

EAST VANCOUVER PORT LANDS STUDY TERMS OF REFERENCE

1. Background

The East Vancouver Port Lands (EVPL) are located along Burrard Inlet between Victoria Drive and Boundary Road. The EVPL is an area of primarily industrial and port related uses adjacent an established residential community. The location of the Port, its industrial nature and the major rail and road corridors servicing the Port and the proximity of residential neighbours have caused impact and compatibility issues. In response, the City and the Vancouver Port Authority (VPA) have agreed that a plan should be developed in conjunction with the adjacent community to address issues such as land use, environmental impacts and transportation. The following terms of reference for the plan were developed jointly by the VPA, the City and representatives of the Burrardview Neighbourhood Association (BNA) with input from other interested communities and Port users.

2. Product

The intent of the EVPL process is to produce the following:

- a) **The “Plan” - A set of land use and development policies, principles and criteria** - policies and principles are intended to be over-arching objectives to support a thriving port and community and identify opportunities to work more cooperatively as “neighbours”. Criteria are more tangible elements/factors that will become Port and City policy in relation to future land use and development in the EVPL and adjacent area. Attachment 1 contains the list of substantive issues that will be considered during the process.
- b) **Plan Administration Processes** - mechanisms to deal with variances, interpretation and disputes in administering the Plan.
- c) **Plan Amendment Process** - a process to amend the adopted EVPL Plan in response to either a specific development proposal (on either Port or adjacent private property), a change in policy direction of the Port or City, or from a community request. A process should be developed to communicate and seek consensus for amendments. The difference between a variance and an amendment should be clearly defined. The Plan and Plan processes will be adopted by both the VPA and the City and used to evaluate and determine future land use and development on port and adjacent lands in the EVPL area.

3. Principles of this EVPL Process

Following are the content and process principles for EVPL planning study:

- **A joint problem-solving process** - The VPA, the City and the community will work towards cooperatively developing the policies, principles and criteria that will form the basis of the Plan through a consensus based process.

- **Creative Exploration** - In the spirit of a creative and cooperative process and to allow a full exploration of realistic alternatives and potential solutions, discussion should not be prematurely limited by issues such as jurisdiction, resources and past practices.
- **Joint responsibility for process** - Ensuring the process functions effectively by raising concerns early and helping address them is the responsibility of all participants.
- **Shared Information** - There will be a base of shared information jointly collected and developed by the City, the VPA and the community, and endorsed by the Working Group.
- **Transparency** - The process will maintain its credibility among all constituents by being transparent and accountable. Working Group meetings will be open for anyone to observe.
- **Contingency for phased program** - It is expected that throughout the process participants will strive to achieve agreement on all principles and criteria. However, recognizing the complexity of the process, and the many interests that need to be respected, elements of the Plan may emerge in phases, with each phase representing a substantive advancement on providing certainty for the City, the VPA and the community, as to future development of the East Vancouver Port and adjacent lands.
- **An Independent Process** - The EVPL planning process is separate and independent of the Hastings Sunrise Community Vision Program and the update of the Port Land Use Plan but it will be informed by these other processes.
- **Advisory Group Consultation** - The Working Group, (see page 4), will engage the larger Advisory Group and broader constituents at appropriate times to seek input on the emerging plan.
- **Public Consultation** - The Working Group will identify the need for public consultation which will generally occur when “milestones” have been reached. Consultation will consist of providing draft directions and supporting information, and seeking input from members of the interest groups and the broader community. Alternative directions may also form part of the draft material.
- **Maximize Participation** - Different ways of participating will be used so that the full range of interest groups have input. Meeting times for the Working Group and for consultation with the Advisory Group and broader public will occur at times that are convenient for the majority to participate.
- **Lafarge** - It is recognized that the Lafarge process is separate from this one and is only to be referenced for the limited purpose of lessons learned.
- **Developments during EVPL Process** - While the Working Group is in place, Working Group participants agree to inform the Working Group of any development proposals in the EVPL study area.

- **Media Enquiries** - At the onset of the process, the Working Group should develop protocol around media enquires and dealing with the media.
- **Dispute Resolution** - If during the course of the planning process, an issue threatens to delay or cause an impasse in the process, the Working Group will strive to set the issue aside to be resolved when the draft Plan directions are sent to City Council and the VPA Board. Alternatively, a mediator, agreed to by members of the Working Group will be appointed to help resolve the issue.

4. ROLES AND RESPONSIBILITIES

4.1 Overview

This section describes the roles of the many participants in the EVPL process. The summary table is followed by more detail on participants and their roles.

	EVPL Working Group	EVPL Advisory	Community	Port Users and Tenants	Other City Groups	City Staff	VPA Staff	VPA Board	City Council
Administrative support						U	U		
Watchdog the process	U	U				U	U		
Organize/facilitate outreach, events, meetings						U	U		
Conduct Research						U	U		
Provide information	U	U				U	U		
Generate ideas and concepts	U	U				U	U		
Create plan directions	U					U	U		
Technically evaluate plan directions	U					U	U		
Express preferences on plan directions		U	U	U	U	U	U		
Refine/revise plan directions	U					U	U		
Make recommendations to Council/VPA Board						U	U		
Approvals								U	U

4.2 PARTICIPANTS

EVPL Working Group

There will be a Working Group made up of representatives of the participant groups. In addition, the Working Group may request the attendance and participation of other individuals who have expertise, knowledge and experience in areas under discussion. With respect to content, they will generate, evaluate, and narrow the range of options in order to reach consensual recommendations where possible. With respect to process, they will advise City and Port staff on public consultation, and will assist in “watch dogging” the process to ensure it stays within the Terms of Reference.

Working Group members will be sought in the categories noted below. The Group will represent the perspectives of the range of interests in the Port and residential communities, and will provide input from those various perspectives. The numbers shown are illustrative of intent--the actual numbers may vary depending on recruitment success etc.

Community	5
Port Users and tenants	4
VPA	2
City	2
Total	13 members

EVPL Advisory Group

There will be an Advisory Group made up of representatives of all the interest groups involved in the process. Their role will be to comment and advise on draft Plan directions emerging from the Working Group and to provide advice on proposed consultation initiatives within the broader communities. They will also help to watchdog the process. The number of members could range between 15 and 30 depending on recruitment success.

Community - Residents, Land and Business Owners

Residents, property owners and businesses within the Study Area and in the broader community will have three key roles: to express opinions and preferences about draft Plan directions generated by the Working Group, to suggest ideas, and to express their points of view to City Council and the VPA decision-makers, when they are considering recommendations of staff.

It is anticipated that the level of interest among people within the Study Area and the Burrardview Neighbourhood generally will be higher than in the broader community, and also that there may be divergent opinions within both groups.

Port Users & Tenants

Port users and port tenants will have three key roles: to express opinions and preferences about draft Plan directions generated by the Working Group, to suggest ideas, and to express their

points of view to City Council and the VPA decision-makers, when they are considering recommendations of staff.

EVPL City Planning & VPA Staff Teams

The EVPL City and VPA staff teams will provide administrative support to the process and make recommendations to the City Council and the VPA Board, including providing Council/VPA Board with information on community opinion. On the content side, staff will be responsible for research, providing information, and managing consultant studies; generating, documenting, technically evaluating directions in consultation with Working Group members. Staff will also “watchdog” the process to ensure the Terms of Reference are followed.

The EVPL City staff team will include a Planner, with assistance from various planning staff. The EVPL VPA staff team will include the VPA Director of Port Planning part-time with assistance from various planning staff.

Other City Staff Representatives (Planning, Engineering, Park Board etc.)

Staff from other City Departments will have several roles: when particular expertise or knowledge is required, they will be part of the Working Group to provide information, and help generate ideas or draft Plan directions. They may also be asked to technically evaluate and comment on proposed new policy or criteria. EVPL staff will be responsible for making recommendations to Council that reflect the consensus opinion of involved staff and City Departments. If a City Department has a divergent view, these may also be expressed to Council.

Other VPA Staff Representatives (Property Administration, Environmental Programs, etc.)

Other VPA staff will have several roles: when expertise or knowledge is required, they will be part of the Working Group to do research and provide information to the Working Group, and help generate ideas and draft Plan directions. They may also be asked as part of their usual VPA roles to technically evaluate and comment on proposed new policy or criteria.

Outside Reviewing Agencies

Policy directions generated by the EVPL planning process will also be reviewed by outside agencies (eg. Environment Canada, Fisheries and Oceans Canada, the Provincial Ministry of Water, Land and Air Protection, and the GVRD), as required.

Other Interests and Groups

A number of other groups will have an interest in the outcome of the EVPL Plan. These groups may advocate for the port’s role in the economy, the environment, international trade and other causes. They may provide information through City or VPA staff, and may express opinions or advocate for or against certain Plan directions to City Council, or the VPA Board. Their opinions may not form an integral part of the staff report to Council in the same way as other more direct interest group input will.

4.3 Role Explanations

The following notes elaborate on the different roles.

Administrative support - organise all aspects, manage staff and resources.

Watchdog the program - ensure the Terms of Reference are respected, including the diverse input from the various sectors of the public.

Outreach - tailor participation opportunities to the public segments, and perform outreach tasks.

Facilitate events, meetings - ensure meetings and events are effective and neutrally run.

Research, provide information - obtain needed information and provide it in a form appropriate to the occasion.

Generate ideas and concepts - invent/suggest various ideas, directions and concepts.

Technically evaluate Plan directions - determine the costs, economic or physical feasibility, environmental impacts, etc.

Express preferences on Plan directions - reflecting on the information provided, choose from alternatives or indicate support /non-support, and provide reasons.

Refine/revise Plan directions - based on input from various interest groups and on technical analysis, amend the directions as necessary.

Make recommendations - based on input and technical analysis, make a recommendation to Council and VPA Board.

Plan Adoption - formally approve the Plan, any resulting capital spending, zoning changes, rezoning policies, action strategies, and any other policy changes.

5. Program and Schedule

5.1 Program Overview

The program will occur in two phases. The first phase will see the core or most important issues being addressed and draft directions carried forward to City Council and the VPA for review and advice. The second phase will see the remaining issues addressed to complete the Plan, which will then be reviewed for adoption by these approving authorities. Each phase will follow a similar process as described below.

The EVPL Working Group will generate draft directions that will receive input from the Advisory Group and the broader public before going to the decision-making authorities - City Council and the Vancouver Port Authority Board. Information and analytical support to the Working Group will be provided by City and VPA staff, assisted by consultant studies as required. The Advisory

Group will be involved at key points to provide feedback or test emerging directions, and for advice on broader public consultation. Once draft directions have been generated and vetted, broader public input on them will be sought. This may result in refinements before they are reported to City Council and the VPA Board. If there are important implications for parks and recreation, specific elements of the Plan may need approval by the Vancouver Park Board. The program steps and chart on the following page describes the process and schedule in more detail.

5.2 EVPL Planning Issues

It is anticipated that the process will focus initially on the central or core concerns related to land use and built-form. By exploring the impacts of and interrelationships of various uses, both on the port lands and adjacent residential lands, related issues will emerge and need to be resolved. In Attachment 1 is a list of draft issues developed in the pre-planning phase with all the interest groups. It contains some duplication of issues, as there is inherent overlap in the broad issue categories. The Working Group will rationalize this list as part of their planning work.

5.3 Program Steps

After City Council and the VPA Board approve these Terms of Reference, the process is expected to take approximately 1 year. Working Group meetings are to occur twice per month and Advisory Group meetings approximately every second month, on an as needed basis. The program schedule is anticipated to proceed generally as follows:

Month 1 - Working Group Start-up - the Working Group will meet to orient themselves, gain an understanding of the issues, develop a more detailed work program and help to form the Advisory Group.

Month 2 - 3 - Explore and Identify Core Issues - the Working Group will explore and determine the core issues with respect to land use and built-form, port operations, potential impacts and impact mitigation etc., for both port-related and adjacent land uses under City jurisdiction. The Advisory Group will be oriented and provide initial advice and comment. The broader public will be introduced to the planning process through a newsletter.

Months 3 - 5 - Generate Core Issue Directions - the Working Group will draft directions - policies, principles and criteria - on the core issues, checking back with the Advisory Group at appropriate junctures.

Month 6 - Evaluate Draft Directions - More formal “testing” of the draft directions by the Working Group, Advisory Group, VPA and City staff and others to ensure they are technically, financially and administratively practical and feasible.

Month 7 - Broad Public Review - the broad public will be consulted and preferences and input received.

Month 8 - Revise and Refine Directions - public input will be used to amend the directions as required.

Month 9 - City Council/VPA Board Review - Council and the VPA Board will review the draft directions on the core issues to provide comment and advice.

Months 10 - 11 - Generate Related Issue Directions - After directions on core issues are agreed to in principle, the remaining outstanding issues can be explored, resolved and draft directions generated.

Month 12 - 13 - Plan Completion and Review - the Working Group will complete the Plan and review/edit based on input from the Advisory Group, VPA staff, City staff and others to ensure technical, financial and administrative feasibility.

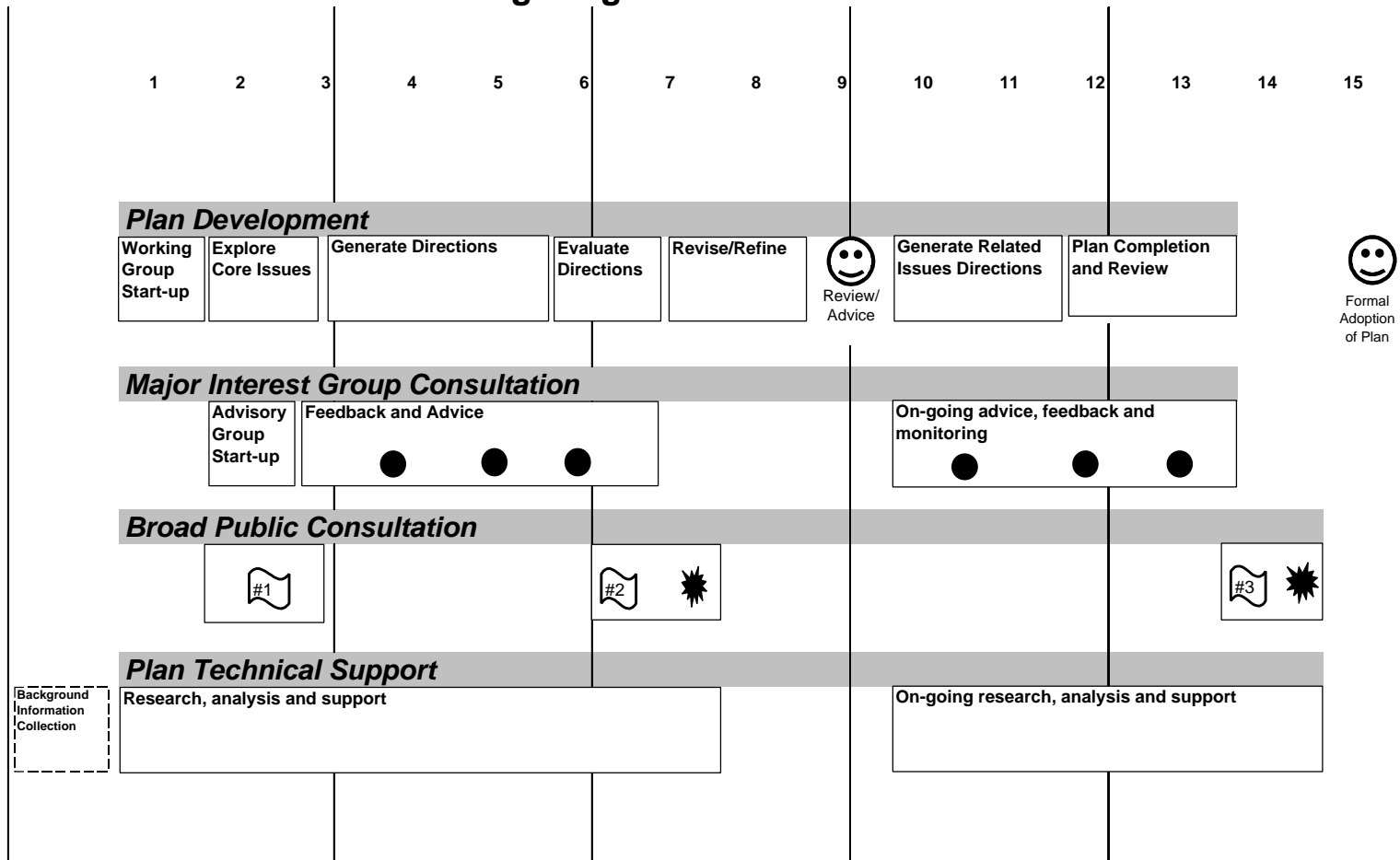
Month 14 - Broad Public Review and Final Amendments - public review of the complete draft Plan and final amendments.

Month 15 - City Council/VPA Board Review & Adoption of Plan - formal City Council and VPA Board review and adoption of the Plan

The program is illustrated diagrammatically on the following page.

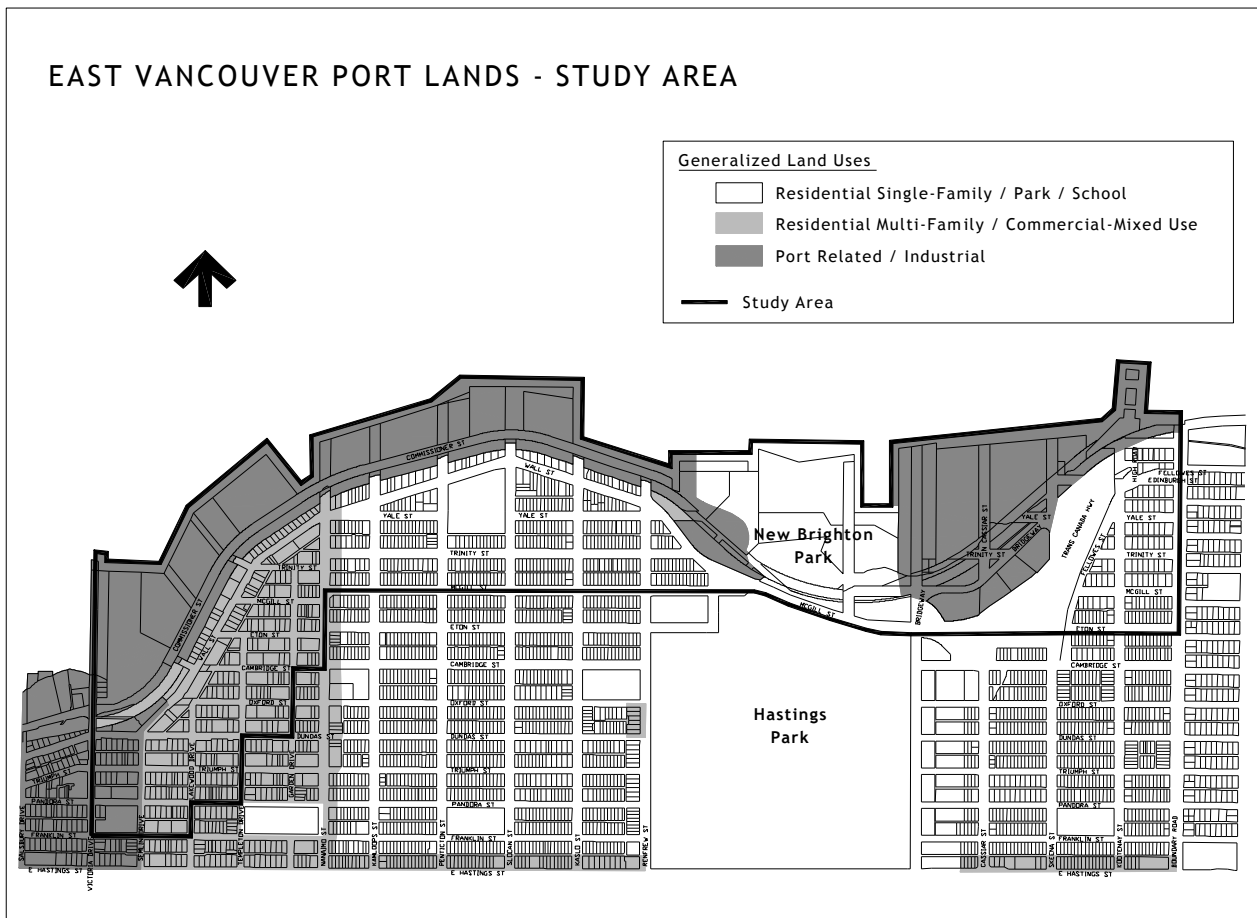
EAST VANCOUVER PORT LANDS - Planning Program Schedule

- Months**
-  Newsletters
 -  Open House
 -  Advisory Group Meeting
 -  Council/Port Meetings




Formal Adoption of Plan

6. EVPL Planning Boundaries



The map above illustrates the study area boundary and general land uses in the area. Properties generally within 3 city blocks of the port lands were judged to be the most directly affected and so are included within the boundary. Properties within this area will receive individual notifications of public events. However it is recognized that interrelationships between the port lands and the area to the south will need to be considered and public input solicited from beyond this boundary. As the study proceeds, it is possible that the boundary will need to be adjusted.

EVPL ISSUES LIST - DRAFT – DECEMBER 02, 2002

The following issues were identified during the pre-planning stage by all involved interest groups (two meetings and one half-day workshop). The list is included here in its *unedited* form to serve as a reference for all those who will be involved in the EVPL planning process.

1. BUILT FORM

- Height of structures
- Future residential development and re-development on whole embankment (Wall Street)
 - i. Standards, mitigating factors given industrial proximity
- Views – public spaces
 - ii. Built form and impact on views; trade-offs

2. SECURITY / SAFETY

- Port security/access control
- Safety
 - i. Neighbourhood
 - ii. Overall safety
- Lighting (security and impact of lighting)
- Evacuation plans
- Emergency access and response

3. QUALITY OF LIFE

- Noise (e.g. train noise, truck noise)
- Impact of truck traffic
- Public access/public enjoyment
- Future of New Brighton Park
- Protection of New Brighton Park
 - i. Access to park
 - ii. Activities in park
- Lighting (security) and impact of lighting
- Upkeep and condition of the property
- Hours of commercial operation
- Odours
- Brighton Park plan in place
- Park plans (Hastings, New Brighton)
- Impact/effect on city mini-parks
- Beautification – street trees

4. ENVIRONMENTAL IMPACT

- Noise (e.g. train noise, truck noise)
- Environmental impact (air quality, noise, dust, water quality, sewer outfalls)
- Movement of hazardous goods

- Odours
- Sustainability – environmental stewardship
 - i. Livability
- Storm water and culverts
- Extent of “fill-in”

5. PORT DEVELOPMENT AND COMPETITIVENESS

- Port security/access control
- Height of structures
- Port’s growth
- Future traditional commercial activity (e.g. fish processing)
- Future port uses in the area
 - i. Flexibility of use
- Impact and mitigation of residential on port and port on residential
- Balancing and respecting the port’s national mandate with respect for and concern for its neighbours and their interests
- Protection of industrial waterfront
- Relationship to downtown (economics, tourism)
- Impact on port tenants
 - i. Commercial viability (future)
- Long term Port competitiveness
- Long term impact on residential property values; all land values
- Who pays for the mitigation of development impacts?

6. NEIGHBOURHOOD DEVELOPMENT

- Future residential development and re-development on whole embankment (Wall Street)
 - i. Standards, mitigating factors given industrial proximity
- Future zoning (industrial) adjacent to the port
 - i. Protection/buffer
- Impact and mitigation of residential on port and port on residential
- Impact on the “slope”
- Long term impact on residential property values; all land values
- Who pays for the mitigation of development impacts?

7. COMMERCIAL TRANSPORTATION CORRIDORS

- Noise (e.g. train noise, truck noise)
- Impact of truck traffic
- Port transportation access (in and out transport)
 - i. Transportation corridor
- Movement of hazardous goods
- Access to Cascadia
- Rail transportation – goods and passenger
- Impact on and of CP rail activity
- Ownership of rail right of way
- CP rail access

8. PROCESS/ISSUES RESOLUTION

- Future issues of dispute resolution and problem-solving processes involving the Port and the Neighbourhood
- What happens in the interim?
- Jurisdictional issues arising from this planning process
- What do we mean by “Plan”?
- How deep will the “plan” go? Expectations?
- Impact on present plans?
- Commitment to the outcome/plan
- Present plans don’t have to restrain
- Jurisdiction not limiting
- All on the table
- Land use plan or . . . ?
- Information gathering to support this planning process – who, how and when?
- Avoid confusion with other ongoing or future processes
- Explore jurisdiction on basis of issues to be dealt with
- Future involvement of Ministry of Transportation and Highways.
- Involvement of other city departments
- CP involvement in this process
- Who will be involved and how as this process unfolds?
- Consultation and ongoing output and input
- Process for ratifying
- Setting, maintaining timelines and deadlines
- Time commitments
 - i. Work programs defined
- Ensure that all who will be affected are involved and taken into consideration
- Set shortest and most reasonable timeline – a timeline that “makes sense”
- Build a workable structure
 - i. Committees
 - ii. Consultation
- Set short and long term goals
- Consider the constitutionality of the outcomes/plans – seek advice
- Explore precedents – don’t have to “reinvent the wheel”
- Ensure port stakeholders have a voice
- That this process serves as a foundation for long term working relationships
- How do you engage the diversity and range of the “stakeholders”, who may not readily come forward?
- Develop a protocol for disagreements that may arise in the EVPL process itself
- Develop ways of effectively sharing information while allowing for:
 - i. Confidentiality where necessary and
 - ii. Reasonable testing of information being used
- Provide Indemnification to encourage full participation
- Build in a process oversight mechanism
- Ensure reasonable, periodic stakeholder “plug-ins” into the developing process
- Ensure appropriate public involvement and engagement

- Define the role of Council and keep Council reasonably informed
- Explore broader industrial involvement
- Determine what a successful process needs and wants from the “stakeholders”
- Clarify what relationship this EVPL process has with other processes
- Realistically assess the longevity of planning mechanisms and how to keep it alive and flexible
 - i. Standing committee
- Consider interim measures as EVPL process evolves
- Build an agenda that sets up short term and long term actions – successes to build on
- What VPA plans are already in place, that will affect this process? Minimize surprises.

9. OTHER

- Impacts on businesses in the area
- Coordination with East of Boundary – City of Burnaby

EAST VANCOUVER PORT LANDS PLANNING PROGRAM BUDGET

1.0 CONSULTING

1.1 Technical Assistance - 1 to 3 Studies eg. views, impacts/mitigation	\$30,000
1.2 Facilitation Assistance - 20 Working Group meetings @ \$500 per meeting	\$10,000
6 Advisory Group @ \$500 per meeting	\$ 3,000
Mediation Services	\$ 3,000

2.0 WORKING GROUP SUPPORT

- photo-copying, materials, coffee, food, misc. support	\$ 5,000
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3.0 PARTICIPATION

3.1 Plan start-up

- materials, data purchase, map plotting, etc.	\$ 5,000
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3.2 Newsletters - 4 page, 2 language, 2500 copies

- printing -	\$3,000
- translation	\$1,000
- delivery	<u>\$1,000</u>
3@	\$5,000
	\$15,000

3.3 Open Houses

- venue/meeting costs	- \$ 400
- display production & translation	-\$1,000
- advertising	<u>- \$ 800</u>
	2@ \$2,200
	\$ 4,400

City staff overtime if required :	\$ 3,000*
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Program Total

\$78,400

Contribution from VPA \$37,700

Contribution from City \$40,700

* This item would not be cost shared with the VPA