

2005 AUGUST 15

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2005 August 15 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. L S. Chu, Deputy Director Engineering
Ms. D. Jorgenson, Deputy Treasurer
Ms. K. Friars, Director Parks, Recreation & Cultural Services
Mr. J. Belhouse, Director Planning & Building
Mrs. D.R. Comis, City Clerk
Ms. G.M. McCaskie, A/Administrative Officer Operations

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:10 p.m.

1. MINUTES

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the 'Open' Council meeting held on 2005 July 25 be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the Public Hearing (Zoning) held on 2005 July 26 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATION

- A) John Rielly, B.E.M. Fireworks
Canada West, 2005 July 06
Re: Multi-Municipal Common Fireworks Bylaw
Speaker: John Rielly

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR CALENDINO:

"THAT the delegation be heard."

CARRIED UNANIMOUSLY

Mr. John Rielly, B.E.M. Fireworks Canada West appeared before Council to discuss recent changes appearing in the lower mainland regarding the sale and discharge of family fireworks.

Mr. Reilly advised that his company has recently surveyed several fire and rescue services within the GVRD to better understand the concerns of local governments.

As a result of the information obtained through the survey, the speaker is recommending development of a common bylaw throughout the GVRD to ensure fireworks are treated equally in all municipalities.

Mr. Reilly presented a copy of a draft bylaw for council's consideration.

In conclusion, Mr. Reilly recommended that "nuisance fireworks" be removed from individual retail sales and that they only be sold in limited numbers as part of a more expensive fireworks kit. He also recommended that a bylaw be enacted common to all municipalities, to address concerns regarding the proliferation of retail sales outlets for fireworks, effectively "bringing back the family into family fireworks," for those aged 18 and older.

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

** Councillor Rankin returned to the meeting at 7:47 p.m. **

3. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT the following items of correspondence be received."

CARRIED UNANIMOUSLY

- A) Meeting Coordinator, City of Vancouver,
2005 July 20
Re: Idle-Free Awareness Campaign

A letter from the City of Vancouver providing Council with a copy of their resolution regarding the development and delivery of an idle free program aimed at local and regional idle free education and awareness programs and initiatives and urging the City of Burnaby to participate in the program either on its own or through the GVRD.

A staff note advises that Council approved a report from the Environment Committee in January 2005 that provided the framework for a comprehensive education-based vehicle idle reduction initiative. Currently, staff are preparing the education materials to raise awareness for the need to reduce unnecessary vehicular idling in Burnaby. The materials will be conveyed to audiences including school children, the public at large, commercial vehicle operators and City operations crews.

- B) City Clerk, City of Port Moody,
2005 August 03
Re: Insurance Premium Tax Resolution

A copy of a letter from the City of Port Moody to their local MLA providing their resolution regarding insurance premium taxes. The resolution urges the Province to redirect the revenue collected back to the cities and municipalities based on the value of insured property, to offset the local expense of providing Fire Protection Services.

MOVED BY COUNCILLOR DAHLIWAL:

SECONDED BY COUNCILLOR EVANS:

"THAT staff provide information on previous actions taken by City of Burnaby in response to this issue."

CARRIED UNANIMOUSLY

- C) Acting High Commissioner, British High
Commission, 2005 August 03
Re: Terrorist Bombings in London

A letter from the Julian Evans, Acting High Commissioner thanking Council and the citizens of Burnaby for their support in response to the terrorist bombings in London on July 7th.

- D) City Clerk, City of Vancouver,
2005 July 12
Re: Consultation Concerning Gaming Facilities
in Vancouver Hastings Racecourse
(2901 East Hastings Street)

A letter from the City of Vancouver requesting comment from Burnaby with respect to the proposed introduction of slot machines at Hastings Race course.

4. REPORTS

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

- (A) City Clerk
Re: Certificate of Sufficiency –
2005 Local Area Services Street Lighting
and Speed Hump Projects and 2006 Local Area
Services Roadworks Projects

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

- B) The City Manager presented Reports dated 2005 August 15 on the matters listed following as Items 01 to 22 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Rezoning Reference #03-51
Costco Development Proposal:
Restaurant and Auto Mall / Business Centre

The City Manager submitted a report from the Director Planning and Building requesting Council approval to forward this application to a Public Hearing on 2005 September 20. The purpose of the proposed rezoning bylaw amendment is to:

- to permit warehouse wholesale/retail, gas bar and office development on Lot 1 (see attached Sketch #1);
- to establish community plan guidelines for future restaurant development on Lot 2, subject to amendment rezoning based on a specific plan of development;
- to establish community plan guidelines for future auto-mall development on Lot 3 specifically to accommodate the relocation of existing new car dealerships in the Brentwood Town Centre, subject to amendment rezoning(s) based on specific plans of development;
- to establish community plan guidelines for Lot 4 to permit new car dealerships, flagship Harley Davidson motorcycle dealership with museum, and M5 type business centre uses, subject to amendment rezoning(s) based on specific plans of development;
- to affirm the designation of Lot 5 for City works yard use;
- to protect Lot 6 as a conservation area.

The City Manager recommended:

1. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.10 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. THAT the sale of City-owned property be approved in principle for inclusion within the subject development site as outlined in Section 3.11 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
3. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No.63/04, Bylaw 11788 be abandoned contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
4. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 August 29 and to a Public Hearing on 2005 September 20 at 7:30 p.m.

5. 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, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d. The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw. In the event that existing improvements on the site are vacant and considered to be unsafe, unstable, and a hazard to life, the Fire Prevention Division may recommend immediate demolition of such improvements and removal of the resultant debris prior to Third Reading.
 - e. The completion of a subdivision creating six legal parcels.
 - f. The granting of any necessary statutory rights-of-way, easements, and covenants.
 - g. The dedication of any rights-of-way deemed requisite.
 - h. The undergrounding of specified overhead wiring abutting and within the site.
 - i. The approval of the Ministry of Transportation to the rezoning application.
 - j. The deposit of the applicable GVS & DD Sewerage Charge.
 - k. The provision of facilities for cyclists in accordance with Section 4.1 of the rezoning report.
 - l. The completion of the sale of city property.

- m. Fisheries authorization from DFO and deposit of bonding for all works in and around watercourses.
- n. Compliance with environmental requirements related to DFO, and Environment Canada, and conditions outlined in Notifications of Environmental Review Committee Decisions.
- o. The granting of a 219 Covenant to protect the riparian area being enhanced and preserved on Lots 1, 2, and 6, and the deposit of sufficient monies to ensure completion of riparian landscaping.
- p. Completion of the Highway Closure Bylaw.
- q. The granting of a Section 219 covenant respecting floodproofing requirements.
- r. The submission of a geotechnical review regarding the stability of the site to accommodate the proposed development to the approval of the Director Engineering, and resolution of any arising requirements.
- s. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, and the granting of a Section 219 covenant and deposit of sufficient monies to guarantee its provision and continuing operation.
- t. Compliance with the Provincial Contaminated Sites Regulation and the submission of a Site Profile and resolution of any arising requirements
- u. An undertaking to retain if necessary, a qualified consultant to identify, assess, segregate and sample for analyses, any material found and/or excavation water suspected of questionable quality during excavation and construction.
- v. Registration of a Section 219 covenant in the Land Title Office ensuring that a shared groundwater treatment facility for treatment of groundwater underneath lots 3 and 4 and the adjacent portion of Still Creek Drive will be developed and maintained according to the conditions determined by the regulating agencies; and, if it is not, the City will maintain the right to take over maintenance of the facility and charge any resultant costs back to the property owners.

- w. Provision of a public trail and landscaping on statutory rights-of-way on Lots 1 and 2 along their joint property line, as well as parallel to Still Creek and to one viewpoint on the Creek, and also within the portions of Still Creek Avenue and Madison Avenue being closed and incorporated in Lot 4.
- x. Registration of a Section 219 Covenant over Lot 1 restricting sales uses to wholesale/retail club sales warehouse and gas bar.
- y. Registration of a Section 219 Covenant over Lot 1 permitting development of the gas bar only if the City determines that the subject site area is not required for parking after the Costco Warehouse has been in full operation for at least 12 months.
- z. Registration of a Section 219 Covenant over Lot 1 requiring a temporary access road to be constructed generally along the new Still Creek Drive alignment west of Willingdon Avenue before construction commences, and the full standard road to be completed prior to Costco sales operations commencing.
- aa. Registration of a Section 219 Covenant over Lot 3 restricting car dealership developments to existing new car dealers relocating from locations within the Brentwood Town Centre.
- bb. Provision of suitable measures to protect groundwater from possible contamination from the proposed gas station.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

2. Rezoning Reference #05-14
Keg Restaurant

The City Manager submitted a report from the Director Planning and Building requesting Council approval to forward this application to a Public Hearing on 2005 September 20. The purpose of the proposed rezoning bylaw amendment is to permit the development of a restaurant.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 August 29 and to a Public Hearing on 2005 September 20 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, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d. The completion of the subdivision creating the subject site (SUB#03-88) and Final Adoption of Rezoning Reference #03-51 establishing community plan guidelines for its development.
 - e. The approval of the Ministry of Transportation to the rezoning application.
 - f. The deposit of the applicable GVS & DD Sewerage Charge.
 - g. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
 - h. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, and the granting of a Section 219 management system to the approval of the Director Engineering, and -covenant and deposit of sufficient monies to guarantee its provision and continuing operation.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**3. Subdivision Reference #04-56
Heritage Revitalization Agreement
4156 Rumble Street – “Roy and Catherine Cummins House”**

The City Manager submitted a report from the Director Planning and Building requesting Council approval to enter into a Heritage Revitalization Agreement (H.R.A.) to accomplish the long-term protection and conservation of a significant Burnaby heritage building known as the “Roy and Catherine Cummins House.

The City Manager recommended:

1. THAT the following be established as prerequisites to the completion of the Heritage Revitalization Agreement:
 - a. The submission of a suitable plan of development
 - b. The satisfaction of all necessary subdivision requirements
 - c. The addition of the property to the Community Heritage Register and the adoption of a Heritage Designation Bylaw
2. THAT a copy of this report be sent to the Community Heritage Commission for their information.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**4. Liquor Licence Application #05-03
Portuguese Canadian Seniors Foundation
5455 Imperial Street**

The City Manager submitted a report from the Director Planning and Building to provide Council with a recommendation on the subject liquor licence application.

The City Manager recommended:

1. THAT Council resolve to support this application for a new liquor primary club licensed facility at the subject location, with a maximum capacity of 225, including a patio for 20 persons and hours of liquor sale of 10:00 a.m. to 12:00 midnight Monday through Thursday, 11:00 a.m. to 1:00 a.m. Friday and Saturday and 11:00 a.m. to 12:00 midnight on Sundays and on the patio the closing hour of liquor sale be limited to 10:00 p.m., seven days a week, for the reasons

outlined in this report and the previous report dated 2005 June 07.

2. THAT a copy of this report and the required Council resolution be sent to the applicant Mr. Nelson Santos, Portuguese Canadian Seniors Foundation, 5455 Imperial Street, Burnaby BC, V5J 1E5 and to the General Manager, Liquor Control and Licensing Branch, P.O. Box 9292 Stn. Provincial Government, Victoria, BC V8W 9J8.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

5. Introduction of 600 Slot Machines at Hastings Racecourse in Vancouver

The City Manager submitted a report from the Director Planning and Building prepared in response to a request from the City of Vancouver to provide comment on potential impacts on Burnaby of the proposed introduction of 600 slot machines at Hastings Racecourse located at 2901 Hastings Street in Vancouver.

The City Manager recommended:

1. THAT Syd Baxter, City Clerk for the City of Vancouver, be advised in writing that the City of Burnaby does not believe it would be "materially affected" by the introduction of 600 slot machines at Hastings Racecourse in Vancouver.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

6. Removal of Trees on Private Property

The City Manager submitted a report from the Director Planning and Building responding to a concern raised by a delegation about tree protection on private property.

The City Manager recommended:

1. THAT a copy of this report be forwarded to Suzanne Esen, 9845 Sullivan Street, Burnaby.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

7. Year 2006 Lease Rates and Grants – Resource Centres

The City Manager submitted a report from the Director Planning and Building to present proposed lease rates and anticipated lease grants for the year 2006 for non-profit tenants at the Burnaby Heights and Edmonds Resource Centres.

The City Manager recommended:

1. THAT the proposed 2006 lease rates for Resource Centre tenants be approved as presented in this report.
2. THAT information on the approved 2006 lease rates and the anticipated lease grants be distributed to Resource Centre tenants for information.
3. THAT Resource Centre tenants be requested to make application for 2006 lease grants, should they meet the grant eligibility criteria established by Council.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

8. Building Permit Tabulation Report No. 7
From 2005 June 20 to 2005 July 17

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 authorization be given for the sale for moving or salvage or demolition of the Barnet Rifle Range Clubhouse structures at 1200 Gaglardi Way.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

9. Fireworks

The City Manager submitted a report from the Fire Chief providing Council with an update on a proposed regional ban on fireworks

The City Manager recommended:

1. THAT Council receive this report for information purposes.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR EVANS

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

CARRIED UNANIMOUSLY

Arising from the discussion, Council requested that staff further investigate the licensing/retail locational aspects of the issue in conjunction with the ongoing review by the Fire Chief.

10. Fire Department Second Quarter Report 2005

The City Manager submitted a report from the Fire Chief providing Council with information relating to the Fire Department's activities for the second quarter of 2005.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

11. Unsightly Property at 8064 Westlake Street

The City Manager submitted a report from the Director Finance requesting Council approval for City staff or agents to enter the property at 8064 Westlake Street and remove unsightly materials and clear the property of overgrown grass/weeds and blackberry bushes at the property owner's expense, in accordance with the Unsightly Premises Bylaw.

The City Manager recommended:

1. THAT Council authorize City staff or agents to enter the property at 8064 Westlake Street, to remove and dispose of the accumulation of rubbish and various debris referred to in this report and clear the property of overgrown grass, weeds and blackberry bushes referred to in this report that have created unsightly conditions, the costs of which will be charged to the property owner and applied to the property taxes if unpaid by December 31 of the year in which the expenses were incurred.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

12. Road Right-of-Way: 9835 Gatineau Place

The City Manager submitted a report from the Director Finance to obtain authorization on behalf of TransLink to seek authority from the Province to rite-off the property taxes on the road right-of-way designated as 9835 Gatineau Place.

The City Manager recommended:

1. THAT the Province's authorization be sought to obtain special authority to write off the property taxes on the road right-of-way designated as 9835 Gatineau Place, and
2. THAT a copy of this report, formalizing our request, upon approval of Burnaby City Council, be sent to the Honourable Ida Chong, Minister of Community Services; with copies of Dale Wall, Inspector of Municipalities and Colin Smith of RTP 2000 Limited.

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

13. Contract No. 2005-24
Remediation of Former Burnaby Mountain Outdoor Target Ranges

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for soil remediation at the former target ranges located on the Barnet Highway.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Golder Associates Innovative Applications (GAIA) Inc., for soil remediation at a total cost of \$1,827,426.44 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

14. Proposal for Three Only Single Axle Dump Trucks

The City Manager submitted a report from the Director Finance requesting Council approval to award a purchase order for the supply of three dump trucks.

The City Manager recommended:

1. THAT a purchase order be awarded to the lowest acceptable bidder, Freightliner of Vancouver, for the supply of three only 2006 Freightliner M2 106 cabs and chassis c/w Bibeau dump bodies for the total price of \$345,547.50.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

15. Design of Yoga/Pilates Studio and Multi-Purpose Space at Bonsor Recreation Complex

The City Manager submitted a report from the Director Parks, Recreation & Cultural Services requesting Council approval to retain an architect to provide detailed design and contract administration for Bonsor Phase II renovations.

The City Manager recommended:

1. THAT the architect consulting firm of Hotson Bakker Boniface Haden Architects be retained to provide detailed design and contract administration for the Bonsor Phase II renovations as outlined in this report.
2. THAT a copy of this report be sent to the Finance and Civic Development Committee and the Parks, Recreation and Culture Commission.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

16. Proposed Clubhouse at Riverway Golf Course

The City Manager submitted a report from the Major Civic Building Project Coordination Committee requesting funding approval from Council for the placement of preload material for the proposed Clubhouse at Riverway Golf Course.

The City Manager recommended:

1. THAT a Capital Reserves Expenditure Bylaw in the amount of \$385,000 (inclusive of GST at 7%) be brought down to finance the placement of preload for the proposed Clubhouse at Riverway Golf Course.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

17. Design of Fire Station No. 7 - Gilmore

The City Manager submitted a report from the Major Civic Building Project Coordination Committee requesting Council approval for a Capital Reserves Expenditure Bylaw to engage a design consultant for the design of Fire Station No. 7 (Gilmore).

The City Manager recommended:

1. THAT Council bring down a Capital Reserves Expenditure Bylaw in the amount of \$535,000 (inclusive of GST @ 7%) to engage an architectural consultant for the detailed design of proposed Fire Station No. 7 (Gilmore).

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR CALENDINO :

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

CARRIED UNANIMOUSLY

18. ITS Traffic Signal Project

The City Manager submitted a report from the Director Engineering requesting funding approval from Council for upgrading of the City's traffic signals to an open architecture system that will allow full participation in the Integrated Regional Traffic Signal System proposed for the region wide.

The City Manager recommended:

1. THAT a Capital Expenditure Bylaw in the amount of \$428,000 (inclusive of 7% GST) be brought forward to finance improvements to the City's traffic signals on the regional Major Road Network, as described in this report.

MOVED BY COUNCILLOR CALENDINO :
SECONDED BY COUNCILLOR EVANS:

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

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

THAT the recommendation of the City Manager be AMENDED to add the following:

2. THAT a copy of the staff report be provided to the Transportation Committee for information.

CARRIED UNANIMOUSLY

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

19. Thorne Avenue Dyke

The City Manager submitted a report from the Director Engineering seeking funding approval from Council for dyke improvements in the Big Bend area

The City Manager recommended:

1. THAT Council authorize expenditures of \$214,000 (inclusive of 7% GST) from the Gaming Reserve Fund for the construction of dyke improvements in the big Bend Area, as outlined in this report.

MOVED BY COUNCILLOR EVANS :

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

20. Road Closure – Arcola Street

The City Manager submitted a report from the Director Engineering seeking Council approval for a temporary road closure to facilitate a community event.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Mike van Zanten, Southside Community Church, 12642 – 100th Ave, Surrey BC, V3V 2X7, be sent a copy of this report.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

21. Fun Run

The City Manager submitted a report from the Director Engineering seeking Council approval for the Burnaby Heights on the Run event on Saturday, 2005 September 17.

The City Manager recommended:

1. THAT Council approve the Fun Run as discussed in this report.
2. THAT the coordinator of the event, Shawn Leclair, Rackets & Runners, 3997 Hastings St, Burnaby BC, V5C 2H8.

MOVED BY COUNCILLOR EVANS :

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

22. 27th Annual Christmas Toy Run

The City Manager submitted a report from the Director Engineering providing Council information regarding preparations for the 27th Annual Christmas Toy Run to be held on Sunday, 2005 October 02.

The City Manager recommended:

1. THAT the 27th Annual Toy Run be approved as discussed in this report.
2. THAT the RCMP and City staff be authorized to provide continuing support for this event as discussed in this report.
3. THAT a copy of this report be sent to the event coordinator, Chris Bayliss, Executive Director, Lower Mainland Christmas Bureau, 1370 Napier St, Vancouver BC, V5L 2M4.

MOVED BY COUNCILLOR VOLKOW :

SECONDED BY COUNCILLOR JORDAN :

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST READING

#11951 7000 Lougheed Highway Rez. #05-12

#11952 7799 -18th Street Rez. #05-31

MOVED BY COUNCILLOR REDMAN :
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #19951
Bylaw No. 39, 2005

Burnaby Zoning Bylaw 1965, Amendment #11952
Bylaw No. 40, 2005

be now introduced and read a first time."

CARRIED
OPPOSED: MAYOR CORRIGAN
COUNCILLOR DAHLI WAL
COUNCILLOR EVANS
COUNCILLOR JORDAN
TO BYLAW 11951

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR REDMAN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Capital Works, Machinery and Equipment #11953
Reserve Fund Expenditure Bylaw No. 25, 2005

Burnaby Capital Works, Machinery and Equipment #11954
Reserve Fund Expenditure Bylaw No. 26, 2005

Burnaby Capital Works, Machinery and Equipment #11955
Reserve Fund Expenditure Bylaw No. 27, 2005

Burnaby Capital Works, Machinery and Equipment #11956
Reserve Fund Expenditure Bylaw No. 28, 2005

Burnaby Capital Works, Machinery and Equipment #11957
Reserve Fund Expenditure Bylaw No. 29, 2005

Burnaby Capital Works, Machinery and Equipment #11958
Reserve Fund Expenditure Bylaw No. 30, 2005

be now introduced and read three times."

CARRIED UNANIMOUSLY

SECOND READING

#11941 TEXT AMENDMENT

#11944 3853/3875/3876/3891 and 3892 Norfolk Street Rez. #04-64

#11945 6490 and 6498 Elgin Avenue Rez. #05-11

MOVED BY COUNCILLOR REDMAN:

SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11941
Bylaw No. 36, 2005

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 37, 2005

#11944

be now read a second time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR EVANS:

"THAT:

Burnaby Zoning Bylaw 1965, Amendment

#11945

Bylaw No. 38, 2005

be now read a second time."

FOR: MAYOR CORRIGAN
COUNCILLOR JOHNSTON
COUNCILLOR RANKIN
COUNCILLOR REDMAN

DEFEATED

OPPOSED: COUNCILLOR CALENDINO
COUNCILLOR DHALIWAL
COUNCILLOR EVANS
COUNCILLOR JORDAN
COUNCILLOR VOLKOW

CONSIDERATION AND THIRD READING

#11853 3898 Albert Street

Rez. 04-16

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 79, 2004

#11853

be now read a third time."

CARRIED UNANIMOUSLY

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

#11816 3898 Albert Street

Rez. #03-63

#11927 4250 Marine Drive

Rez. #04-40

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11816
Bylaw No. 72, 2004

Burnaby Zoning Bylaw 1965, Amendment #11927
Bylaw No. 32, 2005

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 DHALIWAL
TO BYLAW 11816

RECONSIDERATION AND FINAL ADOPTION:

#11815 7138 & 7144 Eighteenth Avenue Rez. #04-36

#11895 6736 Southpoint Drive Rez. #04-42

#11933 Portion of 6511 Hastings Street Rez. #05-25

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11815
Bylaw No. 71, 2004

Burnaby Zoning Bylaw 1965, Amendment #11895
Bylaw No. 24, 2005

Burnaby Zoning Bylaw 1965, Amendment #11933
Bylaw No. 35, 2005

Burnaby Revitalization Agreement Bylaw #11935
Bylaw No. 2, 2005

Burnaby Capital Works, Machinery and #11948
Equipment Reserve Fund Expenditure Bylaw
Bylaw No. 23, 2005

Burnaby Capital Works, Machinery and
Equipment Reserve Fund Expenditure Bylaw
Bylaw No. 24, 2005

#11949

Burnaby Council Indemnity Bylaw

#11950

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

CARRIED
OPPOSED: COUNCILLOR RANKIN
TO BYLAW 11950

6. NOTICE OF MOTION

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUCILLOR REDMAN:

THAT WHEREAS the proliferation of graffiti on private and public buildings,
fixtures and equipment including public utilities such as B.C. Hydro generates
periodic complaints by Burnaby residents;

AND WHEREAS the spread of graffiti can create the impression of urban
decay and neglect contrary to the City's desire to maintain healthy and
attractive communities;

AND WHEREAS Burnaby's Unsightly Premises Bylaw 1969 – No. 5533 is
not specific to the damage caused by graffiti;

AND WHEREAS other communities, for example, the City of Vancouver,
have adopted bylaws that specifically relate to the control of graffiti and the
repair of property of all kinds that has been damaged by graffiti;

THEREFORE BE IT RESOLVED THAT Burnaby City Council direct staff to
prepare a report on the advisability and feasibility of the adoption of a bylaw
that specifically addresses the need to place more effective controls on
owners and occupants of property that is damaged by graffiti.

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT His Worship, Mayor D.R. Corrigan, on behalf of Council write to Crown Corporations located in Burnaby requesting their cooperation in the removal of graffiti from their local facilities.”

CARRIED UNANIMOUSLY

7. NEW BUSINESS

Councillor Johnston

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

“THAT the Finance and Civic Development Committee meeting scheduled to be held on Thursday, 2005 September 22 be CANCELLED and rescheduled to Tuesday, 2005 September 13 at 5:30 p.m. in Committee Room 2.”

CARRIED UNANIMOUSLY

Councillor Volkow

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR EVANS:

“THAT a meeting of the Transportation Committee be scheduled for Wednesday, August 24th, 2005 at 6:00 p.m. in the Council Chamber.”

CARRIED UNANIMOUSLY

Councillor Volkow referred to the August 15 Council Correspondence Package Item (H) from the Union of British Columbia Municipalities (UBCM) requesting clarification from all municipalities with respect to the use of traffic fine revenues received from the Provincial government.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff provide information with respect to the City of Burnaby’s use of traffic fine revenues to the Union of B.C. Municipalities.”

CARRIED UNANIMOUSLY

Councillor Volkow referred to the August 15 Council Correspondence Package Item (FF) from TransLink advising that the Greater Vancouver Transportation Authority Board of Directors adopted a resolution pertaining to common definition for (heavy) trucks as "motor vehicles with greater than 10,000 kg licensed gross vehicle weight".

MOVED BY COUCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the correspondence and report from TransLink be forwarded to the B.C. Trucking Association".

CARRIED UNANIMOUSLY

Councillor Calendino

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

"THAT a meeting of the Simon Fraser University/City of Burnaby Liaison Committee be held on Thursday, September 01, 2005 at 5:30 p.m. at the Diamond University Centre, Simon Fraser University."

CARRIED UNANIMOUSLY

8. INQUIRIES

Councillor Johnston

Councillor Johnston wished to convey compliments to staff for the success of the Blues Festival and VSO concert. Councillor Johnston also expressed appreciation to corporate sponsors for the event; Terasen, Telus, Chevron Canada and Gateway Casinos. The RCMP were also thanked for their cooperation and assistance to ensure a safe and enjoyable event for all who attended.

Councillor Dhaliwal

Councillor Dhaliwal inquired about a recent radio announcement he had heard about fraudulent mortgage schemes relating to property title transfer and mortgages. Councillor Dhaliwal wanted to know if staff were aware of this and if this was prevalent in B.C. or the lower mainland.

The Mayor advised that B.C.'s Land Title Registry system is one of the most secure in the world and requested Councillor Dhaliwal obtain further information on this matter before requesting staff to provide a report to Council.

9. ADJOURNMENT

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR EVANS:

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

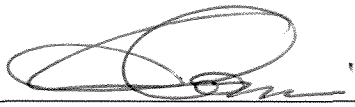
CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 9:25 p.m.

Confirmed:

Certified Correct:


MAYOR


CITY CLERK