

Proposed Bylaw 8158 Notifications

Notification letters seeking comments were sent in May 10, 2017 to:

- All owners and tenants of properties zoned EZ-I, I1, and I2
- Companies:
 - Allied Shipbuilders
 - Chemtrade Logistics Income Fund
 - Cargill
 - ERCO Worldwide
 - Fibreco Export Inc.
 - Richardson International
 - Kinder Morgan Terminals
 - Neptune Bulk Terminals (Canada) Ltd.
 - Univar Canada
 - Vancouver Pile Driving Ltd
 - Western Stevedoring
- Organizations:
 - Port Metro Vancouver
 - North Shore Waterfront Liason Committee
 - Economic Partnership North Vancouver
- Community Associations
 - Norgate Park Community Association
 - Inter-River Community Association
 - Maplewood Community Association



Date: May 10, 2017
File: 08.3060.20/044.15
Case: PLN2015-00044

To Whom It May Concern:

RE: Stakeholder Feedback on Proposed Zoning Changes to EZ-I Zones

This letter is to inform you of proposed Bylaw 8158, which will have impacts on properties that zoned EZ-I (Employment Zone Industrial), I1 (Waterfront Industrial Zone), and I2 (General Industrial Zone).

Notice of this proposed change is being forwarded to affected property owners, the North Shore Waterfront Industrial Association, Economic Partnership North Vancouver, Vancouver Fraser Port Authority and the Norgate Park, Inter-River, and Maplewood Community Associations for information and comment.

Background

On November 9, 2015, in response to concerns about view impacts of new waterfront industrial developments, Council passed the following motion:

“THAT:

1. Council direct staff to prepare a bylaw to amend the zoning bylaw to address negative impacts to views resulting from industrial development on the waterfront, and in particular, to:
 - (a) remove the height exemption in section 407 for bulkheads, tanks and bunkers, chimney and smoke stacks, permanent cranes, grain elevators and gas holders; and
 - (b) introduce regulations in the Employment Zone - Industrial (EZ-I) Zone relating to building orientation, the depth and width of buildings and structures, and building coverage.”

As a result, staff have prepared proposed Bylaw 8158 (attached) achieving the abovementioned objectives. Prior to Council consideration, DNV Planning staff is collecting public feedback regarding this proposal. Your input is important to us and will inform Council's final decision regarding this proposed change.

Implications

Proposed Bylaw 8158 has regulations that impact maximum height of structures, maximum building width, and maximum total building coverage on EZ-I, I1, and I2 zoned properties. Please note that not within federal, provincial, and Vancouver Fraser Port Authority.

	Maximum Structure Height	Maximum Building Width	Maximum Total Building Coverage
Current EZ-I Regulations	25 m with exemptions for certain structures ¹	N/A	N/A
Bylaw 8158 Proposal	Remove from height exemptions list: <ul style="list-style-type: none"> • Bulkheads; • tanks and bunkers; • chimney and smoke stacks; • permanent cranes, grain elevators; and • gas holders 	60% of the lot width	80% of total lot area
If Bylaw 8158 is adopted by Council, what does this mean?	New bulkheads, tanks and bunkers, chimney and smoke stacks, permanent cranes, grain elevators, and gas holders must be ≤25m in height or require a Council issued height variance. Other structures under Section 407 of the Zoning Bylaw still do not have height restrictions.	Maximum width of new buildings must be ≤60% of the lot width or require a Council issued building width variance.	Maximum total building coverage must be ≤80% of the lot area or require a Council issued total building coverage variance.

1. As per section 407 of the DNV Zoning Bylaw, structures *currently* not subject to height limitations are: Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders.

Your Comments

Please feel welcome to indicate comments you have regarding this proposed bylaw. While you are welcome to contact me with any questions you may have, formal feedback by email is preferred for documentation purposes. It would be appreciated if formal comments could be returned to the District Community Planning Department by **May 31, 2017** so that your input can be taken into consideration in the assessment of the proposal.

Please feel free to contact me if you have any questions or concerns. Thank you in advance for your input.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Zhang', with a long horizontal stroke extending to the right.

Kevin Zhang

Development Planner
District of North Vancouver
zhangk@dnv.org
604-990-2321

Attachments:
Proposed Bylaw 8158

Kevin Zhang

From: Glen Webb [REDACTED]
Sent: July 05, 2017 6:47 PM
To: Kevin Zhang
Cc: nswlc@portvancouver.com; michael evison; Tang-Graham, Frances
Subject: District of North Vancouver proposed bylaw changes - height restrictions

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: EZ-I Text Amendment

Kevin J. Zhang
Development Planner
District of North Vancouver

Kevin,

Thank you for the informative presentation on behalf of the District of North Vancouver on the proposed bylaw changes.

Following your presentation, the North Shore Waterfront Liaison Committee discussed and reviewed the implications and consequences of height restrictions. As we all know from past experience, to enact bylaws which cover all contingencies is extremely difficult. We agreed that the District is correctly focusing on well-conceived planning principles which generally will mitigate exception to the current rule guidelines.

However, we believe it is extremely important to maintain the economic vitality of our inventory of industrial lands. A number of Committee members felt that the District should focus their efforts to encourage the development and designation of additional areas suitable for industrial sites.

Thank you for the opportunity to provide feedback on the proposed bylaw.

Sincerely,
Glen Webb
Chair
Port Vancouver - North Shore Waterfront Liaison Committee

July 7, 2017

District of North Vancouver
Attention: Kevin Zhang, Community Planner
Email: zhangk@dnv.org

Re: Stakeholder Feedback on Proposed Zoning Changes to EZ-I Zones

Dear Mr. Zhang,

In response to outreach from Charlene Grant, General Manager Corporate Services for the District of North Vancouver (the "District") on how the Economic Partnership North Vancouver (EPNV) could facilitate feedback on proposed zoning changes to properties zoned EZ-I (the "Amendments"), and further to your letter dated May 10, 2017 (received May 23, 2017) requesting comment on the Amendments, I am writing to provide the response from and position of the EPNV.

Based on our engagement to date, we do not believe the Amendments as drafted are in the best interests of the District, the larger North Vancouver community or North Vancouver businesses. A summary of our engagement process, the economic contribution of EZ-I zoned business to North Vancouver and reasoning for our position is set forth below.

1.0 Engagement Process

EPNV completed an engagement process inclusive of a variety of mechanisms and with a cross-section of potentially-affected and interested stakeholders. The process included:

1. Solicitation of feedback directly through face-to-face interviews, phone and email outreach with local EZ-I zoned businesses, their suppliers, EPNV board member organizations and other interested parties; and
2. Facilitation of a roundtable engagement session on June 14, 2017 at John Braithwaite Community Center of which the District was invited to, and did, attend.

A list of stakeholders EPNV engaged in this process is provided in Appendix A.

2.0 Economic Contribution and Importance of EZ-I Zoned Business to North Vancouver

Strong local economies require "readily available, high paying, employment-generating industrial lands"¹. North Vancouver EZ-I zoned businesses:

- Contribute more than \$800 million in GDP annually to North Vancouver;
- Contribute more than \$16 million in tax revenue annually to North Vancouver;
- Create and support over 13,000 direct, indirect and induced jobs within North Vancouver now and for the next 20-30 years²;
- Typically generate jobs that pay double the annual average compensation rate per person³;

¹ <http://www.bcchamber.org/policies/protection-industrial-lands-future-prosperity>

² Calculated based on 2016 Port of Vancouver Economic Impact Study

³ <http://www.bcchamber.org/policies/protection-industrial-lands-future-prosperity>

- Intensively invest in the community and local infrastructure (For example: Since 2014, Seaspan has spent \$109 million with 160 local North Vancouver suppliers and invested \$155 million to date on its shipyards modernization project); and
- Support Canada's largest port, a gateway for trade that is of major national significance.

3.0 EPNV Position and Reasoning

With less than a 15-year supply of trade-enabling land left for development in Metro Vancouver, industrial lands and their massive economic impacts are permanently disappearing. Dwindling supply coupled with increased demand for trade means the need to preserve industrial land for industrial use, intensify land use and attract and encourage investment is more important than ever. The Amendments do not support these needs. EPNV does not believe the Amendments are in the best interests of the District, the larger North Vancouver community, its citizens and its business community for the following reasons:

1. The Amendments do not support the District's Official Community Plan (OCP) and Intended use of Industrial lands.

The Amendments do not support the urgent need to protect and encourage the development of industrial land. They run contrary to the District's OCP which seeks to protect the employment function and intensification of uses on employment lands. As drafted, the Amendments: create constraints hindering effective and intensified land use; increase uncertainty and risk to potential investors; and in some cases could render valuable assets uneconomic.

2. The Amendments discourage efficient, intensified, purposeful and economic industrial land-use practices.

Industrial-zoned businesses, particularly those that support port-related activities, require specialized and substantial equipment such as cranes, elevators and conveyors, and functional structures such as silos and storage sheds ("Industrial Structures") that are essential to operations. These Industrial Structures put thousands of people to work. These Industrial Structures allow businesses the ability to build, store and/or move a variety of product and commodities on a scale and in a manner that creates enough benefit to outweigh the costs of and risks associated with investment. These Industrial Structures are essential to creating economic value.

The Amendments not only restrict height, immediately limiting ship loading efficiency and shipbuilding infrastructure, but also width and site coverage. These compounding factors make it difficult, if not economically unfeasible, to create enough energy efficiency, storage capacity and throughput necessary to supply cargo ships.

3. The Amendments discourage investment and create a competitive disadvantage for new projects.

The Amendments further compound the economic losses associated with a decreasing supply of industrial land in the region and put any new developments at a competitive disadvantage (locally and internationally) to projects developed prior to the implementation of such restrictive land use mechanisms.

Further, private companies are developing the waterfront at their cost and in doing so are ultimately driving great economic benefits for the District (as per 2.0 above). Investors have options for investing their capital. Constraints and restrictions that make investment too costly or uncompetitive will have long-term repercussions on the prosperity and sustainability of our community.

4. Industrial land developments in the District are currently consistent with industry norms.

While we understand the intent of the Amendments is to address "...negative view impacts resulting from industrial developments on the waterfront", the existing bylaw supports the expectation that "uses in the Industrial Zone will be industrial in character and impact"⁴.

To that end, current and proposed developments on District Industrial lands are generally within industry norms and are purpose built and use specific. Examples of some current or proposed structures within and outside of the District are identified in Table 1 below.

Table 1: Industry Structural Height Norms & Examples of Current/Proposed Industrial Structures

Structural Type	Typical Height	Example
Cranes and Ship Loading Infrastructure	50-100m	Seaspan Gantry Crane (existing) – 84m
Solid Storage Tanks	30-40m	Fibreco silos (proposed) – 38.3m
Material Elevators	30-70m	Fibreco conveyors (proposed) – 56.3m
Storage Sheds	20-40m	Kinder Morgan Sheds (existing) – 42m Vancouver Wharves (existing) – 42m

A process that always sets Council up to receive a variance application for Industrial Structures that are both standard and necessary for the functioning of an industrial site creates an additional and unnecessary level of regulation. This is not practical, efficient or productive and it further translates into an increase in time and cost for the District, the business and the community.

5. The current development process is already inclusive and collaborative.

Throughout the District's existing planning and development process, industrial project proponents are engaged and consult with District staff and planners, Vancouver Fraser Port Authority (as applicable), the community, and other relevant and necessary stakeholders on an ongoing basis. The current process is working and is effectively engaging all relevant parties. Project plans are iterative and take into consideration the feedback received at all stages, thereby managing and mitigating potential uncertainties and risks to both the District and the business.

4.0 Conclusion

In conclusion, we reiterate our recommendation against adopting the Amendments and encourage you to continue to work collaboratively with business to create conditions that encourage investment in and development of our valuable industrial lands to the long-term and sustainable benefit of everyone in our community. We welcome the opportunity to continue to support the District's process on this and other issues.

Sincerely,



Kendra Low, MBA
Senior Program Manager
Economic Partnership North Vancouver*

⁴ District Bylaw 8158, Section 750.01

Cc: Dan Milburn, General Manager, Planning, Properties & Permits - District
Charlene Grant, General Manager, Corporate Services - District
Patrick Stafford-Smith, Chief Development Officer - EPNV
EPNV Board Members*

***EPNV Board Members are named below:**

1. Arc'teryx	Jon Hoerauf	President
2. BDC Business Development Bank	Louise Fogharty	Regional Director
3. BlueShore Financial	Chris Catliff	President & CEO
4. Capilano Suspension Bridge	John Stibbard	VP, Operations
5. Capilano University	Paul Dangerfield	President
6. Carter GM	James Carter	Owner & President
7. City of North Vancouver	Larry Orr	Manager, Business Services
8. Darwin Properties	Oliver Webbe	President
9. District of North Vancouver	Charlene Grant	GM, Corporate Services
10. Neptune Terminals	Jim Belsheim	President
11. North Shore Studios	Peter Leitch	President & CEO
12. North Vancouver Chamber	David Kim	Board Chair
13. North Vancouver Chamber	Patrick Stafford-Smith	CEO
14. Port Metro Vancouver	Robyn Crisanti	Director, Public Affairs
15. Quay Property Management	Gary Mathiesen	President & CEO
16. Seaspan ULC	Frank Butzelaar	CEO
17. Squamish Nation	Chief Gibby Jacob	Executive Operating Officer
18. Tsleil-Waututh Nation	Matthew Thomas	EDO
19. Vancouver Coastal Health	Karin Olson	COO
20. Western Stevedoring	Brad Eshleman	President

Appendix A **List of Engaged Stakeholders**

EPNV staff engaged with and/or reached out to the following stakeholders for input on the Amendments:

- Fibreco
- BA Blacktop
- Allied Shipbuilders
- Univar Canada
- Chemtrade Electrochem (formerly Canexus)
- Kinder Morgan Terminals
- Seaspan ULC
- Port Metro Vancouver
- Darwin Properties
- Quay Property Management
- Western Stevedoring
- Kinder Morgan Terminals
- ERCO Worldwide
- Richardson International
- Cargill
- Vancouver Pile Driving

May 31, 2017

Mr. Kevin Zhang
Development Planner
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

Dear Mr. Zhang:

**RE: Referral PLN2015-00044 – Draft Bylaw 8158
District of North Vancouver**

Thank you for providing us with an opportunity to comment on the District of North Vancouver's draft Bylaw 8158, which seeks to amend Zoning Bylaw 3210, 1965, specifically as it pertains to Height Exceptions and Building Depth, Width and Coverage in designated Industrial Zones.

We have reviewed the contents of your letter dated May, 10th, 2017 as well as the Report, dated March 10th, 2017, that was presented to Council on March 27th, 2017 and offer the following comments.

As you will be aware, industrial lands in the Metro Vancouver region continue to be converted to other uses, resulting in a significant shortage of trade-enabling industrial land in Lower Mainland. This shortage undermines employment and economic development opportunities for the region and the country as a whole. Therefore, municipal policies and bylaws relating to lands currently designated for industrial uses should seek to be sufficiently flexible to protect these lands for future growth.

Section 750 of the District's Zoning Bylaw 3210, 1965 states that "*the intent of the Industrial Zone is to accommodate port oriented uses and general manufacturing and other industrial activities on lands adjacent to the Port and the rail corridor*". However, through the introduction of Bylaw 8158, the District proposes to remove the 25m height exception clause (Section 420) for various types of structures, such as grain elevators and cranes, which are critical to support port-oriented industrial

... /2

Mr. Zhang
Referral - PLN2015-00044 – Draft Bylaw 8158
May 31, 2017
Page 2 of 2

operations. The Bylaw also introduces building width and coverage restrictions. If this Bylaw is adopted, Applicants will now be required to apply to the District for a development variance permit should they wish to construct structures that exceed these maximums within designated industrial areas.

The Council Report, dated March 10th 2017, highlighted the industry standard heights of various waterfront industrial structures, for example 30-70m for grain elevators and 50-100m for cranes and shiploading infrastructure. Development involving such structures would exceed the new 25m height restriction.

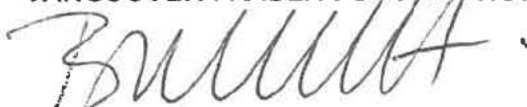
While we understand the desire for the District to review waterfront proposals for larger structures and buildings in the context of their potential view impacts, we suggest that the District's existing development permit process and zoning bylaw could be utilised to this end. Introducing new restrictions specifically targeted at industrial development may discourage those seeking to invest in and develop these scarce industrial sites.

In addition to the above, please note that the port authority rebranded in 2016 from "Port Metro Vancouver" to "Port of Vancouver."

Thank you for the opportunity to comment on the proposed Bylaw. Should you have any questions regarding our comments, please me at 604-665-9135.

Yours truly,

VANCOUVER FRASER PORT AUTHORITY



Tegan Smith
Manager, Planning

cc Dan Milburn, General Manager, Planning, Properties and Permits, DNV
Jessica Mehigan, Senior Planner, VFPA

From: sanji gill
To: [DNV Input](#)
Subject: Public Hearing for Bylaw 8158 - Industrial Height Amendment
Date: January 16, 2018 1:51:22 PM

Respectfully,

I am the owner of the building located at 1458 Barrow Street, North Vancouver. The height restriction and building restriction of 80 percent of the lot is acceptable.

The width restriction of 60 per cent of lot width is far to restrictive. The reason for my concern would be for a new development on the site. To the east of our property on Barrow Street are new strata titled office and light Industrial units. Any future development on Barrow Street should be in line with this development. A reduction to 60 percent width is an unneeded penalty for future development of my property and any other property on Barrow Street.

I would like to add we have expanded our property in the past constructing a 6000 sq ft industrial Bay which was allowed close to the property line.
A 60 percent width restriction takes away from the developments street view and reduces the square footage of the development.

I have also viewed a brochure for North Shore Contemporary Industrial located at 350 & 370 East Esplanade, North Vancouver.
The width of this light industrial and office development runs close to the property line on each side and is visually appealing.

Please include my comments for consideration,

Sanjiv Gill
Imran Holdings Ltd.

From: Bob Wilds
To: [DNV Input](#)
Cc: [Kevin Zhang](#); "[Kerry Lige](#)"; gdempster@fibreco.com; "[Brad Eshleman](#)"
Subject: Public Hearing Bylaw 8158 -Industrial Height Amendment
Date: January 18, 2018 2:12:14 PM

I regret that I am unable to attend this Hearing in person, however please accept the following on behalf of the members of the BC Marine Terminal Operators Association:

The BC Marine Terminal Operators Association (BCMTOA) represents the major Marine Terminal Operators including those terminals located on the North Shore of Burrard Inlet.

These terminals support the National economy since they are the link between exporters and importers for Canadian producers and consumers. As such, they play a critical role in the local, regional, provincial and national economies.

One in four jobs in Metro Vancouver are on industrial land. These lands are essential and finite and must be protected.

These terminals play a major role in employing thousands in well-paying jobs.

Terminals are also major tax payers in the communities in which they operate.

Terminal operators make every effort to operate in a safe and environmentally responsible manner and participate as responsible business leaders in the community

It is essential that these limited facilities are able to undertake necessary developments to ensure that they are capable of meeting the projected growth in import and export cargo volumes on behalf of all Canadians.

On behalf of the membership of the BCMTOA, please be advised that we strongly oppose the removal of the height variance exemption from the District of North Vancouver Bylaws.

Thank you for the opportunity to provide our views on this important industry matter.

Sincerely

R. Wilds Executive Director
BC Marine Terminal Operators Association

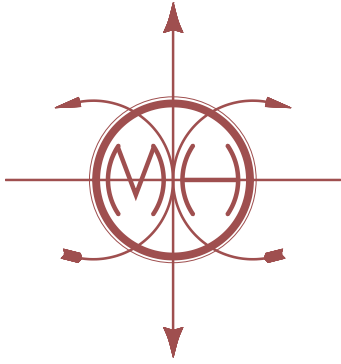
From: mlmclaren@alliedship.com
To: [DNV Input](#)
Cc: [Kevin Zhang](#)
Subject: Public Hearing - Bylaw 8158 - Tuesday January 23, 2018
Date: January 22, 2018 1:46:13 PM
Attachments: [2018-01-22 - Bylaw 8158 - Midship Holdings.pdf](#)

Please find attached the input of Midship Holdings Ltd. and Allied Shipbuilders Ltd. with regards to Bylaw 8158 for industrial equipment height and building size regulations.

Thank you,

Mark McLaren
Allied Shipbuilders Ltd.

1870 Harbour Road
North Vancouver, BC V7H 1A1
Tel: 604 929-2365 Ext. 142
Email: mlmclaren@alliedship.com



MIDSHIP HOLDINGS LTD.

1870 Harbour Road
North Vancouver, B.C.
V7H 1A1

Tel: 604-929-2365 Fax: 604-929-5329

January 22, 2018

Via email <input@dnv.org>

Mayor and Council
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

**SUBJECT: PUBLIC HEARING – BYLAW 8158 – TUESDAY JANUARY 23, 2018
ADDITIONAL HEIGHT RESTRICTIONS AND BUILDING SIZE REGULATIONS**

Dear Mayor and Council,

Since 1967, Midship Holdings Ltd. has owned the property on which Allied Shipbuilders Ltd. is located. Last year Allied celebrated its 50th year of operations in the District of North Vancouver since relocating from its original site on False Creek in Vancouver.

The Planning Department of the District has kindly kept Midship and Allied informed of proposals to introduce building size and coverage restrictions and remove equipment height exemptions.

Midship and our tenant, Allied Shipbuilders, are opposed to these proposals.

The argument for maintaining the status quo is well presented in the letter from Economic Partnership North Vancouver, dated July 7, 2017, addressed to Kevin Zhang, Community Planner at the District of North Vancouver. Rather than restate the arguments, we attach a copy of the July 7th letter.

Respectfully submitted,

MIDSHIP HOLDINGS LTD.

Malcolm McLaren
Director

ALLIED SHIPBUILDERS LTD.

Chuck Ko, P.Eng.
President

Attachment: Economic Partnership North Vancouver – Stakeholder Feedback on Proposed Zoning Changes to EZ-I Zones – July 7, 2017

cc: Kevin J. Zhang, Development Planner <zhangk@dnv.org>

July 7, 2017

District of North Vancouver
Attention: Kevin Zhang, Community Planner
Email: zhangk@dnv.org

Re: Stakeholder Feedback on Proposed Zoning Changes to EZ-I Zones

Dear Mr. Zhang,

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2.0 Economic Contribution and Importance of EZ-I Zoned Business to North Vancouver

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- Intensively invest in the community and local infrastructure (For example: Since 2014, Seaspan has spent \$109 million with 160 local North Vancouver suppliers and invested \$155 million to date on its shipyards modernization project); and
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3.0 EPNV Position and Reasoning

With less than a 15-year supply of trade-enabling land left for development in Metro Vancouver, industrial lands and their massive economic impacts are permanently disappearing. Dwindling supply coupled with increased demand for trade means the need to preserve industrial land for industrial use, intensify land use and attract and encourage investment is more important than ever. The Amendments do not support these needs. EPNV does not believe the Amendments are in the best interests of the District, the larger North Vancouver community, its citizens and its business community for the following reasons:

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The Amendments not only restrict height, immediately limiting ship loading efficiency and shipbuilding infrastructure, but also width and site coverage. These compounding factors make it difficult, if not economically unfeasible, to create enough energy efficiency, storage capacity and throughput necessary to supply cargo ships.

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Further, private companies are developing the waterfront at their cost and in doing so are ultimately driving great economic benefits for the District (as per 2.0 above). Investors have options for investing their capital. Constraints and restrictions that make investment too costly or uncompetitive will have long-term repercussions on the prosperity and sustainability of our community.

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While we understand the intent of the Amendments is to address "...negative view impacts resulting from industrial developments on the waterfront", the existing bylaw supports the expectation that "uses in the Industrial Zone will be industrial in character and impact"⁴.

To that end, current and proposed developments on District industrial lands are generally within industry norms and are purpose built and use specific. Examples of some current or proposed structures within and outside of the District are identified in Table 1 below.

Table 1: Industry Structural Height Norms & Examples of Current/Proposed Industrial Structures

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A process that always sets Council up to receive a variance application for Industrial Structures that are both standard and necessary for the functioning of an industrial site creates an additional and unnecessary level of regulation. This is not practical, efficient or productive and it further translates into an increase in time and cost for the District, the business and the community.

5. The current development process is already inclusive and collaborative.

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4.0 Conclusion

In conclusion, we reiterate our recommendation against adopting the Amendments and encourage you to continue to work collaboratively with business to create conditions that encourage investment in and development of our valuable industrial lands to the long-term and sustainable benefit of everyone in our community. We welcome the opportunity to continue to support the District's process on this and other issues.

Sincerely,



Kendra Low, MBA
Senior Program Manager
Economic Partnership North Vancouver*

⁴ District Bylaw 8158, Section 750.01

Cc: Dan Milburn, General Manager, Planning, Properties & Permits - District
Charlene Grant, General Manager, Corporate Services - District
Patrick Stafford-Smith, Chief Development Officer - EPNV
EPNV Board Members*

*EPNV Board Members are named below:

1. Arc'teryx	Jon Hoerauf	President
2. BDC Business Development Bank	Louise Fogharty	Regional Director
3. BlueShore Financial	Chris Catliff	President & CEO
4. Capilano Suspension Bridge	John Stibbard	VP, Operations
5. Capilano University	Paul Dangerfield	President
6. Carter GM	James Carter	Owner & President
7. City of North Vancouver	Larry Orr	Manager, Business Services
8. Darwin Properties	Oliver Webbe	President
9. District of North Vancouver	Charlene Grant	GM, Corporate Services
10. Neptune Terminals	Jim Belsheim	President
11. North Shore Studios	Peter Leitch	President & CEO
12. North Vancouver Chamber	David Kim	Board Chair
13. North Vancouver Chamber	Patrick Stafford-Smith	CEO
14. Port Metro Vancouver	Robyn Crisanti	Director, Public Affairs
15. Quay Property Management	Gary Mathiesen	President & CEO
16. Seaspan ULC	Frank Butzelaar	CEO
17. Squamish Nation	Chief Gibby Jacob	Executive Operating Officer
18. Tsleil-Waututh Nation	Matthew Thomas	EDO
19. Vancouver Coastal Health	Karin Olson	COO
20. Western Stevedoring	Brad Eshleman	President

Appendix A

List of Engaged Stakeholders

EPNV staff engaged with and/or reached out to the following stakeholders for input on the Amendments:

- Fibreco
- BA Blacktop
- Allied Shipbuilders
- Univar Canada
- Chemtrade Electrochem (formerly Canexus)
- Kinder Morgan Terminals
- Seaspan ULC
- Port Metro Vancouver
- Darwin Properties
- Quay Property Management
- Western Stevedoring
- Kinder Morgan Terminals
- ERCO Worldwide
- Richardson International
- Cargill
- Vancouver Pile Driving

From: Caralyn S. Clark
To: [DNV Input: Kevin Zhang](#)
Cc: [Chris Hext: Billy Garton](#)
Subject: Proposed New Bylaw No. 8158
Date: January 22, 2018 2:55:45 PM
Attachments: [image001.png](#)
[DNV - Proposed New Zoning Height Restriction - Jan 22, 2018.pdf](#)

Gentlemen,

Please read the attached letter from Frank Butzelaar, CEO of Seaspan ULC, regarding the proposed Bylaw No. 8158.

Regards,

Caralyn Clark | Executive Assistant to the CEO, CAO & CFO | Seaspan ULC | Office: 604-990-1817 | www.seaspan.com





Seaspan ULC
10 Pemberton Avenue
North Vancouver, BC V7P 2R1
Canada

(604) 988-3111
(604) 984-1615 fax
www.seaspan.com

January 22, 2018

BY E-MAIL (input@dnv.org and zhangk@dnv.org)

District of North Vancouver
Municipal Hall
355 West Queens Road
North Vancouver BC V7N 4N5

Attention: Kevin Zhang

Re: Proposed New Bylaw No. 8158 (the "Bylaw")

My name is Frank Butzelaar, and I am the Chief Executive Officer for Seaspan ULC.

I wish to first of all express our thanks to you, as well as Mayor and Council, for the opportunity to provide our comments on the proposed Bylaw, which would amend certain Zoning provisions applicable to our properties located at 2, 10 and 50 Pemberton Avenue, North Vancouver.

We understand the issues faced by the District with respect to the use and development of waterfront industrial lands located in the District, and the impact on our community. We also appreciate the time and effort expended by staff in working on the Bylaw, including their ongoing consultation with the community. However, Seaspan is not in favour of the Bylaw, as discussed below.

In our view, the Bylaw runs contrary to the District's previously stated desire to maintain these waterfront lands as industrial in character and impact, as set out in the District's current Zoning Bylaw, as well as the Official Community Plan. The Bylaw, if adopted, will in fact hurt the ongoing industrial use of these lands. Further, the Bylaw will have a significant negative impact on our own operations, currently and going forward, as well as the operations of numerous other businesses along the waterfront. We ask that the District not adopt this bylaw, or if adopted, that certain lands, including our lands, be exempted from the Bylaw's application.

As we echo and support the issues and concerns previously expressed by many of our business neighbours on the waterfront, including Fibreco (see letter dated May 29, 2017), as well as the Economic Partnership or North Vancouver (see letter dated July 7, 2017), we will try not to repeat much of what they have already written and advised Mayor and Council with respect to the Bylaw.

As set out above, we own several properties along the District waterfront from which we conduct significant operations, including marine transportation, marine fuel bunkering, ship building, maintenance and repair. Seaspan currently maintains, among other things, a permanent crane on the lands, which is approximately 84 metres in height (the "Permanent Crane"). Seaspan has operated in this area of the District, along the waterfront, for over 40 years. In 2017, Seaspan paid over \$3,373,000 to the District of North Vancouver for property taxes, utility fees and other charges in respect of its waterfront industrial properties within the District. Seaspan employs over 1,500 employees in the District. These employees, many of whom live in the local community, contribute significantly to the local community, including spending significant amounts on all sorts of local services, as does Seaspan generally. Seaspan also has future plans for the continued use and

significant upgrading of our lands, which will have an even greater positive impact on our community, through more well-paying jobs and general economic impact. Seaspan has been, and will continue to be a big supporter of our local community.

If the Bylaw is adopted, however, our operations will be seriously impacted in a negative way. The Bylaw would create uncertainty for our operations, and put at risk future investment in our lands. The Bylaw would also put Seaspan, and other businesses in a similar situation, at a competitive disadvantage with businesses located on nearby lands administered by the Vancouver Fraser Port Authority, whose operations would not be so restricted.

Our operations would also become lawfully non-conforming if the Bylaw was adopted. As a result, when it comes time for us to replace the Permanent Crane, a very significant investment, or locate other tall structures on our properties, particularly with respect to our ship building business which has already resulted in millions of dollars being invested and spent in the District of North Vancouver community (and which may require structures in excess of the proposed 25 metre height allowance contained in the Bylaw), we may need to seek a variance from the District, which variance would be entirely discretionary, and the outcome unknown. Simply put, this new uncertainty would be bad for our business, as well as ongoing investment in the subject lands by Seaspan.

In closing, passing the Bylaw could potentially hurt our business, and may result in, among other things, lost opportunities, and therefore reduced investment at our properties in the District. The Bylaw would likely make it more difficult for many of the users of the waterfront industrial land, including Seaspan, to develop and use their lands in the District to their highest potential, putting at risk jobs and ongoing investment in the District.

We ask that Mayor and Council not proceed with the adoption of the Bylaw, and instead, instruct staff to continue working with your partners on the waterfront, including Seaspan, for the benefit of everyone in our community, and to continue addressing any ongoing concerns in a collaborative way, and without the harsh restrictions contained in the Bylaw.

Yours truly,

A handwritten signature in dark ink, appearing to read 'F. Butzelaar', with a long, sweeping horizontal line extending to the right.

Frank Butzelaar
Chief Executive Officer

From: [DNV Input](#)
To: [DNV Input](#)
Subject: FW: Submission on bylaw 8158 from Vancouver Fraser Port Authority
Date: January 23, 2018 11:38:50 AM
Attachments: [2018-01-17 Submission - District of North Vancouver re proposed bylaw 8158.pdf](#)
[image002.png](#)

From: Tang-Graham, Frances [<mailto:Frances.Tang-Graham@portvancouver.com>]
Sent: January 23, 2018 10:58 AM
To: Kevin Zhang <zhangk@dnv.org>
Cc: Crisanti, Robyn <Robyn.Crisanti@portvancouver.com>; Horsford, Naomi
<Naomi.Horsford@portvancouver.com>
Subject: Submission on bylaw 8158 from Vancouver Fraser Port Authority

Good morning Kevin,

Attached is a submission from the Vancouver Fraser Port Authority on proposed bylaw 8158.

Sincerely,

Frances Tang-Graham
Municipal Liaison



Vancouver Fraser Port Authority
100 The Pointe, 999 Canada Place
Vancouver, B.C. Canada V6C 3T4

P: 604.665.9075 | CELL: 604.754.6004
portvancouver.com

January 17, 2018

Mayor Walton and Members of Council
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

Dear Mayor Walton and Members of Council:

Re: **Submission on proposed Bylaw 8158**

Thank you for the opportunity to provide input on the proposed Bylaw 8158.

We recognize the challenges of addressing land use conflicts in our region and the desire to alleviate tension between industrial and residential proximity.

However, in this case, the restrictive nature of the proposed bylaw will discourage investment that would otherwise maximize the productivity and efficiency of a severely limited industrial land base. Further, it will impact the operations of the Port of Vancouver, fettering the ability of marine terminal and other trade-related operations that are located on federal lands to move Canada's trade.

Therefore, we believe that the introduction of the proposed bylaw would significantly hinder the sustainability and competitiveness of the North Shore's trade area.

Economic importance of the port to North Vancouver

Port of Vancouver operations located alongside the District of North Vancouver play a significant role in Canada's trade, supporting the movement of export goods from the western provinces. These industrial activities have shaped the waterfront on the North Shore and have created significant jobs and economic wealth for the community.

The Vancouver Fraser Port Authority commissioned InterVISTAS Consulting to conduct an economic impact study in 2016. It determined that the direct economic impacts of port activity to the District of North Vancouver are:

- 9,100 direct jobs
- \$290 million in wages
- \$330 million in direct GDP
- \$6.8 million in municipal taxes

Whilst much of this port-related activity takes place within federal jurisdiction, there is also a significant number of private port-related properties and operations that are either partly or solely located within the District of North Vancouver. These operators are governed by

both port regulations and District policies and bylaws, and therefore their entire operations can be impacted by either.

Concerns with proposed Bylaw 8158

Section 750 of the District's Zoning Bylaw 3210, 1965 states that *"the intent of the Industrial Zone is to accommodate port oriented uses and general manufacturing and other industrial activities on lands adjacent to the Port and the rail corridor"*. Through the introduction of Bylaw 8158, the District proposes to remove the 25 metre height exception clause (Section 420) for various types of structures, such as grain elevators and cranes, which are critical to support port-oriented industrial operations. The bylaw also restricts building width and coverage to 80 per cent.

The proposed height restriction is not in line with other jurisdictions in the region. Only Surrey and Richmond have a similar restriction on structures – neither of which have the same level of trade-related industry as North Vancouver. The City of Vancouver has provisions to allow variances of their height restrictions. As shown in your March 10, 2017 staff report, practically all waterfront industrial structures currently exceed the proposed height restrictions. The heights of these structures are required for their function – severely restricting them could in effect prevent such uses in the future and limit the ability of existing facilities to upgrade their operations.

Both the height and coverage restrictions would be debilitating to industrial development. If this bylaw is adopted, applicants would be required to apply to the District for a development variance permit for structures that contravene the bylaw. This creates investment uncertainty and adds a new level of bureaucracy that will hamper the potential of North Vancouver's waterfront industries to grow and be flexible in responding to global market demand and Canada's export needs.

Industrial land shortage

As you are aware, industrial lands in the Metro Vancouver region are being converted to other uses at an alarming rate. Metro Vancouver data shows that 870 acres of industrial land have been lost to municipal zoning between 2010 and 2015. This has resulted in a significant shortage of large parcels of industrial land suitable for trade-related activities in the Lower Mainland. There are less than 1,000 acres of large parcels of industrial land left, yet it is anticipated that 3,000 acres of industrial land suitable to support goods movement is needed in the region over the next 10 years. Furthermore, 22 per cent of the existing inventory of industrial lands is currently at risk of conversion to another use.

According to Metro Vancouver, 23 per cent of jobs are located on industrial land. Further, seven per cent of jobs in the region are directly related to port activity, which equates to jobs for 91,000 people. Port-related jobs are estimated to pay \$68,000 a year, 44 per cent higher than the national average.

Clearly, the scarcity of industrial land is a critical issue for Canada's trade capability, undermining employment and economic development opportunities for the region and the country as a whole.

In addition, due to scarce land, industrial development – just like residential and commercial development – needs to ensure that lands are used intensively and adhering to principles of smart growth. Restricting the width of development to 80 per cent of the overall property lot could prevent the most effective and intensive use of the lands.

Ultimately, less intensive use impacts affordability of such lands for continued industrial use and drives the potential for conversion to higher value uses such as commercial and residential.

Regional collaboration is needed to address land use pressures. The solution must include land for industrial, as well as residential, agricultural, commercial and mixed uses. We understand the demand for housing is outstripping supply, but converting and impeding development of industrial lands is short sighted because those lands provide the significant employment needed to support residential growth and local prosperity.

Municipal policies and bylaws relating to lands currently designated for industrial uses should seek to be sufficiently flexible to protect the use of these lands for future growth and allow them to be used intensively for Canada's trading interests. The economic benefits of North Vancouver's vibrant port are the result of years of planning and investment by the private sector and all level of governments. With the growing population and rising cost of living, we urge the District to continue to foster an environment that encourages port investment and activity.

While we understand the desire for the District to review waterfront proposals in the context of their potential view impacts, we suggest that the District's existing development permit process and bylaws are sufficient to that end. As noted in the staff report, the District wants to encourage development in a manner that is compatible with surrounding uses. This must apply to all uses, not just industrial.

Thank you for the opportunity to comment on the proposed bylaw and we hope to have broader discussions in the near future related to regional land use pressures.

Yours truly,

VANCOUVER FRASER PORT AUTHORITY

A handwritten signature in black ink, appearing to read 'Tom Corsie', with a long horizontal flourish extending to the right.

Tom Corsie
Vice-President, Real Estate

encl (1) Information sheet on land use

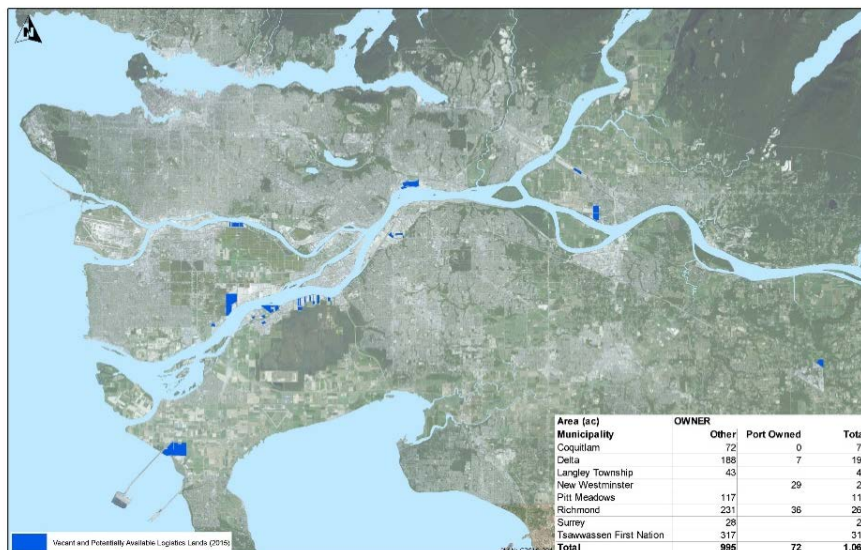
Land use and industrial land

Metro Vancouver is host to Canada's largest port, including its largest container terminal. Containers are used for over 90 per cent of worldwide trade. In Canada, they are used to export our natural resources and grain, and import consumer and manufacturing goods from Asia.

Beyond the port, there are thousands of acres of distribution centres, warehouses, roadways and railways used to process and move containers.

Land availability impacts housing costs, traffic congestion and the availability of land for trade.

Demand for industrial land is projected to absorb between 1,500 and 3,000 acres of land within the next five to 10 years. At that rate, the inventory of remaining land suitable for trade-related operations will potentially be exhausted within the next decade.



Available industrial land for goods-movement activities (in blue)

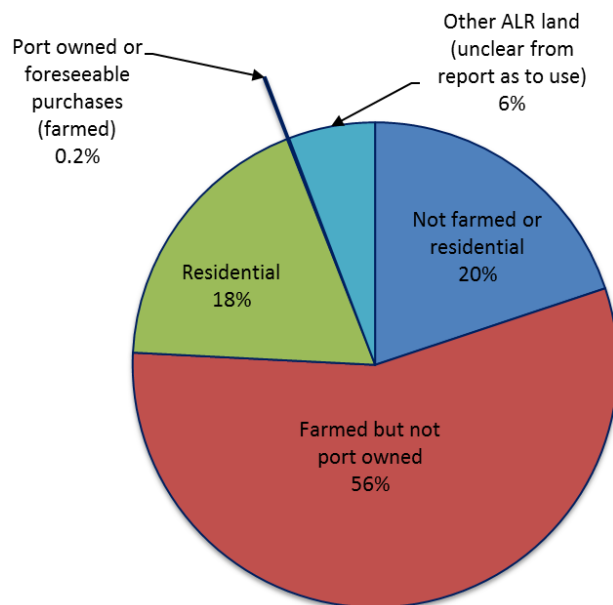
About 23 per cent of Metro Vancouver jobs are on industrial lands.

The port authority currently owns 236 acres of farmland – or about 0.3 per cent of all Metro Vancouver farmland. Our land strategy is to purchase as much industrial land as we can afford, and maximize the use of our existing lands. Buying agricultural land is a

last resort and one we are trying to avoid, but may be the only option if rezoning continues.

Regional land management discussion needed

The Vancouver Fraser Port Authority is advocating for a halt to the rezoning of industrial land, and a more thoughtful, multi-party discussion about management of land planning that will protect the region's agricultural land and ensure Canada's trade interests are similarly protected. Together, working with municipalities and others, we must protect what's left before it is too late.



Metro Vancouver ALR

Source: Farming in Metro Vancouver, 2014 (report of Metro Vancouver)

re Bylaw 8158 By CORRIE KOST, [REDACTED]
P.H. Jan 23/2018

Extracts from OCP...

Page 4: The District's industrial waterfront forms part of Canada's largest port, is a strategic national asset and provides significant business opportunities and local jobs for residents

Page 31: our industrial and light industrial employment lands play a vital role in achieving our vision of becoming a more complete and balanced community. These areas are predominantly dedicated to employment uses. The development of employment lands should provide for a continued and expanded supply of quality local jobs, enable reduced commuting times and associated greenhouse gas emissions and enhance the municipality's prosperity. The District's objective for employment lands is to encourage wealth-generating investment resulting in net new employment and increased tax revenue, which benefits the whole community

Page 32: With constraints on land supply, it is important to make efficient use of available areas on all employment lands. Intensifying economic uses in employment lands allows businesses to grow while keeping their overall footprint in the community small. The District's objective is to make more intense use of our employment land base. This means more jobs per acre, more opportunities for new business, and more revenue generating opportunities within the community.

Policies

1. Encourage a productive and efficient use of employment lands
2. Encourage infill development and the redevelopment of underutilized sites with Industrial and Light Industrial Commercial uses.

SUBMITTED AT THE

JAN 23 2018

PUBLIC HEARING