



Item
Meeting 2014 Apr 28

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2014 April 22

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 90500 20
Reference: Port Metro Vancouver

SUBJECT: PORT METRO VANCOUVER LAND USE PLAN UPDATE

PURPOSE: To present recommendations regarding Port Metro Vancouver's draft *Land Use Plan*.

RECOMMENDATIONS:

1. **THAT** Council request that Port Metro Vancouver amend the land use designations shown for Burnaby, in the Port's draft *Land Use Plan*, to the designations presented in this report which reflect existing City and Metro Vancouver land and water use designations and community planning directions.
2. **THAT** a copy of this report be sent to:
 - Port Metro Vancouver;
 - Burnaby's MLA's and MP's;
 - The Honourable Lisa Raitt, Federal Minister of Transport; and
 - Metro Vancouver Board of Directors.
3. **THAT** this report be forwarded to the Community Development Committee, Environment Committee and Parks, Recreation and Culture Commission for information purposes.

REPORT

1.0 BACKGROUND

In January 2012, Port Metro Vancouver (PMV) began a public process to update its *Land Use Plan*, which for the first time, would represent an integrated land use plan for the region's former individual ports managed under the Federal Government's *Canada Marine Act*. This planning process includes Burnaby's portion of the Burrard Inlet waterfront and harbour, formerly managed by the Vancouver Port Authority, and the City's riverfront on the North Arm of the Fraser River, formerly managed by the North Fraser Port Authority. Following two years of consultation with stakeholders, including local municipalities, PMV has prepared a draft *Land Use Plan* (www.porttalk.ca/document/show/495). The intent of this phase of work, concluding in April 2014, is to seek feedback from the public and stakeholders on the draft *Plan*, which

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includes goals, objectives, policy directions, implementation items, and land use designations for each of the Port's seven planning areas. It is anticipated that the *Plan* may be adopted in late 2014.

The following report reviews the proposed *Land Use Plan* designations within the context of the City's Community Plan land use designations, and in some instances, in the context of regional land use designations as set out in Metro Vancouver's Regional Growth Strategy (RGS), as well as to related Burnaby Official Community Plan (OCP) policies for Burrard Inlet and the Fraser River.

2.0 PORT METRO VANCOUVER LAND USE PLAN CONSULTATION PROCESS

The *Canada Marine Act* requires every Canadian port authority to adopt a comprehensive port land use plan including land use objectives and policy directions for the physical development of the property it manages. Port Metro Vancouver's draft *Land Use Plan* is intended to fulfill this requirement and will replace their existing *Consolidated Land Use Plan* (2008). PMV's current *Consolidated Land Use Plan* is a compilation of three separate plans from each of the region's former port authorities (Fraser River, North Fraser and Vancouver) that amalgamated in 2008 to form Port Metro Vancouver. A primary objective of the plan update is to consolidate and rationalize the former plans into a single plan with clear and consistent policies and designations across the Port's jurisdiction.

2.1 Consultation Process

In January 2012, Port Metro Vancouver began a two-year, four-phase process to update its *Land Use Plan*. Port Metro Vancouver has developed goals, objectives and policy directions to provide the policy framework for future port growth and development. These form the basis for the draft *Port Land Use Plan*. The five goals of the draft *Port Land Use Plan* are:

1. Port Metro Vancouver manages port growth and activity in support of Canada's trade while preparing for anticipated transitions in the global economy;
2. Port Metro Vancouver is a leader in ensuring the safe and efficient movement of port-related cargo, traffic and passengers throughout the region;
3. Port Metro Vancouver is a global leader among ports in the environmental stewardship of the lands and waters it manages;
4. Port activity and development is a positive contributor to local communities and First Nations; and
5. Port Metro Vancouver is a leader in communication and engagement in support of the use and development of port lands and waters.

The *Canada Marine Act* requires Port Metro Vancouver to consult with the communities in which it operates and serves. PMV has developed a four phase process to engage with the general community, First Nations, and stakeholders including local municipalities. In Phase 1 (January to June 2012), PMV shared information with the public and stakeholders in order to identify topics and critical issues related to port planning which established the baseline for the

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Land Use Plan. Phase 2 (August to November 2012) advanced these issues to develop broad-based draft goals, objectives and policy directions to guide the development of the Port.

Phase 3 (December 2012 – December 2013) was implemented in several stages, and included the process to develop detailed land use designations guided by a technical review with municipalities, First Nations and key provincial and federal agencies. The process included the reconciliation of land use designations from previous Port *Land Use Plans* into a single common and consistent designation for land and water use within the Port’s jurisdiction. The resulting draft Port *Land Use Plan* is now being advanced for final consultation in this last phase to all stakeholders and the public for input, followed by approval of the finalized plan in late 2014 by the Port Metro Vancouver Board of Directors.

2.2 City Review

PMV has developed its own land and water use designations for both land and water lots to reflect current and future development of the areas under its jurisdiction. The City has maintained in previous port land use plan reviews that these generalized designations need to conform and relate to the needs and objectives of the City and the region’s land use and planning context. To this end, the City reviewed PMV’s land use maps and provided detailed recommendations for land and water use designations as proposed in the draft *Plan*. These recommendations aimed to address and correct specific inconsistent land use designations and issues of importance to the City arising from past land use plans adopted by the Vancouver Port Authority (2004) and the North Fraser Harbour Authority (2000). Those plans were advanced and approved by the Federal Minister responsible for the *Canada Marine Act*, without Council’s specific support or endorsement.

However, it appears that many of the 2013 comments provided by the City were not fully incorporated into the draft Port *Land Use Plan* (as summarized in *Attachment 1*), and as a result the City’s comments in this report reiterate a number of previous comments, along with requests that these be considered for incorporation into the final Port *Land Use Plan*.

The City has always maintained that the Port’s land and water use designations, established under any Port land use plan should be generally consistent and compatible with the City’s Zoning Bylaw, Official Community Plan (OCP) and regional land use designations. The current process of reconciling the land and water use designations to a common and coherent system of designations, coupled with a systematic application of designations to reflect current land and water use patterns, indicates PMV’s move towards a consistent application of principles of integrated community planning. However, a number of specific site designations and important issues remain outstanding, and PMV is requested to amend the draft *Land Use Plan* to reflect the City of Burnaby’s position regarding the future use of lands on Burnaby’s waterfronts.

2.3 City Response

It is proposed that the City’s policy directions regarding land/water designations, community planning and environmental protection, as outlined in this report, be advanced to the Port as the

City's formal position on the draft *Land Use Plan*. The intent of the submission would be to request that land use designations and other information in the PMV *Land Use Plan* be fully consistent with the City's land use designations, policies and plans and in some instances with the land use designations of Metro Vancouver's Regional Growth Strategy. Consistent representation of the City's adopted land uses, policies, and initiatives would reflect Council's and Burnaby citizens' long-standing commitment and objectives for waterfront lands and use of the harbour, as represented in the City's adopted Official Community Plan, zoning, and also in Metro Vancouver's Regional Growth Strategy land use designations.

3.0 DRAFT PORT METRO VANCOUVER LAND USE PLAN

The stated intent of the *Plan* is to provide “*a framework for the growth and development of port lands and waters over the next 15 to 20 years...[by articulating] the types of uses appropriate on land and waters across the Port's jurisdiction while maintaining the flexibility to respond to business needs, market trends and emerging issues.*”

The draft *Plan* includes goals, objectives and policy directions to provide the policy framework for future port growth and development, and organizes lands and waters within PMV's jurisdiction into seven distinct planning areas based on geography and port-related activities. Burnaby's waterfronts are identified as follows:

- Burrard Inlet waterfront: Planning Area 1 - Burrard Inlet – South Shore; and
- Fraser River waterfront: Planning Area 7 Fraser River – North, South and Middle Arm and Planning Area 5: Fraser River – Central.

Port land use and jurisdiction in Planning Area 7 will change as a result of the end of the Head Lease with the Province of British Columbia in December 2014, where responsibility of these areas reverts to the Province. Hence, only properties under federal jurisdiction (which the Port will continue to maintain) are designated in the *Plan*.

3.1 Legacy Issues Remaining from Previous Port Plans

In 2004, the Vancouver Port Authority developed a land use plan entitled *Port Plan* which included Burnaby's Burrard Inlet Waterfront. At the time of the *Port Plan*'s development, the City raised a number of issues with regard to the plan's land use designations and proposed initiatives that were being advanced by the Vancouver Port Corporation. The City's concerns were only partially identified and addressed in the final *Port Plan* document, which was accepted by the Minister responsible for the Canada Marine Act, and now forms the basis of Port Metro Vancouver's Consolidated Plan. This resulted in inconsistencies with some of the plan's specific land use designations and the City's policies, such as Burnaby's Zoning Bylaw, OCP, and the Park Acquisition Plan.

It is staff's view that the correction of outstanding issues and inconsistent land use designations arising from previous *Plans* should be addressed as part of the current consultation process. In Phase 2 of the current process, the City advanced these concerns and issues in its formal

submission to PMV. While some of the issues have been addressed as part of the draft *Land Use Plan* now under consideration, several issues remain and should be addressed prior to finalizing the *Plan*.

3.2 Port Use Designations

The draft *Land Use Plan* applies specific designations to all private, public and PMV owned land and water lots within the Burrard Inlet (located between the shoreline and harbour headline) and Fraser River under various “Land Use Plan Designations”. These port land use and water designations guide PMV decisions regarding the orderly development and management of lands subject to their authority as permitted under the *Canada Marine Act*. The updated *Plan* provides for primary uses as well as ancillary uses that may be considered as appropriate on individual sites to support primary uses, and may include such uses as parking, ancillary offices and commercial use, storage areas, caretaker facilities, utilities, and other uses. There is an inherent tension in that the Port controls areas up to the harbor headline, however the City retains upland control, which includes utility and transportation infrastructure as well as land access. As such, a collaborative approach to planning and management of these areas is requisite for their orderly growth and operation.

In the past, the PMV’s land and water use designations were general and open-ended and did not recognize or acknowledge Burnaby’s existing zoning districts and land use plans. However, the proposed eight designations in the draft *Plan* provide more clarity on intended uses as well as specific types of developments that Port Metro Vancouver would consider on a primary, ancillary or conditional basis for individual sites. The rationalization of the PMV land and water use designations into articulated categories that generally align and reconcile with the City’s OCP directions better facilitates integration of the Port’s plans with City objectives. The proposed designations include:

- *Port Terminal* – primarily designated for deep-sea and marine terminals which handle various commodities;
- *Industrial* – designated for industrial activities in support of port operations and marine support services;
- *Commercial* – designated for commercial activities related to port or marine support services, tourism related businesses, transportation of passengers and the handling and storage of goods;
- *Log Storage and Barge Moorage* for areas designated for log storage, barge moorage and associated activities;
- *Recreation* for areas designated for public recreational use;
- *Conservation* for habitat conservation, enhancement, and restoration, that may be publically accessible;
- *Port Water* for open water and foreshore areas generally intended for shipping, navigation and anchorages; and
- *Special Study Area* for locations that require additional study and consultation to determine their future use through a *Plan* amendment.

Amendments to the *Plan*, including changes to land use designations, can be initiated by Port Metro Vancouver, consistent with applicable provisions of the *Canada Marine Act*. The *Plan* notes two types of amendments: Administrative or Substantive. The *Plan* considers Administrative amendments as minor working adjustments, and not having substantive impact on the policies or directions of the *Land Use Plan*. Therefore, opportunity for consultation on Administrative amendments would not be provided, but would be included for information on the portmetrovancover.com version of the *Land Use Plan*. For the latter, or Substantive amendments, the *Canada Marine Act* sets out procedural requirements for notice and adoption by the Board of PMV. As such, Port Metro Vancouver has committed to undertaking a consultation process to solicit input from interested parties for all proposed Substantive amendments of the *Land Use Plan*, such as land use designation changes.

3.3 Port Land Use Designations within Burnaby

The following eleven areas encompass Burnaby’s waterfronts – ten are on the Burrard Inlet and one on the Fraser River. The City’s specific land use designation recommendations and issues that should be reflected in the adopted *Land Use Plan* are presented in association with the land parcels and water lots (illustrated in *Attachment 2*). It is noted that the water area beyond the harbour headline is designated in the plan as “Port Water”, accommodating shipping, navigation and anchorage, and it is recommended that the PMV Land Use Plan maintain this general designation.

Burrard Inlet Waterfront

3.3.1 Area 1 - Second Narrows Park PMV Land Use Plan – “Port Water” Burnaby Zoning Bylaw – Park and Public Use (P3)

The City’s Second Narrows Park and adjoining water lot is zoned under the Park and Public Use District (P3), recognizing the conservation of the forested bluff, passive recreational trail use of the uplands, and its location for major Metro Vancouver water supply infrastructure connected with North Shore reservoirs. The use of the waterfront is limited to the Canadian Pacific Railway right of way with no foreshore lands being available for park, recreation or industrial development. The draft PMV *Land Use Plan* designates the waterfront for “Port Water” use, consistent with the City’s zoning designation.

3.3.2 Area 2 - Chevron Refinery - Site 1 (Stanovan Terminal) PMV Land Use Plan – “Port Terminal” Burnaby Zoning Bylaw – Heavy Industrial (M3)

The Chevron Refinery - Site 1 is fully developed adjacent to a PMV water lot that serves as its main Marine Terminal known as Stanovan, which is zoned under the M3 Heavy Industrial District and designated for continued industrial use. The draft *Land Use Plan* designates both the water lot and land portion as “Port Terminal” which is generally consistent with the City’s zoning.

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**3.3.3 Area 3 - Confederation Park
PMV Land Use Plan – “Recreation”
Burnaby Zoning Bylaw – Park and Public Use (P3)**

Burnaby’s Confederation Park serves as the major waterfront park and waterfront access for north-west Burnaby under the City’s community plans. The PMV owned water lot is zoned as P3 Park and Public Use District. The draft *Land Use Plan* designates this water lot as “Recreation” which is generally consistent with the City’s zoning and civic objectives.

**3.3.4 Area 4 - Chevron Refinery - Site 2
PMV Land Use Plan – “Port Water”
Burnaby Zoning Bylaw – Heavy Industrial (M3)**

The Chevron Refinery – Site 2 is located on the western section of Berry Point. The Chevron site is zoned and designated under the M3 Heavy Industrial District. The shoreline is currently vacant and designated in the draft *Land Use Plan* as “Port Water”, which is consistent with the City’s zoning.

**3.3.5 Area 5 - Berry Point
PMV Land Use Plan – “Port Terminal”
Burnaby Zoning Bylaw – Heavy Industrial (M3)**

The current PMV *Land Use Plan* designated the PMV-owned water lot at the eastern side of Berry Point (formerly known as the Goodwin-Johnson site) entirely for long-term “Port and Marine Use”. Between 1997 and 2001, the City sought to negotiate with the Vancouver Port Corporation (VPC) for the purchase of Berry Point for park use. However, no agreement could be reached. As a result, Council advanced a proposal regarding the future use of this site and specifically requested VPC to participate in a joint study of the lands.

Council agreed that a detailed land use plan should be completed, and noted in its 2004 submission to the VPC that it must be a collaborative effort, in order to accommodate both Port and City needs. The water lot is now owned by PMV and is currently leased for boat and barge maintenance. The City owns a small titled parcel designated for park and conservation use adjacent to the PMV water lot.

In past communications with PMV, the City has stated that the development of a plan for the Berry Point lands must also consider needed public access, park space, environmental enhancement, transportation and noise considerations. The draft *Land Use Plan* designates this area for “Port Terminal” uses which is inconsistent with its earlier commitment to a collaborative planning process. A more appropriate designation would be “Special Study Area”, as this area requires additional study, consultation and planning.

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It is recommended that the PMV *Land Use Plan* maintain its earlier commitment to a cooperative review process, and:

- change the existing designation of this land and water lot area to “Special Study Area”, as an interim designation; and
- propose the participation of the Port in a future planning study, consistent with the City’s OCP designation for this site.

3.3.6 Area 6 - Shellburn Lands
PMV Land Use Plan – “Port Terminal”
Burnaby Zoning Bylaw – Heavy Industrial (M3)

The current port designation for the waterfront of this large site provides for the continued industrial use of the property as a major terminal location. The City’s OCP contains a long-term vision for the Shellburn lands comprised of the former Shell Oil Refinery, for transition from an industrial use to a new community that incorporates residential/community uses, to be developed as part of a comprehensive community plan through a public consultation process. Consistent with this OCP direction, the site was designated for “General Urban” use in the Regional Growth Strategy in 2011.

The draft *Land Use Plan* designates the area for “Port Terminal” use which is inconsistent with City policy and Metro Vancouver’s land use designation. It is therefore recommended that the *PMV Land Use Plan*:

- change the proposed designation of this land and water lot area to “Special Study Area”, as an interim designation; and
- propose the participation of the Port in a future planning study, consistent with the City’s OCP policy direction for this site.

3.3.7 Area 7 - Burrard Inlet Conservation Area
PMV Land Use Plan – “Port Terminal”
Burnaby Zoning Bylaw – Heavy Industrial (M3)

The draft *Land Use Plan* identifies a water lot area and City-owned waterfront lot, adjoining the upland Burrard Inlet Conservation Area, for “Port Terminal” use. This is contrary to the City’s park and conservation designation. In 1992, Council included the future acquisition of this water lot (through long-term lease) in the Park Acquisition Program for ongoing development of public use and access to the waterfront.

It is recommended that the *PMV Land Use Plan*:

- designate this water lot area as “Recreation” with an ancillary designation of “Conservation” consistent with the City’s OCP.

**3.3.8 Area 8 – Westridge Marine Terminal
PMV Land Use Plan – “Port Terminal”
Burnaby Zoning Bylaw – Heavy Industrial (M3)**

The Westridge Marine Terminal is developed adjacent to a PMV water lot that serves as its main marine terminal, which is zoned under the M3 Heavy Industrial District and designated in the OCP for industrial use. The draft *Land Use Plan* designates the water lot and adjacent land portion as “Port Terminal”. Council, on behalf of the public, has expressed opposition regarding any future expansion and use of this site for increased petroleum exports. Retention of the current Port terminal land and water designation and the constructed marine terminal is supported, subject to maintaining the current capacity for bulk shipments.

It is recommended that the PMV *Land Use Plan*:

- limit the current designation of “Port Terminal” to the current capacity for bulk shipments.

Expansion of Petroleum Exports

The draft *Land Use Plan* identifies continued growth of port related uses in all commodity sectors in Planning Area 1 (Burrard Inlet/South Shore) including bulk activities such as which occur at the Westridge Marine Terminal. At the time of the preparation of the existing *Port Plan* in 2004, the City expressed its opposition to any expansion plans for petroleum terminals, given the impact of this heavy industrial use within the City’s highly urbanized context and the potential safety and environmental risks. At the time of the creation of the current *Port Plan*, there was no specific knowledge of any proposal to expand crude oil exports through Burnaby utilizing Kinder Morgan’s Westridge Marine Terminal. The proposal recently being considered for advancement to the National Energy Board by Kinder Morgan, to twin its pipeline and expand both storage and shipping of crude oil through its Burnaby terminal, has been opposed by Council given its context and the risks to the City and region’s citizens and its valued ecosystems.

While the historic presence and operation of petroleum processing, storage and shipping facilities has been generally accepted as part of Burnaby’s geography, the proposed expansion is of significant concern to the City and its businesses and citizens, as it would intensify the risks to and impacts on Burnaby and the broader Metro Vancouver area. Specifically, the proposed expansion of the Westridge Marine Terminal and allocation of larger volumes of shipment through the harbour via the Second Narrows could impact local marine ecosystems in the event of spill(s) from vessels carrying petroleum products; marine traffic along the Burrard Inlet corridor; and uses along the shoreline which include commercial, residential, port-industrial and park and conservation opportunities. The proposal, as presented, also provides limited potential for offsetting net benefits at a local, regional or provincial level.

As such, Council has taken the position of expressing its opposition to the proposal and would also vigorously oppose any new *Port Plan* advanced by Port Metro Vancouver that does not

specifically consider these implications and articulate the stated opposition of this community respecting the expansion of petroleum storage and exports. From this basis, Council has stated that there is a need to establish a Provincial and National strategy and position on this issue with a view to establishing a framework for consideration of the appropriate type, scale, nature, location and role of oil export facilities to be developed in the Province and country. Similarly PMV through its proposed *Land Use Plan* should reflect the desire of this community to protect its citizens and the ecosystems of Metro Vancouver from any expansion proposal related to petroleum exports.

It is recommended that the *Land Use Plan* be revised to include the following text:

- “Port Metro Vancouver will seek the agreement of municipalities located on Burrard Inlet on any proposal to expand storage, refining or shipping facilities related to petroleum processing and exports in order to fully reflect the concerns and views of communities that would be subject to potential impacts on the community and the environment, as a prerequisite condition to the granting of future development approvals by PMV”.

3.3.9 Area 9 - Barnet Marine Park
PMV Land Use Plan – “Port Terminal”
Burnaby Zoning Bylaw – Park and Public Use (P3) and Marine (P9)

Barnet Marine Park is defined by a Community Plan adopted by Council in 1975, and described in this report in the following three separate sections based on its current use and development:

Area 9a - Barnet Marine Park Western Sector

The western sector of the park is comprised of PMV land and water lots that are currently leased by the City and developed as “Drummond’s Walk”, a passive recreational trail with adjoining conservation and enhancement areas for marine habitat. The area is zoned under the P3 Park and Public Use District and the draft Port *Land Use Plan* designated this water lot as “Recreation”, which is generally consistent with the City’s designations.

Area 9b - Barnet Marine Park Central Sector

The central sector of Barnet Marine Park has been fully developed for public use on the City owned land and water lots for park and recreation purposes. This area provides major public access for citizens of Burnaby to the Burrard Inlet. The draft *Land Use Plan* provides no PMV designation for these areas recognizing the City’s ownership and zoning of this titled property for park and public use (P3 Park and Public Use District).

Area 9c - Barnet Marine Park Eastern Sector

The adopted Community Plan provides for this area to be developed for park, conservation and future public marina uses. Council included these lands and water lots in the 1976 Barnet Marine Park Community Plan, which provides for their future civic acquisition through the Parkland

Acquisition Program. Council also completed the rezoning of the public lands to the P3 Park and Public Use District and a portion of the water lot area to the P9 Marine District which would provide for future marina development. It is also noted that the area was designated as part of the regional “Green Zone”, and as such, the area has been designated “Conservation and Recreation” in the Regional Growth Strategy.

Advancement of further public use of this area is pending completion of the City’s acquisition of two waterfront lots including: 550 Cariboo Road North (owned by General Chemical Performance Products Ltd.) and 9070 Burrard Inlet (a Federal Crown property managed by PMV). The current Port *Plan* designates these two waterfront properties and adjoining water lots for “Port Terminal” use contrary to City and Metro Vancouver land use designations.

It is recommended that the PMV *Land Use Plan*:

- change the designation of the land and water lot areas to “Recreation” consistent with the City’s and Metro Vancouver’s land use designations; and
- propose a future study of the area for park and marina development in cooperation with the City of Burnaby, in line with the Barnet Marine Park Community Plan.

**3.3.10 Area 10 – Suncor Refinery (Petro Canada)
PMV Land Use Plan – “Port Terminal”
Burnaby Zoning Bylaw – Heavy Industrial (M3)**

The Petro Canada Refinery is developed adjacent to a PMV water lot that serves as its main Marine Terminal, which is zoned under the M3 Industrial District and designated for industrial use in the OCP. The draft *Land Use Plan* designates this site and adjoining water lot as “Port Terminal” which is generally consistent with the City’s designation.

Fraser River Waterfront

The harbour of the North Arm of the Fraser River was formerly administered by the North Fraser Port Authority until it was amalgamated into the Vancouver Fraser Port Authority in 2008. The North, part of the South and the Middle Arms of the Fraser River (referred to as Planning Area 7 in the draft *Land Use Plan*) were included within a Head Lease with the Province of British Columbia which conveys authority over the use of water and foreshore lands associated with the provincial bed of the Fraser River. The Head Lease is set to end in December 2014, at which point the Province will resume responsibility for managing these areas of the River. Consequently, Port land use and jurisdiction in Planning Area 7 will change to include only properties under federal jurisdiction which the Port will continue to maintain, and are thus designated in the draft *Land Use Plan*.

The existing land and water lot designations for Burnaby’s Fraser River generally conform to the City’s Community Plan and zoning district boundaries. PMV is the owner of all the water lots in the North Arm of the Fraser. PMV does not own any titled land parcels in Burnaby’s Big Bend.

**3.3.11 Area 11 – Industrial Area (Wiggins Street to City Boundary)
PMV Land Use Plan – “Industrial”
Burnaby Zoning Bylaw – Heavy Industrial (M3/3a)**

The industrial sites at this location are fully developed in line with the adopted community plan provisions for industrial uses zoned under the Comprehensive Development District and the M3/M3a Heavy Industrial Districts. The City seeks to ensure that the provision of waterfront access for any needed shipping or transport of goods is retained and integrated into site planning. The City has also implemented and achieved public access to the waterfront for the development of the public greenway linking with Burnaby Fraser Foreshore Park, dyke and extensive habitat compensation areas adjacent to the shoreline with the previous approval of PMV. Future opportunities remain to utilize City-owned road ends and dyke easements for the continued development of the public trail. The designation of water lots at this location are proposed as “Industrial” in the draft *Plan*.

It is recommended that the PMV *Land Use Plan*:

- maintain the current water lots’ designation as “Industrial”; and
- add the designation of “Recreation” and “Conservation” to be generally consistent with the City’s designation.

4.0 ADVOCACY

The City of Burnaby has advocated for the correction of specific inconsistencies in land use destinations and issues of concern and importance to the City arising from the process and resulting Port *Land Use Plans* over many years. It is staff’s view that the correction of these outstanding issues and inconsistent land use designations arising from legacy *Plans* should be addressed as part of the current consultation process. In Phase 2 of the current process, the City advanced these concerns and issues in its formal submission to PMV. However, it appears that many of the 2013 comments provided by the City were not incorporated into the draft Port *Land Use Plan* and as a result the City’s comments reiterate a number of previous comments, along with requests that these be considered for incorporation into the final Port *Land Use Plan*.

The current process highlights an ongoing City concern with the level of cooperation by PMV in the planning and management of lands within the City of Burnaby. The City has consistently provided information and articulated real concerns with environmental, access and geotechnical considerations particularly in the areas of the Burrard Inlet which have not been incorporated in the draft *Land Use Plan*.

It is recommended that a copy of this report be sent to:

- Port Metro Vancouver;
- Burnaby’s MLA’s and MP’s;
- The Honourable Lisa Raitt, Federal Minister of Transport; and

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- Metro Vancouver Board of Directors.

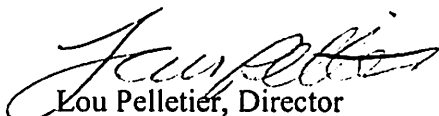
It is also recommended that a copy of this report be forwarded to the Community Development Committee, Environment Committee, and Parks and Recreation and Culture Commission for information purposes.

5.0 CONCLUSION

Port Metro Vancouver is a significant part of the regional, provincial and national economy. Burnaby has developed strong community plans and policies to provide for the successful operation of the Port within an increasingly urbanized setting, while balancing the competing needs and visions for the use and access of Burrard Inlet and the Fraser River by the public and to protect the natural environment. Metro Vancouver has adopted a Regional Growth Strategy that also sets out policies and land use designations for port-related lands.

PMV has developed a draft *Land Use Plan* with technical assistance by local municipalities, and is seeking feedback from the public and stakeholders. This report seeks to formally convey to PMV detailed land use information reflecting Burnaby's adopted land use designations of its port lands in order to provide clarity and definition of the City's long term vision for these lands. Reflecting these local plans and land uses would assist Port Metro Vancouver in the development of a more accurate and consistent Port *Land Use Plan* document.

City staff will continue to work with Port Metro Vancouver through the Port planning process, to promote compatible uses of the waterfront consistent with Council's policy directions and plans for lands along the Burrard Inlet and Fraser Foreshore.


Lou Pelletier, Director
PLANNING AND BUILDING

LL:sla:sa

Attachments

cc: Deputy City Managers
Director Engineering
Director Parks, Recreation and Cultural Services
Deputy City Clerk

Comparison of the Draft Port Metro Vancouver Land Use Designation in Phase 3, City of Burnaby Comments, and PMV Designations in Phase 4 Draft

Area		Proposed PMV Land Use Designations (2013)*	City of Burnaby Comments to Phase 3 Draft PMV Land Use Designations**	PMV Land Use Designation (Draft Land Use Plan) Phase 4***
Burrard Inlet Areas				
Area 1	Second Narrows Park	Port Marine Water/Port Water	Consistent	Port Water - Consistent
Area 2	Chevron Refinery Site 1	Port Marine Water/Port Water/Port Marine Land	Consistent	Port Terminal - Consistent
Area 3	Confederation Park	Park Area Land/Park Area Water	Consistent	Recreation - Consistent
Area 4	Chevron Refinery Site 2	Port Water	Consistent	Port Water - Consistent
Area 5	Berry Point	Port Marine Land/Port Marine Water/Port Water	Not Consistent - "Under Review" requested	Port Terminal - Not Consistent - Special Study Area requested
Area 6	Shellburn Lands	Port Marine Water/Port Water	Not Consistent - "Under Review" requested	Port Terminal - Not Consistent - Special Study Area requested
Area 7	Burrard Inlet Conservation Area	Port Marine Water/Port Water	Not Consistent - "Park Area Land/Water" or "Conservation" requested	Port Terminal - Not Consistent - "Recreation" or "Conservation" requested
Area 8	Kinder Morgan Terminal	Port Marine Water/Port Water/Port Marine Land	Consistent but limit to existing capacity	Port Terminal - Consistent but limit to existing capacity
Area 9a	Barnet Marine Park Western Sector	Park Area Land/Park Area Water/Port Water	Consistent	Recreation - Consistent
Area 9b	Barnet Marine Park Central Sector	Port Water	N/A**	None shown - Consistent
Area 9c	Barnet Marine Park Eastern Sector	Port Marine Water/Port Water/Port Marine Land	Not Consistent - Park Area Land/Water requested	Port Terminal - Not Consistent - "Recreation" requested
Area 10	Petro Canada Refinery	Port Marine Water/Port Marine Land/Port Water	Consistent	Port Terminal - Consistent
Fraser River Port Areas				
Area 1	Fraser Foreshore Park Western Sector	Conservation/Log Storage and Moorage	Conservation/Log Storage Moorage/Recreation/Park	No designation - In Head Lease area****
Area 2	Fraser Foreshore Park Central Sector	Recreation/Park	Recreation/Park	No designation - In Head Lease area****
Area 3	Fraser Foreshore Park Eastern Sector	Recreation/Park/Conservation/Log Storage and Moorage	Conservation/Log Storage Moorage/Recreation/Park	No designation - In Head Lease area****
Area 4	Industrial Site (Norampac)	Conservation/Industrial	Industrial/Conservation/Recreation/Park	No designation - In Head Lease area****
Area 5	Industria Area (Wiggins St to City Boundary)	Industrial/Conservation	Industrial/Conservation/Recreation/Park	Industrial - Consistent plus request addition of "Recreation" and "Conservation" where appropriate

Notes

*Port Metro Vancouver draft Land Use Plan, Phase 3.

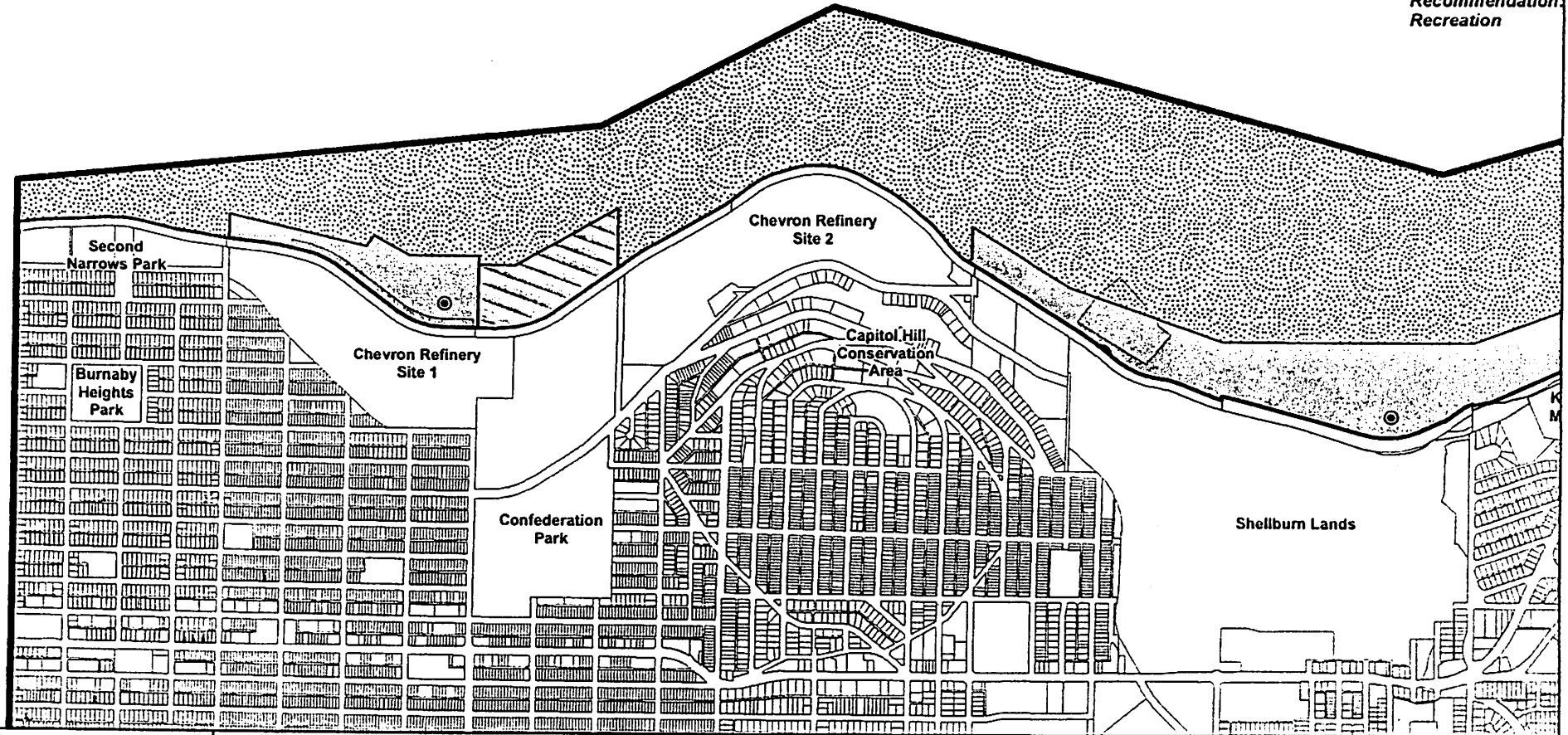
**City of Burnaby recommended land and water use designations (2013 May 21).

***draft Land Use Plan circulated 2014 Feb as part of final phase of consultation.

****Head Lease with Province of BC expires end of Dec 2014, when managing these areas becomes responsibility of the Province.

Head lease conveys authority over the use of water and foreshore lands associated with the provincial bed of the Fraser River.

Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7
Second Narrows Park	Chevron Refinery Site 1	Confederation Park	Chevron Refinery Site 2	Berry Point <i>Recommendation: Special Study Area</i>	Shellburn Lands <i>Recommendation: Special Study Area</i>	Burrard Inlet Conservation Area <i>Recommendation: Recreation</i>

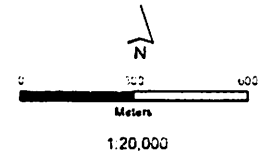


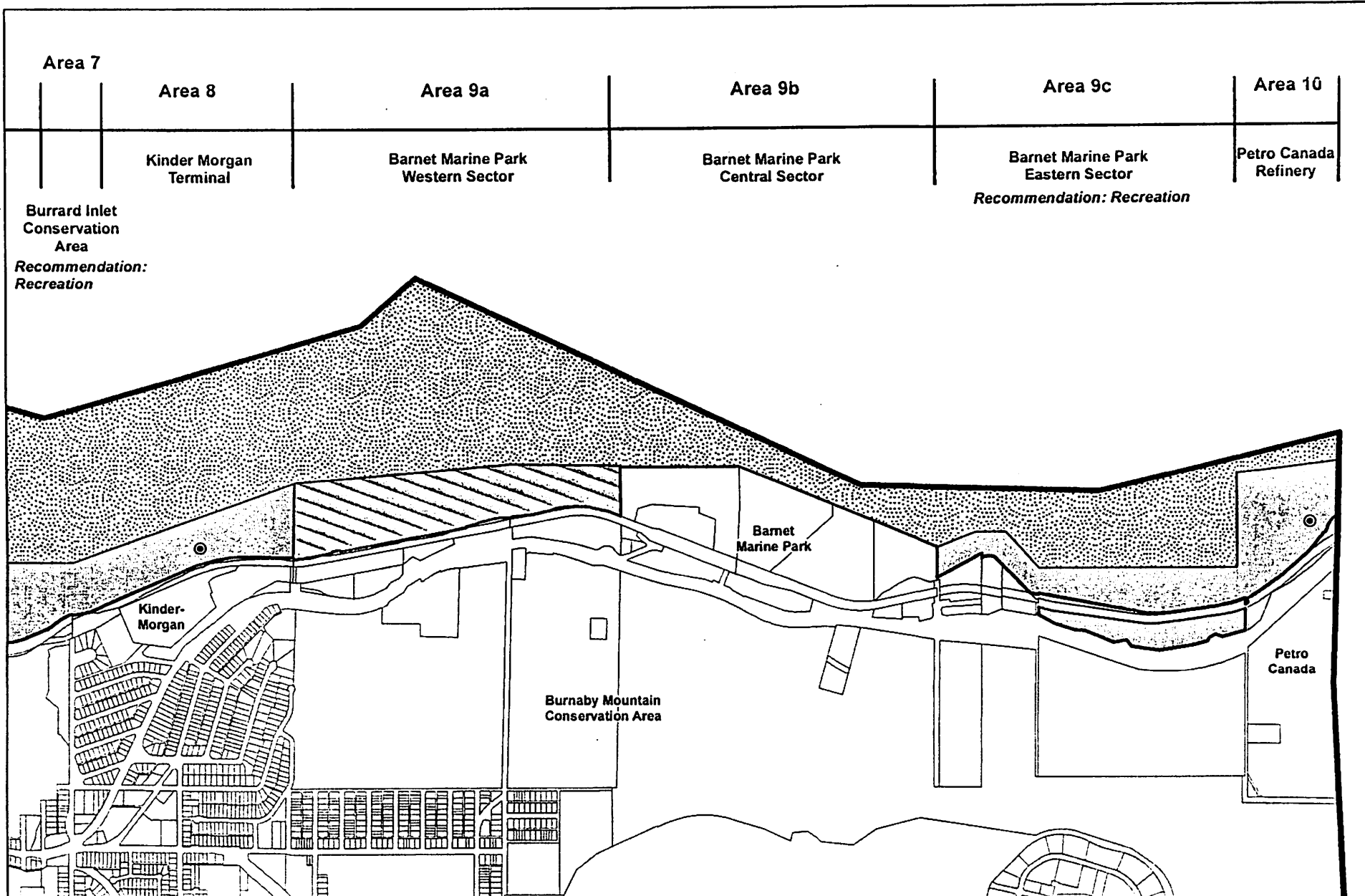
Burnaby Planning Department


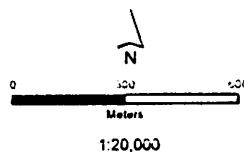








PORT METRO VANCOUVER - LAND USE DESIGNATIONS AND RECOMMENDATIONS

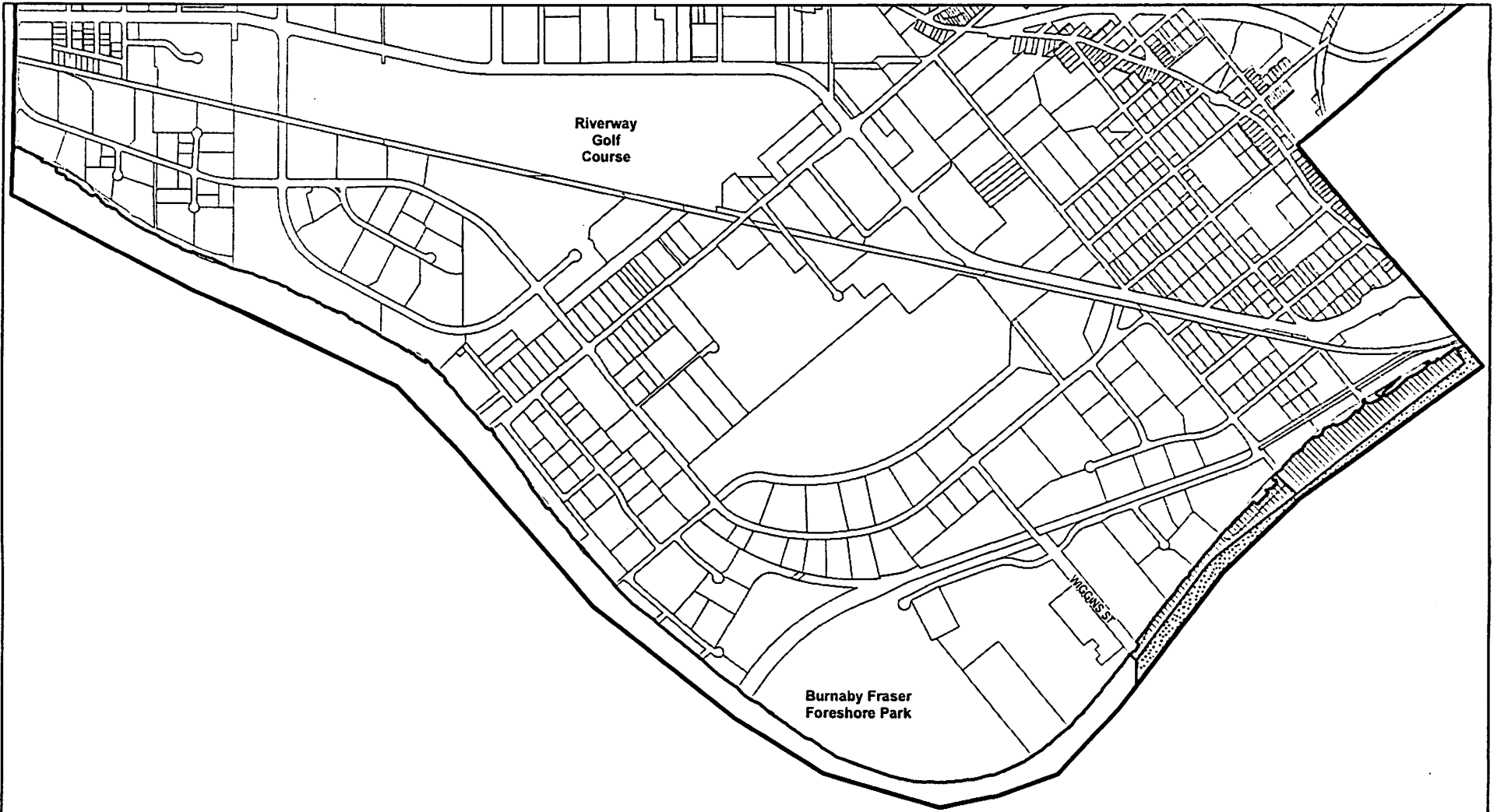
(Proposed Draft Land and Marine Designations for Burrard Inlet)

- | | | | | |
|-----------------|--------------|---------------|----------------------|--------------------|
| Marine Terminal | Recreation | Port Terminal | Log Storage/ Moorage | Port Water |
| VFPA Boundary | Conservation | Commercial | Industrial | Special Study Area |





 <p>City of Burnaby Burnaby Planning Department</p>	<p>PORT METRO VANCOUVER - LAND USE DESIGNATIONS AND RECOMMENDATIONS (Proposed Draft Land and Marine Designations for Burrard Inlet)</p>				 <p>0 100 200 Meters 1:20,000</p>
	 Marine Terminal  VFPA Boundary	 Recreation  Conservation	 Port Terminal  Commercial	 Log Storage/ Moorage  Industrial	



North Arm Provincial Head Lease Area

Area 11

Industrial Area
(Wiggins Street to City Boundary)
Recommendation: Add Recreation
and Conservation



Burnaby Planning Department

PORT METRO VANCOUVER - LAND USE DESIGNATIONS AND RECOMMENDATIONS

(Proposed Draft Land and Marine Designations for Fraser River)

- | | | | | |
|-------------------|----------------|-----------------|--------------------------|--------------------|
| ● Marine Terminal | /// Recreation | ■ Port Terminal | /// Log Storage/ Moorage | ■ Port Water |
| □ VFFPA Boundary | ■ Conservation | ■ Commercial | /// Industrial | Special Study Area |

