

2003 DECEMBER 01

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2003 December 01 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. in the Council Chamber.

PRESENT: His Worship, Mayor D.R. Corrigan In the Chair
Councillor P. Calendino
Councillor S. Dhaliwal
Councillor D.G. Evans
Councillor D. Johnston
Councillor C. Jordan
Councillor L.A. Rankin
Councillor C.M.H. Redman
Councillor N.M. Volkow

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
Ms. K. Friars, Director Parks, Recreation & Cultural Services
Mr. J. Belhouse, Director Planning & Building
Mr. B. Rose, City Solicitor
Mrs. D.R. Comis, City Clerk
Ms. A.R. Skipsey, Deputy City Clerk

MOVED BY COUNCILLOR DHALIWAL:

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.

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

Mayor's Annual Address to the City

In the absence of television coverage of the meeting, Council introduced the following motion:

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR EVANS:

"THAT the Mayor's Annual Address to the City be put forward to the 2003 December 08 'Open' meeting of Council."

CARRIED UNANIMOUSLY

1. MINUTES

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the 'Open' Council meeting held on 2003 November 24 be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT the minutes of the Public Hearing (Zoning) held on 2003 November 25 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

- A) Vice President Communications & Public Affairs
Fraser Health Authority, 2003 November 25
Re: Transition Planning for Saint Mary's
Hospital Services

Speaker: Bob Smith, President & Chief
Executive Officer or delegate

- B) Mrs. Satwinder Bhatti, 2003 November 26
Re: Proposed Rezoning Area of 00-100 block
Grosvenor Avenue

Speakers: Debbie and Palwan Malli
Michael and Goldie Veznavovic
Satwinder and Kuljinder Bhatti

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- A) **Bob Smith**, President and CEO of the Fraser Health Authority and Gillian Harwood, Health Services Administrator for Burnaby appeared before Council to provide an update on the recent decision to relocate services from St. Mary's Hospital.

Mr. Smith advised that the proposal by the Fraser Health Authority is compatible with the spiritual intent and values of the Sisters of Providence and that the Sisters are directly involved in development of the continuity plan.

The speaker noted that since the announcement on November 03, the Fraser Health Authority has embarked on a wide scale consultation process with physicians and staff at the destination sites: Surrey Memorial; Burnaby General; Eagle Ridge Hospital; Royal Columbian; Queen's Park Care Centre and Royal City Manor.

The Hospice Unit at St. Mary's is now closed and new geriatric patients and subacute patients will be going to Queen's Park Care Center and Royal City Manor. However, St. Mary's will continue to perform day care surgery and in-patient surgery into the new year. Mr. Smith addressed concerns regarding increases to waiting lists because of the closure, stating that bringing additional services on stream at alternate facilities should alleviate these concerns.

The speaker noted that although lay-off notices have been issued to St. Mary's staff, these individuals are being recruited to other sites within the Fraser Health Authority and their applications are being fast tracked.

In conclusion, Mr. Smith advised Council that the Fraser Health Authority is committed to the most efficient and effective patient care standards available.

Councillor Redman retired from the Council meeting at 8:25 p.m.

Councillor Redman returned to the Council Chamber at 8:26 p.m. and took her place at the Council table.

- B) **Ms. Pamela Bhatti**, 36 Grosvenor Street, Burnaby, B.C. appeared before Council to address the report of the Housing Committee for 00-100 Block Grosvenor Street. Ms. Bhatti suggested that the calculation of the Planning Department of 54% opposed to the area rezoning is incorrect as it included a non-response.

The delegation presented a map outlining the number of 33' frontage lots in the surrounding area. The speaker addressed concerns presented by the consultation area advising that the current duplex lots would be reduced to 2 single family dwellings keeping the density in the neighbourhood the same.

The speaker also expressed concerns about the scope of the consultation area stating that it should not have included the large lot area north of Cambridge Street as this area is zoned differently. In conclusion, Ms. Bhatti requested the Housing Committee reconsider this issue as the small lot proposal is not out of character with this neighbourhood.

Mr. Michael Veznavovic, 112 Grosvenor Street, requested Council allow the rezoning to proceed as it would not be out of character of the neighbourhood.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR EVANS:

"THAT Report Item (A) from Housing Committee be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

A) Housing Committee

**Re: Proposed Area Rezoning to the R12
or R12 "S" District, 00-100 Block
Grosvenor Avenue North**

The Housing Committee submitted a report providing the findings of a questionnaire sent to residents and property owners of the east side of the 00-100 Block of Grosvenor Avenue North concerning an area rezoning to the R12 or R12 "S" District.

The Housing Committee recommended:

1. THAT Council, on the basis of the results of the consultation process, support retention of the current R5 District Zoning for property located on the east side of the 00-100 Block Grosvenor Avenue North.
2. THAT a notice be sent to residents and property owners in the study and consultation areas advising them of the results of the questionnaire and Council's decision.

MOVED BY COUNCILLOR REDMAN:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED

OPPOSED: COUNCILLORS CALENDINO,
DHALIWAL AND RANKIN

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CALENDINO:

"THAT this item be **REFERRED** back to Housing Committee."

DEFEATED

FOR: COUNCILLORS CALENDINO,
DHALIWAL AND RANKIN

OPPOSED: MAYOR CORRIGAN AND
COUNCILLORS EVANS,
JOHNSTON, JORDAN,
REDMAN AND VOLKOW

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the Council meeting do now recess."

CARRIED UNANIMOUSLY

The Council meeting recessed at 9:20 p.m.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the Council meeting do now reconvene ."

CARRIED UNANIMOUSLY

The Council meeting reconvened at 9:35 p.m. with Councillor Redman absent.

3. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR CALENDINO:

"THAT all of the following listed items of correspondence be received and those items of the City Manager's Report No. 32, 2003 December 01 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

His Worship, Mayor Derek R. Corrigan read the following items of correspondence:

- A) Mayor, City of Langley
2003 November 17
Re: LMMA Organizational Structure

A copy of a letter was received from the City of Langley to the Lower Mainland Municipal Association regarding the burden placed on smaller municipalities with the present organizational structure and subsequently, their endorsement of a proposal to hire a professional organizer to coordinate the annual convention.

Councillor Redman returned to the Council Chamber at 9:36 p.m. and took her place at the Council table.

- B) Executive Director, South Burnaby
Neighbourhood House, 2003 November 14
Re: Appreciation for Support and Contribution

A letter was received from the Executive Director of South Burnaby Neighbourhood House thanking Council for its support and contribution over the past year and providing Council with copies of their annual report.

- C) Office of the Minister, Ministry of Community
Aboriginal and Women's Services
2003 November 17
Re: Heritage Week in British Columbia

A letter was received from the Honourable George Abbott, Minister of Community, Aboriginal and Women's Services inviting local governments to celebrate Heritage Week in British Columbia between February 16 and 22, 2004.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this item of correspondence be **REFERRED** to the Community Heritage Commission for consideration at its next regular meeting."

CARRIED UNANIMOUSLY

- D) Program Officer, Canadian Food Inspection Agency
2003 November 20
Re: Gypsy Moth Trapping in Burnaby

A letter was received from the Canadian Food Inspection Agency regarding their plans to have a more intensive gypsy moth trapping program in the area of Boundary Road next year.

- E) Director, Container Development Group
Port Vancouver, 2003 November 20
Re: Roberts Bank Container Expansion Project
November 2003 Newsletter

A letter was received from the Vancouver Port Authority providing Council with a copy of their newsletter which contains updates for stakeholders on the proposed Robert Bank Container Expansion Project.

- F) President, UBCM,
2003 November 24
Re: Bill 75

A copy of a letter was received from the President of the Union of British Columbia Municipalities to the Honourable Kevin Falcon, Minister of State for Deregulation, restating the UBCM Executive's position regarding Bill 75 and requesting support for the UBCM proposed amendment to the Bill as put forth to the Provincial Government.

Arising from discussion of Correspondence item 3(D) from Program Officer, Canadian Food Inspection Agency, Councillor Johnston was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT this item be **REFERRED** to the Environment Committee for information."

CARRIED UNANIMOUSLY

Arising from discussion of Correspondence item 3(A) from Mayor, City of Langley, Councillor Johnston was granted leave by Council to introduce the following motion:

MOVED BY COUNCILOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT the Lower Mainland Municipal Association be advised that Council is not in favour of the proposal to utilize the services of a professional convention organizer and further, THAT the Lower Mainland Municipal Association be requested to return to one day meetings held in the Lower Mainland to focus on specific issues."

CARRIED UNANIMOUSLY

4. **REPORTS**

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

A) **Housing Committee**
Re: Proposed Area Rezoning to the R12
or R12 "S" District, 00-100 Block
Grosvenor Avenue North

This item was dealt with earlier in the meeting in conjunction with Delegation Item 2(B).

B) **Housing Committee**
Re: Request for Density Bonus for
Community Amenity Space
Kingsway/McMurray Avenue/
Hazel Street/Miller Avenue
Rezoning Reference #03-40

The Housing Committee submitted a report evaluating options for use of density bonus proceeds related to a proposed residential/retail commercial/office development proposal (Rezoning Reference #03-40).

The Housing Committee recommended:

1. THAT Council endorse the principle of having density bonus proceeds from Rezoning Reference #03-40 applied to the upgrading of Bonsor Recreation Centre as outlined in Section 4.3 of this report.
2. THAT a copy of this report be sent to the Parks, Recreation & Culture Commission and the Finance and Civic Development Committee.

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

- C) The City Manager presented Report No. 32, 2003 December 01 on the matters listed following as Items 01 to 07 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Richmond-Airport
Vancouver Rapid Transit Project (RAVP)**

The City Manager submitted a report from the Director Planning and Building providing Council with an assessment of the recommendations tabled by CUPE BC regarding the public sector comparator (PSC) proposed for the RAVP.

The City Manager recommended:

1. THAT Council adopt the motion contained in Attachment 'A'.
2. THAT Council forward copies of the adopted motion, as approved, to the TransLink Board of Directors, TransLink CEO (Pat Jacobsen) and CUPE BC President (Barry O'Neil).

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

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

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR REDMAN:

"THAT the second recommendation be **AMENDED** to include forwarding copies to municipalities in the Greater Vancouver Regional District."

CARRIED UNANIMOUSLY

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

2. **Waterworks Utility Rates for 2004**

The City Manager submitted a report from the Director Finance requesting Council approval for 2004 water rates.

The City Manager recommended:

1. THAT Burnaby Waterworks Regulation Bylaw be amended to provide for the water rates contained in Schedule A, effective 2004 January 01 including the additional amendments as outlined in this report.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

3. Sanitary Sewer Utility Rates for 2004

The City Manager submitted a report from the Director Finance requesting Council approval for 2004 sanitary sewer rates.

The City Manager recommended:

1. THAT the following bylaws be amended to provide for the fees outlined in Schedule C, effective 2004 January 01:
 - a) Burnaby Sewerage System Parcel Tax Bylaw
 - b) Burnaby Sewer Charge Bylaw

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

4. The Repeal of the Holiday Shopping Regulation Act

The City Manager submitted a report from the Director Finance providing information requested by Council. The Holiday Shopping Regulation Act is Provincial legislation that imposes the general prohibition of holiday sales at retail businesses, however, it also includes a provision for communities to allow retail sales on holidays. The repeal will have no effect on business in Burnaby.

The City Manager recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

5. **Temporary Financing Bylaw**

The City Manager submitted a report from the Director Finance requesting Council authority to obtain borrowing authority to temporarily finance expenditures.

The City Manager recommended:

1. THAT a bylaw be brought down to permit borrowing to a maximum of \$5 million for the period 2004 January 01 to December 31, repayable 2004 December 31.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

6. **Financing of Local Improvement Program
(Sidewalks)**

The City Manager submitted a report from the Director Finance requesting Council approval to finance the Local Improvement Sidewalks Program from internal reserves.

The City Manager recommended:

1. THAT a Capital Reserves Expenditure Bylaw be brought forward to appropriate \$70,000 from the Local Improvement Reserve Fund to finance the 2003 Local Improvement Sidewalks Program.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

7. **Banner Program - Replacement Poles**

The City Manager submitted a report from the Director Engineering requesting Council approval of Work Order No. 60-14-222 to replace poles on Deer Lake Avenue between Sperling Avenue and Deer Lake Parkway.

The City Manager recommended:

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

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. **BYLAWS**

FIRST READING

#11654	Ptn. of 5411 Kingsway	REZ #03-53
#11655	7155 Kingsway	REZ #03-31
#11656	5650 Lougheed Highway	REZ #03-38

#11657	7310/70 MacPherson Ave. and 7409 Buller Ave.	REZ #02-49
#11658	490 and 514 Grove Avenue	REZ #03-24
#11659	Text Amendment	
#11660	Ptn. of Firth Avenue (at Byrne Road)	REZ #03-47

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 66, 2003	#11654
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be now introduced and read a first time."

DEFEATED

FOR: MAYOR CORRIGAN AND
COUNCILLORS JORDAN,
RANKIN AND REDMAN

OPPOSED: COUNCILLORS CALENDINO,
DHALIWAL, EVANS, JOHNSTON AND
VOLKOW

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 67, 2003	#11655
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Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 68, 2003	#11656
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Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 69, 2003	#11657
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Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 70, 2003	#11658
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Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 71, 2003 Text Amendment	#11659
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Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 72, 2003

#11660

be now introduced and read a first time."

CARRIED
OPPOSED: COUNCILLOR REDMAN
TO BYLAW #11655

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Local Improvement Fund Expenditure #11661
Bylaw No. 4, 2003

Burnaby Capital Works, Machinery and Equipment #11662
Reserve Fund Expenditure Bylaw
Bylaw No. 35, 2003

Burnaby Waterworks Regulation Bylaw 1953 #11663
Amendment Bylaw 2003

Burnaby Sewer Parcel Tax Bylaw 1994 #11664
Amendment Bylaw 2003

Burnaby Sewer Charge Bylaw 1961 #11665
Amendment Bylaw 2003

Burnaby Temporary Financing Bylaw 2004 #11666

Burnaby Subdivision Control Bylaw 1971 #11667
Amendment Bylaw No. 1, 2003

Burnaby Liquor Licence Application Fee #11668
Bylaw 2001, Amendment Bylaw 2003

Burnaby Building Bylaw 1973 #11669
Amendment Bylaw No. 1, 2003

Burnaby Tree Bylaw 1996 #11670
Amendment Bylaw 2003

Burnaby Plumbing Bylaw 2000 #11671
Amendment Bylaw 2003

Burnaby Gas Bylaw 1978 #11672
Amendment Bylaw 2003

Burnaby Electrical Bylaw 1974 #11673
Amendment Bylaw 2003

be now introduced and read three times."

CARRIED UNANIMOUSLY

SECOND READING:

#11647 4140 Dawson Street REZ #02-24

#11648 4180 Dawson Street REZ #03-07

#11649 2345 Madison Avenue REZ #02-38

#11650 3786 Dominion Street and 3125 Smith Avenue REZ #03-17

#11651 5075 Capitol Drive REZ #03-04

#11652 Text Amendment

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11647
Bylaw No. 60, 2003

Burnaby Zoning Bylaw 1965, Amendment #11648
Bylaw No. 61, 2003

Burnaby Zoning Bylaw 1965, Amendment #11649
Bylaw No. 62, 2003

Burnaby Zoning Bylaw 1965, Amendment #11650
Bylaw No. 63, 2003

Burnaby Zoning Bylaw 1965, Amendment #11651
Bylaw No. 64, 2003

Burnaby Zoning Bylaw 1965, Amendment #11652
Bylaw No. 65, 2003 Text Amendment

be now read a second time."

CARRIED
OPPOSED: COUNCILLOR CALENDINO
TO BYLAW #11651

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

"THAT a report be forthcoming on issues raised at Public Hearing for Bylaw #11652."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11547
Bylaw No. 28, 2003

Burnaby Zoning Bylaw 1965, Amendment #11548
Bylaw No. 29, 2003

be now read a third time."

CARRIED UNANIMOUSLY

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

#11637 Text Amendment

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 57, 2003 Text Amendment

#11637

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

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

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

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


CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 10:19 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK