

1996 JULY 08

A regular meeting of the City Council was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1996 July 08 at 7:00 p.m..

PRESENT: His Worship Mayor W.J. Copeland, In the Chair
Councillor D.R. Corrigan (*arrived at 7:20 p.m.*)
Councillor D.P. Drummond
Councillor D.G. Evans
Councillor D.N. Johnston
Councillor D.A. Lawson
Councillor L.A. Rankin (*arrived 7:09 p.m.*)
Councillor C.M.H. Redman
Councillor J. Young

STAFF: Mr. R.H. Moncur, City Manager
Mr. G. Harvie, Deputy City Manager (Corp. Labour Relations)
Mr. W.C. Sinclair, Director Engineering
Mr. R. Earle, Director Finance
Mr. J.S. Belhouse, Deputy Director Planning & Building
Mrs. D.R. Comis, City Clerk

His Worship, Mayor W.J. Copeland advised that his office will be sending Council's condolences to the family of a City employee who had passed away. Christine Courteney, who has worked with the City since February of 1995 as a Rehab Therapist with Burnaby's Health Department was fatally attacked by a grizzly bear in the Yukon this past weekend.

1. MINUTES

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR YOUNG:

"THAT the minutes of the regular Council Meeting held on 1996 June 24 be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the Public Hearing (Zoning) held 1996 June 25 be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

"THAT the minutes of the Public Hearing (Community Plan Amendment and Zoning - SFU) held on 1996 June 26 be adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- a) Tom Kucan, 1996 May 30,
Re: Noise from trains along Winston
Street at Brighton
Speaker: Tom Kucan
- b) Canadian Alarm and Security Association
- B.C. Chapter, 1996 June 18
Re: Bylaw No. 10259 - Burnaby False Alarm Bylaw
Speaker: Peter Wilson, B.C. False Alarm Reduction Chairman
- c) Burnaby Beautification Committee,
1996 June 28
Re: Communities In Bloom Competition
Speaker: Yvonne Coveney-Boyd

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- a) **Mr. Tom Kucan and Mr. Gary Lee** appeared before Council to complain about noise from trains along Winston Street. Mr. Kucan advised that his property and Mr. Lee's property both back onto Winston Street and are being constantly bombarded by noise.

Councillor Rankin arrived at the Council meeting at 7:09 p.m. and took his place at the Council table.

Mr. Kucan advised that the train route is the main line into Vancouver and the North Shore and carries both freight and passenger traffic which amounts to between 30 to 50 trains per day. Each freight train carries upwards of 100 cars pulled by three locomotives which creates unbearable noise.

Mr. Kucan requested that the City erect a sound barrier to protect residents along Winston Street from the constant train noise. The speaker submitted a video tape and a petition containing 32 signatures of area residents, the contents of which read as follows:

"We, the undersigned who reside adjacent to the 8200 block Winston Street, request that the City of Burnaby resolve the noise problem caused by the trains. We feel that a barrier must be erected along the CN/Burlington tracks.

We have endured the noise for many years and the problems seem to be getting worse. The trains are passing by more frequently during all times of the day and night."

Arising from the delegations' presentation, Councillor Evans was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR DRUMMOND:

"THAT the concerns expressed by the delegation be **REFERRED** to staff for a report."

CARRIED UNANIMOUSLY

- b) **Mr. Peter Wilson**, ADT Security, representing the Canadian Alarm & Security Association - B.C. Chapter, 523 - 409 Granville Street, Vancouver, B.C. appeared before Council to address concerns related to the Burnaby False Alarm Bylaw, Bylaw no. 10259.

Mr. Wilson and representatives of the Association have met with the Director Finance and understand that some changes have been made to the bylaw. However, it is the contention of the Canadian Alarm & Security Association that false alarm charges should apply to the occupier of a site, not the landlord.

The Canadian Alarm & Security Association is requesting Council strike a Committee with representatives of the City and the Association to discuss amendments which would make the City's bylaw more effective.

Councillor Corrigan arrived at the Council meeting at 7:20 p.m. and took his place at the Council table.

The speaker stated that the alarm industry wants legislation which would allow a more effective use of police resources for matters other than responding to false alarms.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT Item No. 1, City Manager's Report No. 19, 1996 July 08 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

1. False Alarm Bylaw

The City Manager submitted a report from the Director Finance responding to correspondence received regarding the implementation of Burnaby's False Alarm Bylaw. Staff advised that the majority of concerns expressed to date have been from multi-tenant properties that consider the false alarm count based on total false alarms from all tenants on the property, rather than counting false alarms by individual tenants (individual alarm systems) as being potentially punitive to alarm systems that are working correctly. The intended change will allow each alarm system on a property three non-charged false alarms and will, therefore, provide the property owner with a warning and the time to ensure individual tenants correct their alarm system problems before incurring financial penalties. This change will also more directly target problem alarm systems. The distribution of the cost of the false alarm fees will remain at the discretion of the property owner as is the distribution of other fees such as property taxes, common electrical distribution systems and other shared operating costs.

The City Manager recommended:

1. THAT this report is received for information; and.
2. THAT copies of this report are sent to Woodland Investments Ltd., BCP Developments, The Beedie Group and the Canadian Alarm & Security Association.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

- c) **Ms. Yvonne Coveney-Boyd**, 9061 Horne Street, Burnaby appeared before Council representing the Burnaby Beautification Committee and as the Chair of the '*Communities in Bloom*' Committee. Ms. Coveney-Boyd provided Council with an update on the '*Communities in Bloom*' Competition for which final judging will take place on 1996 August 01 and 02. The '*Communities in Bloom*' Committee has held a variety of events to promote the competition and the City will be judged in five categories; tidiness, urban forestry, floral arrangements, landscaping and parks. On day one the judges will be taken on a tour of South Burnaby and on day two a tour of North Burnaby.

The speaker further advised that the Committee has secured sponsorship from the Community including a school contest, brochure production and support from Chevron Canada, Rogers Cablevision, B.C. Transit and the Holiday Inn. Should Burnaby be successful, Mrs. Coveney-Boyd advised that it will then be entered into competition with Oshawa, Ontario and Saskatoon.

In concluding her comments, the speaker noted that a scrapbook on Burnaby is being prepared for the competition and any available photographs depicting 'Before' and 'After' shots would be greatly appreciated.

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. 19, 1996 July 08 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) Douglas Porter, 1996 June 03,
Re: Unsatisfactory conditions of landscaping
at 3770 Thurston Street - RZ 46/92

A letter was received from Doug Porter advising that landscaping has not been completed in accordance with the redevelopment at 3770 Thurston Street and requesting Council take action to resolve this issue.

The Director Planning and Building is preparing a report in response to Mr. Porter's concerns. The staff report will be presented to Council at the regular meeting on July 22.

Councillors Corrigan, Drummond and Rankin retired from the Council Chamber at 7:46 p.m.

- b) Douglas Porter to Burnaby Parks and Recreation
Department, 1996 June 19,
Re: Noise level from the Labatt 24-Hour Relay

A letter was received from Doug Porter advising that the noise level from the Labatt 24 Hour Relay was significantly reduced this year.

- c) Peter Grabowski, 1996 June 20,
Re: Burnaby Mountain Golf Course

A letter was received from Peter Grabowski, addressed to the Parks and Recreation Department, responding to the staff report on the condition of Burnaby Mountain Golf Course. The writer is pleased to note that staff will work with interested parties to improve the conditions at Burnaby Mountain.

- d) General President, Burnaby Civic Employees'
Union Local 23, CUPE, 1996 June 18,
Re: 1996 Joint participation in Loaned
Representative Programme of the United Way

A letter was received from Burnaby Civic Employees Union Local 23 C.U.P.E. requesting Council approve participation in the 1996 Loaned Representative Programme of the United Way.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT this item of correspondence be **REFERRED** to staff for report."

CARRIED UNANIMOUSLY

- e) Assistant Deputy Minister, Ministry of Environment
Lands and Parks, Province of B.C., 1996 June 14,
Re: Monitoring the Hastings/Gaglardi Connector
Project in Burnaby

A letter was received from the Ministry of Environment, Lands and Parks advising that the Department of Fisheries and Oceans is monitoring the impact of construction of the Hastings/Gaglardi Connector on Eagle Creek.

- f) Project Director, Barnet/Hastings People
Moving Project, Reid Crowther to Burnaby
Now Newspaper, 1996 June 20,
Re: Hastings Merchants

A letter was received from Tom Tasaka, Project Director, Barnet/Hastings People Moving Project, addressed to the Editor, Burnaby Now Newspaper responding to concerns raised about the construction of the H.O.V. Lane along Hastings Street. Mr. Tasaka advises that the H.O.V. lanes will only be open between 6:00 a.m. to 8:30 a.m. and 3:30 p.m. to 6:00 p.m. and only in a single direction.

- g) President, The Beedie Group,
1996 June 27,
Re: False Alarm Bylaw

A letter was received from the Beedie Group clarifying comments made with respect to Burnaby's False Alarm Bylaw. Mr. Beedie advises that he supports billing for false alarms, but objects to the current manner of billing.

- h) Corporate Secretary, H.Y. Louie,
1996 June 25,
Re: False Alarm Bylaw 10259

A letter was received from H.Y. Louie Co. Ltd. expressing concerns about the manner in which false alarm service fees are imposed. The writer feels there should be a distinction between residential false alarms and industrial site false alarms.

- i) Judith E. Seedhouse, 1996 June 28,
Re: Pleased about initiative taken to
provide protection for dogs in Burnaby

A letter was received from Judith E. Seedhouse expressing her support for the proposed amendment to the Animal Control Bylaw which improves protective measures for the treatment of dogs.

- j) President, Animal Advocates Society
of B.C., 1996 July 01,
Re: Requests Burnaby to make proposed
Animal Control Bylaw consistent with
bylaws in other communities

A letter was received from Animal Advocates expressing concern that the proposed amendment to the Animal Control Bylaw to protect dogs is not strong enough to provide adequate protection.

Item 2, City Manager's Report No. 19, 1996 July 08 was brought forward for consideration at this time.

2. Animal Control Amendment Bylaw No. 10387

The City Manager submitted a report from the Director Finance responding to Council's request for information on the amendment requiring dog owners to provide exercise opportunities for their dogs. The amendment proposed was limited to dogs kept in kennels, pens and dog runs. As a result of staff's review, it is recommended that the Animal Control Amendment Bylaw No. 10387 be amended by striking out Subsection 15a(2) and substituting the following:

- (2) Every person who keeps a dog in a kennel, pen or run area shall ensure that the kennel, pen or run area is cleaned regularly and that excreta does not accumulate.
- (2a) Every person who keeps a dog shall ensure that the dog is provided with the opportunity for exercise sufficient to maintain good health; and, without limiting the generality of the foregoing, every person who keeps a dog tethered or in a kennel, pen, run area or similar confining place, whether within or outside a building, shall ensure that the dog is periodically exercised away from the place of tethering or confinement.

The City Manager recommended:

1. THAT Animal Control Amendment Bylaw 1996 No. 10387 be amended as outlined in this report.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

- k) M. & R. Magus, 1996 July 03,
Re: Rezoning proposal of Southwood area

A letter was received from M. & R. Magus advising of their concerns regarding a proposal to rezone the southwood area to R-10.

A staff note advises that the Southwood Street Neighbourhood is currently being surveyed to determine the level of support for an area rezoning to the R-10 District based on proposed changes to the method of measuring building height in the R-10 District. Property owners and residents have been requested to return the questionnaire on the proposed rezoning by 1996 July 05. Council will be informed of the survey results once they have been determined.

- l) L. Morden, Block Watch Captain & Petitioners,
1996 June 26
Re: Lot at corner of Russell and Nolan Avenue
and request for bylaw requiring absentee
owner to maintain vacant overgrown
lots in residential areas

A letter was received from Lana Morden, Block Watch Captain expressing concern about the maintenance of a lot at the corner of Russell and Nolan Avenues. The writer is requesting Burnaby adopt a bylaw to require absentee owners to maintain vacant overgrown lots in residential areas.

A staff note advises that a petition containing 65 signatures was received in support of this proposal and was provided to Council and staff under separate cover.

The Chief Environmental Health Officer is preparing a report in response to the concerns regarding maintenance of vacant lots. The report will be submitted to Council at the regular meeting on July 22.

Councillors Rankin and Drummond returned to the Council Chamber at 7:55 p.m. and took their places at the Council table.

- m) City Clerk, City of Port Moody, 1996 June 26,
Re: Federation of Canadian Municipalities
(FCM) - The 20% Solution

A letter was received from the City of Port Moody requesting Council support the F.C.M. proposal on the 20% Club.

The Chief Environmental Health Officer is preparing a report in response to this proposal. The report will be submitted to Council at the regular meeting on July 22.

His Worship, Mayor W.J. Copeland invited members of Council to address individual items of correspondence at this time.

Councillor Johnston was given leave by Council to introduce the following motion with respect to Correspondence Item 3 (b) from Douglas Porter:

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT this item of correspondence be **REFERRED** to the Parks and Recreation Commission for information."

CARRIED UNANIMOUSLY

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

Councillor Johnston was given leave by Council to introduce the following motion with respect to Correspondence Item 3 (m) from the City of Port Moody:

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR YOUNG:

"THAT this item of correspondence be **REFERRED** to the Environment and Waste Management Committee."

CARRIED UNANIMOUSLY

Councillor Lawson was given leave by Council to introduce the following motion with respect to Correspondence Item 3 (e) from the Ministry of Environment Lands and Parks, Province of B.C.:

MOVED BY COUNCILLOR LAWSON:
SECONDED BY COUNCILLOR EVANS:

"THAT this item of correspondence be **REFERRED** to the Environment and Waste Management Committee."

CARRIED UNANIMOUSLY

4. REPORTS

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR DRUMMOND:

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

CARRIED UNANIMOUSLY

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

- a) Executive Committee of Council
Re: Lease Grant Application
St. Leonard's Youth and Family Services Society

The Executive Committee of Council submitted a report presenting the lease grant application received from the St. Leonard's Youth and Family Services Society for recent allocated space at the Edmonds Community Resource Centre.

The Executive Committee of Council recommended:

1. THAT Council approve a grant lease in the amount of \$935.00 for the St. Leonard's Youth and Family Services Society to offset the 1996 lease rate for recently allocated space at the Edmonds Community Resource Centre.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

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

- b) Executive Committee of Council
Re: Wheelchair Accessible Taxi Licences

The Executive Committee of Council submitted a report responding to Council's request that information on wheelchair accessible taxi cab services be forwarded to the Executive Committee of Council. The Committee advised that the low incidence of service complaints with respect to wheelchair accessible taxi cabs is a good indication of adequate levels of service. Bonny's Taxi also indicates that in a two week period, accessible service demands were well below accessible service supply. This information indicates that Burnaby has appropriate wheelchair accessible taxi cab licences at this time and the Committee will continue to monitor the situation and report to Council should the situation change.

The Executive Committee of Council recommended:

1. THAT Council receive the attached report for information.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

- c) Housing Committee
Re: Development of a Framework to
Implement Bonus Zoning in Town Centre Areas

The Housing Committee submitted a report outlining a framework for the establishment of a density bonus scheme in Burnaby's four town centres that will lead to the provision of extra development density in return for the contribution of amenities and/or affordable housing.

The Housing Committee recommended:

1. THAT Council authorize staff to consult with the Urban Development Institute Municipal Liaison Committee on the establishment of Phase 1 of density bonus scheme in Burnaby's four town centres as outlined in Section 7.2 in this report, and that the results be reported back to the Housing Committee.
2. THAT Council authorize staff to begin consultations on Phase II of the bonus zoning scheme as outlined in Section 7.3 of this report, and report its findings to the Housing Committee.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

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

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

- d) Housing Committee
Re: Royal Oak Community Plan Review

The Housing Committee submitted a report outlining a consultation process for development of a community plan for the Royal Oak area. The report details a consultation process which would include a community forum, the establishment of an advisory committee, the mandate and terms of reference of the committee.

The Housing Committee recommended:

1. THAT Council consider the initiation of a community consultation process for the Royal Oak Area, as outlined in this report.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

- e) Family Court & Youth Justice Committee
Re: Burnaby Youth Services Program

The Family Court & Youth Justice Committee submitted a report advising of a discussion regarding the need for additional funding for the Burnaby Youth Services Program, a juvenile crime prevention program affiliated with the RCMP. The Committee strongly supports this program of providing early intervention services to Burnaby Youths as an effective means of crime prevention.

The Family Court & Youth Justice Committee recommended:

1. THAT Council authorize the Family Court and Youth Justice Committee to send

a letter to the Attorney General of B.C. requesting that the ministry give consideration to funding the Burnaby Youth Services program and using the program as a model for other communities in B.C.

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR EVANS:

"THAT the recommendation of the Family Court & Youth Justice Committee be adopted."

CARRIED UNANIMOUSLY

f) Executive Committee of Council
Re: Grant Applications

The Executive Committee of Council submitted a report with the following recommendations for Council's approval:

#31/96 North West Opera

RECOMMENDATION:

1. THAT a one-time only grant in the amount of \$1,000 be awarded to the North West Opera to assist with the creation and production costs of the opera Hansel & Gretel.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

#32/96 Project by Burnaby South Secondary

RECOMMENDATION:

1. THAT a grant in the amount of \$500 be awarded to Burnaby South Secondary School to assist with the production of the Project "Burnaby, Past, Present & Future".

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR LAWSON:
SECONDED BY COUNCILLOR JOHNSTON:

"That a copy of the information on the 'Burnaby Past, Present and Future' project be sent to the Community Heritage Commission."

CARRIED UNANIMOUSLY

#45/96 *Clef Society of Burnaby*

RECOMMENDATION:

1. THAT a grant in the amount of \$500 be awarded to the Clef Society of Burnaby for the year 1996.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

#46/96 *Big Sisters of B.C. Lower Mainland*

RECOMMENDATION:

1. THAT a grant in the amount of \$3,500 be awarded to the Big Sisters of B.C. Lower Mainland for the year 1996.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

f)-1 Civic Development Committee
Re: City Hall Refurbishment Project - Stage Two

The Civic Development Committee submitted a report requesting funding approval for second stage of construction for the City Hall Refurbishment Project. The Committee advised that the second stage of the project includes asbestos removal and renovations to the City Hall north block.

The Civic Development Committee recommended:

1. THAT Council bring down a Capital Reserves Expenditure Bylaw in the amount of \$2.6 million (inclusive of GST @ 7% to fund the second stage of construction for the City Hall asbestos removal and rehabilitation project.

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendation of the Civic Development Committee be adopted."

CARRIED UNANIMOUSLY

- g) The City Manager presented Report No. 19, 1996 July 08 on the matters listed following as Items 01 to 13 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. False Alarm Bylaw

This item was dealt with previously in the meeting in conjunction with Item 2 (b), Delegations.

2. Animal Control Amendment Bylaw No. 10387

This item was dealt with previously in the meeting in conjunction with Item 3 (j), Correspondence and Reports.

3. Contract No. 9614 - Central Valley Sewer
Rehabilitation - Phase III

The City Manager submitted a report from the Director Finance seeking approval to award a contract for Phase III of the Central Valley Sewer Rehabilitation Program.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, C.A.P. Ventures Ltd., for the construction of phase three of the Central Valley Sewer Rehabilitation program, for a total cost of \$629,160.00 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR DRUMMOND:

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

CARRIED UNANIMOUSLY

Councillor Rankin retired from the Council Chamber at 8:43 p.m.

4. Proposed Heritage Designation of the "J.D. Shearer House" under the terms of the Municipal Act

The City Manager submitted a report from the Director Planning and Building requesting that Council designate the "J.D. Shearer House" at 5573 Buckingham Avenue as a heritage building.

The City Manager recommended:

1. THAT Council initiate the process to designate the J.D. Shearer House at 5573 Buckingham Avenue as a heritage building.
2. THAT a heritage designation bylaw be prepared and advanced to First Reading on 1996 July 08 and to a Public Hearing on 1996 July 23.
3. THAT the owners, Holyoake Investment Inc., be sent a copy of this report.
4. THAT the Community Heritage Commission be sent a copy of this report.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. Construction of Urban Trail Overpass at Invergarry

The City Manager submitted a report from the Director Planning and Building outlining the background and proposed construction program for the pedestrian/cycling overpass at Invergarry across Hastings and to seek the necessary funding authority to proceed with construction.

The City Manager recommended:

1. THAT a Capital Reserves Equipment and Machinery Reserve Expenditure Bylaw in the amount of \$311,000 be brought down for construction of the Invergarry Urban Trail Overpass of Hastings Street.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

6. Rezoning Reference No. 24/96 - 4320 Dominion Street
Proposed Charitable Casino

The City Manager submitted a report from the Director Planning and Building responding to concerns raised by Council in consideration of Rezoning Reference No. 24/96 - 4320 Dominion Street for a proposed charitable casino. Staff suggested it is appropriate for Council to continue to process each of the two rezoning applications (Rezoning No. 14/96 and Rezoning No. 24/96) on their own merits in the usual manner. Council's further consideration of these applications is not considered to have a negative impact on either charitable casino proposal and thus can be further evaluated and processed by Council pursuant to their authority under the Municipal Act.

The City Manager recommended:

1. THAT this report be received for information.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

7. Rezoning Reference No. 54/95
Medium Density Multi-Family Housing Project

The City Manager submitted a report from the Director Planning and Building seeking Council's authority to forward Rezoning Reference No. 54/95, 6677 Southoaks Crescent to a Public Hearing on 1996 August 27.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1996 August 12, and to a Public Hearing on 1996 August 27 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 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.
- e) The deposit of the applicable per unit Neighbourhood Parkland Acquisition Charge.
- f) The granting of a 215 Covenant restricting enclosure of balconies.
- g) The granting of any necessary easements and covenants.
- h) The dedication of any rights-of-way deemed requisite.
- i) Compliance with the Council adopted sound criteria.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

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

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

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT representatives of Council, Burnaby MLA's, the Provincial Minister responsible for B.C. Hydro and the City Manager meet with representatives of B.C. Hydro to try to reach agreement that the B.C. Hydro substation in the subject area be enclosed or moved.

CARRIED UNANIMOUSLY

Councillor Young retired from the Council Chamber at 8:52 p.m.

8. Waste and Tree Disposal
Letter on 1996 June 17 Council Agenda

The City Manager submitted a report from the Director Planning and Building responding to correspondence from Patricia Brandlmayr who expressed concern about the volume and type of material that requires disposal at a landfill as a consequence of land development and construction. Staff stressed that Burnaby is committed to a comprehensive program of recycling, ranging from curbside collection to requiring newly constructed multiple-family buildings to provide areas and written commitments to undertake recycling. It is a fact that the volume of material removed from a site undergoing redevelopment can be substantial, and this does place a burden on landfill sites. However, by certain means, reusable wood waste, metals, glass, etc. from such a waste stream can be recovered, and there are private business operations in Burnaby that exist to facilitate this recovery and hence reduce the contribution to landfills.

The City Manager recommended:

1. THAT a copy of this report be forwarded to Patricia Brandlmayr, 4150 Irmin Street, Burnaby, B.C., V5J 1X5.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR LAWSON:

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

CARRIED UNANIMOUSLY

Councillor Redman retired from the Council Chamber at 8:57 p.m.

Councillor Rankin returned to the Council Chamber at 8:57 p.m. and took his place at the Council table.

Councillor Young returned to the Council Chamber at 9:03 p.m. and took his place at the Council table.

Councillor Redman returned to the Council Chamber at 9:06 p.m. and took her place at the Council table.

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR LAWSON:

"THAT this Council meeting do now recess."

CARRIED UNANIMOUSLY

The Council meeting recessed at 9:07 p.m.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the Council meeting do now reconvene."

CARRIED UNANIMOUSLY

The Council meeting reconvened at 9:17 p.m. with Councillors Corrigan, Drummond, Lawson and Redman absent.

9. Correspondence from
Owners of 5479 Chaffey Avenue

The City Manager submitted a report from the Director Planning and Building responding to correspondence from Mr. and Mrs. George and Irma Thom regarding the possibility of changing regulations to build a large semi-detached dwelling at 5479 Chaffey Avenue.

The City Manager recommended:

1. THAT a copy of this report be sent to:

Mr. and Mrs. George and Irma Thom
5479 Chaffey Avenue
Burnaby, B.C. V5H 2S1

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR RANKIN:

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

CARRIED UNANIMOUSLY

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

10. Rezoning Reference No. 48/94
Request for Developer to Demolish Vacant Warehouse
Warehouse Related to Construction of Adjacent
Baseball Facility on Ron McLean Park

The City Manager submitted a report from the Director Planning and Building advising of the proposed issuance of a demolition permit for the vacant warehouse at 6670 Rumble Street.

The City Manager recommended:

1. THAT prerequisite 'd' (Item 14, Manager's Report No. 15, 1996 May 27) of Rezoning Reference #48/94 pertaining to the removal of the improvements to the site within six months of the rezoning being completed but not prior to Third Reading, be modified to permit the immediate demolition of the warehouse on the site, contingent upon the granting by Council of Second Reading of the subject rezoning bylaw.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Councillor Redman returned to the Council Chamber at 9:21 p.m. and took her place at the Council table.

11. Building Permit Tabulation Report No. 06
From 1996 May 20 to 1996 June 16

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 1996 May 20 to 1996 June 16.

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

12. 1996/1997 Burnaby Recreation Facility Fees Bylaws

The City Manager submitted a report from the Director Recreation and Cultural Services recommending the establishment of the 1996/1997 Burnaby Recreation Facilities Fees to enable staff to predict revenue for the upcoming 1997 Provisional Budget.

The City Manager recommended:

1. THAT the Burnaby Recreation Facility Fees Bylaws as detailed on Attachment #3 be brought forward.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

Councillor Lawson returned to the Council Chamber at 9:24 p.m. and took her place at the Council table.

13. Work Orders:
#60-30-091, Central Valley Sewer Rehabilitation - (Phase III)
#60-14-179, Infrastructure Management System (Traffic)
#60-14-172, Wheelchair Ramps - Various Locations

The City Manager submitted a report from the Director Engineering seeking approval of Work Orders No. 60-30-091, Central Valley Sewer Rehabilitation - (Phase III); No. 60-14-179, Infrastructure Management System (Traffic); No. 60-14-172, Wheelchair Ramps - Various Locations.

The City Manager recommended:

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

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR EVANS:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Councillor Corrigan returned to the Council Chamber at 9:26 p.m. and took his place at the Council table.

5. TABLED MATTERS

- a) Chevron Refinery Limited
Burnaby Refinery _____

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

- b) Emergency Planning

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

6. BYLAWS

FIRST READING

#10419 4553, 4561 Kingsway, Pen. 5921 Pioneer Avenue
 Ptn. 4554 Grange Street

RZ #22/96

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 36, 1996

#10398

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 43, 1996

#10419

Burnaby Heritage Designation Bylaw No. 2, 1996

#10423

be now introduced and read a first time."

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READING

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

"THAT

- Burnaby Local Improvement Construction #10420
Bylaw No. 2, 1996
- Burnaby Local Improvement Construction #10421
Bylaw No. 3, 1996
- Burnaby Capital Works, Machinery and Equipment #10422
Reserve Fund Expenditure Bylaw No. 21, 1996
- Burnaby Capital Works, Machinery and Equipment #10424
Reserve Fund Expenditure Bylaw No. 22, 1996

be now introduced and read three times."

CARRIED UNANIMOUSLY

SECOND READING

- #10393 8888 Barnet Road RZ # 6/96
- #10399 6670 Rumble Street RZ #48/94
- #10400 7353 Braeside Drive RZ #46/95
- #10401 7400 Fraser Park Drive RZ # 5/96
- #10402 Ptn. of 3500 Gilmore Way RZ # 7/96
- #10403 4510/18/24/30/38 Kingsway; 6038/46/62/68/74/78
Willington Avenue; Ptn. 6016, 6025/38/43/50/51/60/
61/70/73/76/81/84/88 Cassie Ave.; Ptn. 6055,6087/97,
5105/21/37/49/59/71 McKay Avenue RZ # 9/96
- #10407 3802 Hastings Street, 388/97 Pender Street RZ #26/96

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR YOUNG:

THAT

- Burnaby Community Plan Bylaw 1987, #10391
Amendment Bylaw 1996
- Burnaby Zoning Bylaw 1965, Amendment #10392
Bylaw No. 31, 1996

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 32, 1996	#10393
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 37, 1996	#10399
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 38, 1996	#10400
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 39, 1996	#10401
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 40, 1996	#10402
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1996	#10403
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 1996	#10407

be now read a second time."

CARRIED UNANIMOUSLY

Council requested staff to prepare a report with respect to Bylaw No. 10403 outlining the process by which City lands will be conveyed to the developer; and further, if the development doesn't proceed, how the City will retain control of the lands.

Council further requested staff include in a report currently being prepared with respect to the Simon Fraser University Lands Rezoning, information relating to current zoning and permitted uses compared with what is proposed particularly as it relates to density and uses.

Council further requested staff to prepare a report with respect to Bylaw No. 10407 addressing the suitability and advisability of including IPM principles in the development.

SECOND AND THIRD READINGS

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR YOUNG:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 33, 1996	#10395
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Burnaby Zoning Bylaw 1965, Amendment #10396
Bylaw No. 34, 1996

Burnaby Zoning Bylaw 1965, Amendment #10397
Bylaw No. 35, 1996

be now read and a second and third time."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#10207	5291 Oakmount Crescent	RZ # 9/95
#10377	4923/25/55, 5023 Victory Street, 6908/38/40/58	RZ #17/96
	64/76/82, 7012/38/82/86/98, 7126 Nelson Avenue;	
	6909/10/25/30/35/50/57/59/70/72/77/85/89/90	
	7010/12/17/19/25/30/35/52/59/69/70/80/87/96	
	7183/87/99 Dunblane Avenue	

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR YOUNG:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #10207
Bylaw No. 16, 1995

Burnaby Zoning Bylaw 1965, Amendment #10377
Bylaw No. 29, 1996

be now read a third time."

CARRIED
OPPOSED: MAYOR COPELAND TO BYLAW #10207
COUNCILLORS CORRIGAN AND EVANS
TO BYLAW #10377

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT Council rescind Third Reading of Burnaby Animal Control Bylaw 1991, Amendment Bylaw 1996, Bylaw No. 10387."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

"THAT Burnaby Animal Control Bylaw 1991, Amendment Bylaw 1996, Bylaw No. 10387 be **AMENDED** by striking out Subsection 15a (2) and substituting the following:

- (2) Every person who keeps a dog in a kennel, pen or run area shall ensure that the kennel, pen or run area is cleaned regularly and that excreta does not accumulate.
- (2a) Every person who keeps a dog shall ensure that the dog is provided with the opportunity for exercise sufficient to maintain good health; and, without limiting the generality of the foregoing, every person who keeps a dog tethered or in a kennel, pen, run area or similar confining place, whether within or outside a building, shall ensure that the dog is periodically exercised away from the place of tethering or confinement."

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR YOUNG:

"THAT Subsection 15a (2) be **AMENDED** to read as follows:

- (2) Every person who keeps a dog in a kennel, pen or run area or similar confining place whether within or outside a building shall ensure that the kennel, pen or run area is cleaned regularly and that excreta does not accumulate."

CARRIED UNANIMOUSLY

A vote was then taken on the motion, as moved by Councillor Rankin and seconded by Councillor Evans being "THAT Burnaby Animal Control Bylaw 1991, Amendment Bylaw 1996, Bylaw No. 10387 be **AMENDED** by striking out Subsection 15 a (2) and substituting the following:

- (2) Every person who keeps a dog in a kennel, pen or run area or similiar confining place whether within or outside a building shall ensure that the kennel, pen or run area is cleaned regularly and that excreta does not accumulate.
- (2a) Every person who keeps a dog shall ensure that the dog is provided with the opportunity for exercise sufficient to maintain good health; and, without limiting the generality of the foregoing, every person who keeps a dog tethered or in a kennel, pen, run area or similar confining place, whether within or outside a building, shall ensure that the dog is periodically exercised away from the place of tethering or confinement."

and same was **CARRIED UNANIMOUSLY**.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT Burnaby Animal Control Bylaw No. 1991, Amendment Bylaw 1996, Bylaw No. 10387 as **AMENDED** be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Community Facilities Contribution Agreement Bylaw No. 3, 1996 **#10416**

Burnaby Smoking Regulation Bylaw 1996 **#10417**

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 20, 1996 **#10418**

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

CARRIED
OPPOSED: MAYOR COPELAND AND
COUNCILLORS REDMAN AND
CORRIGAN TO BYLAW NO. 10417

6. NEW BUSINESS

Councillor Evans

Councillor Evans requested staff to remove all signs relating to a White Rock condominium sale which appear on City property.

Councillor Johnston

Councillor Johnston reported on the 1996 Canada Day Celebrations at Burnaby Village Museum. The recorded gate attendance for the day was 5,153 people which is up from 3,800 people in 1995 and carousel rides reached a record 1,547 for the year. Total revenues this year are calculated at 8,692 from the gift shop, restaurant and carousel which is up from \$6,837 in 1995.

His Worship, Mayor Copeland

His Worship, Mayor Copeland advised that Burnaby resident, Christine Lambert was celebrating her 100th Birthday today.

His Worship, Mayor Copeland further advised that Burnaby resident, Florence Godwin is now residing at New Vista and is recovering from a broken leg.

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 9:45 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK