




City of Richmond

Report to Committee

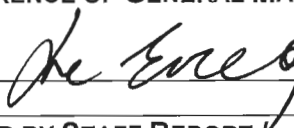


To: Planning Committee **Date:** August 20, 2019
From: Barry Konkin **File:** 01-0157-30-
RGST1/2019-Vol 01
 Manager, Policy Planning
Re: **Richmond Response: Metro Vancouver's Referral to Amend the Metro 2040 Regional Growth Strategy as Requested by the City of Delta**

Staff Recommendation

That staff be directed as detailed in the report titled "Richmond Response: Metro Vancouver's Referral to Amend the Metro 2040 Regional Growth Strategy as Requested by the City of Delta" dated August 20, 2019 from the Manager, Policy Planning, to advise the Metro Vancouver Regional District Board that the City of Richmond has no objections to the minor amendments outlined in the *Metro Vancouver* request dated June 10, 2019.

FOR 
 Barry Konkin
 Manager, Policy Planning
 (604-276-4139)

Att. 2

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER	
	
REVIEWED BY STAFF REPORT AGENDA REVIEW SUBCOMMITTEE	INITIALS: 
APPROVED BY CAO	
	

Staff Report

Origin

As requested by the City of Delta, the Metro Vancouver Regional District Board has initiated the process to amend the Regional Growth Strategy (Metro Vancouver 2040: Shaping our Future) for a 62.7 ha (155 ac) property located at 7969 Highway 91 Connector in Delta, by changing the regional land use designation from “Agricultural” to “Industrial”, and to include the lands within the Urban Containment Boundary.

As a member municipality, the City of Richmond has been invited to provide written comments on the proposed amendments to the Regional Growth Strategy (Attachment 1). Although Metro Vancouver has indicated a deadline for comments by September 6, 2019 in their attached letter, Metro Vancouver staff have indicated they would be able to receive comments on the proposed amendment during the week of September 9-13, 2019, in time to be incorporated into a staff report for the October 4, 2019 Metro Vancouver Regional District Board meeting.

This report supports Council’s 2018-2022 Term Goal Theme #5 – Sound Financial Management:

- 5.4 *Work cooperatively and respectfully with all levels of government and stakeholders while advocating for the best interests of Richmond.*

Background

The subject property owner (MK Delta Lands Group) owns approximately 202 ha (500 ac) of land in or near Burns Bog in Delta. In 2015, the owner submitted applications to the City of Delta to amend the City’s Official Community Plan, the zoning bylaw, the sanitary sewer area, and for a development permit, to allow for the development of an industrial business park for the 62.7 ha (155 ac) property located at 7969 Highway 91 Connector. The application also required approvals from the Agricultural Land Commission (ALC) and Metro Vancouver.

In 2016, the City of Delta Council referred the application to the ALC for consideration to exclude the subject property from the Agricultural Land Reserve (ALR), and to include a separate 78.1 ha (193 ac) parcel at 7007 Highway 91, owned by the same property owner, into the ALR. In 2018, the ALC conditionally approved the exclusion of the subject property and inclusion of the second parcel.

In February 2019, the City of Delta formally submitted an application to amend the Regional Growth Strategy for the subject property to change the regional land use designation of the subject property from “Agricultural” to “Industrial”, and to include the lands within the Urban Containment Boundary.

As per the Regional Growth Strategy, for sites that are contiguous with the Urban Containment Boundary and are not located within the ALR, a land use designation amendment from “Agricultural” to “Industrial”, and the associated Urban Containment Boundary adjustment, requires a Type 3 minor amendment. This amendment process includes a notification period to allow all affected local governments to provide comment on the proposed amendment. Following the comment period, the Metro Vancouver Regional District Board will review all

comments received, and consider third and final reading of the amendment bylaw. The proposed amendment requires the amendment bylaw to be passed by a 50%+1 weighted vote by the Metro Vancouver Regional District Board. The amendment bylaw does not require a regional public hearing.

If the Regional Growth Strategy amendment is adopted, approval from the Greater Vancouver Sewerage and Drainage District (GVS&DD) would also be required to extend the Fraser Sewerage Area to include the subject property.

Proposed Amendment

The proposed amendment results in 43.8 ha (108.2 ac) of land being added to the regional industrial inventory, and following approval, 132 ha (328 ac) of land transferred to the City of Delta to be a part of the Burns Bog Ecological Conservancy Area (BBECA) to ensure the long term protection of Burns Bog. The removal of the subject property from the ALR has been offset by the inclusion of a larger parcel, which would also be a part of the BBECA, with a net gain of 15.4 ha (38 ac.) of land within the ALR.

Further detail of the proposal is described below.

Burns Bog Ecological Conservancy Area (BBECA): In 2004, Delta, along with senior levels of government, purchased 2,000 ha (4,942 ac) of Burns Bog and established the BBECA which is jointly owned and operated by the City of Delta and Metro Vancouver. In 2013, the City of Delta approved the addition of another 400 ha (988 ac) of land around the perimeter of the BBECA. Subject to approval of the proposed amendment to allow industrial uses for the subject property, the property owner has committed to transferring three lots that it owns, totaling 132 ha (328 ac), to the City of Delta. Those lands would then become part of the BBECA and would resolve the remaining land holdings by MK Delta Lands Group to ensure the long term protection of Burns Bog.

The proposed development of the subject property would include environmental and agricultural buffers around the perimeter of the proposed development to protect the BBECA by keeping development run-off and bog water separate. The buffers will also serve to reduce the effects of noise, light, dust and litter on the Bog.

Industrial Land Inventory: The addition of the subject property to the regional industrial lands inventory would provide an additional 43.8 ha (108.2 ac) of industrial land, which would be of local and regional benefit from an industrial-activity, goods movement, and employment generating perspective. Locally, the subject property is in an area contiguous with other industrial lands along the Fraser River, and is in close proximity to Sunbury, Tilbury, and other River Road industrial areas. Regionally, the subject property has direct access to the South Fraser Perimeter Route, a key regional transportation connector.

Agricultural Land Reserve: In 2018, the ALC conditionally approved the exclusion of the 62.7 ha (155 ac) subject property from the ALR and inclusion of the 78.1 ha (193 ac) property at 7007 Highway 91 into the ALR resulting in a net gain of 15.4 ha (38 ac.) of land within the ALR. The ALC granted conditional approval to exclude the subject property from the ALR provided that a buffer is provided to the adjacent property to the east to support agriculture.

Overall Assessment: As the proposal would not have a measurable impact to Richmond, staff would recommend that Council direct staff to prepare a letter under the Mayor's signature advising the Metro Vancouver Regional District Board that the City of Richmond has no objections to the proposed amendment.

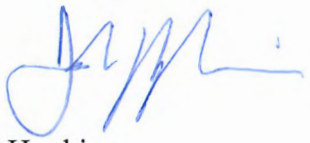
Financial Impact

None

Conclusion

The Metro Vancouver Regional District Board proposes to amend the Regional Growth Strategy for a 62.7 ha (155 ac) property located at 7969 Highway 91 Connector, by changing the regional land use designation from "Agricultural" to "Industrial", and to include the lands within the Urban Containment Boundary. If the proposed amendments are approved, the property owner would transfer 132 ha (328 ac) of land to the City of Delta to be a part of the Burns Bog Ecological Conservancy Area. The proposal would have no measurable impact to Richmond.

It is recommended that Council direct staff to prepare a letter under the Mayor's signature advising the Metro Vancouver Regional District Board that the City of Richmond has no objections to the Bylaw.



John Hopkins
Senior Policy Coordinator
(604-276-4279)

JH:le

- Att. 1: Letter and staff report from Metro Vancouver dated June 10, 2019
- 2: Supplemental materials submitted by the City of Delta to the Metro Vancouver Regional District



Office of the Chair
Tel. 604 432-6215 Fax 604 451-6614

JUN 10 2019

File: CR-12-01
Ref: RD 2019 May 24

Mayor Malcolm Brodie and Council
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Dear Mayor Brodie and Council:

Re: Metro 2040 Land Use Designation Amendment Request from the City of Delta – MK Delta Lands Regional Growth Strategy Amendment Bylaw No. 1283, 2019

On February 12, 2019, the City of Delta submitted a request to Metro Vancouver to amend *Metro 2040: Shaping Our Future (Metro 2040)* for a 62.7 ha (155 ac) property located at 7969 Highway 91 Connector, by changing the regional land use designation from "Agricultural" to "Industrial" and to include the lands within the Urban Containment Boundary.

At its May 24, 2019 regular meeting, the Board of Directors of the Metro Vancouver Regional District (Metro Vancouver) adopted the following resolutions:

That the MVRD Board:

- a) *initiate the regional growth strategy amendment process for the City of Delta's proposed regional growth strategy amendment for the property located at 7969 Highway 91 Connector;*
- b) *give first and second readings to "Metro Vancouver Regional District Regional Growth Strategy Amending Bylaw No. 1283, 2019";*
- c) *direct staff to notify affected governments as per Metro Vancouver 2040: Shaping Our Future Section 6.4.2; and,*
- d) *direct staff to request additional information from City of Delta staff as laid out in the report dated March 15, 2019, entitled "Metro 2040 Land Use Designation Amendment Request from the City of Delta – MK Delta Lands".*

As required in both the *Local Government Act* and *Metro 2040*, amendment processes include a notification period to allow all affected local governments to provide comment on the proposed amendment. Following the comment period, Metro Vancouver will review all comments received, and consider third and final reading of the amendment bylaw.

The proposed amendment is a Type 3 minor amendment to *Metro 2040*, which requires an amendment bylaw be passed by Metro Vancouver by a 50%+1 weighted vote. No regional public hearing is required. For more information on regional growth strategy amendment procedures,

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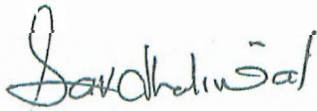
please refer to Sections 6.3 and 6.4 in *Metro 2040*. A Metro Vancouver staff report providing background information and an assessment of the proposed amendment regarding consistency with *Metro 2040* is enclosed.

You are invited to provide written comments on the proposed amendment. Please provide your comments by Friday, September 6, 2019. Comments can be provided via Council resolution.

As per MVRD Board resolution (d), Metro Vancouver staff will be in contact with City of Delta staff to request additional information, as laid out in the report dated March 15, 2019.

If you have any questions with respect to the proposed amendment, please contact Gord Tycho, Senior Planner, Regional Planning by email at Gordon.Tycho@metrovancover.org or by phone at 604-456-8805.

Yours sincerely,



Sav Dhalliwal
Chair, Metro Vancouver Board

SD/CM/NC/gt

Encl: Report dated May 15, 2019, titled "Metro 2040 Land Use Designation Amendment Request from the City of Delta – MK Delta Lands" (Doc #29622457)

To: MVRD Board of Directors

From: Neal Carley, General Manager, Planning and Environment

Date: May 15, 2019 Meeting Date: May 24, 2019

Subject: **Metro 2040 Land Use Designation Amendment Request from the City of Delta – MK Delta Lands**

At its April 5, 2019 meeting, the Regional Planning Committee considered the attached report, supported the staff recommendation, and advanced the report to the Board. At its April 26, 2019 meeting, the MVRD Board withdrew the attached report from its agenda at the request of the applicant. The City of Delta expressed interest in bringing the application to two additional Standing Committees for information, and as a result appeared as a delegation at the May 2, 2019 Industrial Lands Strategy Task Force meeting and the May 15, 2019 Regional Parks Committee meeting.

Regional Planning staff provided a presentation to describe the Metro 2040 amendment process, and considerations in evaluating the proposed amendment's impacts on the regional growth strategy's goals and policy actions. Staff noted to Committee members that if any comments were provided, they would be conveyed to the Board with the attached report.

At the Industrial Lands Strategy Task Force meeting, members articulated:

- that if approved, the type of industrial development should be consistent with the parcel's location on the goods movement network and support trade-enabling uses;
- concern about potential impact on bog hydrology;
- the uniqueness of the proposal in having multiple parcels with which to meet a broad range of regional and local objectives; and
- the inclusion of land into the Agricultural Land Reserve seems challenging as a regional benefit given there is no intent to farm the land.

At the Regional Parks Committee meeting, members articulated:

- concern about the potential impacts of the proposed development on the bog, particularly regarding fill, settlement on the site and water management;
- desire for ongoing monitoring post construction;
- continued involvement of the Burns Bog Scientific Advisory Panel at the design, construction and monitoring phases;
- that if approved, lots A, B and C be included in the Burns Bog Ecological Conservancy Area;
- recognition that with the current zoning, lots A, B and C are at risk;
- concern about speculation and an anticipated proposal for the lot to the east;
- the challenges with these types of complex applications and the inherent trade-offs; and
- that if approved, the type of industrial development be limited to activities that will minimize potential impacts on the bog.

Attachment:

"Metro 2040 Land Use Designation Amendment Request from the City of Delta – MK Delta Lands",
dated March 15, 2019

29622457

To: Regional Planning Committee

From: James Stiver, Division Manager, Growth Management and Transportation
Gord Tycho, Senior Planner, Regional Planning

Date: March 15, 2019 Meeting Date: April 5, 2019

Subject: **Metro 2040 Land Use Designation Amendment Request from the City of Delta – MK Delta Lands**

RECOMMENDATION

That the MVRD Board:

- a) initiate the regional growth strategy amendment process for the City of Delta’s proposed regional growth strategy amendment for the property located at 7969 Highway 91 Connector;
- b) give first and second readings to “Metro Vancouver Regional District Regional Growth Strategy Amending Bylaw No. 1283, 2019”;
- c) direct staff to notify affected governments as per *Metro Vancouver 2040: Shaping Our Future* Section 6.4.2; and,
- d) direct staff to request additional information from City of Delta staff as laid out in the report dated March 15, 2019, entitled “Metro 2040 Land Use Designation Amendment Request from the City of Delta – MK Delta Lands”.

PURPOSE

To provide, for Regional Planning Committee and MVRD Board consideration, Metro Vancouver staff’s analysis and recommendations regarding the City of Delta’s proposed Type 3 Land Use Designation amendment to *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy, for the MK Delta Lands (Attachment 1).

BACKGROUND

On February 12, 2019, the City of Delta submitted a proposed *Metro 2040* amendment to Metro Vancouver for the property located at 7969 Highway 91 Connector (Attachment 2). The proposed amendment is to change the regional land use designation of the subject property from “Agricultural” to “Industrial”, and to include the lands within the Urban Containment Boundary.

On June 10, 2016, Delta Council gave 1st reading to Official Community Plan Amendment Bylaw No. 7505, and 2nd reading was given on July 5, 2016. A local public hearing was held on July 26, 2016 and the Bylaw was subsequently given 3rd reading. The application was then referred to the Agricultural Land Commission, seeking exclusion of the subject property from the Agricultural Land Reserve (ALR), complemented by a proposal to add a second parcel to the ALR. In September of 2018, the Agricultural Land Commission conditionally approved the exclusion of the subject property and inclusion of the second parcel.

SITE DESCRIPTION

The subject property is a 62.7 ha (155 ac) undeveloped site located at 7969 Highway 91 Connector, just south of Highway 17 (South Fraser Perimeter Road) and adjacent to the Burns Bog Ecological Conservancy Area (BBECA) (Figure 1). The subject property is owned by MK Delta Lands Group. It is located in the ALR, but the owner is currently satisfying exclusion conditions with the Agricultural Land Commission. To the east are privately-owned undeveloped lands located in the ALR, a provincial highway maintenance area and Highway 91. Industrial uses are located to the north and east in the Sunbury industrial business area across the Highway 91 Connector and Highway 17 along Nordel Way and River Road. To the south are Lots A, B, and C (also owned by MK Delta Lands Group), and the BBECA to the south and west.

Figure 1: Subject Property Map



In addition to the proposed regional land use redesignation of Lot 4, the three additional parcels noted are part of the overall proposal. The property owner has committed to transfer Lots A, B, and C to the City of Delta for protection from future development, and include Lot B in the ALR. Lots A, B, and C are located adjacent to the BBECA and Lots B and C are wooded.

Burns Bog Ecological Conservancy Area

Burns Bog is a raised bog ecosystem covering approximately 3,000 ha (7,413 ac) of the Fraser River delta between the south arm of the Fraser River and Boundary Bay. The largest undeveloped urban landmass in North America, Burns Bog is globally unique because of its chemistry, form, flora and size. The BBECA consists of approximately 2,000 ha (5,000 ac) of land that was purchased in 2004 in an agreement between senior levels of government, Metro Vancouver and the City of Delta. As part of this agreement, a conservation covenant was registered on title of these lands that ensures the ecological integrity of the lands is protected. The BBECA is jointly operated by Metro Vancouver and the City of Delta.

Table 1: Subject Property (Lot 4) - Summary

Parcel Location	7969 Highway 91 Connector, City of Delta	
Parcel Size	62.7 ha (155 ac)	
Proposed Development	Development of a 9-lot industrial subdivision over a developable area of 43.79 ha (108.2 ac). Remainder of area to occupied by internal roads and utilities, future highway access, and protection (buffer) / enhancement areas.	
	Current	Proposed
Urban Containment Boundary (UCB)	Outside of the UCB	Include the parcel within the UCB
Metro 2040 Designation	Agricultural	Industrial
City of Delta OCP Designation	Agricultural (A)	Industrial (I)
Municipal Zoning	I3 Extraction Industrial*	CD Comprehensive Development (site-specific)**
ALR	Exclusion granted by ALC subject to conditions (agriculture / environment buffers). History of peat extraction.	
* Extraction activities are subject to non-farm use approval by ALC.		
** Proposed CD Zone allows light industrial uses on the majority of the site with environmental buffers along the perimeter. Allowable light industrial uses include warehousing, wholesaling and distribution, transportation, communication, equipment sales, repair and servicing, etc., but restrict container storage and uses with higher potential for emissions of air contaminants and spills of hazardous materials.		

APPLICATION HISTORY

The subject property owner (MK Delta Lands Group) owns approximately 202 hectares (500 acres) of land in or near Burns Bog. In 2015, the owner submitted applications to the City of Delta to amend the City’s Official Community Plan (OCP), the zoning bylaw, the sanitary sewer area, and for a development permit, to allow for the development of an industrial business park on the subject property.

The application also included requests to:

- exclude the subject property (Lot 4) from the ALR;
- amend the regional land use designation of Lot 4 in *Metro 2040* from Agricultural to Industrial, and include the lands within the Urban Containment Boundary;
- amend the Fraser Sewerage Area to include the subject property;
- include Lot B (one of three other lots owned by MK Delta Lands Group to the south) into the ALR (Figure 1); and
- transfer three other parcels of land owned by the property owner (i.e. Lots A, B and C) into public ownership.

In July 2016, City of Delta Council gave the OCP Amendment Bylaw 3rd reading, and referred the application to the Agricultural Land Commission for consideration to exclude the subject property from the ALR and to include Lot B into the ALR. In August 2017, the Agricultural Land Commission conditionally approved the application. In September 2018, the Agricultural Land Commission Executive Committee upheld the South Coast Panel's August 2017 decision.

Metro 2040 sets out that an ALR exclusion must be granted before Metro Vancouver can consider an application for amendment from the *Metro 2040*'s Agricultural designation (Section 2.3.4). The City of Delta and the owner are working with Agricultural Land Commission staff to finalize the conditions of approval.

Proposed *Metro 2040* Amendment

As per Section 6.3.4(f) of *Metro 2040*, for sites that are contiguous with the Urban Containment Boundary and are not within the ALR, a land use amendment from Agricultural to Industrial, and the associated Urban Containment Boundary adjustment, requires a Type 3 minor amendment to *Metro 2040* (i.e. an amendment bylaw passed by a majority weighted vote and no regional public hearing).

The proposed *Metro 2040* amendment also triggers the need for a revised Regional Context Statement from the City of Delta so that the mapping in the City's OCP, the RCS and *Metro 2040* will be consistent. The City's amended RCS request will be forwarded to the MVRD Board for consideration should direction be given to initiate the regional growth strategy amendment, consistent with *Regional Growth Strategy Implementation Guideline #1: Regional Context Statements*.

ANALYSIS OF ALIGNMENT WITH *METRO 2040*

Metro 2040 provides a framework for assessing the proposed amendments. Consideration has been given to each of the five *Metro 2040* goals and applicable strategies, which are summarized below.

GOAL 1 – CREATE A COMPACT URBAN AREA

Strategy 1.1: Contain Urban Development within the Urban Containment Boundary

Given the location and site context of the subject property, an extension of the Urban Containment Boundary will likely not lead to a proliferation of applications. It is noted that there is one large property to the east that is currently in the ALR. If the redesignation application for the subject

property is successful, this large remaining parcel will be additionally isolated, and one can anticipate an increased likelihood of a future application for a *Metro 2040* amendment for that property.

GOAL 2 – SUPPORT A SUSTAINABLE ECONOMY

Strategy 2.2: Protect the supply of Industrial land

The addition of the subject property to the regional industrial lands inventory would provide an additional 43.8 ha (108.2 ac) of industrial land, which would be of local and regional benefit from an industrial-activity, goods movement, and employment generating perspective. Locally, the subject property is in an area contiguous with other industrial lands along the Fraser River, and is in close proximity to Sunbury, Tilbury, and other River Road industrial activities. Regionally, the subject property has direct access to the South Fraser Perimeter Road, a key transportation connector for moving people and goods in and through the region.

It is beyond the scope of the assessment of the proposed regional land use redesignation to consider the type and tenure of industrial activity planned for the subject property. That said, the specifics associated with type and tenure of activity do have regional implications. For example, if the site is developed as a strata development, having a large number of owners on site likely increases the impact risk to the adjacent Burns Bog. Conversely, with a shortage of large, flat, accessible distribution-oriented parcels available in the regional industrial land inventory, this site would serve well for a trade-enabling supportive use given its proximity to the Port and goods movement network.

Strategy 2.3: Protect the supply of agricultural land and promote agricultural viability with an emphasis on food production

The subject property has a regional Agricultural land use designation as it was within the ALR at the time *Metro 2040* was adopted. As part of the application process, the owner sought to have the subject property excluded from the ALR. It had never been farmed. The Agricultural Land Commission has granted conditional approval to the exclusion subject to the addition of a buffer to the adjacent property to the east to support agriculture. In addition, \$6 million will be put toward drainage and irrigation improvements for Westham Island and East Delta, and, Lot B (approximately 78 ha) has been included in the ALR. There is a resulting net gain of approximately 15 ha (37 ac) of agricultural land in the proposal, and the Agricultural Land Commission states that Lot B is more agriculturally viable than Lot 4.

GOAL 3 – PROTECT THE ENVIRONMENT AND RESPOND TO CLIMATE CHANGE IMPACTS

Strategy 3.1: Protect Conservation and Recreation lands

The owner is proposing to transfer its remaining holdings in the area to the City of Delta, which has committed to manage these lands consistent in the BBECA. Lots A, B, and C, total 132.7 ha in size. All three parcels currently have a regional Conservation and Recreation land use designation, however these privately-owned lands are currently zoned Extraction-industrial (I3) in the City's zoning bylaw. This zoning permits a range of industrial extraction activities for sand, gravel, and peat, as well as related processing, such as crushing, screening, and stockpiling. The City of Delta application states that the transfer of these lands into public ownership protects additional bog lands from future development and resolves the remaining MK Delta Lands Group holdings adjacent to the bog.

An Environmental Effects Assessment for the subject property was prepared by Environmental Dynamics as part of the proposal. The study concludes that the proposed industrial development, in

conjunction with the transfer of approximately 132 ha (326 ac) of Lots A, B, and C to public ownership results in a net gain in ecologically-sensitive lands, vegetation, and wildlife habitat protection. The study also finds a net gain for all broad ecosystem types, save for herb dominated habitat. Metro Vancouver staff note that Lots 4, A, B, and C are entirely comprised of sensitive ecosystems in the Metro Vancouver Sensitive Ecosystem Inventory. Lots 4, A, and B are wetland bog, and exhibit evidence of past peat harvesting, but recovery is in progress for all three sites. Lot 4 is in moderately better condition than Lot B, and Lot C is a mix of wetland bog and wetland swamp.

Strategy 3.2: Protect and enhance natural features and their connectivity

Looking at the overall trade-offs for the environment given the four properties at play is one aspect to consider, but the potential impacts for the subject property of the amendment from Agricultural to Industrial and the potential impacts on the adjacent bog is of critical importance to consider. To mitigate and monitor the proposal, environmental buffers are proposed around the perimeter of the development area, with the objective of separating bog waters and any run-off from the proposed industrial development. The proposed protection and enhancement areas on the subject property total approximately 12 ha (30 ac). Water quality and water level monitoring will be undertaken as part of stormwater management activities before, during, and after construction to ensure effective protection of adjacent bog lands. The owner has committed to 50 m buffers along the southern and western property border at the request of the Burns Bog Ecological Conservancy Area Scientific Advisory Panel.

The proposed development of the subject property will require up to 6 m (20 ft) of fill to raise the elevation and offset an anticipated 3 m of ground settlement. Potential impacts to the bog from surcharge loading and other construction activities are being addressed through water quality and water level monitoring. The introduction of fill to the site and the resulting sub-surface effects could have wide-ranging impacts including peat damage / fissures, a lowered water table, the intrusion of nutrient water, and an increased risk of fire and invasive species on the bog.

Metro Vancouver staff recommend that further information be sought from the City of Delta about the potential impacts and planned mitigation efforts for the addition of fill. Staff also recommend that the City of Delta consult with the Burns Bog Scientific Advisory Panel on these potential impacts.

GOAL 5 – SUPPORT SUSTAINABLE TRANSPORTATION CHOICES

Strategy 5.2: Coordinating land use and transportation to support the safe and efficient movement of vehicles for passengers, goods, and services

The subject property is well positioned to support regional goods movement due to its proximity to the U.S. border, Roberts Bank Container terminal, and other industrial docks and facilities along the Fraser River (i.e. Sunbury, River Road, Tilbury). Immediate adjacency to Hwy 17 allows direct access to an important regional goods movement corridor, thereby minimizing impact on residential areas and improving safety.

REQUEST FOR ADDITIONAL INFORMATION

As part of the review of the proposed amendment submission, Metro Vancouver staff identified a number of areas that would benefit from further information from the City of Delta. Two of these areas deal with the width of the proposed environmental buffers for the subject property and clarity

on the potential impacts of site surcharge loading. In addition, Water and Liquid Waste staff are also seeking further information.

Delta's application noted that environmental buffers will be provided and that water quality and water level monitoring will be undertaken as part of stormwater management activities before, during, and after construction to ensure effective protection of adjacent bog lands. In June 2016, the Burns Bog Scientific Advisory Panel recommended increasing the environmental buffers from 30 to 50 metres along both the west and south sides of the subject property. City of Delta staff have confirmed that, in response to the Scientific Advisory Panel's June 2016 comments, the property owner committed to increase the west perimeter buffer on the subject property from 30 m to 50 m.

City staff also stated that the plans, reports and detailed engineering servicing drawings will be revised to reflect the adjusted buffers should this application receive approval from Metro Vancouver. It has also been confirmed with the City of Delta the intent to have the Burns Bog Scientific Advisory Panel comment on any mitigation, maintenance and monitoring plans to be prepared for the environmental buffer as this application progresses.

Should the MVRD Board initiate the proposed amendment, staff will follow up with City staff regarding the following:

- 1) the rationale for maintaining the southern perimeter buffer width at 30 m and not 50 m.
- 2) Clarity on the information regarding the potential impacts of site surcharge loading, both over the short and long term and a rationale as to why the proposed surcharge loading of fill on Lot 4 is not expected to have an impact on the Bog's integrity.
- 3) Additional information on the anticipated impacts of the proposed amendment on the City's estimated water purchases from Metro Vancouver as a result of the proposed industrial development.
- 4) A request that, for consideration of the requested extension of the Fraser Sewerage Area, general design features be provided for the proposed sanitary system including projected flows.

Staff will provide any new information related to responses obtained to the above questions at the time it receives the comments from affected local governments and the MVRD Board considers subsequent readings of the amendment bylaw.

REGIONAL PLANNING ADVISORY COMMITTEE REVIEW

As per *Regional Growth Strategy Procedures Bylaw No. 1148, 2011* (amended in 2014) and *Regional Growth Strategy Implementation Guideline #2 Amendments to the Regional Growth Strategy*, the City of Delta application for the MK Delta Lands and staff assessment presented in this report was presented to the Regional Planning Advisory Committee at its meeting on March 15, 2019. No comments were made.

NEXT STEPS

Should the process for considering the *Metro 2040* amendment be initiated by the MVRD Board and the draft bylaw be given 1st and 2nd readings, staff will notify affected governments as per *Metro 2040* Section 6.4.2., and provide a comment period of approximately 45 days. The proposed amendment also triggers the need for a revised Regional Context Statement from the City of Delta so that mapping in the City's OCP, RCS and *Metro 2040* will be consistent. The City of Delta will forward its Regional Context Statement to Metro Vancouver for consideration by the MVRD Board.

Should the initial readings of the amendment bylaw be given, staff anticipate reporting back to the MVRD Board at its July 2019 meeting with a summary of comments on the proposed amendment, the updated Regional Context Statement, and the draft amendment bylaw for consideration of 3rd and final reading. If approval is given, consideration of the City's requested extension of the Fraser Sewerage Area could then be considered by the Liquid Waste Committee and Greater Vancouver Sewerage & Drainage District Board.

ALTERNATIVES

1. That the MVRD Board:
 - a) initiate the regional growth strategy amendment process for the City of Delta's proposed regional growth strategy amendment for the property located at 7969 Highway 91 Connector;
 - b) give first and second readings to "Metro Vancouver Regional District Regional Growth Strategy Amending Bylaw No. 1283, 2019";
 - c) direct staff to notify affected governments as per *Metro Vancouver 2040: Shaping Our Future* Section 6.4.2; and,
 - d) direct staff to request additional information from City of Delta staff as laid out in the report dated March 15, 2019, entitled "Metro 2040 Land Use Designation Amendment Request from the City of Delta – MK Delta Lands".

2. That the MVRD Board decline the proposed amendment for the MK Delta Lands and notify the City of Delta of the decision.

FINANCIAL IMPLICATIONS

If the MVRD Board chooses Alternative 1, notification will be given to all affected local governments as laid out in the *Local Government Act* and *Regional Growth Strategy Implementation Guideline #2: Amendments to the Regional Growth Strategy*.

If the MVRD Board chooses Alternative 2, the City of Delta will be notified of the Board's decision. A dispute resolution process may take place as described in the *Local Government Act*. The cost of this dispute resolution is prescribed based on the proportion of assessed land values. Metro Vancouver would be responsible for most of the associated costs.

SUMMARY / CONCLUSION

On February 12, 2019, the City of Delta submitted a request to Metro Vancouver to amend the regional land use designation for a property located at 7969 Highway 91 Connector in Delta. The City is requesting an amendment to the regional land use designation for the subject property from

Agricultural to Industrial, and to include the subject property within the Urban Containment Boundary.

Should the amendment be approved, the property owner has committed to transfer three other lots that it owns, totalling 132 ha (328 ac), that are located adjacent to the Burns Bog Ecological Conservancy Area, to the City of Delta for protection from future development. In addition, one of those properties will also be included in the ALR, and funds will be provided by the owner to improve drainage and irrigation on agricultural lands elsewhere in the municipality.

Staff conclude that the proposed amendment will result in a net benefit to the municipality and region by: increasing the supply of industrial lands in the region; increasing land in the ALR and providing funds to improve the productivity of other agricultural lands; and increasing the protection of ecologically important lands contiguous with Burns Bog by eliminating the potential for permitted industrial extraction activities on three additional parcels by transferring them to public ownership.

Staff note a concern with the mitigation measures proposed for the industrial development on lands to be redesignated (Lot 4). There is likely a significant environmental impact to converting these lands to industrial uses, and an increased risk to the BBECA. Given that the parcel to the east of Lot 4 would be further isolated as a result of the proposal, the likelihood of a future application for its redesignation also increases.

As a result of the complete analysis, staff recommend Alternative 1, to initiate the proposed amendment and request further information from the City of Delta regarding proposed environmental mitigation measures for the subject property.

Attachments:

1. Metro Vancouver Regional District Regional Growth Strategy Amending Bylaw No. 1283, 2019.
2. City of Delta Referral to Metro Vancouver for the MK Delta Lands Group Industrial Development Application at 7969 Highway 91 Connector, Delta (569244 BC Ltd.) (*orbit doc #28905443*)

28905446

**METRO VANCOUVER REGIONAL DISTRICT
REGIONAL GROWTH STRATEGY AMENDMENT BYLAW NO. 1283, 2019**
A Bylaw to Amend "Greater Vancouver Regional District Regional Growth Strategy
Bylaw Number 1136, 2010"

WHEREAS the Metro Vancouver Regional District (the "MVRD) Board (the "Board") has adopted the "Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010" on July 29, 2011;

WHEREAS the Metro Vancouver Regional District wishes to amend "Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010";

NOW THEREFORE the Metro Vancouver Regional District Board of Directors enacts as follows:

1. "Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010" is hereby amended as follows:
 - a) Re-designating the subject property at 7969 Highway 91 Connector (Lot 4 Plan NWP1180 District Lot 437 Land District 2 Land District 36 Except Plan EPP375) from Agricultural to Industrial, as shown in the maps contained in Schedule "A" attached to and forming part of this Bylaw;
 - b) Extending the Urban Containment Boundary to encompass the subject property at 7969 Highway 91 Connector (Lot 4 Plan NWP1180 District Lot 437 Land District 2 Land District 36 Except Plan EPP375), as shown in the maps contained in Schedule "A" attached to and forming part of this Bylaw; and
 - c) Maps 2, 3, 4, 6, 7, 11, and 12, contained in Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010 are deleted and replaced with Maps 2, 3, 4, 6, 7, 11, and 12 as contained in Schedule "B" attached to and forming part of this Bylaw.
2. This bylaw shall be cited as "Metro Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1283, 2019". This bylaw may be cited as "Regional Growth Strategy Amendment Bylaw No. 1283, 2019".

READ A FIRST TIME this _____ day of _____, 2019.

READ A SECOND TIME this _____ day of _____, 2019.

READ A THIRD TIME this _____ day of _____, 2019.

PASSED AND FINALLY ADOPTED this _____ day of _____, 2019.

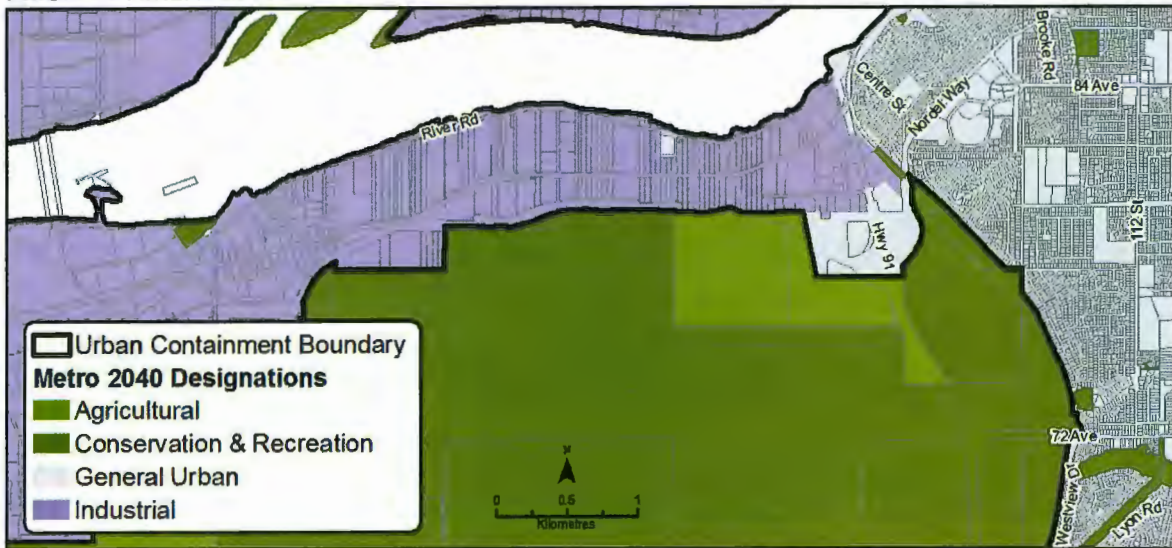
Sav Dhaliwal, Chair

Chris Plagnol, Corporate Officer

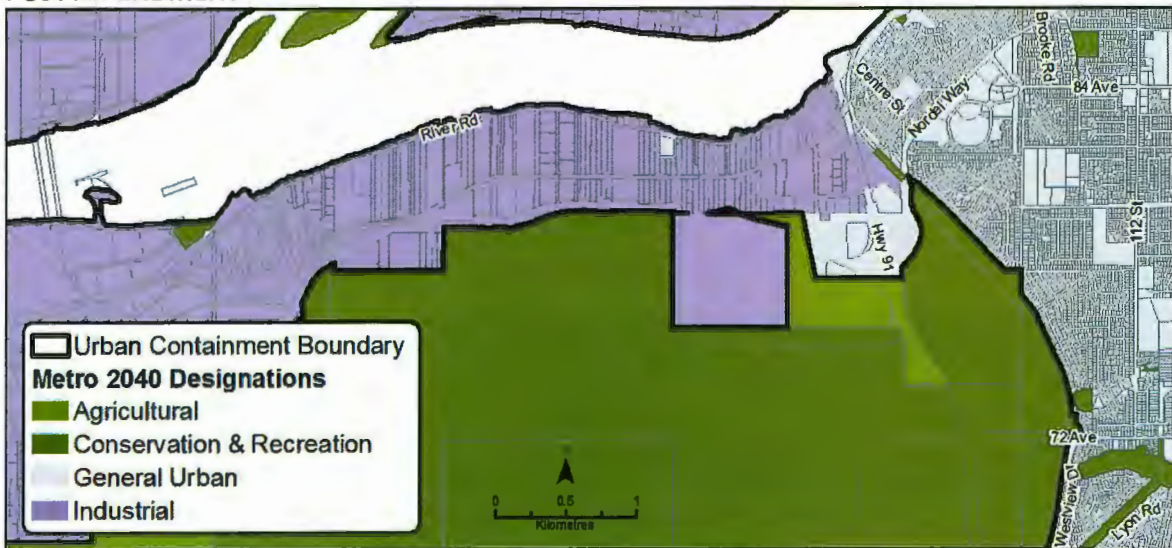
SCHEDULE A

The subject property at 7969 Highway 91 Connector includes lands redesignated from Agricultural to Industrial.

PRIOR TO AMENDMENT

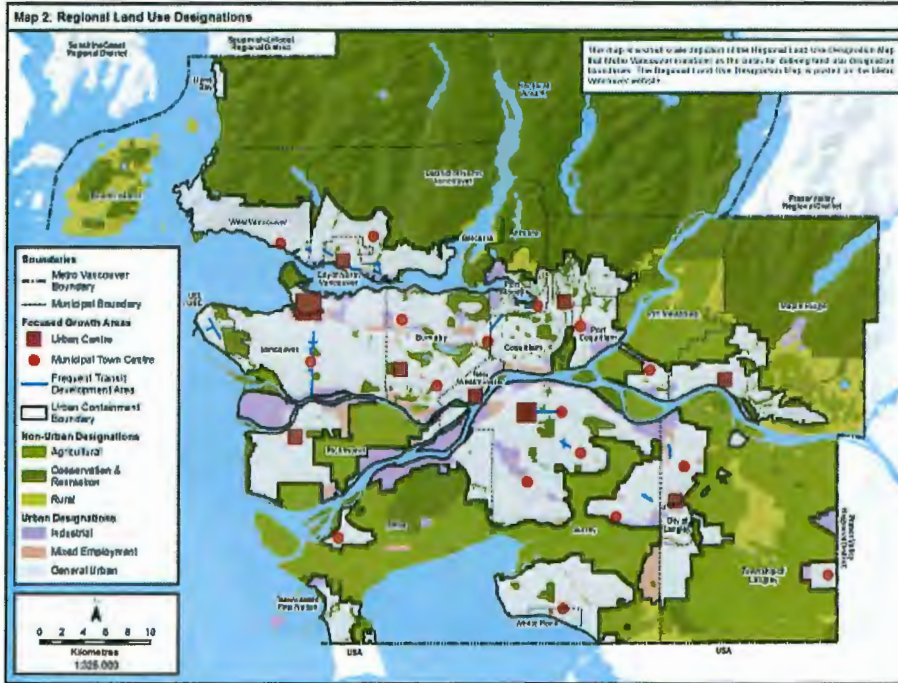


POST AMENDMENT

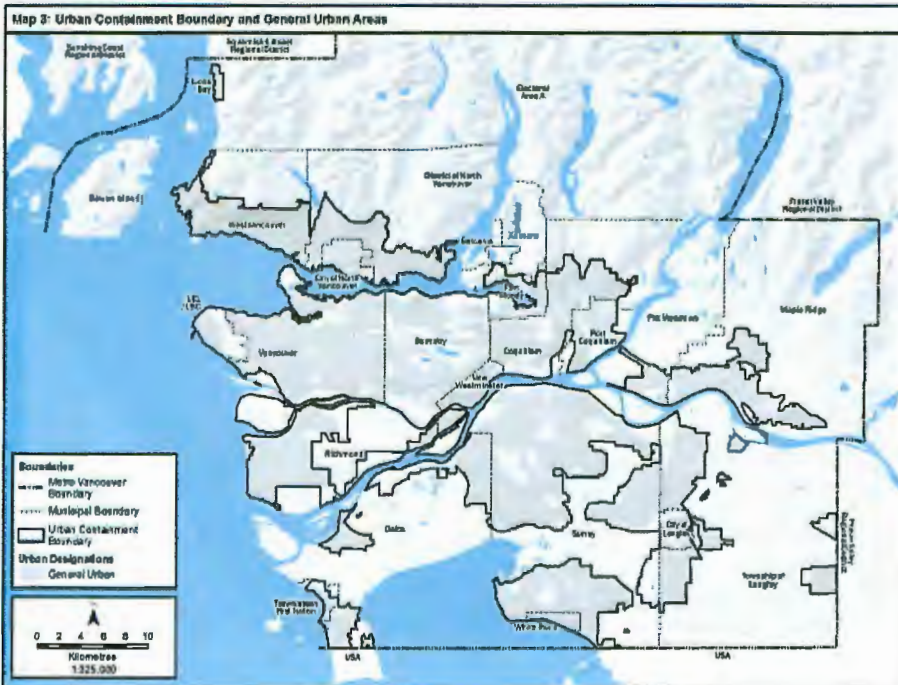


SCHEDULE B

Map 2 Regional Land Use Designations

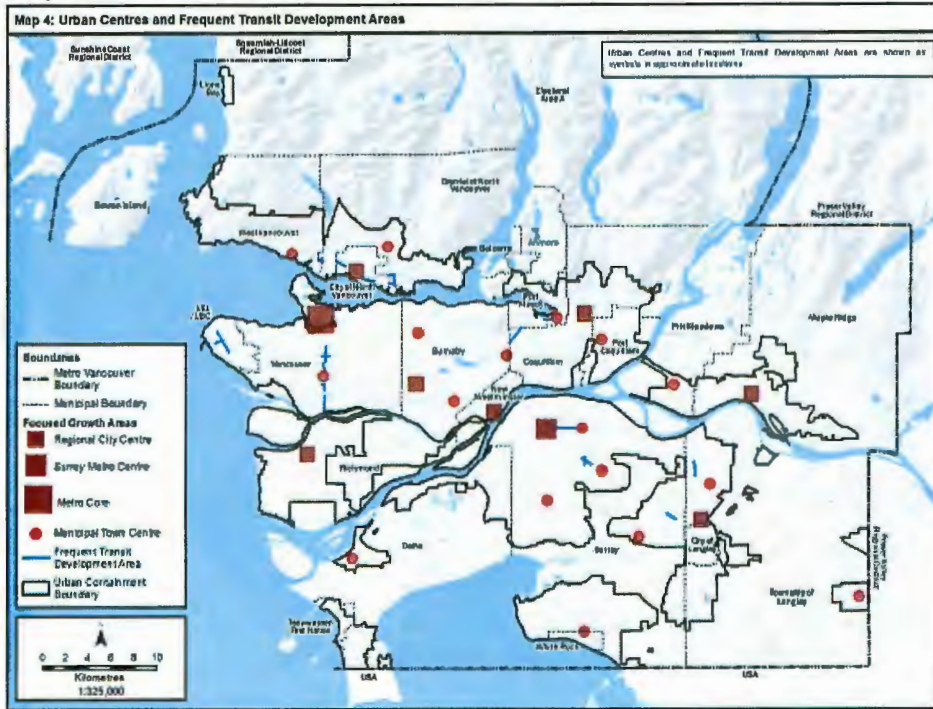


Map 3 Urban Containment Boundary and General Urban Areas



SCHEDULE B (continued)

Map 4: Urban Centres and Frequent Transit Development Areas

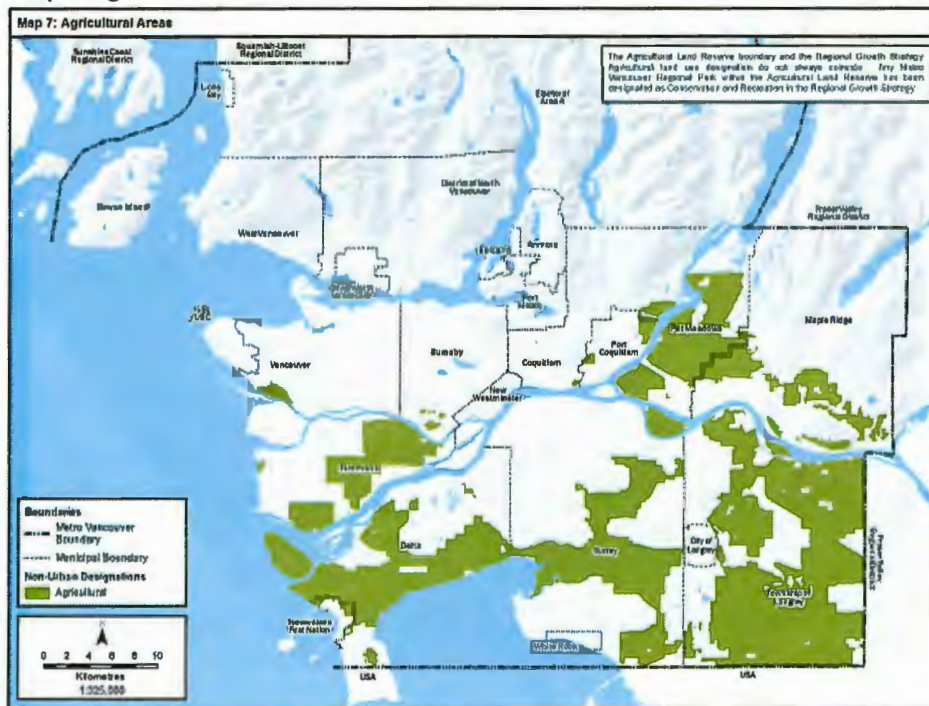


Map 6: Industrial and Mixed Employment Areas

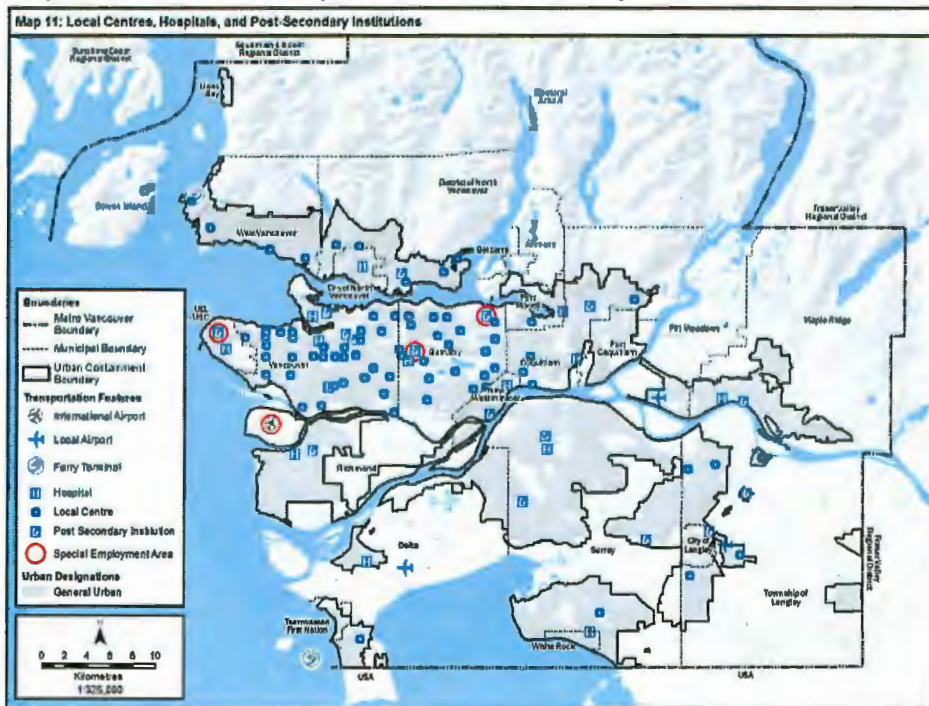


SCHEDULE B (continued)

Map 7 Agricultural Areas

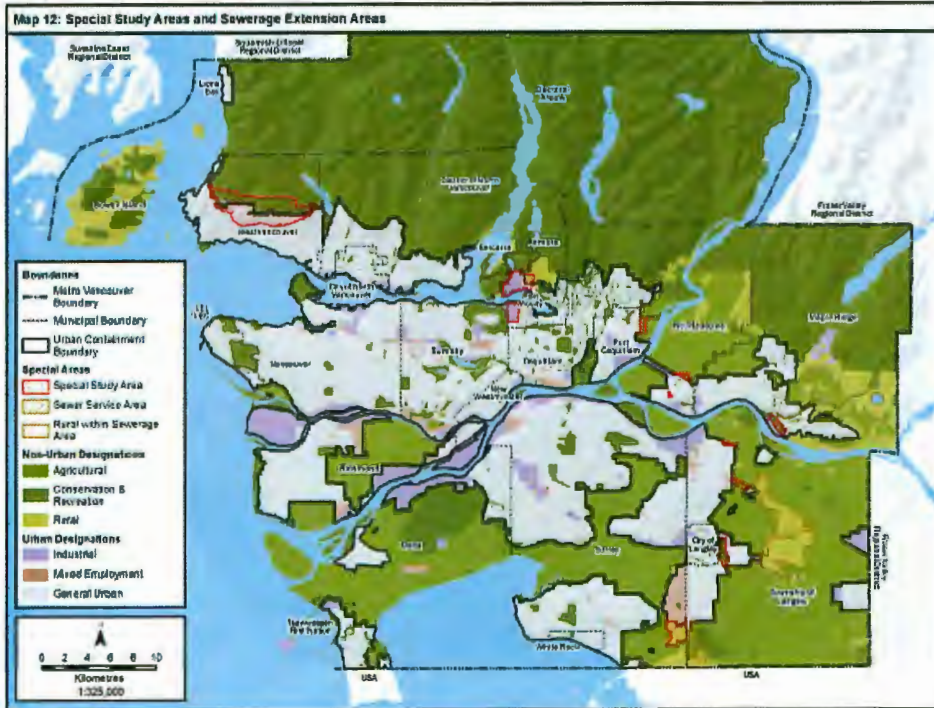


Map 11 Local Centres, Hospitals and Post-Secondary Institutions



SCHEDULE B (continued)

Map 12 Special Study Areas and Sewerage Extension Areas





CITY OF DELTA
Office of The Mayor, George V. Harvie



February 19, 2019

Sav Dhaliwal, Chair
 Metro Vancouver Board of Directors
 4730 Kingsway, Metro Tower III
 Burnaby, BC V5H 0C6

Dear Chair Dhaliwal,

Re: Referral to Metro Vancouver for the MK Delta Lands Group Industrial Development Application at 7969 Highway 91 Connector, Delta (569244 BC Ltd.)

The purpose of this letter is to refer the industrial development application for the MK Delta Lands Group to Metro Vancouver, and to seek approval of amendments to the Regional Growth Strategy and Fraser Sewerage Area.

Proposal

The MK Delta Lands Group application involves a master-planned industrial subdivision with environmental and agricultural buffers on the 62.7 ha (155 ac) site at 7969 Highway 91 Connector as shown on the Location Map on the following page. The site is located just south of Highway 17 (South Fraser Perimeter Road) and the existing Sunbury industrial business area and it is adjacent to the Burns Bog Ecological Conservancy Area (BBECA). The subject property is located within the Agricultural Land Reserve (ALR), but has received conditional approval for exclusion. The subject property is currently designated Agricultural (A) in Delta's Official Community Plan and zoned Extraction Industrial (I3) in Delta's Zoning Bylaw. The following is a summary of the proposed land use components which are illustrated on the development concept plan in Attachment A:

Proposed Land Use	Area
Industrial (developable area)	43.79 ha (108.2 ac)
Internal Roads and Utilities	3.38 ha (8.4 ac)
Future Highway Access	3.08 ha (7.6 ac)
Protection/Enhancement Areas:	
West and South Perimeter Buffer, Fill Slope and Maintenance Access	5.92 ha (14.6 ac)
North Undisturbed Area and Fill Slope	6.23 ha (15.4 ac)
East Perimeter Ditch and Fill Slope	0.3 ha (0.74 ac)
Total:	62.7 ha (155 ac)

Location Map



Environmental and Agricultural Benefits and Community Amenities

Given the location of the site, the applicant is proposing buffers around the perimeter of the development area to protect the adjacent BBECA by keeping development run-off and bog waters separate (refer to the BBECA mitigation buffer in Attachment A). The buffer areas to the west and south would be owned and managed by Delta; however, the applicant would be responsible for the installation of the berm and fill slope and interim maintenance and monitoring prior to Delta assuming responsibility for the buffer area. The north and east buffers would be on privately owned lands. Water quality and water level monitoring would be done before, during and after construction to ensure effective protection of the BBECA.

Access to the site is proposed from an improved connection to the Highway 91 Connector. The existing Highway 17 (SFPR) and Highway 91 Connector junction is a signalized at-grade intersection and is currently operating at capacity during the peak periods. To support the continual traffic growth on the SFPR and the Highway 91 Connector, the Province is undertaking improvements to the Sunbury Interchange involving grade separation of the intersection of Highway 91 Connector and SFPR, upgrade of the Highway 91 and Nordel Way interchange, and access improvements at River Road and SFPR. The proposed industrial development on the subject property would be contingent upon or phased to coincide with the completion of the Sunbury Interchange project.

Should the industrial development application be approved, the applicant has committed to providing land dedication and \$11 million towards the following:

- Transferring the following lands to Delta:
 - 132.7 ha (328 ac) of land (Lots A, B and C) as shown on the Location Map. This would place additional bog lands in public ownership. These privately owned lands are currently located outside of the ALR and the BBECA. As part of this application, Lot B (7007 Highway 91) would be included in the ALR. Lots A, B and C are zoned Extraction Industrial (I3) which permits a range of industrial extraction activities including peat extraction. Dedication to Delta would protect these lands from future development or disturbance.
 - 5.92 ha (14.6 ac) as shown as the BBECA mitigation buffer on Attachment A. This lot would contain an environmental buffer area along the west and south property lines and maintenance access.
- \$6 million towards agricultural drainage and irrigation improvements. The applicant commissioned a study to identify opportunities to improve agricultural capability and suitability on Westham Island that found that unless sufficient suitable irrigation water and improved drainage can be supplied to Westham Island, crop production is anticipated to decrease and the effects of salinity on soils may increase. Improving components of Delta's existing irrigation and drainage system would increase the availability of non-saline irrigation water to Westham Island. Part of the financial contribution would also be set aside for East Delta drainage and irrigation improvements.
- \$5 million towards transportation improvements and community amenities as determined by Council.

Process

The proposal requires amendments to Delta's Official Community Plan and Zoning Bylaw, a sanitary sewer area extension and a development permit in order to allow for an industrial subdivision. The application also included a request to exclude the subject property from the ALR, a request to amend the Metro Vancouver Regional Growth Strategy to permit industrial uses on the subject property, and a request to include Lot B (7007 Highway 91) into the ALR. The

Provincial Agricultural Land Commission (ALC) has conditionally approved the exclusion and inclusion applications (refer to the ALC Decision section below).

This application has been under consideration since April 2015. Delta has, throughout that period, undertaken extensive analysis of the project and has consulted with the community. The consultation process included:

- Public Information Meeting hosted by the MK Delta Lands Group on February 25, 2016
- Public Information Meeting hosted by Delta on May 25, 2016
- Public Hearing on July 26, 2016

Throughout the application process, a number of technical studies have been completed. The application analysis is provided in the staff report dated June 10, 2016 which was considered by Council at their June 20, 2016 Regular Meeting. The studies and other documents are available through Delta's website at www.delta.ca/mkindustrial.

On June 20, 2016, Council gave first and second readings to Bylaws No. 7505, 7506 and 7507, and first, second and third readings to Bylaw No. 7508. On July 11, 2016, Council rescinded second reading of Bylaw No. 7505, and gave second reading to an amended bylaw that corrected an error in the regional land use designation. These bylaws would:

- amend the regional land use designation in the Regional Context Statement in Schedule A of the Official Community Plan from Agriculture to Industrial and extend the Urban Containment Boundary to include the subject property (Bylaw No. 7505);
- amend the land use designation for the subject property in the Future Land Use Plan in Schedule A of the Official Community Plan from Agricultural (A) to Industrial (I) (Bylaw No. 7506);
- rezone from I3 Extraction Industrial to Comprehensive Development Zone No. 474 (C.D. 474) to permit industrial uses on a majority of the site with environmental buffers along the perimeter (Bylaw No. 7507); and
- extend the Sewer Area boundary to include the subject property in Delta's Sewer Area and Metro Vancouver's Fraser Sewerage Area (Bylaw No. 7508).

On June 20, 2016, Council also received Development Permit LU007445 which would address environmental setbacks within the Streamside Protection and Enhancement (SPEA) Development Permit Area.

Bylaws No. 7505, 7506 and 7507 and Development Permit LU007445 were referred to the July 26, 2016 Public Hearing. At the Public Hearing there were:

- 25 speakers: 11 in support, 10 in objection, 3 with concerns, and 1 comment;
- 89 letters: 36 in support, 45 in objection and 8 with concerns; and

- 5 petitions in objection with a total of 1,416 hard copy signatures and 944 online.

At the Meeting Following the Public Hearing on July 26, 2016, Council gave third reading to Bylaws No. 7505, 7506 and 7507. On July 24, 2017, Council extended third reading of Bylaws No. 7505, 7506, 7507 and 7508 to December 31, 2018.

On July 26, 2016, Council also endorsed the following motions:

- THAT the Metro Vancouver Board be requested to amend "Greater Vancouver Regional Growth Strategy Bylaw No. 1136, 2010" by changing the regional land use designation of the property at 7969 Highway 91 Connector from Agriculture to Industrial and to include the subject property in the Urban Containment Boundary; and
- THAT the Metro Vancouver Board be required to approve "Delta Sewer Area Extension and Enlargement (MK Delta Lands Group – LU007445) Bylaw No. 7508, 2016" to extend the sewer area to include the property at 7969 Highway 91 Connector.

Referrals for the amendments to the Regional Growth Strategy and the Fraser Sewerage Area are now being undertaken following the ALC's recent conditional approvals (see below).

Provincial Agricultural Land Commission Decision

The applications to exclude the 62.7 ha (155 ac) property at 7969 Highway 91 Connector from the ALR and to include the 78.1 ha (193 ac) property at 7007 Highway 91 (Lot B) into the ALR were conditionally approved by the ALC on September 11, 2018. The majority of the ALC Executive Committee upheld an August 2017 conditional approval decision of the South Coast Panel. The key points of the decision include:

1. The proposed industrial property at 7969 Highway 91 Connector (subject property) has a history of peat extraction and has been disturbed to a greater extent than the property proposed for inclusion at 7007 Highway 91 (Lot B). The Panel found that both properties exhibit a bog ecosystem and that a cranberry operation would be the most suitable agricultural use; however, establishing a cranberry operation on the subject property would be unreasonably difficult due to the degree of disturbance exhibited. As such, the property at 7969 Highway 91 Connector is suitable for exclusion from the ALR.
2. Due to the lesser degree of disturbance and the greater probability of future agricultural remediation, 7007 Highway 91 (Lot B) is suitable for inclusion into the ALR.
3. A covenant that restricts agricultural uses on 7007 Highway 91 (Lot B) is not appropriate for a parcel within the ALR as it would preclude any future remediation and use of the property for agriculture. The Panel is opposed to a restrictive covenant or any future Official Community Plan and rezoning amendment that would prohibit agricultural uses on Lot B.

The ALR exclusion and inclusion approval are subject to the following conditions:

- Submission of a vegetative buffering plan, prepared by a qualified professional, for all boundaries of 7969 Highway 91 Connector that abut ALR lands consistent with section 3.8b in the Ministry of Agriculture and Lands' Guide to Edge Planning. The plan must be reviewed and approved by the ALC;
- Installation of the required vegetative buffering plan;
- Agriculture cannot be restricted on 7007 Highway 91 (Lot B) by covenant or otherwise; and
- Any future Official Community Plan or rezoning amendments for 7007 Highway 91 (Lot B) Connector must include agricultural uses and be subject to ALC review and approval.

ALC staff have advised that the exclusion conditions would be satisfied by the submission and approval of the vegetative buffering plan, registration of a covenant on the property at 7969 Highway 91 Connector between the applicant, Delta and the ALC for the installation and maintenance of the agricultural buffer and provision of a letter of credit for the cost of agricultural buffer to be held by the ALC. The applicant prepared a vegetative buffering plan that was accepted by ALC staff on January 24, 2019. Delta staff are in the process of preparing the terms of the covenant for the three parties to sign. Prior to registration of the covenant, the applicant would deposit the letter of credit, based on an accepted cost estimate, with the ALC. Delta staff will update Metro Vancouver on the status of the exclusion process when final confirmation is received from the ALC.

With respect to the ALC's conditions for 7007 Highway 91 (Lot B), Delta agreed to not restrict agriculture on the property by covenant or otherwise, and to include agricultural uses in any future Official Community Plan or zoning amendments for the property subject to ALC's review and approval. Having satisfied the conditions for inclusion, ALC staff advised in December 2018 that the property at 7007 Highway 91 (Lot B) would be added to the ALR.

Local and Regional Context

The Regional Growth Strategy Amendments Map provided in Attachment B illustrates the proposed regional land use designation amendment from Agriculture to Industrial and amendment to the Urban Containment Boundary to include the subject property. Metro Vancouver staff provided comments on the MK Delta Lands Group application on May 27, 2016. The comments identified regional factors, which should be considered should Council submit a request for a Regional Growth Strategy amendment and sanitary sewer area extension. Further discussion on the regional factors and technical information identified by Metro Vancouver and Delta staff response are provided in Attachments C and D to this letter, and were also included in the staff report dated June 10, 2016 to Council. Also attached is a certified copy of Bylaw No. 7508 to extend the sanitary sewer area (Attachment E).

In Delta's view, some of the significant regional benefits that would be generated by this proposal include the following:

- Dedication to Delta of 132.7 ha (328 ac) of land adjacent to the BBCEA would protect these lands from future development and would place additional bog lands in public ownership.
- Environmental and agricultural buffer areas are proposed on the subject property around the perimeter of the development. The buffers would protect the adjacent BBCEA by keeping development run-off and bog waters separate, and would mitigate potential conflicts between industrial and agricultural uses should the adjacent lands to the east within the ALR be farmed.
- This proposal would create an additional 43.79 ha (108.2 ac) of industrial lands for development which would contribute to Delta's and the region's supply of industrial lands.
- The loss of ALR lands is proposed to be offset by:
 - The inclusion of a 78.1 ha (193 ac) parcel (7007 Highway 91) with similar agricultural capability into the ALR.
 - The applicant's proposal to contribute a minimum \$6 million for irrigation and drainage improvements for Westham Island and East Delta would assist in increasing the agricultural productivity of valuable cultivated lands in Delta.


Conclusion

In forwarding this application to Metro Vancouver, we have prepared a comprehensive package that contains all of the information noted in Attachment F, including staff reports, minutes of Council meetings and the Public Hearing, applicable technical reports and the vegetative buffering plan for 7969 Highway 91 Connector.

Delta's request for an amendment to the Regional Context Statement will be forwarded to Metro Vancouver for consideration should the amendments to the Regional Growth Strategy and Fraser Sewerage Area be approved.

Should you require any further information, please contact Marcy Sangret, Director of Community Planning & Development, by phone at 604.946.3219 or email at msangret@delta.ca.

Yours truly,

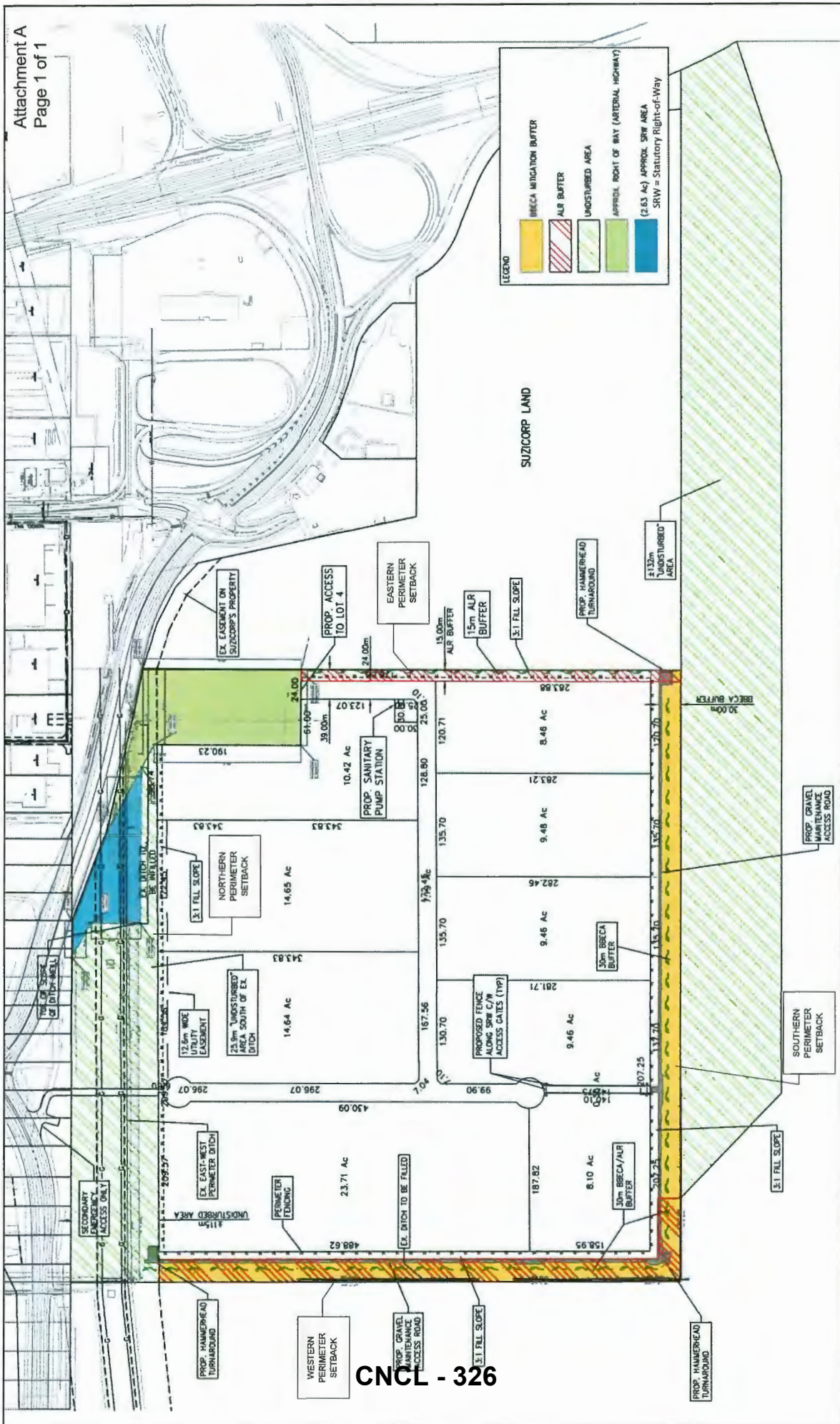


George V. Harvie
Mayor

Enclosures:

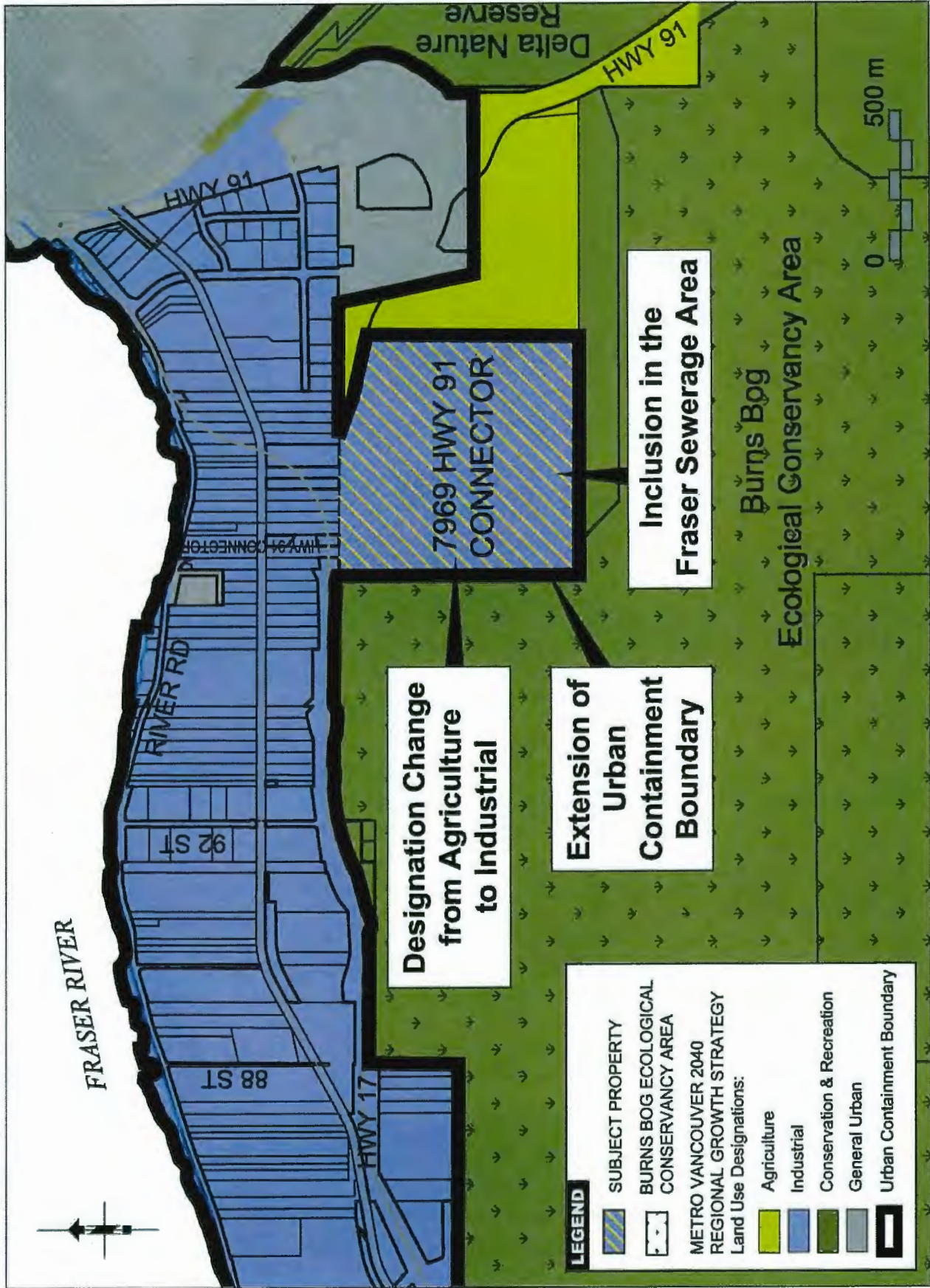
- A. Development Concept Plan
- B. Proposed Regional Growth Strategy Amendments Map
- C. Regional Factors to Consider for the Proposed Regional Growth Strategy Amendments
- D. Sewer Area Extension Evaluation Summary and Sanitary Sewer Area Map
- E. Sanitary Sewer Area Extension Bylaw No. 7508 Certified Correct
- F. List of Information Included in Referral Package to Metro Vancouver

cc: Delta Council
Metro Vancouver Board of Directors
Carol Mason, Commissioner/Chief Administrative Office, Metro Vancouver
Heather McNell, Director of Regional Planning & Electoral Area Services, Metro Vancouver
Mark Wellman, Senior Project Engineer, Liquid Waste Services, Metro Vancouver
Sean McGill, City Manager, City of Delta
Steven Lan, Director of Engineering, City of Delta
Marcy Sangret, Director of Community Planning & Development, City of Delta



CNCL - 326

Amendments Requiring Metro Vancouver Approval



CNCL - 327

Regional Factors to Consider for the Proposed Regional Growth Strategy Amendments for the MK Delta Lands Group Application

The subject property at 7969 Highway 91 Connector is currently designated Agriculture in the Metro Vancouver Regional Growth Strategy, and is located outside of the regional Urban Containment Boundary. The following section responds to comments received by Metro Vancouver based on the preliminary application circulation for the proposed industrial business park application which would require amendments to the Regional Growth Strategy to change the regional land use designation of the subject property to Industrial and to include the property within the Urban Containment Boundary.

- 1) Support a Sustainable Economy (Goal 2)

2.1 Promote land development patterns that support a diverse regional economy and employment close to where people live.

The property is situated directly south of the Sunbury industrial business park area and is located in close proximity to both Highway 17 and Highway 91. The proposed industrial development would create an employment area that is located in close proximity to the North Delta community.

2.2 Protect the supply of industrial land.

Metro Vancouver studies show the demand for industrial land is increasing and the region will face a shortage in the next 10 to 15 years. The applicant has provided an Industrial Development, Market and Impact Study prepared by Site Economics Ltd., dated November 2015, which also provides an analysis of the industrial land supply with similar conclusions. This proposal would create an additional 43.79 ha (108.2 ac) of developable industrial lands which would contribute to Delta's and the region's supply of industrial lands.

2.3 Protect the supply of agricultural land and promote agricultural viability with an emphasis on food production.

The property has a regional Agriculture land use designation and is located with the Agricultural Land Reserve; however, the Provincial Agricultural Land Commission has conditionally approved the subject property for exclusion. The applicant has provided an Agricultural Capability Assessment for the subject property prepared by PGL Environmental Consultants, dated March 2016. The assessment found that drainage improvements would be required to improve the agricultural capability of the lands to organic Class 4 soils with excess water. Given the property's proximity to the much larger Burns Bog Ecological Conservancy Area, surface drainage for any crops other than cranberries would be a significant undertaking.

The applicant proposes to offset the requested Agricultural Land Reserve exclusion for the subject property by:

- providing Delta with a \$6 million contribution towards drainage and irrigation improvements for Westham Island and East Delta. This proposal is based on the conclusions of the Agricultural Benefit for Westham Island Salinity Analysis by PGL Environmental Consultants, dated March 2016, that identified opportunities to improve agricultural capability and suitability on Westham Island. The study found that unless sufficient suitable irrigation water can be supplied to Westham Island, crop production is anticipated to decrease and the effects of salinity on soils may increase. Improving components of Delta's existing irrigation system would increase the availability of non-saline irrigation water to Westham Island. Part of the contribution would also be set aside for East Delta drainage. Improvement options in the vicinity of Lorne Ditch would be reviewed. The applicant's proposal to contribute \$6 million for irrigation and drainage improvements for Westham Island and East Delta would assist in increasing the agricultural productivity of valuable cultivated lands in Delta; and
- including the property at 7007 Highway 91 (Lot B) as shown on the Location Map below, totaling 78.1 ha (193 ac) into the Agricultural Land Reserve.

Location Map



Inclusion of this property was not part of the original application as Lot B has considerable ecological values. However, it is recognized that there are existing environmentally sensitive lands located within the Burns Bog Ecological Conservancy Area that are also located within the Agricultural Land Reserve. The Provincial Agricultural Land Commission has approved inclusion of Lot B into the Agricultural Land Reserve. Should the industrial business park application be approved and the land transferred, Delta would manage Lot B consistent with the Burns Bog Ecological Conservancy Area and apply a conservation covenant.

2) Protect the Environment and Respond to Climate Change (Goal 3)

3.1 Protect Conservation and Recreation lands.

The applicant is proposing to transfer to Delta a total of 132.7 ha (328 ac) of land (Lots A, B and C). These lands have a regional land use designation of Conservation & Recreation. These privately-owned lands are currently located outside of the Burns Bog Ecological Conservancy Area. They are zoned Extraction Industrial (I3) which permits a range of industrial extraction activities including peat extraction. Dedication to Delta would protect these lands from future development and would place additional bog lands in public ownership.

3.2 Protect and enhance natural features and their connectivity.

The applicant submitted an Environmental Effects Assessment, dated April 2016, prepared by Environmental Dynamics Inc. that found that the proposed industrial development would realize a net gain in ecologically sensitive lands, vegetation and wildlife habitat protection with the proposed transfer of 132.7 ha (328 ac) of land (Lots A, B and C as shown on the Location Map) to Delta for protection from development. Other than the change in habitat for the subject site, development impacts can be minimized through the implementation of mitigation measures for fish and fish habitat, wildlife and vegetation. A covenant would be registered on the subject property that would require implementation and monitoring of the proposed mitigation measures.

Environmental buffer areas are proposed around the perimeter of the development area on the subject property to protect the adjacent Burns Bog Ecological Conservancy Area by keeping development run-off and bog waters separate. In addition to the peat berm and perimeter ditches, the site would be surrounded by a fill slope that would transition from the development site down to the perimeter ditches. A fence would be placed at the top of the slope to prevent public access to the perimeter buffer areas and the adjacent Burns Bog Ecological Conservancy Area and to maintain continuity of the South Fraser Perimeter Road wildlife fence. The buffer areas to the west and south would be owned and managed by Delta; however, the applicant would be responsible for

the installation of the berm and fill slope and interim maintenance and monitoring prior to Delta assuming responsibility for the buffer area. The north buffer and the east perimeter ditch and fill slope would be on privately-owned lands. Water quality monitoring would be done before, during and after construction to ensure effective protection of the Burns Bog Ecological Conservancy Area.

3.3 Encourage land use and transportation infrastructure that reduce energy consumption and greenhouse gas emissions, and improve air quality.

The industrial development on the subject property would be contingent upon or phased to coincide with the completion of the Sunbury Interchange Project which would reduce congestion and the associated idling thereby improving local air quality and reducing greenhouse gas emissions from transportation.

The development itself would have a 3 m (10 ft) wide multi-use pathway to encourage walking and connectivity to public transit. Links to the local and regional cycling network would provide options for employees to seek alternative modes of transportation and thereby reducing greenhouse gas emissions.

The proposed design guidelines encourage the implementation of sustainable, energy-efficient design standards in building and site design. It is noted that energy-efficient design standards utilizing natural lighting, promoting renewable energy use and adhering to LEED standards would be implemented wherever applicable. Opportunities to incorporate renewable energy systems into buildings would also be pursued.

3.4 Encourage land use and transportation infrastructure that improve the ability to withstand climate change impacts and natural hazard risks.

The development site would be elevated significantly above existing site grades to about 5.3 m geodetic with mineral fill. This is in excess of the design flood proofing grade and current height of the Fraser River dike.

Stormwater infrastructure proposed includes increased pumping capacity with a new pump station at the Silda outfall which would provide drainage for the project site as well as improving drainage for the existing Nordel Industrial area. This would accommodate the more intense storm events predicted due to climate change.

3) Support Sustainable Transportation Choices (Goal 5)

5.1 Coordinate land use and transportation to encourage transit, multiple-occupancy vehicles, cycling and walking.

The development would have 3 m (10 ft) wide multi-use pathways on both sides of the internal roads to encourage walking and cycling. Possible links to the local and regional cycling network such as Highway 17 would provide options for employees to seek alternative modes of transportation.

5.2 Coordinate land use and transportation to support the safe and efficient movement of vehicles for passengers, goods and services.

The proposed development is ideally positioned for supporting goods movement in the region due to its proximity to the US border, Roberts Bank Container Terminal, and other industrial docks and facilities along the Fraser River. As the site can be directly accessed from Highway 17, commercial truck traffic would be separated from residential areas thus improving community safety.

Sewer Area Extension Evaluation Summary and Sanitary Sewer Map

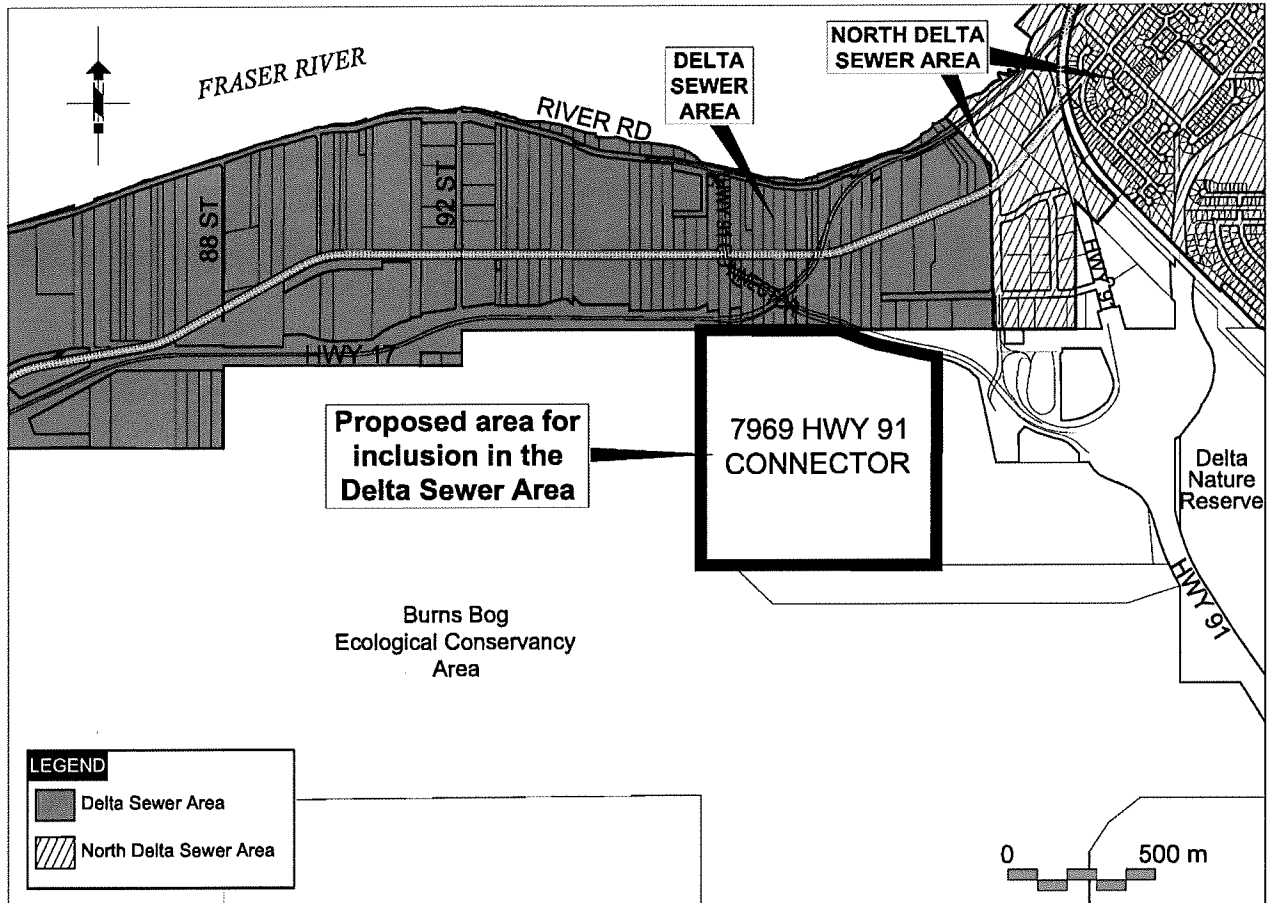
Applications to extend the Sewer Area are reviewed with consideration given to a number of factors including: consistency with local policy and land use designations; the technical, operation and financial impacts of the proposed extension; and the goals, objectives and land use designations of the Regional Growth Strategy.

An application is in process for the property at 7969 Highway 91 Connector to permit the property to be included in the Delta Sewer Area in order to allow for an industrial development with approximately 43.79 ha (108.2 ac) of net developable land into Delta's sanitary sewer system. The property is currently designated Agricultural in Delta's Official Community Plan and Agriculture in Metro Vancouver's Regional Growth Strategy and is outside of Metro Vancouver's Urban Containment Boundary. The property is also located within the Agricultural Land Reserve. The property is located adjacent to the Urban Containment Boundary and lands designated Industrial in Delta's Official Community Plan and Metro Vancouver's Regional Growth Strategy. The applicant has submitted applications to exclude the property from the Agricultural Land Reserve, which the Provincial Agricultural Land Commission has conditionally approved, and to amend the land use designations in Delta's Official Community Plan and Metro Vancouver's Regional Growth Strategy from Agricultural and Agriculture, respectively, to Industrial. The applicant is also requesting that the lands be included within Metro Vancouver's Urban Containment Boundary.

There is an existing 1,050 mm (41 in) diameter sanitary sewer forcemain located approximately 400 m (1,312 ft) north of the property. Sanitary flows from the property would be pumped to Delta's sanitary sewer forcemain from a proposed onsite sanitary sewer pump station. The average flow rate from the development is estimated at approximately 22 litres per second, and a peak discharge rate of 79 litres per second. This additional flow can be accommodated within Delta's collection system, and will enter into Metro Vancouver's South Surrey's Interceptor at the Tilbury Meter Chamber.

Metro Vancouver approval is required in order to extend the Sewer Area. The applicant is requesting consideration of their sewer area extension request in conjunction with the applications to amend the local and regional land use designations and to include the site in the Urban Containment Boundary. Sites within the Urban Containment Boundary which are designated Industrial would be eligible for sewerage services, subject to Greater Vancouver Sewerage and Drainage District technical considerations, provided that the proposed development complies with the applicable policies under the General Urban designation. In the absence of specific criteria, Delta staff have evaluated the proposal in the same manner as has been done for previous sewer area extensions. A summary of the areas evaluated is presented in the table below.

Financial	The proposed sewer extension would be paid for by the owner at the time of connection. There would be no capital cost to Delta or Metro Vancouver. If connected, the land owner would be charged regular sewer charges offsetting financial impacts of operating Delta's overall sewer system.
Land Use Compliance	The proposed industrial use requires an amendment to Delta's Official Community Plan and Metro Vancouver's Regional Growth Strategy.
Service Levels	The applicant has indicated that the anticipated average flow rate from the proposed industrial development is 22 litres per second, and a peak flow rate of 79 litres per second.
Technical/Operational	This incremental increase in flow can be accommodated within Delta's existing sanitary sewer collection system.
Local Community	The proposed industrial use would be compatible with the adjacent industrial uses along Nordel Way and River Way.
Regional Concepts	The applicant is requesting that the property be included in the Urban Containment Boundary in Metro Vancouver's Regional Growth Strategy



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THE CORPORATION OF DELTA

BYLAW NO. 7508

A Bylaw to extend the boundaries and area of the "Delta Sewer Area"

WHEREAS the Council of The Corporation of Delta has adopted a bylaw entitled "Delta Sewer Area Merger Bylaw No. 2551, 1976" which outlined areas specified as the "Delta Sewer Area" created for the purpose of providing a sanitary sewer system for the special benefit of the said areas;

AND WHEREAS it is deemed desirable and expedient to extend the specified area serviced by the sewer system;

NOW THEREFORE, the Municipal Council of The Corporation of Delta in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as **"Delta Sewer Area Extension and Enlargement (MK Delta Lands Group– LU007445) Bylaw No. 7508, 2016"**.
2. Any liabilities incurred, on behalf of the "Delta Sewer Area" as created by the "Delta Sewer Area Merger Bylaw No. 2551, 1976" shall be borne by all the owners of parcels of lands in the "Delta Sewer Area" as extended and enlarged by this bylaw.

3. The "Delta Sewer Area" as created by the "Delta Sewer Area Merger Bylaw No. 2551, 1976" and as extended from time to time is hereby further extended and enlarged to include the property described as "Proposed Sewer Area Extension" as shown outlined in bold on the plan attached hereto and identified as Schedule "A".

READ A FIRST time the **20th** day of **June,** **2016.**

READ A SECOND time the **20th** day of **June,** **2016.**

READ A THIRD time the **20th** day of **June,** **2016.**

THIRD READING EXTENSION APPROVED the **24th** day of **July,** **2017.**

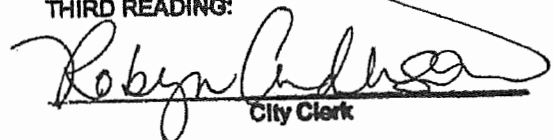
APPROVED BY the Greater Vancouver Sewer & Drainage District
the day of 201 .

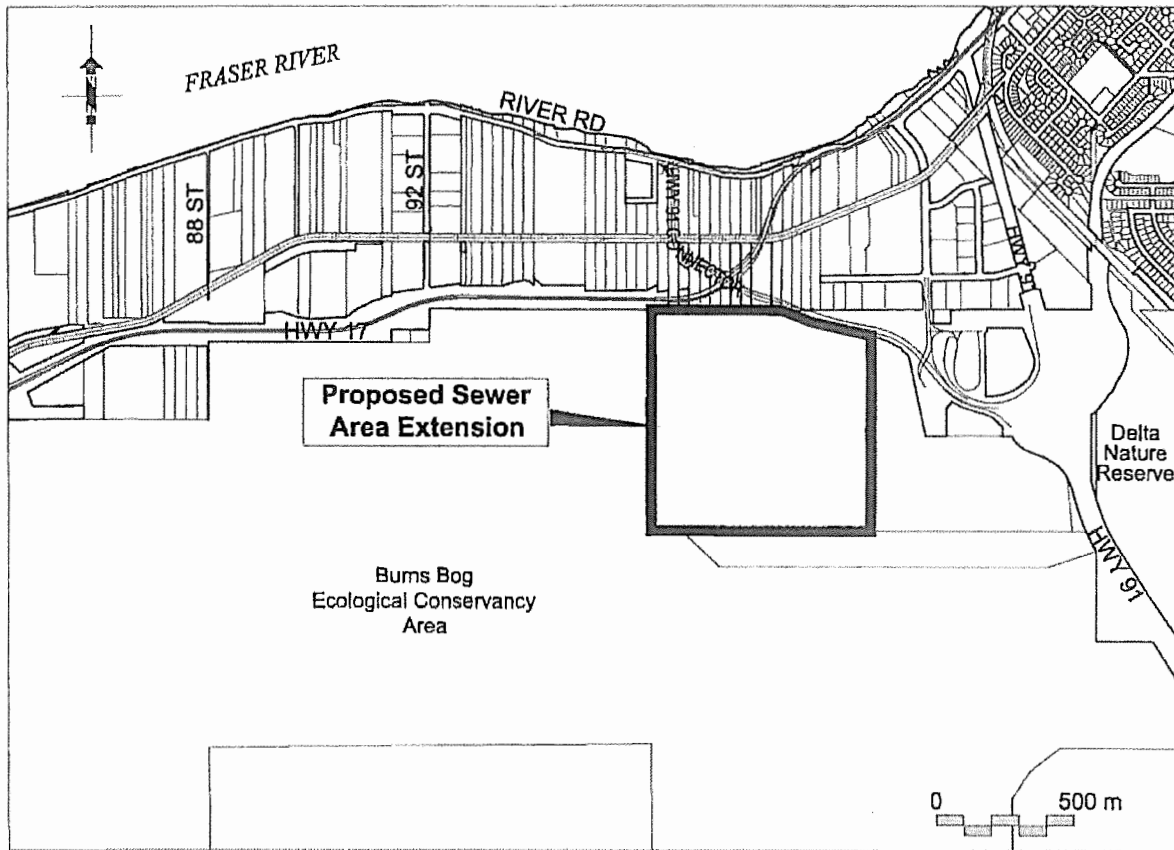
FINALLY CONSIDERED AND ADOPTED the day of , 20 .

Lois E. Jackson
Mayor

Robyn Anderson
Municipal Clerk

**CERTIFIED CORRECT AS AT
THIRD READING:**


City Clerk



This is Schedule "A" to
"Delta Sewer Area Extension and Enlargement
(MK Delta Lands Group – LU007445) Bylaw
No. 7508, 2016"

Legal:
P.I.D. 000-915-025
Lot 4 District Lot 437 Group 2
New Westminster District Plan 1180 Except Plan EPP375

List of Information Included in Referral Package to Metro Vancouver

1. Cover Letter to Metro Vancouver Board Chair with attachments:
 - a. Development Concept Plan
 - b. Proposed Regional Growth Strategy Amendments Map
 - c. Regional Factors to Consider for the Proposed Regional Growth Strategy Amendments
 - d. Sewer Area Extension Evaluation Summary and Sanitary Sewer Area Map
 - e. Sanitary Sewer Area Extension Bylaw No. 7508 Certified Correct

2. Staff Reports Dated:
 - a. June 10, 2016
 - b. July 5, 2016
 - c. January 29, 2019

3. Council Meeting Minutes:
 - a. Regular Council Meeting on June 20, 2016
 - b. Regular Council Meeting on July 11, 2016
 - c. Public Hearing on July 26, 2016
 - d. Meeting Following the Public Hearing on July 26, 2016
 - e. Regular Council Meeting on February 11, 2019

4. Provincial Agricultural Land Commission Decision dated September 11, 2018

5. Technical Reports:
 - a. Servicing Master Plan Design Brief dated May 6, 2016
 - b. Traffic Impact Study – Draft Report (Revision 3) dated April 14, 2016
 - c. Industrial Development, Market and Impact Study dated November 2015
 - d. Environmental Effects Assessment (Revision 3) dated April 2016
 - e. Agricultural Capability Assessment dated March 2016
 - f. Agricultural Benefit for Westham Island Salinity Analysis dated March 2016

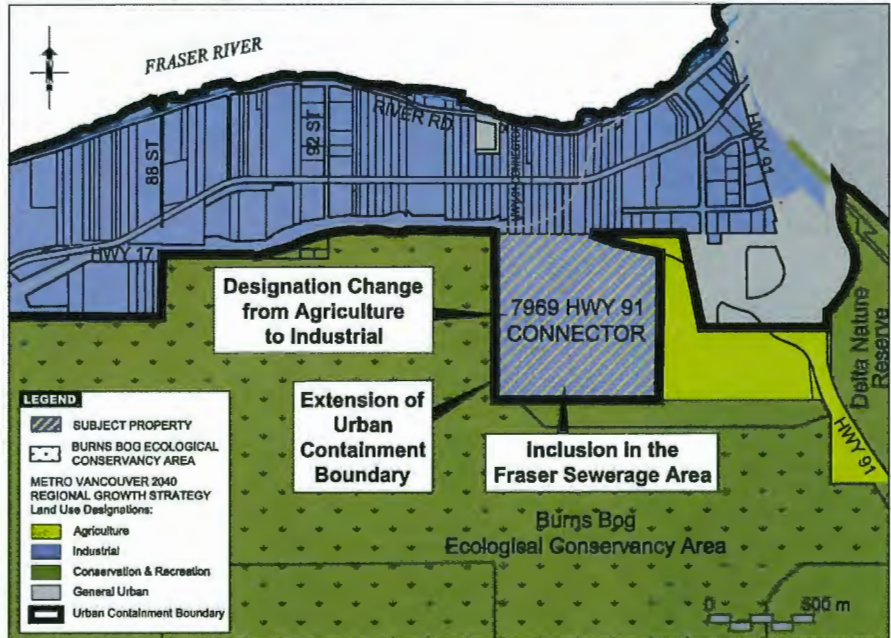
6. Agricultural Buffer:
 - a. Vegetative Buffering Plan dated December 2018

Note: Additional information and documents relating to the MK Delta Lands industrial development application, including copies of presentations, can be found on Delta's website at ww.delta.ca/mkindustrial.

Current Project Status

The proposed MK Delta Lands industrial development at 7969 Highway 91 Connector has received conditional approval for Agricultural Land Reserve exclusion from the Agricultural Land Commission and now requires Metro Vancouver's approval of an amendment to the Regional Growth Strategy to change the land use designation of the property from agricultural to industrial and to include the property in the urban containment boundary. Metro Vancouver approval is also required to extend the Fraser Sewerage Area to include the subject property. Delta referred the amendment requests to Metro Vancouver in February 2019.

Amendments Requiring Metro Vancouver Approval



Environmental & Agricultural Benefits and Land Transfer

Delta, in 2004, along with senior levels of government purchased 4,942 acres of Burns Bog. These protected lands are the Burns Bog Ecological Conservancy Area (BBECA) which is jointly owned and operated by Delta and Metro Vancouver. In 2013, Delta council approved the addition of another 988 acres of land around the perimeter of the BBECA. Staff are working with senior levels of government to complete this addition to the conservancy area.

Any development adjacent to the BBECA must be sensitive to the ecology of the Bog. The proposed development at 7969 Highway 91 Connector includes important features to protect the integrity of the adjacent conservancy area. Environmental and agricultural buffers around the perimeter of the proposed development will protect the BBECA by keeping development run-off and bog water separate. The buffers will also serve to reduce the effects of noise, light, dust and litter on the Bog. The buffer area will be built in the early phases of site preparation, in order to have the protection measures in place prior to fully developing the site.

As partial consideration for developing this property, MK Delta Lands is transferring to the City of Delta 328 acres of land at three locations currently zoned as I3 extraction industrial (Lots A, B, and C on the map on page 2). Dedication to Delta would protect these lands from future development and would place additional bog lands in public ownership. Delta is committed to managing these lands consistent with the BBECA.



Since the 155 acre property at 7969 Highway 91 Connector is being excluded from the Agricultural Land Reserve, Lot B, which is 193 acres, is being included in the Agricultural Land Reserve. Further the applicant is proposing a \$6 million contribution towards irrigation and drainage improvements that would benefit approximately 3,700 acres of agricultural lands in Delta.

Overall, this proposal allows for the industrial development of land best suited for that purpose and the preservation of more than twice that amount of land in areas where preservation is more appropriate.



Industrial Land and the Economic Benefits of the Development

Metro Vancouver has a shortage of industrial land. Because this type of land is in such short supply, innovative approaches are required to preserve, enhance, and add industrial land to the region's supply. The development site at 7969 Highway 91 Connector is ideally located along key transportation routes close to port industries and related industrial businesses. The location of this property allows the development to leverage recent and upcoming transportation infrastructure investments such as Highway 17, Alex Fraser Bridge improvements, and interchanges at Tilbury and Sunbury. This location offers the potential for locally and regionally significant economic benefits: 108 acres (net) of new industrial land in Delta, an estimated \$2.5 billion in direct and indirect economic benefits and an estimated 2,700 jobs post-construction.

Conclusion

The proposed development of 7969 Highway 91 Connector for industrial purposes will create important economic benefits for the region and protect in public ownership a significant amount of land for conservation purposes. The project represents an innovative approach to meeting the need for industrial land while acknowledging the importance of protecting environmentally significant land from future development.

After receiving conditional approval from the Agricultural Land Commission, this development requires Metro Vancouver's approval of an amendment to the Regional Growth Strategy to change the land use designation of the property from agricultural to industrial and to include the property in the urban containment boundary.

