

1993 MAY 25

A regular meeting of the City Council was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1993 May 25 at 7:00 p.m.

PRESENT: His Worship, Mayor W.J. Copeland
Councillor D.R. Corrigan
Councillor D.P. Drummond
Councillor E. Nikolai
Councillor L.A. Rankin
Councillor C.M. Redman
Councillor J. Young

ABSENT: Councillor D.G. Evans
Councillor D.A. Lawson

STAFF: Mr. R. Earle, Acting City Manager
Mr. W.C. Sinclair, Director Engineering
Mr. D.G. Stenson, Acting Director Planning and Building
Mrs. D.R. Comis, Deputy City Clerk
Ms. G. McCaskie, Committee Secretary

1. PRESENTATION

- a) To Merrill Gordon, Chair, Burnaby Arts Centre Capital Campaign by Joan Hess, President, Burnaby Arts Council and Mr. Dave Brown & Mr. Peter Tamlin of Lower Mainland Square & Round Dance Building Society

Mr. Merrill Gordon, Chair, Burnaby Arts Centre Capital Campaign and Ms. Joan Hess, President, Burnaby Arts Council introduced Mr. Dave Brown and Mr. Peter Tamlin of the Lower Mainland Square and Round Dance Building Society, in attendance at the meeting to present a donation of \$11,820.94 toward the Arts Centre Capital Campaign.

These funds were raised through the operation of a casino and represent 50 percent of their profit. The group will be hosting two more casinos and will also donate 50 percent of those funds to the Arts Centre.

2. MINUTES

- a) The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1993 May 17 then came forward for adoption.

MOVED BY COUNCILLOR NIKOLAI:
SECONDED BY COUNCILLOR YOUNG:

"THAT the minutes of the regular Council Meeting and Caucus Meeting 'In Camera' held on 1993 May 17 be now adopted."

CARRIED UNANIMOUSLY

3. DELEGATIONS

The following wrote requesting an audience with Council:

- a) Mr. A.D. Turner, 1993 May 14,
Re: Northeast Sector Transit Review
Committee - Final Report
Speaker - Mr. Des Turner
- b) Mr. F. Heiden, 1993 May 19,
Re: Towing
Speaker - Frank Heiden

MOVED BY COUNCILLOR NIKOLAI:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

His Worship, Mayor W.J. Copeland requested the leave of Council to proclaim Friday, 1993 May 28 as "Jeans Day" in Burnaby in support of the Children's Miracle Network Telethon; 1993 May 25 as "Missing Children's Day" in Burnaby and the week of 1993 May 28 to June 06 as "Canada Fit Week" in Burnaby.

- a) Mr. Des Turner, 4577 Brentlawn Drive, Burnaby, B.C. appeared before Council to discuss the report of the Northeast Sector Transit Review Committee.

Mr. Turner contends that SkyTrain is a poor choice for Lougheed Highway, but noted that he was not discussing the route, only the technology. Mr. Turner expressed a preference for conventional light rapid transit.

The speaker cited various concerns with respect to the use of SkyTrain and advised that it had not been sold anywhere else in the world since 1981, with the exception of the Lower Mainland. He also provided quotations from a variety of transit experts expressing concerns with respect to the operational costs and problems associated with SkyTrain.

Mr. Turner concluded by requesting Council request staff to prepare a report recommending the Northeast Sector Transit Review Committee utilize light rapid transit technology, not SkyTrain, for use in the Lougheed Corridor. Mr. Turner also requested that the staff report be made available to the public so that they may lend their support to Council's recommendation.

Mr. Turner is advocating the position that the choice of technology should be established early in the process, before the routes are defined.

- b) Mr. Frank Helden, 5868 Olive Avenue, Burnaby, B.C. appeared before Council to discuss towing regulations in Burnaby.

Mr. Helden complained about parking practices of Bonny's Taxi drivers and placement of garbage containers on the street. Mr. Helden requested Council not allow use of the Denver Boot in Burnaby.

Mr. Helden requested Council consider his candidacy for the Traffic Safety Committee and Crime Prevention Committees of Council.

4. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR NIKOLAI:

"THAT all of the following listed items of correspondence be received and those items of the City Manager's Report No. 35, 1993 May 25 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Councillor Nikolai retired from the Council Chamber at 7:45 p.m.

- a) Chair, Northwest Capitol Hill
Neighbourhood Association, 1993
May 11, Re: Request for temporary
increase in sulphur dioxide
emissions from the Chevron Refinery

A letter dated 1993 May 11 was received from the Northwest Capitol Hill Neighbourhood Association providing Council with a copy of their letter to the Air Quality Director of the Greater Vancouver Regional District expressing opposition to the temporary increase in sulphur dioxide emissions requested by the Chevron Refinery.

A staff notation appended to this item of correspondence advises that staff have filed a formal notice of objection with the G.V.R.D. to the issuance of any amendment to Chevron's Air Emission Permit until the air dispersion modelling study has been evaluated and the health risk assessment has been completed. In addition, an extension for staff's response to the public notification has also been sought and received from the G.V.R.D.

Councillor Corrigan retired from the Council Chamber at 7:50 p.m.

- b) A.E. Curzon, Undated, Re: Proposal to permit Chevron to operate for six months without its sulphur recovery plant

An undated letter was received from A.E. Curzon expressing concerns with respect to the proposal to permit Chevron to operate for six months without its sulphur recovery plant. The correspondent provided information with respect to the affect of sulphur dioxide, particularly on individuals suffering from asthma and requested that Council take into serious consideration the health of the community against the wishes of Chevron Canada.

A staff notation appended to this item of correspondence advises that staff have filed a formal notice of objection with the G.V.R.D. to the issuance of any amendment to Chevron's Air Emission Permit until the air dispersion modelling study has been evaluated and the health risk assessment has been completed. In addition an extension for staff's response to the public notification has also been sought and received from the G.V.R.D.

- c) President, The Gisborne Group, 1993
May 07, Re: Bylaw 4299 14(1), Angle
Parking - Warning of Possible Infraction

A letter dated 1993 May 07 was received from Mr. Bert Gisborne, President, The Gisborne Group expressing opposition to parking tickets which were issued to individuals using angle parking on Hedley Avenue. Mr. Gisborne advises that the angle parking has been going on for twenty-five years in that area without incident and that the area has no traffic other than limited local traffic.

His Worship, Mayor W.J. Copeland advised that the Director Engineering is preparing a report in response to this item of correspondence to be submitted to Council at the regular Council meeting on 1993 June 07.

Councillor Nikolai returned to the Council Chamber at 7:55 p.m. and took his place at the Council table.

- d) Peter Laurence, 1993 May 11,
Re: Double taxation for
garbage collection

A letter dated 1993 May 11 was received from Mr. Peter Laurence requesting Burnaby implement a program whereby condominium and townhouse property taxes are lowered for owners who pay for garbage collections through their monthly maintenance fees.

His Worship, Mayor W.J. Copeland advised that the Director Finance is preparing a report in response to this item of correspondence to be submitted to Council at the regular Council meeting on 1993 June 07.

- e) Province of B.C., Minister of Municipal Affairs, Recreation and Housing, 1993 May 12, Re: School site planning

A letter dated 1993 May 12 was received from the Honourable Robin Blencoe, Minister of Municipal Affairs, Recreation and Housing providing information on the provincial government's new approach to school site planning which will be implemented jointly by the Ministry of Education and the Ministry of Municipal Affairs, Recreation and Housing.

The Ministries will be consulting with stakeholders on how best to acquire land for schools in new developments. Additionally, the Minister of Education has introduced legislation into the House which is designed to encourage school boards and municipalities to work together to improve planning for schools and communities. The legislation establishes the responsibilities of school districts to develop long-term capital facility plans and to develop these plans in the context of local government official community plans in consultation with local government. Local governments will be required to consult with school districts in the development of community plans.

Councillor Young retired from the Council Chamber at 7:58 p.m.

Councillor Corrigan returned to the Council Chamber at 7:58 p.m. and took his place at the Council table.

- f) CANADA, Minister of Public Works, 1993 May 05, Re: Federal Municipal Grants Program

A letter dated 1993 May 05 was received from the Honourable Elmer MacKay, Minister of Public Works advising of the means by which funds will be allocated through the federal Municipal Grants Program.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT the correspondence from the Minister of Public Works be REFERRED to the Director Finance to formulate a response to the methodology outlined with respect to the distribution of municipal grants in lieu of taxes."

Councillor Drummond retired from the Council Chamber at 8:05 p.m.

Councillor Drummond returned to the Council Chamber at 8:10 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

- g) Property Manager, B.U.K. Realty Corporation, 1993 May 14, Re: Re-opening of Myrtle Street at 3700 block area to Still Creek

A letter dated 1993 May 14 was received from B.U.K. Realty Corporation requesting that the west end of Myrtle Street be re-opened.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR REDMAN:

"THAT the correspondence from B.U.K. Realty Corporation be REFERRED to the Traffic and Transportation Committee for review."

CARRIED UNANIMOUSLY

- h) CANADA, Minister of Fisheries and Oceans and the Minister Responsible for Atlantic Canada Opportunities Agency, 1993 May 12, Re: Government of Canada's Aboriginal fisheries strategy

A letter dated 1993 May 12 was received from The Honourable John Crosbie, Minister of Fisheries and Oceans providing information with respect to the Government of Canada's Aboriginal fisheries strategy. The correspondence outlines the objectives of the Aboriginal fisheries strategies and the activities that have ensued since it was announced in June, 1992.

The letter discusses points raised by the B.C. Fisheries Survival Coalition and provides statistics related to growth in the fisheries industry.

Councillor Young returned to the Council Chamber at 8:10 p.m. and took his place at the Council table.

Councillor Redman retired from the Council Chamber at 8:10 p.m.

- i) Secretary Treasurer, British Columbia and Yukon Territory Building and Construction Trades Council, 1993 May 20, Re: Request permission to conduct Dollars Against Diabetes Campaign Tag Day on 1993 June 19

A letter dated 1993 May 20 was received from the British Columbia and Yukon Territory Building and Construction Trades Council requesting permission to conduct Tag Days in Burnaby in support of the Juvenile Diabetes Foundation of Canada. The organization is requesting to conduct their event on Saturday, 1993 June 19 at various locations in Burnaby.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR RANKIN:

"THAT the request from the British Columbia and Yukon Territory Building and Construction Trades Council to conduct a Tag Day in Burnaby on 1993 June 19 be approved."

CARRIED UNANIMOUSLY

5. REPORTS

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR NIKOLAI:

"THAT Council do now resolve itself into a Committee of the Whole."

CARRIED UNANIMOUSLY

- a) Housing Committee
Re: Non-Market Housing Component
- For Oakalla Lands
-

The Housing Committee submitted a report requesting Council's approval in principle for the development of a seniors' non-profit equity co-operative as Phase 2 of the non-market housing component on the Oakalla lands. The report outlines a proposal by B.C.B.C. for the remaining portions of Enclaves 2a and 2b. The proposal includes development of a 36 unit seniors' non- or limited-profit equity co-operative. The project is a three storey apartment building with underground parking. The building will contain an amenity area and an elevator to serve the 12 one bedroom, 12 one bedroom plus den, and 12 two bedroom units. The units would be available to seniors with limited incomes but with some equity from an existing home.

The Housing Committee recommended:

1. THAT Council approve in principle the development of a seniors' non-profit equity co-operative as outlined in this report as Phase 2 of the non-market housing requirement on the Oakalla lands.
2. THAT staff be authorized to work with BCBC on the seniors' non-profit equity co-operative as proposed on the understanding that a further report will be submitted to the Housing Committee and Council on the specifics of the proposal.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT the recommendations of the Housing Committee be adopted."

Councillor Nikolai retired from the Council Chamber at 8:12 p.m. and did not return to the meeting.

Councillor Redman returned to the Council Chamber at 8:20 p.m. and took her place at the Council table.

CARRIED UNANIMOUSLY

- b) Executive Committee of Council (Grants)
Re: Grants applications

The Executive Committee of Council submitted a report requesting Council's approval of recent grant applications.

33/93 - Burnaby Safety Society

The Executive Committee of Council recommended:

1. THAT \$348 be approved for an advertisement to be placed in six issues of the Burnaby News promoting Neighbourhood Traffic Safety.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

40/93 - Cariboo Hill Secondary School OM Team

The Executive Committee recommended:

1. THAT a grant in the amount of \$600 (100 per student - 6 students) be awarded to the Cariboo Hill Secondary School OM Team for the 1993 competition to be held in Washington, D.C. (University of Maryland).

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR YOUNG:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

- c) Executive Committee of Council
Re: Burnaby Chamber of Commerce
Economic Development Fee for
Service and Tourist InfoCentre
- Spratt Street

The Executive Committee of Council submitted a report requesting Council's approval of a grant to the Burnaby Chamber of Commerce to assist in costs associated with operation of the Tourist Information Centre at 6525 Spratt Street and economic development promotions in Burnaby.

The Executive Committee of Council recommended:

1. THAT Council award a grant in the amount of \$50,000 to the Burnaby Chamber of Commerce for the 1993 Economic Development Fee for service and further, a one time only grant for the operation of the Tourist Infocentre at 6525 Sprott Street for the months of 1993 June, July, August, September and October.
2. THAT the funds be appropriated from Burnaby's Stabilization Fund.
3. THAT a copy of this report be sent to Ms. Abbey Anderson, General Manager and Business Information Officer, Burnaby Chamber of Commerce, Suite #149, 9855 Austin Avenue, Professional Wing, Lougheed Mall, Burnaby, B.C. V3J 1N4.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendations of the Executive Committee of Council be adopted."

Councillor Rankin retired from the Council Chamber at 8:25 p.m.

Councillor Rankin returned to the Council Chamber at 8:26 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

- d) The City Manager presented Report No. 35, 1993 May 25 on the matters listed following as Items 1 to 14 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Canadian Parks/Recreation Association
Annual Conference

The City Manager submitted a report from the Director Recreation and Cultural Services requesting Council approval to attend the Canadian Parks and Recreation Association 1993 National Conference to be held in Richmond Hill, Ontario.

The City Manager recommended:

1. THAT approval be given for the Director Recreation and Cultural Services to attend the Canadian Parks/Recreation Association 1993 National Conference in Richmond Hill, Ontario at an estimated cost of \$1,714.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR YOUNG:

"THAT the recommendation of the City Manager be adopted."

Councillor Corrigan retired from the Council Chamber at 8:35 p.m.

CARRIED UNANIMOUSLY

2. Bylaw to Fund Four Parks and Recreation 1993 Capital Projects

The City Manager submitted a report from the Director Recreation and Cultural Services requesting Council authority to bring down two bylaws to fund various Capital projects in the Parks Department. The projects would include site studies in preparation of a farmhouse exhibit at the Burnaby Village Museum at a cost of \$76,000; expansion of parking facilities in the Cameron parking lot at a cost of \$68,000; development of neighbourhood park facilities at Camrose Park - Phase I at a cost of \$61,000 and development of neighbourhood park facilities at Scandia Park at a cost of \$25,000.

The City Manager recommended:

1. THAT a bylaw be brought forward to appropriate \$250,000 from Capital Reserves to finance three Capital Program projects as outlined in the attached report.
2. THAT Council be requested to bring down a bylaw to appropriate \$25,000 from the Parkland Acquisition Levy Interest Reserve to finance the development of Scandia Park.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendations of the City Manager be adopted."

CARRIED UNANIMOUSLY

3. Contract No. 9305 - 1993 Local Improvement Street Lighting Program

The City Manager submitted a report from the Director Finance advising of the results of tenders received for the installation of street lighting at various locations throughout Burnaby.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Ricketts-Sewell Electric Ltd., for the installation of street lighting at various locations throughout Burnaby for a total cost of \$272,504.39 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR DRUMMOND:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

4. Co-operative Purchase of Gasoline
and Diesel Fuel

The City Manager submitted a report from the Director Finance advising that a purchase order has been issued for the supply and delivery of gasoline and diesel fuel. The purchase order will be in effect from 1993 May 01 to 1995 April 30.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

5. Delegation from Ms. Kathleen McBurnie
who appeared at the April 13th meeting
of Council regarding Noise Levels in
Night Clubs, Bars, and Similar Facilities

The City Manager submitted a report from the Medical Health Officer prepared in response to a presentation from Mrs. Kathleen McBurnie expressing concerns with respect to noise levels in public facilities such as night clubs and bars. A staff survey of selected night clubs in Burnaby indicates that these establishments do generate excessive noise levels. The Workers' Compensation Board has legislation protecting workers from excessive noise in the workplace. Strict enforcement of this legislation would have the added benefit of protecting patrons of these establishments. Unfortunately, enforcement of noise control measures in night clubs and bars by the W.C.B. is currently a low priority due to limited inspectional resources.

The Burnaby Noise or Sound Abatement Bylaw regulates noise or sound emanating from real property and highways. If Council wishes to regulate noise levels in public buildings to protect patrons from potential long term hearing loss, a separate bylaw, approved by the Minister of Health must be enacted.

The City Manager recommended:

1. THAT a copy of this report be sent to Mrs. Kathleen McBurnie, #503 - 7210 Mary Avenue, Burnaby, B.C., V5E 3K4.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendation of the City Manager be adopted."

Councillor Corrigan returned to the Council Chamber at 8:40 p.m.

CARRIED UNANIMOUSLY

Arising from the discussion Councillor Rankin was granted leave to introduce the following motion:

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR YOUNG:

"THAT a copy of the staff report be forwarded to the Workers' Compensation Board for their information."

CARRIED

OPPOSED: COUNCILLORS DRUMMOND AND
REDMAN

6. Letter from V. Milosavljevich which appeared on the agenda for the April 26th meeting of Council re Dairyworld Foods, Dairyland Ice Cream Division, 4047 Lozells Avenue, Burnaby, B.C.

The City Manager submitted a report from the Medical Health Officer prepared in response to correspondence received from Mr. V. Milosavljevich expressing concern with regard to the level of noise emanating from the Dairyland Ice Cream plant on Lozells Avenue in Burnaby.

Staff advise that in responding to all complaints regarding operational noise from the Dairyland Ice Cream Division, excessive noise readings have only been obtained on two occasions. The two specific occasions were 1992 July 08 and 1993 January 15. Charges have been laid and the trial date for the first violation of the Burnaby Noise or Sound Abatement Bylaw has been set for 1993 July 16 at the Burnaby Provincial Court.

The City Manager recommended:

1. THAT staff measure site specific and ambient noise levels after the placement of an acoustical noise barrier on the north side of Winston Street at Lozells Avenue, in order to evaluate the effectiveness of the noise mitigating improvement.
2. THAT a copy of this report be forwarded to:
 - a) Mr. V. Milosavljevic, 7580 Dorchester Drive, Burnaby, B.C., V5A 2Z3.
 - b) Mr. Ron Brown, Plant Manager, Dairyland Ice Cream Division, Dairyworld Foods, 4047 Lozells Avenue, Burnaby, B.C., V5A 2Z4.
 - c) Mr. Don Smith, Vice President Industrial Division, Dairyworld Foods, P.O. Box 6590, Vancouver, B.C., V6B 4C3.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendations of the City Manager be adopted."

Councillor Drummond retired from the Council Chamber at 8:42 p.m.

CARRIED UNANIMOUSLY

7. Retirement - Mr. Antonio Bevilacqua

The City Manager submitted a report from the Human Resources Director advising that Mr. Antonio Bevilacqua retired from employment with the City of Burnaby on 1993 March 31 after sixteen years of service. Mr. Bevilacqua retired from the position of Assistant Foreman in the Parks Department.

The City Manager recommended:

1. THAT the Mayor, on behalf of Council, send to Mr. Bevilacqua a letter of appreciation for his years of loyal and dedicated service to the City.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

8. Retirement - Mr. Leonard Foster

The City Manager submitted a report from the Human Resources Director advising that Mr. Leonard Foster retired from employment with the City of Burnaby on 1993 March 31 after thirty-five years of service. Mr. Foster retired from the position of Assistant Fire Chief.

The City Manager recommended:

1. THAT the Mayor, on behalf of Council, send to Mr. Foster a letter of appreciation for his many years of loyal and dedicated service to the City.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

9. Letter from A.C. Harvey, 7772 Elwell Street, Burnaby, B.C. V5E 1M2 regarding Illegal Suite Complaint at 7771 Elwell Street, 7773 Elwell Street and 6944 Canada Way

The City Manager submitted a report from the Acting Director Planning and Building prepared in response to illegal suite complaints made with regard to 7771/7773 Elwell Street and 6944 Canada Way. With respect to the Elwell Street properties, the current investigation has confirmed one illegal suite and one in-law accommodation without a valid "in-law suite licence". The new owner has agreed in writing to make a timely application for an in-law suite licence, remove the range and related wiring from the illegal suite by 1993 June 30, and remove an unauthorized securable door which restricts access between floors. This will bring the property into compliance with Burnaby's zoning, building and electrical bylaws.

Property misuse concerns at 6944 Canada Way have been addressed and the occupant has agreed to bring the property into full compliance by 1993 June 11.

The City Manager recommended:

1. THAT a copy of this report be sent to the complainant.

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendation of the City Manager be adopted."

Councillor Drummond returned to the Council Chamber at 8:45 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

10. Building Permit Tabulation Report No. 04
from 1993 March 29 to 1993 April 25

The City Manager submitted a report from the Acting Director Planning and Building providing Council with information on construction activity as reflected by the Building Permits that have been issued for the subject period. Staff advise that to date Building permits valued at \$92,993,156.00 have been purchased in Burnaby.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

11. Finalized Revised Edmonds Town Centre West
Development Plan (Including Former Burnaby
South Secondary School Site) X-Reference
Rezoning No. 7/93

The City Manager submitted a report from the Acting Director Planning and Building requesting Council approval of the finalized revised Edmonds Town Centre West Development Plan. An information mailing summarizing the revisions to the Development Plan was prepared and distributed to all residents and property owners. Over 1500 information brochures were mailed. Only four written comments were received.

Considering the response received, no further revisions or adjustments to the revised Development Plan appear to be necessary.

The City Manager recommended:

1. THAT the finalized revised Edmonds Town Centre West Development Plan as outlined in Appendix "A" be approved.
2. THAT a copy of this report be sent to the Burnaby School Board for its information.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

12. Rezoning Reference No. 7/93
Edmonds Town Centre West
Former Burnaby South School Site
and Associated Lands

The City Manager submitted a report from the Acting Director Planning and Building requesting Council authorization to forward the subject rezoning application to a Public Hearing on 1993 June 15. The proposed rezoning bylaw amendment is to rezone the subject lands in conformance with the revised Edmonds Town Centre West Development Plan and to establish the major components of the Development Plan including the road network, parkland, and development areas.

The City Manager recommended:

1. THAT the introduction of a Highway Exchange Bylaw, be authorized according to the terms outlined in Section 4.2 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. THAT approval in principle be given to an exchange of property between the City and the applicant to create the 1.5 acre Neighbourhood Public Park including the transfer of 0.2 acres of City lands for inclusion in the development site in accordance with the terms outlined in Section 4.3 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
3. THAT a copy of this report be sent to the Burnaby School Board for their information.
4. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1993 May 25, and to a Public Hearing on 1993 June 15 at 7:30 p.m.
5. 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 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 submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw. In the event that existing improvements on the site are vacant and considered to be unsafe, unstable, and a hazard to life, the Fire Prevention Office may recommend immediate demolition of such improvements and removal of the resultant debris prior to Third Reading.
- e) The consolidation of the net project site into the parcels outlined in the attached Sketch #5.
- f) The granting of any necessary easements.
- g) The dedication of any rights-of-way deemed requisite.
- h) The undergrounding of existing overhead wiring within and abutting the site.
- i) The provision of a public pedestrian walkway easement between the two cul-de-sacs along the Arbroath Street alignment and the construction of a concrete walk and lighting to the approval of the Director Engineering.
- j) Submission of a tree survey, and the retention of as many existing mature trees as possible on the site, as well as submission of a written undertaking to ensure that all site areas identified for preservation of existing vegetation are effectively protected by snow fencing or other approved physical containment during the whole course of site preparation and construction work.
- k) The provision of a reformed 1.5 acre Neighbourhood Public Park requiring an exchange of property between the City and the applicant including the transfer of 0.2 acres of City lands to the applicant.

- l) The provision of a 0.5 acre Nikkei Park fully developed Japanese garden including its continued maintenance as part of the National Nikkei Heritage Centre and Centre site and the granting of a 215 covenant guaranteeing public access to the Nikkei Park component.
- m) Provision of an appropriate schedule for the provision of the social housing and cultural centre components relative to the market housing component and the granting of 215 covenants designating the social housing sites.
- o) Completion of the Highway Exchange Bylaw.
- p) The granting of a 215 covenant to protect the significant existing trees along the Kingsway frontage.
- q) Provision of a study regarding any possible contamination of the site due to previous uses and appropriate remediation measures, to the approval of the Ministry of Environment, Lands and Parks and City Environmental Health Services.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendations of the City Manager be adopted."

CARRIED UNANIMOUSLY

13. Indemnification for Directors of the
Burnaby Municipal Benefit Society

The City Manager submitted a report from the City Solicitor requesting Council's approval to prepare an amendment to the Indemnification Bylaw to protect Directors of the Burnaby Municipal Benefit Society from personal liability claims.

The City Manager recommended:

- 1. THAT the Solicitor prepare an amendment to include the Directors of The Burnaby Municipal Benefit Society in the group protected under the Indemnification Bylaw.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR RANKIN:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

14. Royal Oak College v. City of Burnaby

The City Manager submitted a report from the City Solicitor advising that the application by Royal Oak College for an order setting aside Bylaw 9865, the second Aircare site rezoning bylaw, has been withdrawn.

The City Manager recommended:

1. THAT this report is for the Information of Council.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT the recommendation of the City Manager be adopted."

Councillor Redman retired from the Council Chamber at 8:55 p.m.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR YOUNG:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR YOUNG:

"THAT the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

Councillor Redman returned to the Council Chamber at 8:58 p.m. and took her place at the Council table.

6. TABLED MATTERS

a) Vehicle Immobilization and Towing Bylaw

Council chose not to lift this item of business from the table at this time.

b) Shellburn Refinery Conversion

The following item was tabled at the regular Council meeting held on 1993 May 17:

The City Manager submitted a report from the Acting Director Planning and Building prepared in response to a submission received by Council from the Shellburn Workers, CAW Local 3014, which raised several concerns with respect to the Shellburn Conversion Project.

The report provides a response to the ten specific questions raised by the employees.

The City Manager recommended:

1. THAT a copy of this report be sent to David Timms and Danny Rasmussen, CAW - TCA Canada, Local 3014, 07 - 12th Street, New Westminster, B.C. V3M 4J7.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR EVANS:

"THAT the recommendation of the City Manager be adopted."

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR LAWSON:

"THAT the motion as moved by Councillor Young and seconded by Councillor Evans being, 'THAT the recommendation of the City Manager be adopted,' be now TABLED."

CARRIED UNANIMOUSLY

This item was tabled to allow Council members a further opportunity to review the report.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR RANKIN:

"THAT the motion as moved by Councillor Young and seconded by Councillor Evans being, 'THAT the recommendation of the City Manager be adopted,' be now LIFTED from the table."

CARRIED UNANIMOUSLY

The motion was now before the meeting.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR REDMAN:

"THAT the report of the Acting Director Planning and Building inspection be REFERRED back to staff to address further questions expressed by Council."

CARRIED UNANIMOUSLY

In discussing the staff report, Council requested staff obtain responses to the following questions:

1. Have staff received an inventory of Shellburn's holding tanks and how many of the older variety of holding tanks are included in this inventory?
2. How many holding tanks have flotation tops?
3. How many holding tanks have modern vapor recovery systems in them?
4. There are plans to remediate the site during Phase 2 - is it appropriate to start dumping remediated soils on other locations on the site which are not contaminated?
5. Were past Burnaby Councils notified that the modern sulphur recovery unit was shut down in 1990 and the older unit which had been constructed in 1968, used in its place?
6. How will Shellburn evaluate water run-off from the site and will the City have the necessary expertise to conduct a comprehensive evaluation of their report?
7. It is Council's understanding that Shellburn's master plan will be available in October which will deal with reclamation of the site and provide a better understanding of what would be done with the older equipment. Council would like staff to provide an evaluation of the types of pollution abatement equipment which will be used in purifying the feed stock from Alberta, and what types of pollution abatement equipment will be used in the very immediate future.

7. BYLAWS

FIRST READING

RZ #33/78	4054 First Avenue	#9890
RZ # 7/93	7265/87 Mission Ave.; 6626/72/86 Kingsway; 7269/79 Non Avenue (Hawthorne Ave.); 6426/6645/55/65/75 Non St. (Beresford St.); 6445/53/65/71/87/95/6511/31/49/91 Beresford St.; 6450/55/69/70/86/89/96/6511/12/31/50/ 51/91/92 Arbroath Street	#9891

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RZ #12/93	Portion of 7283 Nelson Avenue	#9892
RZ #16/93	4378 Halley Avenue	#9893
RZ #23/93	7183/89/95 Seventeenth Avenue	#9894
RZ #27/93	7530 Broadway	#9895
RZ #17/93	4091/95, 4107 Pender Street; 450 Gilmore Avenue	#9896

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR YOUNG:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 22, 1993	#9890
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 23, 1993	#9891
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 24, 1993	#9892
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 25, 1993	#9893
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 26, 1993	#9894
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 27, 1993	#9895
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 28, 1993	#9896

be now introduced and read a first time."

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READINGS

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT

Burnaby Highway Exchange Bylaw No. 1, 1993	#9897
Burnaby Highway Exchange Bylaw No. 2, 1993	#9898

be now introduced and read three times."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING

#9879	5811 Hardwick Street	RZ #10/93
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MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 19, 1993

#9879

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR YOUNG:

"THAT

Burnaby Tax Prepayment Bylaw

#9889

be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

8. NEW BUSINESS

There were no items of new business brought before Council at this time.

9. INQUIRIES

Councillor Rankin

Councillor Rankin advised that he was in receipt of correspondence expressing concerns with respect to the trucking of fill from the Barnet project through the Westridge area.

The Acting Director Planning and Building advised that staff are investigating the trucking arrangements and the value of fill to be transported and will be reporting back to Council.

Councillor Young

Councillor Young advised that the trucking project will involve 100 trucks per day travelling through the Westridge area for a period of 90 days. Councillor Young would like staff to provide information in the report regarding means by which the impact of this truck traffic can be minimized.

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MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 9:15 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK