



City of Richmond

Report to Committee

To: Parks, Recreation and Cultural Services
Committee

Date: May 5, 2023

From: Todd Gross
Director, Parks Services

File: 11-7375-01/2023-Vol
01

Re: Options for Regulating the Use of the City's Waterfront

Staff Recommendation

That a bylaw to regulate the use of the City's waterfront as detailed in the staff report titled "Options for Regulating the Use of the City's Waterfront," dated May 5, 2023, from the Director of Parks Services be drafted for Council's consideration.

Todd Gross
Director, Parks Services
(604-247-4942)

Att. 3

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law Arts, Culture & Heritage Community Bylaws	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

In 2019, a stakeholder consultation process was initiated for Imperial Landing to gain a better understanding of the needs and concerns of local user groups and key stakeholders. Following consultation, the City implemented several measures at Imperial Landing to assist with shared usage and safety at the wharf. A staff report titled “Fishing Activities, Boating, Safety, and Vehicle Parking at the Imperial Landing Dock” dated August 28, 2019, which summarized the public consultation process, was received for information by the Parks, Recreation and Cultural Services Committee on September 24, 2019.

The purpose of this report is to present options for regulating activities at City-owned or operated waterlots and wharves not covered by the existing *Public Parks and School Grounds Regulation Bylaw No. 8771*, and to enable the City to better address issues of concern that have arisen such as user conflicts, derelict vessels, moorage overstay, and the following referral from the April 27, 2021, Parks, Recreation and Cultural Services (PRCS) Committee meeting:

That the City take necessary steps to remove an unauthorized boat that is docked at the Imperial Landing Dock.

This report supports Council’s Strategic Plan 2022-2026 Focus Area #3 A Safe and Prepared Community:

Community safety and preparedness through effective planning, strategic partnerships and proactive programs.

3.4 Ensure civic infrastructure, assets and resources are effectively maintained and continue to meet the needs of the community as it grows.

This report supports Council’s Strategic Plan 2022-2026 Focus Area #6 A Vibrant, Resilient and Active Community:

Vibrant, resilient and active communities supported by a wide variety of opportunities to get involved, build relationships and access resources.

6.2 Enhance the City’s network of parks, trails and open spaces.

Analysis

Most of Richmond’s waterfront parks include waterlots owned by the City or property boundaries which extend to cover the waterfront, e.g., Terra Nova Rural Park and Garry Point Park. In addition, there are seven locations with wharves (No. 2 Road Fishing Pier, No. 3 Road Fishing Pier, Graybar Pier, No. 7 Road Pier Park, Dover Pier, Britannia Shipyards National Historic Site, and Imperial Landing) that are leased by the City under Provincial waterfront licences for community recreational use. The City’s waterlots and wharves are locations where activities such as fishing or boat moorage can occur that are not regulated by the *Public Parks and School Grounds Regulation Bylaw No. 8771*.

The following public parks feature a wharf or dock with vessel access:

1. Imperial Landing Park: a public wharf used for sightseeing, recreational fishing, transient moorage and special events;
2. Britannia Shipyards National Historic Site: a public heritage site operated with support from the Britannia Shipyard National Historic Site Society for heritage programming, special events and moorage of heritage vessels;
3. Scotch Pond: operated by the Scotch Pond Heritage Cooperative as a moorage facility for member vessels. The site and moorage facilities are not open to public;
4. McDonald Beach Boat Launch: a public boat launch; and
5. London Wharf Park/No. 2 Road Pier: a public pier and float used for sightseeing and recreational fishing. The small float is not intended to be used by vessels.

Additional information on City waterlot licences, and waterfront infrastructure and programming for Britannia Shipyards and Imperial Landing can be found in Attachment 1.

Moorage Facilities at Imperial Landing

While the City manages a number of waterfront facilities (see above), Imperial Landing sees the highest level of activity by the public. Transient public moorage, where privately owned vessels can be secured to a City-owned wharf for a regulated period of time, is limited to Imperial Landing. It is one of the few locations in southern British Columbia and Vancouver Island that offers self-serve, public transient day moorage. In recent years, private marinas have reduced or eliminated transient dock space in favour of long-term moorage arrangements.

Transient moorage occurs along the channel-side of the wharf with two recreational fishing zones, one at either end. Power and water are available and there is a self-serve parking meter for boaters to pay for moorage to cover the time period of their stay. Over the past four years, fees for moorage have generated an average of approximately \$12,500 in revenue annually.

Signage that provides information about moorage is located on the wharf (Attachment 2) as is a Wharf Usage sign with a map describing the usage zones (Attachment 3).

Non-motorized, recreational boats (e.g., canoes and kayaks) can launch from the land-side of the wharf without charge. There is also a small float that is used for recreational, safety, lease or rental activities. The Blue Cabin floating artist residency is currently moored at the float.

Due to Imperial Landing's popularity with multiple user groups, conflicts between these groups occasionally arise, primarily between transient moorage users and recreational fishing users, particularly during the peak boating season (May to September).

Despite management measures implemented at Imperial Landing, such as increased staff presence, site usage signage, installation of a payment meter and limit-of-stay guidelines, moorage of abandoned vessels and boaters who overstay continue to be an ongoing management issue.

Fishing Activities

Imperial Landing and London Landing are popular locations for recreational fishing in Richmond due to their size and easy access. Aside from these two sites, there are currently no public or private marinas in Metro Vancouver that provide shared usage of their wharves for moorage and fishing activities.

Current Management of Waterfront Facilities

Bylaw Enforcement

The role of the Bylaws Department is to enforce provisions of the Public Parks and School Grounds Regulation Bylaw No. 8771 (the Parks Bylaw) at the City's docks and piers, as the definition of "Public Park" in the Parks Bylaw includes docks and piers.

As the Parks Bylaw is silent on the issue of moorage, the City lacks the ability to issue tickets with respect to the use of vessels at City docks and piers. Furthermore, as the Parks Bylaw does not include provisions allowing the removal of vessels, the City has had to rely solely on its rights as a property owner when removing abandoned, derelict or transient vessels. The current process to remove an abandoned or delinquent vessel is long and arduous resulting in extensive staff time, and sometimes legal costs. The impact on other boaters is also significant as they are unable to access the docks.

Similarly, among other activities, the Parks Bylaw does not specifically regulate fishing, moorage or marine related commercial activities. Issues related to those activities have arisen in the past that have highlighted the need for greater clarity of regulation.

Communications

The methods currently used to communicate with the public about City-owned waterfront facilities include:

1. Online
 - a. The Waterfront Activities section on the City's website describes the signature destinations and special events, with a subsection dedicated to Fishing Piers and Boating. This subsection provides a brief description of each location, specific requirements for the use of each location (as necessary) and resources for additional information.
 - b. Tourism Richmond offers information on locations for recreational fishing at several of the City's piers, including Imperial Landing.

2. Site Signage

- a. Parks Bylaw signage is located at park entrances;
- b. There is signage at each of the piers providing usage guidelines and which activities are and are not allowed (e.g., locations where fishing is or is not allowed); and
- c. Signage regarding safety and warnings of danger are located at key waterfront locations (e.g., at beaches and piers).

3. In-person

- a. In 2022, the City hired dedicated staff on a temporary basis to support a pilot program to actively promote and manage the operation of the docks at Imperial Landing and Britannia Shipyards. Currently, this position facilitates moorage and other dock activities, including supporting regulation compliance, special events and liaising with waterfront related organizations. Annual funding for this position was renewed for 2023, which completes year two of this pilot program. The waterfront program and staffing support will be reviewed at the end of year two to determine future staffing requirements.

Options for Regulating the City's Waterfront

1. Prepare a Bylaw to Regulate the Use of the City's Waterfront (Recommended)

As staff currently lack the ability to efficiently enforce compliance, the City has the opportunity to introduce a regulation, education, prevention and enforcement regime that is consistent with the management of all other City-owned property. This can only occur through a bylaw specifically suited to the City's waterfront assets. Having a dedicated Wharves Bylaw could expedite enforcement, and in many instances, avoid costly court applications.

Staff have consulted with the Britannia Shipyards National Historic Site Society, who provide input and advice on the operation of the docks at Britannia Shipyards and Imperial Landing, and have received support for the development of measures that enable better management of the moorage and other uses at Imperial Landing, in particular the collection of moorage fees and the removal of unwanted vessels.

A new Wharves Regulation Bylaw will:

1. Provide a regulatory tool to operate public wharves and other waterfront assets for the safe use and enjoyment of the community;
2. Provide clarity on what activities are and are not permitted at the City's wharves and waterlots;
3. Provide enforcement tools for removing unwanted vessels and issuing fines for prohibited activities occurring at the City's wharves and waterlots thus formalizing existing policies and procedures for City facilities;

4. Better manage the multiple uses of the City-owned waterlots and wharves to balance the needs of multiple user groups by regulation of:
 - a. Public recreational fishing; and
 - b. Shared usage of public docks and the waterfront;
5. Formalize the City's existing transient, recreational moorage program by establishing the locations where moorage is and is not allowed, and establishing the permitted means of mooring vessels; and
6. Allow for the costs of unauthorized obstructions or waste removal to be allocated to the responsible parties who contravened regulations.

2. Continue Under Existing Regulation and Operations (Not Recommended)

In the absence of a Wharf Bylaw, a status quo approach would see staff continue to ensure that current practices and procedures to safeguard the public and the environment are taken. However, the current Public Parks and School Grounds Bylaw No. 8771 does not fully address matters such as derelict boat moorage or user conflicts. As situations arise, such as vessels staying past a moorage period or mooring where prohibited, staff will need to rely on Provincial or Federal legislation, increasing legal costs, liability and reducing public access.

Next Steps

Should Council endorse this report's recommendation, staff will prepare a Wharves Regulation Bylaw for Council consideration to formalize regulations and oversight of City waterfront facilities.

Financial Impact

There is no financial impact as a result of the recommendation of this report.

Conclusion

A new wharves bylaw that will regulate activities at City-owned or operated waterlots and wharves will establish greater clarity of roles and responsibilities for City staff, stakeholders, and users of the City's public waterfront amenities. Staff recommend that Option 1 be approved to provide the City with a clear path for addressing unauthorized activities and to improve the services the City provides.



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Manager, Parks Programs
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- Att. 1: City Waterfront Infrastructure and Programming
2: Imperial Landing Moorage Signage
3: Imperial Landing Wharf Usage Map

City Waterfront Infrastructure and Programming

Provincial Waterlot Licence

In 2017, the City completed waterlot licence agreements with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (the Ministry) for 30-year Nominal Rent Tenure licences of occupation (NRT) for Community and Institutional Land Use purposes. The terms of the NRT grant the City use of Provincial waterlots for community recreational use, heritage displays, community events, and temporary boat moorage. The agreements are for five locations with wharves—No. 2 Road Fishing Pier, No. 3 Road Fishing Pier, Graybar Pier, No. 7 Road Pier Park, and Dover Pier—and the waterlots along the Steveston waterfront including Britannia Shipyards National Historic Site, Imperial Landing, and Cannery Slough.

The City is prohibited from providing ancillary commercial marina services such as restaurants, food concessions, boat or equipment rentals or sales, unless the Ministry authorizes an amendment to the NRT, and the City remits the greater of \$500 or 5% of its gross revenue from such commercial activity to the Ministry each year.

Britannia Shipyards National Historic Site

Infrastructure

The floating dock at Britannia Shipyards is 600 feet (183 metres) of linear timber frame construction. It is composed of three modular sections along with a small section of the dock that is removable to allow for moorage of vessels on the inside of the floats. Sections were constructed at different times and for different purposes and will require replacement in the near future.

Access to the dock is via two gangways, one adjacent to the Seine Net Loft and one accessed via the Britannia Shipyard building. Dock services include limited water, power, and safety measures such as dock ladders and fire extinguishers.

Programming

The dock at Britannia Shipyards is part of the experience of the National Historic Site. As such, it is used to support the heritage interpretation of the site through displays and programming.

Waterside programming is developed in partnership with the Britannia Shipyard National Historic Site Society (the Society) under the terms of an agreement executed in 2022. In recent years, the Society has supported programming the docks for special events by assisting with boat recruitment and providing volunteers to facilitate public interactions with visiting vessels. Britannia Shipyards is also a frequent location for film productions and the docks are often included in the site rental for production sets.

Due to lack of dock security and easy access to Britannia Shipyards buildings from the docks, both short and long term moorage is only extended to vessels that have been carefully vetted. Vessels are considered on a case-by-case basis in collaboration with the Society. Moorage rates are set at the recommendation of the Society and may be adjusted based on the contribution of a

vessel to heritage programming activities. Vessels that moor, do so per the terms of an agreement between the boat owner(s) and the City. Stipulations in these agreements specify the rules related to insurance coverage, site use and boat maintenance. Agreements also outline participation in heritage programming and moorage fees.

While long term moorage is permitted at Britannia, liveboards are not permitted according to the agreements with the City.

Imperial Landing Park

Infrastructure

Imperial Landing Park (Imperial Landing) is a 6.5 acre (2.6 hectare) linear park, located at 4000 Bayview Street in Steveston. The park features a:

- 1.6 mile (one kilometre) boardwalk;
- 175 foot (53.3 metre) pier;
- Modular 600 foot (183 metre) by 20 foot (6.1 metre) steel and timber wharf that is attached perpendicularly to the south end of the pier and is accessible via two gangways; and
- Small 33 foot (10 metre) by 20 foot (6.1 metre) float that is accessible from the southeast side of the pier by a gated gangway.

The wharf was constructed in 2011 to host visiting vessels for the City's inaugural *Ships to Shore* event at Garry Point Park. The wharf was designed to accommodate large Class A vessels such as the *Kaiwo Maru* from Japan, while remaining portable enough to transport along the Steveston Harbour. Following the 2011 *Ships to Shore* event, the wharf was relocated to Imperial Landing Park to protect it from potential damage and safety risks posed by prolonged exposure to the strong currents and open channel at Garry Point Park. Occasionally, the wharf is moved back to Garry Point Park for special events, such as the 2017 *Ships to Shore: King of the Sea* event.

Wharf and Float Program Use

Imperial Landing wharf is a popular public recreation amenity and supports waterfront events such as the *Richmond Maritime Festival* and the *Steveston Dragon Boat Festival*. The wharf serves as home to community groups such as the Steveston Radio Controlled Sailing Club on an on-going basis.

On March 12, 2012, Council authorized programming for Imperial Landing in order to balance the diverse recreational and maritime needs of the community. The approved uses include:

A. Recreational Fishing

25 feet (7.6 metres) at the east and west ends of the wharf are designated as a recreational fishing zone. These areas are well used by individual fishermen year-round.

B. Transient Moorage

Boats up to 100 feet (30.5 metres) in length are permitted to moor along the outside (channel-side) edge of the wharf. Only transient, or short term moorage, can be accommodated since the facilities needed for long term moorage are lacking (e.g. showers, laundry, pump outs). Vessel owners must pay for moorage via a self-serve parking meter installed on the pier by the entrance to the wharf gangway dock at the top of the gangway to the wharf, and display the receipt on their vessel. Moorage use has been growing over the past few years and is popular during the summer season.

C. Non-Motorized Boat Use

The inside (landside) edge of the wharf are set aside for non-motorized vessels use. A kayak launch is located off the east gangway, and may be used to launch non-motorized, recreational vessels such as kayaks, paddleboards and canoes. Moorage on the inside in this area is prohibited.

D. Other Recreational Activities

The small float is used for other recreational activities, ancillary safety services, and rental or lease opportunities. Starting January, 2022, the Blue Cabin, a floating artist residency has been located on the float to provide workspace for local artists and community programs as per a two-year agreement with the City.

Staff Support for Moorage in Steveston

As part of a pilot project to coordinate and actively promote dock use at Imperial Landing and Britannia Shipyards, on December 6, 2021, Council authorized a one-time funding of \$84,871 for the City to create a temporary full-time Waterfront Coordinator position. Currently, this position facilitates moorage and other dock activities, including supporting regulation compliance, special events and liaising with waterfront related organizations. Annual funding for this position was renewed for 2023 to complete year two of this pilot program. The waterfront program and supporting of staffing will be reviewed at the end of year two to determine future staffing requirements.

Imperial Landing Moorage Signage

IMPERIAL LANDING TRANSIENT MOORAGE

USE FLOATS AT YOUR OWN RISK

- **Maximum stay is 3 nights**
- Payment is required upon arrival
- Payment can be made at the meter on the pier
- Public moorage is only permitted on the channel-side of the floats
- Moorage on the inside of the float is permitted only for authorized vessels
- No services are provided and no dumping is permitted



IMPERIAL LANDING MOORAGE FEES

The following rates apply upon arrival, Monday through Sunday, including Statutory Holidays:

RATES:

- Vessel length 10' or less --- \$10 minimum per 24/hr - 3 day max.
- Vessel length 10' or over --- \$1.00 / foot / day - 3 day maximum
- Maximum vessel permitted not to exceed 100' LOA

All stays are limited to three (3) consecutive days within a 14 day period.

PAYMENT

The meter accepts the following credit cards: **Visa, MasterCard and American Express.** Coins are not accepted. You are required to enter your Boats License (Bow) Number. You are not required to display a receipt. If the meter is not working, please call 778-370-5050.

ENFORCEMENT

The dock is patrolled regularly and fines are applicable for non-payment or exceeding the three (3) day maximum. If you wish to report a violation, please contact Community Bylaws at bylawrequest@richmond.ca

If you have questions about the **Transient Moorage Program**, call the City of Richmond Waterfront Coordinator at 604-238-8038.



IMPERIAL LANDING WHARF USAGE

