

2005 SEPTEMBER 19

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 September 19 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. B. Luksun, Deputy 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.

P R O C L A M A T I O N S

Councillor Calendino, on behalf of His Worship Mayor Derek R. Corrigan, proclaimed 2005 September 22nd as "***J.S. Woodsworth Day***" in the City of Burnaby.

Councillor Volkow, on behalf of His Worship Mayor Derek R. Corrigan, proclaimed the month of October as "***Dog Guide Awareness Month***" in the City of Burnaby.

Councillor Jordan, on behalf of His Worship Mayor Derek R. Corrigan, proclaimed the month of October as "**Stroke Recovery Month**" in the City of Burnaby.

Councillor Johnston, on behalf of His Worship Mayor Derek R. Corrigan, proclaimed 2005 October 2nd as "**Mahatma Gandhi Day**" in the City of Burnaby.

His Worship Mayor Derek R. Corrigan, proclaimed the City of Burnaby as an official supporter of the "**Community Crash Reduction Challenge**" taking place from 2005 October 1st – 31st in the City of Burnaby.

His Worship Mayor Derek R. Corrigan informed Council that the Burnaby Jr. Lakers Lacrosse Team defeated 6 Nations Team in the World Champion Lacrosse final with an 8 – 6 victory. He noted this was their 2nd consecutive Minto Cup and 10th Provincial Championship. Mayor Corrigan extended congratulations to the coaching staff, players and team owners.

1. MINUTES

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the 'Open' Council meeting held on 2005 September 12 be now adopted.

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) Vic Blancard, 2005 August 11
Re: Property Tax
Speaker: Vic Blancard

- B) Mr. Englund, 2005 September 14
Re: Zoning 7400 Block Royal Oak Ave.
Speaker: Mr. Englund

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- A) **Mr. Vic Blancard**, 4630 Highlawn Drive, Burnaby, B.C. appeared before Council to express opposition to tax increases in the City of Burnaby as well as the increases in Council indemnities and to draw attention to the impact of these increases on senior citizens.

Mr. Blancard took the opportunity to acknowledge this would be the last term on Council for Councillors Redman and Evans and expressed his disappointment along with his appreciation for their many years of service.

The speaker noted that no other municipality has the money that Burnaby has in reserves. Mr. Blancard explained the 2.9% increase in property taxes did not raise his taxes by \$33 as suggested but by an amount considerably more. He advised assessment increases are of no benefit when the homeowner has no intention of selling. Mr. Blancard listed five taxing authorities which impact property taxes in Burnaby. The speaker advised that, in addition, there are planned increases for Terasen Gas, B.C. Hydro as well as the increased cost of gasoline and noted there are no corresponding increases available for seniors income.

In conclusion, Mr. Blancard requested that Council consider giving delegations more than ten minutes to address Council in order to provide citizens with enough time to present their message.

- B) **Mr. Al Englund**, 5229/5231 Irmin Street, Burnaby, B.C. appeared before Council to discuss a proposed development in the 7400 block of Royal Oak Avenue.

Mr. Englund would like his property to be included in the proposed re-development, however, he maintains that he has not been offered a reasonable price for his property. The speaker provided Council with information regarding real estate values in his neighbourhood and negotiations regarding the sale of his property.

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

"THAT the issues raised by the delegation be **REFERRED** to staff for review and report."

CARRIED UNANIMOUSLY

3. REPORTS

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

A) Finance and Civic Development Committee
Re: Urban Transportation Showcase Program:
Edmonds and Metrotown Transit Village
Project Funding

The Finance and Civic Development Committee submitted a report requesting Council approval of funding for the 2005 to 2007 Edmonds and Metrotown Transit Village projects as part of the Urban Transportation Showcase Program. The Edmonds Transit Village Showcase project provides an opportunity to leverage capital funding for pedestrian/bike-related projects previously approved by Council in the Edmonds SkyTrain Station area and to secure an additional \$350,000 in funding from TransLink and Transport Canada. The Metrotown Transit Village Showcase project provides the City with the opportunity to be directly involved in the most significant review of this station's position, capacity, form and function since it was constructed in the 1980's and to leverage \$350,000 in future capital funding from TransLink for improvements to the area surrounding Metrotown SkyTrain station.

The Finance and Civic Development Committee recommended:

1. THAT Council approve the Edmonds and Metrotown Transit Village projects as described in this report.
2. THAT Council authorize an expenditure not to exceed \$410,000 (inclusive of 7% GST) from the Gaming Reserve for the planning, design and construction of the 2005-2007 Edmonds Transit Village projects as outlined in Section 3.1 of this report.
3. THAT Council authorize an expenditure not to exceed \$50,000 (inclusive of 7% GST) from the Gaming Reserve for the planning of the Metrotown Transit Village projects as outlined in Section 3.2 of this report.
4. THAT Council authorize staff to execute a partnership agreement with TransLink and pursue the planning, design and construction of the 2005-2007 Edmonds Transit Village project and the planning of the Metrotown Transit Village Showcase project as discussed in this report.
5. THAT Council forward copies of this report to the Transportation Committee, the Parks, Recreation and Culture Commission, the Edmonds Town Centre Business and Community Association, and the Vice President Planning, TransLink (Glen Leicester).

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT the recommendations of the Finance and Civic Development Committee be adopted."

CARRIED UNANIMOUSLY

B) Finance and Civic Development Committee

Re: Solar Heating Study for Eileen Dailly Pool

The Finance and Civic Development Committee submitted a report outlining a feasibility study for solar water heating for Eileen Dailly Pool. Solar water heating offers significant potential energy savings for many City facilities. It was suggested that this study could be a pilot project, and if successful could be used to profile this technology to both public and private developers.

The Finance and Civic Development Committee recommended:

1. THAT Council authorize staff to submit an application to the Vancity/Real Estate Foundation of B.C. Green Building Grant in the amount of \$30,000 to fund a solar heating feasibility study for Eileen Dailly Pool.
2. THAT Council forward this report to the Parks, Recreation and Culture Commission and the Environment Committee for information purposes.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT the recommendations of the Finance and Civic Development Committee be adopted."

CARRIED UNANIMOUSLY

C) Finance and Civic Development Committee

Re: Fire Station #7 – Gilmore

The Finance and Civic Development Committee submitted a report requesting Council approval to engage a design consultant for Fire Station No. 7 – Gilmore.

The Finance and Civic Development Committee recommended:

1. THAT Council authorize staff to prepare and execute a Client/Architect agreement with the firm of Musson Cattel Mackay Partnership for the design and contract administration of Fire Station No. 7 – Gilmore.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT the recommendation of the Finance and Civic Development Committee be adopted."

CARRIED UNANIMOUSLY

D) Community Heritage Commission
Re: Barnet Book Launch Event

The Community Heritage Commission submitted a report requesting Council approval for funding a book launch event to thank the contributors to the new book *"In the Shadow by the Sea: Recollections of Burnaby's Barnet Village"*.

The Community Heritage Commission recommended:

1. THAT Council approve funding up to \$1,000 to hold a book launch event to thank the contributors to the new book *"In the Shadow by the Sea: Recollections of Burnaby's Barnet Village"*, as outlined in this report.

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT the recommendation of the Community Heritage Commission be adopted."

CARRIED UNANIMOUSLY

E) Community Heritage Commission
Re: Burnaby's World War II Honour Roll

The Community Heritage Commission submitted a report requesting Council approval to fund the completion of Burnaby's World War II Honour Roll for Remembrance Day 2005. Burnaby's Honour Rolls form an important record of the City's heritage and history and it is appropriate that they be completed and given due reverence and prominence as part of the civic Remembrance Day programs held annually in November. The proposed completion of Burnaby's World War II Honour Roll in 2005 will for the first time identify and honour hundreds of Burnaby men and women that served in the armed services by name and will form a lasting memorial for generations of citizens. The dedication of this memorial in 2005 during the *'Year of the Veteran'* and on the 60th anniversary of the end of World War II adds considerable significance and meaning to this project.

The Community Heritage Commission recommended:

1. THAT Council authorize the expenditure of funds as outlined in this report to complete Burnaby's World War II Honour Roll for Remembrance Day 2005.

MOVED BY COUNCILLOR REDMAN:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT the recommendation of the Community Heritage Commission be adopted."

CARRIED UNANIMOUSLY

- F) The City Manager presented report dated 2005 September 19 on the matters listed following as Items 01 to 15 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **2005 Park Dedications**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Service requesting Council approval to enact a Park Dedication Bylaw for various City properties at five parks; to seek community opinion from the electors at the civic elections in 2005 November; and for the wording of the 2005 Park Dedication Bylaw Community Opinion Questions.

The City Manager recommended:

1. THAT the enactment of a Park Dedication Bylaw for those City properties outlined in Appendix 1 be approved.
2. THAT authorization to seek community opinion on the proposed Park Dedication Bylaw from the electors at the civic election in 2005 November be approved.
3. THAT the wording of the 2005 Park Dedication Bylaw Community Opinion Questions outlined in Appendix 2 be approved.
4. THAT the Parks, Recreation and Culture Commission be requested to concur.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**2. Application for Assistance
2006 – 2007 BC Hydro Beautification Program**

The City Manager submitted a report from the Director Planning and Building outlining proposed underground wiring projects for submission to B.C. Hydro for cost sharing in the 2006 – 2007 Beautification Program.

The City Manager recommended:

1. THAT staff be authorized to apply to B.C. Hydro for cost sharing assistance in removing the overhead lines described in this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**3. Rezoning Reference #03-68
Mixed Use Commercial/Residential Development**

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 October 25. The purpose of the proposed rezoning bylaw amendment is to permit the redevelopment of the existing commercial centre for a comprehensive mixed-use high-rise residential and retail-commercial development.

The City Manager recommended:

1. THAT the proposed adjustment to the Lougheed Town Centre Plan, as outlined in Section 2.2 of this report be approved (to take effect upon the granting by Council of Second Reading of the subject rezoning bylaw).
2. THAT a copy of this report be sent to Mr. Paul Lee, Transportation Planning Manger, City of Coquitlam, to Mr. Glen Leicester, Vice President Planning and Ms. Michelle Blake, Director Engineering and Project Services of TransLink and to the General Manager of the Lougheed Town Centre Shopping Centre.
3. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 October 03, and to a Public Hearing on 2005 October 25 at 7:30 p.m.

4. 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 granting of any necessary easements and/or covenants.
 - f. The dedication of any rights-of-way deemed requisite.
 - g. The provision of a public pedestrian walkway statutory right-of-way and the construction of a concrete walk and lighting to the approval of the Director Engineering as outlined in Sections 3.21 and 3.22 of this report.
 - h. The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
 - i. Compliance with the Council-adopted sound criteria.
 - j. The deposit of the applicable Parkland Acquisition Charge.

- k. The deposit of the applicable GVS & DD Sewerage Cost Charge.
- l. The deposit of the applicable School Site Acquisition Charge.
- m. The granting of a Section 219 Covenant restricting enclosure of balconies.
- n. The granting of a Section 219 Covenant indicating that the project driveway will not be restricted by gates.
- o. The granting of a Section 219 Covenant to ensure that the density of development of each of the two strata lots comply with the approved CD zoning of the site.
- p. The undergrounding of existing overhead wiring abutting the site.
- q. The provision of facilities for cyclists in accordance this rezoning report.
- r. The submission of a Site Profile and the resolution of any arising requirements.
- s. The submission of a suitable on-site storm water 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. The design and provision of units adaptable to persons with disabilities, with allocated parking spaces which meet standards for persons with disabilities. The provision of customized hardware and cabinet work is subject to the sale/lease of the unit to a person with disabilities.
- u. The utilization of an amenity bonus through the provision of a child care facility to be owned by the City and established through the creation and transfer of an airspace parcel to the City and protected by a Section 219 Covenant in accordance with Section 3.9 of this report. The deposit of funds equal to the density bonus to cover the estimated value of the child care facility together with 8 parking stalls as outlined in the CD plans and for the provision of improvements to be made to Cameron Park.

- v. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

Council expressed concerns regarding the timing and logistics of the opening of the day care centre. Also arising from consideration of this report, Council shared concerns about the use of a gate system as the only means of separating the residential and commercial parking.

4. Rezoning Reference #05-26
Proposed Dania Campus of Care of Care
and Phase I Complex Care Building

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 October 25. The purpose of the proposed rezoning bylaw amendment is firstly to prepare an overall phased master plan for the entire Dania Campus of Care site and secondly to pursue detailed development plans for the first phase redevelopment of a new 88 bed Complex Care building.

