

2002 JULY 22

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 July 22 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 B.K. Der
Councillor D.G. Evans
Councillor N.C. Harris
Councillor C.M.H. Redman
Councillor N.M. Volkow

ABSENT: Councillor D.R. Corrigan
Councillor D.N. Johnston

STAFF: Mr. R.H. Moncur, City Manager
Mr. W.C. Sinclair, Director Engineering
Ms. D. Jorgenson, Deputy Treasurer
Ms. K. Friars, Director Parks, Recreation & Cultural Services
Mr. J. Belhouse, Director Planning & Building
Mr. B. Rose, City Solicitor
Mrs. M. Manuel, Deputy City Clerk
Ms. G. McCaskie, Administrative Officer I

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR EVANS:

"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 BEGIN:

"THAT the minutes of the 'Open' Council meeting held on 2002 July 08 be adopted."

CARRIED UNANIMOUSLY

2. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR EVANS:
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. 20, 2002 July 22 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) Betty-Anne Beharrell, 2002 June 18
Re: Breakdown of the Fraser
Health Authority

A copy of a letter from Betty-Anne Beharrell addressed to Premier Gordon Campbell regarding Burnaby Hospital and the Fraser Health Authority.

- B) John Dunbar, 2002 June 25
Re: Property Taxation of Port Facilities

A letter was received from John Dunbar regarding property taxation of Port facilities.

- C) Russell Duncan, 2002 June 25
Re: Property Taxation of Port Facilities

A letter was received from Russell Duncan regarding property taxation of Port facilities.

- D) Chair, South Burnaby Neighbourhood House
2002 July 03
Re: Progress and Status of the South Burnaby
Neighbourhood House

A letter was received from the Chair of South Burnaby Neighbourhood House Society discussing progress and providing additional information pertaining to questions raised at the June 24th Council meeting.

- E) Attorney General and Minister Responsible for Treaty Negotiations, 2002 July 03
Re: Property Taxation on Greater Vancouver
Sewer and Water District Properties

A letter was received from the Attorney General regarding property taxation on Greater Vancouver Sewer and Water District properties.

- F) Fred Ludwig, 2002 July 03
Re: Appreciation for Solving Noise Problem

A letter was received from Fred Ludwig extending his appreciation for the efforts in solving the noise problem in his neighbourhood.

- G) Mayor Don Bell, Chair, Lower Mainland Treaty Advisory Committee, 2002 June 27
Re: LMTAC Draft Discussion Paper on Regional
Governance and Governance in the Region

A letter was received from the Chair of the Lower Mainland Treaty Advisory Committee providing the LMTAC Draft Discussion Paper on Regional Governance and Governance in the Region.

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

- H) Mayor Don Bell, Chair, Lower Mainland Treaty Advisory Committee, 2002 July 04
Re: LMTAC Mid-Year Review

A letter was received from the Chair of the Lower Mainland Treaty Advisory Committee providing the LMTAC Mid-Year Review.

- I) Manager, Community Relations Lower Mainland Coastal, BC Hydro, 2002 July 08
Re: Fibre-Optic Microwave Project

A letter was received from B.C. Hydro advising of a project to install fibre-optics cables in the Vancouver-Burnaby area as part of an upgrade to its microwave communication system.

- J) President, BCIT Retirees' Association
2002 July 03
Re: Cutting of Services at Burnaby Hospital

A letter was received from the BCIT Retirees Association opposing cuts to service at Burnaby Hospital.

- K) Executive Director, Scouts Canada Burnaby
Regional Council, 2002 July 04
Re: Scouts Canada - Apple Day 2002

A letter was received from Scouts Canada Burnaby Regional Council requesting permission to conduct Apple Day 2002 in Burnaby on 2002 October 19.

- L) General President, Burnaby Civic Employees'
Union, Local 23, CUPE, 2002 July 07
Re: 2002 United Way Loaned Representative Program

A letter was received from the General President of CUPE Local 23 seeking Council's support for participation in the 2002 United Way Loaned Representative Programme.

- M) J. McLeod, 2002 July 08
Re: Petition from Concerned Citizens
of Fraser Health Region

A letter was received from J. McLeod submitting a petition containing 97 signatures of residents opposing service cuts at Burnaby Hospital.

- N) Mayor Helen Sparkes, City of New Westminster
2002 July 08
Re: Southridge Drive Mitigation Measures

A letter was received from the Mayor of the City of New Westminster regarding mitigation measures for Southridge Drive.

A staff note advises that they are preparing a report on Southridge Drive mitigation measures in response to the Council delegation from Tracey Plevy, heard on 2002 July 08th. Staff will incorporate comments on the contents of this letter in that report.

- O) Chair, Board of Directors GVRD
2002 July 08
Re: Liquid Waste Management Plan Approval

A letter was received from the Chair, GVRD Board of Directors regarding the Liquid Waste Management Plan Approval.

A staff note advises that Council has previously endorsed the LWMP including Addendum No. 1. Funding for the municipal commitments specific to Burnaby will be incorporated into current and future annual Financial Plans.

- P) David Burkholder, Byrne Creek Streamkeepers
2002 July 09
Re: Appreciation for Staff Gauges at Byrne Creek
Sediment Pond

A letter was received from Byrne Creek Streamkeepers expressing appreciation for installation of the staff gauges at Byrne Creek Sediment Pond.

- Q) Premier Gordon Campbell
2002 July 09
Re: 2002 UBCM Convention

A letter was received from the Premier Gordon Campbell regarding the upcoming UBCM Convention to be held in the Resort Village of Whistler in September.

- R) Mayor Helen Sparkes, City of
New Westminster, 2002 July 05
Re: Bill 54, Proposed Changes to
Sectopm 809 - Local Government Act

A letter was received from the Mayor of the City of New Westminster requesting Burnaby Council to join with them in urging the provincial government not to proceed with the passage of Bill 54 pending consultation with municipalities. Bill 54, which has been introduced into the Legislative Assembly, relates to a Regional District's exemption from property taxes on land and improvements located in Regional District and used for its purposes.

A staff note advises that Bill 54 was passed in the Legislature on 2002 May 29th. Mayor Drummond, on behalf of Council, requested that GVRD reconsider this legislation at its next meeting and ask the Provincial Government not to proceed with implementing Bill 54 pending consideration of the results of consultation with all municipalities. A copy of the Mayor's letter to the GVRD and Burnaby Council's resolutions regarding this matter will be forwarded to New Westminster City Council.

- S) Scott Van Den Ham, Undated,
Re: Program to Upgrade Fire Service

A letter was received from Scott Van Den Ham offering his support for Council's program to upgrade fire service by replacing and adding fire stations to cover long-standing gaps in first-response coverage.

- T) The Hoy Family, 2002 July 17
Re: Opposition to Adoption of
Burnaby Highway Exchange Bylaw
(Lynndale Crescent/Winston Street)

A letter was received from the Hoy Family opposing adoption of Burnaby Highway Exchange Bylaw No. 11383 (Portion of 7347 Winston Street) for the reasons stated in their letter.

The Director Planning and Building is preparing a report in response to this item of correspondence for the August 12th Council meeting.

The subject Highway Exchange Bylaw appears on this Council agenda under Bylaws, Reconsideration and Final Adoption.

Arising from consideration of Correspondence Item 3K) from Scouts Canada Burnaby Regional Council, Councillor Evans was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR HARRIS:

"THAT permission be granted to Scouts Canada Burnaby Regional Council to conduct Apple Day 2002 in the City of Burnaby on October 19, 2002."

CARRIED UNANIMOUSLY

Arising from consideration of Correspondence Items 3A) from Betty-Anne Beharrell, 3J) from the BCIT Retirees' Association and 3M) from J. McLeod, Councillor Redman was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR BEGIN:

"THAT these items of correspondence be REFERRED to the Burnaby Hospital Services Committee for information."

CARRIED UNANIMOUSLY

Arising from consideration of Correspondence Item 3D) from the South Burnaby Neighbourhood House, Councillor Redman was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR EVANS:

"THAT this item of correspondence be **REFERRED** to the Executive Committee of Council for information."

CARRIED UNANIMOUSLY

Arising from consideration of Correspondence Item 3S) from Scott Van Den Ham, Councillor Redman was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR BEGIN:

"THAT this item of correspondence be **REFERRED** to the Civic Development Committee for information."

CARRIED UNANIMOUSLY

3. REPORTS

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

A) **Mayor Douglas P. Drummond** **Re: Acting-Mayor August and September**

His Worship, Mayor Douglas P. Drummond submitted a report recommending Councillor Celest Redman be appointed to serve in the capacity of Acting Mayor for the months of 2002 August and September.

His Worship, Mayor Douglas P. Drummond recommended:

1. THAT Councillor Celest Redman be appointed to serve in the capacity of Acting Mayor for the months of 2002 August and September.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

E) The City Manager presented Report No. 20, 2002 on the matters listed following as Items 01 to 19 either providing the information shown or recommending the courses of action indicated for the reasons given:

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 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 Nebbling, 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 12th Council meeting at which time attendance of a full Council is anticipated.

2. Local Government Bylaw Forum

The City Manager submitted a report from the City Solicitor providing recommendations on the Province's Local Government Bylaw Forum Proposal. Staff outline a number of concerns with the Local Government Bylaw Forum proposal and conclude that, while there is undoubtedly still room for improvement in the current system, the Provincial Court remains the proper venue to deal with municipal bylaw infractions. Staff also recommend that the Province should work to expand upon and improve its existing pilot Bylaw Court project currently in operation in Kelowna, Kamloops, Prince George and Vancouver.

The City Manager recommended:

1. THAT Council express its opposition to the Province of British Columbia's Local Government Bylaw Forum proposal.
2. THAT Council express its support for the continuation and expansion of the Province of British Columbia's current pilot Bylaw Court Project.
3. THAT the City write to the B.C. Attorney-General expressing its opposition to the Local Government Bylaw Forum proposal and its support for the continuation and expansion of the Bylaw Court Project.
4. THAT a copy of this report be forwarded to the UBCM.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

3. Sale of City Property
Mayfield Subdivision
Lot 8, DL 90, Plan LMP 30169

The City Manager submitted a report from the City Solicitor requesting Council accept a bid received for a residential lot.

The City Manager recommended:

1. THAT the bid for the subject lot as indicated in this report be accepted.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

4. Official Community Plan Amendment Bylaw 2002
Byrne Road and Marine Way Development Plan

The City Manager submitted a report from the Director Planning and Building providing Council with information in response to the questions raised at the 2002 June 25 Public Hearing with respect to the subject Official Community Plan Amendment Bylaw 2002.

The City Manager recommended:

1. THAT a copy of the reports previously received by Council in response to the issues and questions raised through the community consultation process, as referenced in this report, be sent to those recorded as making submissions to the 2002 June 25 Public Hearing with respect to the OCP Amendment Bylaw 2002.

2. THAT a copy of this report be sent to those recorded as making submissions to the 2002 June 25 Public Hearing for the OCP Amendment Bylaw 2002.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR HARRIS:

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

CARRIED UNANIMOUSLY

5. BC Rivers Day 2002

The City Manager submitted a report from the Director Planning and Building requesting Council authorization to initiate planning for BC Rivers Day events in Burnaby. Staff advise that Sunday, September 29th, 2002 marks the 22nd Anniversary of BC Rivers Day and Burnaby became the first municipality in the province to proclaim and participate in the event in 1993. Subsequently, approximately 75 municipalities have proclaimed BC Rivers Day in their communities with more than 30,000 people participating in various events annually. Since that time, the City, in partnership with BCIT-Burnaby Lake Systems Project, local environmental groups and the community, has coordinated a variety of public events and these efforts have been extremely successful and well received.

The City Manager recommended:

1. THAT Council authorize staff to initiate planning with local community groups and agencies for BC Rivers Day events.
2. THAT a copy of this report be forwarded to the Parks and Recreation Commission and to Jennifer Grenz, Projects Coordinator, Outdoor Recreation Council of British Columbia, 334-1367 West Broadway, Vancouver, B.C. V6H 4A9.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**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.

7. Replacement of Fire Station No. 2 (Edmonds)

The City Manager submitted a report from the Major Civic Building Project Coordination Committee requesting Council approval of the selection of a design consultant for the replacement of Fire Station No. 2 (Edmonds).

The City Manager recommended:

1. THAT Council be requested to authorize the execution of a Client/Architect Agreement with the firm of James K.M. Cheng Architects Inc. for the design of the replacement of Fire Station No. 2 (Edmonds).

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

Further arising from consideration of the report, Councillor Begin was given leave by Council to introduce the following motion:

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR DER:

"THAT staff prepare a report addressing the feasibility and advisability of including a community room in the design plans for the new Fire Station No. 2."

CARRIED UNANIMOUSLY

8. Bonsor Park - Public Consultation Process for Rezoning Reference #01-21 Parks and Recreation Community Amenity

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services informing Council about a public meeting on the provision of youth facilities at Bonsor Park including a skateboard facility; to be held at Bonsor Recreation Complex on Wednesday, 2002 September 29.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

9. Automated Time Record Keeping

The City Manager submitted a report from the Director Finance requesting approval for the purchase of an automated time record keeping system.

The City Manager recommended:

1. THAT Council authorize capital expenditures of \$375,000 (net of GST) for the automation of the City's payroll time entry process as detailed in this report.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

10. Parachute Jumps for Pre-Game Ceremony at the FIFA U-19 Women's World Championships

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council's concurrence for parachute jumps on 2002 August 17 and 24 for the FIFA U-19 Women's World Championships pre-game ceremonies at Swangard Stadium.

The City Manager recommended:

1. THAT Council concur with the request for parachute jumps on 2002 August 17 and 24 for the FIFA U-19 Women's World Championships pre-game ceremonies at Swangard Stadium.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

11. Property Tax Change - Bill 54

The City Manager submitted a report from the Director Finance updating Council on the changes found in Bill 54 regarding property taxes on the Greater Vancouver Sewerage & Water District properties.

The City Manager recommended:

1. THAT Council write the GVRD Board of Directors acknowledging the regional benefits of Bill 54.
2. THAT Council advise the GVRD Board of Directors that the proposed five year phase-in approach to mitigate the negative effects of Bill 54 on Burnaby tax payers is now acceptable;
3. THAT the GVRD be requested to fully compensate member municipalities negatively affected by Bill 54.
4. THAT a copy of this report be sent to the Mayor and the City of New Westminster.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

12. Corporate Computer Software Licencing

The City Manager submitted a report from the Director Finance advising of a change in the method of acquiring Microsoft corporate software licence and maintenance services. Staff recommend that Council approve the move to a software licence agreement for continued use and ongoing maintenance of Microsoft products owned by the City.

The City Manager recommended:

1. THAT the recommendation as outlined in this report be adopted.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR REDMAN:

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

CARRIED UNANIMOUSLY

13. Contract No. 2002-14 **2002 Watermain Replacement Program - Phase III**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for the construction of replacement watermains.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Hyland Excavating Ltd., for the construction of replacement watermains for a total cost of \$1,019,108.66 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

14. Contract No. 2002-17
2002 Westridge Combined Sewer Separation - Phase III

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for phase two of the combined sewer separation program.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, J. Cote & Son Excavating Ltd., for the construction of replacement sewers and watermains for a total cost of \$897,957.00 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

15. Work Orders 60-30-109 and 60-21-137

The City Manager submitted a report from the Director Engineering requesting Council approval of work orders 60-30-109 (Westridge

Combined Area Sewer Separation 2002 Program Phase II) and 60-21-137 (Watermain Renewals 2002 Program Phase III.

The City Manager recommended:

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

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

16. Drinking Water Quality Monitoring Report (2001)

The City Manager submitted a report from the Director Engineering presenting the City's annual Drinking Water Quality Monitoring Report for 2001. The report provides an overview of the regulatory context, outlines the drinking water quality program undertaken by staff in 2001 and associated sample results to provide the evidence of potability and compliance with the B.C. Safe Drinking Water Regulation.

The City Manager recommended:

1. THAT a copy of this report be forwarded to:
 - a) Mr. Rick Kwan, Manager Environmental Health Services, Fraser Health Authority, Suite 300 - 4946 Canada Way, Burnaby, B.C., V5G 4H7;
 - b) the Environment and Waste Management Committee.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

17. Byrne Road - Marine Way to Fraser Park Drive

The City Manager submitted a report from the Director Engineering seeking Council's approval to bring down a Capital Works Expenditure Bylaw for \$650,000 to finance road improvements on Byrne Road - Marine Way to Fraser Park Drive.

The City Manager recommended:

1. THAT Council authorize bringing down a Capital Works Expenditure Bylaw for \$650,000 to finance road improvements on Byrne Road - Marine Way to Fraser Park Drive.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

18. Parade - 2002 August 10

The City Manager submitted a report from the Director Engineering seeking Council approval for a parade on Saturday, 2002 August 10. The parade is being hosted by the Arul Migu Thurdadevi Hindu Society and will take place in the vicinity of their assembly hall located at 7468 Edmonds Street.

The City Manager recommended:

1. THAT Council approve the parade as discussed in this report.
2. THAT the coordinator of the event, Mr. K. Kumarasamy, President of the Arul Migu Thurdadevi Hindu Society, 7468 Edmonds Street, Burnaby, BC V3N 1B2 be sent a copy of this report.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR DER:

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

Council requested staff to ensure that, to accommodate the requested road closure from 7:30 p.m. to 10:00 p.m., that there be adequate signage of the event, particularly and the Edmonds/Canada Way approaches.

CARRIED UNANIMOUSLY

19. 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 2002 August 27 at 7:30 p.m. except where noted where noted otherwise in the individual reports.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

Item #1 Application for the rezoning of:
RZ #02-14 Lots 20 & 21, Block 12, D.L. 29, Group 1, NWD Plan 3035

From: R5 Residential District

To: P1 Neighbourhood Institutional District

Address: 7859 & 7867 Canada Way

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2002 August 12 and to a Public Hearing on 2002 August 27 at 7:30 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The consolidation of the net project site into one legal parcel.
 - c. The granting of any necessary easements and covenants.

- d. The dedication of any rights-of-way deemed requisite.
- e. The granting of a 219 covenant to protect the significant trees to be preserved on the site and the deposit of sufficient monies to ensure the protection of the existing trees being preserved.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #2 Application for the rezoning of:
RZ #02-15 Lot 10, D.L. 173, Group 1, NWD Plan 9073

From: R5 Residential District

To: CD Comprehensive Development District (based on P5 Community Institutional District, R5 Residential District and Edmonds Town Centre Plan guidelines and in accordance with the development plan entitled "Proposed renovations to 6321 Marine Drive" prepared by B.C. Housing)

Address: 6321 Marine Drive

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2002 August 12 and to a Public Hearing on 2002 August 27 at 7:30 P.M.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The deposit of sufficient monies to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design.

- c. The submission of an undertaking to remove all improvements, structures, debris and materials from the right-of-way abutting the property (Fenwick Street), to submit a landscape plan to restore the undeveloped portion of this right-of-way to a natural condition and to submit a Letter of Credit to guarantee completion of the work.
- d. A covenant regarding the number of residents, the use and licencing of the house and the requirement for staffing at all times will be required.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

Item #3
RZ #02-17

Application for the rezoning of:
Lot 1, D.L. 30, Group 1, NWD Plan 68241; Easterly 36 ft. of Lot 9, Blk 34, D.L. 30, Group 1, having a frontage of 36 ft. on Alice Street and adjoining Blks 23 and 24, NWD Plan 3036; Easterly 36 ft. of Lot 8, Blk 34, D.L. 30, Group 1, having a frontage of 36 ft on Edmonds Street and adjoining Blk. 23, NWD Plan 3036

From: P2 Administration and Assembly District and P3 Park and Public Use District

To: CD Comprehensive Development District (based on P2 Administration and Assembly District and Edmonds Town Centre Plan guidelines)

Address: 7578 & 7602 Edmonds Street & 7601 19th Avenue

The City Manager recommended:

1. THAT this report be received for information purposes

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #4 Application for the rezoning of:
RZ #02-19 Lot 351, D.L. 132, Group 1, NWD Plan 53646

From: C1 Neighbourhood Commercial District

To: CD Comprehensive Development District (based on C1 Neighbourhood Commercial District and P1 Neighbourhood Institutional District guidelines and in accordance with the development plan entitled "Proposed Child Care Centre" prepared by Anil Patel)

Address: 1431 (1435) Sperling Avenue

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2002 August 12 and to a Public Hearing on 2002 August 27 at 7:30 p.m.
2. THAT the following be established as a prerequisite to the completion of the rezoning:
 - a) The submission of a suitable plan of development.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

Item #5 Application for the rezoning of:
RZ #02-20 Ptn. of Lot 2, D.L. 115, Group 1, NWD Plan 67851

From: CD Comprehensive Development District (based on M2 General Industrial District, M3 Heavy Industrial District and M5 Light Industrial District)

To: CD Comprehensive Development District (based on M3 Heavy Industrial District and the Big Bend Development Plan guidelines)

Address: Ptn. of 5600 Riverbend Drive

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #6 Application for the rezoning of:
RZ #02-21 Ptn. of Parcel "A", D.L. 155, Group 1, NWD Plan LMP 43747

From: CD Comprehensive Development District (based on the Big Bend Development Plan Business Centre designation)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Glenwood Industrial Estate Concept Plan)

Address: Ptn. of 8545 North Fraser Way

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

Item #7 Application for the rezoning of:
RZ #02-23 Ptn. of Lot 102, D.L. 125, Group 1, NWD Plan 56065

From: R2 Residential District

To: CD Comprehensive Development District (based on M2 General Industrial District and R2 Residential District and in accordance with the development plan entitled "Survey Plan of Proposed Sign

Location" and prepared by Butler, Sundvick & Associates and "Revs The Bowling Centre Sign Concept Plan" developed by Apollo Sign & Millwork)

Address: Ptn. of 5502 Lougheed Highway

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2002 August 12 and to a Public Hearing on 2002 August 27 at 7:30 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development, including detailing of the architectural support structure as to its translucent character..
 - b. The installation of all electrical 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 approval of the Board of Variance with respect to Section 6.16 (3) of the Bylaw regarding the siting of the proposed sign 16.64 m (54.59 ft) from the centre line of the Lougheed Highway.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #8 Application for the rezoning of:
RZ #02-24 Lot A, D.L. 119, Group 1, NWD Plan 72376

From: M2 General Industrial District

To: CD Comprehensive Development District (based on C9 Royal Oak Commercial District, RM3 Multiple Family Residential District and Brentwood Town Centre Plan guidelines)

Address: 4140 Dawson Street

The City Manager recommended:

1. THAT Council authorize the Planning and Building Department 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 BEGIN:
SECONDED BY COUNCILLOR DER:

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

CARRIED UNANIMOUSLY

Item #9 Application for the rezoning of:
RZ #02-25 Lot 19, D.L. 152, Group 1, NWD Plan 1292

From: RM3 Multiple Family Residential District

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

Address: 6662 Dunblane Avenue

The City Manager recommended:

1. THAT Council authorize the Planning and Building Department 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 BEGIN:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #10 Application for the rezoning of:
RZ #02-26 Lot 1, D.L. 171, Group 1, NWD Plan LMP 51518

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Edmonds Town Centre Plan)

Address: 6850 Southpoint Drive

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #11 Application for the rezoning of:
RZ #02-27 Parcel 3 Except: Firstly Airspace Pcl 1, PI 79744, Secondly: Airspace Pcl 2 PI 87288, D.L. 153, Group 1, NWD Plan 79648; Lot 2, Except: Part Subdivided by PI 80588, D.L.'s 32, 152 & 153, Group 1, NWD Plan 80573; Lot A, D.L. 32, 152 & 153, Group 1, NWD Plan 80588

4700 Kingsway: **From** CD Comprehensive Development District (based on C3, C3a, C3c General Commercial District and P2 Administration and Assembly District) **To** Amended CD Comprehensive Development District (based on C3, C3a, C3c General Commercial District and P2 Administration and Assembly District)

4750 Kingsway: **From** CD Comprehensive Development District (based on C3 General Commercial District) **To** Amended CD Comprehensive Development District (based on C3 General Commercial District)

4800 Kingsway: **From** CD Comprehensive Development District (based on C3 and C3a General Commercial District) **To** Amended CD Comprehensive Development District (based on C3 and C3a General Commercial District)

Address: 4700, 4750 and 4800 Kingsway

The City Manager recommended:

1. THAT Council receive the report of the Planning Department and authorize staff 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 further report will be submitted on a later date.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR HARRIS:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

4. TABLED MATTERS

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

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

- B) Overview of Provincial Core Services Review
and its Impacts for Burnaby
(Item No. 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.

5. **BYLAWS**

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Cab and Commercial Vehicles Bylaw 1951, Amendment Bylaw 2002	#11403
Burnaby Highway Exchange Bylaw No. 5, 2002	#11410
Burnaby Capital Works, Machinery and Equipment Bylaw No. 23, 2002	#11411

be now introduced and read three times."

CARRIED

OPPOSED: Mayor Drummond to
Bylaw No. 11403

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

#11319	4956 Rumble Street	REZ #01-29
#11359	6141 Ewart Street	REZ #02-02

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 37, 2001 #11319

Burnaby Zoning bylaw 1965, Amendment
Bylaw No. 09, 2002 #11359

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

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#11052 Portion of 5650 Lougheed Highway REZ #99-31

#11053 Portion of 6800 Lougheed Highway REZ #99-32

#11317 Portion of 9200 Glenlyon Parkway REZ #01-13

#11350 1795 Willingdon Avenue REZ #01-33

MOVED BY COUNCILLOR HARRIS:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 3, 2000 #11052

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 4, 2000 #11053

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 35, 2001 #11317

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 8, 2002 #11350

Burnaby Highway Exchange Bylaw No. 3, 2002 #11383

Burnaby Capital Works, Machinery and Equipment
Bylaw No. 18, 2002 #11404

2002 July 22

Burnaby Capital Works, Machinery and Equipment Bylaw No. 19, 2002	#11405
Burnaby Capital Works, Machinery and Equipment Bylaw No. 20, 2002	#11406
Burnaby Capital Works, Machinery and Equipment Bylaw No. 21, 2002	#11407
Burnaby Capital Works, Machinery and Equipment Bylaw No. 22, 2002	#11408

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
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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 August 12th, 2002 Council meeting.

A vote was then taken on the motion as moved by Councillor Harris and seconded by Councillor Volkow being, "THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 3, 2000	#11052
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 4, 2000	#11053
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 35, 2001	#11317
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 8, 2002	#11350

Burnaby Capital Works, Machinery and Equipment Bylaw No. 18, 2002	#11404
Burnaby Capital Works, Machinery and Equipment Bylaw No. 19, 2002	#11405
Burnaby Capital Works, Machinery and Equipment Bylaw No. 20, 2002	#11406
Burnaby Capital Works, Machinery and Equipment Bylaw No. 21, 2002	#11407
Burnaby Capital Works, Machinery and Equipment Bylaw No. 22, 2002	#11408

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

6. NEW BUSINESS

Councillor Begin noted that Elections Canada has put out a report proposing changes to electoral boundaries, including those within the City of Burnaby. Elections Canada is proposing changes that would see Burnaby with two large electoral districts instead of its current three smaller ridings. Councillor Begin suggested it appropriate to look at what is best for the City of Burnaby and take that position to the Commission which has been established for the purpose of receiving input into the proposed changes.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR DER:

"THAT staff prepare a report on the proposed changes to the federal electoral boundaries in Burnaby and include discussion regarding what would be best for Burnaby."

CARRIED UNANIMOUSLY

Councillor Begin requested staff to remove the "City of Burnaby" sign from the Information Kiosk at Metrotown Centre, being as the City is no longer using the venue to distribute information.

Councillor Volkow reminded everyone that the VSO Concert was being held in Deer Lake Park on Friday night, July 26th and the Burnaby Blues Festival on Saturday, July 27th.

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR BEGIN:

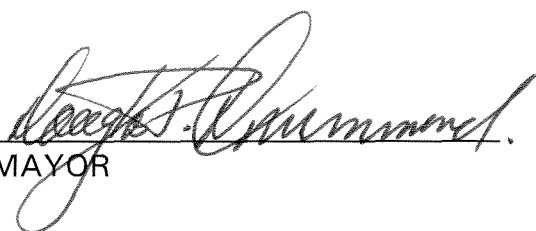
"THAT this 'Open' Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 8:19 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK