

A vibrant, compassionate, sustainable city that includes everyone.

CITY COUNCIL MEETING

MINUTES

Monday, February 27, 2023

Meeting held electronically and open to public attendance
Council Chamber, City Hall

PRESENT:

Mayor Patrick Johnstone

Councillor Ruby Campbell

Councillor Daniel Fontaine

Councillor Tasha Henderson

Councillor Jaimie McEvoy

Councillor Paul Minhas

Councillor Nadine Nakagawa

STAFF PRESENT:

Ms. Lisa Spitale Chief Administrative Officer

Ms. Jacque Killawee City Clerk

Mr. Rod Carle General Manager, Electrical Utility

Ms. Renee Chadwick Senior Manager of Recreation Services and Facilities

Mr. Steven Faltas Electrical, Business Process Manager Mr. Dean Gibson Director of Parks and Recreation

Ms. Hanna Jarrett Planning Technician

Ms. Lisa Leblanc Director of Engineering Services

Ms. Tobi May Manager, Civic Buildings and Properties

Ms. Jackie Teed Acting Director, Climate Action, Planning and Development

Ms. Harji Varn Chief Financial Officer and Director of Finance

Ms. Lisa Zwarn Auxiliary City Clerk

Ms. Debbie Reimer Recording Secretary, Mosaic Writing Group

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Johnstone opened the meeting at 6:00 p.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made

invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

2. CHANGES TO THE AGENDA

MOVED and SECONDED

THAT Council adds Item 8.1 - Appointment of Acting Corporate Officer to the agenda;

THAT Council receive the updated report for Development Variance Permit DVP00701 for 311 Ash Street; and

THAT Council accept all on table items.

Carried.

All members present voted in favour of the motion.

Procedural Note: At 6:01 p.m., Mayor Patrick Johnstone and Councillor Nadine Nakagawa declared a conflict of interest, left the meeting and did not return until the conclusion of the vote on this matter. Councillor Jaimie McEvoy assumed the Chair.

3. ISSUANCE OF PERMITS

3.1 Development Variance Permit DVP00701 for 311 Ash Street

Discussion ensued on:

- Staff reduced the number of trees lost to three;
- Concern regarding loss of shade from removed trees; and,
- The City does not require the units in the development to include air conditioning.

MOVED AND SECONDED

THAT Council accepts all correspondence regarding DVP00701 at 311 Ash Street.

Carried.

All members present voted in favour of the motion.

MOVED AND SECONDED

THAT Council defers the Development Variance Permit DVP00701 for 311 Ash Street pending:

 The applicant reporting back to Council regarding climate mitigation options for the building;

- The applicant be required to plant the maximum size tree under the tree bylaw; and,
- The Building Inspector to report back on the conditions of the building.

Carried.

Councillors Fontaine and Minhas opposed.

MOVED AND SECONDED

THAT Council defers consideration of Item 6.2.a. – Housing Agreement (311 Ash Street) Bylaw No. 8382, 2023 pending approval of the Development Variance Permit DVP00701 for 311 Ash Street.

Carried.

Councillor Fontaine opposed.

Procedural Note: Mayor Johnstone and Councillor Nakagawa returned to the meeting at 6:34 p.m. Mayor Johnstone reassumed the Chair.

4. <u>CONSENT AGENDA</u>

MOVED AND SECONDED

THAT Council adopt the recommendations for items 4.2, 4.3, 4.5 and 4.6 on consent.

Carried.

All members present voted in favour of the motion.

4.1 Considerations Related to a Review of the Existing Council Code of Conduct

MOVED AND SECONDED

THAT Council direct the Solicitor to begin the statutory process of considering a review of the existing Council Code of Conduct and prepare a new Code of Conduct through workshops with City Council;

THAT Council direct staff to include guidelines regarding the protection of Councillors with regard to conflict of interest; and,

THAT Council direct staff to investigate the opportunity to create a Municipal Integrity Commissioner with the ability to investigate Code of Conduct concerns.

Carried.

4.2 Construction Noise Bylaw Exemption Request: 2126 Seventh Avenue (22nd Street SkyTrain Station)

THAT Council grant a noise exemption to TransLink from Construction Noise Bylaw No. 6063, 1992 from 10 PM to 7 AM starting March 1, 2023, to November 30, 2023 including Saturdays, but, excluding Sundays and Statutory Holidays, to modify the 22nd Street SkyTrain infrastructure to increase egress from the station.

Adopted on Consent.

4.3 Development Variance Permit: 231 Lawrence Street – Permit to Vary Lot Frontage

THAT Council issue notice that it will consider issuance of Development Variance Permit DVP00708 to vary the minimum permitted lot frontage for 231 Lawrence St; and,

THAT Council resolve to exempt the new parcels created from 231 Lawrence Street from the statutory minimum frontage requirements set out in section 512 of the Local Government Act.

Adopted on Consent.

4.4 Exception to the CDSA Exemption to Address Illicit Drug Use in Spaces for Children and Youth (Circulated Separately)

Discussion ensued regarding concerns about safety in parks and private play areas.

MOVED and SECONDED

WHEREAS the BC Government has been granted an exemption by Health Canada from the Controlled Drugs and Substances Act to decriminalize the possession of certain illegal drugs; and,

WHEREAS an omission to the exceptions for this exemption could result in nuisance illicit drug use in public park spaces designed for and used by children and youth.

BE IT RESOLVED THAT Lower Mainland Local Government Association (LMLGA) and Union of BC Municipalities (UBCM) request that the BC Government request Health Canada add "public park spaces designed for

and used by children and youth" to the list of exceptions to the Controlled Drug and Substances Act exemption.

Carried.

All members present voted in favour of the motion.

4.5 Heritage Revitalization Agreement and Heritage Designation: 802 and 806 Eighth Street and 809 Eighth Avenue – Bylaws for First and Second Readings

THAT Council consider Heritage Revitalization Agreement (802 and 806 Eighth Street and 809 Eighth Avenue) Bylaw No. 8379, 2023 and Heritage Designation Bylaw (802 and 806 Eighth Street and 809 Eighth Avenue) No. 8380, 2023 for First and Second Readings, and forward the Bylaws to a Public Hearing; and,

THAT Council add the building currently located at 806 Eighth Street to the City's Heritage Register following the adoption of Heritage Designation Bylaw No. 8380, 2023.

Adopted on Consent.

4.6 Housing Agreement Bylaw No. 8376, 2023 for 612 Seventh Avenue – Bylaw for Three Readings

THAT Council consider Housing Agreement Bylaw No. 8376, 2023 to authorize the City to enter into a Housing Agreement with the property owner to require that all residential units at 612 Seventh Avenue be secured as rental housing, including 10 below-market rental units and 328 market rental units, for 60 years or the life of the building (whichever is longer);

THAT Council consider Housing Agreement Bylaw No. 8376, 2023 for First, Second and Third Readings; and,

THAT Council, should the Housing Agreement Bylaw No. 8376, 2023 be adopted, direct the Mayor and Corporate Officer to execute the Housing Agreement.

Adopted on Consent.

4.7 Project Update - təməsewtxw Aquatic and Community Centre (TACC)

Discussion ensued on:

- The \$8 million budget adjustment;
- A report on the closure of the Canada Games Pool will be presented at a future Council meeting;

- Community recreation programs will be relocated after the closure of the Centennial Community Centre; and,
- Contingencies for redeployment of recreational programs.

MOVED AND SECONDED

THAT Council receive this report for information and direct staff to provide on-going updates on project progress.

Carried.

All members present voted in favour of the motion.

Procedural Note: Council agreed to consider Item 5 following Item 4.7. The minutes are recorded in numerical order.

4.8 Request for Support for Family Place Relocation in Downtown New Westminster (Circulated Separately)

Discussion ensued regarding the programs and supports offered by Family Place and the request for one-time funding.

MOVED AND SECONDED

THAT Council approve a one-time emergency grant in the value of \$6,300 toward support for the relocation of New Westminster Family Place to 960 Quayside Drive.

Carried.

All members present voted in favour of the motion.

Procedural Note: The meeting recessed at 7:06 p.m. and resumed at 7:10 p.m.

5. OPPORTUNITY FOR THE PUBLIC TO SPEAK TO COUNCIL - 7:00 PM

Angie Whitfield and Rich Patterson, New Westminster Chamber of Commerce, spoke in favour of the proposed motion regarding the Vacant Property Tax on Commercial Properties to ensure the lands are being used to their full potential. It was noted that the guiding principles should include consultation with the New Westminster Chamber of Commerce.

Jennifer Nathan, New Westminster Force of Nature, spoke in opposition to the motion titled "Providing Openness and Transparency Regarding the Personal Carbon Footprint of Elected Officials" and suggested that climate action needs to be addressed through policies for emission reduction.

Karen Crosby, resident, spoke in opposition to the motion "Providing Openness and Transparency Regarding the Personal Carbon Footprint of Elected Officials" and challenged leadership to create climate safe policies.

Christopher Naresh, resident, suggested that the City support volunteer positions to build the community and to help lower budgeting costs and avoid rising property taxes.

Deane Gurney, resident, led the review of a presentation titled "Laneway and Carriage Houses 901 Jackson Crescent", expressed opposition to the development of laneway and carriage houses, and requested more notice be given to affected residents.

Larry Church, resident, expressed concern regarding some cross walk hazards brought about by bike lane construction. Mr. Church also encouraged Council to begin planning for community buildings reaching their end of life.

Victor Pauls, resident, raised concerns regarding the timeline for the elimination of train noise in the Sapperton community.

6. BYLAWS

6.1 Bylaws for readings

a. Heritage Revitalization Agreement (802 and 806 Eighth Street and 809 Eighth Avenue) Bylaw No. 8379, 2023

A public hearing will be held for this bylaw.

MOVED and SECONDED

THAT Heritage Revitalization Agreement (802 and 806 Eighth Street and 809 Eighth Avenue) Bylaw No. 8379, 2023 be given First Reading.

Carried.

All members present voted in favour of the motion.

MOVED and SECONDED

THAT Heritage Revitalization Agreement (802 and 806 Eighth Street and 809 Eighth Avenue) Bylaw No. 8379, 2023 be given Second Reading.

Carried.

b. Heritage Designation (802 and 806 Eighth Street and 809 Eighth Avenue) Bylaw No. 8380, 2023

A public hearing will be held for this bylaw.

MOVED and SECONDED

THAT Heritage Revitalization Agreement (802 and 806 Eighth Street and 809 Eighth Avenue) Bylaw No. 8380, 2023 be given First Reading.

Carried.

All members present voted in favour of the motion.

MOVED and SECONDED

THAT Heritage Revitalization Agreement (802 and 806 Eighth Street and 809 Eighth Avenue) Bylaw No. 8380, 2023 be given Second Reading.

Carried.

All members present voted in favour of the motion.

c. Housing Agreement (612 Seventh Avenue) Bylaw No. 8376 2023

MOVED and SECONDED

THAT Housing Agreement (612 Seventh Avenue) Bylaw No. 8376, 2023 be given First Reading.

Carried.

All members present voted in favour of the motion.

MOVED and SECONDED

THAT Housing Agreement (612 Seventh Avenue) Bylaw No. 8376, 2023 be given Second Reading.

Carried.

All members present voted in favour of the motion.

MOVED and SECONDED

THAT Housing Agreement (612 Seventh Avenue) Bylaw No. 8376, 2023 be given Third Reading.

Carried.

6.2 Bylaws for Adoption

a. Housing Agreement (311 Ash Street) Bylaw No. 8382, 2023

In accordance with Item 3.1, this item was deferred pending approval of the Development Variance Permit DVP00701 for 311 Ash Street.

Procedural Note: At 8:18 p.m., Mayor Patrick Johnstone and Councillor Nadine Nakagawa declared a conflict of interest and left the meeting. Councillor Jaimie McEvoy assumed the Chair.

b. Zoning Amendment Bylaw (228 Seventh Street) No. 8373, 2023

MOVED and SECONDED

THAT Community Heritage Commission Amendment Bylaw No. 8384, 2023 be adopted.

Carried.

All members present voted in favour of the motion.

Procedural Note: Mayor Johnstone and Councillor Nakagawa returned to the meeting at 8:19 p.m. Mayor Johnstone reassumed the Chair.

7. MOTIONS FROM MEMBERS OF COUNCIL

7.1 Motions for Discussion and Decision

a. Improving Our Economy by Better Connecting Douglas College Students, Faculty and Staff with our Business Districts (deferred from February 13, 2023)

Submitted by Councillor Fontaine and Councillor Minhas

Councillor Fontaine reviewed the motion.

MOVED AND SECONDED

WHEREAS New Westminster is home to Douglas College;

WHEREAS students play an important role in helping to support a local economy;

WHEREAS each year, close to 17,000 students (including 4,210 international students from over 92 countries) take for-credit courses at Douglas College;

WHEREAS a targeted marketing campaign aimed at Douglas College students, faculty and staff could encourage them to more frequently visit our business districts: and,

WHEREAS our business districts have faced significant impacts due to the COVID-19 pandemic and the recent Metro Vancouver sewer construction on Columbia Street.

BE IT RESOLVED that Council refer to the Economic Development Advisory Committee for discussion and action as appropriate, a collaborative "Study and Stay" campaign aimed at encouraging students, faculty and staff at Douglas College to more regularly frequent our city's various business districts.

Carried.

All members present voted in favour of the motion.

b. Extension of Speed Zone Enforcement Hours

Submitted by Councillor Henderson

Councillor Henderson reviewed the motion.

MOVED AND SECONDED

WHEREAS it is important to prioritize pedestrian, cyclist, and mobility users' safety on our roads;

WHEREAS school facilities are increasingly being used in the mornings and evenings for before- and after-school care and other community-based activities; and,

WHEREAS other municipalities have extended the school zone speed limit beyond the current standard of 8am – 5pm in an effort to prioritize safety around schools.

BE IT RESOLVED that Council direct staff to bring a report back to Council for approval on how to extend the speed zone enforcement hours including a discussion on:

- The length of the extension i.e. 24 hours, or 7am 10pm;
- Potential impacts to:
 - Neighbourhoods;
 - Transit;
 - Enforcement; and
 - Traffic Management;

- Any budget Implications; and,
- Other concerns arising.

Carried.

All members present voted in favour of the motion.

c. Call to Action on Creating more Equitable Municipalities Submitted by Councillor Nakagawa

Councillor Nakagawa reviewed the motion.

MOVED AND SECONDED

WHEREAS the City of New Westminster has an equity policy as well as a Diversity, Equity, Inclusion, and Anti-Racism framework.

BE IT RESOLVED that the City of New Westminster submit the following motion to the Lower Mainland Local Government Association for consideration for submission to UBCM:

WHEREAS systemic inequities are present in all municipalities and prevent all citizens from fully participating in civic life; and,

WHEREAS numerous municipalities across British Columbia and Canada have made progress towards becoming more equitable by committing to embed equity in all government action through the use of analytical processes for the assessment of systemic inequities (e.g., Gender-Based Analysis Plus).

THEREFORE BE IT RESOLVED that the Union of BC Municipalities (UBCM) calls upon the Province of British Columbia and the Government of Canada to provide resources and policy direction to enable municipalities to implement said processes across municipal capital investments, operations and strategic initiatives and once created urge municipalities to use the resources to make measurable progress towards dismantling systemic inequality in our communities.

Carried.

d. Providing Openness and Transparency Regarding the Personal Carbon Footprint of Elected Officials

Submitted by Councillor Fontaine and Councillor Minhas

Councillor Fontaine reviewed the motion.

Discussion ensued regarding the effects of policy change on climate change and the lack of consideration for individuals who do not have opportunities to reduce their carbon footprint.

MOVED AND SECONDED

WHEREAS it is widely accepted and understood that we are facing critical challenges to our infrastructure and humanity as it pertains to climate change;

WHEREAS it is important for all orders of government and their elected officials to demonstrate leadership and accountability when it comes to fighting climate change;

WHEREAS members of New Westminster City Council are required by law to declare on an annual basis their financial holdings to the public;

WHEREAS a similar disclosure form does not exist to help disclose the estimated carbon footprint of our elected officials on an annual basis:

WHEREAS there would be very little administrative cost but significant public good in reporting each year the estimated carbon footprint of our elected officials;

WHEREAS New Westminster City Council stands to be a leader in openness and transparency regarding public disclosure of the estimated carbon footprint of our elected officials;

WHEREAS a new Carbon Emissions Declaration Form could serve as a template for elected officials in other orders of government; and,

WHEREAS the previous Council approved a set of 'bold' action steps to protect the environment but did not include anything regarding personal disclosure or commitments.

BE IT RESOLVED that Council request our Environment and Climate Advisory Committee (ECAC) be tasked with developing a new Carbon Emission Declaration and Pledge Form for consideration;

BE IT FURTHER RESOLVED that once it is finalized, the Carbon Emission Declaration and Pledge Form be considered as a voluntary public annual disclosure for all members of Council and that it be completed at the same time as the financial disclosure;

BE IT FURTHER RESOLVED that the Carbon Emission Declaration and Pledge Form capture the estimated carbon emissions pertaining a number of key items such as:

- Personal trips (planes, trains, automobiles, motorcycles)
- Business/Work trips (where no other low-carbon alternative option existed i.e. attendance via Zoom)
- Personal vehicle ownership and usage (electric, hybrid, fossil-fuel based)
- Home ownership types (single family home, townhome, condominium)

BE IT FURTHER RESOLVED that the Carbon Emission Declaration and Pledge Form allow for members of Council to make a pledge for the coming year to personally undertake up to three new environmental activities that will help to lower their own carbon emissions:

BE IT FURTHER RESOLVED that the declaration portion of the Carbon Emission Declaration and Pledge Form be retroactive to the November 7, 2022 swearing-in of this current Council; and,

BE IT FURTHER RESOLVED that Council forward a copy of this motion to the leaders of the recognized political parties in the BC Legislature and our Federal Parliament asking they immediately undertake the development of a similar declaration form to capture the personal carbon footprints of our Members of the Legislative Assembly and Member of Parliament.

Defeated.

Mayor Johnstone and Councillors Campbell, Henderson, McEvoy and Nakagawa opposed.

e. Improving and Strengthening Open Communication Between all Elected Officials in New Westminster

Submitted by Councillor Fontaine and Councillor Minhas

Councillor Fontaine reviewed the motion.

MOVED AND SECONDED

WHEREAS it is important for City Council to keep an open dialogue and direct contact with all elected officials representing New Westminster:

WHEREAS the City of Vancouver previously used the "Vancouver City Caucus" model with great success to help champion key issues such as the Four Pillars Drug Strategy;

WHEREAS there is currently no organized forum for our MP, MLAs, Mayor and Council and School Board elected officials to gather, share ideas and coordinate efforts to build a better city; and,

WHEREAS it is in the best interests of our city if all elected officials work collaboratively on issues of mutual interest.

BE IT RESOLVED that Council send an invitation to our local Member of Parliament, Members of the Legislative Assembly and the School Board to participate in a New West Caucus to take place in 2023;

BE IT FURTHER RESOLVED that our staff work in partnership with the staff representing our MP, MLAs and School Board Trustees to develop a draft terms of reference for the New West Caucus; and,

BE IT FURTHER RESOLVED that a joint secretariat be established through the Office of the Mayor to assist with the coordination of establishing agendas and selecting dates for the New West Caucus.

Carried.

All members present voted in favour of the motion.

f. Temporarily Eliminating Block Party Street Occupancy Permit Fees to Encourage Increased Neighbourhood Connectivity

Submitted by Councillor Fontaine and Councillor Minhas

Councillor Fontaine reviewed the motion.

Discussion ensued on:

- Grants are available for block parties and other community events; and,
- The need for the permit price not to create a barrier.

MOVED AND SECONDED

WHEREAS residents are being charged \$39 to obtain a block party street occupancy permit;

WHEREAS the total fees collected by the City for the block party street occupancy permit is estimated to be only \$1500 to \$2000 per year;

WHEREAS there is an unquantified administrative and operational cost associated with the collection and processing of the \$39 fees;

WHEREAS the COVID pandemic has proven challenging for many of our region's mid to larger festivals which may be in jeopardy of halting their operations;

WHEREAS Council has an interest in supporting an increased number of safe, healthy and active local community activities;

WHEREAS the temporary removal of the street occupancy fee for block parties sends a positive message to our community that Council is encouraging more neighbourhoods to consider setting one up on their block;

WHEREAS Council should also be encouraging and finding opportunities for more block parties in our high density neighbourhoods;

WHEREAS the financial impact to the City of temporarily eliminating the block party street occupancy permit fee is negligible; and,

WHEREAS on January 25, 2023 Council unanimously supported a motion requesting staff provide information regarding the financial and operational issues relating to eliminating the block party street occupancy permit fees.

BE IT RESOLVED that to encourage more community engagement as we emerge from out of the COVID pandemic, Council amend the Engineering Fees and Rates Bylaw, 7553, 2013 to provide to eligible residents a no-charge street occupancy permit to host a 'block party' in their neighbourhood;

BE IT FURTHER RESOLVED that applicants are able to host up to one no-fee block party per calendar year in 2023 and 2024 and that standard fees will apply for any additional permits; and,

BE IT FURTHER RESOLVED that staff provide an update to Council regarding how the no-fee permits have impacted the number of community and street events after the first 12 months of implementation.

Carried.

Mayor Johnstone and Councillor Campbell opposed.

g. Bringing Equity to Traffic Enforcement

Submitted by Mayor Johnstone

Mayor Johnstone reviewed the motion.

Discussion ensued regarding the public impact of fines.

MOVED AND SECONDED

BE IT RESOLVED that The City of New Westminster submit the following resolution to the Lower Mainland Local Government Association for consideration for submission to UBCM:

WHEREAS the primary deterrent from exceeding speed limits or violating other road safety regulations on municipal roads in British Columbia are fines administered under the Violation Ticket Administration and Fines Regulation; and,

WHEREAS fixed rate fines are inequitable, disproportionately impacting people with lower incomes while applying lower deterrent value to people with higher incomes, creating a structural inequity in the application of justice.

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities calls upon the Provincial Government to implement a means-tested traffic fine system, similar to Finland, Switzerland, Sweden or the UK, where fines may be calculated on the basis of the offender's income.

Carried.

Councillors Fontaine and Minhas opposed.

h. Vacant Property Tax on Commercial Properties

Submitted by Councillor Campbell

Councillor Campbell reviewed the motion.

MOVED AND SECONDED

BE IT RESOLVED THAT Council support the following resolution go to the Lower Mainland LGA conference for consideration at the UBCM meeting:

WHEREAS the Province has adopted vacancy taxes on vacant residential properties as one tool to assure land speculation does not result in property standing fallow to the detriment of community livability and other goals; and,

WHEREAS commercial property values are inflating province-wide, and increasingly face investment speculation resulting in similar underutilization of commercial property in many municipalities across British Columbia.

THEREFORE BE IT RESOLVED that the Province of BC provide local governments with an option to introduce a vacant property tax applicable to commercial properties.

Carried.

All members present voted in favour of the motion.

8. <u>NEW BUSINESS</u>

8.1. Appointment of Acting Corporate Officer

MOVED AND SECONDED

THAT Council designate the Chief Administrative Officer to be the Acting Corporate Officer during the one-year re-assignment of the Corporate Officer.

Carried.

All members present voted in favour of the motion.

9. ANNOUNCEMENTS FROM MEMBERS OF COUNCIL

Councillor McEvoy requested that staff provide an analysis on the Provincial budget and its effects on New Westminster.

Councillor Campbell reported that the New Westminster Secondary School presentation of Shrek the Musical will be held from March 1 to 4, 2023.

10. END OF THE MEETING The meeting ended at 9:20 p.m. Patrick Johnstone MAYOR ACTING CORPORATE OFFICER