



CORPORATION OF THE CITY OF NEW WESTMINSTER

REGULAR MEETING OF CITY COUNCIL

March 3, 2008 3:03 p.m.
Committee Room No. 2
City Hall

MINUTES

PRESENT:

Mayor Wayne Wright
Councillor Jonathan Cote
Councillor Calvin Donnelly
Councillor Bill Harper
Councillor Bob Osterman
Councillor Betty McIntosh
Councillor Lorrie Williams

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 and Information Technology |
| Ms. Judi Turner | - Assistant Corporate Officer |

Council adjourned to Committee of the Whole at 3:03 p.m. and reconvened in the Council Chamber at 9:04 p.m. with all those listed earlier present.

ADOPTION OF MINUTES

1. [Motion to adopt the minutes of the last regular meeting of the City Council held February 25, 2008.](#)

MOVED and SECONDED

THAT the minutes of the Regular Meeting of Council held February 25, 2008, be received and adopted.

CARRIED.

All members of Council voted in favour of the motion.

MOVED and SECONDED

***THAT** the order of the Agenda be varied to deal with Items 4 & 5, following Item #2(a).*

CARRIED.

All members of Council voted in favour of the motion.

PRESENTATION

2. **Mayor Wright to proclaim March as Social Services Awareness Month in the City and present the proclamation to Cameron Gerard, Community Social Services Worker.**

Mayor Wright proclaimed March as Social Services Awareness Month in the City.

- 2(a). **Green Award**

Mayor Wright announced that New Westminister's new Combined Sewer Overflow (CSO) Operations Building and local architect Eric Pattison have won the 2008 Green Building Award in the BC Wood Design category from the Canadian Wood Council. He also commended the efforts of Mr. Jim Lowrie, Director of Engineering Services, for their support of this project. Mr. Pattison explained how the collaborative project was developed.

BYLAWS CONSIDERED AT PUBLIC HEARING

4. **[Heritage Designation Bylaw \(913 Tenth Street\) No. 7212, 2008](#)** [a bylaw of the Corporation of the City of New Westminister to designate the lands, buildings and structures located at 913 Tenth Street, a protected heritage property] **THIRD READING**

MOVED and SECONDED

***THAT** Heritage Designation Bylaw (913 Tenth Street) No. 7212, 2008, be read a third time.*

CARRIED.

All members of Council voted in favour of the motion.

5. **[Zoning Amendment Bylaw No. 7216, 2008](#)** [a bylaw to establish the Comprehensive Development Districts (740 Carnarvon Street) (CD-18) zoning schedule and rezone 740 Carnarvon Street from Central Business Districts (C-4) to Comprehensive Development Districts (740 Carnarvon Street) (CD-18)] **THIRD READING**

MOVED and SECONDED

THAT Zoning Amendment Bylaw No. 7216, 2008, be read a third time.

CARRIED.

All members of Council voted in favour of the motion.

DELEGATIONS

3. Open Delegations

Tony Antonias of 805 Fourth Street rose to speak about Royal City Musical Theatre Company's production of West Side Story. He opened with the part of the prologue to Shakespeare's love story of Romeo and Juliet circa 1593. Several hundred years later that story was transposed to New York's West Side in the 1950's in West Side Story featuring music and lyrics by Bernstein and Sondheim. Mr. Antonias announced that tickets remain available and urged that viewers call the Theatre Office for one of the 15 performances. He played a sample of music from the production.

Gary Holowatiuk, Director of Finance and Information Technology, announced the beginning of the formal public process for the Draft Financial Plan. Discussion about the process ensued.

Jaimie McEvoy of 340 Ginger Drive and the 12th Street Neighbourhood Society mentioned the following:

- The community is happy about the anti-tethering bylaw
- There is good news as crime is down on 12th Street because people phone the Police and Development Services
- Development Permit applications for 12th Street are being sought
- There are new bus shelters on 12th Street
- Sidewalks are being widened
- There is a grants program (the Society will submit a full report to Council) which has improved the look of businesses and beautification of the street
- Pay phones were removed
- There have been improvements in the prostitution situation.

Mr. McEvoy asked for the following:

- The community wants to dialogue about the trees, foliage, greenery, etc.
- That crime statistics be supplied so they can know where they stand on crime to allay inaccurate perceptions
- Want assurances that the Upper Twelfth Street Area Plan will take place
- Invited the community and the owner to work with the community on the pub issue.

Gavin Hainsworth of 914 Thirteenth and Vice President of the 12th Street Neighbourhood Society rose to comment:

- The Society will communicate about the trees and shade and canopy in the area
- He was very supportive of the hearing last week on the relocation of the liquor license where people spoke and Council listened
- There is a vision developing for 12th Street
- Thanked Council for staying late last week
- Together we are a great community.

Nel Grond of 1009 Nanaimo Street rose to seek information about what is happening with the Moody Park Pool. She referred to the report that was tabled at the afternoon meeting and voiced her pleasure about the timeline for the pool construction.

Thang Vu of 4113 Trinity Street, Burnaby, circulated a hand out (a series of letters of support for his initiative) and read his statement to Council. He sought support to improve the safety of cyclists and asked that Ottawa be urged to schedule hearings on the Motor Vehicle Safety Act and the Motor Vehicle Transportation Act. He referred to support received on this matter from Coquitlam, Burnaby and Vancouver. He asked for a motion that the city write to Ottawa to begin discussion on these two pieces of legislation.

Members debated a proposed motion of support for Mr. Vu's suggestion.

MOVED and SECONDED

THAT the City of New Westminster request that the Government of Canada convene public hearings for the purpose of improvements to the Motor Vehicle Act and the Motor Vehicle Transport Act.

Before the question on the motion was called, it was...

MOVED and SECONDED

THAT the foregoing motion be tabled pending receipt of the following:

- *A copy of the Federal Vehicle Design Regulations Issues and Suggested Safety Improvements*
- *A copy of the Vancouver City report on the matter.*

CARRIED.

All members of Council voted in favour of the motion.

Daniel Perry of 473 East Eighth Avenue rose to speak of his desire to keep chickens on his property. He has received an order to remove them. Mr. Perry described his background and how he came about keeping chickens – self sustainable activities, understanding the traceability of foods and the process that brings foods to consumers. He looked into local bylaws and consulted with his neighbours. He found that the Animal

Control Act did not list chickens as animals that are not allowed. He explained his intentions to his neighbours who did not oppose his proposal. Following research, he acquired chickens but later received a letter from the City with a copy of the Public Health Bylaw. He is close to compliance with it apart from two provisions. As well, he reported that he does not have rats, he cleans manure daily, keeps compost, and keeps the property clean. Many neighbours are not aware that chickens are even present. He has a petition of 28 signatures in support of the project and a letter from his immediate neighbour. Mr. Perry read the letter aloud.

Following discussion, the matter was referred to staff to review the regulations and determine whether there can be relief for Mr. Perry and report to Council.

CORRESPONDENCE

6. [Fraser Health asking council to consider amending its smoking bylaw to incorporate changes already endorsed by the Lower Mainland Local Government Association and the Union of BC Municipalities.](#)

MOVED and SECONDED

THAT the correspondence from Fraser Health, dated February 13, 2008, requesting Council to consider amending its smoking bylaw to incorporate changes already endorsed by the Lower Mainland Local Government Association and the Union of BC Municipalities be received and referred to Development Services for action.

CARRIED.

All members of Council voted in favour of the motion.

7. [Western Wilderness Committee/Rivers Without Borders asking Council to consider a motion in support of responsible and comprehensive management of "Wild Salmon Rivers of Canada".](#)

MOVED and SECONDED

THAT the correspondence from Western Wilderness Committee/Rivers Without Borders, dated February 6, 2008, requesting Council to consider a motion in support of responsible and comprehensive management of "Wild Salmon Rivers of Canada" be received and referred to the Environment Committee.

CARRIED.

All members of Council voted in favour of the motion.

Staff was requested to keep in mind the principles of co-management in relation to this matter.

8. [City of Abbotsford seeking support of Equitable Police Funding \(support has been received New Westminster Police Services/Police Board of Municipality of Central Saanich & District of Central Saanich\).](#)

MOVED and SECONDED

THAT the correspondence from City of Abbotsford, dated December 18, 2007, seeking support of Equitable Police Funding be received and the motion be supported and endorsed.

CARRIED.

All members of Council voted in favour of the motion.

REPORTS

9. **Council Members:**

Councillor Osterman

...offered condolences from him and his wife to Glen and Iris Kosak on the passing of their son, in a winter sport accident.

COMMITTEE MINUTES AND RECOMMENDATIONS

10. **Motion to receive and adopt the minutes of a meeting of Council in Committee of the Whole held February 25, 2008.**

MOVED and SECONDED

THAT the minutes of the Committee of the Whole meeting held on February 25, 2008, be received and adopted.

CARRIED.

All members of Council voted in favour of the motion.

11. **Recommendations from Council in Committee of the Whole meeting held March 3, 2008.**

Directors of Parks & Recreation/Finance and Information Technology:

- a) [Moody Park Outdoor Pool – Financing and Construction Process Overview](#)

MOVED and SECONDED

THAT Council establish the deadline of April 14, 2008, for the Alternative Approval Process to proceed with securing debt for the Moody Park Outdoor Pool; and

THAT Council agrees to fund the debt servicing costs from annual gaming revenue.

CARRIED.

Opposed: Councillor McIntosh.

MOVED and SECONDED

THAT the contract for Project Management & Construction Management Services for the Moody Park Outdoor Swimming Pool for the variable fee amount of \$330,000 and a variable fee of approximately \$288,400 for on-site personnel rates, plus general disbursements as outlined in the March 3, 2008 report from the Director of Parks and Recreation, be awarded to TASK Construction Management Inc., the bidder meeting proposal requirements and providing best overall value to the City; and **THAT** Council meet on March 10, 2008, with the TASK Group to discuss options for cost savings and options in the construction of the new Moody Park Pool proposal.

CARRIED.

All members of Council voted in favour of the motion.

Staff was directed to ensure sufficient time for a thorough discussion of the matter of the new Moody Park Pool.

Director of Engineering Services:

- b) **Animal Services Policies (Bylaw No. 7222, 2008, as amended)**
(a revised copy of the bylaw was circulated on table)

MOVED and SECONDED

THAT the policies set out in the March 3, 2008, report from the Director of Engineering Services regarding mandatory spaying/neutering and euthanizing animals, be endorsed; and **THAT** Animal Control Amendment Bylaw No. 7222, 2008, be received.

CARRIED.

All members of Council voted in favour of the motion.

- c) **Construction Noise Bylaw Variance to Allow Metro Vancouver to Carry Out Sewer Interceptor Maintenance**

MOVED and SECONDED

THAT City Council approve the construction noise bylaw variance application from Metro Vancouver, to allow scheduled maintenance of their sewer interceptor on Columbia Street during the week of April 4 to April 11, 2008.

CARRIED.

All members of Council voted in favour of the motion.

Director of Development Services:

- d) [College Place Hotel/Application to transfer a liquor primary license from 740 Carnarvon Street to 642 Columbia Street](#)

MOVED and SECONDED

THAT staff be directed to proceed with the public input process outlined in the February 28, 2008 report from the Director of Development Services, with respect to the application from Gondola Holdings Ltd. to transfer a liquor primary license from 740 Carnarvon Street to 642 Columbia Street.

CARRIED.

All members of Council voted in favour of the motion.

Councillor Cote left the meeting at 11:20 p.m. declaring a conflict of interest as he owns the property next door to 320 Arbutus.

- e) [320 Arbutus Street/Proposed Section 57 Notice on Title](#)

MOVED and SECONDED

THAT the Corporate Officer be directed to file a notice in the land title office with respect to the property known as 320 Arbutus Street and having the legal description NWD Group 1, PL 2620 New West District Group 1, Plan 2620 LT 5 of LT 10 of LT 1 & 2 SBLK 6 stating that:

- i. *The City of New Westminster City Council has approved a resolution pursuant to Section 57 (3) of the Community Charter regarding the property known as 320 Arbutus Street and having the legal description NWD Group 1, PL 2620 New West District Group 1, Plan 2620 LT 5 of LT 10 of LT 1 & 2 SBLK 6 with respect to the property being in violations of building regulations;*
- ii. *Further information about the violations of building regulations is available from the Corporate Officer at New Westminster City Hall, 511 Royal Avenue, New Westminster, BC.; and*
- iii. *A note regarding the violations of building regulations will be placed on the tax file.*

CARRIED.

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

Councillor Cote rejoined the meeting at 11:21 p.m.

f) Earth Hour – March 29, 2008

MOVED and SECONDED

THAT the City of New Westminster support Earth Hour on March 29, 2008, and encourage residents to turn off their lights between the hours of 8:00 p.m. and 9:00 p.m. on that day.

CARRIED.

All members of Council voted in favour of the motion.

BYLAWS

12. Animal Control Amendment Bylaw No. 7222, 2008 [a bylaw to amend Animal Control Bylaw No. 7037, 2005] **THREE READINGS**

MOVED and SECONDED

THAT Animal Control Amendment Bylaw No. 7222, 2008, be read a first time.

CARRIED.

All members of Council voted in favour of the motion.

MOVED and SECONDED

THAT Animal Control Amendment Bylaw No. 7222, 2008, be read a second time.

CARRIED.

All members of Council voted in favour of the motion.

MOVED and SECONDED

THAT Animal Control Amendment Bylaw No. 7222, 2008, be read a third time.

CARRIED.

All members of Council voted in favour of the motion.

NEW BUSINESS

13. Reservist Guaranteed Leave

MOVED and SECONDED

THAT the City write a letter to the Premier of British Columbia and the appropriate Minister supporting legislation introduced by MLA Chuck Puchmayr (Bill M201) Reservists Guaranteed Leave Act.

CARRIED.

All members of Council voted in favour of the motion.

NEXT MEETING

Monday, March 10, 2007:

Proposed Closed Session commencing 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.

Public Hearing - 8:00 p.m.

- Zoning Amendment Bylaw No. 7221, 2008 and DVP 479 (1602 Nanaimo Street)

ADJOURNMENT

ON MOTION, the meeting adjourned at 11:26 p.m.

Certified Correct,

WAYNE WRIGHT
MAYOR

RICHARD L. PAGE
CORPORATE OFFICER