

1997 FEBRUARY 03

A regular meeting of the City Council was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1997 February 03 at 7:00 p.m..

PRESENT: His Worship Mayor D.P. Drummond, In the Chair
Councillor D.R. Corrigan (*arrived at 7:17 p.m.*)
Councillor D.G. Evans
Councillor D.N. Johnston
Councillor D.A. Lawson
Councillor L.A. Rankin (*arrived at 7:04 p.m.*)
Councillor N.M. Volkow
Councillor J. Young

ABSENT: Councillor C.M.H. Redman

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. J.S. Belhouse, Deputy Director Planning & Building
Ms. M. Pasqua, Deputy City Clerk
Mr. S. Cleave, Administrative Officer I

His Worship, Mayor D.P. Drummond proclaimed the week of 1997 February 02 to 08 as "*International Development Week*" in the City of Burnaby.

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 1997 January 20 be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR LAWSON:

"THAT the minutes of the Public Hearing (Zoning) held on 1997 January 21 be adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- a) President, Moore Enviro Systems Inc.,
Re: Recycled tire roof at 5511 E. Hastings Street
Speaker: Richard Moore, President
- b) Ken Kish, 1996 January 29,
Re: Rezoning Reference #27/96
Gilley Avenue/Marine Drive/Byrne Road
Speaker: Ken Kish

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

Councillor Rankin arrived at the Council meeting at 7:04 p.m. and took his place at the Council table.

- a) **Mr. Richard Moore**, Chief Executive Officer, Moore Enviro Systems Inc., appeared before Council regarding the application of a recycled tire roof at 5511 East Hastings Street in Burnaby. Mr. Moore indicated that he has had difficulty in dealing with the Burnaby Building Department and that the owner of the property has been threatened that he will not get a business licence until matters pertaining to the rubber tire roof are resolved. Mr. Moore further advised that the rubber tire roofing application was completed in 1993 and no complaints have been received to date. The speaker also pointed out other areas in which he had completed similar roof applications and had not experienced any customer dissatisfaction.

In concluding his comments, Mr. Moore advised Council that he was seeking a resolution to the problem as his client was under a considerable amount of duress over the matter.

Arising from consideration of the delegation's comments, Councillor Volkow was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR EVANS:

"THAT staff prepare a report addressing the delegation's comments."

CARRIED UNANIMOUSLY

- b) **Mr. Ken Kish**, 8640 Gilley Avenue appeared before Council as the agent and owner of the property which is the subject of a rezoning application. Mr. Kish advised Council that his application to rezone to the R5 zoning designation was considered to be the best use of the land and that, in conjunction with the development, will improve Gilley Avenue with street widenings, sidewalks and parking. Byrne Road would also be upgraded to accommodate the proposed six new homes on the subject property.

Councillor Corrigan arrived at the Council meeting at 7:17 p.m. and took his place at the Council table.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR EVANS:

"THAT Item 1, City Manager's Report No. 4, 1997 February 03 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

1. Rezoning Reference No. 27/96
Hypothetical Subdivision Layouts
Pros and Cons

The City Manager submitted a report from the Director Planning and Building providing information on the pros and cons of hypothetical subdivision layouts based on R2, R5 and R9 zoning districts. The report concludes by advising that rezoning of the subject area to the R5 or R9 District is not considered compatible with the lot pattern of the eastern south slope or the intent of residential neighbourhoods being geographically defined by residential zoning. Therefore, the Planning and Building Department is not supportive of rezoning the subject site to the R5 or R9 District to permit a different subdivision pattern than that permitted in the overall residential neighbourhood - the eastern south slope.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR LAWSON:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR EVANS:

"THAT staff work with the applicant towards the preparation of a suitable plan of development under the R5 zoning designation."

CARRIED

OPPOSED: HIS WORSHIP, MAYOR DRUMMOND
AND COUNCILLORS CORRIGAN AND
LAWSON

3. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR RANKIN:
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. 04, 1997 February 03 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

His Worship, Mayor D.P. Drummond read the following items of correspondence:

- a) Parvin Chami, Chair, Friends of Discovery
Park Advisory Committee, 1997 January 15,
Re: Damage to trees in covenant area of
Lot C of Discovery Place

A letter was received from the Chair of the Friends of Discovery Parks Advisory Committee regarding the damaging and cutting of trees in the covenant area of Lot C of Discovery Place.

Item 2, City Manager's Report No. 4, 1997 February 03 was brought forward for consideration at this time.

2. 3450 Gilmore Way, Burnaby, B.C.
Discovery Place Lot "C"

The City Manager submitted a report from the Director Planning and Building providing Council with information relating to the letter from Ms. Parvin Chami concerning the site clearing that has taken place on Lot "C" in Discovery Place, the subject of Rezoning Reference No. 7/76. The report provides a response to concerns expressed in the letter and also provides information for Council on the precautions taken and procedures used to protect the vegetation in the protected areas of the site.

The City Manager recommended:

1. THAT a copy of this report be sent to Ms. Parvin Chami, 3710 Kalyk Avenue, Burnaby, B.C. V5G 3B2.

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

- b) Executive Director, Scouts Canada, Burnaby
Regional Council, 1997 January 09,
Re: Request permission to conduct annual
Apple Day '97 on 1997 October 18

A letter was received from the Burnaby Regional Council of Scouts Canada requesting permission to conduct their annual Apple Day on 1997 October 18.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR YOUNG:

"THAT permission be granted to Scouts Canada Burnaby Regional Council to conduct its annual Apple Day on 1997 October 18 in the City of Burnaby."

CARRIED UNANIMOUSLY

- c) Director of Fund Raising, The Kidney Foundation
of Canada, 1997 January 15
Re: Request permission to conduct door-to-door
canvass in Burnaby during month of March

A letter was received from the Director of Fund Raising, the Kidney Foundation of Canada requesting permission to conduct a door-to-door canvass in Burnaby during the month of March.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR YOUNG:

“THAT permission be granted to the Kidney Foundation of Canada to conduct its annual door-to-door canvas during the month of March in the City of Burnaby.”

CARRIED UNANIMOUSLY

- d) Fred Hizsa, 759 Air Cadet Squadron
1997 January 15
Re: Request permission to conduct Tag Days
in Burnaby on 1997 February 21 and 22

A letter was received from 759 Air Cadet Squadron requesting permission to conduct Tag Days on February 21 and 22.

A staff note advises that, also appearing on this agenda is a letter from 637 Arrow Squadron of the Royal Canadian Air Cadets requesting permission to conduct a Tag Day on February 22nd. This date is a conflict with one of the dates requested in this letter; however, the two organizations have been in contact with each other and have agreed on locations to tag to ensure no conflict or area cross-over.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR EVANS:

“THAT permission be granted for the No. 759 Air Cadet Squadron to conduct its Tag Days on 1997 February 21 and 22 in the City of Burnaby.”

CARRIED UNANIMOUSLY

- e) Fund Raising Committee, 637 Arrow Squadron
1997 January 24
Re: Request permission to conduct Tag Day
in Burnaby on 1997 February 22

A letter was received from the 637 Arrow Squadron requesting permission to conduct a Tag Day on February 22.

MOVED BY COUNCILLOR LAWSON:
SECONDED BY COUNCILLOR EVANS:

“THAT permission be granted for the No. 637 Arrow Squadron to conduct its Tag Day on 1997 February 22 in the City of Burnaby.”

CARRIED UNANIMOUSLY

- f) President, Federation of Canadian Municipalities
1997 January 15
Re: Information and update on activities of FCM

A letter was received from the President of the FCM providing an update on the activities of the Federation of Canadian Municipalities.

- g) Mayor, City of Port Moody, 1997 January 14
Re: B.C. Hydro's Burrard Thermal Generating Plant

A letter was received from the Mayor of the City of Port Moody pertaining to B.C. Hydro's Burrard Thermal Generating Plant.

- h) Frank Busst, 1997 January 20
Re: Parking on Sunset Street between Smith
Avenue and Burnaby General Hospital

A letter was received from Frank Busst regarding parking on Sunset Street between Smith Avenue and Burnaby Hospital.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

- i) Co-ordinator, Burnaby Junior A. Hockey Group
1997 January 20
Re: Thanks to Deputy Manager and Parks and
Recreation Commission for efforts in attempting
to establish a Junior "A" hockey franchise in
Burnaby's new arena for 97/98 hockey season

A letter was received from the Burnaby Junior "A" Hockey Group thanking the Deputy Manager and the Parks Commission for their efforts in attempting to establish a Junior "A" Hockey franchise in Burnaby's new arena for the 97/98 hockey season.

- j) Stephen Mancinelli, 1997 January 20
Re: Foreshore Management Plan "Maps"
will procure poor public input

A letter was received from Stephen Mancinelli suggesting that the Foreshore Management Plan maps will procure poor public input.

- k) Al Gilpin, 1997 January 15
Re: Recycling of garden waste

A letter was received from Al Gilpin discussing the recycling of garden waste.

A staff note advises that staff have contacted Mr. Gilpin and discussed his concerns. The Yard Waste Collection Program of 1996 was well received by the public and an improved collection service covering the entire growing season is planned for 1997.

Yard waste placed out in clear plastic bags and bundles will be collected and sent for composting instead of delivering to the incinerator. A communication program through the local newspaper and Info Burnaby will be initiated to advise the public of the expanded Yard Waste Program. Mr. Gilpin is satisfied with the information provided.

- l) City Clerk, City of Port Moody
1997 January 14
Re: Support City of Burnaby's request
to Province to review and address
issues in City of Burnaby Report
"Community-Based Group Living
Options for Seniors"

A letter was received from the City Clerk of the City of Port Moody advising of Port Moody Council's support for Burnaby's request to the Provincial Government to review and address issues in the City of Burnaby report entitled "*Community-Based Group Living Options for Seniors.*"

- m) Leader, Progressive Democratic Alliance
1997 January 20
Re: Provincial government actions regarding
municipal grants, Community and Regional
Health Councils and forest industry

A letter was received from the Leader of the Progressive Democratic Alliance regarding Provincial government actions regarding municipal grants, community and regional health councils and the forest industry.

- n) George Abbott, MLA Shuswap, B.C. Liberal
Municipal Affairs Critic, 1997 January 17
Re: Actions of Provincial government

A letter was received from George Abbott, MLA Shuswap and B.C. Liberal Municipal Affairs Critic regarding the actions of the Provincial government.

- o) Minister of Small Business, Tourism and
Culture and Co-Chairs, B.C. Games Society
1997 January 24
Re: Invitation to bid to host the 1999 or 2000
editions of B.C. Disability Games and/or B.C. Seniors Games

A letter was received from the Minister of Small Business, Tourism and Culture and Co-chairs of the B.C. Games Society extending an initiation to bid to host the 1999 or 2000 editions of B.C. Disability Games and/or B.C. Seniors Games.

- p) Minister of Municipal Affairs and Housing
Province of B.C., 1997 January 27
Re: Response to Burnaby's correspondence
to Ministry regarding transfer reductions

A letter was received from the Minister of Municipal Affairs and Housing responding to Burnaby's correspondence regarding transfer reductions.

- q) Ruth M. Armstrong
1997 January 27
Re: Council conduct

A letter was received from Ruth Armstrong commenting on Council's conduct.

- r) Mary Hardy, 1997 January 23
Re: Affordable spay/neuter
program for cats

A letter was received from Mary Hardy addressing an affordable spay/neuter program for cats.

- s) Evan Stewart, 1997 January 28
Re: Rave party at The Burnaby Studio

A letter was received from Evan Stewart regarding a rave party at the Burnaby Studio, 3737 Napier Street.

A staff note advises that staff have spoken to Mr. Stewart and are addressing his concerns. A meeting involving staff, the RCMP and representatives of the Burnaby Studio has been arranged to discuss city land use regulations and neighbourhood disturbances. Mr. Stewart will be contacted regularly as the issue is resolved.

- t) Joe Garbauski, Undated
Re: Capture of turtles in Deer Lake

A letter was received from Joe Garbauski regarding capture of turtles in Deer Lake.

- u) Administration Director, 1997 Burnaby
Summer Games, 1997 January 29
Re: Request permission to erect signs
on public property announcing events
and activities associated with 1997 Summer Games

A letter was received from the Administration Director of the 1997 Burnaby Summer Games requesting permission to erect signs on public property announcing events and activities associated with 1997 Summer Games.

Staff advise that a report recommending approval of the posting of temporary Summer Games signs on Park property is going before the Parks and Recreation Commission at its meeting on February 05.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

“THAT permission be granted for the 1997 Burnaby Summer Games Society to erect temporary signs on public property announcing events and activities associated with the 1997 Burnaby Summer Games.”

CARRIED UNANIMOUSLY

Arising from consideration of Correspondence Item 3 (g) from the Mayor of the City of Port Moody, Councillor Lawson was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR LAWSON:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Arising from consideration of Correspondence Item 3 (t) from Joe Garbauski, Councillor Lawson was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT this item of correspondence be **REFERRED** to the Parks and Recreation Commission and the Environment and Waste Management Committee for information and consideration."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT a copy of the Deer Lake Environmental Assessment for the Western Painted Turtle and Analysis of Proposed Trail Development, adopted by Council at the regular Council meeting held on 1997 January 20 be **REFERRED** to the Environment and Waste Management Committee and the Community Heritage Commission."

CARRIED UNANIMOUSLY

4. REPORTS

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

- a) His Worship, Mayor Douglas P. Drummond
Re: Acting Mayor - February and March

His Worship, Mayor Douglas P. Drummond submitted a report recommending that Councillor Doug Evans be appointed to serve in the capacity of Acting Mayor during the months of 1997 February and March.

His Worship, Mayor Douglas P. Drummond recommended:

1. THAT Councillor Doug Evans be appointed to serve in the capacity of Acting-Mayor during the months of 1997 February and March.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of His Worship, Mayor Douglas P. Drummond be adopted.”

CARRIED UNANIMOUSLY

- b) Housing Committee
Re: Holly/Rosewood R12 Area Rezoning

The Housing Committee submitted a report outlining the findings of a questionnaire and public meeting concerning an area rezoning of the 7400 blocks of Holly Street, Rosewood Street, the north side of Vista Crescent and the south side of Elwell Street. The Committee advises that a majority of residents support an area rezoning to the R12 Residential District to allow for small lot subdivision permitting single family dwellings and further potential for two-family dwellings.

The Housing Committee recommended:

1. THAT Council authorize preparation of a bylaw to be forwarded to a Public Hearing to initiate an area rezoning to the R12 Residential District of the 7400 blocks of Holly Street, Rosewood Street, the north side of Vista Crescent and the south side of Elwell Street.
2. THAT a notice be sent to area residents and property owners advising them of the results of the questionnaire and Council's decision.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR YOUNG:

“THAT the recommendations of the Housing Committee be adopted.”

CARRIED UNANIMOUSLY

- c) Civic Development Committee
Re: Burnaby Lake Sports Complex Project

The Civic Development Committee submitted a report providing a construction progress update on the Burnaby Lake Sports Complex Project. The Committee advises that by mid-January approximately one third of the roofing system had been installed and the revised substantial completion date for the project is 1997 June 25.

The Civic Development Committee recommended:

1. THAT Council receive this report for information purposes.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the Civic Development Committee be adopted.”

CARRIED UNANIMOUSLY

- d) Civic Development Committee
Re: City Hall Refurbishment Project

The Civic Development Committee submitted a report providing a summary of construction progress on Stage 2 of the City Hall Refurbishment and Asbestos Removal Project which includes work in the north block of the main City Hall building. The Committee advises that a late March completion date is still possible and the project is on budget.

The Civic Development Committee recommended:

1. THAT Council receive this report for information purposes.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR YOUNG:

“THAT the recommendation of the Civic Development Committee be adopted.”

CARRIED UNANIMOUSLY

- e) Community Issues and Social Planning Committee
Re: Multi-lingual Citizens' Guide to City Services

The Community Issues and Social Planning Committee submitted a report outlining the Committee's receipt of a \$10,000 Healthy Community grant to develop Multi-lingual copies of the City's existing Citizens' Guide to City Services.

The Community Issues and Social Planning Committee recommended:

1. THAT Council receive the attached report for information.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

“THAT the recommendation of the Community Issues and Social Planning Committee be adopted.”

CARRIED UNANIMOUSLY

Councillor Corrigan retired from the Council Chamber at 8:01 p.m.

- f) Community Issues and Social Planning Committee
Re: Criminal Record Review

The Community Issues and Social Planning Committee submitted a report identifying shortcomings in the Provincial Criminal Record Review Procedures and making recommendations accordingly. The report recommends that Council write to the Ministry of the Attorney General requesting that consideration be given to expanding the Criminal Records Review Act to cover all child care providers with clients receiving Provincial daycare subsidies.

The Community Issues and Social Planning Committee recommended:

1. THAT Council write to the Ministry of the Attorney General requesting that consideration be given to expanding the Criminal Records Review Act to cover all child care providers with clients receiving Provincial Day Care subsidies.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

“THAT the recommendation of the Community Issues and Social Planning Committee be adopted.”

CARRIED UNANIMOUSLY

- g) Community Issues and Social Planning Committee
Re: Affordable Telephone Service Options

The Community Issues and Social Planning Committee submitted a report providing information about the Canadian Radio - Television and Telecommunications Commission's decision on affordable telephone service options. The CRTC has rejected new telephone service options based on the concept of local measured service. CRTC has directed telephone companies to provide telephone subscribers with bill management tools and to implement an affordability monitoring plan. Should additional assistance for low income persons be required, the CRTC may consider implementing a narrowly targeted subsidy program.

The Community Issues and Social Planning Committee recommended:

1. THAT Council receive the attached report for information.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR LAWSON:

“THAT the recommendation of the Community Issues and Social Planning Committee be adopted.”

CARRIED UNANIMOUSLY

- h) Community Issues and Social Planning Committee
Re: Child Care Planning Resource Package

The Community Issues and Social Planning Committee submitted a report providing information about the proposed development of a Child Care Planning Resource Package. The proposed resource package should be a valuable tool for the future planning of child care facilities and programs in Burnaby and it should be welcomed by a variety of groups including CCRG, CISPC, Council, child care providers, funders, supportive agencies and ultimately, families seeking child care.

The Community Issues and Social Planning Committee recommended:

1. THAT Council request staff to work with the Child Care Resources Group in undertaking development of a Child Care Planning Resource Package, as described in the attached report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

“THAT the recommendation of the Community Issues and Social Planning Committee be adopted.”

CARRIED UNANIMOUSLY

Councillor Rankin retired from the Council Chamber at 8:08 p.m.

- i) His Worship, Mayor Douglas P. Drummond
Re: 1997 City Appreciation Dinner

His Worship, Mayor Douglas P. Drummond submitted a report advising of arrangements for the annual City Appreciation Dinner to be held at the Shadbolt Centre for the Arts on Friday, 1997 April 11 at an estimated cost of \$27,500.

His Worship, Mayor Douglas P. Drummond recommended:

1. THAT Council authorize for payment the cost of hosting the 1997 City Appreciation Dinner.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

“THAT the recommendation of His Worship, Mayor Douglas P. Drummond be adopted.”

CARRIED UNANIMOUSLY

- j) Traffic and Transportation Committee
(Transportation and Transit Division)
Re: Regional Transportation Demand
Management Project: Final Report

The Traffic and Transportation Committee (Transportation and Transit Division) submitted a report outlining conclusions of the final report of the Regional Transportation Demand Management Project. The final report of the Greater Vancouver Regional Transportation Demand Project identifies a long range strategy for implementation of TDM measures in Greater Vancouver. The importance of a balanced TDM program in achieving the objectives of Transportation 2021 and the Burnaby Transportation Plan is strongly emphasized. The final report focuses on a range of both “Carrot” and “Stick” programs to achieve its overall objective of a 10% reduction in automobile usage. The initiatives mentioned in the report coupled with a reduced reliance on a regionally based comprehensive parking management strategy would provide a generally acceptable TDM strategy to meet the transportation challenges of a growing region.

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

1. THAT Council forward a copy of the attached report to Councillor G. Puil, Chair, Greater Vancouver Regional District, Ms. Kelly-Ann Speck, British Columbia Transportation Financing Authority and Mr. D. Corrigan, Chair, B.C. Transit.

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

Councillor Corrigan returned to the Council Chamber at 8:13 p.m. and took his place at the Council table.

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

Councillors Johnston and Rankin returned to the Council Chamber at 8:17 p.m. and took their places at the Council table.

- k) The City Manager presented Report No. 04, 1997 February 03 on the matters listed following as Items 01 to 15 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Rezoning Reference No. 27/96
Hypothetical Subdivision Layouts
Pros and Cons

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

2. 3450 Gilmore Way, Burnaby, B.C.
Discovery Place Lot "C"

This item was dealt with previously in the meeting in conjunction with Item 3 (a) - Correspondence and Petitions.

3. Rezoning Reference No. 8/96
An Advanced Technology Research and Office Facility

The City Manager submitted a report from the Director Planning and Building seeking Council's authority to forward Rezoning Reference No. 8/96, 4330 Sanderson Way to a Public Hearing on 1997 February 25.

The City Manager recommended:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 1997 February 10 and to a Public Hearing on 1997 February 25 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 satisfaction of all necessary subdivision requirements.
- e) The granting of any necessary easements and covenants.
- f) The submission of a tree survey, retention of identified existing trees and vegetation on the site, their protection by registration of a Section 215 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of construction work as well as continual on-site supervision by the project arborist during site preparation, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
- g) The channeling of the existing storm sewer outfall in an open condition over the existing site in a suitable alignment, subject to the approval of the Director Engineering.
- h) The deposit of the applicable GVS & DD (Fraser Sewerage Area) sewerage charge of \$0.811 per sq. ft. of gross floor area.
- i) The submission of a suitable engineered design for an approved on-site sediment control system.
- j) The transfer to City ownership of the lands in the conservation area.

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

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

- 4. Rezoning Reference No. 52/96
A High-Rise Apartment Tower with Street-fronting
Townhouses and a Reconfigured Commercial Parking Lot

The City Manager submitted a report from the Director Planning and Building seeking Council's authority to forward Rezoning Reference No. 52/96, 4425 Halifax Street and 1795 Willingdon Avenue to a Public Hearing on 1997 February 25.

The City Manager recommended:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 1997 February 10 and to a Public Hearing on 1997 February 25 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 satisfaction of all necessary subdivision requirements.
 - e) The re-subdivision of the overall project site into two legal parcels.
 - f) The granting of any necessary easements and covenants, including but not necessarily limited to, legal provision for the 26 staff parking garage for the B.C. Tel Education Centre.
 - g) The dedication of any rights-of-way deemed requisite.
 - h) The cancellation of the existing undeveloped public pedestrian walkway easement.
 - i) The retention of identified existing trees and vegetation on the site, their protection by registration of a Section 215 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.

- j) The approval of the Ministry of Transportation and Highways to the rezoning application.
- 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 of \$1,436 per unit.
- n) The deposit of the applicable GVS & DD sewerage charge (Vancouver Sewerage Area) of \$590 per unit for the apartments and \$826 per unit for the townhouses.
- o) 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).
- p) The granting of a 215 Covenant restricting enclosure of balconies.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

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

- 5. Liquor Licence Application No. 1/97
Entertainment in Proposed Class "B" Restaurant
The Stinking Rose Italian Restaurant
2830 Bainbridge Avenue

The City Manager submitted a report from the Director Planning and Building seeking Council's approval for Liquor Licence Application No. 1/97 for the Stinking Rose Italian Restaurant located at 2830 Bainbridge Avenue.

The City Manager recommended:

1. THAT Council resolve to approve the request for an entertainment area within The Stinking Rose Italian Restaurant, with the operating hours of 5:00 p.m. - 10 p.m. Sunday to Thursday and 5:00 p.m. - 12:00 midnight Friday and Saturdays, subject to the restaurant doors being kept closed during the entertainment.
2. THAT a copy of this report and Council's resolution be forwarded to the Liquor Control and Licensing Branch, 101 - 9180 King George Highway, Surrey, B.C. V3V 5V9; and the applicant Nadine Kotelko, 1726 Hamilton Street, New Westminster, B.C. V3A 3W7.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

6. Mountain Shadow Neighbourhood Pub
7474 Barnet Road

The City Manager submitted a report from the Director Planning and Building providing information in response to the petition presented to Council regarding the Mountain Shadow Neighbourhood Pub. The regulations governing the operation of the Mountain Shadow Neighbourhood Pub to which the petitioners have stated their opposition are under the jurisdiction of the Liquor Control and Licensing Branch. For new liquor licence applications and changes to liquor licences, local government largely provides advisory input to the governing authority, but local government has little formal influence over any consideration to alter a liquor licence in response to an outside party request. Branch staff have advised that they would consider any correspondence addressed to them regarding matters under their jurisdiction.

The City Manager recommended:

1. THAT the Liquor Control & Licensing Branch be requested to advise the City of their decision on future licence applications where Council's approval of, or input into a liquor licence application is subject to a condition that is within the jurisdiction of the Branch.
2. THAT a copy of this report be sent to Janet Collins, 106 - 7166 Barnet Road, Burnaby, B.C. and the General Manager, Liquor Control and Licensing Branch, 1019 Wharf Street, Victoria, B.C. V8V 1X4.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

Councillor Young returned to the Council Chamber at 8:35 p.m. and took his place at the Council table.

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

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

"THAT the concerns raised by Council regarding noise emanating from the patio area and input from neighbouring residences for new liquor licence applications and changes to liquor licences be **REFERRED** to staff for report."

CARRIED UNANIMOUSLY

7. 5079 Dover Street, Burnaby, B.C.
Lot 1, DL 32, Plan LMP28846

The City Manager submitted a report from the Director Planning and Building providing Council with background information regarding 5067 and 5079 Dover Street, Burnaby. The report advises that Building and Zoning Bylaws regarding single family dwellings do not regulate the landscaping of a property or the placement of retaining walls. It has been the policy of the Planning Department to minimize involvement in private matters involving neighbourhood disputes regarding retaining walls. Building officials can only recommend a solution or a compromise between the two parties but cannot get involved in private matters such as this one.

The City Manager recommended:

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

Jim and Wendie Tarling
5067 Dover Street
Burnaby, B.C. V5H 1R4

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR YOUNG:

"THAT staff place an article in Information Burnaby advising of Burnaby's policy to minimize involvement in private matters involving neighbour disputes."

CARRIED UNANIMOUSLY

8. House Demolition at 6060 Cassie Avenue
Metrotown Area 14 - Crystal Square Site

The City Manager submitted a report from the Director Planning and Building seeking Council's approval to remove and/or demolish a City-owned building at 6060 Cassie Avenue, located in Metrotown Area 14.

The City Manager recommended:

1. THAT Council authorize the sale for moving or storage or demolition of the structures including all outbuildings at 6060 Cassie Avenue.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

9. Vancity Roofing Ltd.

The City Manager submitted a report from the Director Finance seeking Council's authority to refuse to grant a business licence to Vancity Roofing Ltd. on the basis that this business is closely related to the operation of Vancity Construction Ltd. and its principle, Mr. Ron Bennett.

The City Manager recommended:

1. THAT Council refuse to grant a business licence to Vancity Roofing Ltd.; and
2. THAT Mr. Beni Bennett, owner of Vancity Roofing Ltd., be advised that staff have recommended Council refuse to grant a business licence and that he be given an opportunity to be heard before Council makes its decision.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

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

Councillor Corrigan retired from the Council Chamber at 8:45 p.m.

Council agreed to vote separately on the recommendations.

RECOMMENDATION NO. 1:

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the motion as moved by Councillor Evans and seconded by Councillor Volkow, being 'THAT Recommendation No. 1 of the City Manager be adopted.' be now **TABLED.**"

CARRIED UNANIMOUSLY

RECOMMENDATION NO. 2:

CARRIED UNANIMOUSLY

Recommendation No. 1 was tabled in order to provide an opportunity for Mr. Benie Bennett to appear before Council before making a final decision with respect to the issuance of a Burnaby Business Licence to Vancity Roofing Ltd.

10. Bylaw to Fund Parks and Recreation 1997 Capital Projects

The City Manager submitted a report from the Acting Director Recreation and Cultural Services requesting that a Capital Reserves Expenditure Bylaw be brought forward to appropriate \$922,000 to finance nine projects contained in the 1997 Capital Budget.

The City Manager recommended:

1. THAT a Capital Reserves Expenditure Bylaw be brought forward to appropriate \$922,000 from Capital Reserves to finance nine projects.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

11. Canada Way at Sperling Avenue - Road Improvements

The City Manager submitted a report from the Director Engineering seeking Council's authority to bring down a Capital Expenditure Bylaw for design, property acquisition and construction of road improvements on Canada Way at Sperling Avenue.

The City Manager recommended:

1. THAT Council authorize staff to bring down a Capital Expenditure Bylaw in the amount of \$1.1 million for design, property acquisition, and construction of roadway improvements on Canada Way at Sperling Avenue.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

Councillor Corrigan returned to the Council Chamber at 8:50 p.m. and took his place at the Council table.

12. Broadway Avenue Culverts Rehabilitation

The City Manager submitted a report from the Director Engineering seeking Council's approval for a revision to the Engineering Budget for Agreement No. E10/96 - Broadway Avenue Culverts Rehabilitation.

The City Manager recommended:

1. THAT the budget for Engineering Agreement #E10/96 (Kerr Wood Leidal Associates Ltd.) be revised to \$117,000.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

13. Annual Report regarding False Alarm Bylaw

The City Manager submitted a report from the Officer in Charge, Burnaby Detachment, RCMP advising of the impact of the new False Alarm Bylaw on the number of false alarms in the City of Burnaby during 1996. The report advises that in 1996, for the first time in many years, there has been a reduction in the number of false alarms from the previous year.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

Councillor Lawson returned to the Council Chamber at 8:52 p.m. and took her place at the Council table.

14. Correspondence from Dogwood Ridge Residents
regarding the Unsightly Premises Bylaw

The City Manager submitted a report from the City Solicitor responding to a letter from Dogwood Ridge Residents regarding the Burnaby Unsightly Premises Bylaw and the fact that it does not apply to unkept lawns, trees, shrubs and hedges.

The City Manager recommended:

1. THAT a copy of this report be sent to the Dogwood Ridge Residents group.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

15. Rezoning Applications

The City Manager submitted a report from the Director Planning and Building submitting the current series of new rezoning applications for Council's consideration.

The City Manager recommended:

1. THAT Council set a Public Hearing for this group of rezonings on 1997 February 25 at 7:30 p.m., except where noted otherwise in the individual reports.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

Item #1 **Application for the rezoning of:**
RZ #57/96 Lot 1, D.L. 72, Group 1, NWD Plan 84820

From: CD Comprehensive Development (based on M5 Light Industrial District and M8 Advanced Technology Research District and the Discovery Place Community Plan as guidelines)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District and M8 Advanced Technology Research District, the Discovery Place Community Plan as guidelines and P2 Administration and Assembly District for the antenna use and in accordance with the development plan entitled "Cascade Heights Cell 4460 Sanderson Way, Burnaby" prepared by Robertson Kolbeins Teevan Gallaher Assoc. Ltd.)

Address: 4460 Sanderson Way

RECOMMENDATIONS:

- 1 THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1997 February 10 and to a Public Hearing on 1997 February 25 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, including suitable screening along the east property line.
 - b) 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.
 - c) The submission of an undertaking that B.C. Tel Mobility's antennae on the Sheraton Villa Hotel would be removed within three months of completion of construction of the antennae at this site.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

Item #2 Application for the Rezoning of:

RZ #58/96 Ptn. Lot 1, D.L. 149, Group 1, NWD Plan LMP10746

From: CD Comprehensive Development District (based on P5 Community Institutional District)

To: Amended CD Comprehensive Development District (based on P5 Community Institutional District guidelines and in accordance with the development plan entitled "Fairhaven Seniors' Apartment Building" prepared by Bernard Perreten Architects)

Address: Ptn. 7557 Sussex Avenue (4341 Rumble Street)

RECOMMENDATIONS:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1997 February 10 and to a Public Hearing on 1997 February 25 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 subdivision of the net project site into three legal parcels.
 - g) The granting of any necessary easements and covenants.
 - h) The dedication of any rights-of-way deemed requisite.
 - i) The retention of identified existing trees and vegetation on the site, their protection by registration of a Section 215 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
 - j) Compliance with the Council adopted sound criteria.

- k) The submission of an exterior lighting plan which meets the standards for seniors' housing complexes as adopted by Council.
- 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 deposit of the applicable GVS & DD sewerage charge.
- o) 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).
- p) The granting of a 215 Covenant restricting enclosure of balconies.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

Item #3 Application for the rezoning of:
RZ #59/96 Lot A, D.L. 32, Group 1, NWD Plan 78744

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District)

Address: 4755 Kingsway

RECOMMENDATIONS:

1. THAT Council authorize the Planning and Building Department to work with the applicant towards the preparation of a plan of development which is suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR CORRIGAN:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Item #4 **Application for the Rezoning of:**
RZ #60/96 Lot 127, Block 151, D.L. 30, Group 1, NWD Plan 46883

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District)

Address: 4250 Kingsway

RECOMMENDATION:

1. THAT Council authorize the Planning and Building Department to work with the applicant towards the preparation of a plan of development which is suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Item #5 **Application for the Rezoning of:**
RZ #61/96 Parcel 1, D.L. 71, Group 1, NWD Plan 80047

From: CD Comprehensive Development District (based on the M8 Advanced Technology Research District, M5 Light Industrial District and Discovery Place Community Plan)

To: Amended CD Comprehensive Development District (based on M8 Advanced Technology Research District, M5 Light Industrial District and Discovery Place Community Plan)

Address: 3600 Gilmore Way

RECOMMENDATION:

1. THAT staff be authorized to work with the applicant towards the preparation of a plan of development suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a future date.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Item #6 Application for the Rezoning of:
RZ #62/96 Lot 1, D.L. 13, Group 1, NWD Plan LMP26747

From: CD Comprehensive Development District (based on the Cariboo Heights Community Plan guidelines)

To: Amended CD Comprehensive Development District (based on RM1 Multiple Family Residential District and the Cariboo Heights Community Plan guidelines)

Address: 7488 Mulberry Place

RECOMMENDATION:

1. THAT staff be authorized to work with the applicant towards the preparation of a plan of development suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a future date.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR LAWSON:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Councillor Evans retired from the Council meeting at 9:00 p.m.

Item #7 **Application for the Rezoning of:**
RZ #63/96 Lot A, Block 2, D.L. 73, NWD Plan LMP14893

From: CD Comprehensive Development District (based on M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District)

Address: 3101 Wayburne Drive

RECOMMENDATION:

1. THAT Council authorize the Planning and Building Department to work with the applicant towards the preparation of a plan of development which is suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR CORRIGAN:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Item #8 **Application for the Rezoning of:**
RZ #64/96 Lot 1, D.L. 69, Group 1, NWD Plan 1321; Lot A, D.L. 69, Group 1, NWD Plan 19620

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Community Plan Eight as guidelines)

Address: 3754 & 3762 Dominion Street

RECOMMENDATIONS:

1. THAT staff be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR CORRIGAN:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Councillor Evans returned to the Council Chamber at 9:01 p.m. and took his place at the Council table.

Item #9 **Application for the Rezoning of:**
RZ #65/96 Lots A & B, D.L. 118, Group 1, NWD Plan LMP17879

From: CD Comprehensive Development District (based on M5 Light Industrial District and Bridge Business Park Development guidelines)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District and Bridge Business Park Development guidelines)

Address: 3815 & 2835 Henning Drive

RECOMMENDATION:

1. THAT Council authorize the Planning and Building Department to work with the applicant towards the preparation of a plan of development which is suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Item #10 **Application for the Rezoning of:**
RZ #67/96 Lot 170, D.L. 33, Group 1, NWD Plan 30503

From: R5 Residential District

To: CD Comprehensive Development District (based on RM1 Multiple Family Residential District Density use and R5 Residential District density and siting guidelines)

Address: 5538 Chaffey Avenue

RECOMMENDATION:

1. THAT Council authorize staff to work with the applicant towards the preparation of a plan of development which is suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR EVANS:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Item #11 **Application for the Rezoning of:**
RZ #68/96 Lots A & B, D.L. 161, Group 1, NWD Plan LMP12611; Lots 1 - 4, Blk 14, D.L. 161, Group 1, NWD Plan 1742; Ptns. Lots 1 - 3, Blk 15, D.L. 161, Group 1, NWD Plan 1742.

From: M2 General Industrial District

To: CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District, P2 Administration and Assembly District, and qualified uses of the C1 Neighbourhood Commercial District and C2 Community Commercial District as guidelines)

Address: 8700 & 8790 Boundary Road; 8729/39/49/59 Joffre Avenue; Ptns. of 3764/74/84 Brechin Street

RECOMMENDATION:

1. THAT Council authorize the Planning and Building Department to work with the applicant towards the preparation of a plan of development which is suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR YOUNG:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Item #12 Application for the Rezoning of:
RZ#69/96 Lot 2, D.L. 71, Group 1, NWD Plan LMP21978

From: CD Comprehensive Development District (based on M8 Advanced Technology Research District and the Discovery Place Community Plan)

To: Amended CD Comprehensive Development District (based on M8 Advanced Technology Research District and Discovery Place Community Plan)

Address: 3650 Gilmore Way

RECOMMENDATION:

1. THAT staff be authorized to work with the applicant towards the preparation of a plan of development suitable for presentation to a Public Hearing, on the understanding that a more detailed report will be submitted at a future date.

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR VOLKOW:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

Item #13 **Application for the Rezoning of:**
RZ #70/96 Lot B, D.L. 25, Group 1, NWD Plan LMP3633; Lots 1 & 2, D.L. 25,
Group 1, NWD Plan LMP222777

From: CD Comprehensive Development District (based on RM1 Multiple Family Residential District)

To: Amended CD Comprehensive Development District (based on RM1 Multiple Family Residential District and the George Derby Lands Development Plan guidelines)

Address: 8415, 8511 & 8555 Cumberland Place

RECOMMENDATIONS:

1. THAT the adjustment to the Community Plan for the George Derby Lands as outlined in section 3.7 of this report be approved, to take effect upon Council granting Second Reading of the Rezoning Bylaw for this site.
2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1997 February 10 and to a Public Hearing on 1997 February 25.
3. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan outlining the statistics for the development of the three lots.
 - b) The deposit of sufficient monies to cover the costs of all services to 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.
 - c) The satisfaction of all necessary subdivision requirements for the re-subdivision of the site.
 - d) The granting of any necessary services or walkway easements and the provision of any necessary covenants, including a conservation covenant for the enlarged preservation area at the east end of site "E1".
 - e) The dedications of any necessary rights-of-way.
 - f) The approval of the Ministry of Transportation and Highways to the rezoning application.

- g) The submission of a written undertaking to comply with all the prerequisites of the previous rezoning application # 34/90 and the qualitative aspects of the existing plan approved by Council on 1992 March 09.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Councillor Lawson retired from the Council Chamber at 9:04 p.m.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR EVANS:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

5. TABLED MATTERS

- a) Rezoning Reference No. 46/96
7420 Fourteenth Avenue
(Item 10 of 18, Manager's Report No. 24, 1996 September 23)

The following item was tabled at the regular Council meeting held on 1996 September 23:

Item #10 Application for the Rezoning of:
RZ #46/96 Northerly half of Lot "4", Block 19, D.L. 29, Group 1, NWD Plan 3035

From: R5 Residential District

To: C2a Community Commercial District
Address: 7420 Fourteenth Avenue

The City Manager recommended:

1. THAT Council not give favourable consideration to the rezoning request.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

This item was tabled in order to allow a delegation to appear before Council.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

The motion was now before the meeting.

A vote was then taken on the motion as moved by Councillor Johnston and seconded by Councillor Evans being, "THAT the recommendation of the City Manager be adopted" and same was **CARRIED UNANIMOUSLY**.

- b) Rezoning Reference No. 38/96
#108 - 3855 Henning Drive
(Reconsidered on 1996 October 21)

The following item was tabled at the regular Council meeting held on 1996 October 21:

- b) Mr. Ken Learn, 208 - 3855 Henning Drive appeared before Council to request that reconsideration be given to Rezoning Reference No. 38/96, #108-3855 Henning Drive. Mr. Learn advised that the rezoning application had been given consideration by Council at its meeting held on 1996 September 23 at which time Council adopted staff's recommendation to not give favourable consideration to the rezoning request.

In concluding his comments, Mr. Learn requested that Council give reconsideration to his rezoning proposal to allow for the establishment of a delicatessen on the subject site.

In accordance with Section 240 of the Municipal Act of B.C., His Worship, Acting Mayor L.A. Rankin brought back for reconsideration the motion adopted by Council at the regular Council meeting held on 1996 September 23 pertaining to Rezoning No. 38/96, being:

"THAT Council not give favourable consideration to this Rezoning request."

The motion was now before the meeting.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR LAWSON:

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

This item was tabled in order to provide Council a further opportunity to view the site.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Councillor Lawson returned to the Council Chamber at 9:07 p.m. and took her place at the Council table.

The motion was now before the meeting.

A vote was then taken on the motion as moved by Councillor Young and seconded by Councillor Evans being, "THAT the recommendation of the City Manager be adopted," and same was **DEFEATED** with all Council members **OPPOSED**.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT staff work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing."

CARRIED UNANIMOUSLY

- c) **Liability Claims**
(Item 3, Manager's Report No. 2, 1997 January 13)

The following item was tabled at the regular Council meeting held on 1997 January 13:

3. Liability Claims

The City Manager submitted a report from the Director Planning and Building providing information regarding the status of initiatives to reduce the City's potential exposure to construction related liability claims. The report was prepared arising from Council's consideration of a recent claim pertaining to the failure of a post tension structure to perform as designed. While the City maintained its position of assuming no responsibility for either the structural design or inspection of structural elements, it was named as a co-defendant in the suit. Staff recommend that the City should continue to utilize the options provided in the Municipal Act to reduce the potential exposure to liability claims. As identified in the report, a number of initiatives have been completed or are under way to deal with other concerns identified in reports by both the Closkey Commission and the Provincial Government with industry participation. However, some of the concerns identified regarding joint and several liability, accountability commensurate with responsibility, qualifications, education, warranty and insurance remain outstanding and require a concerted effort to bring them to a successful conclusion.

The City Manager recommended:

1. THAT Council receive this report for information purposes.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR YOUNG:

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

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR RANKIN:

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

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendation be **AMENDED** by adding the following recommendation:

THAT a copy of the report be forwarded to B.C. Municipalities and the Regional Administrators' Advisory Committee."

CARRIED UNANIMOUSLY

A vote was then taken on the main motion as moved by Councillor Evans and seconded by Councillor Young being, "THAT the recommendation of the City Manager be adopted," **AS AMENDED** and same was **CARRIED UNANIMOUSLY**.

5. BYLAWS

FIRST. SECOND AND THIRD READING

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 1, 1997	#10525
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Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 2, 1997	#10526
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Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 3, 1997	#10527
--	--------

Burnaby Lease Authorization Bylaw No. 1, 1997	#10528
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be now introduced and read three times."

CARRIED UNANIMOUSLY

SECOND READING

#10516	67/90 & 6852 Beresford Street; 7367/83, 7417/37/57/ 58/67/68 Non Avenue; 68/81 Prenter Street	RZ#39/96
#10517	Portion of 3450 Gilmore Way	RZ #44/96
#10518	4002 Albert Street	RZ #56/96

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 1, 1997	#10516
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 2, 1997	#10517
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 3, 1997	#10518

be now read a second time."

Council requested staff to prepare a report addressing the concerns raised at the Public Hearing with respect to Rezoning Reference No. 39/96 by Mr. Daniel Harlos on behalf of Mr. Sirec, Manager of 284244 B.C. Limited and Morgan Power Apparatus Canada Limited located at 7465 Griffiths Avenue.

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#10431	4320 Dominion Street	RZ #24/96
#10488	310 Madison Avenue	RZ #45/96
#10497	Portion of 8900 Glenlyon Parkway	RZ #40/96

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 1996	#10431
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Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 57, 1996 #10488

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 60, 1996 #10497

be now read a third time."

CARRIED

OPPOSED: HIS WORSHIP, MAYOR DRUMMOND AND
COUNCILLOR EVANS TO BYLAW NO.
10431

RECONSIDERATION AND FINAL ADOPTION:

#10498 Portion of 6100 Willingdon Avenue RZ #48/96

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 61, 1996 #10498

Burnaby Complimentary Recreation Passes Bylaw 1997 #10524

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

CARRIED UNANIMOUSLY

6.1 NOTICE OF MOTION

- a) Mayor Douglas P. Drummond
Re: Municipal Representation on Board of
Directors for Reorganized Vancouver
Port Corporation

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

"THAT WHEREAS the Vancouver Port Corporation will be reorganized by the Canada Marine Act
(Bill C-44) and;

WHEREAS the majority of directors will come from the Port Transportation Industry and;

WHEREAS the new Board of Directors allows for only ONE representative from the Municipal sector and;

WHEREAS that ONE municipal sector director must “have generally acknowledged and accepted stature within the transportation industry AND relevant knowledge and extensive experience related to the management of a business, to the operation of a port, or to maritime trade” which is extremely restrictive and;

WHEREAS the ONE municipal director may not be “an individual who is a mayor, councillor, officer or employee of a municipality” which rules out the duly elected representatives of local citizen’s perspectives and;

WHEREAS Bill C-44 is to be brought before the House of Commons for passage in the very near future;

THEREFORE BE IT RESOLVED:

1. THAT Council through the Mayor write to the Minister of Transport, The Hon. David Anderson, asking that these restrictions be reconsidered and amended to permit representation on the new Port Board of Directors by more than ONE municipal representative who could be a currently-elected Mayor or Councillor and;
2. THAT the other municipalities which border the Port of Vancouver be sent a copy of this resolution with a request for support and;
3. THAT copies of this resolution be sent to Burnaby Members of Parliament Svend Robinson and Paul Forseth as well as to Premier Glen Clark.”

CARRIED UNANIMOUSLY

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 9:25 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK