



CORPORATION OF THE CITY OF NEW WESTMINSTER

REGULAR MEETING OF CITY COUNCIL

May 12, 2008 2:35 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 Lorrie Williams

REGRETS:

Councillor Betty McIntosh

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
Ms. Judi Turner	- Deputy Corporate Officer

Council adjourned to Committee of the Whole at 2:35 p.m. and reconvened in the Council Chamber at 7:03 p.m. with all those listed earlier present.

PRESENTATION

- 3. Mayor Wright to proclaim May 17 – 25, 2008 as “Hyack Festival Week” in the City and present the proclamation to Sue Sayer, President 2008.**

Ms. Sayer invited all to the 37th annual Hyack Festival. She described the theme of the event for 2008, reviewed Hyack Week, announced the Hyack Ambassador Walk, the Ancient and Honourable Anvil Battery Salute, the

138th May Day event, the Hyack International Parade, and the Hyack Street Fair. Ms. Sayer presented the Hyack Board members and the Ambassadors who were present in the audience. Programs and pins were presented to Council by the Ambassadors.

Mayor Wright proclaimed May 17 – 25, 2008 as “Hyack Festival Week” in the City and presented the proclamation to Sue Sayer, President 2008.

2. Honourable Chuck Puchmayr, MLA for New Westminster and Mayor Wayne Wright and City Council to present a new anvil to the Ancient and Honourable Hyack Anvil Battery.

Honourable Chuck Puchmayr, MLA for New Westminster, was present and announced the presentation of new anvils to the Ancient and Honourable Hyack Anvil Battery (which will take place shortly). Members of the Ancient and Honourable Anvil Battery were present and stood to be recognized.

The Regular Meeting of Council recessed at 7:14 p.m. to view the presentation ceremony and reconvened at 7:23 p.m. with the following present:

Mayor Wayne Wright
Councillor Jonathan Cote
Councillor Calvin Donnelly
Councillor Bill Harper
Councillor Bob Osterman
Councillor Williams (joined the meeting at 7:24 p.m. after the recess)

ADOPTION OF MINUTES

1. Motion to adopt [the minutes of the last regular meeting of the City Council held May 5, 2008.](#)

MOVED and SECONDED

THAT the minutes of the Regular Meeting of Council, held May 5, 2008, be received and adopted.

CARRIED.

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

OPPORTUNITY TO BE HEARD

4. [Application to Transfer a Liquor Primary License from 740 Carnarvon Street to 642 Columbia Street – Director of Development Services](#)

- a) [Staff report dated May 12, 2008](#)
- b) Submissions by public

Councillor Williams joined the meeting at 7:24 p.m.

Keith Coueffin, Manager of Licensing and Integrated Enforcement, reviewed the May 12, 2008, report from the Director of Development Services, providing information regarding an application to transfer a Liquor Primary License from 740 Carnarvon Street to 642 Columbia Street.

The Corporate Officer advised that a letter dated May 8, 2008, was received in support of the liquor license application from the Downtown New Westminster Business Improvement Society.

Al Arbuthnot 1329 - 132B Street, Surrey, owner of Gondola Holdings, summarized the information that has been gathered in response to his application to relocate his liquor primary license from College Place at 740 Carnarvon Street. He advised he has been in the hotel/pub business for 33 years and has never had a problem with the Liquor Control and Licensing Branch and he has been president of ABLE BC. He wishes to relocate the licenses because the Liquor Control Act states that every license must be associated with a liquor primary license.

Mr. Arbuthnot noted that responses to a survey were in support and an additional 18 businesses and 33 residences expressed their support following the survey. He noted that the City's Downtown Action Plan promotes pubs in the area and other hospitality uses. He has offered to have restrictions placed on his license and described those activities he will not permit in his establishment, has reduced the number of seats, will not offer cheap drinks, will install security cameras, business hours will be reduced, there will be no parking issues as they have the parkade handy, and advised that the Police are in support.

Mr. Arbuthnot asked Council to support his request for relocation of his liquor licenses. He submitted his survey results to the Corporate Officer (which will be added to the agenda package).

Josie Mews of 680 Clarkson Street attended the open house on the project and spoke with the proponent. Her concerns include considerable disturbances from the Paramount and that the proposal might increase the problems of patrons smoking in the street, talking, waiting to get rides home or otherwise lingering in the street. Residents have paid considerable amounts for their condos and are concerned with nightly disturbances of their rest. She felt that the proposed business is not appropriate for the area. She suggested that other types of business, including retail, are needed instead. She was surprised that the Police are supporting this project despite troubles that typically come from bars. She asked who should be called when disturbances take place.

Mabel Chappel, owner of property on Columbia Street, resident at 506 West 27th Street, Vancouver, rose to oppose the proposal, noting there are about 10 pubs in downtown New Westminster. She asked why the City cannot attract other business besides pubs. She suggested that the pub will not be a typical Irish pub. She cited a news article about a high quality pub in Surrey where police had to be called. She agreed with the previous speaker about rowdiness outside the pub. She asked if the owner will have self policing/bouncers for the pub and how he will deal with broken bottles. Ms. Chappel cited a business plan prepared for the area which called for the area to be a people place with retail and sidewalk cafes. She questioned how many pubs have been opened versus the other types of businesses that are needed by the residents.

Denis Coates, lawyer from Kamloops, representing Mr. Arbuthnot rose to speak. He noted the facility will have two entrances. The Columbia Street entry could be made an exit only if desired. Patrons who wish to exit to smoke would note use the Columbia Street entrance because it has two flights of stairs. Mr. Arbuthnot is agreeable to conditions and will provide any outside security that is needed.

Terry Foster of 405, 549 Columbia Street is a recent resident looking to New Westminster for a different pace, culture and history and finds the downtown to be a vibrant place. The area however is over-serviced by pubs while there are few opportunities for persons wanting something slightly different – jazz, music, art. Cafes, culture and history will bring life to the area which another Irish pub will not accomplish. The community needs other options and the area has opportunity for a different facility than an Irish pub.

Brian Dodd, Executive Director of the Downtown New Westminster Business Improvement Society, rose to follow up on the Society's letter of support for the pub. The facility will be fairly small, the owner will provide adequate security lighting outside, there will not be exotic entertainment nor drink specials. The owner hopes to attract a more mature clientele. Based on the presentation made by the owner to the Society, the Society supports the application and sees this as part of the resurgence of the business community in the area.

MOVED and SECONDED

THAT the May 12, 2008, report from the Director of Development Services be received for information.

CARRIED.

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

MOVED and SECONDED

THAT a resolution to support the application to transfer a liquor license from 740 Carnarvon Street to 642 Columbia Street be considered at the May 26, 2008 Council Meeting.

CARRIED.

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

MOVED and SECONDED

THAT staff be directed to draft a resolution in a form suitable to the Liquor and Licensing Branch establishing terms and conditions for the license for consideration at the May 26, 2008 meeting of Council

CARRIED.

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

DELEGATIONS

5. Delegations re Development Variance Permit 485 (312 Johnston Street)

Lorne Elliott of 315 Johnson Street in Queensborough advised that the subject property is kitty-corner from his property and so he is familiar with it. He opposes the proposed variance to create two small lots. Council too 20 years to replot land in the area which now has reasonable lots.

Presently the house is a rental and has not undergone improvements. The property has been rented to drug addicts with put bull dogs and has been the subject of Police calls. The owner has claimed he has had no trouble from the property. The owner has had the property for sale for six months. Mr. Elliott suggested that the subdivision into two undersized lots is another scheme to get more value from the property and will create parking problems. As well, there are limitations because the land is on a flood plain.

The owner has no interest in the community. The request should be rejected and the owner be made to clean up the property.

A resident of 309 Johnson was present to support the proposal.

6. Open Delegations

Brian Dodd representing the Downtown BIA rose to invite Council and the audience to attend the sixth annual Multicultural Festival this weekend at the Boardwalk at Westminster Quay. He outlined the events scheduled for the Festival.

Nel Grond of 1009 Nanaimo Street rose to comment on the matter of Moody Park Pool. She was present to offer thoughts and information that might make this situation better.

The site is graded and grassed and does not look like construction will take place – this is discouraging. She asked why we cannot just get on with the project and is concerned that complaints are creating cold feet. She was concerned that the City has taken an active stance on reducing facilities in the city. She suggested that facilities must be maintained and improved in the City.

Ms. Grond felt that not all available possibilities for pool construction have been pursued by staff. She wrote a letter which says: a pool has been designed at a cost of \$6 million; the design is terrible in that beach access is missing; now the budget is only half that amount although alternative technology is to be examined; concerned that the project will fail. The city does not need a wading pool.

She suggested that more proposals be issued for design/build projects. This can produce new ideas, new designs and cost savings. She supported a \$6 million cost if necessary or a pool at a lesser cost.

Christopher Bell of 1006 Nanaimo Street rose to speak on Moody Park Pool. Mr. Bell outlined his letter sent to Parks and Recreation which was also sent to Council via email. His concerns are that TASK will add costs to the process and Mr. Bell suggested that a pool can be built for \$3.2 million. He asked that design/build RFP's be issued for a pool. The present process has allowed only one solution for the pool program and should be stopped. His group wishes for a project that is cost effective, timely, open to all options, and allows community input. He asked that the construction management approach be ceased and the program be re-tendered to meet the needs outlined by the community. Mr. Bell invited all to attend a meeting on May 20 to meet with the community to take back this process.

Neil Powell of 432 Sherbrooke Street rose on behalf of the McBride Sapperton Residents Association. He spoke of Metro Vancouver expropriation of Canfor lands. His Association is concerned over the possibility this site will be used for an incinerator. Impacts of such a project include: truck traffic, impact on Sapperton, East Columbia, Braid Industrial businesses, unknown effects of incinerators and what this will mean on personal health of residents and children, proximity to RCH, additional construction in the neighbourhood which will attract businesses which might not appreciate an incinerator view. Mr. Powell advised that the Association is opposed to the incinerator at the Canfor site. He submitted his letter (which will be added to the Agenda package).

ISSUANCE OF DEVELOPMENT VARIANCE PERMITS

7. [Issuance of Development Variance Permit 485 \(312 Johnston Street\) - to vary the following section of the Zoning Bylaw: Site Area and Frontage](#)

MOVED and SECONDED

THAT the City of New Westminster approves and issues Development Variance Permit Number 485 to allow a frontage of 32 feet (9.75 meters) for a two-lot subdivision at 312 Johnston Street.

CARRIED.

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

CORRESPONDENCE

8. [McBride-Sapperton Residents' Association re Air Quality Analysis in the Sapperton area.](#)

MOVED and SECONDED

THAT the correspondence from McBride-Sapperton Residents' Association regarding Air Quality Analysis in the Sapperton area be received and referred to the Director of Engineering Services for response.

CARRIED.

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

Councillor Donnelly left the meeting at 9:03 p.m.

9. [City of Burnaby re Highway Maintenance Specifications.](#)

MOVED and SECONDED

THAT the correspondence from City of Burnaby regarding Highway Maintenance Specifications be received and referred to the Director of Engineering Services for a report to Council.

CARRIED.

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

REPORTS

10. Council Members:

Councillor Harper

...attended a meeting of the Seniors Task Force which is attempting to implement the recommendations of several months ago, the BC Historical Conference, the Lupus Walk a Block, the M&M Meats barbeque at McBride Plaza in a fundraiser for Crohn's disease.

Councillor Donnelly rejoined the meeting at 9:05 p.m.

Councillor Osterman

...will not participate in Hyack festivities for the first time in 25 years as his son will be married on that day; spoke of the apartment fire in North Vancouver and advised that the Fire Chief was directed to inquire into protections in our community and ideas to enhance them for residents of wood frame buildings.

Councillor Williams

...as President of the New Westminster Symphony attended a concert at Massey Theatre which included two choirs performing with an orchestra which has been operating since 1915; invited all to attend next Sunday when the orchestra will perform with the Langley Ukulele Orchestra; attended the LMLGA conference where four interesting speakers were present and where a number of issues were dealt with including the use of cosmetic pesticides, the plastic bag controversy, the carbon tax, and where opposition to the tax exemption for second stage housing is being asked to be reconsidered.

Councillor Cote

...attended the LMLGA where a number of issues were discussed including aging infrastructure, environment, waste to energy facilities.

Councillor Donnelly

...attended the LMLGA conference where much good information was received, the Lupus walk at the Quay, the M&M Meats fundraiser for Crohn's disease.

Mayor Wayne Wright

Proclaimed the following:

- May 5 to 11, 2008 as Elizabeth Fry Week
- May 19 to May 23, 2008 as National Public Works Week.

Along with City staff (87 participants) participated in Move for Health Day for city of New Westminster Employees; attended the LMLGA Conference and Annual General Meeting, the Lupus Canada 7th Annual Walk, the M& M Fundraising event, the Royal City Squadron's Annual Change of Watch\Student Graduation Event, the Royal City Rotary Club's Spring Fling Annual Fund Raising.

Announced that Herb Hamm has been appointed to the Seniors Advisory Committee for the remainder of the current term ending January, 2009.

Extended congratulations to Carl Ann-Hart and Kim Husband for being re-appointed to the New Westminster Police Board for the term ending June, 2010.

Invited everyone to attend the 138th Annual May Day Festivities at 11:30 a.m. in Queen's Park Stadium. In case of inclement weather, May Day will be held in the Queen's Park Arena.

Offered condolences to Ken McDonald and family on the loss of his father.

COMMITTEE MINUTES AND RECOMMENDATIONS

11. Motion to receive and adopt [the minutes of a meeting of Council in Committee of the Whole held May 5, 2008.](#)

MOVED and SECONDED

THAT the minutes of the meeting of Council in Committee of the Whole held May 5, 2008, be received and adopted.

CARRIED.

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

12. Recommendations from Council in Committee of the Whole meeting held May 12, 2008.

Director of Finance & Information Technology:

- a) **Community Grant Considerations**

MOVED and SECONDED

THAT the following clarification and change to community grants be approved:

- *The \$14,000 increase in the 2008 Hyack Festival Association grant is approved to be used for enhancements to the float*
- *The BIA Multicultural Festival is changed to be \$4,500 in cash rather than in kind.*

CARRIED.

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

Director of Development Services:

- b) [Tobacco Control Act/Smoking Control Bylaw](#)

MOVED and SECONDED

THAT the City support the regulations encouraged by the Medical Health Officer by corresponding to the Provincial Government in order to lobby the government to adopt further restrictions on smoking in public places; and

THAT the City defer considerations to pursue amendments to the Smoking Control Bylaw until it is determined if there is interest from other communities in the Metro Vancouver area to pursue a coordinated approach to implementing progressive smoking bylaws.

CARRIED.

Opposed: Councillor Cote.

c) [Licensing of Radio Controlled Model Car Racing Track for 2008](#)

MOVED and SECONDED

THAT Council approve the issuance of a license for the Vancouver Miniature Auto Racing Society to operate a radio-controlled model car racing track at 420 Wood Street for the period May 26 through November 2, 2008, subject to the required public notification process.

CARRIED.

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

d) [Membership for the proposed New Westminster Design Panel](#)

MOVED and SECONDED

THAT the Terms of Reference of the New Westminster Design Committee be approved with a membership of four members from the AIBC, one member from the development industry, two members from the community, and two members from the BCSLA.

CARRIED.

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

e) **Downtown Community Plan Telephone Survey**

MOVED and SECONDED

THAT the telephone survey questions, which will form a component of the Downtown Community Plan consultation process, be approved.

CARRIED.

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

Councillor Donnelly left the meeting at 9:24 p.m. declaring a potential conflict of interest as he has a continuing interest in the proposed development.

f) [Development Permit 002 \(AC\) with Variances for 126, 128, 130 Agnes Street & 127 and 131 Dickenson Street, a portion of Dickenson Street, and all of Sarnia Street and Albert Crescent](#)

MOVED and SECONDED

THAT Council give notice that it intends to approve and issue Development Permit 002 (AC) with the following variance to allow development of an 18 storey apartment building with 114 units in the tower portion and seven townhouse units at the base of the tower at 126, 128, 130 Agnes Street and 127 and 131 Dickenson Street, a portion of Dickenson Street and all of Sarnia Street and Albert Crescent:

- *Creation of a locked in lot at 132 Agnes Street (having an existing residence) with the following dimensions: frontage of 33 feet (10.05 meters) on Agnes Street, a depth of 66 feet (20.1 meters) along Elliot Street, and an area of 2,178 square feet (202.3 square meters).*

CARRIED.

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

Councillor Donnelly rejoined the meeting at 9:26 p.m.

g) Affordable Housing Strategy – Follow Up

MOVED and SECONDED

THAT the amended workplan and budget submission of an additional \$15,000 to complete the Affordable Housing Strategy by late Fall 2008, be approved.

CARRIED.

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

**h) Residential Curbside Collection of Clean Green Materials -
Director of Engineering Services**

MOVED and SECONDED

THAT an interim bi-weekly curbside green waste collection program be authorized for single family residential customers from June 2 through September 10 of 2008.

CARRIED.

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

i) Light Intrusion on Residential Properties

MOVED and SECONDED

THAT staff develop a light intrusion bylaw for residential properties in New Westminster and submit supporting research to Council with the proposed bylaw.

CARRIED.

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

j) Amendment to Schedule of Council Meetings

MOVED and SECONDED

THAT the 2008 Schedule of Council Meetings be amended to add a Special Open Meeting on Wednesday, May 28, 2008, from noon to 2:00 p.m. to consider limited items only.

CARRIED.

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

BYLAWS

13. [Zoning Amendment Bylaw No. 7208, 2007](#) [a bylaw to create the Comprehensive Development District (Kelly Street) (CD-9) and rezone 463 Kelly Street from Single Detached Dwelling Districts (RS-1) to Comprehensive Development District (Kelly Street) (CD-9)] **ADOPTION**

MOVED and SECONDED

THAT Zoning Amendment Bylaw No. 7208, 2007, be adopted.

CARRIED.

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

14. [Downtown New Westminster Business Improvement Area \(Primary Area\) Parcel Tax Bylaw No. 7219, 2008](#) [a bylaw to impose a tax on frontage on owners of land pursuant to the provision of Section 200 of the Community Charter in the area of the downtown of the City of New Westminster designated as Business Improvement Area in the "Downtown New Westminster Business Improvement Area (Primary Area) Bylaw No. 7184, 2007"] **ADOPTION**

MOVED and SECONDED

THAT Downtown New Westminster Business Improvement Area (Primary Area) Parcel Tax Bylaw No. 7219, 2008, be adopted.

CARRIED.

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

15. [Downtown New Westminster Business Improvement Area \(Secondary Area\) Parcel Tax Bylaw No. 7220, 2008](#) [a bylaw to impose a tax on frontage on owners of land pursuant to the provision of Section 200 of the Community Charter in the area of the downtown of the City of New Westminster designated as Business Improvement Area in the "Downtown New Westminster Business Improvement Area (Secondary Area) Bylaw No. 7185, 2007"] **ADOPTION**

MOVED and SECONDED

THAT Downtown New Westminster Business Improvement Area (Secondary Area) Parcel Tax Bylaw No. 7220, 2008, be adopted.

CARRIED.

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

16. [New Westminster Board of Variance Bylaw No. 7226, 2008 \[a bylaw to provide for the establishment of a Board of Variance\]](#) **ADOPTION**

MOVED and SECONDED

THAT New Westminster Board of Variance Bylaw No. 7226, 2008, be adopted.

CARRIED.

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

17. [Tax Rates Bylaw No. 7230, 2008 \[a bylaw for the levying of rates for Municipal, Regional District and other Authority purposes for the year 2008\]](#) **ADOPTION**

MOVED and SECONDED

THAT Tax Rates Bylaw No. 7230, 2008, be adopted.

CARRIED.

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

18. [Development Approval Procedures Amendment Bylaw No. 7233, 2008 \[a bylaw to amend Development Approval Procedures Bylaw No. 5658, 1987\]](#) **ADOPTION**

MOVED and SECONDED

THAT Development Approval Procedures Amendment Bylaw No. 7233, 2008, be adopted.

CARRIED.

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

19. [Five-Year Financial Plan \(2007 – 2011\) Amendment Bylaw No. 7234, 2008 \[a bylaw to amend the Five-Year Financial Plan for the years 2007-2011 inclusive\]](#) **ADOPTION**

MOVED and SECONDED

THAT Five-Year Financial Plan (2007 – 2011) Amendment Bylaw No. 7234, 2008, be adopted.

CARRIED.

Opposed: Councillor Osterman.

NEXT MEETING

Monday, May 26 , 2008

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.

ADJOURNMENT

ON MOTION, the meeting adjourned at 9:34 p.m.

Certified Correct,

WAYNE WRIGHT
MAYOR

RICHARD L. PAGE
CORPORATE OFFICER