Supports Item No. 5 CS&B Committee Agenda June 10, 2010



ADMINISTRATIVE REPORT

Report Date:May 25, 2010Contact:Bill BoonsContact No.:604.873.7678RTS No.:08540VanRIMS No.:08-2000-20Meeting Date:June 10, 2010

TO:	Standing Committee on City Services and Budgets
FROM:	Director of Planning
SUBJECT:	Temporary Float Plane Terminal in Coal Harbour Development Permit Application Number DE413848

CONSIDERATION

- A. THAT the Director of Planning be advised that Council would favour the approval of Development Application Number DE413848 for the continued use of the Temporary Float Plane Terminal in Coal Harbour for a further period of time, not to exceed two years from permit issuance or the completion of the new permanent facility at 1001 Canada Place, whichever is first.
- Β. AND FURTHER THAT the Director of Real Estate Services, in consultation with the Director of Legal Services and the General Manager of Engineering Services, be authorized to renew, execute and deliver license agreements (the "license agreements") for a period of two (2) years, or the completion of the new permanent facility at 1001 Canada Place, whichever is first, commencing on the date of permit issuance, with West Coast Air Ltd., and Harbour Air Ltd. ("the Float Plane Operators") permitting them to operate a temporary Float Plane Terminal on portions of City right-of-way on Lot 21 Public Harbour of Burrard Inlet, Plan LMP29892, and Lot 22 and portion of Lot 23, Public Harbour of Burrard Inlet Plan LMP29892 at market rent not less than the rent payable by the Licensee during the month preceding the commencement of the Renewal Term, and based on the general terms and conditions of the expired license agreement and modifications, and on such other terms and conditions contained in this report satisfactory to the Directors of Real Estate and Legal Services, and the General Manager of Engineering Services.

C. THAT the Director of Planning be advised that Council does not favour approval of Development Application Number DE413848 for the continued use of the Temporary Float Plane Terminal in Coal Harbour, or the renewal and execution of the necessary license agreements.

GENERAL MANAGER'S COMMENTS

The float plane operation on the downtown waterfront is a vital part of the City and Region's transportation system. Approval of this extension request would ensure continuous service while construction of the permanent facility is completed.

COUNCIL POLICY

Council policy supporting a float plane facility on the downtown waterfront, west of Canada Place dates back to 1990 and includes:

- (a) Coal Harbour Policy Statement (1990)
 Encourages that float planes be retained and that measures be taken to ensure the operations are compatible with the new uses proposed for the area.
- (b) Coal Harbour Official Development Plan (CHODP 1990) Encourages redevelopment from a sparsely populated commercial and industrial area into a high quality, mixed-use environment emphasizing residential use and that the diversity of water uses in Coal Harbour should be maintained and encouraged.
- (c) CD-1 By-law (363)-201 Burrard Street
 A Marine Terminal, or Berth, which includes the mooring of float planes, is a permitted use within the sub-areas of the CD-1 By-law that applies to this area.
- (d) Burrard Landing CD-1 Guidelines (for water-based uses)
- (e) Vancouver Convention and Exhibition Centre CD-1 Guidelines (for land-based uses) Both Guidelines speak of the maintenance of a diverse waterfront with working Marine uses along the water's edge and both also suggest that the seaplanes have their permanent location as part of the Convention Centre development at the northerly (water) edge of the site.
- (f) Port of Vancouver City Policies (1984) City Council supported the Port Master Plan recommendation that continued provision be made within Coal Harbour for the seaplane service connection with Vancouver Island and other locations.

SUMMARY

In accordance with the decision of the Development Permit Board in September 2007, this development application is being referred to Council for advice on the matter of a further extension of use for the temporary float plane facility. The expected permanent facility (to be located on the north side of the new Convention Centre) has not yet been constructed.

The local community has continued to express concerns about the impacts of the temporary operations on the residential liveability in the area.

City interests include a desire to complete the Seawall construction in the area of the temporary facility and to open up the bicycle connection between Downtown and Stanley Park.

Given the importance of the float plane operations to the City, and an indication that construction of the permanent location will commence soon, the Director of Planning is inclined to support a further extension to the temporary location; however, before making a final decision, the application is being referred to Council for advice.

PURPOSE

This report seeks Council's advice on a development permit application to extend the approval of the temporary float plane operations for a further 2-year period.

BACKGROUND

Float plane operations in Burrard Inlet have existed in some capacity since the early 1980's. The level of operations we are familiar with today have been evident in Coal Harbour since about 1990.

In 2004, the Development Permit Board approved a time-limited development permit (3 years) for the temporary operation of a float plane facility, just west of what is now the new Convention Centre site. The temporary relocation was necessary to allow for construction of the new Convention Centre. It was anticipated that a private developer would work with Pavco to develop the waterfront lot with a permanent float plane facility.

In July, 2007, the Development Permit Board approved an extension of the approval under a new development permit application, noting that the new permanent float plane facility was not yet available. The Board's decision in 2007 included a provision that any future applications to extend this temporary use would require Council approval.

In September 2007, the Development Permit Board approved the permanent Float Plane Facility under DE412140. The Development Permit was issued on January 21, 2010; however, to date, a Building permit has not been issued and construction has yet to begin.

DISCUSSION

Harbour Air and West Coast Air currently carry out their float plane operations at the temporary float plane facility adjacent to Harbour Green Park (see Appendix A). After obtaining two previous approvals from the Development Permit Board for the temporary facility, the latest approval period expired on June 1, 2010, and there were no provisions within the last approval for a further extension of time.

While it was anticipated back in 2004 that the permanent float plane facility would have been available by now, such is not the case, and it remains somewhat uncertain when the new facility will be completed and available for occupancy. Although a Development Permit for the new facility has been issued, no Building permits have yet been issued.

The proponents of the permanent facility have recently come forward indicating a desire to make amendments to the approved development permit, citing budgetary and economic reasons, and proposing to construct the new Marine Terminal and Marina in a "phased" manner, the first of which would be for the float plane docks and to use a portion of the existing Convention Centre space on the northwest corner as the Float Plane Terminal.

A formal development permit amendment has now been submitted, and is under review. The proponents indicate that this first phase of the development (see Appendix B) could be in place within 6-8 months from the start of construction.

While the permanent facility is anticipated to provide space for all of the major carriers, the facility is to be built by a private developer and leasing arrangements will be needed for any operator who wishes to locate in the facility. Staff have been advised that Harbour Air and West Coast Air have recently (as of April 30) merged their operations and continue to work on reaching an agreement on lease terms, but to date there is no agreement in place. The proponents of the permanent facility have indicated that once the amendments to the permits are approved and issued, they are prepared to begin construction, even if leases are not yet in place.

Alternative Locations

Before the temporary facility was initially approved in 2004, the applicants were required to explore alternative locations for the facility. Areas to the east of Canada Place were explored and an air and sea traffic evaluation was carried out at the request of Port Metro Vancouver. Through this process Port Metro concluded that it was not appropriate to have a mix of air and sea traffic in this area and ultimately did not support any location east of Canada Place for the temporary facility.

Notification of Neighbours

Since the initial proposal to move the float plane facility to this temporary location in 2004, a broad range of neighbourhood concerns have been expressed regarding impacts of the float plane operations, especially as they relate to the nearby residential community. Some of these concerns relate to issues that are not directly within City jurisdiction to control including:

- under the jurisdiction of Transport Canada:

-noise resulting from planes while either in the air, or in the water landing/takeoff area beyond the harbour headline;

-flight paths that some believe are in too close proximity to existing buildings;

- under the jurisdiction of the Vancouver Harbourmaster:
 - safety and movements of vessels while on the water
- under the jurisdiction of the Greater Vancouver Regional District:

-air quality concerns related to float plane emissions in and around the area;

Other concerns related to noise impacts associated with maintenance work and the day-to-day operations of the facility do fall within the City's ability to regulate under our Land Use policies. The original Development Permit Board decision included a requirement for a Facility Management Plan (FMP) which includes operational protocols for the float plane facility:

The FMP was updated at the time of the 2007 extension (see Appendix C) and includes such items as:

- established arrival, departure, maintenance, and operator training protocols;
- establishment of a Community Liaison Committee which meets regularly and includes representatives from a variety of stakeholder groups for discussion on float plane operations and impacts;
- a Community Liaison Representative who coordinates meetings, maintains an Information web-site, and ensures that enquiries and complaints are addressed in a timely fashion and according to established protocols.

Staff believe that the Float Plane Operators are exercising best efforts, as laid out in the FMP, to minimize impacts of the location on their neighbours but we do also support a move for this operation to the permanent location as soon as it is available.

As part of this latest development application, more than 1700 neighbouring property owners have been notified of the latest extension request.

As of the finalization of this report a total of twelve (12) individual letters have been received, including one from the Coal Harbour Resident's Association. Most of the letters express ongoing concerns with the operations and request that Council consider a shorter extension period (December 31, 2010) to ensure the temporary float plane operations do not continue for any longer than necessary.

PARK BOARD COMMENTS

For the past six years, it has been possible to accommodate the temporary float plane terminal on a piece of Harbour Green Park that is yet to be built. Now that the Convention Centre expansion is open for business, there is a desire to integrate this site into the newly constructed sequence of public open spaces. In addition as seen on the attached image (see Appendix D), the floatplane terminal is a casual collection of structures that blocks the completion of the seawall. This missing link in the Seaside Route from the downtown to Stanley Park can only be constructed once the buildings have been removed. While pedestrians can currently circumvent this blockage by using the grand steps from the foot of Thurlow Street down to the seawall, the options for cyclists and in-line skaters are limited.

Park Board staff emphasize the need for the city to do everything possible to enable the development of the permanent facility as soon as possible.

ENGINEERING DEPARTMENT COMMENTS

The location of the land based portion of the temporary float plane facility impacts pedestrian and cyclist Seawall connections between Stanley Park, the downtown, and Waterfront Road. A review and update of the existing 2007 temporary float plane Facility Management Plan in regards to pedestrian/cyclist passage through the area and traffic/loading activities of both the temporary float plane facility and the Convention Centre would be beneficial in addressing the current environment. Should Council support a further extension of the temporary facility, staff will work with the applicant on updating this document to reflect the current situation.

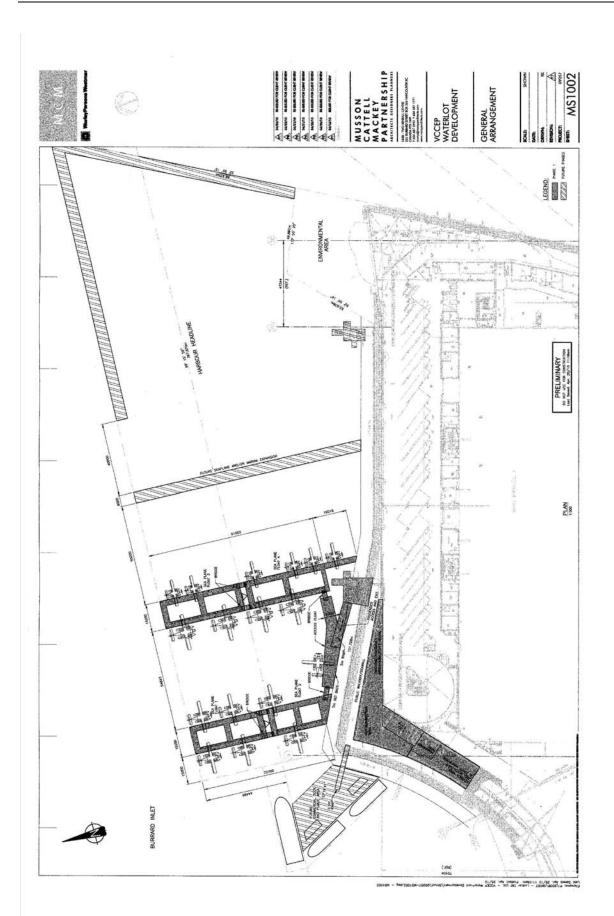
FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

The float plane operations in Coal Harbour are a key part of the City's downtown transportation plan, serving over 300,000 business and tourist travellers each year. While the plans for the delivery of the permanent float plane facility have been delayed for a variety of reasons, staff believe it is important to maintain the service levels of the float plane operations until that permanent location is available. Staff and the public agree that the current temporary location is not optimal for a number of reasons, including the impact on residential liveability and the City's interests in completing the seawall construction and maintaining a waterfront pedestrian link from Downtown to Stanley Park. However, the Director of Planning believes, on balance, that a further extension to the temporary location is warranted to allow the owner and operators sufficient time to reposition their business plan in order to make the development of the much awaited permanent facility feasible. The Director of Planning is therefore inclined to support the extension request for a period not to exceed (2) years, or the availability of the permanent location, whichever comes first; however, before coming to a final decision, is seeking advice from Council on the matter.





APR 2 0 2010

COMMUNITY SERVICES

SERVICES

DE 413848

FLOAT PLANE FACILITY MANAGEMENT PLAN FOR FLOAT PLANE FACILITY IN COAL HARBOUR, VANCOUVER BC 30 July 2008

1.0 Background

- 1.1 Harbour Air and West Coast Air have permanent float plane operations in Coal Harbour that currently operate out of a temporary facility. A new permanent float plane base will be constructed on the northern edge of the new Convention Centre project in Coal Harbour. Float plane operations will continue to be based in the temporary facility until the earlier of June 1, 2010, or upon the availability of a permanent float plane facility in Coal Harbour, and the confirmation that this new permanent facility can operate without additional 2010 Winter Games security restrictions (compared with that of the temporary location) all to the satisfaction of the City Manager.
- 1.2 The City of Vancouver has already approved a development permit for the temporary facility. The initial development permit for the temporary facility expired in November 2007. The City has approved an extension until June 2010 (or earlier if the new facility is ready for occupancy prior to that time). One of the conditions of the new development permit is the completion of a new Facility Management Plan. The purpose of this Facility Management Plan is to set out operating procedures and guidelines that are intended to minimize the impact of float plane operations on adjacent residential areas and on other users of Coal Harbour.
- 1.3 This Facility Management Plan applies only to the temporary float plane facility which is the base of operations for Harbour Air and West Coast Air and which is the subject of Development Permit No. DE 411400 and does not deal with any other docks in Coal Harbour that are used by float planes. It is anticipated that updates and changes to the Plan will be needed when the float plane operations move to the new permanent facility.

2.0 Community Liaison Representative

- 2.1 The float plane operators based in the temporary float plane facility will designate one person as the Community Liaison Representative. This person will be a senior manager employed by one of the operators.
- 2.2 The current Community Liaison Representative is:

Mr. Chad Wetsch Vice President of Ground Operations Harbour Air Seaplanes Telephone: 604-233-3502 Email: <u>cwetsch@harbourair.com</u>

- 2.3 The role of the Community Liaison Representative includes:
 - convening the quarterly meetings of the Community Liaison Committee (see Section 4.3).
 - chairing the quarterly meetings of the Community Liaison Committee.

- ensuring that minutes of Community Liaison Committee meetings are recorded and distributed to Committee members.
- maintaining a current list of names, email addresses, and telephone numbers for members of the Community Liaison Committee (see Section 4.1).
- maintaining a web site that provides current relevant information about the float plane facility and the status of the work on the new permanent facility, to the extent that this information is available to the float plane operators from the developers of the new permanent facility (see Section 3.0).
- ensuring that enquiries and complaints are addressed in a timely fashion consistent with this Facility Management Plan (see Section 13.0).

3.0 Information Website

- 3.1 The Community Liaison Representative will maintain a website that will note that the operators are currently located in a temporary facility, provide current information about the temporary float plane facility, provide information about the process of creating the new permanent facility, and include a link for submitting complaints. The web site is http://www.coalharbourfloatplanes.com. The website will be made as user-friendly as possible and take into consideration different operating systems.
- 3.2 The website will include the following information:
 - contact information for the Community Liaison Representative.
 - contact information for the float plane operators based at the temporary float plane facility.
 - links to relevant organizations including NavCan, Transport Canada, VCCEP, City of Vancouver, Port of Vancouver, and Coal Harbour Residents' Association.
 - composition of the Community Liaison Committee.
 - Community Liaison Committee meeting schedule (including dates).
 - Community Liaison Committee meeting minutes.
 - the quarterly reports prepared by the float plane operators regarding the status of the construction of the permanent float plane facility, based on the information that is supplied to the float plane operators by the developer of the new permanent facility.
 - the current version of the facility relocation plan.
 - the quarterly log of complaints and inquiries and how they were addressed.
 - the Facility Management Plan.
 - maps of Coal Harbour showing the location of the temporary facility, landing area Alpha, taxi paths and flight paths.
 - a link for submitting complaints.

3.3 The website will be updated regularly.

4.0 Community Liaison Committee

- 4.1 The Community Liaison Committee will consist of representatives of these groups, provided that they are interested in designating representatives to attend meetings:
 - Coal Harbour Residents' Association.
 - Vancouver Rowing Club.
 - Bayshore Hotel.
 - Royal Vancouver Yacht Club.
 - Vancouver Port Authority.
 - Nav Canada.
 - City of Vancouver.
 - Vancouver Parks Department.
 - Vancouver Coastal Health Authority.
 - Transport Canada.
- 4.2 Community Liaison Committee meetings will be open the public and will deal with items including:
 - reviewing the quarterly reports prepared by the float plane operators (see Section 5.0).
 - float plane operations including maintenance, hours of operation, day to day operations, parking, traffic.
 - ways to improve communication and improve the relationship between the temporary float plane facility and the surrounding community.
- 4.3 Community Liaison Committee meetings are tentatively planned for the following months. Meeting dates will be confirmed in advance with appropriate notification (at least 14 days advance notice) to the Committee by the Community Liaison Representative. Meeting dates will be posted on the website.
 - July 2008.
 - November 2008.
 - January 2009.
 - April 2009.
 - July 2009.
 - November 2009.
 - January 2010.
 - April 2010.

5.0 Mandatory Reports by the Float Plane Operators

- 5.1 The float plane operators based in the temporary float plane facility will cooperate to prepare the following reports:
 - a quarterly report describing the current status of the process of constructing the new permanent float plane facility, including the current estimated completion date and plans, to the extent that this information is provided to the float plane operators by the developer on a non-confidential basis of the new permanent facility.
 - a quarterly report providing a detailed log of all inquiries and complaints received by the operators or the Community Liaison Representative regarding their float plane operations in Coal Harbour.
 - a quarterly report describing the plan for relocating from the current facility to the new facility, based on information provided by the developer of the new facility regarding the construction and opening schedule for the new facility.
- 5.2 These quarterly reports will be produced in June 2008, September 2008, December 2008, March 2009, June 2009, September 2009, December 2009, and March 2010. The reports will be posted on the information web site, will be presented at Community Liaison Committee meetings, and will be provided to the City of Vancouver.

6.0 Information Brochure

- 6.1 The Community Liaison Representative will prepare a short information sheet about the Community Liaison Committee, the temporary and permanent float plane facilities, the information website, and the procedure for making any complaints.
- 6.2 The Community Liaison Representative will work with the Coal Harbour Residents' Association to distribute copies to the buildings that front on Coal Harbour between Stanley Park and the convention centre.

7.0 Flight Operations

- 7.1 Attachment A is a drawing that shows the location of the Coal Harbour float plane landing/take-off area (Area Alpha) established by Transport Canada, the location of key buildings/places that flight paths avoid flying over, and the location of the flight path zones. Arrival, departure, takeoff and landing clearances are provided by NAVCanada.
- 7.2 Float plane water operations are at the discretion of the pilot in command during taxi phase to and from Area Alpha.
- 7.3 Float plane flight operations (direction of take-off, outbound flight path, inbound flight path, location and direction of landing within Area Alpha, and taxi from the landing area to the dock) are heavily dependent on weather conditions (including wind direction, wind velocity, visibility, wave conditions) and are controlled by NAVCanada's Vancouver Harbour Air Traffic Control. Depending on weather conditions and instructions from Air Traffic Control, pilots have varying degrees of discretion regarding flight operations. Safety must always be the primary consideration. Pilots will be instructed that, when they have discretion over some

aspects of flight operations, they should choose flight paths, taxi routes, and take-off/landing locations that minimize the impacts on the residential areas of Coal Harbour. Subject to weather, safety, and air traffic control, pilots should wherever possible:

- choose a west-bound approach and landing.
- when it is necessary to use an east-bound approach down the channel, stay far north as is safely possible without over-flying the buildings on Deadman's Island, the aquarium, or the fuel barges and land as far north as is safely possible within Area Alpha.
- minimize engine revving during departure from, and arrival to, the dock.
- cut back on engine throttle after take-off.
- avoid the use of engine-reverse on landing.

8.0 Arrival and Departure Times

- 8.1 Engine start-up for taxi for departing flights may not occur before 6:45 a.m. and engines must only be idled prior to 7:00 a.m.
- 8.2 Flight departures from Area Alpha will not occur before 7:00 a.m.
- 8.3 Flight arrivals will not touch down in Area Alpha before 7:00 a.m. weather permitting.

9.0 Maintenance

- 9.1 Most float plane maintenance activity does not involve much noise and is similar to the maintenance activity that would occur in a marina. The following maintenance activities are not restricted to specific times:
 - aircraft fuelling.
 - aircraft washing.
 - aircraft engine washing involving engines at idle.
 - minor repairs.
 - visual inspections.
 - safety inspections.

However, when conducting these maintenance activities before 7:00 a.m. and after 7:00 p.m., operators must make reasonable efforts to minimize impacts. Operators should take care to:

- not play music in outdoor locations.
- direct task lighting to minimize glare into residential windows.
- avoid engine revving.

- 9.2 Some maintenance activities necessarily involve more noise, particularly engine maintenance activity that requires high engine revving. High-noise maintenance activity is confined to these hours:
 - Monday to Friday: between 7:30 a.m. and 8:00 p.m.
 - Saturday: between 10:00 a.m. and 8:00 p.m.
 - Sundays and Statutory Holidays: between 10:00 a.m. and 6:00 p.m.

Engine idle is not considered high-noise.

- 9.3 Maintenance on floats and land-based facilities must be carried out between 7:30 a.m. and 6:00 p.m., unless tide and weather conditions are such that essential work must be done outside these hours.
- 9.4 A daily visual inspection will be conducted of the piping from the fuel storage tanks to the dispenser to detect leaks. Monthly reports will be submitted to the Environmental Protection Branch of the City of Vancouver indicating the results of these inspections.

10.0 Operator Staff Training

- 10.1 The float plane operators will provide pilot and staff training including:
 - ensuring that all pilots and staff are familiar with this Facility Maintenance Plan.
 - recognizing that pilots have varying degrees of discretion regarding flight operations, as they are heavily dependent on weather conditions (including wind direction, wind velocity, visibility, wave conditions) and are controlled by NAVCanada's Vancouver Harbour Air Traffic Control, ensuring that pilots understand that they are expected to operate so as to minimize noise and other impacts on area residents.
 - ensuring that staff working on the docks and on aircraft maintenance understand that they are expected to perform their duties so as to minimize noise and other impacts on area residents.

11.0 Passenger Parking and Drop-Off

- 11.1 The designated location for passenger and freight pick-up and drop-off by taxi, tour bus, courier, shuttle bus, and other vehicles will be from the turnaround located in the Convention Centre project.
- 11.2 Taxi companies, tour buses, and couriers frequenting the float plane terminal will be instructed to not pick up or drop off on nearby residential streets, including the foot of Bute Street and the foot of Jervis Street.
- 11.3 The shuttle buses operated by the float plane companies will be routed to minimize impact on nearby residential streets.

12.0 Liaison with Vancouver Rowing Club

- 12.1 Special attention is needed to reduce conflicts between float plane operations and the activities of the Vancouver Rowing Club. The Community Liaison Representative and the Vancouver Rowing Club will:
 - adopt operating procedures for float planes and rowers that best recognize the routes taken by both parties.
 - ensure that rowers have current maps of Area Alpha.

13.0 Procedures for Dealing with Complaints

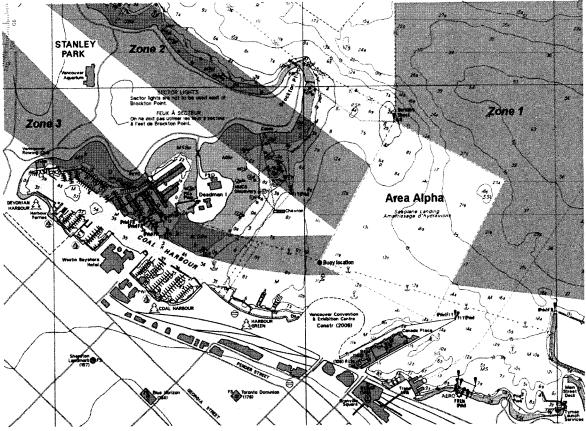
- 13.1 Any complaints regarding float plane operations associated with the operators based at the temporary float plane facility should be directed to the Community Liaison Representative. If a complaint is received directly by one of the float plane operators or by another member of the Community Liaison Committee, such complaint should be immediately forwarded to the Community Liaison Representative.
- 13.2 When a complaint is received by the Community Liaison Representative, the following procedure is to be followed:
 - the time, date, source, and nature of the complaint is entered into the complaint log.
 - the complaint is to be immediately copied to the members of the Community Liaison Committee and, if applicable, copied to the relevant float plane operator.
 - the Community Liaison Representative will advise the party making the complaint that the complaint has been received.
 - the Community Liaison Representative will investigate the complaint to ascertain what happened and to learn if there has been a failure to comply with the Facility Management Plan. If there has been a failure to comply with the Facility Management Plan, the Community Liaison Representative will ensure that the operator is made aware of the problem and will ensure that the operator takes steps as appropriate to ensure future compliance.
 - the Community Liaison Representative will contact the party making the complaint to explain what happened and explain, as appropriate, what action has been taken to deal with the reason for the complaint. The target for a response is 5 business days from the receipt of the complaint.
 - a complete description of the event and the outcome will be recorded in the complaint log.

14.0 Emergencies

In the event of an emergency, float plane operations and maintenance are not restricted by this Facility Management Plan.

The Community Liaison Representative will advise the Community Liaison Committee after the fact of any emergency event that required an operator to act outside the Facility Management Plan. Such an event will be recorded in the quarterly log of complaints for reference.





Sources:

- 1. Base map Ministry of Fisheries and Oceans Canada (published by the Canadian Hydrographic Service), Nautical Chart for "British Columbia, Burrard Inlet, Vancouver Harbour, Western Portion" (Chart #3493), dated 1 December 2006.
- 2. Zones for arrival paths added by float plane operators for reference only.

