



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, resilient city where everyone can thrive.

CITY COUNCIL MEETING

MINUTES

Monday, April 8, 2024, 6:00 p.m.
Meeting held in Council Chamber
City Hall

PRESENT:

Mayor Patrick Johnstone
Councillor Ruby Campbell
Councillor Daniel Fontaine
Councillor Tasha Henderson
Councillor Paul Minhas
Councillor Nadine Nakagawa

ABSENT:

Councillor Jaimie McEvoy

STAFF PRESENT:

Lisa Leblanc	Acting Chief Administrative Officer
Dennis Back	Corporate Officer
Brad Davie	Deputy Chief, New Westminster Fire and Rescue Services
Kim Deighton*	Manager, Integrated Services
Blair Fryer	Acting Director of Community Services
Dean Gibson	Director of Parks and Recreation
Indeep Johal	Manager, Financial Services
Shehzad Somji	Director of Finance and Chief Financial Officer
Jackie Teed	Director, Climate Action, Planning and Development
Serena Trachta	Manager of Inspections
Mike Watson	Acting Senior Manager of Planning and Development
Marius Mikle	Assistant Corporate Officer

GUESTS:

Alex Labelle*	BEL Contracting
Ammar Mahdi*	Metro Vancouver Regional District

*Denotes electronic attendance.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Johnstone called the meeting to order 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. APPROVAL OF THE AGENDA

MOVED and SECONDED

THAT 88 Tenth Street (Columbia Square) Discussion be added as Item 8.1 under NEW BUSINESS; and

THAT Council adopt the April 8, 2024, Regular Council agenda, as amended.

CARRIED UNANIMOUSLY

3. CONSENT AGENDA

MOVED and SECONDED

THAT Council adopt the recommendations for items 3.3, 3.6, 3.7, 3.8, 3.9, 3.10 and 3.11 on consent.

CARRIED UNANIMOUSLY

3.1 2023 Filming Activity and Proposed Updates to Filming Policies and Procedures

MOVED and SECONDED

THAT Council direct staff to update the Filming Policies and Procedures as outlined in this report.

CARRIED UNANIMOUSLY

3.2 Active Rehabilitation Lease Agreement at 65 E. Sixth Avenue (təməsew̓txʷ Aquatic and Community Centre)

MOVED and SECONDED

THAT subject to completion of required public notification processes, the Mayor and Council Clerk be authorized to execute the attached Lease Agreement, substantially in the form included as Attachment “A” between the City and MacPherson and Zenone Physiotherapist Corporation for the

provision of active rehabilitation services within the təməsewtx^w Aquatic and Community Centre.

CARRIED UNANIMOUSLY

3.3 Appointment of Corporate Officer

MOVED and SECONDED

THAT Council appoint Hanieh Berg as the Corporate Officer for the City of New Westminster effective April 22, 2024.

ADOPTED ON CONSENT

3.4 Bill 28 - Property Tax Relief Legislation

MOVED and SECONDED

THAT Council receive this report for information.

THAT Council direct staff to conduct further analysis to determine if such a tax relief program is suitable for the City of New Westminster.

CARRIED UNANIMOUSLY

3.5 Construction Noise Bylaw Exemption Request: 78 Jamieson Court (Metro Vancouver Glenbrook CSO Gate Replacement)

Manager of Integrated Services, Kim Deighton, BEL Contracting Project Manager, Alex Labelle and Metro Vancouver Regional District Project Engineer, Ammar Mahdi, advised Council of the level of anticipated community engagement; notices will be sent to area residents and businesses in a two-block radius in advance via hand by Canada Post, the project will maintain a live-updated website, and signage will be installed at the trails adjacent to the construction site.

Project managers further advised that workers will perform a sweep for nesting birds in the area and be governed by an Environmental Construction Monitoring Plan to protect and monitor for changes in wildlife.

MOVED and SECONDED

THAT Council grant an exemption from *Construction Noise Bylaw No. 6063, 1992* to Metro Vancouver contractor BEL Contracting from Monday June 10, 2024 to Friday August 30, 2024 for:

- 8:00 PM to 7:00 AM Mondays to Fridays;
- 8:00 PM Fridays to 9:00 AM Saturdays;

- 6:00 PM Saturdays to 7:00 AM Mondays; including Canada Day and BC Day

to enable installation of two new maintenance holes, construction of a new sewer pipe, and replacement of a gate within the diversion chamber at the Metro Vancouver Glenbrook CSO Gate Replacement.

CARRIED UNANIMOUSLY

3.6 Construction Noise Bylaw Exemption Request: 230 Keary Street (The Keary/Building 8 by Wesgroup Properties)

MOVED and SECONDED

THAT Council grant an exemption to Wesgroup Properties contractor, Two Pillars Construction, from *Construction Noise Bylaw No. 6063, 1992* from 6:00 AM to 9:00 AM Saturday, April 13, 2024 and 6:00 AM to 6:00 PM Sunday, April 14, 2024 OR for contingency, 6:00 AM to 9:00 AM Saturday, May 11, 2024 and 6:00 AM to 6:00 PM Sunday, May 12, 2024 to erect a construction tower crane at 230 Keary Street.

ADOPTED ON CONSENT

3.7 Crises Response Pilot Project Update

MOVED and SECONDED

That Council direct staff to provide a further update in Q3 2024.

ADOPTED ON CONSENT

3.8 Metro 2050 Amendment Application: City of Maple Ridge

MOVED and SECONDED

THAT Council advise Metro Vancouver that the City of New Westminster has no formal objection to the City of Maple Ridge's application to amend the regional land use designation of 13 properties known as "the Yennadon Lands" from General Urban and Agricultural to Industrial and Conservation, and include them within the Urban Containment Boundary; and,

THAT Council direct staff to send a letter to Metro Vancouver following this meeting providing:

- a. Council's resolution on Maple Ridge's amendment application,
- b. A summary of Council's related discussion, if any, and meeting minutes,

- c. Feedback on the application related to removal of lands from the Agricultural Land Reserve, and
- d. Staff's recommendations, as detailed in the Recommended Feedback section of this report.

ADOPTED ON CONSENT

3.9 Parcel Tax Roll Review Panel

MOVED and SECONDED

THAT the Parcel Tax Roll Review Panel convene at 6:00p.m., Monday April 22, 2024 in Council Chambers at City Hall, 511 Royal Ave, New Westminster to identify, confirm and authenticate the parcel tax roll;

THAT staff be directed to prepare the parcel tax roll for Parcel Tax Roll Review Panel consideration and provide appropriate notification in accordance with the Community Charter.

ADOPTED ON CONSENT

3.10 Zoning Bylaw Text Amendment: 812 Twentieth Street – Bylaw for Three Readings

MOVED and SECONDED

THAT Council consider Zoning Amendment Bylaw No. 8443, 2024 for First, Second, and Third Readings.

ADOPTED ON CONSENT

3.11 Minutes for Adoption

- a. **January 15, 2024 City Council Meeting**
- b. **January 22, 2024 City Council Meeting (1:00 p.m.)**
- c. **January 22, 2024 Council Workshop**
- d. **January 22, 2024 City Council Meeting (6:00 p.m.)**
- e. **January 29, 2024 Council Workshop**
- f. **February 5, 2024 City Council Meeting (1:00 p.m.)**
- g. **February 5, 2024 Council Workshop**
- h. **February 5, 2024 City Council Meeting (6:00 p.m.)**
- i. **February 14, 2024 Special City Council Meeting**
- j. **February 26, 2024 City Council Meeting (1:00 p.m.)**

- k. **February 26, 2024 Council Workshop**
- l. **February 26, 2024 Public Hearing**
- m. **February 26, 2024 City Council Meeting (following Public Hearing)**
- n. **March 4, 2024 Council Workshop**
- o. **March 11, 2024 City Council Meeting (1:00 p.m.)**
- p. **March 11, 2024 Council Workshop**
- q. **March 11, 2024 City Council Meeting (6:00 p.m.)**
- r. **March 18, 2024 Council Workshop**

ADOPTED ON CONSENT

Procedural note: At this time, Council proceeded to item 6. BYLAWS.

4. OPPORTUNITY FOR THE PUBLIC TO SPEAK TO COUNCIL – 7:00 PM

Chris Bell asked Mayor and Council regarding the recent KPMG audit report around a statement around potential for staff to override controls. He asked the following questions;

- Is there fraud occurring at City Hall and how often;
- How could internal staff catch the fraud if it is occurring;
- What circumstances caused the auditors to make statements that we are at significant risk of fraud, is there a bylaw in place which allows bypassing of controls;
- Regarding developments and bonus density payments, do managers have the ability to forego such payments required;
- Does management have the ability to forgive or reduce Amenity Cost Charges;
- Where is the City at for whistleblower policy; and
- Potential solutions: Forensic audit to determine if damage has occurred, ethics commissioner to write a report, Auditor General of the Province.

Staff advised that the KPMG audit the report stated there is a potential risk in every organization where management could override controls, not just in the City of New Westminster. Part of the financial audit process is to review the financial transactions the City completes and to ensure the City follows its own bylaws, policies, and procedures.

Mayor Johnstone noted the KPMG audit maintains the preamble; all entities face this risk.

Staff further advised if there was a “not-clean” audit report, it would come to Council as a public report, while a clean audit report is a closed staff report. The responses to management letter would only be produced if there was fraud detected. The language of fraud detection and risk are standard across audit planning.

Chelsea Watt and Emily Gaudette presented on the New West Farmers Market successful kickoff to the 2024 season, including highlights from 2023 which included the 2023 BC Farmers’ Market Economic Impact Study noting the New Westminster market had approximately \$3M in direct economic impact for the City including other indirect impacts. The New Westminster Farmers Market held 32 weekly markets with spaces provided to 26 community groups, 164 vendors and an additional 50 vendors on the waitlist and 51,000 individual shoppers, a level of success which would not be possible without the ongoing partnership with the City of New Westminster.

Betty Furey made a presentation regarding an event taking place on Earth Day, April 20, 2024, 11:00 a.m.-3:00 p.m., at the Fraser River Discovery Centre. Supported by ReGenerate BC and the Climate Hub, there will be a Pollinator Party to celebrate the important work that pollinators do to help keep the Fraser watershed healthy.

Gail North presented on a garage sale at Queens Park 9 a.m. – 5 p.m., Saturday, May 11, 2024. Heritage New West will host the Homes Tour on Sunday, May 26, 2024. Tickets will be going on sale on April 12, 2024. This year’s tour will offer an eclectic array of heritage homes, including a rental suite, a church, and an arts and crafts home. Gail requested those who are interested in volunteering to contact organizers.

Douglas Whicker presented on a noise issue at 320 Royal Street, whereby a portable generator was started and has been continuously running since March 1, 2024, in contravention of Construction Noise Bylaw 6520. After repeated requests for both information and the removal of the generator, staff advised it was an emergency replacement and they could not remove the generator as the indoor substation was being replaced.

Building and Engineering departments reviewed the generator which was proposed to be used and most generators were found to be insufficient. The project is to construct a replacement enclosure and required additional time due to supply chain demands and other confounding factors delaying completion. Staff are reviewing the incident and how it may require changes to the policy informing future requests for such substation overhauls.

Larry Church presented regarding the rain garden at Eighth Avenue and Fifth Street, which has created a narrowing of the street at the corners and causing

the turning radius of cars so sharp that they need to go into the other lane in order to complete the turn. Larry has observed the curb has tire marks, indicating cars are rubbing their tires and even mounting up onto the curb and requested staff widen the two corners.

5. SPECIAL ORDER OF THE DAY

5.1 Break (15 minutes)

6. BYLAWS

6.1 Public Hearings not held

- a. Zoning Amendment Bylaw (812 Twentieth Street) No. 8443, 2024**

MOVED and SECONDED

THAT Council give Zoning Amendment Bylaw (812 Twentieth Street) No. 8443, 2024 first reading.

CARRIED UNANIMOUSLY

MOVED and SECONDED

THAT Council give Zoning Amendment Bylaw (812 Twentieth Street) No. 8443, 2024 second reading.

CARRIED UNANIMOUSLY

MOVED and SECONDED

THAT Council give Zoning Amendment Bylaw (812 Twentieth Street) No. 8443, 2024 third reading.

CARRIED UNANIMOUSLY

6.2 Bylaws for adoption

- a. Zoning Amendment Bylaw (145-209 East Columbia Street) No. 8429, 2024**

MOVED and SECONDED

THAT Council adopt Zoning Amendment Bylaw (145-209 East Columbia Street) No. 8429, 2024.

CARRIED UNANIMOUSLY

- b. **Housing Agreement (145-209 East Columbia Street) Bylaw No. 8434, 2024**

MOVED and SECONDED

THAT Council adopt Housing Agreement (145-209 East Columbia Street) Bylaw No. 8434, 2024.

CARRIED UNANIMOUSLY

- c. **Zoning Amendment Bylaw (1032 and 1036 St. Andrews Street) No. 8402, 2023**

MOVED and SECONDED

THAT Council adopt Zoning Amendment Bylaw (1032 and 1036 St. Andrews Street) No. 8402, 2023.

CARRIED UNANIMOUSLY

- d. **Zoning Amendment Bylaw (Miscellaneous Amendments) No. 8436, 2024**

MOVED and SECONDED

THAT Council adopt Zoning Amendment Bylaw (Miscellaneous Amendments) No. 8436, 2024.

CARRIED UNANIMOUSLY

7. **MOTIONS FROM MEMBERS OF COUNCIL**

7.1 **Motions for Discussion and Decision**

- a. **Ensuring that ground level retail spaces in new developments prioritize community-supporting businesses and organizations**

Submitted by Councillor Nakagawa

Whereas the City of New Westminster has developed a retail strategy; and

Whereas community-serving businesses are essential for meeting our climate goals

Therefore be it resolved that the City review and refresh current policies relating to ground level retail to ensure that they are responsive to current market forces; and

That the City develop a policy to ensure that future ground level retail spaces in new development are built to prioritize community-

supporting businesses and organizations in alignment with the retail strategy.

Discussion ensued on:

- Coming out of the pandemic there is a clear gap in brick-and-mortar retail businesses and Council should address this in the City; and
- The City developed the Retail Strategy which provides better understanding and ability to project into the future. The proposed policy could work in parallel with the strategy and noted that non-profits require a different strategy separate from retail.

In response to the debate, Acting Director of Community Services, Blair Fryer, advised this type of work would be referred to the Arts, Culture and Economic Development Advisory Committee which had also developed the Retail Strategy.

Procedural note: The question on the main motion was asked.

MOVED and SECONDED

Therefore be it resolved that the City review and refresh current policies relating to ground level retail to ensure that they are responsive to current market forces; and

That the City develop a policy to ensure that future ground level retail spaces in new development are built to prioritize community-supporting businesses and organizations in alignment with the retail strategy.

CARRIED

Councillor Minhas opposed

7.2 Notices of Motion

a. 2026 FIFA World Cup

Submitted by Mayor Johnstone

Whereas the FIFA World Cup is the most widely viewed and followed single sporting event in the world, and for the first time

ever Vancouver will be a host city for seven games in the 2026 event; and

Whereas association football is a truly international sport, with 48 nations from 6 continents participating in the 2026 World Cup, and represents a unique opportunity for a community like New Westminster with its rich diversity of cultures and nations of origin to bring community together and celebrate our diversity through sport and cultural exchange; and

Whereas there are economic and other barriers to direct participation in FIFA events related with the World Cup for many members of the New Westminster community; and

Whereas New Westminster Council has identified Community Connecting and Belonging as a Strategic Priority, including community-building activities that bring the diverse community together for shared events and experiences;

Therefore Be It Resolved that Staff report back to Council with opportunities to activate public spaces across New Westminster, to apply for external funding, and engage local cultural, youth, sports, and business organizations for free and low-barrier public gathering, public viewing, and community celebration to coincide with the 2026 FIFA World Cup.

b. Improving the public's access to trees during the City's bi-annual tree sale

Submitted by Councillor Fontaine

Whereas the City has a goal of a 27% canopy coverage within New Westminster by 2030; and

Whereas by partnering with residents, the City aims to reach its goal of planting 3,300 trees on private land, and a further 8,500 on public land by 2030; and

Whereas the total trees available for purchase as part of our bi-annual tree sale regularly falls well short of demand from local residents

BE IT RESOLVED THAT staff be directed to assess whether the Climate Action Reserve Fund decision-making framework can

support the purchase of up to an additional 3000 trees over the next three years (2025-2027) to be sold as part of the City's bi-annual tree sale

8. NEW BUSINESS

8.1 Resolution for 88 Tenth Street (Columbia Square) Development Proposal

MOVED and SECONDED

THAT Council direct staff to work with the applicant for 88 Tenth Street (Columbia Square) to:

- a) revise their proposal for the 7.2 acres site, as outlined in the Council Report of June 12, 2023, to include 20% secured market rental, a child care, and 0% affordable rental units or related land dedication, in exchange for which the future density bonus charges would apply across the entire site, generally consistent with the City's Interim Development Application Review Framework, and which Council could use to fund future affordable housing development in the City;
- b) prepare a basic zoning bylaw to authorize that revised proposal for consideration of Council within 2024, and which secures requirements to complete a master planning process prior to construction.

Discussion ensued on:

- Consideration if the process of distributing an on table resolution requires approval from Council as the item did not get published on the public agenda;
- Staff advised that from the perspective of developing policy for future projects and proposals, it is a difficult time due to changing goal posts economically and legislatively, requires iterative process as a solution;
- Consideration that the proposal does not provide enough for those in need regardless if the economics of housing development have fallen under hard times.

Procedural note: An amendment was proposed.

MOVED and SECONDED

THAT the resolution be amended with the words “not-for-profit” in front of “child care”.

CARRIED

Councillors Fontaine and Minhas opposed

Procedural note: The question on the main motion, as amended, was asked.

MOVED and SECONDED as AMENDED

THAT Council direct staff to work with the applicant for 88 Tenth Street (Columbia Square) to:

- a) revise their proposal for the 7.2 acres site, as outlined in the Council Report of June 12, 2023, to include 20% secured market rental, a not-for-profit child care, and 0% affordable rental units or related land dedication, in exchange for which the future density bonus charges would apply across the entire site, generally consistent with the City’s Interim Development Application Review Framework, and which Council could use to fund future affordable housing development in the City;
- b) prepare a basic zoning bylaw to authorize that revised proposal for consideration of Council within 2024, and which secures requirements to complete a master planning process prior to construction.

CARRIED

Councillors Henderson and Nakagawa opposed

Mayor Johnstone declared a recess at 7:15 p.m.

Mayor Johnstone called the meeting back to order at 7:18 p.m.

Procedural note: At this time, Council proceeded to item 4. OPPORTUNITY TO SPEAK TO COUNCIL.

9. ANNOUNCEMENTS FROM MEMBERS OF COUNCIL

Councillor Campbell announced this weekend is the celebration of Vaisakhi at 6:00-8:00 p.m. at Gurdwara Sahib Sukh Sagar on April 13, 2024, and also

thanked Theresa McManus for writing a story on Sikh Vaisakhi. Councillor Campbell also wished Councillor Henderson a happy birthday.

Councillor Fontaine announced that he and Councillor Minhas will co-host a child care forum on Thursday, April 11, 2024, 7:00-9:00 p.m. at Unity Church in New Westminster. He also announced a celebration of life for Benson Flores, on April 13, 2024, at Mountainview Cemetery in Vancouver. Lastly, he reminded everyone of the various fundraising events for New Westminster Secondary School's Dry Grad.

Councillor Henderson announced a bike parade event on Sunday, April 21, 2024, welcome to all-ages, all-wheels, all-abilities.

Mayor Johnstone announced the upcoming opening of təməsew'txw in various stages taking place at the end of April through May. He also announced the start of Eid al-Fitr marking the end of Ramadan.

10. END OF THE MEETING

Mayor Johnstone terminated the meeting at 8:15 p.m.

Patrick Johnstone

MAYOR

Dennis Back

CORPORATE OFFICER