

1995 NOVEMBER 27

A regular meeting of the City Council was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1995 November 27 at 7:00 p.m..

PRESENT: His Worship Mayor W.J. Copeland, In the Chair
Councillor D.R. Corrigan
Councillor D.P. Drummond
Councillor D.G. Evans
Councillor D.N. Johnston
Councillor D.A. Lawson
Councillor L.A. Rankin (arrived at 7:07 p.m.)
Councillor C.M.H. Redman (arrived at 7:05 p.m.)
Councillor J. Young

STAFF: Mr. R.H. Moncur, City Manager
Mr. C.A. Turpin, Deputy City Manager (Corporate Services)
Mr. W.C. Sinclair, Director Engineering
Mr. R. Earle, Director Finance
Mr. Jack Belhouse, Deputy Director Planning & Building
Mrs. D.R. Comis, City Clerk
Ms. M. Pasqua, Deputy City Clerk

PROCLAMATION

Councillor Doug Evans proclaimed December 01, 1995 as "*World Aids Day*" in the City of Burnaby.

Councillor Redman arrived at the Council meeting at 7:05 p.m. and took her place at the Council table.

1. MINUTES

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR YOUNG:

"THAT the minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1995 November 20 be adopted."

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

- a) David J. Knowles, Spay & Neuter
Legislative Group, 1995 November 15,
Re: Feasibility of spay/neuter bylaw for cats
Speakers: David Knowles
Amanda Butcher
Roslyn Cassells
Dr. Abby Schwarz

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR LAWSON:

"THAT the delegation be heard."

CARRIED UNANIMOUSLY

Councillor Rankin arrived at the Council meeting at 7:07 p.m. and took his place at the Council table.

- a) Mr. David J. Knowles, 314 - 6577 Royal Oak Avenue, Burnaby appeared before Council and presented a series of seven questions related to the proposal to enact a mandatory spay/neuter bylaw in the City of Burnaby.

Amanda Butcher, representing *Meow Aid* addressed Council expressing strong disappointment with the staff report adopted by Council on 1995 November 20. Ms. Butcher concluded her comments by requesting Council establish an animal welfare committee to review animal welfare issues in Burnaby.

Roslyn Cassells, producer of the program *Animal Airwaves* and a member of *Meow Aid* addressed Council in support of mandatory spay/neuter legislation. Ms. Cassells suggested that the key to resolving some of the issues is to identify pets rather than to simply licence them. The speaker further suggested that free spay/neuter services are needed rather than the \$10 subsidy offered to Burnaby residents at the present time.

Dr. Abby Schwarz, an animal behaviour scientist appeared before Council to speak in favour of mandatory spay/neuter legislation. The speaker noted that she wished to make the following three points:

- That cats do not thrive alone and they are far more social than originally considered;
- Indiscriminate release of animals into the wild can be injurious to other animal populations in the area. Animals should only be released if they are capable of surviving; and

- Animals have been attributed with feelings and fears not previously identified and release of animals constitutes cruelty, abandonment and neglect.

3. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT all of the following listed items of correspondence be received and those items of the City Manager's Report No. 55, 1995 November 27 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

His Worship, Mayor W.J. Copeland read the following items of correspondence:

- a) K.E. Falconar, 1995 November 14,
Re: Handicapped Accessibility to Metrotown Centre Mall

A letter dated 1995 November 14 was received from K.E. Falconar regarding the lack of handicap accessibility to Metrotown Mall and expressing concern regarding the response received from Metrotown Mall management.

The Director Planning and Building is preparing a response to this item of correspondence for the December 4th Council meeting.

- b) Tom Hetherington, Chair, Barnet Road Neighbourhood Committee,
1995 November 07,
Re: Project that would Improve the Quality of
Life and Safety of Barnet Neighbourhood

A letter dated 1995 November 07 was received from Tom Hetherington regarding neighbourhood improvements in the Barnet Road area. Mr. Hetherington identifies himself as the Chair of the Barnet Road Neighbourhood Committee and outlines four specific projects to improve the quality of life and safety of the neighbourhood.

The Director Planning and Building is preparing a response to this item of correspondence for the December 4th Council meeting.

- c) Lafarge Canada Inc.,
1995 November 10,
Re: Open House re: Expansion and
Modernization of Richmond Cement Plant

A letter dated 1995 November 10 was received from Lafarge Canada Incorporated advising of an open house in Richmond on November 29th regarding Lafarge's Plan to

expand and modernize its cement plant in East Richmond at the South end of No. 9 Road, adjacent to the Fraser River.

- d) K. Stouffer, 1995 November 07,
Re: 1) Excessive Noise;
2) Drainage Problem on neighbouring property

A letter dated 1995 November 07 was received from K. Stouffer expressing her objection to construction activity taking place in her neighbourhood on Sundays and also expressing concern regarding the potential for problems with the drainage on her property as a result of the neighbouring properties blacktopping the boulevard and drainage ditch.

A staff note from the Chief Environmental Health Officer advises that a report recommending amendment of the Burnaby Noise or Sound Abatement Bylaw to prohibit new construction on Sunday and Statutory Holidays was adopted by Council on 1995 September 18. A bylaw to amend the Burnaby Noise or Sound Abatement Bylaw is expected to receive fourth and final reading at the regular Council meeting on November 27th. This information has been communicated to Mrs. Stouffer.

A staff note from the Director Engineering advises that staff have reviewed the situation and would confirm that there is no drainage problem associated with Mrs. Stouffer's property.

Councillors Corrigan and Drummond retired from the Council Chamber at 7:39 p.m.

- e) Kay Johnson, 1995 November 15
Re: Pathway at North end of Station Hill Drive to foot of Southborne

A letter dated 1995 November 15 was received from Kay Johnson requesting that the pathway which starts at the north end of Station Hill Drive down to the foot of Sandborne be extended down to connect up with the pathway south of the complex of buildings known as "The Courtyards".

A staff note advises that the matter referred to in this letter has been previously raised by the Edmonds Area Advisory Committee and will be the subject of a report to Council on December 4th. This information has been conveyed to Ms. Johnson.

- f) Charnjit Bal, 1995 November 15,
Re: Traffic on Curtis and Parker Streets
and Curtis Street/Kensington Avenue Intersection

A letter dated 1995 November 15 was received from Charnjit Bal regarding the heavy traffic on Curtis Street and Parker Avenue. Mr. Bal urges Council to initiate a traffic plan to make Curtis Street, in the area of the Kensington Avenue intersection a traffic-free zone.

A staff note suggests that this letter be referred to the Traffic and Transportation Committee for consideration at its next regular meeting.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR EVANS:

"THAT this item of correspondence be **REFERRED** to the Traffic and Transportation Committee (Transportation and Transit Division)."

CARRIED UNANIMOUSLY

- g) Glen Clark, Minister of Finance,
Province of B.C., 1995 November 16,
Re: 1995 Grant-in-lieu of taxes

A letter dated 1995 November 16 was received from Glen Clark, Minister of Employment and Investment enclosing a Province of B.C. cheque in the amount of \$1,060,399.55 which represents payment of the 1995 Grants-in-Lieu of Taxes for properties owned by the B.C. Buildings Corporation, in accordance with Section 14 of the British Columbia Buildings Corporation Act. Included in the amount is \$26,691.80 due to the Regional District.

Councillor Redman retired from the Council Chamber at 7:42 p.m.

- h) B. Fuller, K. Glover, B. Richardson,
Byrne Creek Committee, 1995 November 21,
Re: Urban Storm Water Management Alternatives

A letter dated 1995 November 21 was received from the Vancouver Angling and Game Association expressing enthusiasm and appreciation for Council's approval in principle of the Engineering Department's submission regarding urban storm water management alternatives.

- i) Jerry Steinberg, 1995 November 22,
Re: 100% Smoke-Free Bylaw

A letter dated 1995 November 22 was received from Jerry Steinberg supporting a 100% smoke-free environment.

- j) Shelley McCluskie, 1995 November 20,
Re: Mandatory Spay/Neuter Bylaw for Cats

A letter dated 1995 November 20 was received from Shelley McCluskie supporting a mandatory Spay/Neuter Bylaw.

- k) Peggy E. Kelley, 1995 November 21
Re: Mandatory Spay/Neuter Bylaw for Cats

A letter dated 1995 November 21 was received from Peggy E. Kelley supporting a mandatory Spay/Neuter Bylaw.

- l) Mr. and Mrs. Robert B. Harris, 1995 November 20,
Re: Mandatory Spay/Neuter Bylaw for Cats

A letter dated 1995 November 20 was received from Mr. and Mrs. Robert Harris supporting a mandatory Spay/Neuter Bylaw.

4. **REPORTS**

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

- a) The City Manager presented Report No. 55, 1995 November 27 on the matters listed following as Items 01 to 10 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Report to Adjacent Municipalities Concerning the Future of the
Residential Rehabilitation Assistance Program

The City Manager submitted a report from the Director Planning and Building recommending the conveying of a report to adjacent municipalities concerning the Residential Rehabilitation Assistance Program (RRAP) seeking their support in encouraging the Federal Government to reverse its decision to terminate the program at the end of 1995.

The City Manager recommended:

1. THAT a copy of the attached report be sent to the Councils and Members of Parliament of the municipalities served by the Burnaby RRAP Office, along with a request that those parties write to the Minister Responsible for CMHC to request that
- i) the decision to discontinue the RRAP at the end of 1995 be reversed,

- ii) the benefit provisions for the RRAP for the Disabled be improved by raising the income ceilings and forgivable loan amounts for disabled applicants, and
- iii) the RRAP's property assessment guideline be either eliminated or increased, thereby making the program more effective and relevant for Lower Mainland municipalities.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

Councillor Drummond returned to the Council Chamber at 7:45 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

Council further requested staff to forward a copy of the subject report concerning the future of the Residential Rehabilitation Assistance Program to the Federation of Canadian Municipalities.

- 2. Application for Assistance 1996/97
B.C. Hydro Beautification Program

The City Manager submitted a report from the Director Planning and Building outlining the status of Burnaby's application to B.C. Hydro for underground wiring assistance and to seek Council authorization for the City's share of costs for the proposed project on Government Street.

The City Manager recommended:

- 1. THAT Council bring down a bylaw to appropriate \$139,000 from Capital Reserves to fund the City's share of costs to remove overhead lines on Government Street (Lougheed Highway to Cardston Court).

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR LAWSON:

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

CARRIED UNANIMOUSLY

3. Public Hearing Dates for 1996

The City Manager submitted a report from the Director Planning and Building requesting Council approval for the establishment of the Public Hearing dates for 1996.

The City Manager recommended:

1. THAT the regularly-scheduled Public Hearing dates for 1996 be set for:

1996 JANUARY 23	1996 JULY 23
1996 FEBRUARY 20	1996 AUGUST 27
1996 MARCH 26	1996 SEPTEMBER 24
1996 APRIL 23	1996 OCTOBER 22
1996 MAY 21	1996 NOVEMBER 26
1996 JUNE 25	1996 DECEMBER 10

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR LAWSON:

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

CARRIED UNANIMOUSLY

4. Building Permit Tabulation Report No. 11
from 1995 October 09 to 1995 November 05

The City Manager submitted a report from the Director Planning and Building providing information on construction activity as reflected by the building permits that have been issued for the period 1995 October 09 to 1995 November 05.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

5. Waterworks Utility Rates for 1996

The City Manager submitted a report from the Director Finance requesting Council approval for 1996 water rates. The report proposes a general rate

increase of ten percent for flat and metered water rates. The general rate increase is required to offset the increase in the cost of water proposed by the Greater Vancouver Regional District and, to a lesser degree, the increase in City Maintenance Cost for 1996. The proposed rate adjustments will ensure that the water utility continues to be financially self-sustaining.

The City Manager recommended:

1. THAT Burnaby Waterworks Regulation Bylaw 3325, be amended to provide for the water rates contained in Schedule A, effective 1996 January 01.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR JOHNSTON:

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

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

Councillor Corrigan returned to the Council Chamber at 7:52 p.m. and took his place at the Council table.

Councillor Redman returned to the Council Chamber at 7:57 p.m. and took her place at the Council table.

CARRIED UNANIMOUSLY

6. Sanitary Sewer Utility Rates for 1996

The City Manager submitted a report from the Director Finance recommending Council approval for 1996 sanitary sewer rates. The report proposes a rate increase of eight percent for the flat rate sewer parcel tax and sewer use charge and for metered sewer charges. The general rate increase is required to offset the increase in the sewerage levy proposed by the Greater Vancouver Sewerage and Drainage District and the increase in City maintenance cost for 1996. The proposed rate adjustments will ensure that the sanitary sewer utility continues to be financially self-sustaining.

The City Manager recommended:

1. THAT the following bylaws be amended to provide for the fees outlined in Schedule A, effective 1996 January 01:
 - a) Burnaby Sewerage System Parcel Tax Bylaw No. 10149
 - b) Burnaby Sewer Charge Bylaw No. 4231

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

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

Councillor Lawson returned to the Council Chamber at 8:00 p.m. and took her place at the Council table.

CARRIED UNANIMOUSLY

7. Regulation of Lap Dancing

The City Manager submitted a report from the Director Finance providing information on the regulation of lap dancing. The Burnaby RCMP have indicated that lap dancing is not occurring in the City of Burnaby at the present time.

The City Manager recommended:

1. THAT this report be received for information.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR LAWSON:

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

Councillor Rankin retired from the Council Chamber at 8:04 p.m.

CARRIED UNANIMOUSLY

8. Tender for Electrical Maintenance Services
for City Buildings and Park Sites

The City Manager submitted a report from the Director Finance seeking approval to issue a purchase order for electrical maintenance services for City buildings and park sites.

The City Manager recommended:

1. THAT a purchase order be issued to the lowest bidder, Western Integrated Electrical Ltd., to provide electrical maintenance services for City facilities, for an estimated annual cost of \$391,000 with final payment based on actual work performed and the hourly rates tendered.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

9. Financing of Local Improvement Lanes

The City Manager submitted a report from the Director Finance seeking approval to finance a Local Improvement Lane from internal reserves. The lane referred to is from the east property line of 6911 Union Street west to Duncan Avenue except that portion of the lane that abuts the northerly property line of 6889 Union Street.

The City Manager recommended:

1. THAT a bylaw be brought down to appropriate \$11,030.27 from the Local Improvement Reserve to finance the work shown in this report.

MOVED BY COUNCILLOR LAWSON:
SECONDED BY COUNCILLOR DRUMMOND:

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

Councillor Rankin returned to the Council Chamber at 8:08 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

10. Trees in the City Works Yard

The City Manager submitted a report from the Director Engineering responding to the tree topping request outlined in the petition received from area residents in the 5900 and 6000 blocks Hardwick Street. Staff advised that the impairment of views caused by trees on public land has often been raised by the affected public. With due consideration to the tree assessment results and the significant contribution of mature and healthy trees to the urban environment, staff are of the view that the general principle of the tree management policy for public land should govern and hence are unable to support the request of tree topping for reasons of view. Staff, however, will maintain the cedar hedge to accommodate the wishes of the surrounding residents.

The City Manager recommended:

1. THAT a copy of this report be sent to all petitioners.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR LAWSON:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR DRUMMOND:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR DRUMMOND:

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

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST, SECOND AND THIRD READING

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR DRUMMOND:

"THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 28, 1995 **#10315**

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 29, 1995 **#10316**

be now introduced and read three times."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#10239 6580 Thomas Street **RZ #64/94**
#10250 4888 S.E. Marine Drive **RZ #23/95**

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 27, 1995 **#10239**

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 34, 1995 **#10250**

be now read a third time."

CARRIED

OPPOSED: Councillor Corrigan to
Bylaw #10239

RECONSIDERATION AND FINAL ADOPTION:

#9909 6720 and 6760 Curtis Street **RZ #4/93**

#10243 4910/30/50/70/90, 5010/30/32/590/70/90, 5116/30/50/70/90, **RZ#19/95**
5212/32/50/72/74/92, 5312/22/32/34/50/70, 5406/20/24/30/34/44/
50/62/66/72/76/80/86/90 Manor Street; 4917/19/29/30/50/53/68/
71/73/78/88/89, 5005/09/18/26/29/30/49/50/65/67/72/78/80/89/90,
5100/07/31/40/49/52/59/69/72/88/91/98, 5211/18/25/30/32/33/51/52/
53/58/69/70/77/80/86/87, 5305/07/08/18/31/32/38/51/52/56/65/72/75/
83/87/92, 5401/03/08/16/17/20/27/37/38/46/49/52/55/57/60/62/68/71/
72/73/76/80/83/88/92/96, 5504/05/12/15/20/28/36 Dominion Street;
4909/10/27/29/30/49/50/70/71/89/90, 5009/10/29/30/31/49/50/51/69/
70/79/89/92, 5109/12/29/30/38/49/51/69/89/91, 5208/09/18/29/48/57/
59/65/88/89, 5307/11/12/19/27/38/39/58/59/69/78/91/94, 9407/09/14/
15/25/30/35/38/46/47/53/56/57/63/66/69/75/81/82/87/91/97/98, 5503/
12/21/27/33/39/45/52 Norfolk Street; 4649/53/59/65/69/73/69/85/89/
Canada Way; 5209 Schou Street; 5559 Laurel Street; 3107/43/71/93,
3131, 3223/43/65/93, 3313/43/53 Douglas Road; 3122 Westminster
Avenue; 3080, 3138, 3232/62/75 Royal Oak Avenue

#10247 5777 Buckingham Avenue **RZ #2/95**

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR LAWSON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 31, 1994 **#9909**

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 30, 1995 **#10243**

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 31, 1995	#10247
Burnaby Highway Exchange Bylaw No. 10, 1995	#10299
Burnaby Noise or Sound Abatement Bylaw 1979, Amendment Bylaw No. 1, 1995	#10305
Burnaby Community Facilities Contribution Agreement Bylaw No. 3, 1995	#10306
Burnaby Business Licence Bylaw, Amendment Bylaw	#10307
Burnaby Cab and Commercial Vehicles Bylaw 1951, Amendment Bylaw 1995	#10308
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 27, 1995	#10309

be now Reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

6. NEW BUSINESS

Councillor Corrigan

Councillor Corrigan took the opportunity to acknowledge the efforts of individual City staff members in bringing the Shadbolt Centre for the Arts to successful completion. Councillor Corrigan stated that the City's new facility has surpassed everyone's expectations. Tribute was paid to the following staff members:

Major Civic Building Management Committee

Mr. Craig Sinclair, Director Engineering
Mr. Dennis Gaunt, Director Recreation and Cultural Services
Mr. Don Stenson, Director Planning and Building
Mr. Kenji Ito, Assistant Director Current Planning
Mr. John Cusano, Assistant Chief Building Inspector

Cultural Services

Mr. Dennis Nokony, Manager, Cultural Services
Mr. Ken Daskewech, Supervisor, Arts Centre
Mr. Lorne Fiedler, Theatre and Special Events Coordinator
Mr. John Potts, Coordinator, Fine Arts Program

Mr. John Carter, Technical Supervisor
Mr. Tracy Oliver, Festivals Officer

Finance Department

Mr. John Vissers, Purchasing Agent

Councillor Corrigan also acknowledged the contributions of Food Services, Park Services and Building Maintenance Services in preparation for the official opening ceremony. Councillor Corrigan suggested it appropriate that all supervisors pass on Council's congratulations to the staff involved.

Councillor Redman

Councillor Redman extended appreciation to the Civic Development Committee, Councillors Corrigan, Johnston and Evans, for overseeing and monitoring the Shadbolt Centre for the Arts Project.

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 8:25 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK