

COUNCIL MEETING MINUTES

Monday, April 24, 2023, 5:00 p.m. Council Chamber, City Hall 4949 Canada Way, Burnaby, BC

PRESENT: Acting Mayor Sav Dhaliwal

Councillor Pietro Calendino

Councillor Alison Gu
Councillor Joe Keithley
Councillor Richard T. Lee
Councillor Daniel Tetrault
Councillor James Wang

ABSENT: Mayor Mike Hurley

Councillor Maita Santiago

STAFF: Leon Gous, Chief Administrative Officer

Noreen Kassam, Deputy Chief Administrative Officer / Chief Financial

Officer

Dave Critchley, General Manager Community Safety Juli Halliwell, General Manager Corporate Services Jozsef Dioszeghy, General Manager Engineering James Lota, General Manager Lands & Facilities

Mary Morrison-Clark, General Manager Parks, Recreation & Culture

Ed Kozak, General Manager Planning & Development

May Leung, City Solicitor

Blanka Zeinabova, Acting Corporate Officer Kathryn Matts, Administrative Officer 2

1. CALL TO ORDER

Acting Mayor Dhaliwal called the Open meeting to order at 5:01 p.m.

MOVED BY COUNCILLOR CALENDINO SECONDED BY COUNCILLOR KEITHLEY

THAT the Open Council meeting reconvene at 5:02 p.m.

CARRIED UNANIMOUSLY

Acting Mayor Dhaliwal recognized the ancestral and unceded homelands of the hendeminem 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 April 3, 2023
- 2.2 Special Reconsideration Hearing held April 3, 2023

Resolution No. 2023 - 165

MOVED BY COUNCILLOR CALENDINO SECONDED BY COUNCILLOR KEITHLEY

THAT the minutes of the Open Council Meeting held April 3, 2023, and Special Reconsideration Hearing held on April 3, 2023, be now adopted.

CARRIED UNANIMOUSLY

3. <u>DELEGATIONS AND PRESENTATIONS</u>

3.1 New Westminster & District Labour Council - Re: Day of Mourning Speaker: Sam Otim

Mr. Sam Otim, representing the New Westminster & District Labour Council, appeared before Council, and advised that every year, on April 28, workers, families, employers, and others come together to remember those who have lost their lives on the job, and to renew a commitment to creating safer workplaces.

The speaker noted that this year's theme is, "Know your rights; Use the tools; Defend our wins" and is aimed at supporting and empowering workers to actively participate in workplace health and safety.

Mr. Otim advised that the Canadian Labour Congress first recognized the Day of Mourning in 1984. In 1991, this day became a national observance with the passing of the Workers Mourning Day Act, and on April 28, 1991, the Federal Government officially proclaimed the National Day of Mourning. Mr. Otim encouraged attendance at the Westminster Pier Park Ceremony in New Westminster at 11 a.m. on April 28, 2023.

Council noted there will be a service at City Hall on April 28, 2023, and encouraged everyone to attend.

4. **PROCLAMATIONS**

The following proclamations can be viewed on the City's website:

4.1 <u>Day of Mourning (April 28, 2023)</u>

Councillor Calendino, on behalf of Mayor Hurley, proclaimed April 28, 2023 as "Day of Mourning" in the City of Burnaby.

4.2 Neighbourhood House Week (April 30 - May 6, 2023)

Councillor Gu, on behalf of Mayor Hurley, proclaimed April 30 - May 6, 2023 as "Neighbourhood House Week" in the City of Burnaby.

5. CORRESPONDENCE

No items of correspondence were received.

6. ADMINISTRATIVE REPORTS

6.1 <u>INTER-MUNICIPAL TRANSPORTATION NETWORK SERVICES (TNS)</u> <u>BUSINESS LICENCE PROGRAM - INCLUSION OF DISTRICT OF HOPE,</u> <u>DISTRICT OF KENT AND CITY OF MISSION</u>

The Chief Administrative Officer submitted a report from the General Manager Community Safety recommending implementation of new bylaws to add District of Hope, District of Kent, and City of Mission to Inter-Municipal Business Licence program for Transportation Network Services.

Resolution No. 2023 - 166

MOVED BY COUNCILLOR CALENDINO SECONDED BY COUNCILLOR GU

- THAT Council approve participation of the District of Hope, the District of Kent, and the City of Mission in the Inter-Municipal TNS Business Licence program.
- 2. **THAT** Council authorize the City Solicitor to bring forward Burnaby Inter-Municipal TNS Business Licence Agreement Bylaw 2023, substantially in the form set out in Attachment 1 of this report, effective June 1, 2023.

3. **THAT** Council authorize the City Solicitor to bring forward Burnaby Inter-Municipal TNS Business Licence Bylaw 2023, substantially in the form set out in Attachment 2 of this report, effective June 1, 2023.

CARRIED UNANIMOUSLY

6.2 2023 PROPERTY TAX RATES

The Chief Administrative Officer submitted a report from the Deputy Chief Administrative Officer / Chief Financial Officer seeking Council approval for 2023 property tax rates.

Resolution No. 2023 - 167

MOVED BY COUNCILLOR KEITHLEY SECONDED BY COUNCILLOR WANG

THAT Council authorize the City Solicitor to bring forward the Burnaby Rates Bylaw 2023 to implement the property tax rates, as set out in this report.

CARRIED UNANIMOUSLY

6.3 REZONING REFERENCE #20-32 - KINGSWAY AND EDMONDS CONCEPTUAL MASTER PLAN - EDMONDS TOWN CENTRE PLAN AREA

The Chief Administrative Officer submitted a report from the General Manager Planning and Development seeking Council authorization to forward this application to a future Public Hearing. The purpose of the proposed zoning bylaw amendment is to establish a Conceptual Master Plan and Design Guidelines for the Kingsway and Edmonds Master Plan area, and to specifically apply the Master Plan and Design Guidelines to the subject site through Comprehensive Development zoning. The Conceptual Master Plan and Design Guidelines will guide further site-specific rezoning applications for the future construction of a high-density, mixed-use, multi-phased strata, rental, commercial and office development. No specific development is being proposed by the subject rezoning application.

Resolution No. 2023 - 168

MOVED BY COUNCILLOR CALENDINO SECONDED BY COUNCILLOR KEITHLEY

 THAT the amendment to the Edmonds Town Centre Plan, as outlined in Section 6.0 of this report, be approved to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.

- 2. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading and to a Public Hearing at a future date of Council.
- 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 submission of an Engineering Master Plan.
 - c. The submissions of a Master Transportation Impact Assessment.
 - d. The submission of a Master Subdivision Plan and Phasing Plan.
 - e. The consolidation and subdivision of the subject site or Master Plan area into two legal parcels.
 - f. The dedication of any rights-of-way deemed requisite.
 - g. The granting of any necessary statutory rights-of-way, easements, and/or covenants.
 - h. The submission of a Site Disclosure Statement and resolution of any arising requirements.
 - i. The submission of a Construction Management and Access Plan.
 - j. The submission of a Master Comprehensive Sign Plan.
 - k. The submission of a Tree Survey.
- 4. **THAT** a copy of this report be sent to the property owners at 7188 Kingsway, BC Housing, Pembina, and BC Hydro.

CARRIED UNANIMOUSLY

6.4 REZONING REFERENCE #20-35 - EMERALD PLACE - BRENTWOOD TOWN CENTRE DEVELOPMENT PLAN

The Chief Administrative Officer submitted a report from the General Manager Planning and Development seeking Council authorization to forward this application to a future Public Hearing. The purpose of the proposed zoning bylaw amendment is to permit the construction of a high-density multiple-family residential development with market strata and non-market rental uses over four phases.

MOVED BY COUNCILLOR KEITHLEY SECONDED BY COUNCILLOR CALENDINO

- THAT the amendment to the Brentwood Town Centre Development Plan, as outlined in Sections 3.2 and 4.10 of this report be approved, to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.
- 2. **THAT** the introduction of a Housing Agreement Bylaw be authorized according to the terms outlined in Section 4.4 of the report, contingent upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.
- 3. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading and to a Public Hearing at a future date.
- 4. **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 undergrounding of existing overhead wiring abutting the site.
 - e) The submission of an undertaking to remove all improvements on the development site within 12 months of Final Adoption of the Rezoning Bylaw.
 - f) The utilization of an amenity bonus through the provision of a cash inlieu contribution in accordance with Section 4.3 of this report.
 - g) The consolidation and re-subdivision of the site into three lots.

- h) The dedication of any rights-of-way deemed requisite.
- i) The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.12 of this report.
- j) The registration of a Housing Covenant and Housing Agreement.
- k) The submission of a suitable on-site Stormwater Management System, 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.
- m) The submission of a geotechnical and groundwater study.
- n) The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development.
- o) The submission of a detailed design for a pedestrian and bicycle multiuse rail line overpass.
- p) The submission of a feasibility study for locating a sanitary pump station on the site.
- q) The submission of an Environmental Assessment for the potential wetland habitat on the site and resolution of any resultant conditions.
- r) The submission of a suitable Solid Waste and Recycling Plan.
- s) The review of on-site loading facilities.
- t) The provision of enhanced car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- u) The provision of facilities for cyclists in accordance with this report.
- v) 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.
- w) The approval of the Ministry of Transportation and Infrastructure.

MOVED BY COUNCILLOR WANG SECONDED BY COUNCILLOR CALENDINO

- 1. THAT Council approve the following Program Grants received in March 2023:
 - 23.06.P Black Girl Society for the Black Girl Collective Brunch \$420;
 - 23.07.P Black Girl Society for the Black Girl Collective Sports Day \$2,200;
 - 23.09.P Burnaby Seniors Outreach Services Society for the Volunteer Peer Support Program \$10,000;
 - 23.11.P Burnaby Community Services Society for Outreach Programs \$20,000;
 - 23.13.P Burnaby Meals on Wheels Society for Food Access and Connections for Seniors \$11,000;
 - 23.15.P Burnaby Neighbourhood House Society for Community Engagement 2023 \$15,000; and,
 - 23.17.P Take a Hike Foundation for Burnaby Take a Hike \$15,000.
- 2. **THAT** Council approve the following Operating Grants received in March 2023:
 - 23.08.O Black Girl Collective Society \$10,000;
 - 23.10.O Burnaby Seniors Outreach Services Society \$10,000;
 - 23.12.0 Burnaby Community Services Society \$5,000;
 - 23.14.O Burnaby Meals on Wheels \$10,000; and,
 - 23.16.0 Burnaby Neighbourhood House Society \$20,000.
- 3. THAT Council approve the following Fee Waiver Requests received in March 2023:
 - 23.21.FW Nikkei Seniors Health Care and Housing Society \$9,792; and,
 - 23.25.FW Burnaby Hospital Foundation Chinese Ambassador Society \$10,224.

CARRIED UNANIMOUSLY

7.7 EXECUTIVE COMMITTEE OF COUNCIL - RE: PROPOSED UPDATE TO THE CITY OF BURNABY EQUITY POLICY

The Executive Committee of Council submitted a report seeking Council approval to revise the Equity Policy to include "caste" as a protected category in the existing Equity Policy framework.

MOVED BY COUNCILLOR CALENDINO SECONDED BY COUNCILLOR WANG

THAT Council revise the Equity Policy to include "caste" as a protected category in the Equity Policy Framework.

CARRIED UNANIMOUSLY

7.8 EXECUTIVE COMMITTEE OF COUNCIL - RE: PROPOSED TRAFFIC SAFETY COMMITTEE RESTRUCTURING

The Executive Committee of Council submitted a report seeking Council's endorsement of the dissolution of the Traffic Safety Committee and the terms of reference of a new Transportation Committee.

Resolution No. 2023 - 181

MOVED BY COUNCILLOR KEITHLEY SECONDED BY COUNCILLOR GU

- THAT Council direct staff to bring forth and form a new Select Committee of Council named the "Transportation Committee" as described in the Terms of Reference, included as Attachment1 to the April 5, 2023 Executive Committee of Council Report titled "Proposed Traffic Safety Committee Restructuring".
- 2. **THAT** upon creation of the Transportation Committee, the current Traffic Safety Committee be dissolved.

CARRIED UNANIMOUSLY

Council inquired regarding the Transportation Committee's membership.

The General Manager Corporate Services noted that a review of all Committees' Terms of Reference will be undertaken to ensure consistency.

7.9 PLANNING AND DEVELOPMENT COMMITTEE - RE: COMMUNITY BENEFIT BONUS RESERVE – EXPANSION OF ELIGIBLE AMENITIES POLICY AND ZONING BYLAW AMENDMENTS

The Executive Committee of Council submitted a report seeking Council approval for amendments to the Community Benefit Bonus Policy and related sections within the Burnaby Zoning Bylaw.

Arising from discussion, Councillor Tetrault introduced the following motion:

MOVED BY COUNCILLOR TETRAULT SECONDED BY COUNCILLOR GU

THAT the report be **REFERRED** to the May 8th meeting to allow for staff to provide additional information and comparison of other municipalities use of Community Benefit Bonus.

FAILED

(Opposed: Councillors Calendino, Dhaliwal, Keithley, Lee, and Wang)

As the introduced motion failed, the Recommendation provided in the report was before Council:

Resolution No. 2023 - 182

MOVED BY COUNCILLOR CALENDINO SECONDED BY COUNCILLOR KEITHLEY

- THAT Council approve a revised Community Benefit Bonus Policy, substantially in the form set out in Attachment 1, to expand the list of eligible amenities and use of the Community Benefit Bonus reserve for these additional amenities.
- 2. **THAT** Council authorize the City Solicitor to bring forward a bylaw amending the Burnaby Zoning Bylaw 1965 to expand the list of eligible amenities under section 6.22, as outlined in section 4.0 of this report, for advancement to a future Public Hearing.

CARRIED

(Opposed: Councillors Gu and Tetrault)

7.10 FINANCIAL MANAGEMENT COMMITTEE - RE: INSURANCE CONTRACT RENEWALS - NINE PROGRAMS

The Financial Management Committee submitted a report seeking Council approval to award insurance contracts for the annual property and liability insurance programs.

MOVED BY COUNCILLOR CALENDINO SECONDED BY COUNCILLOR KEITHLEY

THAT Council approve the award of nine (9) contracts of insurance, as outlined in this report. The total amount payable to Aon Reed Stenhouse Inc. is \$2,852,877 to fund the insurance premiums for all nine contracts.

CARRIED UNANIMOUSLY

8. <u>INFORMATION REPORTS</u>

8.1 JAN - MAR 2023 - RETIREMENTS

The Chief Administrative Officer submitted a report from the Chief Human Resources Officer informing Council of the following retirements from January to March 2023:

Phil Hillman	Engineering Department	19 years
Nick Morton	Engineering Department	30 years
John Callaghan	Parks Department	38 years
Sukhvir Grewal	Parks Department	30 years
Dave Ellenwood	Parks Department	22 years
Rob Bourne	Engineering Department	33 years
Garry Emery	Parks Department	26 years
Sue McIntyre	Parks Department	45 years
Dianne McLeod	Parks Department	32 years
Gig Morton	Building Department	11 years
Keith Thompson	Parks Department	30 years
Darrel Guerrier	Fire Department	28 years
Keith Holm	Fire Department	28 years
Wade Robertson	Fire Department	28 years
Dean Stroup	Fire Department	30 years
John Wiesner	Fire Department	24 years
Alex Carson	Parks Department	22 years
Roberto Ceravolo	Engineering Department	35 years
Todd Wynes	Fire Department	28 years
Salome Nieto Andrade	Parks Department	22 years

MOVED BY COUNCILLOR LEE SECONDED BY COUNCILLOR GU

THAT this report be received for informational purposes.

CARRIED UNANIMOUSLY

8.2 BUILDING PERMIT TABULATION REPORT NO. 03 - FROM MARCH 1 - MARCH 31, 2023

The Chief Administrative Officer submitted a report from the General Manager Planning and Development providing Council with information on construction activity as reflected by the building permits that have been issued for the subject period.

Resolution No. 2023 - 185

MOVED BY COUNCILLOR KEITHLEY SECONDED BY COUNCILLOR WANG

THAT this report be received for information purposes.

CARRIED UNANIMOUSLY

9. <u>BYLAWS</u>

9.1 FIRST, SECOND AND THIRD READING

- 9.1.1 #14551 Burnaby Highway Closure Bylaw No. 1, 2023
- 9.1.2 #14559 Burnaby Inter-municipal TNS Business Licence Agreement Bylaw 2023
- 9.1.3 #14560 Burnaby Inter-municipal TNS Business Licence Bylaw 2023
- 9.1.4 #14562 Burnaby Rate Bylaw 2023

MOVED BY COUNCILLOR LEE
SECONDED BY COUNCILLOR CALENDINO

THAT the Bylaw No. 14551, 14559, 14560 and 14562 be now introduced and read three times.

CARRIED UNANIMOUSLY

9.2 THIRD READING, RECONSIDERATION AND FINAL ADOPTION

9.2.1 #14554 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 2023 - Rez. #19-35 (4265 Lougheed Highway)

Resolution No. 2023 - 187

MOVED BY COUNCILLOR LEE SECONDED BY COUNCILLOR KEITHLEY

THAT the Bylaw No. 14554 be now read a third time, reconsidered and finally adopted, signed by the Mayor and Corporate Officer and the Corporate Seal affixed thereto.

CARRIED UNANIMOUSLY

9.3 RECONSIDERATION AND FINAL ADOPTION

9.3.1 #14558 - Burnaby Local Service Tax Bylaw 2023

Resolution No. 2023 - 188

MOVED BY COUNCILLOR LEE SECONDED BY COUNCILLOR KEITHLEY

THAT the Bylaw No. 14558 be now reconsidered and finally adopted, signed by the Mayor and Corporate Officer and the Corporate Seal affixed thereto.

CARRIED UNANIMOUSLY

9.4 ABANDONMENT

9.4.1 #14270 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 58, 2020 - Rez. #19-45 (#102 - 2900 Bainbridge Avenue)

MOVED BY COUNCILLOR LEE SECONDED BY COUNCILLOR WANG

THAT the Bylaw No. 14270 be now abandoned.

CARRIED UNANIMOUSLY

10. RELEASE OF CLOSED MEETING DECISIONS

There were no items for release at this time.

11. OTHER BUSINESS

11.1 NOTICE OF MOTION: COUNCILLOR KEITHLEY - RE: INCREASING PUBLIC AWARENESS AND COMMUNITY ENGAGEMENT FOR KEY CITY PROJECTS

Councillor Keithley provided Council with the following Notice of Motion:

THAT staff be directed to research and identify methods to greatly improve the communication and community interaction coming from the City, so that all residents have the opportunity to provide communication and feedback to key initiatives and projects; and

THAT staff be directed to initiate more community interaction and engagement opportunities by creating a variety of channels for effective public discussion and feedback; and

THAT staff be directed to ensure communication plans for key City initiatives and projects are made accessible for non-English speaking residents in the top six (6) spoken languages in Burnaby, when practicable.

The Notice of Motion will appear on the May 8, 2023 Council Agenda for Council's consideration and voting.

11.2 Cancellation of the June 12th Council Meeting

Resolution No. 2023 - 189

MOVED BY COUNCILLOR KEITHLEY SECONDED BY COUNCILLOR CALENDINO

THAT the Council meeting scheduled to be held on June 12, 2023 at 5:00 p.m. in the Council Chamber be **CANCELLED**.

CARRIED UNANIMOUSLY

UniverCity - Amenities

Councillor Tetrault referred to Item 2.1.1 of the Council Correspondence Package dated April 24, 2023 regarding the lack of amenities in UniverCity for residents.

The Chief Administrative Officer advised that discussions with SFU and UniverCity are ongoing.

Acting Mayor Dhaliwal advised that the item had been referred to the Parks, Recreation and Culture Commission and staff would respond back to the Commission and Commission's assessment would come back to Council.

Outdoor Patio Program

Councillor Tetrault referred to Item 3.15 of the Council Correspondence Package dated April 24, 2023, from Sally Pankratz regarding outdoor patios, and inquired an update as to the success of the patio program for businesses.

The General Manager Planning & Development undertook to provide updates on the seasonal outdoor patio program.

Tenants Displacement

Councillor Gu expressed concerns regarding a developer defaulting on top-up payments to displaced residents and inquired if the City was looking at this issue.

The General Manager Planning & Development advised that staff are aware of the situation and an update would be provided to Council at a future date.

Alcohol Consumption in the Parks

Councillor Calendino inquired regarding consumption of alcohol in the parks.

The General Manager Parks, Recreation & Culture undertook to provide a report to Council.

MOVED BY COUNCILLOR CALENDINO SECONDED BY COUNCILLOR KEITHLEY

THAT the Open Council meeting recess at 7:40 p.m.

CARRIED UNANIMOUSLY

The Open Council meeting recessed to allow for continuation of the Closed Council meeting.

MOVED BY COUNCILLOR KEITHLEY SECONDED BY COUNCILLOR WANG

THAT the Open Council meeting reconvene at 8:10 p.m.

CARRIED UNANIMOUSLY

10. RELEASE OF CLOSED MEETING DECISIONS

Item 8.1, Closed Council Meeting held April 24, 2023

Council advised that Item 8.1 of the April 3, 2023, Closed Council Meeting, **Resolution No. C2023 - 049** is being released for public information:

"THAT the resolutions of the April 2021 and November 2022 Closed meetings of Council regarding the Green Recycling and Organics (GRO) facility and the Park Dedication Removal Bylaw be released for publication on the May 8, 2023 Open meeting report."

Item 8.2, Closed Council Meeting held April 24, 2023

Council advised that Item 8.2 of the April 24, 2023 Closed Council Meeting, **Resolution No. C2023 - 050** is being released for public information.

"THAT Council direct staff to replace the Swangard track in 2023 with an upgraded track surface that meets the upcoming standards required for World Athletics Class 2, as outlined in the report titled "Swangard Track Repair Update" from the General Manager Parks, Recreation and Culture".

Item 8.3, Closed Council Meeting held April 24, 2023

Council advised that Item 8.3 of the April 24, 2023 Closed Council Meeting, **Resolution No. C2023 - 051** is being released for public information.

"THAT Council authorize staff to develop a detailed urban design plan for the Metrotown portion of the BC Parkway; and,

THAT Council authorize staff to discuss and seek approval from TransLink, BC Hydro, and other authorities as necessary, for future works on the BC Parkway Corridor."

12. ADJOURNMENT

By unanimous consent, the Open Council meeting adjourned at 8:15 p.m.

Sav Dhaliwal

ACTING MAYOR

Blanka Zéinabova

ACTING CORPORATE OFFICER