



CORPORATION OF THE CITY OF NEW WESTMINSTER

## COUNCIL IN COMMITTEE OF THE WHOLE

November 9, 2009 **3:20 p.m.**  
Committee Room 2, City Hall

### MINUTES

#### PRESENT:

Acting Mayor Bill Harper  
Councillor Jonathan Coté  
Councillor Bob Osterman  
Councillor Jaimie McEvoy  
Councillor Betty McIntosh  
Councillor Lorrie Williams (arrived at 5:00 pm)

#### REGRETS:

Mayor Wayne Wright

#### STAFF:

Mr. Paul Daminato	- City Administrator
Mr. Rick Page	- Corporate Officer/Director of Legislative Services
Ms. Lisa Spitale	- Director of Development Services
Mr. Jim Lowrie	- Director of Engineering Services
Mr. Gary Holowatiuk	- Director of Finance & Information Technology
Ms. Joan Burgess	- Director of Human Resources
Mr. Dean Gibson	- Director of Parks and Recreation
Mr. Terry Dunlop	- Recording Secretary

#### ADDITIONS TO AGENDA

#### MOVED and SECONDED

*THAT the following items be added to the agenda:*

29. Proposed Road Closing Bylaw for part of Alexander Street
30. Communication from School District No. 40 (New Westminster) dated October 28, 2009.
31. Veterans Parking Fee Waiver

**CARRIED**

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

## CONSENT AGENDA

*Note: Council members may adopt in one motion all recommendations appearing on the Consent Agenda or, prior to the vote, request an item be removed from the Consent Agenda for debate or discussion, voting in opposition to a recommendation, or declaring a conflict of interest with an item.*

### **MOVED and SECONDED**

**THAT** the Consent Agenda be approved with removal of items 3,4, 7, 9,10, 11, 12 and 15 for separate consideration.

**CARRIED**

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

### **MOVED and SECONDED**

**THAT** staff recommendations arising from Consent Agenda items be approved as follows:

1. **331 Alberta Street – Demolition Application** – Director of Development Services

\*\*\* **THAT** a demolition permit be issued for 331 Alberta Street.

2. **Amendment of Covenant for Third Tower – 888 Carnarvon Street and Covenant for Retail Project – 811 Columbia Street of Plaza 88** – Director of Development Services

\*\*8 **THAT** the proposed modification to the Works and Services Covenant for the third tower of Plaza 88 and the No Use/Occupancy Covenant for the retail phase of that development be approved; and  
**THAT** the Mayor and City Clerk be authorized to sign both documents on behalf of the City.

5. **Plaza 88 / Request for Construction Noise Bylaw Exemption** – Director of Development Services

\*\*\* **THAT** Degelder Construction Co. B.C. Ltd. be granted an exemption from Construction Noise Bylaw No. 6063 in order to carry out construction work over the SkyTrain guide way within the development known as Plaza 88 from 2:00 a.m. to 6:00 a.m. on November 12<sup>th</sup> to 20<sup>th</sup>, 2009.

6. **Child Care Protocol Between the City of New Westminster and School District #40** – Director of Development Services

\*\*\* **THAT** the Child Care Protocol as outlined in the November 9, 2009 report from the Director of Development Services be endorsed.

**8. Development Cost Charge Expenditure Bylaw No. 7358, 2009 –  
Director of Finance and Information Technology**

**\*\*\*** *THAT the Development Cost Charge Expenditure Bylaw No. 7358, to ratify, confirm, and authorize a total expenditure of \$606,000 from the Development Cost Charge Reserve Funds, be forwarded to Regular Council for consideration;*  
*THAT a \$606,000 expenditure from the Queensborough Transportation DCC Reserve to pay for the costs of projects on behalf of the Mainland Transportation DCC Reserve be approved; and*  
*THAT the \$606,000 be repaid to the Queensborough Transportation DCC Reserve no later than the time when the funds are needed for the purposes of the Queensborough transportation DCC projects.*

**13. MOTION TO ADOPT THE MINUTES OF: Parks and Recreation  
Committee meeting of September 9, 2009**

*THAT the September 9, 2009 minutes of the Parks and Recreation Committee meeting be adopted*

**14. MOTION TO ADOPT THE MINUTES OF: Community and Social  
Issues: May, 29, 2009 and June 18, 2009**

*THAT the May 29, 2009 and June 18, 2009 minutes of the Community and Social Issues Committee meeting be adopted.*

**16. MOTION TO ADOPT THE MINUTES OF: Family Court Committee  
meetings of May 27, 2009 and June 24, 2009**

*THAT the May 27, 2009 and June 24, 2009 minutes of the Family Court Committee meetings be adopted.*

**17. MOTION TO ADOPT THE MINUTES OF: Seniors Advisory Committee  
meeting of September 3, 2009**

*THAT the September 3, 2009 minutes of the Seniors Advisory Committee meeting be adopted.*

**18. MOTION TO ADOPT THE MINUTES OF: Youth Advisory Committee  
meeting of March 26, 2009**

*THAT the March 26, 2009 minutes of the Youth Advisory Committee meeting be adopted.*

**CARRIED.**

All members of Committee voted in favour of the motion.

### **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

3. [224 Front Street - Westminster Pier Park Program Development](#) – Director of Development Services  
On-table document dated November 9, 2009 providing preliminary Program Element Evaluation Criteria for development of the Westminster Pier Park.

Staff requested Council feedback and input on the 11 criteria listed in the document.

4. [Addition of Queen's Park to Lands Designated "Conservation / Recreation Area" in New Westminster](#) – Director of Development Services  
November 9, 2009 report providing response to a Metro Vancouver request that the City consider adding Queen's Park to the Conservation / Recreation Map for the Regional growth Strategy.

- \*\* **MOVED and SECONDED and CARRIED, this Committee recommends**  
*THAT due to its significant regional ecological and recreation values, Queen's Park be included in the draft Conservation/Recreation Map for Regional Growth Strategy.*

All members of Council voted in favour of the motion.

7. [Multi-Use Civic Facility – Progress Report](#) – Director of Development Services  
November 9, 2009 report providing a progress update on the multi-use civic facility.

The following items were addressed in subsequent discussion:

- The City has negotiated a very favourable agreement with the BC Lottery Corporation.
- If it is not feasible to include a pedestrian overpass, staff would consider options.
- The report provides only cursory analysis at this time and later, all possible uses of the site will be explored.
- There should be specific discussion on "greening" of the building as a matter of public policy.
- Issue of operating costs and location should be considered together with appearance and inclusion of public art and celebration of heritage aspects.
- Staff has begun contacting various developers and assembling a package with consultants.

- \*\* **MOVED and SECONDED and CARRIED, this Committee recommends**  
*THAT the next steps regarding the Multi-Use Civic Facility as outlined in the November 9, 2009 report from the Director of Development Services be approved.*

All members of Council voted in favour of the motion.

8. **Acting Mayor Appointments for December 2009 to November 2010** - Director of Legislative Services  
October 15, 2009 report requesting designation of rotating Acting Mayor duties in 2009/2010.

In discussion, some members of Council raised issues of availability and suggested that the matter be tabled pending clarification of members' calendars.

**MOVED and SECONDED**

*THAT the recommendation re appointment of Acting Mayors for December 2009 to November 2010 be **tabled**.*

**CARRIED.**

All members of Council voted in favour of the motion.

10. **2009 Schedule of Regular Council Meetings – Additional Proposed Amendments** – Director of Legislative Services

- \*\* **MOVED and SECONDED and CARRIED, this Committee recommends**  
*THAT the 2009 Schedule of Regular Council Meetings be amended as follows:*
- *Delete the Closed, Committee of the Whole, and Regular meetings of November 23, 2009 and schedule a Working Session for that day from 9:30 a.m. to 6:00 p.m.;*
  - *Delete the Working Session of November 30, 2009 and schedule Closed, Committee of the Whole, and Regular meetings for that date; and*
  - *Delete the Closed, Committee of the Whole, and Regular meetings of December 7, 2009 and schedule a Working Session for that day from 9:30 a.m. to 6:00 p.m.*

All members of Council voted in favour of the motion.

11. **Proposed 2010 Schedule of Regular Council Meetings** – Director of Legislative Services

In discussion, Council members raised concerns relative to potential conflicts with the 2010 Olympics, LGMMA and June 7 FCM convention in Toronto.

**MOVED and SECONDED**

*THAT the proposed Schedule of Regular Council Meetings for January to December 2010 be **tabled**.*

**CARRIED.**

All members of Council voted in favour of the motion.

12. [Everybody Active Consultation Findings](#) – Director of Parks, Culture and Recreation

In discussion, a Council member requested that the item be referred to the Family Court Committee for consideration.

**MOVED and SECONDED**

*THAT the Everybody Active consultation findings as outlined in the November 9, 2009 report from the Director of Parks, Culture, and Recreation be received for information.*

**CARRIED**

All members of Committee voted in favour of the motion.

15. **MOTION TO ADOPT THE MINUTES OF: Arts and Culture Commission meetings of [April 1, 2009](#), [June 3, 2009](#), and [September 2, 2009](#)**

Members of Council raised questions as to actions relative to both the Minister of Tourism and Culture and response to requests from the Vagabond Players addressed in the minutes of April and September, respectively. Members recommended that the City Clerk's Department coordinate appropriate follow-up to resolutions passed by committees and commissions requiring timely authorization by Council.

**MOVED AND SECONDED**

*THAT the April 1, 2009, June 3, 2009, and September 2, 2009 minutes of the Arts and Culture Commission meetings be adopted with the appropriate follow-up actions embedded in those minutes.*

**CARRIED**

All members of Council voted in favour of the motion.

**REPORTS FOR ACTION**

**Director of Development Services**

19. [Development Variance Permit No. 505 for 828 Royal Avenue, 829 and 831 Moody Street](#) – Director of Development Services

November 9, 2009 report requesting issuance of a notice to consider Development Variance Permit No. 505.

- \*\* **MOVED and SECONDED and CARRIED, this Committee recommends**  
*THAT a notice be issued to consider a resolution to issue Development Variance Permit No. 505 to allow for a reduction in the number of parking spaces required and the percentage of horizontal bicycle parking spaces in connection with the multiple family residential development proposed for 828 Royal Avenue and 829 & 831 Moody Street.*

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

20. **Development Variance Permit No. 504 – Proposed Middle School at 120 Eighth Street** – Director of Development Services  
November 9, 2009 report requesting issuance of a notice to consider Development Variance Permit No. 504.

There was subsequent discussion relative to the orientation of the new Middle School and the future disposition of the Elementary School building. Staff noted ongoing development of a site plan but the essence of the variance is to obtain discretionary approvals to satisfy requirements of the Ministry of Education.

- \*\* **MOVED and SECONDED and CARRIED, this Committee recommends**  
*THAT a notice be issued to consider a resolution to issue Development Variance Permit No. 504 to vary the front yard requirement for the proposed middle school at 120 Eighth Street.*

Councillor McEvoy opposed.

21. **841 Royal Avenue**  
November 9, 2009 report from the Advisory Planning Commission recommending an HRA application for 841 Royal Avenue be supported.

- a.) **841 Royal Avenue – Draft Results of October 20, 2009 Meeting** –  
(Advisory Planning Commission Report)

**MOVED AND SECONDED**

*THAT the November 9, 2009 Advisory Planning Commission's report recommending support of a Heritage Revitalization Agreement for 841 Royal Avenue be received for information.*

**CARRIED**

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

- b.) **841 Royal Avenue Heritage Revitalization Agreement Bylaw No. 7338, 2009 and Heritage Designation Bylaw No. 7339, 2009**

November 9, 2009 report seeking Council approval of a Heritage Revitalization Agreement and an associated Heritage Designation Bylaw.

Council members addressed parking issues and measures that could be taken to ensure adequate parking spaces will be provided for the units.

Julie Schueck addressed report – work done on parking issues and resolved – suites will be marketed towards families without autos.

- \*\* MOVED and SECONDED and CARRIED, this Committee recommends *THAT HRA Revitalization Agreement (841 Royal Avenue) Bylaw No. 7338, 2009 and the proposed Heritage Designation (841 Royal Avenue) Bylaw No. 7339, 2009 be forwarded to the November 9, 2009 Regular Meeting of Council for first and second reading.***

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

**22. 845 Royal Avenue**

November 9, 2009 report from the Advisory Planning Commission recommending an HRA application for 845 Royal Avenue be supported.

- a.) [845 Royal Avenue – Draft Results of October 20, 2009 Meeting](#) –  
(Advisory Planning Commission Report)

**MOVED AND SECONDED**

***THAT*** the November 9, 2009 Advisory Planning Commission's report recommending support of a Heritage Revitalization Agreement for 845 Royal Avenue be received for information.

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

- b.) [845 Royal Avenue Heritage Revitalization Agreement Bylaw No. 7340, 2009 and Heritage Designation Bylaw No. 7341, 2009](#)

In discussion, Council members requested placement of a covenant to secure the required seven parking spaces, which were proposed to be located at a different location.

- \*\* MOVED and SECONDED and CARRIED, this Committee recommends *THAT HRA Revitalization Agreement (845 Royal Avenue) Bylaw No. 7340, 2009 and the proposed Heritage Designation (845 Royal Avenue) Bylaw No. 7341, 2009 be forwarded to the November 9, 2009 Regular Meeting of Council for first and second reading; and***

***THAT*** a covenant be placed on title to secure the seven parking spaces for the subject property.

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

## Director of Finance and Information Technology

### 23. User Fees and Rates Review

November 9, 2009 report providing an update on the status of fees and rates charged by the City for services.

In subsequent discussion, the following points were addressed:

- Staff will report back to Council early in 2010 regarding the 7-day imposition of parking fees.
- In response to Council members concerns regarding the proposed increase in user fees for child/infant cemetery lots, staff advised the levels were consistent with those in neighbouring municipalities. Members suggested consideration of a more phased approach to the fee increase.

#### **MOVED and SECONDED**

*THAT the proposed changes in fees and rates for cemeteries as set out in the staff report be deleted from the recommendation, pending further report on a possible phased implementation.*

**CARRIED**

Councillor McEvoy opposed.

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

*THAT the November 9, 2009 report from the Director of Finance & Information Technology regarding user fees and rates be received for information and discussion;*

*THAT the proposed changes in fees and rates for the following fees be approved in principal:*

- *Business Licenses*
- *Building and Plumbing Permit Fees*
- *Planning Fees*
- *Finance and Information Technology fees; and*

*THAT the Building Bylaw and the Development Approval Procedures Bylaw changes be approved; and*

*THAT staff be directed to prepare necessary changes to fee bylaws.*

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

## Director of Parks, Culture and Recreation

### 24. New Westminster Youth Facility Budget Update – Director of Parks, Culture and Recreation

November 9, 2009 report updating Council on the amended scope of the New Westminster Youth Facility project in light of grant award and seeking approval of a revised project budget.

- \*\* **MOVED and SECONDED and CARRIED, this Committee recommends**  
*THAT the updated project scope and funding strategy for the New Westminster Youth Facility as outlined in Option #1 of the November 9, 2009 report from the Director of Parks, Culture and Recreation be approved.*

Councillor McEvoy opposed

**25. Living Wage Policy – Notice of Motion**

Councillor McEvoy presented a Notice of Motion.

- \*\* **MOVED and SECONDED and CARRIED, this Committee recommends**  
*THAT the following motion be forwarded to Council for consideration:*

***BE IT RESOLVED THAT** the City of New Westminster develop a “Living Wage” Bylaw; and*

***BE IT FURTHER RESOLVED THAT** the resolution be referred to staff for research and the development of options for report back to Council.*

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

**CORRESPONDENCE**

- 26. The Lower Mainland Treaty Advisory Committee requests support for their request to the Honourable George Abbott, Minister of Aboriginal Relations and Reconciliation (MARR) that MARR fulfill its previous commitment of provincial funding support to LMTAC.**

**MOVED AND SECONDED**

*THAT the Lower Mainland Treaty Advisory Committee correspondence of September 28, 2009 re: request for Provincial funding support to LMTAC be received.*

**CARRIED**

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

**MOVED and SECONDED**

*THAT staff be directed to draft a letter to the Honourable George Abbott, Minister of Aboriginal Affairs and Reconciliation expressing the City of New Westminster’s support for provision of financial assistance to the Lower Mainland Treaty Advisory Committee for the 2009/2010 fiscal year.*

**CARRIED.**

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

**COMMITTEE MINUTES AND RECOMMENDATIONS:**

Councillor Williams arrived at 5:00 p.m.

27. **MOTION TO ADOPT THE MINUTES OF: Remembrance Day Committee Meetings [October 6](#) and [October 27, 2009](#).**

**MOVED and SECONDED**

*THAT the minutes of the Remembrance Day Committee meeting held on October 6 and October 27, 2009, be received and adopted.*

**CARRIED.**

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

**MOTION TO ADOPT THE RECOMMENDATION OF: Remembrance Day Committee Meeting [October 6, 2009](#):**

Discussion of staffing issues and costs. PD suggested approve road closure and ask Police to handle within existing resources and bring forward at year end if budget reconciliation is needed. Agreed.

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

*THAT arrangements be made to have five police officers for four hours at a cost of \$100.00 per hour to be at the Remembrance Day Service and that the officers be responsible for the closure of two eastbound and two westbound lanes of Royal Avenue between Sixth Street and Fourth Street during the two minutes of silence and further*

*THAT this amount be accommodated within the 2009 Police Budget, and if necessary will be amended at year-end.*

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

28. **MOTION TO ADOPT THE MINUTES OF: [Community and Social Issues Committee: \[September 17, 2009\]\(#\)](#)**

**MOVED and SECONDED**

*THAT the minutes of the Community and Social Issues Committee meeting held on, 2009, be received and adopted.*

**CARRIED.**

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

**MOTION TO ADOPT THE RECOMMENDATION OF: Community and Social Issues Committee [September 17, 2009](#) meeting:**

**MOVED and SECONDED**

*THAT the recommendation be amended to remove the last item on funding, as follows:*

***THAT** seed funding and/or in kind support for the start up of community gardens be provided by the City and be referred to staff for report.*

**CARRIED.**

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

**MOVED and SECONDED**

***THAT** the recommendation be further amended in the last clause by deletion of the words "New Westminster Environmental Partners" and substitution of the words: "**to work with the community**" therefor.*

**CARRIED.**

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

**Motion as amended:**

**\*\*** **MOVED and SECONDED and CARRIED, this Committee recommends**  
***WHEREAS** the promotion of food security and improving each participant's health and quality of life, while creating dynamic, aesthetically pleasing cityscapes is desirable;*  
***WHEREAS** community gardens contribute to the facilitation of sustainable food systems in urbanized population and community development;*

***NOW THEREFORE BE IT RESOLVED THAT** the development of community gardens on City land be supported;*  
***THAT** a number of plots be allocated to under-served populations;*  
***THAT** city staff work with the community to secure community garden sites for development with the goal being the establishment of a minimum of one garden in each of the four quadrants of the City by 2011.*

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

**29. Proposed Road Closing Bylaw for part of Alexander Street**

November 9, 2009 on-table report submitting a proposed road closing bylaw.

**\*\*** **MOVED and SECONDED and CARRIED, this Committee recommends**  
***THAT** Road Closing Bylaw No. 7356, 2009 be given Three Readings;*  
***THAT** an opportunity to be heard for Road Closing Bylaw No. 7356, 2009 be scheduled for December 14, 2009;*  
***AND THAT** Coast Mountain Bus Company be advised of the proposed Road Closing Bylaw; and further*  
***THAT** the on-table report be forwarded to the developer of Plaza 88 to clarify timelines for the project.*

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

**\*\*30. Motion to lift School District 40 Correspondence Item from Closed Meeting**  
*Resolution lifted from Closed Meeting (November 9, 2009) re Massey Theatre & School Site Options*

- \*\* MOVED and SECONDED and CARRIED, this Committee recommends**  
***THAT** the City of New Westminster, in conjunction with New Westminster School District 40, seek a meeting with the Minister of Education to discuss the separation of the New Westminster Secondary School site from the construction of the Saint Mary's site and the Robson site, to allow for more thoughtful discussion and negotiation between the City and School District 40 officials with respect to the location of the secondary school on the existing secondary school site/city property;*  
***THAT** School District 40 be requested to initiate enter into a joint public consultation process regarding options for future uses of land on the cemetery site;*  
***THAT** technical work on all secondary school site options will continue by staff and that these options be brought forward for Council review;*  
***AND THAT** City staff meet with School District 40 staff to review the options that may be considered by both parties, regarding the secondary school site with a view to reaching consensus.*  
***THAT** the City is prepared to participate in public consultation once the City and the School District 40 agree on feasible site plan options that can be taken to a public consultation process.*  
***THAT the** City is prepared to participate in public consultation once the City and the School District 40 agree on feasible site plan options that can be taken to a public consultation process; and*

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

**31 Veterans Parking Fee Waiver**

- \*\* MOVED and SECONDED and CARRIED, this Committee recommends**  
***THAT** Council exempt holders of Veterans' license plates from payment of parking meter fees with the City of New Westminster to December 31, 2010.*

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

**NEW BUSINESS**

No new items were brought forward.

**ADJOURNMENT**

**ON MOTION**, the meeting adjourned at 5:20 p.m.

Certified Correct,

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**BILL HARPER**  
**ACTING CHAIR**

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**RICK PAGE**  
**CORPORATE OFFICER**

\*\* Denotes recommendations referred to Regular Council meeting of November 9, 2009, for ratification.

\*\*\* Denotes recommendations referred to Regular Council meeting of November 30, 2009, for ratification.