



COUNCIL IN COMMITTEE OF THE WHOLE

March 22, 2010 **3:32 p.m.**
Committee Room 2, City Hall

MINUTES

PRESENT:

Mayor Wayne Wright
Councillor Jonathan Coté
Councillor Bill Harper
Councillor Bob Osterman
Councillor Jaimie McEvoy
Councillor Betty McIntosh

ABSENT:

Councillor Lorrie Williams

STAFF:

Mr. Paul Daminato	- City Administrator
Ms. Judi Turner	- Acting Corporate Officer
Ms. Lisa Spitale	- Director of Development Services
Mr. Jim Lowrie	- Director of Engineering Services
Mr. Gary Holowatiuk	- Director of Finance & Information Technology
Mr. Dean Gibson	- Director of Parks and Recreation
Mr. Reece Harding	- Young Anderson
Mr. Terry Dunlop	- Recording Secretary

GUESTS (re Item 1 only):

Mr. Umesh Raniga	- Roti Industries
Mr. Raniga	- Roti Industries
Mr. Chester Machniewski	- Building Envelope Engineer
Mr. Douglas Massie	- Architect
Mr. John Markulin	- Professional Engineer

ADDITIONS TO AGENDA

The agenda was varied as follows:

Item #12: Heritage Revitalization Agreement (841 Royal Avenue) Bylaw No. 7338, 2009 and Heritage Designation Bylaw (841 Royal Avenue) No. 7339, 2009 for Adoption - changed to the consent agenda

- Item #15: Development Permit Application for 801 Boyd Street - added
Item #16: Purple Light Nights – April 19 - 26 - added

REPORTS FOR ACTION

1. 410 Columbia Street

March 22, 2010 report providing information/options regarding a dilapidated and unsafe building at 410 Columbia.

The Hearing convened at 3:35 p.m.

a) **410 Columbia Street / Unsafe Conditions** – Director of Development Services

A Hearing was convened to consider actions regarding required remedial a dilapidated and unsafe building at 410 Columbia

His Worship, Mayor Wright read a statement regarding the conduct and content of the meeting.

For the property owners, the following representatives appeared:

Mr. Umesh Raniga (Roti Industries)

Mr. Chester Machniewski, Professional Engineer

Mr. Douglas Massie, Architect, Chercover Massie & Associates Ltd.

Mr. Raniga commented on the presence of the City's Solicitor stating that had he been aware the City would be represented by its solicitor, he too would have arranged to have his attorney present.

For the City, the following representatives appeared:

Mr. Frank Durante, Manager of Building Inspections

Mr. John Markulin, Professional Engineer

Mr. Durante opened for the City by referring to a report from Lisa Spitale, Director of Development Services, dated March 22, 2010. The report provides a chronology and overview regarding the City's allegation that the subject property at 401 Columbia Street is in a dilapidated and unsafe condition. The report concludes with a staff recommendation that Council issue and order to repair or demolish the building.

Mr. Durante advises he would not review the report in detail because of its length, although he would respond to a few things. The letter dated March 16, 2010 from Chercover Massie & Associates Ltd. in the second paragraph states they were shocked and dismayed - I am happy they agreed and are prepared to move forward and repair the building. The reason I felt it was necessary to bring this to Council was because the City felt there was numerous details that preceded this hearing and this issue on this property began in 2007. In order for this to move on, it was imperative to bring this to Council so there would be no further delays in repairing the building. I think the City has been more than reasonable in

allowing the owner and their representative to apply for a permit and repair the building and have everything in order. It has been over two years. We still haven't issued a building permit and hope to resolve this in a day or two.

One comment I want to make - in the information that was delivered to us there was a statement on page 3 of the letter of March 16th - the third paragraph states that a report was forwarded to the City concerning a report from Mr. Chester Machniewski. The City never did receive that. It is not in our file - I double-checked this item that we did not receive it.

One more thing that seems to be in disagreement on Page 2, Statement #3. Everything else in that letter seems they are more or less agreeing in principle to what our Engineering report says except one topic regarding connection of floor joists and issues on that line. I don't quite understand why they don't feel that it is a necessary issue. It is good practice to connect floor joists with beams for lateral support. Mr. Markulin feels this way.

Other than that, are there any questions regarding the report?

Questions from Members of Council to Staff (answers are shown in *Italics*)

[To Mr. Durante] The letter says there is no Building Code requirement. Is it in the Code or not - does the Building Code require any prescriptive actions? *There is one section that is prescriptive and a part that deals with engineering under good engineering practices in Part 4. It is left up to the Engineer to state how a building should function and be supported laterally. The Building Code requires that the floor joists be fastened to wood and steel support beams for lateral restraint.*

[To Mr. Durante] It is in the Code? *Yes.*

[To Mr. Durante] Are you satisfied that building footing issues will be dealt with? *They hired a geotechnical engineer and it is in his realm to tell me if they will have to address the effect on the structure. I will accept his recommendation.*

[To Mr. Durante] Are there any concerns where this structure abuts adjacent buildings? *I don't think so. There is only one building that is adjacent. The only issue I can see is if the building was to come down there might be an issue with the remaining building with water penetration. We don't foresee this as a problem.*

[To Mr. Durante] Is there any concern about gaps in the property's chain link fence allowing unauthorized access to the site (i.e., causing vandalism or graffiti)? Is there likelihood of people congregating underneath?. *There was no breakage in that fence the last time I was there. Staff has not observed evidence of people using the site for illegal shelter.*

[To Mr. Durante] Was there no detritus underneath from homeless persons? *I don't recall seeing any evidence of use underneath there.*

[To Mr. Durante] Is there any concern about gaps in the property's chain link

[Statement from Mr. Chester Machniewski, Building Envelope Engineer] Some of the reports are based on visual observations that are quite legitimate; however, the professional engineers have a wider responsibility regarding public safety issues, specifically, to answer the question "will the building fall down?"

Mayor Wright: Mr. Markulin? *There is not much to add – it is pretty self contained in my report. I can answer questions.*

Mayor Wright: Any questions? (there were none).

b) Representations from Property Owners

[Statement from Mr. Douglas Massie, Architect] I was retained to assist the owner to get this building fixed up to satisfy the City's requirements through various letters received and minimum additional items we found while we did a review. As an essential comment relative to Mr. Durante's remarks these are contained in Page 2 of our letter, Item 3. Essentially, a new building would have to have connections designed – there is no question about that. The issue is if connections are not currently in place, there is no requirement to upgrade or replace them. We are doing a maintenance review. If you put an addition on a building it is a responsibility to say a building has been upgraded – we see this in that realm.

I want to draw attention to the last paragraph of our letter. We are now being asked to review the entire building. With regard to the foundation, the building has stood for 80 years. There are only two tenants at present – a drug store and a coffee shop. Now that we are going to spend certain amounts of money on the building, we will review to see whether we can re-rent the rest of the building. If we do so, reports will be presented to the Building Inspector stating the building is designed to acceptable standards. We will do a project for repairs to the rear wall, footings and crawl space. This is the reason for the surprise – we were only a day or two away from receiving a Building Permit – that is why the letter is the way it is.

[Statement from Mr. Chester Machniewski, Building Envelope Engineer] As a structural engineer and building envelope professional, I have a responsibility to keep weather out of the building. The building is concrete and largely not aesthetic. It seems the problem is one of aesthetics - it looks dreadful at the back with rusty tin. The issue for me is that I don't care about the colour and about it staying on there but whether there is there a problem with the structure. When I looked at the structure, the wood was in surprisingly good condition. You would make money on selling the timber out of it if it were demolished. The issue of

structural stability on that building is more a question of what it looks like as opposed to the condition of the building. It is in surprisingly good shape, it has had lots of weathering. There is very little rot and the basic structure is solid. Wind whistles through the gap in the wood and although it appears grey, it is simply weathered but remains sound. Basically it is a wood structure on a concrete foundation. The structure is sound – it could be made better but the structure is sound. It will be there another 50 years.

Exterior renovations will involve removal of existing tin sheathing, reviewing the studwork, getting the structure level and plumb, then attaching a new exterior. From the appearance of it, it is a straight forward task. In looking at the foundation, I will talk about one column in one corner. I have been looking at it for a number of years – there is no evidence it continues to move but this gives me some concern. I will make sure it doesn't kick out more but work will be done to brace it against other columns to stabilize the structure. These are reasonable things to do and conform to my recommendations. The property owners wish to clarify a few niggly things. In some report, it speaks of settlement of the building –there is no evidence of building settlement, rather the pavement [sidewalk] in front of the building has settled. There is very little sign of settlement anywhere in that building. That is it for me.

Questions from Members of Council to Property Owners' Representatives
(answers are shown in *Italics*)

You referred to two small tenants at the front although here is large square footage available. When was the building last fully occupied? *Mr. Umesh Raniga (Roti Industries): Other than the current two tenants, there have been no occupants for the last 14 years. Prior to that, it functioned as a pizza parlour and a billiard hall but not since we owned it.*

It is sitting empty? *Yes – the top floor has evidence it had two residential units there.*

In your letter of March 16th, in the last paragraph, last sentence regarding a need for a facelift. From your letter, it seems to indicate you will rehabilitate the building inside and out and make it useable. Is that decision made yet? *Mr. D. Massey, Architect: The owners have not yet reached any conclusion but they are saying given the dollar value to be spent it may be worth it to look ahead and anticipate reoccupying the rest of the building.*

The face of the building is not usable right now. We hope it will be. *Structural changes may satisfy this hearing but the City would not be happy if the building were to remain in the existing condition. I have a building permit to do structural stuff but not to fix the cladding.*

Just at the rear of the building? *That is correct. We are looking at the rest of the building.*

If you fix the cladding, would you be prepared to prime, paint and seal the building to a more visually acceptable level? *Not now – we will have cladding taken away.*

The rest of the rear of the building? *Mr. D. Massey, Architect: No, not at this time.*

I am trying to understand your interest in this. You have been advised that for \$150,000, the building could be rehabilitated, fully occupied and used, according to information in front of us. You have commercial leasing space and it is mostly unoccupied and it is a wreck. I have trouble understanding the economics of this. What is the purpose of owning a building that is potentially dangerous to the public yet potentially of value to you commercially? *Mr. Umesh Raniga (Roti Industries): I am glad you raised this question. As owners, we feel as though we are in a “David versus Goliath” situation. We are dealing with a City that has been “moving the goalposts.” I attended a meeting and tape recorded it because City officials have to be cautious about what they are saying. A lawyer for the City wrote a letter but the City was in a conflict of interest situation. We don’t want to dwell on the past but to point out that City officials approached my brother and myself because the next door neighbor spent much money and the City would like us to fix our building. The sidewalk needed fixing. I asked him if he was an engineer and he was not. In 2007, we hired Mr. Mahmoud Rezai, PhD, P.Eng, a structural engineer in seismic who is one of the best in his field. He provided [positive] comment on seismic issues and structural integrity. However, the City’s structural consultant, John. R. Siefken, appears only to have paraphrased city officials’ comment. How can we trust the City? Each time we deal with the City, the goal posts change. The City keeps changing its position, based only on the visual appearance of the building. We challenge the City’s assertion that the building is sinking. There is no evidence of things moving in the building. Mr. Siefken was let go without explanation. This gentleman used one line, one paragraph written by Mr. Siefken suggesting the building is sinking but all along everyone knows and the tenants know that it is the sidewalk in front that is sinking. I hired a geotechnical engineer and a number of letters are on record, however, the City has “cherry-picked” correspondence to stack the evidence against us. We feel we have been maligned by the way evidence has been stacked against us. The building is not pretty but it is not going to fall. We have collected numerous expert opinions supporting [the structural integrity of] the building.*

I am told by rumour that the City will take over the building and expropriate it to get access to the park the City recently acquired. We don’t want to waste money. If this goes to litigation, we will sue. There is almost a conspiracy. We have more opinions than the City to suggest the building is safe but we would like to deal with it.

In the past, we have tried to rent space, found a new tenant, the City's "red tape" frustrates our attempts. We would love to have the space rented and developed, when it makes economic sense, but each time we try to attract tenants, the City throws a different book at us. City officials make it difficult for us to rent the space. Therefore, we may be forced to take legal action. Since purchase of the building in 1997, the City has frustrated our applications for new tenants and we therefore opted to keep the building closed. Our interest is to take corrective actions, but each time, the "goalposts are changed" and new requirements are imposed [on us by the City]. We would like to try to get something done as soon as possible.

This is really a David and Goliath situation. What Doug (Massie) failed to point out is the structure of the building is three feet away from the wall. It is a cantilevered wall.

To answer the gentleman's questions, we would love to have the building rented. It looks like the City doesn't want to provide us with the information. New Westminster is a beautiful place. We would like to develop the land when it makes economic sense. In the meantime, we would like to rent additional space. Each time, we have faced huge obstacles in trying to rent the space. We will not name the official who put us in this position.

Mr. Raniga (co-owner): Since the purchase in 1997 of the building, it has been an uphill battle against the City. Each time we tried to have tenants - in 2006 and 2004 - every time tenants came to apply for a business license, it was a nightmare about renovations. We had no choice but just to keep it closed. Every time the goal posts changes with new requirements and we have to come up with new reports. We would like to get this done as soon as possible.

One of your representatives said you were just two to three days from receiving a Building Permit. Is that information shared by staff? Mr. F. Durante, Staff: If we had information, we could have a permit today but we are lacking information. However, Council should be aware that the \$150,000 would address only the issues of this report but does not come near what is needed to get the building ready to rent. It might require as much as \$1 Million or a bit less \$3/4 Million to get the entire building ready to rent out.

You mentioned moving goal posts. What is the staff response to the issues around what needs to be done in order for some of these spaces to be leased?" Mr. F. Durante, Staff: This situation had begun prior to my arrival at the City; therefore, I am unable to address previous positions. Since I have been involved, I don't think I have moved a goal post. It needs the exterior walls corrected and fixed. Mr. Mahmoud Rezai, PhD, P.Eng., made recommendations for what had to be done. My problem is that even so, his own engineer says work has to be done but it has not been done. Time has elapsed. I took it to Council to make sure there would be no more delays. My only interest is to get the building in a safe condition and not deteriorate any more. The owners' professionals have said

they would do a proper job and they won't do sub standard work. I accept that. My only condition is that exterior be addressed not walls inside.

There is an allegation that the City is demanding something beyond the Code or to make the building prepared for re-use. You were not clear. *Douglas Massie, Architect: the issue was in page 2 of my letter around connections.*

Is the City demanding internal renovations to lease the building? *Mr. Umesh Raniga, (Roti Industries): Each time we visited, the scope of work got bigger.*

How so? *Last year it was suggested that we install a fence, Mr. Durante said it is not acceptable – we have to come up with something more. Correct me if I am wrong.*

Fence? *Mr. Raniga: outside cladding.*

I understand that the City is blocking or not allowing tenants to enter the building? Mr. Umesh Raniga, (Roti Industries): We have for the last 10 years been told not to put in any new windows, not to touch it, or "the whole book will be thrown at us." Not by Mr. Durante. But on the other hand, a number of letters we have written to the City are not included in this report. It is easy to cherry pick to convey a story in your favour. It is hard not to think that way - especially if you are on the smaller side.

That is not how we do business in the City.

Do you agree that substantial repairs have to be done at \$250,000 or more? *Mr. Douglas Massey, Architect: Basically around \$150,000.*

Is that correct, Mr. Durante? *Yes.*

If you consider renting the units what time lines would have to be met? *Mr. Douglas Massey, Architect: Phase one to do repair work will take about three months. Phase 2 is not done yet. However, given difficulties in securing labour and the magnitude of the work, it might take up to six months.*

Phase 2? *Mr. Douglas Massey, Architect: We are preparing base plans and reviewing to see what will have to be done.*

It will be three months to do repairs requested? *Mr. Douglas Massey, Architect: Certainly no more than 6 months. Let me just see if I have information regarding the length of time.*

Any further questions from Council? (There were none).

c) **Decision**

Members discussed the timing for making an order. Mr. Massie, Architect responded with a request for extension to six months to ensure that everything gets done. Mr. Durante had no objections to an extension subject to assurance that work would begin immediately.

Members went on to discuss the merits of the case, commenting on the following:

- There are two options available, including: repair the structure; if this is not done, the issue of demolition comes into play
- If an extension were granted, the time line would begin immediately
- It is appropriate to establish a work schedule with goals that can be measured at points throughout the process
- There is an issue of safety related to the cladding on the structure
- The City is developing, including developing a multi-million dollar park in the vicinity of this building
- Visual improvement of the subject structure is important; the owners have a role to play in supporting the City's initiatives.

Mr. Raniga agreed that he would like to be part of the solution, to rent his property and would consider a coat of paint for the structure.

**** MOVED and SECONDED and CARRIED, this Committee recommends**

THAT the following resolution be approved:

WHEREAS Section 73 of the Community Charter authorizes Council to impose remedial actions in relations to a building that it considers to be hazardous condition;

WHEREAS Section 74 of the Community Charter authorizes Council to declare that a building is a nuisance and to impose remedial actions in relations to the declared nuisance;

WHEREAS Council believes that the building located on property known by the civic address of 410 Columbia Street and more particularly described as Parcel "E" (Explanatory Plan 13267) of Lots 3 and 4, Block 7, Plan 2629 and hereafter referred to as "410 Columbia Street" is unsafe and so dilapidated as to be a hazard and offensive to the community and a nuisance; and

WHEREAS 410 Columbia Street is owned by Roti Industries Ltd.;

NOW THEREFORE BE IT RESOLVED THAT:

Pursuant to Sections 73 and 74 of the Community Charter and upon Council finding that it considers that the building located at 410 Columbia Street is in an unsafe condition and is so dilapidated as to be offensive to the community, the following remedial action is imposed:

The building is to be demolished or repaired and made safe by Roti Industries Ltd. or its agents within 180 days after service of this Order. If the building is repaired, the work must include the following actions as recommended by Mr. John Markulin in his report dated June 25, 2009:

- *Replace and/or repair rear wall cladding and supporting substructure. Provide temporary protection/hoarding until the cladding has been removed and replaced;*
- *Engage a Structural Engineer registered in B.C. to oversee removal/replacement as necessary of all deteriorated wood floor joists and wood stud walls;*
- *Provide connections from wood floor joists to wood and steel support beams for lateral restraint. Provide cross bridging and blocking as necessary;*
- *Re-frame the exterior wood stud walls as necessary in order to safely carry all out-of-plane loads due to wind and guard forces;*
- *Engage a Geotechnical Engineer registered in B.C. to carry out field investigation of the ground conditions at the back of the building;*
- *The Geotechnical Engineer should make recommendations based on his report with respect to bearing capacity and slope stability related to the existing foundations; and*
- *Engage a Structural Engineer registered in B.C. to provide repair/replacement details for any support column and foundation that require repair.*

CARRIED.

All members of Committee present voted in favour of the motion.

Direction to Staff:

Report back to Council within in three months on progress to date, including the contractors' work schedule(s) for completion of work.

The Hearing Concluded at 4:25 p.m.

CONSENT AGENDA

The Consent Agenda was varied as follows:

- Items 2, 3, and 4 were deleted; and
- Item 12 was added.

MOVED and SECONDED

THAT the recommendations arising from the revised Consent Agenda be approved as follows:

5. [Show 'n Shine Event/Temporary Extensions of Service Areas for Licensed Establishments](#)

March 22, 2010 report outlining protocols arranged with the Downtown Business Improvement Association to consider requests from downtown restaurants and bars to temporarily extend their service areas to adjacent City property during Show 'n Shine.

THAT the March 22, 2010 report from the Director of Development Services regarding temporary extension of service areas for licensed establishments during the 2010 Show 'n Shine event be received for information.

6. **Drink Urban Lounge, 609 Columbia Street / Sidewalk Patio Application**

March 22, 2010 report providing information regarding an application to create a sidewalk patio.

**

THAT the following resolution be approved:

WHEREAS New Westminster City Council considered a staff report regarding an application from Urban Drink Lounge located at 609 Columbia Street to create a sidewalk patio with 16 seats;

WHEREAS the operator is prepared to enter into a formal encroachment agreement pursuant to New Westminster Sidewalk Café Encroachment Bylaw No. 6370 with respect to the use of the City sidewalk;

WHEREAS the application is not opposed by the New Westminster Police Service;

WHEREAS the business has not generated noise complaints or negative community impacts and the proposed patio is not expected to result in noise impacts to the community;

WHEREAS the applicant placed a sign in front of the business for 30 days and two newspaper notices providing details regarding the application and inviting the public to submit comments to the City;

WHEREAS the City received 2 correspondences regarding the application including a letter from the Downtown Residents' Association and a majority of the public comments are supportive of the application; and

WHEREAS City bylaws require sidewalk patios associated with a Liquor Primary establishment to close at 10:00 pm;

THEREFORE BE IT RESOLVED:

THAT New Westminster City Council approves Urban Drink Lounge's application to develop a patio with 16 seats on the sidewalk in front of the establishment subject to liquor service on the patio ceasing at 10 pm.

7. **MOTION TO ADOPT THE MINUTES OF: the Bicycle and Pedestrian Advisory Committee meeting of March 4, 2010.**

THAT the minutes of the Bicycle and Pedestrian Advisory Committee meeting held on March 4, 2010 be received and adopted.

8. **MOTION TO ADOPT THE MINUTES OF: the Neighbourhood Traffic Advisory Committee meeting of January 28, 2010.**

THAT the minutes of the Neighbourhood Traffic Advisory Committee meeting held on January 28, 2010 be received and adopted.

9. **Notes of the Special Services and Access Committee meeting of November 19, 2009** (for receipt only).

THAT the Notes of the Special Services and Access Committee meeting of November 19, 2009 be received.

12. Heritage Revitalization Agreement (841 Royal Avenue) Bylaw No. 7338, 2009 and Heritage Designation Bylaw (841 Royal Avenue) Bylaw No. 7339, 2009 for Adoption

March 22, 2010 report requesting referral of the Heritage Revitalization Agreement for third reading and adoption; and the Heritage Designation Bylaw for adoption.

- ** *THAT third reading of Heritage revitalization Agreement (841 Royal Avenue) Bylaw No. 7338, 2009, given on November 30, 2009, be rescinded;*
THAT Heritage revitalization Agreement (841 Royal Avenue) Bylaw No. 7338, 2009 be amended as set out in the report dated March 22, 2010 from the Director of Development Services;
THAT Heritage revitalization Agreement (841 Royal Avenue) Bylaw No. 7338, 2009 be forwarded to Council for consideration of third reading and adoption, as amended; and

THAT Heritage revitalization Agreement (841 Royal Avenue) Bylaw No. 7338, 2009 be given adoption.

CARRIED.

All members of Committee present voted in favour of the motion.

ITEMS REMOVED FROM THE CONSENT AGENDA

2. Provincial Greenhouse Gas Emissions Reductions Targets in the OCP and Community Energy and Emissions Plan

March 22, 2010 report providing the status of the City's response to Provincial Bill 27 and the development of a citywide Community Energy and Emissions Plan – reviewed by Director of Development Services

Speaking to the report, a member of Council noted that under the Community Energy and Emissions Plan, the City may apply for funding for mapping of potential energy sources through BC Hydro's Sustainable Communities Program.

- ** **MOVED and SECONDED and CARRIED, this Committee recommends**
THAT the creation of a Community Energy and Emissions Plan for meeting the City's Partners for Climate Protection (PCP) Program commitment and Provincial Bill 27 requirements be endorsed.

CARRIED

All members of Committee present voted in favour of the motion.

3. Temporary Commercial and Industrial Uses Zoning Bylaw Amendments
(Bylaw No. 7387, 2010)

March 22, 2010 report seeking consideration of amendments to the Zoning Bylaw to establish a mechanism and policy criteria for applications for temporary commercial and industrial land use permits.

In response to a question on the need for temporary permits, staff advised that they allow for applicants to test uses and, if successful, to subsequently apply for permanent land use permits.

- ** MOVED and SECONDED and CARRIED, this Committee recommends**
THAT Zoning Amendment Bylaw No. 7387, 2010 be forwarded to the March 22, 2010 Regular Meeting of Council for consideration of first and second readings.

CARRIED

All members of Committee present voted in favour of the motion.

4. Child Care Strategy Progress Report

March 22, 2010 report providing an update on the implementation of the Recommended Actions as contained in the New Westminster Child Care Strategy.

In response to a question from a member of Council, the Director of Development Services advised that a staff report would outline issues of lot size and will develop best practices relative to locational aspects (e.g. corner lots, front access). A Council member also raised the issue of requiring front access for drop-off and pick-up of children, to avoid use of unlit and possibly narrow and/or dangerous laneways. It was further suggested that staff consult with the community to determine community issues related to child care facilities.

- ** MOVED and SECONDED and CARRIED, this Committee recommends**
THAT the March 22, 2010 report from the Director of Development Services providing an update on the implementation of the Recommended Actions as contained in the New Westminster Child Care Strategy be received; and
THAT a report be submitted to Council by October 2010 regarding allowance of child care operation as an outright use in single family dwelling districts.

CARRIED.

All members of Committee present voted in favour of the motion.

REPORTS FOR ACTION

Director of Development Services

10. Chinese Reconciliation Process Update Report

March 22, 2010 report seeking consideration that the first phase of the project is complete and the second phase of the project to enter into discussion regarding appropriate steps to reconciliation be commenced.

On-table correspondence was distributed as follows (and will be added to the Agenda package):

- E-mail dated March 21, 2010 from Victor Wong, Chinese Canadian national Council;
- E-mail dated March 19, 2010 from Michael Kennedy, Historical Geographer and author

John Stark, Senior Social Planner, addressed the report and introduced other members of the City's Research Team, as follows: Stephen Scheving, Planning Consultant; Colin Stevens, Manager, New Westminster Museum and Archives; Wendy Turnbull, Reference Librarian.

Mr. Scheving provided an overview of the research components of the report and responded to questions and comments from Council members. All members present

expressed their appreciation and thanks to the team for the comprehensive and detailed level of research that would allow Council to address previous injustices in a more meaningful way.

During discussion, other potential areas for acknowledgment were raised, including:

- Pioneer families from the Asian communities
- The disappearance of China Town from New Westminster
- Employment discrimination (the 1884 White Only Labour" law)
- Discrimination against women.

MOVED and SECONDED

THAT on-table correspondence from Victor Wong and Michael Kennedy be received.

CARRIED.

All members of Committee present voted in favour of the motion.

MOVED and SECONDED

THAT staff be directed to review the "White Labour Only" comment of 1884 and report when that policy changed in the City and report on other ethnic groups who might be considered for reconciliation.

DEFEATED

Opposed: Councillors Cote, Harper, Osterman and Mayor Wright.

**** MOVED and SECONDED and CARRIED, this Committee recommends**

*THAT the first phase of the Chinese Reconciliation Process be concluded; and
THAT staff be directed to commence the second phase of the project to enter into a discussion regarding appropriate steps towards reconciliation.*

CARRIED.

All members of the Committee voted in favour of the motion.

Arising from the resolution, a Council member proposed that staff prepare an executive summary on other sectors of the community (e.g., non-white and females) who have similar issues.

Procedural Note: Recess

MOVED and SECONDED

THAT the Committee of the Whole meeting recess.

CARRIED.

All members of Council voted in favour of the motion.

The Committee of the Whole recessed at 5:30 p.m. and reconvened at 5:35 p.m. with Councillor McEvoy and Councillor Williams absent.

11. Proposed Seasonal Night Market in Queensborough

March 22, 2010 report updating on the application by Starlight Casino to allow the establishment of a Night Market as a temporary use in Queensborough.

MOVED and SECONDED

THAT the report dated March 22, 2010 on the proposed Seasonal Night Market in Queensborough be received for information.

CARRIED.

All members of the Committee voted in favour of the motion.

During discussion, members suggested that the Casino be encouraged to raise awareness about the shuttle service.

Direction was given to staff to ensure that the temporary use permit be provided for a minimum two-year term, in view of the logistical, financial and other investments involved in establishing the Night Market. Furthermore, in view of anticipated approval from Port Metro Vancouver, it might be necessary to expedite completion of drawings and cost allocations to meet deadlines for opening of the market in May, 2010. Council might consider holding a special meeting on April 19, 2010, to process the necessary approvals.

Councillor McEvoy returned to the meeting at 5:40 p.m.

12. Heritage Revitalization Agreement (841 Royal Avenue) Bylaw No. 7338, 2009 and Heritage Designation Bylaw (841 Royal Avenue) No. 7339, 2009 for Adoption

March 22, 2010 report requesting third reading and adoption of Bylaw No. 7338, 2009 and Bylaw 7339, 2009.

Consideration of this item was previously addressed under the Consent Agenda (above)

Director of Engineering

13. East Columbia Streetscape Project, Crosswalk Placement Update

March 22, 2010 providing input from Residents' Associations regarding the placement of crosswalks on East Columbia Street.

In discussion of the report, some Council members expressed safety concerns relative to removal and relocation of some crosswalks as illustrated in the Analysis on page 2 of the staff report.

Staff was directed to avoid including direction within the body of reports that is not supported by the staff recommendation.

MOVED and SECONDED

THAT the March 22, 2010 report from the Director of Engineering regarding crosswalk placement on East Columbia Street be received for information.

CARRIED.

Opposed: Councillor McIntosh.

General Manager, Electric Utility

14. [2010 / 2011 Electrical Utility Rates](#) (Bylaw 7379, 2010)
March 22, 2010 report seeking approval of an interim electrical utility rate increase.

** **MOVED and SECONDED and CARRIED, this Committee recommends**
THAT electric utility rates be increased on an interim basis by 6.11%, effective April 1, 2010;
THAT the rate rider be increased on an interim basis to 4.00% from 1.00%, effective April 1, 2010; and
THAT Electric Utility Amendment Bylaw No. 7379, 2010 be forwarded to the March 22, 2010 Regular Meeting of Council for consideration of first, second and third readings.

CARRIED.

All members of Committee present voted in favour of the motion.

NEW BUSINESS

15. [Development Permit Application for 801 Boyd Street](#)
On-table report dated March 22, 2010, seeking authorization to construct an addition to the existing Wal-Mart store in the Queensborough Landing commercial development at 801 Boyd Street.

** **MOVED and SECONDED and CARRIED, this Committee recommends**
THAT the March 22, 2010 on table report from the Director of Development Services regarding a Development Permit for 801 Boyd Street be received for information;
THAT Development Permit 012 (Q) for 801 Boyd Street be lifted from the table; and
THAT Development Permit 012 (Q) for 801 Boyd Street be approved and issued.

CARRIED.

All members of the Committee present voted in favour of the motion.

16. **Purple Light Nights**

Councillor Coté brought forward a recommendation from the Community and Social Issues Committee recommending that approval be given to a request from organizers of the Memory March (to commemorate murdered and missing women in Canada) to display purple lights on the [west] side of City Hall, April 19-26, 2010.

** **MOVED and SECONDED and CARRIED, this Committee recommends**
THAT the participation in the Prevention of Violence Against Women Week—Purple Light Nights be supported; and
THAT funding for the cost of purchasing and hanging purple lights on the West site of City Hall be granted where feasible.

CARRIED.

All members of the Committee present voted in favour of the motion.

ADJOURNMENT

ON MOTION, the meeting adjourned at 6:00 p.m.

Certified Correct,

WAYNE WRIGHT
MAYOR

JUDI TURNER
ACTING CORPORATE OFFICER