

1996 APRIL 22

A regular meeting of the City Council was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1996 April 22 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
Councillor C.M.H. Redman (arrived at 7:10 p.m.)
Councillor J. Young

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

P R E S E N T A T I O N

1. Stoney Creek Environment Committee
Re: Seventh "Great Salmon Send Off"

Mr. John Appler, Co-Chair and Ms. Kathleen Fleming, Chair of the Stoney Creek Environment Committee appeared before Council to announce the Seventh Annual "Great Salmon Send Off" to be held on Saturday, 1996 April 11 from 10:00 a.m. to 2:00 p.m. at Stoney Creek School. Mr. Appler advised there will be displays provided by various environmental groups and agencies and the highlight of the event will be the release of 1,000 to 2,000 salmon smelts into Stoney Creek. The speakers extended an invitation to Council and the citizens of Burnaby to attend this annual event.

Councillor Redman arrived at the Council meeting at 7:10 p.m. and took her place at the Council table.

PROCLAMATIONS

His Worship, Mayor W.J. Copeland proclaimed the week of the 1996 April 29 to May 05 as "*Burnaby Youth Week*" in the City of Burnaby.

Councillor Evans retired from the Council Chambers at 7:20 p.m.

Councillor Drummond proclaimed the week of 1996 April 28 to May 04 as "*Information Rights Week*" in the City of Burnaby.

Councillor Evans returned to the Council Chamber at 7:21 p.m. and took his place at the Council table.

His Worship, Mayor W.J. Copeland proclaimed 1996 April 28 as the "*Official Day of Mourning*" in the City of Burnaby and advised that flags at City Hall would fly at half mast in recognition of this day on 1996 April 29.

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 1996 April 15 be adopted."

CARRIED UNANIMOUSLY

1A. DELEGATION

The following wrote requesting an audience with Council:

- a) Executive Director, Restaurant &
Foodservices Association of B.C. &
Yukon, 1996 March 23
Re: Proposed 100% Smoke-Free
Indoor Air Bylaw
Speaker - Mr. Geoffrey Howes

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the delegation be heard."

CARRIED UNANIMOUSLY

- a) **Mr. Geoffrey Howes**, Legislative Chair of the Restaurant and Food Services Association of B.C. and the Yukon, 100 Centennial Way, Burnaby appeared before Council to advise of the Association's position with respect to the proposed 100% Smoke-Free Indoor Air Bylaw. Mr. Howes considered it critical that Council ensure that its position encourages a level playing field throughout the hospitality industry as well as throughout the entire GVRD region. The restaurant association has revised its position on the proposed smoking ban and the major changes that have been made are to exclude the other sectors from the 70% non-smoking minimum at this time and to recommend that the date of January 01, 2000 by which time all sectors of the hospitality industry would become 100% non-smoking. The speaker also advised that the phase in to the year 2000 will allow for a comprehensive education process to be developed and carried out through the medical health officers and the industry associations to educate the business owners, their local consumers and the international tourism industry that are all so heavily relied upon. This initiative would help to minimize the negative impact caused by a smoking ban by allowing everyone to adjust over time while at the same time, increasing their non-smoking sections.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT Item 11, City Manager's Report No. 12, 1996 April 22 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

11. 100% Indoor Air Smoking Bylaw

The City Manager submitted a report from the Medical Health Officer providing Council with information on positions of other GVRD municipalities on the proposed 100% Indoor Air Smoking Bylaw, methods of enforcement that will be undertaken by other GVRD municipalities and the City of Vancouver's proposed smoking bylaw on outdoor patios. Staff advised that at the present time, 13 of the 17 lower mainland municipalities have decided to increase the non-smoking seating requirement in restaurants to range from 70% to 100%. As represented by population there appears to be approximately 73% support for a 100% smoking ban in restaurants either immediately or over a period of three years. Staff further advised that with respect to enforcement of a new bylaw, it is anticipated that this bylaw will be either enforced by health department/unit staff or by municipal bylaw enforcement officers and that there will be a 3 to 6 month educational phase after adoption of a bylaw and prior to strict enforcement.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DRUMMOND:

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

CARRIED UNANIMOUSLY

Arising from the discussion, Councillor Johnston was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DRUMMOND:

"THAT the Medical Health Officer bring forward a report for the next meeting of Council, May 6th, 1996 with recommendations for amending the current Burnaby Smoking Bylaw No. 8771 to provide for:

1. 100% Non-smoking in commercial establishments, places of public assembly, restaurants, and common public areas in other buildings which allow access to minors; and
2. 30% Minimum seating for non-smokers in adult oriented establishments (bars, pubs, cabarets, casinos, bingos); and
3. Recommendations on effective dates for enforcement and methods for education of the public and the operators on issues related to implementation of the new standards."

CARRIED

OPPOSED:

MAYOR COPELAND,
COUNCILLORS CORRIGAN
AND REDMAN

2. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR EVANS:

"THAT all of the following listed items of correspondence be received and those items of the City Manager's Report No. 12, 1996 April 22 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Councillor Corrigan retired from the Council Chamber at 8:15 p.m.

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

- a) Chair, The Light Rail for Vancouver Committee
1996 April 12
Re: Urban Transportation Planning

A letter dated 1996 April 12 was received from the Chair, Light Rail For Vancouver Committee providing comment on Urban Transportation Planning.

Councillor Redman retired from the Council Chamber at 8:17 p.m.

- b) Steve Mancinelli
1996 April 4
Re: Democracy Denied in Kensington Park Again

A letter dated 1996 April 4 was received from Steve Mancinelli regarding the proposed installation of another fenced playing surface in Kensington Park. Mr. Mancinelli suggests that development proposal signs should be erected on the site, a public meeting be held and a democratic process/workshop be carried out to decide the fate of the area.

A staff note advises that the Parks and Recreation Commission heard a presentation from Mr. Steve Mancinelli on this matter on 1996 April 03 and voted in favour of proceeding with development of the sports field.

A number of Mr. Mancinelli's requests were discussed during an on-site meeting and will be implemented.

Local residents have been informed of the development proposal and the Parks and Recreation Department has not received any responses to date.

A construction sign will be installed prior to work commencing.

- c) Property Manager, Strataco Management Ltd.,
1996 April 12
Re: Clean up of area separating Northgate
Business Centre from Still Creek

A letter dated 1996 April 12 was received from the Property Manager, Strataco Management Ltd., requesting clean-up of the area separating Northgate Business Centre from Still Creek.

A staff note advises that Northgate Business Centre is at 3060/70 Norland Avenue. Environmental Health staff have contacted Mr. Loughlin's associate and made arrangements to meet on-site to address the concerns of the building owners.

- d) Vice President & General Manager,
Seaboard Advertising Company
1996 April 10
Re: Transit Shelter Agreement with Seaboard Advertising

A letter dated 1996 April 10 was received from the Vice President & General Manager, Seaboard Advertising Company providing an update on the Transit Shelter Agreement between Burnaby and Seaboard Advertising.

Councillor Corrigan returned to the Council Chamber at 8:19 p.m. and took his place at the Council table.

- e) R.F. DeMarchi, MD; G. Parhar, MD;
C.W. Thompson, MD; J. Reynolds MD;
1996 April 10
Re: Support proposal to Ban Smoking in Restaurants

A letter dated 1996 April 10 was received from R.F. DeMarchi, MD; G. Parhar, MD; C.W. Thompson, MD; J. Reynolds MD; supporting a proposal to ban smoking in restaurants.

Councillor Rankin retired from the Council Chamber at 8:20 p.m.

- f) Glen L. Porter,
1996 April 05
Re: Smoking Bylaw

A letter dated 1996 April 05 was received from Glen Porter supporting a total ban on smoking in restaurants and drinking establishments.

Councillor Redman returned to the Council Chamber at 8:21 p.m. and took her place at the Council table.

Councillor Johnston retired from the Council Chamber at 8:21 p.m.

Councillors Johnston and Rankin returned to the Council Chamber at 8:24 p.m. and took their places at the Council table.

3. REPORTS

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

- a) Environment & Waste Management Committee
Re: Environment Week in Burnaby

The Environment & Waste Management Committee submitted a report providing a preliminary program for the Environment Week events and activities scheduled for 1996 June 02 to 08.

The Environment & Waste Management Committee recommended:

1. THAT Council give approval, in principle, of the preliminary program for Environment Week as outlined in Section 2.0 of the attached report.
2. THAT advertisements be placed in the community newspapers advising of the events once they have been confirmed.
3. THAT a copy of this report be forwarded to the Parks and Recreation Commission for their information.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendations of the Environment & Waste Management Committee be adopted."

Councillor Corrigan retired from the Council Chamber at 8:29 p.m.

CARRIED UNANIMOUSLY

- b) Traffic and Transportation Committee
(Transportation and Transit Division)
Re: Correspondence from Mr. F. Helden with
regard to Transit services to the George
Derby Veterans Hospital

The Traffic and Transportation Committee (Transportation and Transit Division) submitted a report responding to correspondence from Mr. Frank Helden regarding bus service to the George Derby Veterans Hospital. The Committee concluded that, relative to other bus routes in the City, the No.102 offers above average bus service to the hospital.

The Traffic and Transportation Committee (Transportation and Transit Division) recommended:

1. THAT a copy of this report be forwarded to Mr. F. Helden, 311 - 5868 Olive Avenue, Burnaby, B.C. V5H 2P4.

Councillor Drummond retired from the Council Chamber at 8:32 p.m.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

"THAT the recommendation of the Traffic and Transportation Committee (Transportation and Transit Division) be adopted."

CARRIED UNANIMOUSLY

- c) Traffic and Transportation Committee
(Transportation and Transit Division)
Re: Loughed Area Pedestrian Facilities

The Traffic and Transportation Committee (Transportation and Transit Division) submitted a report proposing pedestrian safety improvements for the Loughed Town Centre area. The improvements include sidewalks on Loughed Highway, a fenced median on Loughed Highway, a pedestrian signal at Bell Avenue/Loughed Highway, wheelchair ramps from Loughed Highway to existing pedestrian underpass west of Austin Avenue and upgraded lighting on the north approach to the pedestrian underpass.

The Traffic and Transportation Committee (Transportation and Transit Division) recommended:

1. THAT Council approve the approach to improving pedestrian facilities in the Loughed Town Centre area as outlined in this report.
2. THAT a copy of this report be forwarded to the Loughed Area Advisory Committee and the Traffic and Transportation Committee (Traffic Safety Division) for their information.
3. THAT a copy of this report be forwarded to Mr. Michael Holmes and Ms. Colleen Autton.
4. THAT a copy of this report be forwarded to Ms. Sheila Folkman, North American Land Corporation and Mr. J.P. Daem, Stratco Management Ltd.

Councillor Corrigan returned to the Council Chamber at 8:34 p.m. and took his place at the Council table.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

"THAT the recommendations of the Traffic and Transportation Committee (Transportation and Transit Division) be adopted."

Councillor Drummond returned to the Council Chamber at 8:39 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

- d) Traffic and Transportation Committee
(Transportation and Transit Division)
Re: Forest Glen Area Community
Transportation Plan: Stop Sign Program

The Traffic and Transportation Committee (Transportation and Transit Division) submitted a report outlining a comprehensive stop sign control scheme in conjunction with Community Transportation Plan for the Forest Glen area. The Committee advises that the Forest Glen Area Resident Committee supports the installation of stop signs at uncontrolled intersections in the area to improve safety.

The Traffic and Transportation Committee (Transportation and Transit Division) recommended:

1. THAT Council approve the installation of additional stop signs as shown in Figure 1 to increase safety at currently unsignalized intersections in the Forest Glen area.
2. THAT the Traffic and Transportation Committee send a letter and a copy of the stop sign control scheme to all residents of the area informing them of the installation.

Councillor Redman retired from the Council Chamber at 8:47 p.m.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendations of the Traffic and Transportation Committee (Transportation and Transit Division) be adopted."

CARRIED UNANIMOUSLY

- e) Community Heritage Commission
Re: Heritage Society of B.C. - 18th Annual Conference

The Community Heritage Commission submitted a report recommending that four members of the Commission be authorized to attend the 18th Annual Conference in Nanaimo, B.C. This year's conference entitled "*Heritage is Good Business*" is being hosted by the City of Nanaimo, the Town of Ladysmith, Nanaimo First Nations and the Nanaimo District Museum. The Community Heritage Commission felt that the knowledge gained by attending this conference will be beneficial in promoting future development and implementation of education and public awareness on all aspects of heritage management and conservation.

The Community Heritage Commission recommended:

1. THAT four (4) members of the Community Heritage Commission be appointed as delegates of Council for the purpose of attending the 18th Annual Heritage Conference in Nanaimo, B.C.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT the recommendation of the Community Heritage Commission be adopted."

Councillor Young retired from the Council Chamber at 8:50 p.m.

CARRIED UNANIMOUSLY

- f) Community Heritage Commission
Re: Eagles Estate Heritage Garden
Heritage Development Potential Report

The Community Heritage Commission submitted a report recommending the expenditure of \$5,000 to fund the cost of a study, to be conducted by Rink and McGinn Associates which assesses various potential public uses for the Eagles Estate Garden.

The Community Heritage Commission recommended:

1. THAT Council approve an expenditure of \$5,000.00 to fund the cost of a study which assesses various potential public uses for the Eagles Estate Garden.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR DRUMMOND:

"THAT the recommendation of the Community Heritage Commission be adopted."

Councillor Redman returned to the Council Chamber at 8:55 p.m. and took her place at the Council table.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR DRUMMOND:

"THAT this report be **REFERRED** back to staff."

CARRIED UNANIMOUSLY

The report was referred back to staff to respond to questions raised by Council.

- g) The City Manager presented Report No. 12, 1996 April 22 on the matters listed following as Items 01 to 22 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. 1996 Annual Operating Budget

The City Manager submitted a report recommending Council's approval of the 1996 Annual Operating Budget.

The City Manager recommended:

1. THAT the Annual Operating Budget for 1996, with a City tax levy of \$95,922,900 be received and approved, and that the Operating Budget Authorization Bylaw be brought forward for three readings on May 06; and
2. THAT the property tax rates bylaw be brought forward for three readings on May 06.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR EVANS:

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

Councillor Young returned to the Council Chamber at 9:00 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

2. 1996-2000 Capital Program

The City Manager submitted a report recommending Council's approval of the 1996 - 2000 Capital Program. The 1996 Capital Budget is \$54,963,905 and the Executive Summary section in the Budget provides the overview and highlights of the Capital Program.

The City Manager recommended:

1. THAT the 1996-2000 Capital Program be received and approved and that the capital budget bylaw be amended.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR JOHNSTON:

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

Councillor Corrigan retired from the Council Chamber at 9:07 p.m.

CARRIED UNANIMOUSLY

3. Federal Salmon Conservation Plan

The City Manager submitted a report from the Director Finance recommending that the Mayor write to the Federal Minister of Fisheries to request a review of the current plan to restructure the commercial salmon fleet in British Columbia. Staff recommend that Burnaby support the salmon fishing industry, environmental, first nations, political and coastal community representatives in expressing opposition to the Plan in light of the potential negative impact on B.C. communities, including Burnaby.

The City Manager recommended:

1. THAT the Mayor write to the Federal Minister of Fisheries to request a review of the federal government's plan to restructure the commercial salmon fishing fleet in British Columbia.
2. THAT a copy of this report be sent to the Minister of Fisheries; and
3. THAT a copy of this report be sent to the United Fishermen and Allied Workers Union, #160 - 111 Victoria Drive, Vancouver, B.C. V5L 4C4.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR LAWSON:

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

Councillors Johnston and Rankin retired from the Council Chamber at 9:10 p.m.

CARRIED UNANIMOUSLY

4. Financing of Local Improvement Lanes

The City Manager submitted a report from the Director Finance seeking approval to finance local improvement lanes from internal reserves.

The City Manager recommended:

1. THAT a bylaw be brought down to appropriate \$69,000 from the Local Improvement Reserve to finance construction of the following lanes:

Lane immediately south of the 7500 block of 12th Avenue from 12th Avenue to the east property line of 7524 - 12th Avenue. Estimated cost: \$30,500; and

Lane immediately west of Douglas Road and immediately north of Sprott Street. Estimated cost: \$38,500.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR YOUNG:

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

Councillor Johnston returned to the Council Chamber at 9:11 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

5. Information Rights Week
 April 28 - May 04, 1996

The City Manager submitted a report from the Chief Librarian requesting Council proclaim April 28 to May 04, 1996 as "*Information Rights Week*" in the City of Burnaby.

The City Manager recommended:

1. THAT Council proclaim April 28 - May 04, 1996 as Information Rights Week in Burnaby.

MOVED BY COUNCILLOR LAWSON:
SECONDED BY COUNCILLOR YOUNG:

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

Councillor Drummond retired from the Council Chamber at 9:12 p.m.

CARRIED UNANIMOUSLY

6. 1996 Election Bylaws

The City Manager submitted a report from the Chief Election Officer seeking Council's authorization to bring forward bylaws for conducting the 1996 Local Government Election.

The City Manager recommended:

1. THAT Council authorize the City Solicitor to prepare a bylaw to provide additional Advance Voting Opportunities on 1996 November 8, 13 and 14.
2. THAT Council authorize the City Solicitor to prepare a bylaw to provide Special Voting Opportunities in the form of mobile polls and to allow voters to vote outside their established voting divisions.

3. THAT Council authorize the City Clerk to execute an agreement with School District No. 41 to share in the costs of the 1996 Local Government Election as set out in this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR LAWSON:

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

CARRIED UNANIMOUSLY

Arising from the discussion, Councillor Redman was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the City Solicitor be requested to bring forward a bylaw to repeal Burnaby Election Bylaw 1993, Bylaw No. 9946."

Councillor Drummond returned to the Council Chamber at 9:19 p.m. and took his place at the Council table.

Councillor Rankin returned to the Council Chamber at 9:20 p.m. and took his place at the Council table.

CARRIED
OPPOSED: COUNCILLORS LAWSON AND YOUNG

7. Swangard Stadium Refurbishing Project

The City Manager submitted a report from the Acting Director Recreation and Cultural Services recommending the awarding of a contract to the lowest bidder, Astroturf Surface Canada Ltd., for the provision and installation of a sport surfacing system as outlined in the report for a total cost of \$517,239.07 including G.S.T.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Astroturf Surface Canada Ltd., for the provision and installation of a sport surfacing system as outlined in the attached report for a total cost of \$517,239.07, including G.S.T.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR YOUNG

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

CARRIED UNANIMOUSLY

8. Bylaw to Fund Parks & Recreation 1996 Capital Projects

The City Manager submitted a report from the Acting Director Recreation and Cultural Services requesting Council to bring down a bylaw to appropriate \$180,000 from the Capital Reserves to finance 8 Parks and Recreation 1996 Capital Projects.

The City Manager recommended:

1. THAT a bylaw be brought forward to appropriate \$180,000 from the Capital Reserves to finance 8 projects as outlined in the attached report.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

9. Lease Agreement - Inn on the Green

The City Manager submitted a report from the Acting Director Recreation and Cultural Services requesting Council's approval to lease the premises currently referred to as *Inn on the Green*. The current lease agreement with Augusta Enterprises expires on 1996 April 30th with no option for renewal. The existing lease covered a five year period and was an extension of an initial five year lease granted in 1986.

The City Manager recommended:

1. THAT approval be given to lease the premises currently referred to as Inn on the Green.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

10. Silt Discharges into Eagle Creek from the
Hastings/Gaglardi Connector Project

The City Manager submitted a report from the Chief Environmental Health Officer providing an update on silt discharges into Eagle Creek from the Hastings/Gaglardi Connector Project. Staff advised that since 1996 January 15, they have received four complaints regarding discoloured water in Eagle Creek. Staff investigations concluded that the silt discharges into Eagle Creek were recent and from the Hastings/Gaglardi Connector site. There is concern about the adequacy of the measures now in place, of ongoing maintenance and monitoring of silt control structures and more importantly the lack of pro-active planning in preventing silt discharges into Eagle Creek.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR CORRIGAN:

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

Councillor Corrigan retired from the Council Chamber at 9:36 p.m. and did not return to the meeting.

Councillor Redman retired from the Council Chamber at 9:37 p.m.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Council meeting do now recess."

CARRIED UNANIMOUSLY

The Council meeting recessed at 9:41 p.m.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this meeting do now reconvene."

CARRIED UNANIMOUSLY

The Council meeting reconvened at 9:50 p.m. with Councillor Corrigan absent.

Arising from the discussion regarding silt discharges into Eagle Creek, Councillor Lawson was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR DRUMMOND:

"THAT Council send a letter to the Minister of Transportation and Highways and the Minister of Environment, Lands and Parks protesting the destruction of Eagle Creek habitat because of inadequate siltation control in place for the construction of Burnaby Mountain Park (Hastings-Gaglardi Connector) covering the period 1994 November 15 to 1996 April 15; and further

THAT mitigative measures put into place, particularly during the past week, be monitored and maintained and proactive planning be incorporated as a silt discharge into Eagle Creek preventative measure; and further

THAT a letter be sent to the Federal Department of Fisheries and Oceans outlining Council's concern regarding discharges of deleterious substances to Eagle Creek from the Ministry of Transportation and Highways Burnaby Mountain Parkway (Hastings-Gaglardi Connector) project; and further

THAT all of the staff members concerned with problems encountered on the Burnaby Mountain Parkway be asked to hold a meeting to discuss a proactive plan to prevent further silt discharges into Eagle Creek."

CARRIED UNANIMOUSLY

11. 100% Indoor Air Smoking Bylaw

This item was dealt with previously in the meeting in conjunction with Delegation Item 1 (a).

12. Work Order:
60-09-073 Penzance Drive Road Improvements

The City Manager submitted a report from the Director Engineering seeking approval of work order no. 60-09-073 for Penzance Road Improvements.

The City Manager recommended:

1. THAT the above work order as more specifically referred to in this report, be approved.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Councillor Drummond retired from the Council Chamber at 9:55 p.m.

13. Edmonds Town Centre
Resident/B.C. Hydro/Skytrain Parking

The City Manager submitted a report from the Director Planning and Building responding to Council's request for an update on parking in the area surrounding the Edmonds Skytrain Station. The Edmonds Town Centre Plan acknowledges neighbourhood parking concerns related to skytrain users and B.C. Hydro employees and recommends that they be addressed to ensure that adequate parking is available for residents, businesses and visitors. The Plan specifically recommends that the City undertake a review of resident permit parking for the area around the skytrain station and enter into discussions with B.C. Hydro on possible approaches to encourage their employees to use company parking spaces.

Resident permit parking in general is inconsistent with Council policy. A two hour parking restriction on approved residential streets in the Edmonds Town Centre is suggested as a means to secure parking for area residents. City staff have discussed the parking situation with B.C. Hydro and are waiting for an update on initiatives that are intended to encourage its employees to use transit and company parking.

The City Manager recommended:

1. THAT a copy of this report be forwarded to the Edmonds Area Advisory Committee.
2. THAT a copy of this report be sent to Betty Noble, Tenant Services Manager, B.C. Hydro, 6911 Southpoint Drive, Podium C.03, B.C. V3N 4X8.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

14. Proposed New Industrial Building at
5270 Imperial Street
Royal Oak Development Plan

The City Manager submitted a report from the Director Planning and Building advising Council of a request to redevelop a property at 5270 Imperial Street in accordance with the existing zoning but in conflict with the adopted Royal Oak Development Plan. Unless otherwise directed by Council, the Planning and Building Department will process a preliminary plan approval application for the redevelopment of 5270 Imperial Street in line with the existing M4 District.

The City Manager recommended:

1. THAT a copy of this report be sent to Mr. Bert De Ruiter, Seasons Realty Ltd., #118 - 5021 Kingsway, Burnaby, B.C. V5H 4A5.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR YOUNG:

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

Councillor Drummond returned to the Council Chamber at 10:01 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

15. Request for Demolition of Vacant Buildings on
Eleventh Avenue prior to Third Reading of the
Rezoning Bylaw - Rezoning Reference No. 48/95

The City Manager submitted a report from the Director Planning and Building seeking Council's authority to permit the demolition of buildings on the northwest side of the 8200 block Eleventh Avenue.

The City Manager recommended:

1. THAT Council approve the alteration of the prerequisite to Rezoning Reference No. 48/95 to allow permits for the demolition of the existing buildings to be issued prior to Third Reading of the rezoning bylaw.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

16. Request to Amend a Covenant
Restricting the Development of the Site
7437 Burris Street - Amended Covenant No. 1/96

The City Manager submitted a report from the Director Planning and Building seeking Council's authority to hold a public meeting to consider a request to amend a covenant restricting the development of the site at 7437 Burris Street.

The City Manager recommended:

1. THAT the requested amendment of the covenant be considered at a Public Meeting to be held prior to the regular Council meeting on 1996 May 13 at 6:30 p.m. in the Council Chamber.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR YOUNG:

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

FOR: MAYOR COPELAND, COUNCILLORS
LAWSON, RANKIN AND REDMAN
OPPOSED: COUNCILLORS DRUMMOND, EVANS,
JOHNSTON AND YOUNG

The votes being recorded as equal both for and against the question, the motion was declared **NEGATIVED** and **LOST**.

17. Rezoning Reference No. 55/95
Response to Public Hearing Issues

The City Manager submitted a report from the Director Planning and Building responding to issues raised at the 1996 February 20 Public Hearing pertaining to Rezoning Reference No. 55/95, 7355 Union Street, 695 and 825 Burnaby Mountain Parkway, 932, 948 and 962 Burnwood Avenue and 981 Melba Avenue.

The City Manager recommended:

1. THAT Council authorize the revision of the survey plans and engineering design drawings for the City subdivision to reflect the exclusion of Lots 34 and 35 from the residential subdivision, and their introduction into the buffer/park area.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

18. Townhouse Development
7230 to 7254 - 18th Avenue
Rezoning Reference No. 42/95

The City Manager submitted a report from the Director Planning and Building providing information in response to concerns raised at the 1996 January 23 Public Hearing pertaining to Rezoning Reference No. 42/95, 7230 to 7254 - 18th Avenue.

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."

CARRIED UNANIMOUSLY

19. Rezoning Reference No. 21/95
Subdivision Reference No. 44/95

The City Manager submitted a report from the Director Planning and Building advising of the recommended values of a portion of City property at 4544 Grange Street to be sold and of the remainder of 4544 Grange Street to be leased. The approval of Council of the land sale and lease values mentioned in the report will permit the advancement of the Rezoning Application No. 21/95.

The City Manager recommended:

1. THAT Council approve the land value of a portion of City-owned property at 4544 Grange Street as outlined in Section 2.0 of this report.
2. THAT Council approve the lease value of the remainder of 4544 Grange Street as outlined in Section 3.0 of this report.
3. THAT Council authorize the posting for sale of a portion of 4544 Grange Street as outlined in Section 2.0 of this report.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

20. Rezoning Reference No. 2/96
(Previous R.Z. #17/92)
High Rise Apartment Tower and One-Storey Commercial Building

The City Manager submitted a report from the Director Planning and Building seeking Council's authority to forward Rezoning Reference No.2/96, 6837 Station Hill Drive to a Public Hearing on 1996 May 21.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1996 May 06, and to a Public Hearing on 1996 May 21 at 7:30 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 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 easements and covenants.
 - e) The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space within the underground parking and a commitment to implement the recycling provisions.
 - f) The deposit of the applicable per unit Parkland Acquisition Charge.

- g) The deposit of the applicable per unit Edmonds Town Centre South Grade-Separated Crossings charge.
- h) The design and provision of units adaptable to the disabled (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person).
- i) The granting of a 215 Covenant restricting enclosure of balconies.
- j) The granting of a 215 Covenant indicating that the residential driveway access to the visitor parking spaces will not be restricted by gates.
- k) The granting of a 215 covenant regarding the guest room.
- l) The granting of a 215 covenant to guarantee construction of the commercial building at the same time as the apartment tower.
- m) Compliance with the Council-adopted criteria.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

21. Rezoning Reference No. 3/96
Proposed Low-rise Apartment Building

The City Manager submitted a report from the Director Planning and Building seeking Council's authorization to forward Rezoning Reference No. 3/96, 5623, 5637, 5661 and 5687 Smith Avenue to a Public Hearing on 1996 May 21.

The City Manager recommended:

- 1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1996 May 06 and to a Public Hearing on 1996 May 21 at 7:30 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 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 satisfaction of all necessary subdivision requirements.
- f) The consolidation of the net project site into one legal parcel.
- g) The granting of all necessary easements.
- h) The dedication of any rights-of-way deemed requisite.
- i) The undergrounding of existing overhead wiring abutting the site.
- j) Submission of a tree survey, retention of as many existing mature trees as possible on site, submission of a written undertaking to ensure that all site areas identified for preservation of existing vegetation are effectively protected by chain link fencing or other approved physical containment during the whole course of site preparation and construction work, and granting of a 215 Covenant and deposit of sufficient monies to ensure the protection of identified existing vegetation to be presented.
- k) Compliance with the Council adopted sound criteria.
- l) The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space within the underground parking and a commitment to implement the recycling provisions.
- m) The deposit of the applicable per unit Parkland Acquisition Charge.
- n) The granting of a 215 Covenant restricting enclosure of balconies.

- o) The granting of a 215 Covenant to protect the landscaped buffer zone/the natural treed area/the significant existing trees being preserved on the site and the deposit of sufficient monies to ensure the protection of the existing trees being preserved.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

22. Rezoning Reference No. 12/96

The City Manager submitted a report from the Director Planning and Building seeking Council's authorization to forward Rezoning Reference No. 12/96, 3915 and 3935 Henning Drive to a Public Hearing on 1996 May 21.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1996 May 06, and to a Public Hearing on 1996 May 21 at 7:30 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 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 easements.
 - e) The completion of the subdivision consolidating the two existing sites into one legal parcel.

- f) The approval of the ministry of Transportation and Highways to the rezoning application.
- g) The submission of a suitable engineered plan for an approved on-site sediment control program.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

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 EVANS:

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

CARRIED UNANIMOUSLY

4. TABLED MATTERS

- a) Cooperative Development of Interpretive Lookout, Burnaby Fraser Foreshore Park (Item 2, Manager's Report No. 11, Council Meeting 1996 April 15) _____

The following item was tabled at the regular Council meeting held on 1996 April 15:

2. Cooperative Development of Public Interpretive Lookout, Burnaby Fraser Foreshore Park

The City Manager submitted a report from the Director Planning and Building requesting Council's participation in a joint public/private partnership regarding the proposed construction of an Interpretive Lookout on the North Arm of the Fraser River. Staff are of the opinion that the proposals outlined in the report for a public interpretive lookout present a

unique opportunity for each of the agencies involved to obtain maximum benefit from their proportionate contributions. The provision of interpretive displays for the environmental works undertaken in the Big Bend area together with the construction of the public outlook would be of lasting benefit for the public, consistent with the plans for the area and the proposed designation of the Fraser River as a National Heritage River under the Canadian Heritage River System.

The City Manager recommended:

1. *THAT* Council authorize a contribution not to exceed \$25,000 towards the joint funding for the construction of an Interpretive Lookout on the North Arm of the Fraser River as outlined in this report.
2. *THAT* a copy of this report be forwarded to the Environment and Waste Management Committee and the Parks and Recreation Commission for their information.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR JOHNSTON:

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

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR EVANS:

"*THAT* the recommendations of the City Manager be now **TABLED**."

CARRIED UNANIMOUSLY

This matter was tabled to the 1996 April 22 Council meeting to allow Council members a further opportunity to review the report.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR YOUNG:

"*THAT* the motion as moved by Councillor Drummond and seconded by Councillor Johnston being, '*THAT* the recommendations of the City Manager be adopted' be now **LIFTED** from the table."

CARRIED UNANIMOUSLY

The motion was now before the meeting.

A vote was then taken on the motion as moved by Councillor Drummond and seconded by

Councillor Johnston being, 'THAT the recommendations of the City Manager be adopted' and same was **CARRIED UNANIMOUSLY**.

5. BYLAWS

FIRST, SECOND AND THIRD READING

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR LAWSON:

"THAT

Burnaby Capital Works, Machinery and Equipment
Reserve Fund Expenditure Bylaw No. 8, 1996

#10370

be now introduced and read three times."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#10327 7230/36/42/48/54 - 18th Avenue

RZ #42/95

#10329 Portion of 8700 Glenlyon Parkway

RZ #45/95

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 3, 1996

#10327

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 5, 1996

#10329

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#10252 1330 Delta Avenue

RZ #6/95

#10269 6622 Southoaks Crescent

RZ #27/95

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR RANKIN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #10252
Bylaw No. 36, 1995

Burnaby Zoning Bylaw 1965, Amendment #10269
Bylaw No. 40, 1995

Heritage Designation Bylaw No. 1, 1996 #10350

Burnaby Capital Works, Machinery and Equipment #10368
Reserve Fund Expenditure Bylaw No. 6, 1996

Burnaby Capital Works, Machinery and Equipment #10369
Reserve Fund Expenditure Bylaw No. 7, 1996

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

CARRIED

OPPOSED:

MAYOR COPELAND TO BYLAW
NO. 10269 AND COUNCILLORS
LAWSON AND DRUMMOND
TO BYLAW NO. 10252

6. NEW BUSINESS

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

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR RANKIN:

"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 10:25 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK