

## 2002 AUGUST 12

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2002 August 12 at 6:30 p.m. followed immediately by a 'Closed' meeting from which the public was excluded. At the conclusion of the 'Closed' meeting, the 'Open' meeting was reconvened at 7:00 p.m.

PRESENT: His Worship Mayor D.P. Drummond, In the Chair  
Councillor G.R. Begin  
Councillor D.R. Corrigan *(arrived at 7:04 p.m.)*  
Councillor B.K. Der  
Councillor D.G. Evans  
Councillor N.C. Harris  
Councillor D.N. Johnston  
Councillor C.M.H. Redman *(arrived at 7:04 p.m.)*  
Councillor N.M. Volkow *(arrived at 7:03 p.m.)*

STAFF: Mr. R.H. Moncur, City Manager  
Mr. C.A. Turpin, Deputy City Manager  
Mr. W.C. Sinclair, Director Engineering  
Mr. R. Earle, Director Finance  
Mr. J. Belhouse, Director Planning & Building  
Mr. D. Dattani, Supervisor, Environmental Services  
Mrs. D.R. Comis, City Clerk  
Mr. S. Cleave, Administrative Officer I

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR BEGIN:

"THAT the 'Open' Council meeting do now reconvene."

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:00 p.m.

### **1. MINUTES**

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the 'Open' Council meeting held on 2002 July 22 be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:  
SECONDED BY COUNCILLOR BEGIN:

"THAT the minutes of the Public Hearing (Zoning) held on 2002 July 23 be adopted."

CARRIED UNANIMOUSLY

**2. CORRESPONDENCE AND PETITIONS**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR DER:

"THAT all of the following listed items of correspondence be received and those items of the City Manager's Report No. 21, 2002 August 12 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) President, North Central Municipal Association  
2002 June 27  
Re: BC Government Energy Policy Issues -  
to be debated at UBCM

A letter was received from President, North Central Municipal Association, providing resolutions in response to the BC Government Energy Policy paper released earlier this year. The Association advises that these resolutions emphasize the strong economic advantage that BC Hydro, in its current structure, provides to the people of B.C.

- B) Nancy von Euw,  
2002 July 10  
Re: Changed Bus Routes in Burnaby

A letter was received from Nancy von Euw expressing concern regarding proposed re-routing of buses onto Brighton Avenue.

A staff report on this subject appears as an item on the Manager's Report.

- C) Office of the Minister of Industry,  
2002 July 10  
Re: Initiatives Recently Announced  
Relative to Economic Health of B.C.

A letter was received from Office of the Minister of Industry regarding recent initiatives relevant to the economic health of British Columbia.

- D) Minister of State for Community Charter  
and 2010 Olympic Bid,  
2002 July 22  
Re: Bill 54 - Miscellaneous Statutes  
Amendment Act (No. 2), 2002

A letter was received from Honourable Ted Nebbling, Minister of State for Community Charter and 2010 Olympic Bid, regarding amendments to the Greater Vancouver Sewerage and Drainage District Act, the Greater Vancouver Water District Act and the Local Government Act as contained in Bill 54, the Miscellaneous Statutes Amendment Act. The Minister advises that commencement of the amendments provided for in Bill 54 has been delayed.

*Councillor Volkow arrived at the Council meeting at 7:03 p.m. and took his place at the Council table.*

- E) Richard Zahn and Dana Lum,  
2002 July 18  
Re: Permission to Fundraise at the  
Middlegate and Old Orchard Liquor stores

A letter was received from the Richard Zahn and Dana Lum requesting permission to fund raise for the South Burnaby Metro Club U16 Soccer team at the Middlegate and Old Orchard liquor stores on 2002 September 20 and 21.

A staff note advises there are no conflicts for the requested dates.

*Councillors Corrigan and Redman arrived at the Council meeting at 7:04 p.m. and took their places at the Council table.*

MOVED BY COUNCILLOR EVANS:  
SECONDED BY COUNCILLOR DER:

"THAT the fund raising request from the South Burnaby Metro Club Under 16 Soccer Team be approved."

CARRIED UNANIMOUSLY

- F) Wendy Hankin,  
2002 July 21  
Re: Non Compliance by Anducci's Restaurant

A letter was received from Wendy Hankin advising of non-compliance by Anducci's Pasta Bar regarding the outdoor patio area.

A note appended to this item of correspondence advises that on July 18 staff met with the owner of Anducci's to reinforce the need for compliance with City requirements relating to use of the patio. The unauthorized patio structure and patio speakers have been removed from the patio and the owner gave assurances that the patio would be vacated as required by 10:00 p.m.

Since July 18 staff have visited Anducci's on nine weekday and weekend evenings to check for bylaw compliance respecting the use of the patio. On each occasion the business has been operating in accordance with City requirements. The correspondence references two patio incidents. Both have been discussed with the business owner who states one was related to the end of a wedding reception and the other involved maintenance workers tending to a building issue. No other complaints have been received regarding the business.

The situation has been discussed with Ms. Hankin who feels the use of Anducci's patio has improved in recent weeks. Staff will continue to monitor the situation and take enforcement action where necessary.

- G) Wendy Hankin,  
2002 August 02  
Re: Noise Emanating from Lougheed Mall

A letter was received from Wendy Hankin expressing concern regarding noise issues at Lougheed Mall.

A staff report is being prepared in response to this item of correspondence for the August 26 Council meeting.

- H) Office of the Mayor, City of Coquitlam  
2002 July 22  
Re: Proposed Liquor Licencing Amendments

A copy of a letter from Mayor of Port Coquitlam to Honourable Rich Coleman, Minister of Public Safety and Solicitor General, was received expressing concern about the lack of local government input into proposed liquor licence amendments and dual licencing decisions.

A staff report on this subject appears as an item on the Manager's Report.

- I) Autoplan Brokers, ICBC Loss Prevention & Communications (Burnaby), 2002 July 23  
Re: Pedestrian Safety Campaign during  
September and October 2002

A letter was received from Leanne Cassap, on behalf of Autoplan Brokers, requesting that the City of Burnaby support a comprehensive Pedestrian Safety Campaign which runs from September 01 to October 31. The start of the campaign co-coincides with the re-opening of schools, a time when children can be too excited or pre-occupied to remember safety rules.

A staff note recommends that Council endorse this ICBC initiative as requested and forward a copy of this correspondence to the Traffic Safety Committee for information. Staff will work with ICBC staff to support this Pedestrian Safety Campaign.

- J) Director, Western Canada Wilderness Committee,  
2002 July 23  
Re: Education Report - *"Help Save BC Parks and  
Wildlife - Liberal Government Endangers  
Beautiful BC"*

A letter was received from Western Canada Wilderness Committee providing a copy of an educational report entitled *"Help Save BC Parks and Wildlife - Liberal Government Endangers Beautiful B.C."* The report discusses the fate of B.C.'s protected areas and environmental protection.

- K) Manager, Community Relations Lower Mainland/  
Coastal Region, BC Hydro,  
2002 July 25  
Re: Proposed Project - Underground Transmission  
Circuit between Burnaby and Vancouver

A letter was received from B.C. Hydro advising of a proposed project to develop a new underground transmission circuit between Burnaby and Vancouver. The project is required to provide an alternate secure source of electricity to Vancouver's downtown core.

- L) Michael Chao,  
2002 July 29  
Re: Burnaby Board of Variance

A letter was received from Michael Chao expressing disappointment with a decision by the Board of Variance regarding an appeal for 4111 Yale Street.

- M) Chris McWilliam,  
2002 July 29  
Re: Intersection of Willingdon Avenue  
and Still Creek Drive

A letter was received from Chris McWilliam expressing traffic safety concerns at the intersection of Willingdon Avenue and Still Creek Drive.

A staff note advises that the traffic conflicts observed by the correspondent will be obviated when the final western section of the Still Creek loop passing under Willingdon is completed. Staff will review the intersection to determine whether there are interim measures that would address safety concerns in the short run. This information will be conveyed to the correspondent.

- N) Location Manager, Stargate Productions VI  
Limited Partnership, 2002 August 01  
Re: Proposal for Bus Route along Enterprise Street

A letter was received from Lynn Smith, Location Manager for the T.V. series "*Stargate SG-1*" expressing concerns about noise from proposed bus stops on Enterprise Street near the Norco filming studios.

A staff note advises that the operational measures to accommodate new bus routes were considered by the Traffic Safety Committee in June. At that time it was indicated that changes that raised concerns amongst neighbours would be deferred until the Committee could give further consideration to the issues. Accordingly it would be appropriate for this correspondence to be forwarded to the Committee.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

- O) Executive Director, Lower Mainland Christmas  
Bureau, 2002 August 01  
Re: Annual Motorcycle Toy Run

A letter was received from Lower Mainland Christmas Bureau requesting support for the annual Motorcycle Toy Run which is scheduled for Sunday, 2002 October 06.

A staff report is being prepared in response to this item of correspondence for August 26 Council meeting.

- P) Marjorie Malatestinic,  
2002 July 24  
Re: Renovation and Addition  
to 4637 Highlawn Drive

A letter was received from Mrs. Marjorie Malatestinic expressing further concern regarding proposed renovations and additions to the house at 4637 Highlawn Drive.

A staff note advises that in response to Mrs. Malatestinic's letter of 2002 July 22, the Director Planning and Building sent a detailed letter on the renovation and addition at 4637 Highlawn Drive on 2002 July 31. A copy of the letter was also sent to Mrs. Malatestinic's mother, Mrs. Beatrice McMillan, who lives at 4643 Highlawn Drive. The renovation at 4637 Highlawn Drive has been reviewed by the Building Department and conforms to the regulations of the R10 Residential District.

- Q) Phillip Eidsvik, BC Fisheries Survival Coalition,  
2002 July 26  
Re: Senior Government Misinformation on  
Aboriginal Claims

A letter was received from Phillip Eidsvik, BC Fisheries Survival Coalition, expressing concern regarding federal statements to municipal governments about the fishery component of aboriginal claims treaty negotiations.

- R) Director of Legislative and Information Services  
Corporation of the City of New Westminster,  
2002 July 29  
Re: Official Community Plan Designation  
(9 Columbia Street East - Woodlands)

A letter was received from City of New Westminster requesting comment on their official community plan designation amendment bylaw for the Woodlands property.

The Director Planning and Building is preparing a report in response to this item of correspondence for August 26th Council meeting.

Arising from consideration of Correspondence Item 2(I) from Leanne Cassap, on behalf of the Autoplan Brokers, Councillor Der was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR DER:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Council endorse the Pedestrian Safety Campaign and forward a copy of this item of correspondence to the Traffic and Transportation Committee (Traffic Safety Division) for information."

CARRIED UNANIMOUSLY

*Councillor Corrigan retired from the Council Chamber at 7:19 p.m.*

Arising from consideration of Correspondence Item 2(J) from Western Canada Wilderness Committee, Councillor Johnston was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

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

Arising from consideration of Correspondence Item 2(H) from Mayor of Port Coquitlam, Councillor Johnston was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILOR EVANS:

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

CARRIED UNANIMOUSLY

Arising from consideration of Correspondence Item 2(Q) from B.C. Fisheries Survival Coalition, Councillor Harris was given leave by Council to introduce the following motion:



MOVED BY COUNCILOR HARRIS:  
SECONDED BY COUNCILLOR BEGIN:

"THAT this item of correspondence be forwarded to the Lower Mainland Treaty Advisory Committee."

CARRIED  
OPPOSED: COUNCILLOR REDMAN

### **3. REPORTS**

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

**A) Mayor Douglas P. Drummond**  
**Re: Appointments to Council**  
**Committees and Commission**

His Worship, Mayor Drummond submitted a report recommending appointments to fill vacancies on the Bicycle Advisory Committee, Environment and Waste Management Committee and Community Heritage Commission.

His Worship, Mayor Drummond recommended:

1. THAT the following appointments be made to the Committees and Commission noted:
  - a) BICYCLE ADVISORY COMMITTEE
    - Ms. Winnie Wang, 1605 - 4689 Hazel Street, Burnaby, BC V5H 4R6
    - Mr. Patrick Ryan, 4847 Hickory Court, Burnaby, BC V5G 4B1
  - b) ENVIRONMENT AND WASTE MANAGEMENT COMMITTEE
    - Mr. Gary Lanyon, 4825 Clinton Street, Burnaby, BC V5J 2L1
  - c) COMMUNITY HERITAGE COMMISSION
    - Ms. Jenny Siormandakis, 401 - 3939 Hastings Street, Burnaby, BC V5C 2H8.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR EVANS:

"THAT the recommendations of His Worship, Mayor Drummond be adopted."

CARRIED UNANIMOUSLY

**B) Local Improvement Project - Speed Humps**

The City Clerk submitted a report certifying that petitions have been received supporting the following Local Improvement Speed Hump Projects as detailed in attached schedule: 20-220; 20-221; 20-222; 20-223; 20-226 and 20-227.

The City Clerk recommended:

1. THAT Council receive the City Clerk's Certificate of Sufficiency covering the 2002 Local Improvement Program - Speed Humps.
2. THAT the Director Finance prepare a cost report under Section 635 of the LOCAL GOVERNMENT ACT OF B.C. for each of the successful projects.
3. THAT on receipt of the cost report, the City Solicitor prepare Local Improvement Construction Bylaws for each of the successful projects.

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

- C)** The City Manager presented Report No.21, 2002 August 12 on the matters listed following as Items 01 to 27 either providing the information shown or recommending the courses of action indicated for the reasons given:

**1. Proposed New Provincial Liquor Licensing System**  
**Proposed Privatization of Government Liquor Stores**

The City Manager submitted a report from the Director Planning and Building providing Council with an update on the Province's liquor policy review process and information on the recently announced privatization of provincial liquor stores. Staff advise that in terms of the Province's liquor policy review, it was noted that the new regulations implementing

significant changes are expected to be approved by corridor order within the next few weeks. Furthermore, it is not expected that local governments will be given the opportunity to review the draft regulations prior to their approval, despite the City of Burnaby and other municipalities, making submissions which made such a request. As a result, staff propose that Council adopt the resolution contained in this report and that it be forwarded to the UBCM as an emergency resolution at their 2002 Annual Conference.

The City Manager recommended:

1. THAT Council reaffirm the objections to the proposed new provincial liquor licencing system and associated policy review process, as outlined in Section 2.0 of this report.
2. THAT a UBCM resolution supporting Recommendation #1 be approved, as outlined in Appendix 1 and forwarded to the UBCM on an emergency basis for consideration at their annual conference in 2002 September.
3. THAT a copy of this report be forwarded to the Solicitor General, Honourable Rich Coleman and the Minister of Competition, Science and Enterprise, Honourable Rick Thorpe, as well as to Burnaby's MLAs.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

"THAT this report be **REFERRED** to staff for further review including identification of Council authority to limit the number of outlets within a community; the impact on the City's Smoking Bylaw; and the impact of the new regulations on expanded restaurant functions as pubs or bars."

CARRIED UNANIMOUSLY

## **2. Proposed New Community Care Facility Act**

The City Manager submitted a report from the Director Planning and Building providing an overview and assessment of the proposed new CCF Act. Staff note that, as the existing Act is over thirty years old, the legislation was due to be reviewed and updated. Staff further note that

some of the proposed changes are positive, but cited three broad areas of concern: breadth of application, monitoring and accountability and regulations.

The City Manager recommended:

1. THAT the City convey its comments regarding the proposed new Community Care Facility Act, as outlined in Section 4.0 of this report, in a letter to:

Director, Community Care Licensing Branch  
1520 Blanshard Street, 2nd Floor  
Victoria, B.C. V8W 3C8

2. THAT copies of this report be sent to the Union of BC Municipalities, the GVRD, the Fraser Health Authority and Burnaby's four MLA's.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

Arising from discussion, Council requested that a copy of the report be provided to the Community Issues and Social Planning Committee.

### **3. Federal Electoral Boundaries Review**

The City Manager submitted a report from the Director Planning and Building providing information on the proposals to redistribute electoral boundaries within B.C., as put forth by the federal electoral boundaries Commission for British Columbia and proposing changes to Burnaby's current electoral boundaries.

Staff propose that two electoral districts be created wholly within Burnaby's borders reflecting an amalgam of Burnaby's existing organizational structure. Proposed boundaries for both electoral districts, are based on major roads and the approximate population from the 2001 census. Staff conclude that having two electoral districts solely within Burnaby's jurisdiction would facilitate federal-municipal initiatives and promote community identification with Members of Parliament.

The City Manager recommended:

1. THAT the City of Burnaby make a presentation to the Federal Electoral Boundaries Commission for British Columbia at its hearing in New Westminster (Queensborough Community Centre) on 2002 November 15 at 2:00 p.m.
2. THAT the City recommend that two electoral districts contained solely within Burnaby's borders be created for Burnaby, as outlined in Section 4.0 of this report.
3. THAT a copy of this report be submitted to the Federal Electoral Boundaries Commission for BC.
4. THAT a copy of this report be forwarded to the MP's for Burnaby.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

**4. Treatment of Slope on the North Side of Lougheed Highway between Production Way and Gaglardi Way**

The City Manager submitted a report from the Director Planning and Building seeking Council approval for a proposal on a cost sharing arrangement to improve the sloped treatment on the north side of Lougheed Highway between Production Way and Gaglardi Way.

Staff note that, with the cooperation of RTP 2000 and TransLink, an approach has been developed that would see those agencies co-fund the required retaining walls and decorative casing covers through the use of remaining Municipal Integration Funds (MIF) with the City contributing a more minor share for landscaping improvements.

The City Manager recommended:

1. THAT Council approve a cost sharing arrangement with Rapid Transit Project 2000 (RTP) and TransLink for the upgrading of the slope treatment on the north side of Lougheed Highway between Production Way and Gaglardi Way as outlined in Section 2 of this report, with the City's contribution towards landscaping not to exceed \$50,000 (including GST).

2. THAT Council authorize staff to bring down a Capital Reserve Expenditure Bylaw in the amount of \$50,000 (inclusive of GST) for the purposes as outlined in this report.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Arising from consideration of the subject report, Councillor Corrigan was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT staff review the landscaping materials to be used in conjunction with Crime Prevention Through Environmental Design (CPTED) principles and input from the district community policing office."

CARRIED UNANIMOUSLY

**5. Burnaby/New Westminster Area Transit Plan:  
Bus Service Additions to Brighton Avenue**

The City Manager submitted a report from the Director Planning and Building responding to the issues raised in correspondence received from Nancy von Euw regarding the proposed rerouting of buses onto Brighton Avenue.

Staff acknowledge that there will be a significant increase in bus volumes on Brighton related to the introduction of Production Way/University SkyTrain. However, it is felt there are no practical alternative routes which could be used to approach the station from the south. A "Truckers, please avoid the use of engine brake in urban areas" sign was installed in early July on Brighton southbound between Lougheed and Government in response to this specific concern of Ms. von Euw's. Moreover, staff note that truck traffic volumes on Brighton may decrease as a proportion to total traffic in the longer term as the Lake City Way area redevelops into an office oriented business park as outlined in the recently approved Lake City Business Centre Guide Plan.

The City Manager recommended:

1. THAT copies of this report be forwarded to Nancy von Euw, Glen Leicester, Director of Implementation Planning, TransLink; and Judie Robertson, Manager, Service Implementation, Coast Mountain Bus Company.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

*Councillor Corrigan retired from the Council meeting at 7:45 p.m.*

*Councillor Johnston retired from the Council meeting at 7:46 p.m.*

CARRIED UNANIMOUSLY

**6. Fermentation Facility (Craft Brewery)**  
**Within Champs Sports Bar**  
**Radisson Hotel - 4331 Dominion Street**

The City Manager submitted a report from the Director Planning and Building providing Council with a recommendation regarding a request to establish a fermentation facility (craft brewery) within Champs Sports Bar at the Radisson Hotel. Staff advise that the applicant is proposing to locate a small fermentation facility on the southerly side of the Class A pub for the purpose of producing and selling its own branded premium craft beer. The area required for fermentation facility is 157.5 sq.ft. in size, representing 2.8% of the licenced pub area. The construction of the fermentation facility would result in a decrease of twelve seats in the licenced Class A pub. In light of the minor nature of the proposal, staff propose that Council resolve to support the subject fermentation facility.

The City Manager recommended:

1. THAT Council support the request for a fermentation facility (Craft Brewery) within Champs Sports Bar at the Radisson Hotel, as described in this report.
2. THAT a copy of this report and the Council resolution be sent to the applicant, Mr. Bert Hick, Rising Tide Consultants Ltd, Suite 740 - 1070 Douglas Street, Victoria, BC V8W 2C4 and the General Manager, Liquor Control & Licensing Branch, PO Box 9292, Stn. Provincial Government, Victoria, B.C. V8W 9J8.

MOVED BY COUNCILLOR EVANS:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**7. Rezoning Reference #02-20**  
**Cold Storage Warehouse Facility**  
**Address: Ptn. of 5600 Riverbend Drive**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward Rezoning Reference No. 02-20, 5600 Riverbend Drive, to a Public Hearing on 2002 September 17. The purpose of the proposed Rezoning Bylaw is to permit the development of a Cold Storage Warehouse Facility.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2002 August 26 and to a Public Hearing on 2002 September 17 at 7:30 p.m.
2. THAT the following be established as prerequisite 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, including shoreline stabilization, ramp improvements, pedestrian access and riparian enhancement works. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
  - c. The installation of all electrical, telephone and cable servicing and all other wiring underground throughout the development and to the point of connection to the existing service where sufficient facilities are available to serve the development.
  - d. The granting of any necessary easements and covenants, including the noted public access rights-of-way.



- e. The deposit of the applicable GVS & DD Sewerage Development charge of \$0.811 per sq.ft. of gross floor area.
- f. The submission of a Site Profile and resolution of any requirements arising.
- g. The granting of a 219 Covenant respecting flood proofing requirements.
- h. The satisfaction of all necessary subdivision requirements.

*Councillors Corrigan and Johnston returned to the Council Chamber at 7:49 p.m. and took their places at the Council table.*

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**8. Siting Approval Application #02-42  
Building Permit Application  
6607 Royal Oak Avenue (Lowe)  
Lots 15 and 16, Blk 1, DL 152, Plan 1209**

The City Manager submitted a report from the Director Planning and Building informing Council of a building permit application for two new single family dwellings at 6607 Royal Oak Avenue located within the Metrotown Development Plan (sub area 6). Staff note that, unless otherwise directed by Council, the Chief Building Inspector will process and approve the two building permit applications once all the necessary requirements have been met to the approval of the Chief Building Inspector.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

**9. 7456 Edmonds Street**  
**Preliminary Plan Approval #02-112**  
**Proposed New Commercial Building**  
**Edmonds Town Centre Plan**

The City Manager submitted a report from the Director Planning and Building responding to an inquiry from Council regarding an application for preliminary plan approval to build a new commercial building within the Edmonds Town Centre area (7456 Edmonds Street) under the prevailing service commercial district (C4) zoning. Council directed staff to determine the possibility of a development more in line with the adjusted community plan or the option of City acquisition of the property.

Staff advise that the owner would like to consider the eventual redevelopment to a more intensive use and higher density in line with the adopted Edmonds Town Centre Plan in the medium to long term when appropriate conditions exist. At present, however, the owner intends to pursue the proposed development of a new commercial building under the prevailing C4 district zoning.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

**10. Road Closure Reference #01-5**  
**Proposed Closure of Redundant Lane Allowance**  
**and the Dedication of Property from 7893 - 6th Street**

The City Manager submitted a report from the Approving Officer seeking Council authority to close a portion of redundant lane allowance which is proposed to be consolidated with 7893 - 6th Street as well as dedication of property from 7893 - 6th Street for future intersection improvements at 6th Street and 10th Avenue.

The City Manager recommended:

1. THAT Council authorize the introduction of a Highway Exchange Bylaw for the closure of a redundant lane allowance and the dedication of property as outlined in this report.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**11. Road Closure Reference #01-10  
X-Reference Subdivision #01-10  
Highway Exchange Bylaw No. 11383  
Adjacent 3681 Lynndale Crescent**

The City Manager submitted a report from the Approving Officer responding to a letter received from the Hoy family of 3679 Lynndale Crescent, expressing opposition to the subject highway exchange bylaw and an associated subdivision application to create four R1 residential single family lots.

Staff advise that the proposed subdivision meets the requirements of the R1 residential district zoning regulations and is in conformance with the conditions of the tentative approval. Staff, therefore, recommend that Council give reconsideration and final adoption to the subject highway exchange bylaw.

The City Manager recommended:

1. THAT Reconsideration and Final Adoption of Burnaby Highway Exchange Bylaw No. 3, 2002, appearing elsewhere on this Agenda, be given.
2. THAT a copy of this report be forwarded to the Hoy family at 3679 Lynndale Crescent, Burnaby, B.C. V5A 3S5.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

**12. Building Permit Tabulation Report No. 07  
from 2002 June 10 to 2002 July 07**

The City Manager submitted a report from the Director Planning and Building providing Council with information on construction activity as reflected by the building permits that have been issued for the subject period.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

**13. Chevron Canada Refinery Air Emissions  
Human Health Risk Assessment Study**

The City Manager submitted a report from the Director Engineering informing Council on the findings of the Human Health Risk Assessment Study undertaken to determine possible health impacts of current air emissions from the Chevron Canada Refinery in North Burnaby.

Based on the findings of the subject study and the findings of the environmental compliance audit report undertaken by Dillon Consulting Limited which, in part, noted that from an emissions factors basis, Chevron Refinery had higher sulphur dioxide, VOC and MTBE emissions factors (for the year 1996) when compared to selected refineries in California, staff proposed a series of actions.

The City Manager recommended:

1. THAT the Federal Minister of Environment and the B.C. Minister of Water, Land and Air Protection undertake a review of the Ambient Air Quality Objectives for Sulphur Dioxide.
2. THAT the B.C. Minister of Water, Land and Air Protection request that the Greater Vancouver Regional District consider taking measures to reduce air emissions of sulphur dioxide and volatile organic compounds from the Chevron Canada Refinery based on the findings of the Human Health Risk Assessment Study led by the Ministry.

3. THAT the Fraser Health Authority comment on any specific actions which may be needed to be taken by the Public when ambient sulphur dioxide levels at nearby regional air quality stations exceed 100 parts per billion over a 10-minute period.
4. THAT the Greater Vancouver Regional District:
  - a) Require Chevron Canada Limited to develop a sulphur dioxide air emission reduction plan with specific time lines from current emission levels for their refinery located in Burnaby;
  - b) Require Chevron Canada Limited to develop a curtailment strategy for air emissions from their refinery in Burnaby when the sulphur dioxide readings at the nearby regional ambient air quality monitoring stations approach 100 parts per billion over a 10 minute period;
  - c) Store and Report sulphur dioxide readings from their ambient air quality monitoring stations near Chevron Canada Refinery as 10-minute average values;
  - d) Monitor for manganese at the regional air quality monitoring stations as 24-hour averages for a period of one full year; and
  - e) Require consistent ship loading and barge loading procedures for gasoline from petrochemical facilities within the region by requiring all ships and barges to hook up to vapour recovery units and thereby reducing volatile organic compounds emissions.
5. THAT Environment Canada continue monitoring for ambient concentrations of Volatile Organic Compounds in Greater Vancouver.
6. THAT the Ministry of Water, Land and Air Protection, as chair of the Chevron Canada Refinery Air Emissions Human Health Risk Assessment Project Advisory Committee, host a public forum to inform the public on the findings of this Human Health Risk Assessment Study.
7. THAT City staff be authorized to participate in the public forum hosted by the B.C. Ministry of Water, Land and Air Protection.

8. THAT a copy of the *"Air Emissions from Chevron North Burnaby Refinery Human Health Risk Assessment"* Report be made available at all public libraries in Burnaby.
9. THAT copies of this report be forwarded to:
  - a) The Federal Minister of Environment;
  - b) The BC Minister of Water, Land and Air Protection;
  - c) The Fraser Health Authority;
  - d) The Greater Vancouver Regional District;
  - e) The Burnaby School Board;
  - f) The Environment and Waste Management Committee; and
  - g) Chevron Canada Limited.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

Mr. Dipak Dattani, Supervisor - Environmental Services, provided an overview of the report for the benefit of Council.

MOVED BY COUNCILLOR REDMAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Recommendation No. 9 be AMENDED to include that a copy of the report be sent to BRACE (Burnaby Residents Against Chevron Expansion)."

CARRIED UNANIMOUSLY

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

**14. Southridge Drive**  
**Noise Fence and Landscaping Issues**

The City Manager submitted a report from the Director Engineering providing Council with an overview of the communication and consultation undertaken between Burnaby and New Westminster on the Southridge Drive project and responding to the issues raised by the New Westminster Connaught Heights Neighbourhood delegation on 2002 July 08. The delegation requested additional mitigation measures arising from the completion of Southridge Drive between 20th Street and Byrne Road.

Staff advise that Southridge Drive is one of the major road corridors in the region serving regional traffic through the south Burnaby area. The construction of Southridge Drive is the product of many years of transportation planning and engineering effort in order to provide a safe and cost efficient transportation corridor meeting current and future regional needs. Staff further advise that the City of Burnaby has held consultation and review meetings with New Westminster on all aspects of the project including noise attenuation, landscaping and detailed construction design. Through project coordination meetings and public workshops, engineering design reviews were conducted and accepted by the City of New Westminster.

The City Manager recommended:

1. THAT Council receive this report for information.
2. THAT copies of this report be provided to:
  - a) Ms. Tracey Plevy  
Connaught Heights Residents Association  
2109 - 9th Avenue  
New Westminster, B.C. V3M 6H7
  - b) Mayor Helen Sparkes  
City of New Westminster  
511 Royal Avenue  
New Westminster, B.C. V3L 1H8
  - c) TransLink  
4330 Kingsway  
Burnaby, B.C. V5H 4G8

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

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

Council also requested that the Engineering Department meet with the delegate, Ms. Tracey Plevy, to review the report.

**15. Amendment of the Truck Route Network**

The City Manager submitted a report from the Director Engineering requesting Council approval to allow for the formal deletion of Southpoint Drive (Stride Avenue) from the Burnaby Truck Route Network and to introduce the major roads network as an entity, as truck routes, in the Street and Traffic Bylaw.

The City Manager recommended:

1. THAT all roads, within Burnaby, designated as being in the Major Road Network by agreement with TransLink (the Greater Vancouver Transportation Authority) be included in Schedule "A" of the Street and Traffic Bylaw and be so designated as truck routes.
2. THAT Schedule "A" of the Street and Traffic Bylaw be amended by deleting Stride Avenue (Southpoint Drive).
3. THAT Schedules "A" and "B" be consolidated and amended as required to eliminate redundancy created by Recommendation 1.
4. THAT by copy of this report the TransLink Board be requested to permit the City to proceed with the replacement of the Stride Avenue (Southpoint Drive) link by the recently completed Southridge Drive route in the City's Truck Route Network.

*Councillor Corrigan retired from the Council Chamber at 8:31 p.m.*



MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR CORRIGAN:

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

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR EVANS:

"THAT the recommendations of the City Manager be **AMENDED** to include that a copy of this report be sent to the B.C. Trucking Association requesting the Association to forward it to their members across Western Canada."

CARRIED UNANIMOUSLY

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

**16. Statutory Right of Way**  
**536 Ellesmere Avenue**  
**Lot 11 Block 3 DL 127 Plan 1342**

The City Manager submitted a report from the Director Engineering requesting Council approval to negotiate a 10-foot statutory right of way for sewer purposes from 536 Ellesmere Avenue.

The City Manager recommended:

1. THAT the City Solicitor be authorized to negotiate a 10-foot statutory right of way from 536 Ellesmere Avenue.

MOVED BY COUNCILLOR EVANS:  
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**17. 9th Annual Alta Vista Park Celebration**

The City Manager submitted a report from the Director Engineering seeking Council approval for a temporary road closure of McKee Street from Royal Oak West to accommodate the 9th annual Alta Vista Park Celebration on Saturday, 2002 September 14 from 9:00 a.m. to 3:00 p.m.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Nola Robertson, 5181 Patrick Street, Burnaby, B.C. V5J 3A9 be sent a copy of this report.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**18. Road and Lane Closure - Gray Avenue**

The City Manager submitted a report from the Director Engineering seeking Council approval for a road and lane closure to accommodate the South Burnaby United Church second annual Fall Festival on Saturday, 2002 September 14 from 7:00 a.m. to 4:00 p.m. The closure includes the road and laneway in the rear of the church property (7591 Gray) and Gray Avenue from Irwin to Rumble.

The City Manager recommended:

1. THAT Council approve the road and lane closure as discussed in this report.
2. THAT the coordinator of the event, Reverend K.I. MacDonald, South Burnaby United Church, 7591 Gray Avenue, Burnaby, B.C. V5J 3Z4, be sent a copy of this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

**19. Road Closure - Arcola Street**

The City Manager submitted a report from the Director Engineering seeking Council approval for a temporary road closure of Arcola Street between Walker Avenue and Hall Avenue to accommodate the "Big Pig Gig" event on Monday, 2002 September 02 from 7:00 a.m. to 7:00 p.m.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Carol Ann Flanagan, Southside Community Church, 7135 Walker Avenue, Burnaby, B.C. V5E 3C6 be sent a copy of this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

**20. Work Orders**

The City Manager submitted a report from the Director Engineering requesting Council approval of Work Order 60-32-119 (Lower Byrne Creek Flood Water Management - Phase II) and 60-30-109 (Willingdon Capitol Hill Sewer Separation Program - Phase I).

The City Manager recommended:

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

*Councillor Redman returned to the Council Chamber at 8:34 p.m. and took her place at the Council table.*

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**21. Contract No. 2002-15**  
**Lower Byrne Creek Flood Water Management**  
**Phase 2 Works**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for improvements to the Byrne Creek dyke. The work of this contract involves improvement to the banks of Byrne Creek, the excavation of portions of the channel between Marine Way and the CPR right of way, and removal of sediment from the Riverway Place and CPR culverts.

The City Manager recommended:

1. THAT a contract be awarded to the lowest acceptable bidder, Mission Contractors Ltd., for improvements to the Byrne Creek dyke for a total cost of \$409,230.30 with final payment based on actual quantities and unit prices tendered.

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

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR EVANS:

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

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR DER:

"THAT the recommendation of the City Manager be **AMENDED** to include that a copy of the report be sent to the Environment and Waste Management Committee and Byrne Creek Streamkeepers for information."

CARRIED UNANIMOUSLY

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

**22. Contract No. 2002-19**  
**Byrne Road Sanitary Sewer System**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for the construction of the Byrne Road Sanitary Sewer System.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, P. Baratta Construction Ltd. for the construction of a sanitary sewer in the Byrne Road area, for a total cost of \$1,112,024.30 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**23. Contract No. 2002-13**

**2002 Willingdon Capitol Hill Sewer Separation  
Program Phase I**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for the construction of storm and sanitary sewer improvements in the Capitol Hill area. The work of this contract involves the construction of approximately 898 metres of large diameter storm sewer and 152 metres of sanitary sewer, together with pavement overlay in the area of Willingdon and Beta Avenues at Cambridge Street.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Conwest Contracting Ltd., for the construction of storm and sanitary sewer improvements in the Capitol Hill area for a total cost of \$998,310.00 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**24. Contract No. 2002-18**

**2002 Local Improvement Program Phase I**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for Phase I of the 2002 Local Improvement Program. The work of this contract involves the construction of approximately 580 metres of roadway, 1,280 metres of curb, gutter and sidewalk, 120 metres of storm sewer and 625 metres of watermain along Walker and Booth Avenues and along Burris Street.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Jack Cewe Ltd., for the construction of specified local improvements along Walker and Booth Avenues and Burris Street, for a total cost of \$748,998.93 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

**25. Contract No. 2002-20**

**2002 Local Improvement Program Phase II**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for Phase II of the 2002 Local Improvement Program. The work of this contract involves the construction of approximately 550 metres of roadway, curb, gutter and sidewalk and approximately 200 metres of watermain along Percival Avenue and along Spruce and Dundas Streets.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Targa Contracting Ltd., for the construction of specified local improvements along Percival Avenue and along Spruce and Dundas Streets, for a total of \$740,611.74 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

**26. Inter-Jurisdictional Commercial Vehicle Licensing Agreement - The International Registration Plan (IRP)**

The City Manager submitted a report from the Director Finance regarding the International Registration Plan for commercial vehicles. Staff advise that the international registration plan has no apparent impact on the City operations relating to commercial vehicles. In the interest of facilitating the issuance and service of City documents to owners of out of province or U.S. registered commercial vehicles the City would encourage ICBC to develop a program or agreement for access to motor vehicle information with IRP members. Furthermore, ICBC is encouraged to resolve any compromise in commercial vehicle safety and insurance in the province as a result of the IRP.

The City Manager recommended:

1. THAT Council receive this report for information.
2. THAT a copy of this report be sent to:

Mr. Hans Cunningham, Chair UBCM  
Suite 60 - 10551 Shellbridge Way  
Richmond, B.C. V6X 2W9

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**27. Fire Department Second Quarter Report 2002**

The City Manager submitted a report from the Fire Chief providing Council with information relating to Fire Department activities for the second quarter of 2002.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

**4. TABLED MATTERS**

- A) 5150 Riverbend Drive  
Preliminary Plan Approval #01-325  
Addition of Turbo Generator Building to  
GVRD Refuse Incinerator Plant  
Big Bend Development Plan Area  
(Item 4, City Manager's Report No. 12,  
'Open' Council Meeting held 2002 April 22)

The following item was tabled at the 'Open' Council Meeting held on 2002 April 22:



4. 5150 Riverbend Drive  
Preliminary Plan Approval #01-325  
Addition of Turbo Generator Building to  
GVRD Refuse Incinerator Plant  
Big Bend Development Plan Area

The City Manager submitted a report from the Director Planning and Building informing Council of an application for Preliminary Plan Approval for addition of a turbo generator building to the existing GVRD Refuse Incinerator Plant in the Big Bend.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR CORRIGAN:

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

MOVED BY COUNCILLOR CORRIGAN:  
SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

This item was tabled in order to provide Council with a further opportunity for review and to determine if a fee may be charged to the GVRD.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR CORRIGAN:

"THAT the motion as moved by Councillor Johnston and seconded by Councillor Corrigan 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 taken on the motion as moved by Councillor Johnston and seconded by Councillor Corrigan being "THAT the recommendation of the City Manager be adopted" and same was CARRIED UNANIMOUSLY.

- B) Overview of Provincial Core Services Review  
and its Impacts for Burnaby  
(Item 3, Manager's Report No. 17, 'Open'  
Council meeting held on 2002 June 24)

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

- C) 7456 Edmonds Street  
Preliminary Plan Approval #02-112  
Proposed New Commercial Building  
Edmonds Town Centre Plan  
(Item 6, City Manager's Report No. 20,  
'Open' Council Meeting held 2002 July 22)

The following item was tabled at the 'Open' Council Meeting held on 2002 July 22:

- 6. 7456 Edmonds Street**  
**Preliminary Plan Approval #02-112**  
**Proposed New Commercial Building**  
**Edmonds Town Centre Plan**

The City Manager submitted a report from the Director Planning and Building informing Council of an application for Preliminary Plan Approval within the Edmonds Town Centre Plan Area (7456 Edmonds Street) to build a new commercial building under the prevailing Service Commercial District (C4) zoning.

The City Manager recommended:

1. THAT this report be received for information purposes.

**MOVED BY COUNCILLOR BEGIN:**  
**SECONDED BY COUNCILLOR DER:**

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

**MOVED BY COUNCILLOR VOLKOW:**  
**SECONDED BY COUNCILLOR REDMAN:**

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

**CARRIED UNANIMOUSLY**

**This item was tabled in order to provide Council members with a further opportunity for review.**

**MOVED BY COUNCILLOR VOLKOW:**  
**SECONDED BY COUNCILLOR BEGIN:**

**"THAT the recommendation as moved by Councillor Begin and seconded by Councillor Der 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 taken on the motion as moved by Councillor Begin and seconded by Councillor Der being "THAT the recommendation of the City Manager be adopted" and same was CARRIED UNANIMOUSLY.

- D) Proposed Community Charter  
(Item 1, City Manager's Report No. 20,  
'Open' Council Meeting held 2002 July 22)

The following item was tabled at the 'Open' Council meeting held on 2002 July 22:

**1. Proposed Community Charter**

**The City Manager submitted a report from the City Clerk requesting Council approval of recommended amendments to the proposed Community Charter for submission to the Provincial Government.**

**Staff advise that the Community Charter establishes a level of authority and responsibility not previously provided to local governments in British Columbia. At the same time, these new powers have been tempered with the requirement for more public accountability and with definitive**

restrictions on their exercise in certain areas. The purpose of combining broad powers with public accountability and specified restrictions has been described as seeking balance between the status of municipalities as creations of Provincial statute and the recognition of local government as the level of government closest to the people.

The Charter is perceived as a positive step toward the exercise of greater local autonomy but it is not without some concerns related to the true impact of the combined freedoms and restrictions on the overall well being of communities at large. With that in mind, staff submit this report and its recommendations to Council for consideration and approval for submission as part of the Community Charter public participation process.

The City Manager recommended:

1. THAT Burnaby City Council request the Minister of State for the Community Charter to provide clarification for, and support amendments to the proposed Community Charter, prior to its introduction, as set out below:
  - a) Clarification be provided with respect to the change in wording in S. 1 of the Local Government Act which refers to an *"independent"* order of government to the wording in S.1(1)(a) of the Community Charter which refers to an *"autonomous"* order of government including the reasons for the change and the intended impact of the change on local government authority.
  - b) Clarification of S.2(2)(c) be provided as to the meaning of the phrases *"new responsibilities"* and *"provision for resources"* including what will be considered new responsibilities and how new resources will be provided.
  - c) Clarification be provided with respect to the meaning of S.3(1) as to the definition of *"adequate powers"*.
  - d) Clarification of the apparent contradiction between S.56 which requires notice to be given if the enactment of a bylaw would have the effect of prohibiting business and the absence of direct authority to prohibit business activities.
  - e) Amend S. 8 of the Community Charter to eliminate or limit the circumstances in which Provincial approval is required for all bylaws dealing with public health or the natural environment.

- f) Amend the Community Charter to reinstate the Building Code Appeal Board as set out in the Local Government Act of B.C.
  - g) Amend the Community Charter to provide for legislated protection from liability associated with contaminated road beds vested in local governments under Part 3, Division 5, S. 35.
  - h) Amend the Community Charter to reinstate the option of local governments to charge nomination fees for local government elections as currently set out in the Local Government Act of B.C.
  - i) Amend S. 75(1)(1) to delete the reference to *"respecting municipal objectives, measures and accomplishments for the purpose of annual municipal reports"* to permit closed general discussions with municipal officers and employees.
  - j) Amend S. 83(2) to delete the requirement to create municipal performance measures.
  - k) Amend the Community Charter to provide for graduated penalties for failure to comply with the ethical conduct provisions of the Charter including public censure, suspension and fines.
  - l) Amend S. 85(4) to delete the requirement for a Council member to obtain legal advice before retracting a declaration on a conflict of interest.
  - m) Amend the Community Charter to include protection against joint and several liability, establish protection through proportional liability and include time limitations for local government liability.
2. THAT Burnaby Council support simplification of the process for obtaining external debt based on a municipality's ability to pay and independent of ministerial or elector assent.
3. THAT Burnaby Council strongly oppose the provision for permissive tax exemption authority for Class 4 and Class 5 industries and that support for these industries be provided by the Provincial Government or through the adjustment of municipal and provincial tax rates.

4. THAT the requirement to advertise in newspapers the recipients and amount of forgone tax from permissive tax exemptions authorized by Council be eliminated.
5. THAT as a source of new and ongoing revenue the Province contribute .5% of the Provincial Sales Tax (PST) to municipalities.
6. THAT Burnaby Council support the transfer of 75% of traffic fine revenue to municipalities.
7. THAT Burnaby Council advise the Provincial Government of its opposition to the creation of a permanent Community Charter Council.
8. THAT a copy of this report be sent to Honourable Ted Neblett, Minister of State for the Community Charter, Deputy Minister Bob DeFay, Ministry of Community, Aboriginal and Women's Services, Assistant Deputy Minister Dale Wall, Ministry of Community, Aboriginal and Women's Services, the Union of B. C. Municipalities and Burnaby Members of the Legislative Assembly.

**MOVED BY COUNCILLOR EVANS:**

**SECONDED BY COUNCILLOR DER:**

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

**MOVED BY COUNCILLOR BEGIN:**

**SECONDED BY COUNCILLOR VOLKOW:**

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

**CARRIED UNANIMOUSLY**

This item was TABLED to the August 12<sup>th</sup> Council meeting at which time attendance of a full Council is anticipated.

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

The motion was now before the meeting.

*Councillor Volkow retired from the Council Chamber at 9:00 p.m.*

*Councillor Volkow returned to the Council Chamber at 9:04 p.m. and took his place at the Council table.*

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Recommendation No. 8 be **AMENDED** to include that a copy of the report be sent to all municipalities in the Province."

CARRIED UNANIMOUSLY

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

- E) Highway Exchange Bylaw No. 3, 2002  
Bylaws - Reconsideration and Final Adoption  
(Council Meeting 2002 July 22)

The following item was tabled at the 'Open' Council meeting held on 2002 July 22:

**RECONSIDERATION AND FINAL ADOPTION:**

**#11383 Burnaby Highway Exchange Bylaw No. 3, 2002**

MOVED BY COUNCILLOR HARRIS:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Highway Exchange Bylaw No. 3, 2002

#11383

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

MOVED BY COUNCILLOR REDMAN:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Highway Exchange Bylaw No. 3, 2002

#11383

be now TABLED."

CARRIED UNANIMOUSLY

This bylaw was TABLED as a result of a letter received by Council from "The Hoy Family" (Item 3T - Correspondence) regarding the proposed Highway Exchange. Staff are preparing a report in response to this item of correspondence for the 2002 August 12th Council meeting.

MOVED BY COUNCILLOR REDMAN:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT Burnaby Highway Exchange Bylaw No. 3, 2002, #11383 be now **LIFTED** from the table."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HARRIS:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT Highway Exchange Bylaw No. 3, 2002 be now Reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY



5. BYLAWS

FIRST READING

#11412	7859 and 7867 Canada Way	REZ #02-14
#11413	6321 Marine Drive	REZ #02-15
#11414	1431 (1435) Sperling Avenue	REZ #02-19
#11415	Ptn. of 5502 Lougheed Highway	REZ #02-23

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 26, 2002	#11412
--	--------

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 27, 2002	#11413
--	--------

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 28, 2002	#11414
--	--------

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 29, 2002	#11415
--	--------

be now introduced and read a first time."

CARRIED UNANIMOUSLY

**FIRST, SECOND AND THIRD READING:**

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Highway Exchange Bylaw No. 6, 2002

#11416

be now introduced and read three times."

CARRIED UNANIMOUSLY

**SECOND READING**

#11392	8884, 8896, 8910/20/36/52/64 15th Avenue and 7643 Cariboo road	REZ #02-12
--------	---	------------

#11400	Ptn. of 5115 North Fraser Way	REZ #02-18
--------	-------------------------------	------------

#11402	7488 Southwynde Avenue	REZ #02-08
--------	------------------------	------------

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw  
No. 22, 2002

#11392

Burnaby Zoning Bylaw 1965, Amendment Bylaw  
No. 24, 2002

#11400

Burnaby Zoning Bylaw 1965, Amendment Bylaw  
No. 14, 2002

#11402

be now read a second time."

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT staff prepare a report addressing the matter of access to Carleton Avenue as raised at the Public Hearing for Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 22, 2002, Bylaw No. 11392."

CARRIED UNANIMOUSLY

**SECOND AND THIRD READING**

#11380      Text Amendment

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw  
No. 13, 2002

#11380

be now read a second time and third time."

CARRIED UNANIMOUSLY

**CONSIDERATION AND THIRD READING**

#11370      3700 & 3800 Henning Drive and portion of adjacent  
Burlington Northern Santa Fe Railway right-of-way

REZ #01-31

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw  
No. 12, 2002

#11370

be now read a third time."

CARRIED UNANIMOUSLY

**CONSIDERATION AND THIRD READING**  
**AND RECONSIDERATION AND FINAL ADOPTION**

#10018      5525 Short Street and 6976 Antrim Avenue      REZ #65/93

#11399      7355 Canada Way      REZ #02-16

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment      #10018  
Bylaw No. 8, 1994

Burnaby Official Community Plan      #11381  
Amendment Bylaw 2002

Burnaby Zoning Bylaw 1965, Amendment      #11399  
Bylaw No. 23, 2002

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

CARRIED

OPPOSED: COUNCILLOR BEGIN  
TO BYLAW #11381

**RECONSIDERATION AND FINAL ADOPTION:**

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Cab and Commercial Vehicles      #11403  
Bylaw 1951, Amendment Bylaw 2002

2002 August 12

Burnaby Capital Works, Machinery and Equipment  
Bylaw No. 23, 2002

#11411

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

CARRIED

OPPOSED: MAYOR DRUMMOND  
TO BYLAW #11403

**6. NEW BUSINESS**

**Councillor Volkow**

Councillor Volkow was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CORRIGAN:

"THAT a 'Closed' meeting of the Executive Committee of Council be scheduled for Monday, 2002 August 26 at 5:00 p.m. in the Council Committee room."

CARRIED UNANIMOUSLY

**Councillor Evans**

Councillor Evans advised that the Burnaby RCMP Detachment was a finalist for the Herman Goldstein Award of Excellence in problem oriented policing. The California Highway Patrol won the award with the Burnaby RCMP Detachment finishing a close second.

Councillor Evans also noted that two officers from the Detachment have been invited to a conference in Washington, D.C. on 2002 August 20 and 21 to make a Community Policing presentation. The cost for the officers to attend the conference is being paid by the U.S. Department of Justice.

Councillor Evans noted that the Burnaby RCMP Detachment will also be attending a conference in San Diego on 2002 November 22 to make a presentation on Burnaby's Community Policing Program.

7. INQUIRIES

No inquiries were brought forward at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this 'Open' Council Meeting do now adjourn."


CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 9:30 p.m.

Confirmed:

Certified Correct:

  
MAYOR

  
ADMINISTRATIVE OFFICER I