



COUNCIL IN COMMITTEE OF THE WHOLE

May 17, 2010, 3:13 p.m.
Committee Room 2, City Hall

MINUTES

PRESENT:

Mayor Wayne Wright
Councillor Jonathan Côté
Councillor Bill Harper
Councillor Bob Osterman
Councillor Jaimie McEvoy
Councillor Lorrie Williams

REGRETS:

Councillor Betty McIntosh

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. Lorne Zapotichny	- Chief, Police Services
Mr. Dean Gibson	- Director of Parks, Culture and Recreation
Ms. Donna Martin	- Committee Clerk

OTHERS PRESENT:

Mr. Keith Coueffin	- Manager of Licensing and Integrated Services
Mr. Randy Grant	- Manager of Collection Services
Ms. Bev Grieve	- Manager of Planning
Mr. Reece Harding	- Young Anderson
Mr. Dugal Purdy	- Worley Parsons
Ms. Lil Ronalds	- Planner
Ms. Julie Schueck	- Heritage Planner
Mr. Barry Waitt	- Senior Planner
Mr. Mike Watson	- Planning Assistant

ADDITIONS TO AGENDA

The agenda was varied as follows:

- LMTAC added as Item 20;
- Public Art added as Item 21;
- District Heating System added as Item 22.

REPORTS FOR ACTION

Director of Engineering

1. [Remedial Action Order - Retaining Wall at 201 Queens Avenue](#)

- a) **Director of Engineering Services Report** (originally circulated April 26, 2010)
April 26, 2010 report seeking approval of a remedial action order requiring the owners of 201 Queen's Avenue to replace an unsafe retaining wall.

Mayor Wright read a statement regarding the conduct of the hearing. He called three times for the owner of the property at 201 Queens Avenue to identify himself. The owner was not present. Mayor Wright announced that the hearing would proceed in the absence of the owner.

Jim Lowrie, Director of Engineering Services reviewed the staff report of April 26, 2010 and reported the retaining wall at 201 Queens Avenue is failing. The City has actively been pursuing the replacement of the wall with the owner. The owner has been provided with structural engineering reports in September 2009. To date the owner has not provided the City with a design that meets City requirements or proceeded with the necessary work. The City is seeking a remedial action order to effect the repairs.

Mr. Lowrie circulated On-Table two emails from Mr. Drummond requesting 60 days to complete the work (which will be added to the Agenda package). The staff report has requested 30 days which would take us to June 17, 2010.

- b) **Representations by Property Owner, Mr. Brian Drummond**

Mr. Drummond was unable to attend the meeting due to a work conflict.

- c) **Decision**

During the ensuing discussion, members posed questions, received responses (responses in italics), and made comments as follows:

Member: If we extended the order from 30 to 60 days, is there any risk or danger or would the City be liable if anything happened out there? Jim Lowrie: *Liability is a legal question. From our perspective, there is no high risk.*

Member: There is no imminent danger? Jim Lowrie: *no.*

Member: no imminent danger but is replacement before the next frost or snow season advisable? Jim Lowrie: *To what extent freezing or frost contributes I could not say, but it would be best to repair before that season.*

Member: October. I'm not sure if wall has a drainage system behind it.

Member: Are there any power lines or sewer lines or GVRD systems underneath? Jim Lowrie: *No underground utilities.*

Member: 30 days seems short. Is this a reasonable time to get a contractor and do all the work needing to be done? Jim Lowrie: *The type of wall proposed is lock block wall prefabricated, large blocks – 2/2 ½ foot - and can be installed in short order.*

Member: It's a matter of removal and put them back in? *Yes.*

Member: If Council wants to compromise with 60 days, we've already used up half of that – perhaps something in between to meet the needs of the owner.

Mayor: it is a matter for Council discussion.

Member: Looking at the available building season – what would the City's next steps be at the end of 60 days if not attended to by the owner and what are City's options to get the retaining wall completed? Jim Lowrie: *The City would undertake the work on behalf of the owner. A 60 day extension would still allow Mr. Drummond to replace the wall during the construction season. If Mr. Drummond fails to do so, the City would still have time to do the work.*

**

MOVED and SECONDED and CARRIED this Committee recommends:

WHEREAS Sections 72 and 73 of the Community Charter authorizes Council to impose remedial actions in relation to a structure that it considers is in or creates an unsafe condition;

AND WHEREAS Council considers the existing retaining wall at 201 Queen's Avenue (legally described as the Southerly 132 Feet Lot 5 Except: Parcel "D" (N4288E), Suburban Block 5 Plan 2620 having a frontage of 132 feet on Queen's Avenue and a Frontage of 132 Feet on Second Street) to be unsafe and a potential risk to the property owner and the public;

NOW THEREFORE BE IT RESOLVED THAT:

1. *Pursuant to Sections 72 and 73 of the Community Charter and upon Council finding that it considers that the retaining wall located at 201 Queen's Avenue is in or creates an unsafe condition, the following remedial action be imposed:*

- a. *The retaining wall along the lane frontage on the north/west side of the above noted parcel of land shall be demolished and replaced with a new retaining wall complete with a 42 inch high handrail on top of the wall. The design of the new wall shall be acceptable to the City's Director of Engineering Services.*

- b. The owner must obtain a building permit and street use permit prior to installing the new concrete retaining wall. The design and construction of the wall shall be in accordance with the applicable requirements of the City's Building Bylaw and the British Columbia Building Code. The new retaining wall shall be designed and approved by a qualified structural engineer registered in the Province of British Columbia. The owner shall demolish and replace the retaining wall within 60 days following the service of this Order.*
- 2. It is hereby further ordered pursuant to section 77(3)(b) of the Community Charter that:*
 - a. In the case of default by the owner to comply with this Order, the City, by its employees, contractors, and others, may enter 201 Queen's Avenue and effect the demolition and replacement of the concrete retaining wall on this property at the expense of the owner.*
 - b. The charges for doing the work under paragraph (a), including all incidental expenses, if unpaid within 60 days of submission of an invoice, shall be added to and form part of the taxes payable on the land or real property at 201 Queen's Avenue.*

CARRIED.

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

PRESENTATION

Director of Development Services78

2. [Westminster Pier Park Development Update](#)

May 17, 2010 report providing an update on the Park Master Plan construction costs and outlining the extent of park development in Phase I.

Mr. Dugal Purdy, Worley Parsons, reported on the phasing options for Westminster Pier Park development within the available budget of approximately \$25 million. FREMP will allow work to begin June 1st. In a review with the City, design adjustments being considered are as follows:

- Reduce the size of the 6th Street pier;
- Move the main east-west boardwalk 2 meters inshore and change the boardwalk from a pile supported marine deck to a shallow retaining wall;
- Reduce the size of the 4th Street pier; and
- Shift the offshore edge of the festival area inshore by approximately 2 meters.

Questions from the Council (Response in italics):

- Would the reduced segment be re-established in the future? *Mr. Purdy said it is possible in the future with additional funding and the pier could be extended.*
- Is there any place for weddings or large gatherings? *There will be a place for large gatherings below the structure and several locations for smaller gatherings depending on the number of people.*
- What is happening to the old deck? *The old deck will be made usable for things like hard courts. Interim use will need to be worked out.*
- How does the City ensure there are no further costs on the deck? *The use of steel piles with the lower levels surrounded by galvanized material will protect the piles.*
- Is there a high fence along the back of the property? *No, there will be a lower fence.*
- What can be done on pavement of the old deck? *The old deck will be a hard surface with drain. There are ways to use rubber matting for a lot of kids' things.*
- Has the program area been reduced? *The stage area is reduced but the actual program area is not reduced.*
- Is there any landscaping possible on asphalt (next to the park)? *There are ways to have landscaping but there is no design as yet. Raised planters could be used.*
- Will the project require an extension and how will the extension affect overtime costs? *The problem is doing the landscaping in winter. Landscaping is the only item that might benefit from a delay.*
- Debris comes into the area where the pier will be shortened – what is impact of this? *The shortened pier will not change in any way as debris will float under.*
- What will be on the other side of the large section of asphalt? *It continues onto the next property. A fence or screen will delineate it.*
- If timeline is extended, would it mean any cost savings? *If there is more time it opens other options.*
- Will there be soil remediation? *Remediation work is underway. Hot spots are being removed. Land is being densified to stiffen ground for withstanding an earthquake.*
- How much higher is it than existing dock? *Enough for flood plain considerations.*

Comments from the Council:

- The public prefers solid infrastructure on this park. Supply options of where to go from here including options for further phasing and costing, and let council decide on further treatment of the park so we are not opening the park with a bunch of asphalt
- Time limit is unreasonable;
- Good reaction from public and media;
- Do not want to open the park with a lot of asphalt;
- Aesthetics are very important;
- Put in a transformer to accommodate capacity for future;
- Must make any changes before awarding contract;

Mr. Purdy related the permits are through, piling contract closes Thursday and the expected start date is June 1st.

CONSENT AGENDA

MOVED and SECONDED

THAT the Consent Agenda be approved with the following revisions:

- *Remove item 7*

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

Director of Development Services

3. Exterior Design for Retail Project of Plaza 88

May 17, 2010 providing information with respect to the exterior appearance of the retail portion of Plaza 88.

THAT the May 17, 2010 report from the Director of Development Services regarding the exterior appearance of the proposed retail complex for Plaza 88 be received for information.

4. Policies Relating to Liquor Establishments

May 17, 2010 providing information regarding City policies and practices relating to liquor establishments and seeking clarification on applications to extend hours of operation.

- **** *THAT the policies pertaining to applications from licensed establishments to extend their hours of liquor service as outlined in the May 17, 2010 report from the Director of Development Services be approved.*

5. Development Variance Permit No. 511 for 325 Fenton St.—Preliminary report

May 17, 2010 report advising of the application for a DVP for 325 Fenton Street.

THAT the May 17, 2010 report from the Director of Development Services regarding an application for Development Variance Permit No. 511 for 325 Fenton Street be received for information.

Director of Parks, Culture and Recreation

6. Manager, Arts & Cultural Development Responsibilities and Priorities

May 17, 2010 report introducing the new Manager of Arts & Culture Development and his responsibilities.

THAT the May 17, 2010 report from the Director of Parks, Culture and Recreation introducing the new Manager, Arts & Culture Development and his responsibilities be received for information.

8. **MOTION TO ADOPT THE MINUTES OF: [Community Heritage Commission Minutes of March 17, 2010](#)**

THAT the minutes of the Community Heritage Commission meeting held on March 17, 2010 be received and adopted.

9. **MOTION TO ADOPT THE MINUTES OF: [Arts and Culture Commission meeting of March 31, 2010](#)**

THAT the minutes of the Arts and Culture Commission meeting held on March 31, 2010 be received and adopted.

10. **MOTION TO ADOPT THE MINUTES OF: [Community and Social Issues Committee meeting of March 18, 2010](#)**

THAT the minutes of the Community and Social Issues Committee meeting held on March 18, 2010 be received and adopted.

11. **MOTION TO ADOPT THE MINUTES OF: [Seniors Advisory Committee meeting of March 4, 2010](#)**

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

CARRIED

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

REPORTS FOR ACTION

Director of Development Services

12. **[Proposed Development Variance Permit Application 514 Garfield Street – Preliminary Report](#)**

May 17, 2010 report providing information on the resubmission of an application for a DVP for 514 Garfield Street.

MOVED and SECONDED

THAT the May 17, 2010 report from the Director of Development Services regarding the resubmission of a Development Variance Permit application for 514 Garfield Street be received for information.

CARRIED.

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

13. **[Zoning Amendments to Include Bonus Density in Eligible Low Rise and Townhouse Zones](#) (Bylaw No. 7392, 2010)**

May 17, 2010 report seeking consideration of amendments to the Zoning Bylaw.

- ** MOVED and SECONDED and CARRIED, this Committee recommends:**
THAT Zoning Amendment Bylaw No. 7392, 2010 be forwarded to the regular Council meeting of May 17, 2010, for consideration of first and second readings.

CARRIED.

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

A discussion followed regarding density and zoning around the 22nd street SkyTrain Station. Staff was directed to provide Council with the “Station Area Plans” prepared by Stantec consulting several years ago and commence a comprehensive discussion regarding densification around all SkyTrain stations.

14. Commercial and Multiple Unit Residential Parking Requirements

(Bylaw No. 7374, 2010)

May 17, 2010 report advising proposed amendments to the zoning bylaw to implement comprehensive evidence based parking standards for commercial and multi unit residential development.

During discussion the following comments were made:

- Not comfortable moving away from transit;
- Might be restrictive – avoid this because visitor parking is used by local residents; need to allow for family gatherings and for other automobile uses
- Look at regional town centre;
- Local residents using visitor parking is a problem;
- Issue of accessibility for people with disabilities – encourage developer to be creative;
- Consider way to use vacant stalls in high rise garages; discuss with Residents’ Associations
- Take another look at Kelly Street area.

- ** MOVED and SECONDED and CARRIED, this Committee recommends:**
THAT Zoning Amendment Bylaw No. 7374, 2010 be forwarded to the Regular Council meeting of May 17, 2010 for consideration of first and second readings; and
THAT staff research a blanket policy for further reduction of parking in the downtown town centre.

CARRIED.

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

15. 530 Columbia Street (Burr Theatre) Heritage Alteration Permit

May 17, 2010 report seeking approval of and Heritage Alteration Permit for 530 Columbia.

- ** MOVED and SECONDED and CARRIED, this Committee recommends:**
THAT a Heritage Alteration Permit for 530 Columbia Street (Burr Theatre) to allow for rehabilitation of the front façade be approved.

CARRIED.

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

Director of Engineering

16. [West Nile Virus Response Program 2010](#)

May 17, 2010 report providing information regarding the City's response to the West Nile Virus.

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

THAT Councillor Osterman be appointed to sit on the Local Advisory Committee for adulticiding should the Health Authority deem it necessary to implement this control measure.

CARRIED.

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

Director of Parks, Culture and Recreation

17. [Moody Park Outdoor Pool – Summer 2010 Operating Season Schedule](#)

May 17, 2010 report regarding the expanded operating season and hours of the Moody Park Outdoor Pool.

The Kiwanis hanging basket sale netted funds that will be used for the hospital and for a plaque and furniture for the Moody Park Pool.

MOVED and SECONDED

THAT the May 17, 2010 report from the Director of Parks, Culture and Recreation regarding Moody Park Outdoor Pool operating schedule be received for information.

CARRIED.

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

18. [Community Grant Request to Change Project New Westminster Amateur Radio Club](#)

May 17, 2010 report seeking approval to amend the grant request for New Westminster Amateur Radio Club.

Comments made during discussion:

- Request to make the change from original submission may be precedent setting
- Suggest Emergency Manager review the request;
- Chairperson to monitor;
- Consider removing from the grant program groups who deliver a service (rather than offer a one time initiative) and find another means of funding those groups (e.g. Hyack, Humane Society, Radio Club)
- The Director of Parks and Recreation to discuss this with the Chair Person.

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

THAT the request from the New Westminster Amateur Radio Club to amend their 2010 grant request to allow a variety of emergency radio equipment to be purchased (instead of a generator for the Radio Club's trailer) be approved; and

THAT staff develop a policy and process for consideration of grant request amendments.
CARRIED.

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

19. Queensborough All Wheel Park – Status Update & Site Recommendation

May 17, 2010 report on the status of one aspect of the Queensborough Park Development project and seeking endorsement of the site recommendation for the all wheel park.

Dean Gibson, Director of Parks, Culture and Recreation reviewed the staff report and advised the Queensborough All Wheel Park is a part of the parks development program. He was directed to report further on what other kinds of uses are made of this site that might be displaced by this project.

**** MOVED and SECONDED and CARRIED, this Committee recommends:**
THAT the new All Wheel Park site be developed in the Ryall Park (north) location subject to consultation with adjacent property owners.

CARRIED.

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

ITEMS REMOVED FROM THE CONSENT AGENDA

7. Canada Games Pool Feasibility Study Update

May 17, 2010 report on the process and status for the feasibility study for Canada Games Pool.

Comments made during discussion:

- Suggest looking at the pool, Centennial Lodge, the curling rink, recycle depot, and soccer field;
- Parking an issue – don't clash with recycling centre etc. on weekends;
- Ridiculous to have recycling centre on prime real estate;

The Director of Parks, Culture and Recreation noted the curling rink is of the same vintage as the community centre and is not in need of an overhaul beyond refurbishing. A look at the parking will be at the second level of the study. The study will look at repair costs as opposed to replacement cost.

THAT the May 17, 2010 report from the Director of Parks, Culture and Recreation regarding the process and status of the feasibility study for the Canada Games Pool/Centennial Community Centre project be received for information.

CARRIED.

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

NEW BUSINESS

20. LMTAC – Councillor Osterman

Councillor Osterman reported there are nine treaties ready to go. The Fisheries issue, which has been causing delays, will be dealt with later.

21. Public Art – Councillors Harper & Williams

Members discussed options for a piece of public art which would commemorate the photo entitled “Daddy Wait for Me”, which features New Westminster troops on a City street. Groups which have expressed interest/support for the proposal include: the Legion, The Westminster Regiment, Sapperton Pensioners. Heritage Canada and the Department of Defense could be consulted also.

- ** MOVED and SECONDED and CARRIED, this Committee recommends:**
WHEREAS the need for more public art in the City of New Westminster is a part of the Arts Strategy; and
WHEREAS the picture “Wait for Me Daddy” is the second most recognized photograph in Canada;
BE IT RESOLVED that staff is directed to investigate and report back on the feasibility, cost and potential placement of a statue or other form of public art to reflect the picture “Wait for Me Daddy” as a piece of public art for the City.

CARRIED.

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

22. District Heating Systems – Councillor Harper

Members discussed the potential benefits of district heating given the pending construction projects in the City (Saint Mary’s park site, John Robson, high school site, Pier park, RCH, civic centre) citing recent research on the matter done in Gibsons.

- ** MOVED and SECONDED and CARRIED, this Committee recommends:**
WHEREAS the City of New Westminster is creating a sustainability program for the downtown district;
WHEREAS the City desires to reduce greenhouse gas emissions in the City; and
WHEREAS Terasen Gas has a granting program for research and development of green direct heating systems;
BE IT RESOLVED staff is directed to meet with Terasen Gas and report back to Council on the potential application of direct heating systems for City projects in particular and the application of district heating program as it applies to the City in general.

CARRIED.

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

23. City Watch

Members commented positively on the new program “City Watch” which puts more eyes on the streets and offers an added safety element for citizens. Staff was commended for the initiative.

ADJOURNMENT

ON MOTION, the meeting adjourned at 5:23 p.m.

Certified Correct,

WAYNE WRIGHT
MAYOR

JUDI TURNER
ACTING CORPORATE OFFICER