



Item.....  
Meeting.....2009 Jun 15

COUNCIL REPORT

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**TO:** CITY MANAGER **DATE:** 2009 June 10  
**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 90500-20  
**Ref:** *Port Metro Vancouver*  
**SUBJECT: SUMMARY OF DRAFT CHARTER BETWEEN PORT METRO VANCOUVER AND METRO VANCOUVER'S 16 METRO PORT CITY MUNICIPALITIES**  
**PURPOSE:** To seek Council endorsement of the "*Draft Charter between Port Metro Vancouver and the Metro Vancouver Port Cities*".

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**RECOMMENDATIONS:**

1. **THAT** Council endorse the "*Draft Charter between Port Metro Vancouver and the Metro Vancouver Port Cities*".
2. **THAT** Council forward a copy of this report to Ms. Delia Laglagaron, Deputy Commissioner/CAO, Metro Vancouver.

**REPORT**

**1.0 INTRODUCTION**

Council, at its regular meeting of 2009 June 1, received an item of correspondence from Metro Vancouver requesting endorsement of the "*Draft Charter between Port Metro Vancouver and the Metro Vancouver Port Cities*".

The purpose of this report is to provide background information related to the "*Draft Charter between Port Metro Vancouver and the Metro Vancouver Port Cities*" to assist Council in providing the requested endorsement of the draft Charter.

**2.0 BACKGROUND**

Port-related industries occupy a major proportion of waterfront industrial lands in Metro Vancouver. The regional government (Metro Vancouver) and the local governments of the 16 cities that border the port provide both municipal services and land-based access to these lands. The provision of these municipal services is essential to the effective operation of port activities and port-related industries.

## 2.1 Previous Agreements

Prior to 2008 January, there were three port corporations operating in Metro Vancouver - Fraser River Port Authority, the North Fraser Port Authority and the Vancouver Port Authority. These three different port authorities covered 16<sup>1</sup> different cities in Metro Vancouver. These three different port authorities also had a number of agreements with the various port cities within Metro Vancouver in place. Examples of these include:

- Accord between Fraser River Port Authority and Municipalities<sup>2</sup> (2002);
- Vancouver Port Authority and Village of Belcarra Charter (2001);
- Vancouver Port Authority and District of North Vancouver Charter (1999);
- Vancouver Port Authority and City of Port Moody Charter; and
- Vancouver Port Authority and City of Vancouver Charter (1998).

## 2.2 Creation of Port Metro Vancouver

On 2007 December 21, after nearly one-hundred-and-fifty years of existing separately, the federal government amalgamated the Fraser River Port Authority, the North Fraser Port Authority, and the Vancouver Port Authority into the Vancouver Fraser Port Authority (VFPA). The effective date of amalgamation was 2008 January 1.

The Vancouver Fraser Port Authority markets itself as Port Metro Vancouver (PMV). Port Metro Vancouver was established by the Government of Canada, pursuant to the *Canada Marine Act*, and is accountable to the federal Minister of Transport.

Port Metro Vancouver is one of the largest ports in North America - its jurisdiction encompasses more than 600 kilometers of shoreline bordering on 16 municipalities. Port Metro Vancouver's operations involve many different enterprises including cargo terminals, cruise terminals, industries requiring tidewater access, shipyards, tugboats, railways, trucks, shipping agents, freight forwarders, suppliers, builders, and administrative agencies. All of this activity occurs in the midst of Western Canada's largest urban centre – Metro Vancouver. According to the Port of Metro Vancouver, the combined total Canadian economic impact of ongoing business operations related to Port Metro Vancouver is estimated to be (including indirect and induced effects):

- 129,500 jobs;
- \$10.5 billion in Gross Domestic Product (GDP);

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<sup>1</sup> Belcarra, Burnaby, Coquitlam, Delta, Langley (Township), Maple Ridge, New Westminster, North Vancouver (City), North Vancouver (District), Pitt Meadows, Port Coquitlam, Port Moody, Richmond, Surrey, Vancouver, and West Vancouver.

<sup>2</sup> Coquitlam, Delta, Langley (Township), Maple Ridge, New Westminster, Pitt Meadows, Port Coquitlam, Richmond, and Surrey.

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- \$22 billion in economic output; and
- \$6.1 billion in wages.

### 2.3 Preliminary Engagement Framework

Following the creation of the Port Metro Vancouver, the “*Preliminary Engagement Framework*” document was developed between the Port Metro Vancouver and Metro Vancouver to formalize their relationship and to establish an ongoing liaison protocol.

On 2008 February 4, Council, at their regular meeting, endorsed the “*Preliminary Engagement Framework*” in response to an item of correspondence from the Chair of Metro Vancouver.

On 2008 June 12, the chairs of Metro Vancouver and Port Metro Vancouver signed the “*Preliminary Engagement Framework*” at the Port Cities Conference. To our understanding, once signed, the “*Preliminary Engagement Framework*” became effective retroactively to 2008 January 1 – coincident with the effective date of Port Metro Vancouver.

The “*Preliminary Engagement Framework*” document recognises the:

- Amalgamation of the three port authorities into one;
- Pre-existing charters;
- Independent obligations of the agencies;
- Need for meaningful bi-lateral consultation;
- Need to continue past practices (coordination meetings, Council delegations, harbour tours, special projects, etc.);
- Need to formalize relationship and establish liaison framework; and
- Need to enter into a “*Preliminary Engagement Framework*”.

The “*Preliminary Engagement Framework*” contains a number of operational commitments designed to encourage dialogue between the two agencies (and the region’s port cities) at a number of different levels – Board, Executive, Committee, Council, and staff. These clauses are summarized below.

- Metro Vancouver and VFPA Board and committee meetings of both organizations are to be used as forums;
- VFPA representatives to attend Metro Vancouver Port Cities Committee (PCC) meetings;
- PCC may appoint representatives to attend VFPA meetings;

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- Annual joint meeting of VFPA Board and PCC;
- Respect confidentiality of VFPA and PCC in-camera items;
- Staff establish regular meetings;
- VFPA's Executive and senior staff meet with port cities CAO's and senior staff on a quarterly basis;
- VFPA staff and port cities staff meet on an as-required basis; and
- Annual (VFPA, Federal, Provincial, regional, local) port cities conference.

The City of Burnaby is one of the 16 port city municipalities identified within the "Preliminary Engagement Framework" document.

## 2.4 Draft Charter

The subject draft Charter is proposed to replace all of the previous accords and charters between the three former port authorities and the individual port city municipalities. The draft Charter recognises the separate interests and obligations of the 16 port cities within Metro Vancouver and the Port of Metro Vancouver, while outlining the commitment to continuing a collaborative working relationship.

While the "Preliminary Engagement Framework" targets specific operational points of engagement for dialogue, the draft Charter puts forward a number of governing principles, commitments and mechanisms which define the relationship between the two agencies (and the region's port cities). According to the wording of the new draft Charter, it would appear that the proposed draft Charter builds upon the "Preliminary Engagement Framework" and is not intended to replace it.

On 2009 April 24, the Metro Vancouver Board endorsed the draft Charter and passed a resolution to circulate the draft Charter to its member municipalities for comment.

The draft Charter recognises the:

- role of the PMV in administering Canada's premier port;
- occupancy of major proportion of waterfront industrial lands by PMV;
- provision of municipal services and land-based access by the regional and port city municipalities;
- pursuit of economic development by port city municipalities, Metro Vancouver and PMV; and
- acknowledgement of the importance of each other.

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The draft Charter also contains a number of guiding principles, commitments and mechanisms for the parties involved – Port Metro Vancouver, Metro Vancouver and the region’s port city municipalities. These clauses are summarized below:

- Independence of each other;
- Continuing effective communication;
- Coordinated process, framework and principles;
- Pursuit of simplified legal agreements;
- Agreement to work together;
- Commitment to review the draft Charter every five years;
- Continuing the “*Preliminary Engagement Framework*”;
- Collaborative dispute resolution mechanism;
- Ability to amend the draft Charter with written agreement from all parties; and
- Ability of a party to terminate/withdraw.

### 3.0 CONCLUSION

The amalgamation of three port authorities into one new agency – Port Metro Vancouver – presents an opportunity to consolidate the pre-existing accord and charters into one new charter. The proposed draft Charter builds on the operationally oriented “*Preliminary Engagement Framework*”, which was previously endorsed by Council on 2008 February 4 by adding a number of worthy guiding principles, commitments and mechanisms outlined in this report. It is therefore, recommended that Council endorse the “*Draft Charter between Port Metro Vancouver and the Metro Vancouver Port Cities*”, and that a copy of this report be sent to Ms. Delia Laglagaron, Deputy Commissioner/CAO, Metro Vancouver.



Basil Luksun, Director  
PLANNING AND BUILDING

cc: City Solicitor  
Director Finance  
Director Engineering  
Director Parks, Recreation and Cultural Services