or envisaged to be provided for in the Port and include these as permitted uses under the appropriate designations.

In addition, the Deep-Sea Terminal, Marine Use and Port Services and Port Recreation designations provide for "conditional uses". Precisely what would be considered a conditional use is not described. The Plan does state that "Each designation will allow certain uses, however, VPC may permit interim or conditional uses on sites where current market or trade conditions do not support uses identified by the applicable land use designation." It notes that "Conditional uses provide revenue to VPC which support its financial self-sufficiency. However, conditional uses must be compatible with adjacent uses and must not have an adverse impact on the environment."

Again, staff is of the view that is too general and open-ended. If conditional uses are to be permitted at all, it would seem prudent to require the approval of the municipality in which they are proposed to be located. For example, in a previous discussion with a Port of Vancouver representative it was indicated that log booming is an acceptable Port Recreation use.

In Burnaby, the Zoning Bylaw designations extend to Harbour Headline which includes VPC waterlots. It is the City's position that all development within both the land and water areas must satisfy the zoning bylaw requirements.

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The land use designations within Burnaby are either Deep-Sea Terminal or Port Recreation, with the exception of the General Chemical lands and waterlot east of the developed portion of the Barnet Marine Park which are designated Marine Use and Port Services. These areas are proposed to be included in the Barnet Marine Park and therefore, the VPC will be requested to change this designation to Port Recreation. Certain other minor changes to the Land Use Designation Plan will be requested.

## 2.3 Administrative Processes.

### 2.3.1 Environmental Appraisal Procedures

The VPC has developed environmental appraisal procedures which are illustrated on the **attached** flowchart. These procedures are administered by VPC's Environmental Appraisal Committee (EAC) which is made up of VPC staff. It is the Committees' responsibility to evaluate the environmental impact of all projects and recommend appropriate courses of action to VPC's Executive and Board of Directors.

As the flowchart indicates, the initial screening undertaken by the EAC determines the extent of anticipated project impacts. Following this initial assessment, the project may be approved with any necessary mitigation and monitoring; the project may be abandoned; or further study may be required to better assess potential impacts.

If significant impacts or public concern are anticipated, the proponent will be requested to prepare an Environmental Appraisal Document (EAD). Following the review of the EAD by VPC, the EAD will be submitted to an independent review panel which, in turn, will conduct a public consultation programme and report to VPC's Board of Directors with recommendations.

The Environmental Appraisal Procedures are intended to provide VPC with an understanding of potential environmental impact so that informed decisions can be made regarding projects. Projects under VPC jurisdiction must also meet the regulatory requirement of other applicable environment agencies such as the Department of Fisheries and Oceans and Environment Canada.

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Certainly the adoption of the proposed environmental appraisal procedures will be of benefit. In considering the potential impacts of an initiative, it is essential that the City also have input to the decision making process. As part of the overall project review process outlined in the following section, provision is made for the City to review proposals and provide recommendations. Notwithstanding, it is our view that the flowchart should be revised to clearly indicate how and at what points the City is involved in the environmental review process.

### 2.3.2 Project Review Process

The VPC's Project Review Process (PRP) is proposed to be established to review all development projects and to consider changes in land use. This process, which is illustrated on the **attached** flowchart, is administered by VPC's Port Development Department and is monitored by the Project Review Committee which is comprised of VPC staff.

The Port 2010 document states that "While VPC lands are not subject to municipal land use regulations or approval, the PRP does incorporate a review process by the adjacent municipalities." In this regard, while we support the general thrust of the review process, it should be stated again that the City's zoning extends to the Harbour Headline and it is Burnaby's position that all development should conform to its bylaw regulations.

### 2.3.3 Building Permit Process

At the present time, VPC administers the approval process for all construction projects on VPC land. However, VPC is currently working toward a memorandum of understanding (MOU) with the adjoining municipalities whereby they will administer the Building Permit Process. Upon completion of the MOU, applications for Building Permits will be submitted directly to the respective municipality in which the project is located. All construction projects must receive a VPC Project Review Permit before a Building Permit can be issued.

Staff is of the view that it is essential that the City be involved in the issuance of Building Permits to ensure compliance with applicable building code requirements. Not only will this invoke the necessary review of projects, including Preliminary Plan Approval, it will provide for inspections by City staff throughout the process leading to the issuance of an Occupancy Permit.

### 3.0 CONCLUSIONS

The preparation and adoption of the VPC's 2010 Port Land Use Management Plan is considered to be a positive step in providing for the effective management of the area under its jurisdiction. In establishing principles and objectives together with a land use designation and associated administrative processes, a framework will be in place which provides for input from the City as well as the public in the decision making process.

Certain proposed revisions to the document and administrative processes have been outlined herein for consideration by the Vancouver Port Corporation.

It is staff's position that it is essential that the implementation of the Plan include provision for the City to issue Building Permits. In this way it will be able to ensure compliance with City regulations, including the provisions of the Burnaby Zoning Bylaw.

  
D.G. Stenson, Director  
PLANNING AND BUILDING

PB/gl

Attachments

cc: Director Recreation & Cultural Services  
Director Engineering  
Director Administrative & Community Services  
Chief Environmental Health Officer  
Chief Building Inspector



FIGURE A  
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**ENVIRONMENTAL APPRAISAL PROCEDURES**

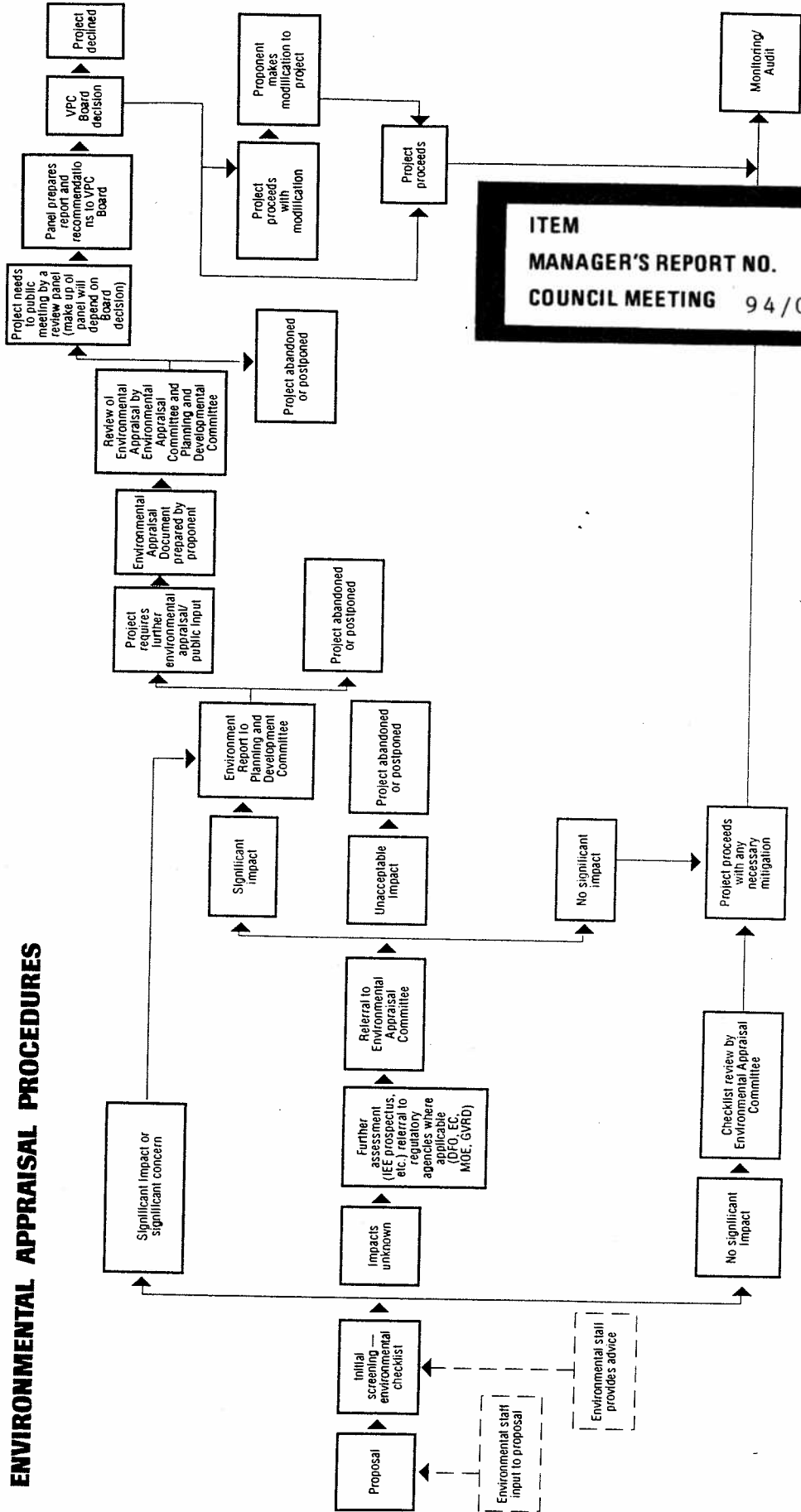


FIGURE B  
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**PROJECT REVIEW PROCESS**

