

REGULAR MEETING OF CITY COUNCIL

June 14, 2011 7:00 p.m.
Council Chamber
City Hall

MINUTES

PRESENT:

Mayor Wayne Wright
Councillor Jonathan Coté
Councillor Bob Osterman
Councillor Jaimie McEvoy
Councillor Betty McIntosh
Councillor Lorrie Williams

REGRETS:

Councillor Bill Harper

STAFF:

Mr. Rick Page	- Acting City Administrator
Ms. Judi Turner	- Acting Corporate Officer
Ms. Lisa Spitale	- Director of Development Services
Mr. Jim Lowrie	- Director of Engineering
Mr. Gary Holowatiuk	- Director of Finance & Information Technology
Ms. Louise Payne	- Committee Clerk, Legislative Services

OTHERS:

Ms. Maureen Kirkbride	- Telus
Mr. Bruce Canfield	- Telus
Mr. Beau Jarvis	- Onni

Procedural Note: The Regular Meeting of Council scheduled for 7:00 p.m. on Monday, June 13, 2011 was postponed to 7:00 p.m. on Tuesday, June 14, 2011.

ADDITIONS TO AGENDA

The Agenda was varied with the addition of the following:

- Onni – Victoria Hill Update – Beau Jarvis – as Item 4.A. under Presentations.

ADOPTION OF MINUTES

1. **Motion to adopt the minutes of the Regular meeting of the City Council held May 30, 2011**

MOVED AND SECONDED

THAT the minutes of the Regular meeting of Council held May 30, 2011 be received and adopted.

CARRIED.

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

PRESENTATIONS

2. **Mayor Wayne Wright to recognize artist, Angie Au Hemphill, Signature Member of the Federation of Canadian Artist and recipient of the Federation of Canadian Artists' annual Spilsbury Gold Medal Award.**

This Agenda item was deferred to a future meeting.

3. **Art Panels presented by the Queensborough Youth Art Initiative – Lisa Egan**

This Agenda item was deferred to a future meeting.

4. **Telus High Definition Boxes – Maureen Kirkbride and Bruce Canfield**

Ms. Maureen Kirkbride and Mr. Bruce Canfield of Telus made a presentation to Council on High Definition (HD) boxes in response to a complaint from a resident regarding the location of HD boxes in the city.

Council comments (and Telus response in italics):

- Requested that Telus display a sign “Telus installation of High Definition Boxes in cooperation with City of New Westminster” to address some residents’ concerns about what they are doing;
- Number of SAC Cabinets? *Expanding 8 existing and building 16 new cabinets;*
- Suggest that Telus wrap all HD boxes to prevent graffiti and to make them more acceptable in residential areas;
- Expressed concern with Telus’ communication process not being followed with affected residents.

- 4.A. **Victoria Hill – Update – Onni – Beau Jarvis**

Mr. Beau Jarvis of Onni developers provided Council with a status update on their Victoria Hill development proposal as follows:

- Issue of on-street parking – inherited the street design and not interested in providing more on-street parking; proposal for temporary parking on Parcel C met with legal issues for parking on this site;

- Issues with Parcel O – working with architect on design of the building; discussion on “non-market housing” as it relates to the development agreement – proposal for 100 non-market housing units in Development Permit application coming in next 6 weeks; Parcel O is tied to Parcel J via a Building Permit in the development agreement;
- Issues with Parcel C – concerned that this parcel has sat idle for seven years and have been incurring costs; preliminary Development Permit application submitted and a formal application coming in late July;
- Request the Mayor to reconsider approval and issuance of Development Permit 009(W) with variance for a side yard setback for a portion of 271 Francis (Parcel J, Victoria Hill);
- Request a meeting with Council to discuss parking issue, Centre Block and Parcel O.

DELEGATIONS

5. Open Delegations

Patrick Johnstone, New Westminster Environmental Partners, stated that consideration of a Tree Protection Bylaw is timely as many municipalities have a similar bylaw with varying measures for protection of trees on public and private lands. Tree protection is standard practice in municipalities across Canada for greenway protection, habitat loss, slope stabilization, etc. The important roles of trees include the provision of shade, buffer noise, filter CO₂, regulation of temperature and humidity, absorption of rainwater, provide habitat, and blocking of light pollution.

COMMITTEE MINUTES AND RECOMMENDATIONS

6. Motion to receive and adopt the minutes of a meeting of Council in Committee of the Whole held May 30, 2011.

MOVED AND SECONDED

THAT the minutes of a meeting of Council in Committee of the Whole held May 30, 2011 be received and adopted.

CARRIED.

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

7. Recommendations from Council in Committee of the Whole meeting held June 13, 2011

Director of Development Services

a) Design of the Retail Phase of Plaza 88

MOVED AND SECONDED

THAT the recommendations of the Design Panel be endorsed and that approval be given to the modification to the design of the retail phase of Plaza 88, as contained in the May 30, 2011 report from the Director of Development Services.

CARRIED.

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

- b) **Heritage Revitalization Agreement Bylaw No. 7473, 2011 and Zoning Amendment Bylaw No. 7470, 2011 – Trapp Block and Holbrook Block**

MOVED AND SECONDED

THAT Zoning Amendment Bylaw No. 7470, 2011 and Heritage Revitalization Agreement (660 and 668 Columbia Street) Bylaw No. 7473, 2011 be received; and

THAT a public hearing be set at the earliest feasible date.

CARRIED.

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

- c) **309 and 311 Ward Street – Demolition Application for Properties Listed on the City’s Heritage Resource Inventory**

MOVED AND SECONDED

THAT staff issue demolition permits for 309, 311 and 315 Ward Street, subject to the applicant submitting the following information:

- i) *Historical research of 309, 311 and 315 Ward Street;*
- ii) *As-found drawings of 309, 311 and 315 Ward Street;*
- iii) *Current high-resolution digital photos of all elevations of 309, 311 and 315 Ward Street;*
- iv) *An interpretive panel with historic photo(s) and a summary of the history of 309, 311 and 315 Ward Street that is placed at the front of the development; and*
- v) *An opportunity to discuss retention options for the beech tree.*

CARRIED.

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

- d) **Revised Heritage Review Policy**

MOVED AND SECONDED

THAT the revised heritage review policy as contained in the June 13, 2011 report from the Director of Development Services be endorsed;

THAT staff be directed to apply the revised heritage review policy to all in-stream applications; and

THAT staff be directed to proceed with the “Next Steps” outlined in the June 13, 2011 report from the Director of Development Services.

CARRIED.

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

- e) **Regional Growth Strategy Dispute Resolution Process**

MOVED AND SECONDED

THAT the Chair of Metro Vancouver Board be advised that the City of New Westminster will not participate in the Regional Growth Strategy dispute resolution process.

CARRIED.

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

Director of Engineering

- f) **Development Variance Permit No. 524 – Off – Site Servicing Works for St. Mary’s Site School Project**

MOVED AND SECONDED

*THAT further consideration of Development Variance Permit No. 524 for the retention of overhead utilities in connection with the development of the St. Mary’s Site Elementary School project be **tabled**.*

CARRIED.

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

- g) **Proposed Park Lands Lease Agreement for Construction of Parcel 3A 215 and 245 Brookes Street – Port Royal (Aragon)**

MOVED AND SECONDED

THAT the Mayor and City Clerk be authorized to execute the Park Lands Lease Agreement, as amended, for construction of Parcel 3A, 215 and 245 Brookes Street permitting the developer (Aragon) to use a portion of the Central Park lands (Parcel M) for construction of 215 and 245 Brookes Street of the Port Royal development.

CARRIED.

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

Director of Legislative Services

- h) **Change to 2011 Council Schedule – Addition of Public Hearing July 11, 2011**

MOVED AND SECONDED

THAT the 2011 Schedule of Council meetings be amended to add a Public Hearing at 6:00 p.m. on Monday, July 11, 2011 in Council Chamber.

CARRIED.

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

Director Development Services and Director of Parks, Culture and Recreation

- i) **Proposed Licensing Agreement for Group Daycare Play Space at 78 Jamieson Court (Glenbrook Ravine Park)**

MOVED AND SECONDED

THAT staff be authorized to prepare public notification of the City’s intention to enter into a License Agreement with Graham Montessori Daycare to use a portion of Glenbrook Ravine Park lands in order to meet its outdoor play space requirements as prescribed by Community Care Facilities Licensing.

CARRIED.

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

Director of Parks, Culture and Recreation

j) Westminster Pier Park – Video Mapping Interactive Art Installation

MOVED AND SECONDED

THAT staff be directed to determine the full project costing for all Video Mapping Interactive Art project scenarios for the eastern terminus of the Westminster Pier Park, and identify potential funding sources and associated funding timelines for further Council consideration.

CARRIED.

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

Director of Development Services

k) Moonrakers Pub, 525 Seventh Street/Sidewalk Patio Application

MOVED AND SECONDED

WHEREAS New Westminster City Council considered a staff report regarding an application from Moonraker's Pub located at 525 Seventh Street to create a sidewalk patio with 12 seats;

WHEREAS the configuration of the proposed patio complies with City bylaws and the applicant is prepared to enter into an Encroachment Agreement;

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

WHEREAS the City received correspondence from eleven residences expressing concern regarding pedestrians being impacted by smoking and sidewalk obstructions associated with the patio;

WHEREAS the applicant is willing to address the community concerns by ensuring the pedestrian passage way in front of the patio is kept clear and smoking does not occur in and around the patio or the front of the establishment;

WHEREAS the City will monitor the operation of the patio and consider revoking the applicant's Encroachment Agreement if the patio generates community concerns; and

WHEREAS City bylaws require the patio to close at 10 pm and the patio is not expected to create noise concerns;

***THEREFORE BE IT RESOLVED THAT** New Westminster City Council approves the application from Moonraker's Pub to develop a patio with 12 seats on the sidewalk in front of the establishment subject to smoking not being permitted on the patio and the patio being closed at 10 pm, and subject to Moonrakers Pub bearing all costs for expanding beyond the existing sidewalk into two parking stalls which will be removed to accommodate this expansion.*

CARRIED.

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

Director of Engineering

l) Funding for Roof Replacement – Fire Hall No. 2

MOVED AND SECONDED

THAT the reallocation of up to \$125,000 from within the approved Five-Year (2011-2015) Financial Plan for replacement of the existing roof at Fire Hall No. 2, as described in the June 13, 2011 report from the Director of Engineering, be approved.

CARRIED.

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

Director of Legislative Services

m) On Table Letter re: Official Community Plan Amendment Bylaw No. 7468, 2011 (273 & 275 Sherbrooke Street) Public Hearing

MOVED AND SECONDED

THAT the Public Hearing scheduled for Bylaw No. 7468, 2011 on Monday, June 27, 2011 at 6:00 p.m. in Council Chamber, City Hall be cancelled; and THAT the matter be referred to staff to determine the status of the OCP amendment application.

CARRIED.

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

DELEGATIONS, Continued

5. Open Delegations

Richard Curry, resident, reported on discussions with the representatives of Telus, noting that he had agreed to provide Telus with a list of available empty lots in the neighbourhood, close to 8th Avenue. Telus agreed to move two HD boxes onto two of these empty lots.

Lisa Lee, resident, reported on discussions with the representatives of Telus, that in speaking with them it became clear there is no public process. Telus has an agreement with the City of New Westminster to sign off on locations for HD boxes, and that the extent of public consultation is a letter from the consultant that doesn't always get sent. She urged the City to scrutinize the proposed locations for these Telus HD boxes and advocate on behalf of affected citizens.

BYLAWS

8. **Five-Year Financial Plan (2010-2014) Amendment Bylaw No. 7453, 2011** [a Bylaw to amend the Five-Year Financial Plan for the years 2010 – 2014, inclusive]

MOVED AND SECONDED

THAT Five-Year Financial Plan (2010-2014) Amendment Bylaw No. 7453, 2011 be adopted.

CARRIED.

OPPOSED: Councillor McIntosh.

9. **Bylaws coming forward from the Committee of the Whole meeting held June 13, 2011:**

- a) **Zoning Amendment Bylaw No. 7470, 2011** [a Bylaw to amend Zoning Bylaw No. 6680, 2001 re: 660 - 700 Columbia Street (Trapp Block)]

MOVED AND SECONDED

THAT Zoning Amendment Bylaw No. 7470, 2011 be read a first time.

CARRIED.

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

MOVED AND SECONDED

THAT Zoning Amendment Bylaw No. 7470, 2011 be read a second time.

CARRIED.

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

A Public Hearing for Bylaw No. 7470, 2011 has been scheduled for Monday, July 11, 2011 at 6:00 p.m. in Council Chamber, City Hall.

- b) **Heritage Revitalization Agreement (660 and 668 Columbia Street) Bylaw No. 7473, 2011** [a Bylaw to enter into a Heritage Revitalization Agreement under Section 966 of the *Local Government Act* re: 660 and 668 Columbia Street (Trapp Block)]

MOVED AND SECONDED

THAT Heritage Revitalization Agreement (660 and 668 Columbia Street) Bylaw No. 7473, 2011 be read a first time.

CARRIED.

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

MOVED AND SECONDED

THAT Heritage Revitalization Agreement (660 and 668 Columbia Street) Bylaw No. 7473, 2011 be read a second time.

CARRIED.

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

A Public Hearing for Bylaw No. 7473, 2011 has been scheduled for Monday, July 11, 2011 at 6:00 p.m. in Council Chamber, City Hall.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

9.A. Mayor's Reconsideration of Development Permit for Portion of 271 Francis Way (Parcel J, Victoria Hill) Multiple Family Residential Development (Onni)

May 30, 2011 report from Director of Development Services on application for Development Permit with variance for a side yard setback for a portion of 271 Francis Way (Parcel J, Victoria Hill)

In accordance with Section 131 of the *Community Charter*, Mayor Wright requested Council to reconsider the application for Development Permit with a variance for a side yard setback for a portion of 271 Francis Way (Parcel J, Victoria Hill).

MOVED AND SECONDED

THAT Council reconsider the May 30, 2011 report from the Director of Development Services on the application for Development Permit with variance for a side yard setback for a portion of 271 Francis Way (Parcel J, Victoria Hill) at the June 20, 2011 Committee of the Whole meeting of Council.

CARRIED.

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

10. Notice of Motion – Served by Councillor Lorrie Williams

MOVED AND SECONDED

*WHEREAS trees are essential to air quality, esthetics and quality of life;
BE IT RESOLVED THAT New Westminster develop a Tree Retention / Removal Bylaw for both public and private property.*

CARRIED.

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

REPORTS

11. Council Members:

MOVED AND SECONDED

THAT Council Members' reports be deferred until the June 20, 2011 Regular Meeting of Council.

CARRIED.

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

NEXT MEETING

Monday, June 20, 2011

Proposed Closed Session commences at 1:00 p.m. and the Open Session at 3:00 p.m. in Committee Room No. 2, City Hall, reconvening at 7:00 p.m. in the Council Chamber, City Hall.

ADJOURNMENT

ON MOTION, the meeting adjourned at 8:36 p.m.

Certified Correct,

MAYOR WAYNE WRIGHT
MAYOR

JUDI TURNER
ACTING CORPORATE OFFICER