

NO: **R158**

COUNCIL DATE: **July 30, 2009**

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## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **July 30, 2009**

FROM: **General Manager, Planning and Development** FILE: **0480-01**

SUBJECT: **City of New Westminster Public Hearing - Official Community Plan Designation Amendment Bylaw No. 7330, 2009 for Westminster Pier**

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## RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information; and
2. Authorize the City Clerk to forward a letter to the City of New Westminister, as input to the public hearing related to the proposed OCP bylaw amendment, which advises that the City of Surrey has no objections to the proposed Official Community Plan Designation Amendment Bylaw No. 7330, 2009 for Westminister Pier that, if adopted, will redesignate the Westminister Pier property from High Density Residential to Parks/Community Facilities to allow for an urban waterfront park.

## BACKGROUND

On June 22, 2009, New Westminister Council granted first and second reading and referred to public hearing, Official Community Plan Designation Amendment Bylaw No. 7330, 2009. As required by legislation, the City of New Westminister has forwarded a notice to the City of Surrey advising of the public hearing scheduled for September 14, 2009 and has invited the City of Surrey to comment on the proposed bylaw.

Section 879 of the *Local Government Act* requires that the development of, or amendments to, an OCP include consultation with the Council of any municipality that is adjacent to the area covered by the plan. While the Fraser River is a significant buffer separating New Westminister and Surrey, the two cities are considered adjacent.

## DISCUSSION

The City of New Westminister acquired the site known as "Westminister Pier", located on the eastern side of the City's Downtown waterfront, between the foot of Sixth Street and stretching east almost to the SkyTrain bridge, for use as a public park. The redevelopment of the site requires an amendment to their Official Community Plan to change the land use designation of the site and a Zoning Amendment Bylaw to rezone the property.

The Westminster Pier property has a long history of industrial and community use. While Surrey has previously expressed concern with the removal of industrial land for other uses, staff note that this property has been part of the New Westminster Downtown Revitalization area since the late 1970s, and supports the creation of an urban, waterfront park linked to the New Westminster Downtown and the site's contribution to the riverfront pathway system.

City of Surrey Planning and Development Department staff has reviewed the proposed draft Bylaw and New Westminster staff report, a copy of which is attached as Appendix I. The land on the Surrey side of the Fraser River is designated Industrial in Surrey's Official Community Plan and Light Impact Industrial in the South Westminster Neighbourhood Concept Plan.

Attached as Appendix II are maps showing the relationship of the proposed park to the City of Surrey. The area directly across from the proposed park (bracketed by Brownsville Bar Park and Tannery Park) will remain an industrial area, controlled by the Fraser River Port Authority. It is the Plan's longer-term intent to construct a waterfront oriented pedestrian walkway along the Surrey side of the Fraser River, subject to cooperation with the Port Authority. Staff has advised the City of New Westminster that the land on the Surrey side of the River has an industrial designation that could have potential for noise impacts emanating from industrial and port-related facilities.

## CONCLUSION

Based on the above discussion, it is recommended that Council authorize the City Clerk to forward a letter to the City of New Westminster advising that the City of Surrey has no objections to the proposed Official Community Plan Designation Amendment Bylaw No. 7330, 2009 for Westminster Pier that, if adopted, will redesignate the Westminster Pier property from High Density Residential to Parks/Community Facilities to allow for an urban waterfront park.

*Original signed by*  
Jean Lamontagne  
General Manager,  
Planning and Development

:saw

### Attachments:

Appendix I City of New Westminster Staff Report and Draft Bylaw  
Appendix II Maps

*City of New Westminster*

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## REPORT

### *DEVELOPMENT SERVICES DEPARTMENT*

To: Mayor W. Wright and Members of Council in Committee of the Whole      Date: 2009 June 22

From: Lisa Spitale, Director of Development Services      File: Rez 021

Subject: Official Community Plan Amendment for Westminster Pier

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### **RECOMMENDATION**

**THAT** *City Council give First Reading to Official Community Plan Designation Amendment Bylaw No. 7330, 2009;*

**THAT** *City Council concurs that Official Community Plan Designation Amendment Bylaw No. 7330, 2009 has been examined in accordance with the City's Capital Expenditure Program, the Regional Solid Waste Management Plan and the Regional Liquid Waste Management Plan*

**THAT** *City Council authorize referrals be made to those agencies enumerated in Official Community Plan Designation Amendment Bylaw No. 7330, 2009*

**THAT** *City Council give Second Reading to Official Community Plan Designation Amendment Bylaw No. 7330, 2009*

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### **PURPOSE**

The purpose of this report is to seek City Council's consideration of an amendment to the Downtown Official Community Plan and the New Westminster Official Community Plan with respect to the Westminster Pier property.

### **SUMMARY**

The City of New Westminster is in the process of creating on the historic eastern end of the Downtown waterfront an urban park which is intended to have significant economic, environmental and social benefits.

**BACKGROUND**

Property Owner:	City of New Westminster
Applicant:	City of New Westminster
Existing OCP Land Use Designation:	RH – Residential – High Density
Proposed OCP Land Use Designation:	P – Parks/Community Facilities
Existing Zoning:	Multiple Dwelling Districts (Downtown) (RM-6A)/ Central Business District (C-4) – in process to rezone To Comprehensive Development Districts (Westminster Pier) (CD-27)
Site Characteristics:	Site Area: 9.5 acres

**History of the Site:**

Until after the arrival of the railway to New Westminster, the land, identified as Westminster Pier, was part of the bed of the Fraser River. Originally, the shoreline of the river lay at the northern edge of what is now Front Street. This began to change with the settlement of the City.

By 1885, the City had constructed Front Street through filling and wooden plank works to a width of 50 feet to the west of Church Street and 33 feet to the east of that street. By this time, there were a number of wharves on the south side of the street, including the landing for the ferry to Surrey, established in 1884.

In 1886, the construction of the railway line along Front Street to the south of the established road resulted in a widening of the street to 75 feet with the new area being filled and used for the railway line, although remaining in the ownership of the City. The waterlots on the south side of the railway line also remained in the ownership of the City.

In 1892, the City started the Public Market on this portion of the waterfront. Private investment followed in the form of manufacturing plants and warehouses. This portion of the waterfront was particularly attractive for canneries and by 1898, four canneries were in operation as well as a feed and milling plant and a creamery.

A fire on the Brackman & Ker wharf in 1898 spread rapidly to destroy a large portion of the Downtown east of Fourth Street.

During the first decade of the twentieth century, consolidation in the cannery business resulted in closures of the existing canneries and their structures being converted to other manufacturing or warehouse use.

With the approach of the time for the opening of the Panama Canal, the City in 1913 lobbied the Government of Canada to establish the New Westminster Harbour Commission. Part of the plan for industry along the waterfront was the widening of Front Street in 1914 from the foot of Church Street west to Eighth Street in order to allow more room for railway tracks. The widening of the street meant that several businesses, including the Public Market, were now on the road and had to be demolished or relocated. The Public Market, however, continued in its original position, but now surrounded by railway lines, until destroyed by fire in 1925.

The waterfront continued in industrial use throughout the 1920s, 1930s and 1940s, despite the turnover of firms and a continuing shift from manufacturing to warehousing.

In 1952, the New Westminster Harbour Commission offered to reconstruct the docks that formed part of the now Westminster Pier properties if the City gave the Harbour Commission ownership of the site. City voters approved this proposition on December 11, 1952, the City Council adopted the enabling bylaw on December 22 and the Government of Canada provided \$1,250,000 to the Harbour Commission to rebuild and extend the docks over the water. The Harbour Commission leased the docks to Overseas Transport, a major dock and shipping enterprise. Overseas Transport constructed a large warehouse and railway spurs on the property, which work was completed in 1956. Many of the previous buildings were demolished at this time. Overseas Transport continued to operate on the site until 1972 when Pacific Coast Terminals took over their interests.

In 1978, the City included the property in the area for the revitalization of Downtown New Westminster. The property was rezoned from Heavy Industrial Districts (M-2) to Central Business Districts (C-4). The C-4 Districts permitted residential and commercial uses with a maximum height of 70 feet and a floor space ratio of 5.0.

The site was purchased by the provincial development group, First Capital City Development Company (FCCDC), in 1980. The older remaining industrial buildings (excluding the 1956 warehouse) were demolished at this time. In 1983, FCCDC initiated a test market on the property, using part of the 1956 building, in anticipation of what was to become the Westminster Quay Public Market. In 1986, the site was used for moorage and docking by a number of cruise ships that visited the City during Expo 86.

In 1987, with the winding up of FCCDC, the Province sold the property to Royal Pacific Properties. That company had plans prepared for an 812 unit residential project in 8 towers. The City rezoned the property, at the request of the new owners, from Central Business Districts (C-4) to Multiple Dwelling Districts (Downtown) (RM-6A) and amended the Downtown Official Community Plan. The amendments to the Zoning

Bylaw increased the allowed height for buildings on the site from 70 to 255 feet and decreased the floor space ratio from 5.0 to 4.0. The Downtown Official Community Plan amendment placed the property in the area for high buildings. Subsequently, the project owner increased the number of housing units to 860 and obtained the needed approvals for proceeding with the project.

In 1991, the City amended the text of the (RM-6A) District to accommodate the width of the proposed towers in anticipation of an application for building permit. A sales office was erected on the site and some presales were made. An application was made for building permit to construct two towers of 110 units each. Work continued on the legal agreements outlining standards and funding responsibilities for the infrastructure and services required to develop the site.

In 1992, with arrangements almost complete, the owner decided not to continue with his application for building permit. Since that time, there has not been any development activity on the site. The 1956 warehouse and the sales office were demolished in 1995.

The property passed into the hands of Carma, an Alberta based development company. Carma issued a call for expressions of interest to develop the site. None advanced to a development stage.

In 2008, the City Council decided to make an offer for the site. After lengthy negotiations, the City purchased the property in 2009 with the intention of using it for a park. On March 02, 2009, the City made application to the Canada-B.C. Building Canada Fund.

Staff are, at this time, bringing forth the amendment to the Official Community Plan and the Zoning Bylaw (see separate report) in order to make this property a park.

#### Location of Westminster Pier:

Westminster Pier is located on the eastern side of the City's Downtown waterfront between the foot of Sixth Street and stretching east almost to the SkyTrain bridge. As discussed, this area has played a prominent role in the industrial growth of the City. Attempts to make this area a residential precinct were not achieved. Because of its position on the waterfront and within the Downtown neighbourhood, consideration is now being given to a new role as a waterfront park with active marine uses, such as pocket cruise ships, which will help enhance the supply of park space within the City.

Purpose:

The purpose of establishing a park at this location is to help meet the demand from citizens for leisure and social space, improve the environment, stimulate the local economy, beautify the waterfront and add to the waterfront greenway system.

The Downtown neighbourhood has had only Albert Crescent Park as a significant park within its limits. The current planning is to provide two new parks, Muni Evers Park at the west end of the esplanade and Westminster Pier at its eastern end to help satisfy existing and future demands for park space. This demand is expected to increase as population grows in the Downtown and the City. The citizens have indicated that they want Westminster Pier to be an active place and are willing to entertain stores and restaurants in a 'Farmers' Market' arrangement and marine transportation facilities within the park to help create a more active and vibrant social setting.

The Westminster Pier park is expected to have significant environmental benefits such as improving air quality, microclimate regulation, improving water quality, and providing flood protection. To develop the land as a park, the City will need to meet the requirements of several agencies which means the mitigation of industrial contamination on the site and its redesign to provide more vegetation.

The presence of a park on the waterfront might have economic stimulus to the Downtown and the City. The presence of a waterfront park in a Downtown is a rare opportunity. As noted, the planning for the legal framework for the site is contemplated to allow opportunities for cafes and water based activities, such as a marina and pocket cruise ships, which will enhance the drawing power of the Downtown. The creation of a new activity place is also expected to have favourable effects on the Columbia Street Historic Area.

The site is also an important link in the regional walking trail system. The Westminster Pier site is part of the Fraser-Burrard Greenway, which is envisaged to provide a walking and cycling trail from Science World in Vancouver to Muni Evers Park in New Westminster. The completion of this park will provide another link in the Greenway, connecting Downtown New Westminster to Burnaby and Vancouver and bringing visitors from those cities.

Approval Process:

To obtain approval for the construction of the park, the City will need to meet the requirements of a number of regional, provincial and federal agencies.

Among the significant approving authorities are:

- FREMP (Fraser River Estuary Management Program) – a linked management program that brings together many of the agencies to review plans and provide a coordinated response.  
Agencies whose concerns are coordinated by FREMP include Metro Vancouver, Fisheries and Oceans Canada, Port Metro Vancouver, Environment Canada and the Provincial Ministry of the Environment. This review is concerned with the impact of the proposal on the river and its habitat
- Ministry of the Environment – with respect to removal of soil contamination and pollution
- Metro Vancouver – with respect to meeting the regional plan

Other agencies, including the School District, TransLink, the GVS & DD, and the municipalities of Coquitlam and Surrey will be advised of this application and invited to give comments.

The City has also made application for a \$27 million grant for park construction from the Build Canada Infrastructure Program.

If approval is received, the City will then proceed. Buildings and structures will need to meet the City's own requirements and reviews, including those for CPTED (Crime Prevention Through Environmental Design) and the Building Code.

#### **EXISTING POLICY/PRACTICE**

The City-wide and the Downtown Official Community Plan affect the Westminster Pier property.

- a) City-wide Official Community Plan (Bylaw No. 6476, 1998)

Westminster Pier is located within the limits of the Downtown development permit area. The City designated this area as a mandatory development permit area in order to support its Regional Town Centre designation in the Metro Vancouver *Livable Region Strategic Plan*.

The objectives of this designation are to:

- Promote the Downtown as the cultural, civic and historic heart of New Westminster



- Promote a wide variety of commercial, multi-family, cultural, tourism and hospitality and institutional uses

Special development permits are to be evaluated according to the following guidelines:

- Design new buildings to be compatible with the surrounding area, historic character and natural attributes of the Downtown
- Design buildings to maintain or enhance the view corridors of the Fraser River
- Employ technical approaches to sound and vibration insulation in building construction and renovation in this area, particularly along Front Street, Columbia Street, and Royal Avenue
- Situate buildings to provide a visual and acoustical barrier to the traffic corridor
- Employ noise abatement measures to mitigate truck traffic along the Front Street truck route.

Map LU2 shows the Westminster Pier site as RH – Residential – High Density. The Official Community Plan 'Description of Existing and Proposed Land Uses' describes Residential – High Density as an area which will contain high density multi-family residential uses including row houses, stacked townhouses, low rises and high rises. Depending on the provision of public amenities, a density bonus may be provided in order to reach the upper limits of density in this area.

b) Downtown Community Plan (Bylaw No. 5647, 1987)

The Downtown Official Community Plan shows on Figure 2 Westminster Pier as an area for residential housing. On Figure 4, the Plan shows the Westminster Pier site as within the area for taller buildings.

### **ANALYSIS**

The proposed bylaw would affect both the City-wide and the Downtown Official Community Plans:

a) City Official Community Plan (Bylaw No. 6476, 1998)

The proposed amendment to the Official Community Plan for the City would change the designation of the site on the Proposed Land Use Concept Map from RH – Residential – High Density to P – Parks, Community Facilities. The Official Community Plan describes the Parks, Community Facilities land use as an area that will be used as a park, open space that is landscaped or has decorative pavers, and may include community facilities such as recreational uses or community centres. The bylaw would also include

within the P – Parks Community Facilities land use designation the ability to have stores, restaurants and other facilities, and marine transportation facilities in order to utilize the unique character of a site and to provide greater social activity and interest.

b) Downtown Community Plan (Bylaw No. 5647, 1987)

The proposed amendments to the Downtown Official Community Plan would exclude the Westminster Pier property from the area indicated for housing and from the area for taller buildings.

**SUSTAINABILITY IMPLICATIONS**

Consequences of the OCP changes:

a) Growth Projections:

The Westminster Pier site had a capacity of 1,420 housing units, about 7 percent of that for the Downtown. The capacity for the Downtown and the City will be lowered accordingly.

b) School Enrolment Projections:

The Westminster Pier site may have sent about 80 children to the school system. This estimate has not been included in the projections for the School Site Acquisition Charge because of the uncertainty of the timetable for commencement of the project.

c) Tax Revenues

The Westminster Pier lot is the property of the City and will not pay any property taxes. Property taxes in 2008 were approximately \$104,000. The assessment value was \$16,961,000.

d) Estimated Economic Impact

The estimated total output economic impact of the creation of the park is approximately \$100 million after applying multipliers to the value of the construction.

e) Flood Protection

Present intentions are to raise the site above the 200 year flood level and to construct a berm which can also act as a dyke to protect the area of the City north of the property.

This term will also act to mitigate the sound levels in the park from adjacent vehicular and train traffic.

f) Contamination

The City will follow the Ministry of the Environment requirements in removing the contaminated soil on the site.

g) Habitat

The construction of the park will also receive direction and guidance from FREMP with respect to effect on riparian habitat and fisheries.

h) Soil Densification

The site will have the soils densified in order to reduce the danger of liquification of the ground during an earthquake.

i) Views

The new park will maintain significant views of the waterfront for those properties immediately to the north

j) Connections to the Waterfront

Consideration is being given to pedestrian and vehicular access to the waterfront which would cross Front Street (possible North Fraser Perimeter Route) and the railway tracks.

**LEGAL AGREEMENTS**

Any required legal agreements with respect to the park will be forwarded to Council for approval at a later date.

**OPTIONS**

There are two options for Council's consideration: they are:

- A. Approve the Official Community Plan Designation Amendment Bylaw
- B. Provide staff with other direction

*Staff recommend Option A.*

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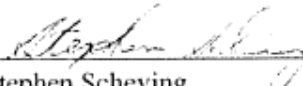
**INTERDEPARTMENTAL LIAISON**

City staff from Development Services, Parks and Recreation and the Engineering Department are working collaboratively on the development of a new park at the Westminster Pier site.


**CONCLUSION**

The Westminster Pier waterfront park is a significant investment by the City toward the improvement of the Downtown environment and the livability of its citizens. The park is envisioned to create a legacy which will last for many generations.

**Report Author**

  
\_\_\_\_\_  
Stephen Scheving,  
Planning Consultant

  
\_\_\_\_\_  
Lisa Spitale,  
Director of Development Services

Approved for Presentation to Council  
  
\_\_\_\_\_  
Paul Daminato,  
City Administrator

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 7330, 2009

A Bylaw to Amend Official Community Plan Designation Bylaws  
No. 5647, 1987 and 6476, 1998

WHEREAS the Local Government Act empowers a local government to adopt an Official Community Plan;

WHEREAS the City of New Westminster has adopted "Official Community Plan Designation Bylaw No. 5647, 1987"; and

WHEREAS the City of New Westminster has adopted "Official Community Plan Designation Bylaw No. 6476, 1998";

NOW THEREFORE THE COUNCIL of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Official Community Plan Designation Amendment Bylaw No. 7330, 2009".
2. Official Community Plan Designation Bylaw No. 5647, 1987 is hereby amended by deleting Figure 2 'Main Elements of the Plan' and substituting therefore that plan entitled Figure 2 attached to this Bylaw as Schedule "A".
3. Official Community Plan Designation Bylaw No. 5647, 1987 is hereby amended by deleting Figure 4 'View Considerations' and substituting therefor that plan entitled Figure 4 attached to this Bylaw as Schedule "B".
4. Official Community Plan Designation Bylaw No. 6534, 1998 is hereby amended by deleting Map LU2 'Proposed Land Use Concept' and substituting therefore that plan entitled Map LU2 attached to this Bylaw and shown as Schedule "C" and which, has amended the designation of the property, known as Westminster Pier, from "**Residential – High Density**" and inserted in its place the designation "**Parks / Community Facilities**".
5. Official Community Plan Designation Bylaw No. 6534, 1998 is hereby further amended by adding to the end of the description of (P) Parks-Community Facilities in Section 3.1 'Existing and Proposed Uses' the following sentence: "This area may accommodate retail stores and restaurants, such as in a "Farmers' Market" concept, transportation facilities, and similar activities and uses if these enhance the unique character of a site and or increase social activity and interest."

GIVEN FIRST READING this                      day of                      2009.

EXAMINED IN CONJUNCTION WITH:

- (i) the City's current Capital Expenditure Program (as contained in the "Five Year Financial Plan Bylaw No. 7157, 2007"); and
- (ii) the Regional Solid Waste Management Plan and the Regional Liquid Waste Management Plan (both of which were adopted by the Greater Vancouver Regional District (now Metro Vancouver) after consultation with the City)

To ensure consistency between them this                      day of                      2009.

REFERRED TO:

- (i) the Metro Vancouver Regional District
- (ii) the Greater Vancouver Sewerage and Drainage District Board (GVS & DD);
- (iii) the City of Coquitlam and the City of Surrey;
- (iv) the Qayqayt First Nation and the Burrard Indian Band (Swallowtooth);
- (v) the Board of School District No. 40 (New Westminster);
- (vi) the Ministry of Transportation and Infrastructure;
- (vii) Port Metro Vancouver;
- (viii) TransLink;
- (ix) Ministry of the Environment;
- (x) Fraser River Estuary Management Program;
- (xi) Department of Fisheries and Oceans;
- (xii) The Downtown Residents' Association;
- (xiii) Environment Advisory Committee;
- (xiv) City environmental groups

For comment this                      day of                      2009.

GIVEN SECOND READING this                      day of                      2009.

PUBLIC HEARING held this                      day of                      2009.

GIVEN THIRD READING this                      day of                      2009.

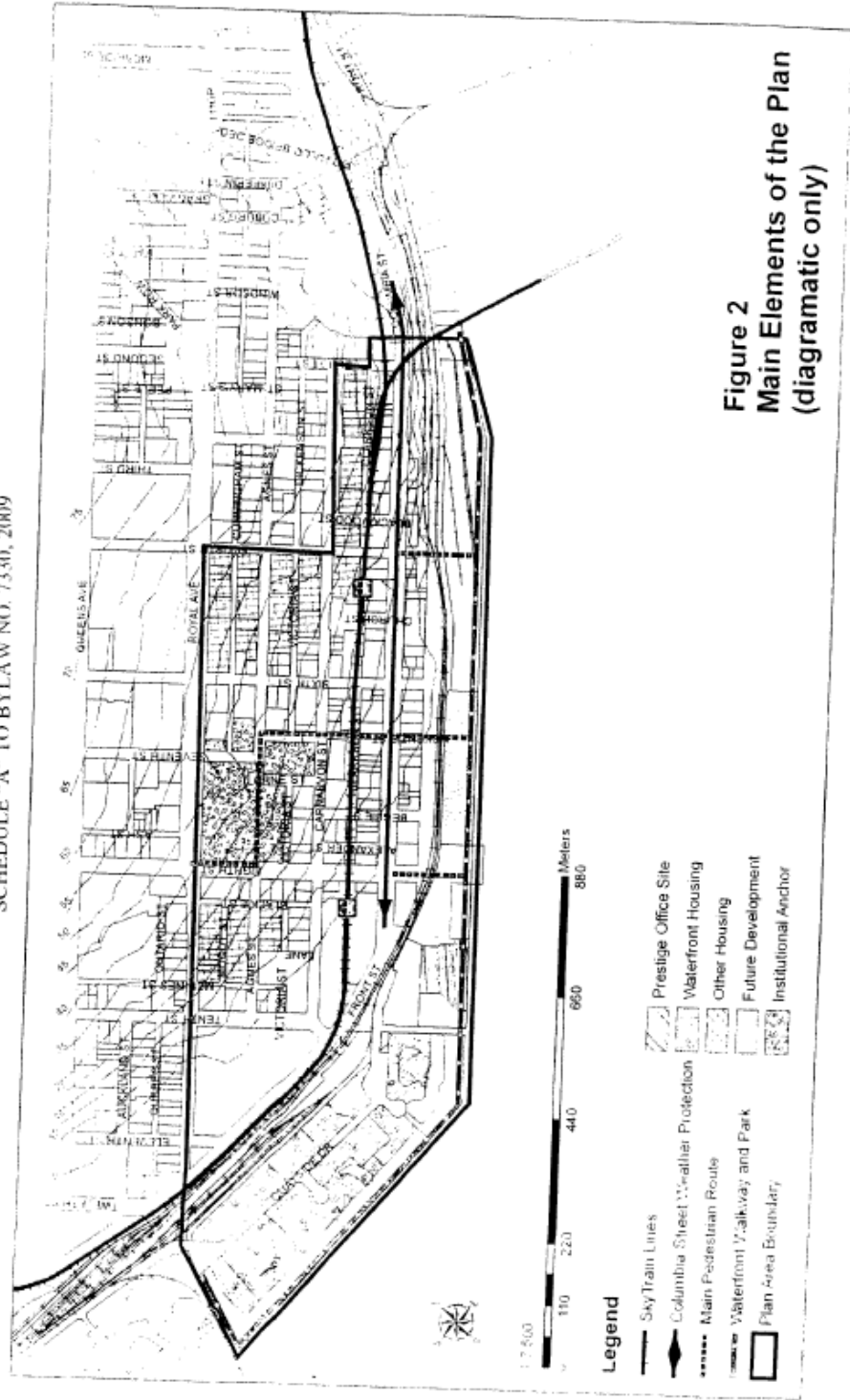
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ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this  
day of                      2009.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

SCHEDULE "A" TO BYLAW NO. 7330, 2009



**Figure 2**  
**Main Elements of the Plan**  
 (diagrammatic only)



SCHEDULE "B" TO BYLAW NO. 7330, 2009

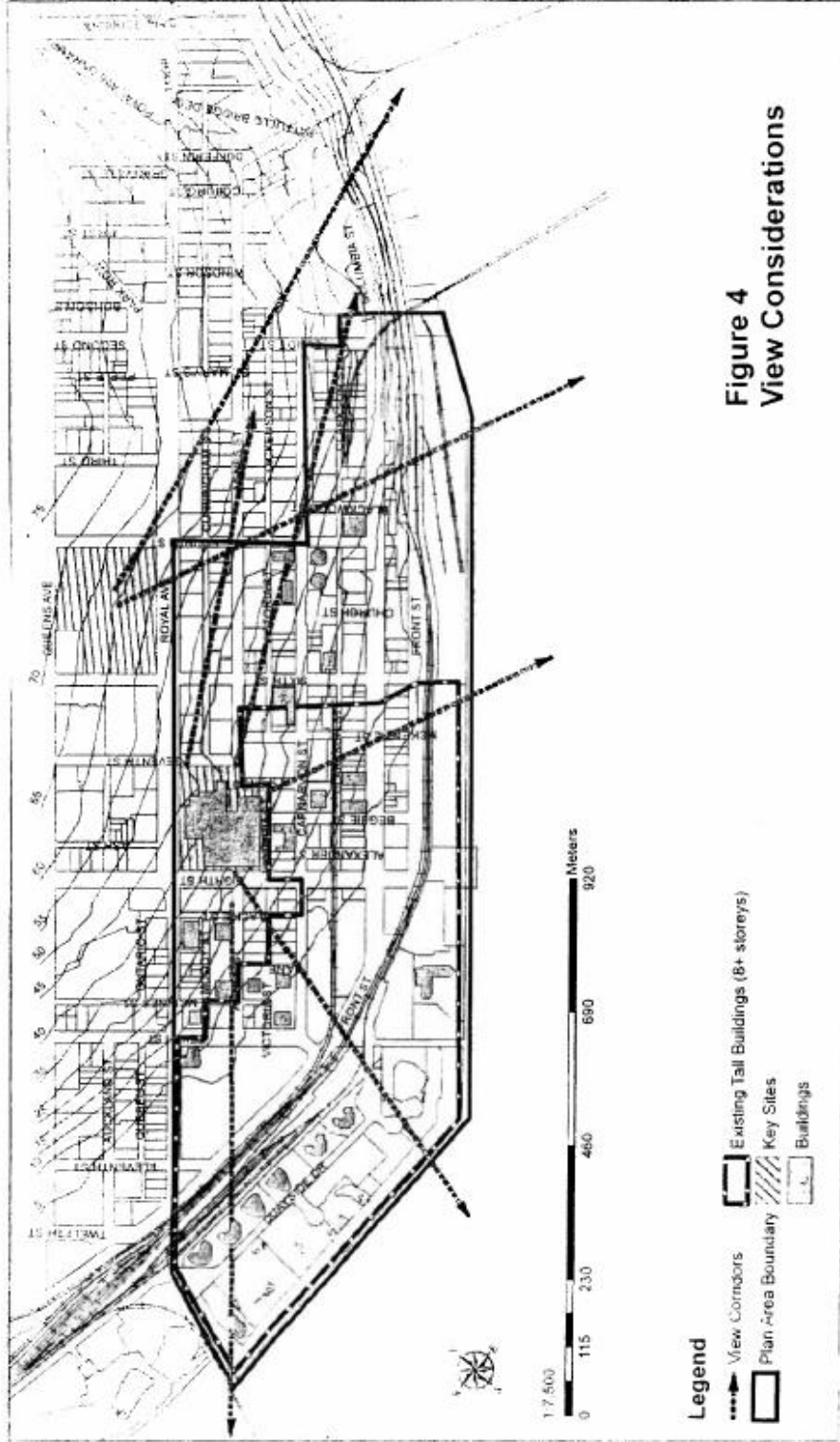
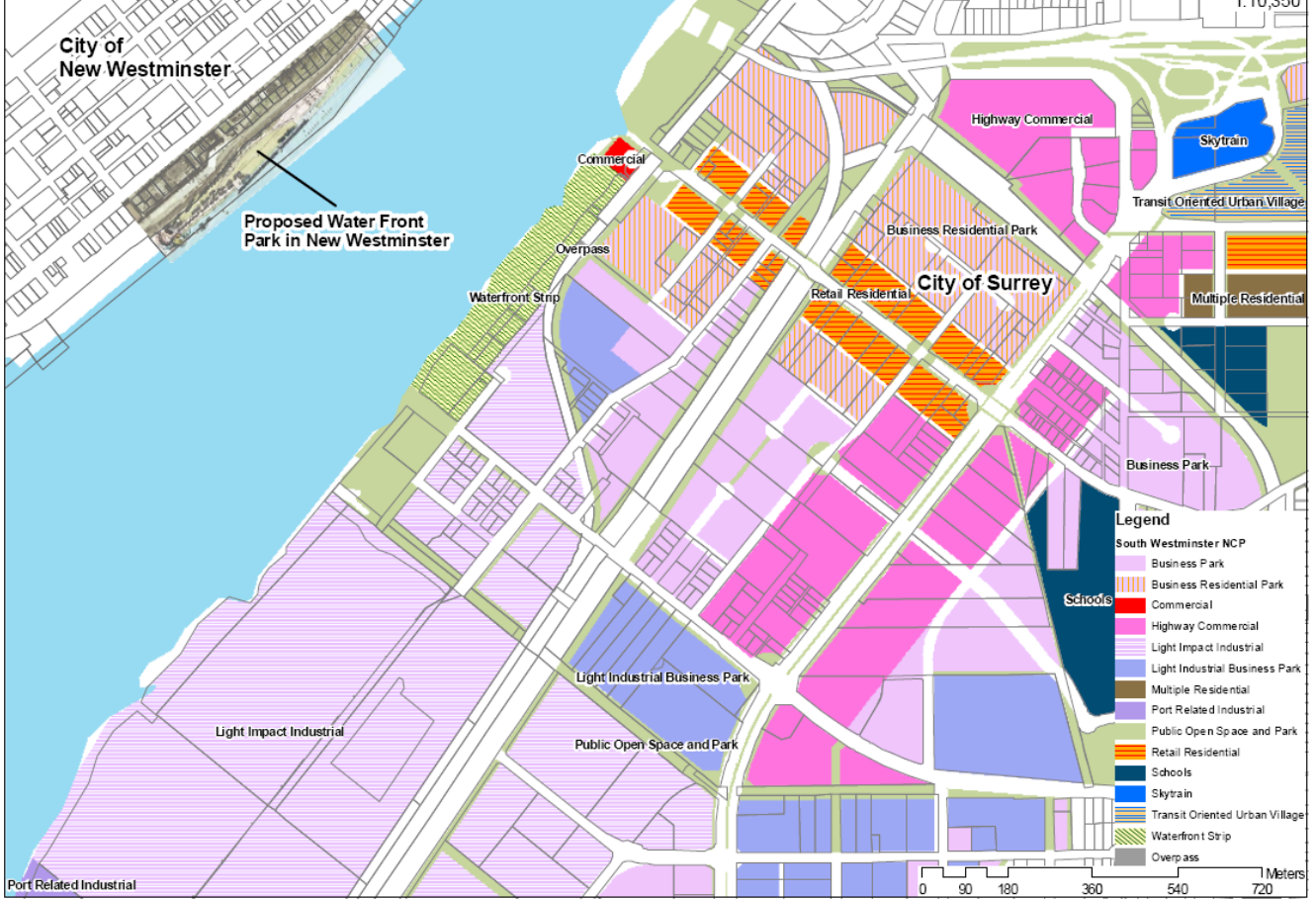


Figure 4  
View Considerations



# City of Surrey South Westminster Neighbourhood Concept Plan and Proposed Water Front Park in the City of New Westminster

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City of  
New Westminster

Proposed Water Front  
Park in New Westminster

Commercial

Overpass

Waterfront Strip

Highway Commercial

Skytrain

Transit Oriented Urban Village

Business Residential Park

Multiple Residential

Retail Residential

City of Surrey

**Legend**

- South Westminster NCP
- Business Park
- Business Residential Park
- Commercial
- Highway Commercial
- Light Impact Industrial
- Light Industrial Business Park
- Multiple Residential
- Port Related Industrial
- Public Open Space and Park
- Retail Residential
- Schools
- Skytrain
- Transit Oriented Urban Village
- Waterfront Strip
- Overpass

Schools

Light Industrial Business Park

Light Impact Industrial

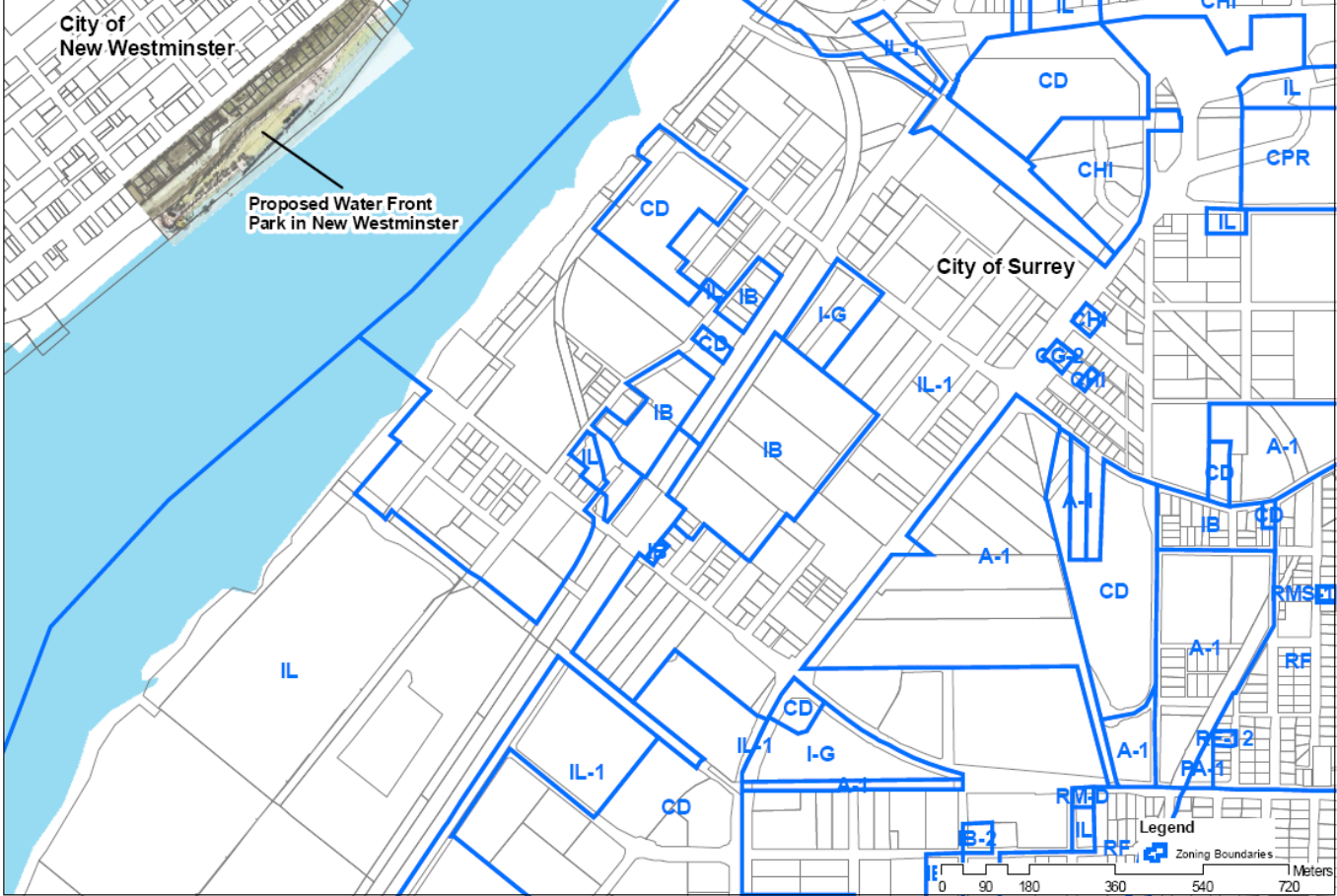
Public Open Space and Park

Port Related Industrial

0 90 180 360 540 720 Meters

# City of Surrey South Westminster Zoning and Proposed Water Front Park in the City of New Westminster

1:10,350



City of  
New Westminster

Proposed Water Front  
Park in New Westminster

City of Surrey

Legend

Zoning Boundaries

Meters

