



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, resilient city where everyone can thrive.

PUBLIC HEARING

MINUTES

Monday, February 26, 2024, 6:00 p.m.

Meeting held electronically and open to public attendance

Council Chamber, City Hall

PRESENT:

Mayor Patrick Johnstone
Councillor Ruby Campbell
Councillor Daniel Fontaine
Councillor Tasha Henderson
Councillor Paul Minhas
Councillor Nadine Nakagawa

ABSENT:

Councillor Jaimie McEvoy

STAFF PRESENT:

Lisa Spitale	Chief Administrative Officer
Dennis Back	Corporate Officer
Brad Davie	Deputy Chief, New Westminster Fire and Rescue Services
James Doan	Manager, Parks and Recreation
Steven Faltas	Acting Senior Manager, Electrical Utility
Dean Gibson	Director of Parks and Recreation
Wendee Lang	Development Planner
Lisa Leblanc	Director of Engineering Services
Erika Mashig	Manager, Parks and Open Space Planning, Design and Construction
Jennifer Miller	Manager of Public Engagement
Demian Rueter	Manager, Development Planning
Gary So	Senior Manager, Financial Services
Shehzad Somji	Director of Finance and Chief Financial Officer
Denise Tambellini	Intergovernmental and Community Relations Manager
Paul Taylor	Senior Manager, Information Technology
Jackie Teed	Director, Climate Action, Planning and Development

Erin Williams
Marius Miklea

Chief, New Westminster Fire and Rescue Services
Assistant Corporate Officer, Legislative Services

* Denotes electronic attendance.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Johnstone called the meeting to order at 6:01 p.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

2. STATEMENT CONCERNING THE PROPOSED BYLAW AND THE CONDUCT OF THE PUBLIC HEARING

The Mayor provided a statement regarding the bylaws under consideration, the conduct of the public hearing, and the expected conduct of all participants.

MOVED and SECONDED

THAT Council receive all on table items; and

THAT Council receive the following written submissions related to Heritage Revitalization Agreement Bylaw No. 8425, 2024 and Heritage Designation Bylaw No. 8435, 2024 for 203 Pembina Street:

Public Input Submissions			
Name	Date Submitted	Date Received	#
Jennifer Baetz	February 26, 2024	ON TABLE	C-1
Sheilah Harris	February 26, 2024	ON TABLE	C-2

CARRIED UNANIMOUSLY

3. HERITAGE REVITALIZATION AGREEMENT BYLAW NO. 8425, 2024 AND HERITAGE DESIGNATION BYLAW NO. 8435, 2024 FOR 203 PEMBINA STREET

Staff presented on the proposal located in the Queensborough neighbourhood at 203 Pembina Street, which will develop a six-unit housing development where a single detached dwelling currently sits. The proposed community benefits include support of heritage objectives through retention of heritage assets, supporting climate emergency objectives by retaining a healthy, specimen-sized oak tree and supporting housing objectives through provision of family-friendly infill housing.

Mayor Johnstone called for speakers regarding the proposed Heritage Revitalization Agreement bylaws.

Bernie Decosse presented his experience as the architect for the proposed project, which began in 2022 with the initial inquiry in which the City indicated a desire to preserve the oak tree, and progressing through the application, which ended up as a six-unit stratified housing development.

Prush Palanichamy presented on his experience as the owner of the property also desiring to protect the existing tree, which can be seen in historical photographs of Queensborough.

Dean Gurney presented on concerns regarding the Heritage Revitalization Agreement (HRA) being used for a tree on the proposed project, as such an HRA does not fit the mould of existing HRAs throughout the Lower Mainland, and could set a potential precedent for the City to allow for specious applications in the future.

Maureen Arvanitidis presented on three trees on the property that the arborist would like preserved: a rhododendron, a hawthorn, and the oak that is the subject of the HRA. Appreciates that it is difficult, if not impossible, to relocate mature trees but noted the inconsistency that only one of the three is being preserved as part of the HRA.

Mayor Johnstone called for additional first time speakers.

Larry Church presented to Council his opinion that the potential HRA may be abusing the process as the tree is not old enough to be considered a heritage tree. The City's existing Tree Protection and Regulation Bylaw regulates which trees need to be kept or removed.

David Brett presented to Council regarding the considerations of the tree to be designated via the proposed HRA and recalled that applications within the Heritage Conservation Area in the Queen's Park neighbourhood have been paused for several years and contain considerations not present in tonight's proposed HRA. Mr. Brett went on to explain considerations were difficult to achieve for prospective applicants and the modification of such was typically not allowed and that tonight's HRA could undermine much of the work done in the past in the field of heritage.

Gail Ancill presented her opinion that the proposed use of an HRA designation on the property's tree would be a stretch. Additionally she couldn't find any relevant information in the Tree Protection and Regulation Bylaw regarding the

questions she had about potential ways to preserve the oak tree. In response to a question by members of Council, she described the cost prohibitive nature of applying for and successfully achieving a heritage designation via the normal pathway of an HRA.

Mayor Johnstone called for additional first time speakers and there were none.

Mayor Johnstone called for any second time speakers.

Bernie Decosse described the process of initiating the development on the property in which staff suggested preserving the tree as part of the Urban Forest Management Strategy and that applying for HRA would best achieve their desired results. The architect and property owner understood the HRA process and costs involved with no effort to circumvent them.

Dean Gurney presented that a past meeting of the Community Heritage Commission had rejected a previous HRA application for the subject tree, and that the protection of a tree of interest could take place with a rezoning application. He further questioned how old a tree needs to be for an HRA designation.

Mayor Johnstone declared a recess at 6:47 p.m.

Mayor Johnstone called the meeting back to order at 6:49 p.m.

Larry Church presented his concerns that staff have suggested using an HRA for the proposed development in Queensborough without regard to the existing bylaws, which are meant to protect trees.

David Brett presented on the historical way HRAs were addressed in the past and noted it was done with careful consideration to even the most minute detail, while this proposal, in contrast, appears to not meet that level of rigour and even if approved does not have any direction for the City.

Maureen Arvanitidis presented on the proposed arborist report in the package – the rhododendron and hawthorn are recommended to be preserved but the development proposal lacks clarity on the intention of the developer and owner of the property with respect to these trees.

Mayor Johnstone called for any additional speakers and there were none.

Mayor Johnstone called for any additional speakers.

Dipti Palanichamy presented on the potential that any trees removed in the building of the proposed development could be replaced by new shrubs or trees being planted after construction.

Mayor Johnstone called for any additional speakers.

Gail Ancill presented on the tree needing arborist tree care and made a comparison to a similar situation of a tree on her property which, due to climate change, needed arborist care and eventually the tree had died during a summer drought. She indicated the heritage tree needs scheduled arborist care to prevent landscape changes from affecting its health.

Bernie Decosse reminded Mayor and Council that the conservation plan was attached to the proposed development package and that it addresses tree care.

Mayor Johnstone called for a final time for any additional speakers and there were none.

MOVED and SECONDED

THAT Council close the Public Hearing for Heritage Revitalization Agreement Bylaw No. 8425, 2024 and Heritage Designation Bylaw No. 8435, 2024 for 203 Pembina Street.

CARRIED UNANIMOUSLY

MOVED and SECONDED

THAT Council refer Heritage Revitalization Agreement Bylaw (203 Pembina Street) No. 8425, 2024 to the Regular Council meeting of February 26, 2024.

THAT Council refer Heritage Designation Bylaw (203 Pembina Street) No. 8435, 2024 to the Regular Council meeting of February 26, 2024.

CARRIED UNANIMOUSLY

4. END OF PUBLIC HEARING

Mayor Johnstone terminated the February 26, 2024, Public Hearing at 7:09 p.m.

Patrick Johnstone

MAYOR

Dennis Back

CORPORATE OFFICER