

2005 JANUARY 17

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 January 17 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 EVANS:

SECONDED BY COUNCILLOR JORDAN:

"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 JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT the minutes of the 'Open' Council meeting held on 2005 January 10 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

- A) President, Firefighters' No. 314 Holding Society, 2005 January 11
Re: Rez #04-44, 6515 Bonsor Avenue
Outside Patio for Firefighters' Social and Athletic Club
Speaker: Douglas Beckett, President

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JORDAN:

"THAT the delegation be heard."

CARRIED UNANIMOUSLY

- A) **Douglas Beckett**, President, Firefighters' No. 314 Holding Society appeared before Council to discuss their proposal for an outside patio at the Firefighters' Social and Athletic Club.

Mr. Beckett advised the proponents do not want to put a roof over the patio area at the Firefighters' Social and Athletic Club but would rather keep the area as an open garden space. The speaker suggested that a permanent roof structure would involve a large financial cost, increase the overall square footage of the premise as well as detract from the architectural design on the rooftop. Mr. Beckett suggested that a temporary cloth cover may be a compromise solution for the five months the patio would be operational.

Mr. Beckett advised he does not believe there would be excessive noise from the patio considering the noise levels already present from traffic and other public activities in the area. In conclusion, the speaker requested Council allow construction of the patio without a roof.

3. REPORTS

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

A) Environment Committee
Re: Vehicle Idle Reduction Education Initiative

The Environment Committee submitted a report for Council's consideration recommending a comprehensive education-based vehicle idle reduction initiative to complement regional and senior government initiatives to limit the production of greenhouse gas (GHG) emissions. The education-based initiative is proposed to raise awareness for the need to reduce unnecessary vehicular idling in Burnaby. A variety of media and outreach methods would be used to convey the benefits of reduced idling to specific target audiences, including school children, the public at large, commercial vehicle operators, and City Operations crews.

The Environment Committee recommended:

1. THAT Council authorize staff to initiate a comprehensive education-based vehicle idle reduction initiative.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT the recommendation of the Environment Committee be adopted."

CARRIED UNANIMOUSLY

B) Environment Committee
Re: Update to Cosmetic Herbicide
Education Program

The Environment Committee submitted a report providing Council with an update on cosmetic herbicide and pesticide limiting initiatives at the local and senior levels of government, the outcome of the eight month education program to reduce the use of cosmetic herbicides on private properties and a proposed strategy to address cosmetic herbicide usage in 2005. The Committee further noted that an enhanced program for 2005 would focus on: repeat messaging/ program branding; message targeting throughout the growing season; and expansion of the most effective program elements - those being workshops, print media, and retailer relationships. Upon the completion of the enhanced education program, staff would conduct another post-evaluation and bring back a report summarizing the program's progress and recommended future directions in early 2006.

The Environment Committee recommended:

1. THAT Council approve an enhanced education program designed to provide information on the effects of cosmetic herbicides and to provide alternatives to residents to be delivered for a period of one (1) year.
2. THAT Council request staff to report back to Committee and Council after this one (1) year period on the outcome of the enhanced program.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

- C) The City Manager presented a report dated 2005 January 17 on the matters listed following as Items 01 to 02 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Liquor Store Regulations

The City Manager submitted a report from the Director Planning and Building proposing commencement of a zoning bylaw review pertaining to liquor stores in Burnaby.

The City Manager recommended:

1. THAT Council direct staff to initiate the preparation of a zoning bylaw text amendment which distinguishes government from private liquor stores.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

2. Work Orders

The City Manager submitted a report from the Director Engineering requesting Council approval of various annual capital account work orders. The work orders include: wheelchair ramps; bus stops; interim asphalt walks; and the installation of hydrants, water service connections, sanitary sewer connections and storm sewer connections.

The City Manager recommended:

1. THAT approval be given to various capital account work orders as more specifically referred to in this report.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

4. TABLED MATTERS

- A) Rez #04-44, 6515 Bonsor Avenue
Outside Patio for Firefighters' Social
and Athletic Club
Tabled - 2005 January 10

The following item was tabled at the 'Open' meeting held on 2005 January 10:

- 3. Rezoning Reference #04-44**
6515 Bonsor Avenue (see attached Sketch #1)
Outside Patio for Firefighters' Social and Athletic Club

The City Manager submitted a report from the Director Planning and Building providing Council with a recommendation on the subject rezoning.

The City Manager recommended:

1. THAT Council reject the subject rezoning request.

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR EVANS:

"THAT this report be TABLED until 2005 January 17 meeting of Council."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the report be now **LIFTED** from the table."

CARRIED UNANIMOUSLY

The report was now before the meeting.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR RANKIN:

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

Arising from consideration of the matter and the delegation's presentation, Councillor Volkow was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR REDMAN:

"THAT REZ #04-44 be **REFERRED** back to staff for further review of the feasibility and advisability of developing a method of providing a temporary cover for the proposed patio area."

CARRIED
OPPOSED: COUNCILLOR RANKIN

- B) Bylaws, Second Reading, Bylaw #11781
Rez. #04-29c from R2, R4 & R5 Residential Districts
to P3 Park and Public Use District
Capital Hill Reservoir Park, 229 N. Hythe Avenue
Purpose - to bring the zoning of the properties
into conformance with their intended use
Tabled - 2004 September 13

The following bylaw was tabled at the 'Open' meeting held on 2004 September 13:

SECOND READING:

#11781 Capital Hill Reservoir Park, 229 N. Hythe Avenue REZ #04-29c

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 61, 2004**

#11781

be now read a second time."

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the motion as moved by Councillor Calendino and seconded by Councillor Johnston being,

'THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 61, 2004**

#11781

be now read a second time' be now TABLED."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the motion as moved by Councillor Calendino and seconded by Councillor Johnston being,

'THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 61, 2004**

#11781

be now read a second time' be now LIFTED from the table."

CARRIED UNANIMOUSLY

The motion was now before the meeting.

A vote was then taken on the motion as moved by Councillor Calendino and seconded by Councillor Johnston being,

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11781
Bylaw No. 61, 2004

be now read a second time" and same was CARRIED UNANIMOUSLY.

5. **BYLAWS**

CONSIDERATION AND THIRD READING

#11437 8875 Northbrook Court REZ #02-33

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11437
Bylaw No. 35, 2002

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Capital Works, Machinery and Equipment #11867
Reserve Fund Expenditure Bylaw No. 1, 2005

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

Councillor Rankin

Councillor Rankin raised the issue of vicious dog attacks and suggested the evaluation of an additional provision to be included in Burnaby's Animal Control Bylaw. Councillor Rankin was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR REDMAN:

"THAT WHEREAS serious dog attacks on people in B.C. and Canada have heightened public concern for their personal well-being and the well-being of others; and

WHEREAS some animal experts believe that the protracted tethering or chaining of dogs can cause dogs to become vicious; and

WHEREAS some animal experts believe that the protracted tethering or chaining of dogs is detrimental to the emotional and physical health of dogs; and

WHEREAS numerous North American jurisdictions have enacted provisions to prohibit or limit the tethering or chaining of dogs; and

WHEREAS Burnaby Animal Control Bylaw 1991 - No. 9609 does not make provision for the prohibition or limiting of tethering or chaining of dogs;

BE IT THEREFORE RESOLVED THAT Burnaby Council request staff prepare a report providing recommendations with respect to the advisability and feasibility of making provision in Burnaby Animal Control Bylaw 1991 - No. 9069 with respect to the prohibition of limiting of tethering or chaining of dogs."

CARRIED UNANIMOUSLY

Councillor Rankin raised the issue of the impact the dramatic increases in property tax assessment in the Lower Mainland will have on TransLink's 2004 Property Tax Levy and was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT WHEREAS published reports indicate that TransLink will reap \$13.5 million more than anticipated in 2005 due to the dramatic increase in property tax assessments in Greater Vancouver; and

WHEREAS the TransLink tax increase will mean that the average Greater Vancouver home, valued at \$341,299 in 2004, now valued at \$403,000 in 2005, will be subject to an increase in TransLink levy from \$94 to \$191; and

WHEREAS the average home in Burnaby has increased in assessed value by 18.2 percent, from \$320,416 to \$378,733 between 2004 and 2005 assessments; and

WHEREAS the average home in Burnaby will be subject to an increase in TransLink levy from \$89 to \$179 based on the average increase in assessed value between 2004 and 2005 assessments; and

WHEREAS according to published reports (Vancouver Sun, Friday 2005 January 14) TransLink rolled back its 2004 Property Tax Levy after it was learned that the levy would generate \$5.3 million more than anticipated; and

WHEREAS assessment driven increases in property tax levies for TransLink do not necessarily reflect the ability of Burnaby homeowners to pay levy increases; and

WHEREAS property based levies have positive impact on transportation demand management; and

WHEREAS at least one TransLink Board member has publicly called for a rollback of the TransLink Property Tax Levy for 2005;

BE IT RESOLVED THAT Burnaby City Council demand that TransLink roll back the 2005 TransLink Property Tax Levy to eliminate the reported \$13.5 million budget windfall caused by higher than anticipated Greater Vancouver property assessments;

AND BE IT FURTHER RESOLVED THAT copies of this resolution be forwarded to the TransLink Chair and Board of Directors, Greater Vancouver Regional District Chair and Board of Directors and Mayor and Councillors of all municipalities within the Greater Vancouver Transportation Authority."

CARRIED UNANIMOUSLY

Councillor Johnston

Councillor Johnston provided the following motion with regard to tax incentives for the film industry for Council's consideration at its next regular meeting:

THAT the Mayor write to the Provincial Minister of Finance requesting that they strongly consider matching tax incentives offered to the film industry by the Provinces of Quebec and Ontario.

7. INQUIRIES

Mayor D.R. Corrigan

His Worship, Mayor D.R. Corrigan referred to problems with flooding which were occurring during the day and requested Director Engineering to address the issues.

Mr. C. Sinclair, Director Engineering, reported a number of factors had created the flooding: heavy rainfall; run off from the melting snow as a result of the warmer temperatures; frozen ground which prevents the absorption of moisture into the ground and the tidal influence. Mr. Sinclair noted that extremely high tides at noontime affected the dyking in the Big Bend area and the settling of the compressed peat soil in Big Bend and Central Valley added to the problem. The Director Engineering advised the primary area of concern is Willingdon and Still Creek and the flooding of freeway on and off ramps. Mr. Sinclair stated the ramps fall under the jurisdiction of the Ministry of Transportation and Highways and there are plans for improvements to help alleviate the problems.

His Worship, Mayor D.R. Corrigan inquired as to the condition of the Gilmore Street area. Mr. Sinclair reported there appeared to be some issues around Still Creek and advised the Engineering Department will endeavour to look at ways to resolve the problems for the future.

8. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

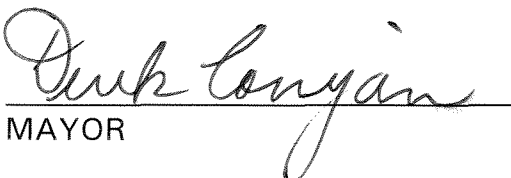
"THAT this 'Open' Council Meeting do now adjourn."

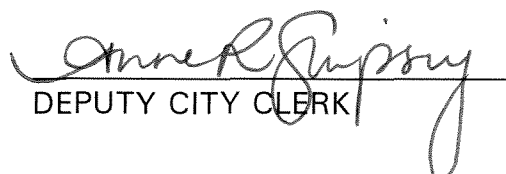
CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 8:35 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK