



COUNCIL MEETING

MINUTES

Monday, November 22, 2021, 5:00 p.m.
Council Chamber, City Hall
4949 Canada Way, Burnaby, BC

PRESENT:

His Worship, Mayor Mike Hurley
Councillor Pietro Calendino
Councillor Sav Dhaliwal
Councillor Mike Hillman (*participated electronically*)
Councillor Alison Gu
Councillor Dan Johnston
Councillor Colleen Jordan
Councillor Joe Keithley
Councillor James Wang

STAFF:

Mr. Leon Gous, Chief Administrative Officer
Ms. Noreen Kassam, Deputy Chief Administrative Officer / Chief Financial Officer
Mr. Dipak Dattani, Director Corporate Services
Mr. James Lota, Director Engineering
Mr. Dave Ellenwood, Director Parks, Recreation & Cultural Services
Mr. Ed Kozak, Director Planning & Building
Ms. Lee-Ann Garnett, Deputy Director Planning & Building
Mr. Dave Critchley, Director Public Safety & Community Services
Ms. May Leung, City Solicitor
Ms. Blanka Zeinabova, City Clerk
Ms. Eva Prior, Acting Deputy City Clerk

1. CALL TO ORDER

His Worship, Mayor Mike Hurley, called the Open meeting to order at 5:03 p.m. and conducted the roll call. Councillor Hillman participated electronically.

MOVED BY COUNCILLOR GU

SECONDED BY COUNCILLOR CALENDINO

THAT the Open Council meeting reconvene at 5:03 p.m.

CARRIED UNANIMOUSLY

His Worship, Mayor Mike Hurley, recognized the ancestral and unceded homelands of the hən̓qəmin̓əm̓ and Skwxwú7mesh speaking peoples, and extended appreciation for the opportunity to hold a meeting on this territory.

2. **MINUTES**

2.1 **Open Council Meeting held 2021 November 08**

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR JORDAN

THAT the minutes of the Open Council meeting held on 2021 November 08 be now adopted.

CARRIED UNANIMOUSLY

3. **DELEGATIONS**

3.1 **Journey Home Community - Re: Sanctuary City Policy** **Speaker: Brad Kinnie, Executive Director**

Mr. Brad Kinnie, Executive Director, Journey Home Community, and **Ms. Gulalai Habib**, Burnaby Neighbourhood House, appeared before Council via Zoom seeking Council consider a Sanctuary City or Access Without Fear Policy by referring the matter to staff to explore and report back on feasibility and changes necessary to implement such a policy.

Ms. Habib advised the City being comprised of 50% immigrants, with more than 120 languages spoken. The Metro Vancouver area is home to more than 10,000 undocumented migrants.

The purpose of the proposed 'Sanctuary City Policy' is to allow undocumented migrants access to key services and resources without the fear of deportation. The cities of Vancouver and New Westminster have both adopted a Sanctuary or Access Without Fear Policy.

The delegation requested that Burnaby become more inclusive through the adoption of a Sanctuary City or Access Without Fear Policy. The Policy would provide services to all residents regardless of immigration status, and without the collection or sharing of status information.

In conclusion, Mr. Kinnie advised that the implementation of a Sanctuary City or a City providing Access Without Fear Policy would reduce fear and isolation for

Burnaby residents with precarious immigration status. The Policy would promote inclusion, belonging, health and wellness, and safety, and on behalf of the Burnaby Interagency Council, the delegation requested that Council consider the implementation of such a policy.

Council thanked the delegation for their insightful presentation and the services provided by the Burnaby Interagency Council.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR GU

SECONDED BY COUNCILLOR CALENDINO

THAT the delegation's presentation be **REFERRED** to staff for report.

CARRIED UNANIMOUSLY

3.2 **Tourism Burnaby - Re: Sport Hosting in Burnaby** **Speaker: Chris Peters, Executive Director**

Mr. Chris Peters, Executive Director, Tourism Burnaby, appeared before Council via Zoom and provided the results of sport hosting study.

Mr. Peters advised that the objective of the study was to develop a Sport Hosting strategy, which would provide a benefit to citizens, user groups, and stakeholders in an effort to promote the City as one of the best sport hosting communities in British Columbia.

The findings of the study outlined several areas for improvement:

- streamlining facility booking process;
- increasing flexibility for facility bookings (ability to book more than one year in advance);
- engaging with Provincial Sport Organizations; and
- updating of aging facilities.

The speaker introduced the following were next steps and recommendations:

- develop a decision-making framework for hosting;
- create a centralized approach with a single contact for sport event organizers;
- develop messaging regarding benefits of hosting;
- develop 'Burnaby Sport Park' concept and include City branding; and
- create a Sport Burnaby led entity which facilitates communication between

sport stakeholders, development of sport programs and services, and provides advice to City Council when requested.

In conclusion, the delegation requested that a Sport Hosting Committee be formed and that the City create a Sport Hosting policy.

Council thanked the delegation for the presentation and the study results provided.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR KEITHLEY

THAT the delegation's presentation be **REFERRED** to staff for report.

CARRIED UNANIMOUSLY

4. **REPORTS**

4.1 **His Worship, Mayor Mike Hurley - Re: Appointment of Municipal Directors to the Metro Vancouver Regional District Board and Distribution of Votes**

His Worship, Mayor Mike Hurley submitted a report appointing members of Council as municipal directors to the Metro Vancouver Regional District Board and allocating the distribution of 12 votes.

His Worship, Mayor Mike Hurley recommended:

1. THAT the following appointments and respective vote allocations for the Metro Vancouver Regional District Board of Directors and Alternates be approved:

Director:	Mayor Mike Hurley	4 Votes
Alternate:	Councillor Joe Keithley	
Alternate:	Councillor Alison Gu	
Director:	Councillor Pietro Calendino	4 Votes
Alternate:	Councillor Joe Keithley	
Alternate:	Councillor James Wang	
Director:	Councillor Sav Dhaliwal	4 Votes
Alternate:	Councillor Joe Keithley	
Alternate:	Councillor Mike Hillman	

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the recommendation of His Worship, Mayor Mike Hurley be adopted.

CARRIED UNANIMOUSLY

4.2 Financial Management Committee - Re: 2022 Waterworks Utility Rates

The Financial Management Committee submitted a report seeking Council approval for the 2022 Waterworks Utility rates.

The Financial Management Committee recommended:

1. THAT Council authorize the City Solicitor to amend the Burnaby Waterworks Regulation Bylaw 1953, to reflect the 2022 rates in Schedule C of the report, effective 2022 January 01.

MOVED BY COUNCILLOR WANG
SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

4.3 Financial Management Committee - Re: 2022 Sanitary Sewer Rates

The Financial Management Committee submitted a report seeking Council approval for the 2022 Sanitary Sewer Fund rates.

The Financial Management Committee recommended:

1. THAT Council authorize the City Solicitor to amend the Burnaby Sewer Parcel Tax Bylaw 1994, the Burnaby Sewer Charge Bylaw 1961, and the Burnaby Sewer Connection Bylaw 1961, to reflect the 2022 rates in Schedule C of the report, effective 2022 January 01.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR GU

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

4.4 Financial Management Committee - Re: Insurance Contract - Network Security and Privacy Liability

The Financial Management Committee submitted a report seeking Council approval to award an insurance contract for the Network Security and Privacy Liability Policy.

The Financial Management Committee recommended:

1. THAT Council approve the award of one contract of insurance for a total amount payable to Aon Reed Stenhouse Inc. of \$139,903 to fund the insurance premium for the Network Security and Privacy Liability Policy.

MOVED BY COUNCILLOR KEITHLEY

SECONDED BY COUNCILLOR CALENDINO

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

4.5 Financial Management Committee - Re: Gaming Revenue Update

The Financial Management Committee submitted a report providing an update on the status of gaming revenue.

The Financial Management Committee recommended:

1. THAT Council receive the report for information.

MOVED BY COUNCILLOR DHALIWAL

SECONDED BY COUNCILLOR JORDAN

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

Council queried why the City is responsible for a cost share of 10% (\$81,340) due to losses incurred by the BC Lottery Corporation, and requested a copy of the letter received from the Province.

Staff undertook to provide this information to Council.

4.6 Financial Management Committee - Re: Expanding Investment Opportunities

The Financial Management Committee submitted a report providing an update on alternative asset class investing with the Municipal Finance Authority of British Columbia.

The Financial Management Committee recommended:

1. THAT Council receive the report for information.

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

4.7 Financial Management Committee - Re: Assessment Appeal Costs

The Financial Management Committee submitted a report providing an update following correspondence from the BC Minister of Finance with regards to the assessment appeal process.

The Financial Management Committee recommended:

1. THAT Council receive the report for information.

MOVED BY COUNCILLOR DHALIWAL

SECONDED BY COUNCILLOR GU

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

4.8 Parks, Recreation and Culture Commission - Re: Burnaby and Region Allotment Gardens Association Licence Agreement

The Parks, Recreation and Culture Commission submitted a report seeking Council approval for a new licence agreement with the Burnaby and Region Allotment Gardens Association.

The Parks, Recreation and Culture Commission recommended:

1. THAT Council approve a new licence agreement with the Burnaby and Region Allotment Gardens Association for the operation and maintenance of 372 garden plots located on 14 acres of City-owned, urban agricultural land in area east of Meadow Avenue and north of 14th Avenue in the Big Bend area of Burnaby, as outlined in the report.
2. THAT Council authorize the City Solicitor to prepare and finalize for execution a new licence agreement with the Burnaby and Region Allotment Gardens Association for the operation and maintenance of 372 garden plots located on 14 acres of City-owned, urban agricultural land in area east of Meadow Avenue and north of 14th Avenue in the Big Bend area of Burnaby, as outlined in the report.
3. THAT a copy of the report be sent to the Burnaby and Region Allotment Gardens Association.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT the recommendations of the Parks, Recreation and Culture Commission be adopted.

CARRIED UNANIMOUSLY

4.9 Parks, Recreation and Culture Commission - Re: Burnaby Christmas Bureau Promotional Support 2021

The Parks, Recreation and Culture Commission submitted a report seeking Council approval for a promotional initiative in support of the Burnaby Christmas Bureau at the Burnaby Village Museum Heritage Christmas 2021.

The Parks, Recreation and Culture Commission recommended:

1. THAT Council approve the promotional initiative in support of the Burnaby Christmas Bureau at the Burnaby Village Museum Heritage Christmas 2021, as outlined in the report.
2. THAT Council approve donation of revenue from the Burnaby Village Museum Carousel ride sales from 5 p.m. to 9 p.m. on Saturday, 2021 December 04 to the Burnaby Christmas Bureau.
3. THAT a copy of the report be sent to the Program Manager of the Burnaby Christmas Bureau.

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the recommendations of the Parks, Recreation and Culture Commission be adopted.

CARRIED UNANIMOUSLY

4.10 Chief Administrative Officer's Report, 2021 November 22

The Chief Administrative Officer submitted a report dated 2021 November 22 on the following matters:

5. CHIEF ADMINISTRATIVE OFFICER'S REPORTS

5.1 2022 MEETING SCHEDULES FOR COUNCIL, PUBLIC HEARINGS, BOARDS, COMMITTEES AND COMMISSIONS

The Chief Administrative Officer submitted a report from the City Clerk setting the 2022 dates for Council, Public Hearings, Boards, Committees and Commissions.

The Chief Administrative Officer recommended:

1. THAT Council approve the 2022 meeting schedules for Council (Appendix A), Public Hearings (Appendix B), and Boards, Committees and Commissions (Appendix C).
2. THAT Council approve 5:00 p.m. start time for Council meetings and Public Hearings in 2022.
3. THAT Council receive the 2022 meeting schedules for the Public Library Board (Appendix D) and the Burnaby Parks, Recreation and Culture Commission (Appendix E) for information.

MOVED BY COUNCILLOR WANG
SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

Council requested that the Public Hearing scheduled for 2022 October 25 be removed from the schedule due to the 2022 Local Government Election.

5.2 MAIL BALLOT - SPECIAL VOTING OPPORTUNITIES

The Chief Administrative Officer submitted a report from the Chief Election Officer requesting Council approval to utilize the mail in ballot process for Special Voting Opportunities for the 2022 Local Government Election.

The Chief Administrative Officer recommended:

1. THAT Council approve the use of mail ballots for Special Voting Opportunities in the 2022 Local Government Election and authorize preparation of the appropriate bylaw and bylaw amendments for this purpose.

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR GU

THAT the recommendation of the Chief Administrative Officer be adopted.

REFERRED

Council requested that staff investigate expanding Special Voting Opportunity mail ballot voting for the 2022 Local Government Election, and provide the associated costs and resources required to offer the option of expanded mail ballot voting.

MOVED BY COUNCILLOR JOHNSTON

SECONDED BY COUNCILLOR CALENDINO

THAT the report be **REFERRED** back to staff to investigate the feasibility, implications, resources and costs associated with the following:

- a) expanding the provision of mail ballot voting beyond Special Voting Opportunities, to include those electors with reduced mobility, immunocompromised, unable to leave their homes, as well as those who will be away and unable to vote during advance voting or on election day; and
- b) expanding mail ballot voting to all electors upon request.

CARRIED UNANIMOUSLY

5.3 2022 - 2026 FINANCIAL PLAN HIGHLIGHTS

The Chief Administrative Officer submitted a report from the Deputy Chief Administrative Officer and Chief Financial Officer providing the 2022 - 2026 Financial Plan Highlights document.

The Chief Administrative Officer recommended:

1. THAT Council receive the 2022 - 2026 Financial Plan Highlights document.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT the recommendation of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

5.4 DEER LAKE PRECINCT WAYFINDING PROJECT - FUNDING REQUEST

The Chief Administrative Officer submitted a report from the Major Civic Project Coordination Committee requesting a Capital Reserve Fund Bylaw to finance the construction of wayfinding signage for the Deer Lake Precinct.

The Chief Administrative Officer recommended:

1. THAT Council authorize the City Solicitor to bring forward a Capital Reserve Fund Bylaw in the amount of \$2,000,000 to finance the Deer Lake Precinct Wayfinding project included in the Capital Plan, as outlined in this report.
2. THAT a copy of this report be forwarded to the Parks, Recreation and Culture Commission for information.

MOVED BY COUNCILLOR DHALI WAL
SECONDED BY COUNCILLOR JORDAN

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

**5.5 PHASED DEVELOPMENT AGREEMENT BYLAW - BELFORD PROPERTIES -
REZONING REFERENCES #17-34, 17-39, 18-21 AND 18-23 - METROTOWN
DOWNTOWN PLAN AREA**

The Chief Administrative Officer submitted a report from the Director Planning and Building seeking Council authorization to bring forward a Phased Development Agreement Bylaw for Rezoning References #17-34, 17-39, 18-21 and 18-23.

The Chief Administrative Officer recommended:

1. THAT Council authorize the City Solicitor to bring forward a bylaw to authorize the Phased Development Agreement in respect to Rezoning References #17-34, 17-39, 18-21, and 18-23 (Metrotown Downtown Plan Area), substantially in the form attached to this report, for First Reading on 2021 November 22 and Public Hearing on 2021 December 14.
2. THAT a copy of this report be sent to Mr. Jay Lin, Vice President Development, Belford Properties Ltd.

MOVED BY COUNCILLOR WANG
SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

**Councillor Wang left at 6:13 p.m.*

5.6 REZONING REFERENCE #17-34 - SINGLE HIGH-RISE APARTMENT BUILDING WITH STREET-FRONTING TOWNHOUSES - METROTOWN DOWNTOWN PLAN

The Chief Administrative Officer submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2021 December 14. The purpose of the proposed zoning bylaw amendment is to permit the construction of a single high-rise apartment building with townhouses fronting Cassie and Mackay Avenues, in accordance with the terms specified in a proposed Phased Development Agreement (PDA) bylaw.

The Chief Administrative Officer recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2021 November 22 and to a Public Hearing on 2021 December 14 at 5:00 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The deposit of sufficient monies including a 4% Engineering Administration Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development (as well as underground switching and transformer/service boxes in town centre locations), and to the point of connection to the existing service where sufficient facilities are available to serve the development.

- d. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.3 of this report.
- e. The consolidation of the net project site into one legal parcel.
- f. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.10 of this report.
- g. The completion of a Phased Development Agreement as detailed in Section 3.3 of this report.
- h. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- i. Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
- j. The review of a detailed Sediment Control System by the Climate Action and Energy Division.
- k. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- l. The review of on-site residential loading facilities by the Director Engineering.
- m. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated accessible parking spaces.
- n. The provision of four covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- o. The submission of a Tenant Assistance Plan.
- p. Compliance with the Council-adopted sound criteria.
- q. Compliance with the guidelines for underground parking for visitors.
- r. The submission of a Public Art Plan.
- s. The submission of a Green Building Strategy.

- t. The deposit of the applicable Parkland Acquisition Charge.
- u. The deposit of the applicable GVS & DD Sewerage Charge.
- v. The deposit of the applicable School Site Acquisition Charge.
- w. The deposit of the applicable Regional Transportation Development Cost Charge.
- x. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR GU

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

5.7 REZONING REFERENCE #17-39 - SINGLE HIGH-RISE APARTMENT BUILDING WITH STREET-FRONTING TOWNHOUSES - METROTOWN DOWNTOWN PLAN

The Chief Administrative Officer submitted a report from the Director Planning and Building seeking Council authorization to forward the application to a Public Hearing on 2021 December 14. The purpose of the rezoning bylaw amendment is to permit the future construction of a single high-rise apartment building with townhouses fronting Silver Avenue, in accordance with the terms specified in a proposed Phased Development Agreement (PDA) bylaw.

The Chief Administrative Officer recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2021 November 22 and to a Public Hearing on 2021 December 14 at 5:00 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.

- b. The granting of necessary covenants in accordance with Section 4.13 of this report.
- c. The completion of a Phased Development Agreement as described in Section 3.3 of this report.
- d. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- e. The review of on-site residential loading facilities by the Director Engineering.
- f. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated disabled parking spaces.
- g. The provision of three covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- h. Compliance with the guidelines for underground parking for visitors.
- i. The submission of a draft Public Art Plan.
- j. The submission of a Tenant Assistance Plan.
- k. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR GU

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

Council suggested that photographs/renderings of proposed developments on rezoning signage would provide further clarification in regard to Public Hearings, particularly for residents with language barriers.

5.8 REZONING REFERENCE #18-21 - A SINGLE HIGH-RISE APARTMENT BUILDING WITH A STREET-FRONTING PODIUM AND A SMALL SCALE CORNER RETAIL SPACE - METROTOWN DOWNTOWN PLAN

The Chief Administrative Officer submitted a report from the Director Planning and Building seeking Council authorization to forward the application to a Public Hearing on 2021 December 14. The purpose of the rezoning bylaw amendment is to permit the future construction of a single high-rise apartment building with a residential podium and a neighbourhood commercial space on the corner of Maywood Street and Silver Avenue, in accordance with the terms specified in a proposed Phased Development Agreement (PDA) bylaw.

The Chief Administrative Officer recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2021 November 22 and to a Public Hearing on 2021 December 14 at 5:00 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The dedication of any rights-of-way deemed requisite.
 - c. The completion of a Phased Development Agreement as described in Section 3.3 of this Report.
 - d. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.12 of this report.
 - e. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
 - f. The review of on-site residential loading facilities by the Director Engineering.
 - g. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated accessible parking spaces.

- h. The provision of three covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- i. Compliance with the guidelines for underground parking for visitors.
- j. The submission of a draft Public Art Plan.
- k. The submission of a Tenant Assistance Plan.
- l. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

5.9 REZONING REFERENCE #18-23 - TWO HIGH-DENSITY RENTAL APARTMENT BUILDINGS - METROTOWN DOWNTOWN PLAN

The Chief Administrative Officer submitted a report from the Director Planning and Building seeking Council authorization to forward the application to a Public Hearing on 2021 December 14. The purpose of the rezoning bylaw amendment is to permit the construction of two high-density rental apartment buildings fronting Telford Avenue, in accordance with the terms specified in a proposed Phased Development Agreement (PDA) bylaw.

The Chief Administrative Officer recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2021 November 22 and to a Public Hearing on 2021 December 14 at 5:00 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:

- a. The submission of a suitable plan of development.
- b. The deposit of sufficient monies including a 4% Engineering Administration Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development (as well as underground switching and transformer/service boxes in town centre locations), and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d. The dedication of any rights-of-way deemed requisite.
- e. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.9 of this report.
- f. The completion of a Phased Development Agreement in accordance with Sections 4.2 and 4.3 of this report.
- g. The registration of a Housing Covenant and Housing Agreement and Council consideration and approval of a Housing Agreement Bylaw as described in Section 4.4 of this report.
- h. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- i. Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
- j. The execution of a Tenant Assistance Plan, to the approval of the Director Planning and Building.
- k. The review of a detailed Sediment Control System by the Climate Action and Energy Division.
- l. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.

- m. The review of on-site residential loading facilities by the Director Engineering.
- n. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated disabled parking spaces.
- o. The provision of four covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding spaces to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- p. The provision of facilities for cyclists in accordance with Section 4.7 of this report.
- q. Compliance with the Council-adopted sound criteria.
- r. Compliance with the guidelines for underground parking for visitors.
- s. The submission of a Green Building Strategy.
- t. The deposit of the applicable Parkland Acquisition Charge.
- u. The deposit of the applicable GVS & DD Sewerage Charge.
- v. The deposit of the applicable School Site Acquisition Charge.
- w. The deposit of the applicable Regional Transportation Development Cost Charge.
- x. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR DHALIWAL

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

5.10 REZONING REFERENCE #19-49 - BURNABY LAKE AQUATIC AND ARENA FACILITY - BURNABY LAKE SPORTS COMPLEX

The Chief Administrative Officer submitted a report from the Director Planning and Building seeking Council authorization to forward the application to a Public Hearing on 2021 December 14. The purpose of the proposed bylaw is to permit the development of a new aquatics and arena facility within Burnaby Lake Sports Complex.

The Chief Administrative Officer recommended:

1. THAT the introduction the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 4.3 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2021 November 22 and to a Public Hearing on 2021 December 14 at 5:00 p.m.
3. THAT the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.8 of this report.
 - e. The consolidation of the net project site into one legal parcel.
 - f. The completion of the Highway Closure Bylaw as described in Section 4.3 of this report.

- g. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- h. Compliance with the City's Groundwater Management for Multi-Family & Mixed Commercial Developments guidelines is required.
- i. The review of a detailed Sediment Control System by the Climate Action and Energy Division.
- j. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- k. The review of on-site loading facilities by the Director Engineering.
- l. The provision of a detailed comprehensive sign plan.
- m. The provision of facilities for cyclists in accordance with Section 5.6 of this report.
- n. The approval of the Ministry of Transportation to the rezoning application.
- o. Compliance with the guidelines for surface and underground parking for visitors and patrons.
- p. The deposit of the applicable GVS & DD Sewerage Charge.
- q. The deposit of the applicable Regional Transportation Development Cost Charge.

**Councillor Wang returned at 6:16 p.m.*

MOVED BY COUNCILLOR JORDAN

SECONDED BY COUNCILLOR GU

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

Council requested that staff give consideration to increasing bicycle parking.

5.11 REZONING REFERENCE #21-17 - AUTOMOTIVE DEALERSHIP AND SERVICE CENTRE

The Chief Administrative Officer submitted a report from the Director Planning and Building seeking Council authorization to forward the application to a Public Hearing on 2021 December 14. The purpose of the rezoning bylaw amendment is to permit the use of the property as an automotive dealership and service centre for an electric vehicle manufacturer. Minor interior and exterior renovations to the existing building are proposed.

The Chief Administrative Officer recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2021 November 22 and to a Public Hearing on 2021 December 14 at 5:00 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The dedication of any rights-of-way deemed requisite.
 - c. The submission of a Site Disclosure Statement and resolution of any arising requirements.
 - d. The review of a detailed Sediment Control System by the Climate Action and Energy Division.
 - e. The approval of the Ministry of Transportation to the rezoning application.
 - f. The submission of a detailed Comprehensive Sign Plan.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT the recommendations of the Chief Administrative Officer be adopted.

CARRIED UNANIMOUSLY

6. BYLAWS

6.1 FIRST READING

- 6.1.1 #14399 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 34, 2021 - Rez. 19-49 (3676 Kensington)

- 6.1.2 #14400 Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 35, 2021 - Rez. 21-17 (2505 Eastbrook Parkway)
- 6.1.3 #14401 - Burnaby Phased Development Agreement (Belford Properties) Bylaw 2021
- 6.1.4 #14402 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 36, 2021 - Rez. 18-23 (6630 Telford Avenue)
- 6.1.5 #14403 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 37, 2021 - Rez. 17-34 (6433 McKay Avenue and 6366 Cassie Avenue)
- 6.1.6 #14404 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 38, 2021 - Rez. 17-39 (6444 Silver Avenue)
- 6.1.7 #14405 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No.39, 2021 - Rez. 18-21 (4355 Maywood Street)

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT Bylaw Nos. 14399, 14400, 14401, 14402, 14403, 14404 and 14405, be now introduced and read a first time.

CARRIED UNANIMOUSLY

6.2 FIRST, SECOND AND THIRD READING

- 6.2.1 #14381 - Burnaby Highway Closure Bylaw No. 2, 2021
- 6.2.2 #14395 - Burnaby Local Area Service Construction (Project No. 22-303) Bylaw No.6, 2021
- 6.2.3 #14396 - Burnaby Local Area Service Construction (Project No. 22-601)Bylaw No. 7, 2021
- 6.2.4 #14397 - Burnaby Solid Waste and Recycling Bylaw 2010, Amendment Bylaw No. 2, 2021
- 6.2.5 #14398 - Burnaby Solid Waste and Recycling Bylaw 2010, Amendment Bylaw No. 3, 2021
- 6.2.6 #14406 - Burnaby Emergency Program Bylaw 1998, Amendment Bylaw No. 1, 2021
- 6.2.7 #14407 - Burnaby Freedom of Information Bylaw 1995, Amendment Bylaw No. 1, 2021

- 6.2.8 #14408 - Burnaby Investment Authorization Bylaw 2003, Amendment Bylaw No. 1, 2021
- 6.2.9 #14409 - Burnaby Officer Positions Bylaw 1998, Amendment Bylaw No. 1, 2021
- 6.2.10 #14410 - Burnaby Routine Transactions Authority Bylaw 1999, Amendment Bylaw No. 1, 2021
- 6.2.11 #14411 - Burnaby Business Licence Bylaw 2017, Amendment Bylaw No.2, 2020, Repeal Bylaw 2021
- 6.2.12 #14412 - Burnaby Bylaw Notice Enforcement Bylaw 2009 Amendment Bylaw No.2, 2020, Repeal Bylaw

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR JOHNSTON

THAT the Bylaw No. 14381, 14395, 14396, 14397, 14398, 14406, 14407, 14408, 14409, 14410, 14411, and 14412 be now introduced and read three times.

CARRIED UNANIMOUSLY

6.3 THIRD READING, RECONSIDERATION AND FINAL ADOPTION

- 6.3.1 #14375 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 23, 2021 - Rez. #21-09 (Greentree Village)

MOVED BY COUNCILLOR CALENDINO

SECONDED BY COUNCILLOR GU

THAT the Bylaw No. 14375 be now heard for the third time, reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

CARRIED UNANIMOUSLY

6.4 RECONSIDERATION AND FINAL ADOPTION

- 6.4.1 #13729 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 10, 2017 - Rez. #16-08 (Portion of 7788 18th Street, formerly portion of 7201 11th Avenue [Island 6])
- 6.4.2 #14345 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 15, 2021 - Rez. #17-42 (Ptn. 4567 Lougheed Highway)

- 6.4.3 #14378 - Burnaby Procedure Bylaw 2004, Amendment Bylaw No. 1, 2021
- 6.4.4 #14391 - Burnaby Temporary Financing Bylaw 2022
- 6.4.5 #14392 - Burnaby Parks, Recreation and Culture Fees Bylaw 2022
- 6.4.6 #14393 - Burnaby Controlled Substances Property Bylaw 2021
- 6.4.7 #14394 - Burnaby Bylaw Notice Enforcement Bylaw 2009, Amendment Bylaw No. 2, 2021

Council requested that Bylaw No. 14393 - Burnaby Controlled Substances Property Bylaw 2021 be **AMENDED** to remove the word 'use' in section 3.1 (b).

MOVED BY COUNCILLOR GU
SECONDED BY COUNCILLOR KEITHLEY

THAT the Bylaw No. 14393 Burnaby Controlled Substances Property Bylaw 2021 be **AMENDED** to remove the word 'use' from section 3.1 (b).

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT the Bylaw No. 13729, 14345, 14378, 14391, 14392, 14393 and 14394 be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

CARRIED UNANIMOUSLY

7. **NOTICE OF MOTION**

No Notice of Motion was brought forward at this time.

8. **NEW BUSINESS**

Bicycle Path Terminus Park

Councillor Gu referred to Item 1.3 of the 2021 November 18 Council Correspondence Package from Colleen MacDonald requesting the ability to cycle through Terminus Park.

Staff advised that the walking trail is through a conservation area and was never designated or designed as a bicycle route. Staff undertook to follow-up.

Recycle BC

Councillor Johnston advised that Recycle BC has suspended collection of non-deposit glass bottles and jars, as well as Styrofoam packaging due to the challenges transporting the materials over roadways that have been damaged by floods.

Staff advised that they are aware of the restrictions and have sent out notifications via Communications Department.

RCMP Retroactive Payments

Councillor Jordan referred to Item 3.3 of the 2021 November 18 Council Correspondence Package regarding a letter that was sent to the Prime Minister and several Ministers requesting that the federal government re-evaluate the cost-sharing balance for the retroactive pay and ongoing increase within the new RCMP collective agreement. Councillor Jordan queried if all municipalities served by the RCMP were notified in advance to set aside funding in anticipation of a collective agreement.

The Deputy Chief Administrative Officer / Chief Financial Officer advised that the City was notified to anticipate an increase; however, no amount was specified. Staff advised that they will undertake to provide a summary for Council.

Bill 26 – Municipal Affairs Statutes Amendment Act (No. 2)

Councillor Jordan referred to Item 3.11 of the 2021 November 18 Council Correspondence Package regarding Bill 26 which is the proposed legislation that would amend a number of statutes including the *Local Government Act*, and the *Community Charter*.

Councillor Jordan expressed particular concern in regard to the proposed wording in relation to public hearings from; 'a local government may waive' to 'a local government is not required to hold' public hearings if consistent with the official community plan (OCP). The approval of the proposed changes would remove the default requirement for local governments to hold public hearings, conversely allowing local governments to proceed by default without public hearings.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT Council inform the Provincial Government that the City is not in support of many of the proposed changes in Bill 26.

CARRIED UNANIMOUSLY

Staff advised that the under the proposed changes, local governments will still have the option to hold public hearings on a zoning bylaw that is consistent with the OCP.

9. **INQUIRIES**

There were no inquiries brought before Council at this time.

10. **ADJOURNMENT**

Without objection, the Open Council meeting adjourned at 6:43 p.m.



Mike Hurley, MAYOR



Blanka Zeinabova, CITY CLERK