



A11

ADMINISTRATIVE REPORT

Report Date: 26 March 2009
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Meeting Date: April 7, 2009

TO: Vancouver City Council

FROM: General Manager of Olympic and Paralympic Operations and General Manager of Community Services

SUBJECT: 2010 Winter Games By-Law Regarding Relaxation for Temporary Parking and Ancillary Uses at East Fraser Lands

RECOMMENDATION

- A. THAT Council relax CD-1 By-law No. 9733 to allow temporary parking and ancillary uses for VANOC's fleet of vehicles on approximately 20 hectares of land comprising a portion of the East Fraser Lands.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law entitled "2010 Winter Games By-law", generally in accordance with Appendix A, to relax CD-1 By-law No. 9733 for the purposes set out above.

GENERAL MANAGER'S COMMENTS

The General Manager of Olympic and Paralympic Operations and the General Manager of Community Services recommend approval of the Recommendations.

CITY MANAGER'S COMMENTS

The City Manager supports the recommendations, and agrees that the use of East Fraser Lands as a transportation depot is critical to the success of the Games.

COUNCIL POLICY

Relaxation by-laws require Council approval.

PURPOSE

The purpose of this report is to seek Council authority to relax CD - 1 By-law No. 9733 to permit temporary parking and ancillary uses for VANOC's fleet on approximately 20 hectares of East Fraser Lands.

BACKGROUND

On September 16, 2008, at a public hearing, Council approved the rezoning of various parcels at East Fraser Lands (EFL) to allow future development that will permit multiple dwellings, public schools, and day care facilities. The site is expected to be developed incrementally over the next number of years.

In addition to competition and non-competition venues, VANOC is developing a large number of facilities and sites to support the Games. In total at Games time, VANOC will be operating approximately 85 venues, facilities and sites. Many of the sites will support the VANOC transportation system.

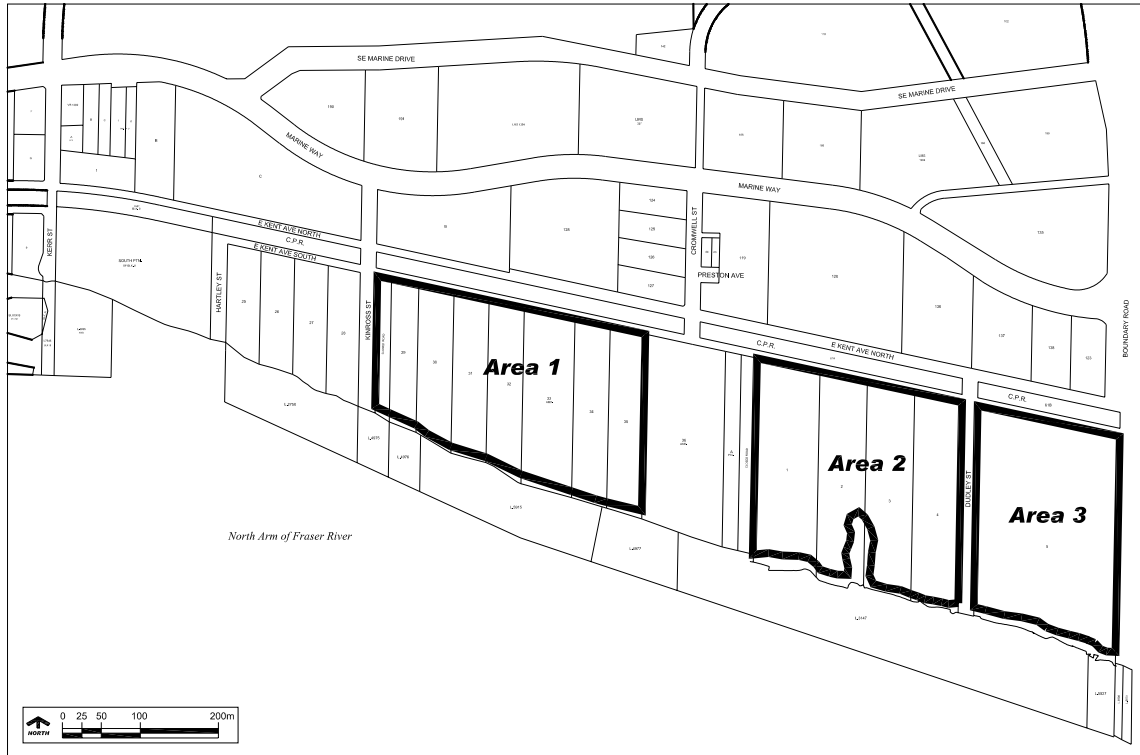
DISCUSSION

VANOC has entered into an agreement with Parklane Whitepines Development Ltd. (Parklane) to lease approximately 20 hectares of the approximately 50 hectare EFL site for a period of approximately six months commencing in November 2009.

VANOC proposes to use the EFL site as a transportation depot for approximately 800 buses serving venues both within the lower mainland and the sea to sky corridor. The buses will be used to transport spectators to Cypress Mountain and Whistler from transport hubs throughout the lower mainland, and also to transport athletes, officials, media and Games partners between sites within the lower mainland.

As part of the rezoning in September 2008, parking was approved as an interim use on a portion of the 20 hectares, but the proposed ancillary activities were not included as an interim use. A portion of the EFL site is already used for parking by HandyDart for their fleet.

A map showing which lots would be used for the transportation depot follows:



The proposed transportation depot is an important Games support facility, and its operation is critical to the success of the Games. Buses will be dispatched from this centrally located site to the transport hubs and Games facilities.

VANOC proposes occupying the site to commence preparations in November 2009. Site preparations will involve:

- regrading a portion of the site and adding gravel to improve trafficability and drainage
- installing security fencing and gates around the perimeter of the site
- constructing temporary buildings to support site operations
- installing temporary above ground water and electrical connections
- installing above ground storage tanks to hold wastewater from both site operations and bus toilets.

No spectators or other Games clients (athletes, media, sponsors etc.) would embark or disembark at this site. The site is solely for the purpose of staging the buses and other vehicles.

Site operations will include:

- parking for approximately 800 buses
- parking for other vehicles including workforce private automobiles
- 24 hours per day of operations from January 10 to March 31, 2010
- vehicle to vehicle refuelling by Petro-Canada
- administration operations for dispatch, supervision etc.
- food and non-alcoholic beverage service with kitchens for drivers and on-site staff

- interior and exterior cleaning of the buses
- minor maintenance of buses for items such as light replacement etc.

Vehicles will enter and leave the site through the Marine Way and Boundary intersection. A fact sheet describing the proposed operations along with a site plan is provided as Appendix B.

VANOC has developed both Traffic Management Plans and Environmental Management Plans for the site. Peak traffic times for the site are late at night and do not correspond with peak travel times for background traffic. The Traffic Management Plan shows that there is sufficient capacity at the Boundary Road and Marine Way intersection. Therefore, VANOC traffic will not impact background traffic.

Twenty-four hour operation of the site will require permission from the Mayor to operate outside of hours specified in the Noise Control By-law. Permission will be required for other VANOC sites that must be serviced outside of peak operating times.

Parklane has submitted a Development Permit Application for the proposed temporary use. The Development Permit Application has been circulated to City staff for comment. City staff are recommending the Director of Planning issue a development permit for the site.

As part of the Development Permit review process, City staff, VANOC and Parklane met with members of the East Fraser Lands Committee and the Victoria-Fraserview/Killarney CityPlan Committee at March 10, 2009, at Killarney Community Centre. VANOC provided an overview of the proposed plan to the committees.

The committees had a number of questions related to the proposed temporary use. In general the committees were seeking assurance that the proposed use would not negatively impact the neighbourhood, the environment, or traffic flows. The committees also suggested that the community be advised of the proposed use prior to start of operations.

VANOC staff assured the committees that the proposed use would not impact the environment and minimally affect neighbours and traffic flows. VANOC will work closely with the City and Parklane to ensure that all aspects of the operation are developed with these goals as a priority. VANOC staff acknowledged that it was important to keep the community informed of the proposed use for this site.

ENVIRONMENTAL IMPLICATIONS

Minimizing bus travel distances through the operation of a central transportation depot will reduce environmental impacts. Fuel handling and other site operations are being carried out using best practises to minimize environmental risk.

FINANICAL IMPLICATIONS

The proposed by-law relaxation does not have financial implications.

COMMUNICATIONS PLAN

The City will work with VANOC to develop a neighbourhood communications program designed to provide residents in the vicinity of the site information outlining the use of the site and measures to ensure community impacts are minimized. The communications program will also communicate the importance of this site to the success of the Games.

CONCLUSION

Twenty hectares of the EFL site is proposed to be used as a temporary transportation depot for VANOC’s vehicle fleet. Successful operation of the site is critical for delivering the Games. City staff will continue to work with the VANOC and Parklane to ensure site operations do not negatively impact neighbours, the environment or traffic at the Marine Way and Boundary intersection.

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**CITY OF VANCOUVER
BRITISH COLUMBIA**



**2010 OLYMPIC AND PARALYMPIC
WINTER GAMES BY-LAW NO. _____**

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BY-LAW NO. _____

Vancouver 2010 Olympic and Paralympic Winter Games By-law

PREAMBLE

Council wishes to:

- (a) facilitate, accommodate, enhance, and secure the unique experience of the 2010 Winter Games for citizens, participants, visitors, and all others engaged with the 2010 Winter Games;
- (b) create a fair and reasonable balance between those aims and the rights and privileges which citizens of the city customarily enjoy; and
- (c) protect tenants from displacement.

For those purposes, Council has enacted the 2010 Winter Games Sign Designation and Relaxation By-law and the 2010 Winter Games Building By-law Relaxation By-law, and now wishes to further them by enacting this By-law.

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

**SECTION 1
INTERPRETATION**

Name of By-law

1.1 The name of this By-law, for citation, is the "2010 Winter Games By-law".

Definitions

1.2 In this By-law:

"City Engineer" means the individual appointed by Council to be the General Manager of Engineering Services or a person duly authorized to carry out the powers and duties of the General Manager of Engineering Services;

"Director of Planning" means the individual appointed by Council to be the Director of Planning or a person duly authorized to carry out the powers and duties of the Director of Planning;

"games period" means that period of time from January 1, 2010 to March 31, 2010;

"parent by-law" means any by-law named in the heading to any Section of this By-law;

"Section" means, for the purposes of sections 2.4 and 2.5, each of Sections 3 to 4 of this By-law;

“2010 Winter Games” means the Vancouver 2010 Olympic and Paralympic Winter Games;

and

“VANOC” means the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games established on September 30, 2003.

Table of contents

1.3 The table of contents for this By-law is for convenient reference only, and is not for use in interpreting or enforcing this By-law.

Schedules

1.4 Schedules attached to this By-law form part of this By-law.

Severability

1.5 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

SECTION 2 GENERAL PROVISIONS

Conflicts with parent by-laws

2.1 To the extent that this By-law expressly authorizes a relaxation or amendment of a parent by-law, such relaxation or amendment applies despite anything to the contrary in the parent by-law.

Compliance with parent by-laws

2.2 Except only to the extent that this By-law expressly authorizes a relaxation or amendment of a parent by-law or otherwise provides:

- (a) a person must comply with the applicable parent by-law; and

- (b) all provisions of the applicable parent by-law including those provisions with regard to powers of entry, inspection, enforcement, violations, offences, non-compliance with notices or orders, and fines or penalties apply to the relaxed or amended use or regulation under this By-law.

Time limit

2.3 The relaxation or amendment of any by-law under this By-law, and the rights and permissions set out in this By-law, are to expire and have no further force or effect from and after the end of the games period unless this By-law otherwise expressly provides.

Application of relaxation or amendment

2.4 Any provision set out in any particular Section of this By-law relaxes or amends the parent by-law identified in the heading to that Section.

Importing of definitions

2.5 Where any Section of this By-law that amends a parent by-law uses a term defined under section 1.2 of this By-law, any amendment or consolidation of the parent by-law is to include such definition in its definition section in the appropriate alphabetical order.

SECTION 3 CD-1 BY-LAW NO. 9733

Temporary uses

3.1 Subject to the conditions set out in this Section 3, Council hereby relaxes CD-1 By-law No. 9733 to permit the following uses from November 1, 2009 to April 30, 2010:

- (a) Parking Uses limited to Parking Area for the parking of charter buses or other vehicles in connection with the 2010 Winter Games by or on behalf of VANOC; and
- (b) uses that are ancillary to the use set out in section 3.1, and that are satisfactory to the City Engineer including:
 - (i) vehicle refuelling, maintenance, minor repair, and washing,
 - (ii) administration including dispatch and supervision, and
 - (iii) food and non-alcoholic beverage service.

Area for temporary uses

3.2 The uses referred to in section 3.1 are permissible only on those certain lands described as:

- PID 025-551-361, Parcel 1, District Lots 330 and 331, Group 1 New Westminster District, Plan BCP3000
- PID 025-551-370 Parcel 2, PID 025-551-388 Parcel 3, PID 025-551-396 Parcel 4, and PID 025-551-400 Parcel 5, all of: District Lot 331, Group 1 New Westminster District, Plan BCP3000
- PID 013-594-770 The closed portion of Kinross Street shown on Explanatory Plan 3111, PID 013-594-265 Lot 29, except the West 66 feet now road, PID 013-594-303 Lot 30, PID 013-594-338 Lot 31, PID 013-594-346 Lot 32, PID 013-594-419 Amended Lot 33 (see 53754K), PID 013-594-648 Lot 34, PID 013-594-681 Lot 35, all of: Blocks 9, 10 and 16 to 19, District Lots 330 and 331, Plan 2593

Conditions of temporary uses

3.3 VANOC must design and operate the parking area, and provide temporary facilities for the permitted uses, to the satisfaction of the Director of Planning and City Engineer including:

- (a) re-grading the site, and installing gravel to provide an all-weather surface for traffic;
- (b) installing temporary above ground utilities including water and electrical;
- (c) providing above ground storage tanks for waste water including vehicle washing water and sewage from bus holding tanks;
- (d) constructing or installing temporary structures, including tents and trailers;
- (e) installing security fences and gates;
- (f) locating vehicle washing under a covered area; and
- (g) refueling vehicles by means of fuel trucks or other means that are acceptable to the City Engineer.

Termination of temporary uses

3.4 In April, 2010, after the end of the games period, VANOC must remove all installations and facilities from the site to the satisfaction of the City Engineer.

**SECTION 4
FINES FOR OFFENCES**

Fine for offence

4.1 Every person who commits an offence against this By-law is punishable on conviction by a fine of \$2,000.00 for each offence.

Fine for continuing offence

4.2 Every person who commits an offence of a continuing nature against this By-law is liable to a fine of \$50.00 for each day such offence continues.

**SECTION 5
ENACTMENT**

Force and effect

5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of ,
2009

Mayor

City Clerk

Appendix B: East Fraser Lands Fact Sheet

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VANCOUVER 2010 TEMPORARY BOUNDARY & MARINE BUS DEPOT

QUICK FACTS

Where: Kent Avenue between Boundary/Kinross – 48 acres (see map below)

What: Temporary Use - Primary Transportation Support Facility for Vancouver 2010 Winter Games

When: The site will be operational from January 10, 2010 to March 31, 2010

Why: As part of the Vancouver 2010 Games-time transportation program, and in keeping with VANOC's sustainability goals, transportation malls and a system of park and rides will be used to bus 2.3 million visitors and residents safely and efficiently to/from locations around the Olympic and Paralympic venues. Such an endeavour requires an appropriate site on which to conduct transportation operations.



Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC): vancouver2010.com
 Comité d'Organisation des Jeux Olympiques et Paralympiques d'hiver de 2010 à Vancouver (COVAN): vancouver2010.com

vancouver 2010**Frequently Asked Questions:****1. What activities will be carried-out at the Boundary & Marine bus depot?**

The primary role of the Transportation Support Facility is the parking, fuelling, cleaning, maintenance and management of a substantial portion of the VANOC fleet of buses.

2. How will the use of the Boundary & Marine site as a bus depot affect traffic in the area?

Approximately 90% of the buses will leave the site between the hours of 2am and 6am every morning and will return to the site between 7pm and 4am the next morning, avoiding rush hour. VANOC and its partners have developed a traffic management plan to minimize the impacts of Games-time operations. Boundary will be used as a main arterial for routing.

3. Will there be a constant flow of buses causing excessive noise pollution?

The comfort of residents in the immediate surrounding community is important. Noise reduction strategies including the prohibition of unnecessary idling, use of engine brakes and horn use will be implemented.

4. Will there be lights shining all throughout the night on the site?

The use of night-time lighting during operations will be minimized and lighted night-time activities will be shielded from residential view wherever possible.

5. Won't all those buses affect the air quality in the area?

Heavy equipment and on-site vehicles not in use will be shut down instead of being left to idle. To reduce emissions we will be restricting the age of buses used. Dust control measures will be undertaken as needed.

6. How will you protect the environment from potential damage caused by re-fuelling/maintenance and washing?

As a part of its sustainability goal of Environmental Stewardship & Impact Reduction, VANOC is committed to operating all of its venues and support sites in environmentally sensitive ways. Fuelling activities will be undertaken by Petro Canada certified fuel management professionals in designated areas located away from open watercourses. Only minor vehicle repairs will be conducted on the site in weather protected and designated areas, and on sealed concrete or on constructed service pads.

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