The City Manager recommended:

1. THAT Council amend the Central Administrative Area Plan to allow for the change of designation of this site from CD Comprehensive Development District (based on P5 Community Institutional District) to CD Comprehensive Development District (based on P5 Community Institutional District and RM3 Multiple Family Residential District) to allow for the use of the site for non-profit seniors' care and supportive housing as outlined in Section 3.2 of this report to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.

2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 October 03, and to a Public Hearing on 2005 October 25 at 7:30 p.m.
3. 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 necessary subdivision of the property.
 - e. The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - f. The dedication of any rights-of-way deemed requisite.
 - g. The retention of identified existing trees on the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
 - h. The approval of the Ministry of Transportation to the rezoning application.
 - i. Compliance with the Council-adopted sound criteria.

- j. The provision of a Section 219 Covenant confirming that the existing Dania Home Care building, Dania Home Lodge and storage shed will be demolished prior to the issuance of a building permit for the new Phase I complex care building.
- k. The provision of a Section 219 Covenant limiting the density of the net overall area of the four lots (excluding the church site) to a Floor Area Ratio of 1.10.
- l. Determination of undergrounding of existing wiring overhead abutting the site along Canada Way.
- m. The submission of an exterior lighting plan which meets the standards for seniors' housing complexes as adopted by Council.
- n. The deposit of the applicable Parkland Acquisition Charge.
- o. The deposit of the applicable GVS & DD Sewerage Charge.
- p. The provision of facilities for cyclists.
- q. The granting of a Section 219 Covenant to protect the significant existing trees being preserved on the site and the deposit of sufficient monies to ensure the protection of the existing trees being preserved.
- r. 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.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Council requested staff provide information regarding plans for how services, including cosmetics (hair dressing) and postal services, will be provided to the residents.

**5. Rezoning Reference #05-32
Townhousing with under-building parking
Metrotown – Sub-Area 6**

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 October 25. The purpose of the proposed rezoning bylaw amendment is to permit an eight unit townhouse development with under-building parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 October 03, and to a Public Hearing on 2005 October 25 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 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.
 - e. The consolidation of the net project site into one legal parcel.
 - f. The granting of any necessary statutory rights-of-way, easements and/or covenants.

- g. The dedication of any rights-of-way deemed requisite.
- h. Compliance with the Council-adopted sound criteria.
- i. The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- J The deposit of the applicable Parkland Acquisition Charge.
- k. The deposit of the applicable GVS & DD Sewerage Charge.
- l. The deposit of the applicable School Site Acquisition Charge.
- m. The granting of a 219 Covenant indicating that project driveway accesses will not be restricted by gates.
- n. The submission of a suitable engineered design for an approved on-site sediment control program.
- o. The pursuance of Stormwater Management Best Practices in line with established guidelines.
- p. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**6. Rezoning Reference #05-33
Townhouse Development
Edmonds Town Centre – Sub-Area 1**

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 October 25. The purpose of the proposed rezoning bylaw amendment is to permit the construction of a 19-unit townhouse development with underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 October 3 and to a Public Hearing on 2005 October 25 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 submission of an undertaking to remove all existing improvements from the site prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw.
 - e. The consolidation of the net project site into one legal parcel.
 - f. The granting of any necessary statutory rights-of-way, easements and /or covenants.

- g. Dedication of any road rights-of-way deemed requisite.
- h. The underground of existing overhead wiring abutting the site.
- i. Compliance with Council-adopted sound criteria.
- j. The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- k. The deposit of the applicable Parkland Acquisition Charge.
- l. The deposit of the applicable GVS & DD Sewerage Charge.
- m. The deposit of the applicable School Site Acquisition Charge.
- n. The provision of facilities for cyclists in accordance with this report.
- o. The granting of a 219 Covenant restricting enclosure of balconies.
- p. The pursuance of Storm Water Management Best Practices in line with established guidelines.
- q. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

**7. Rezoning Reference #05-05
Low-rise Apartment & Townhouse Project with
Underground Parking, Royal Oak Community Plan – Sub Area 2**

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 October 25. The purpose of the proposed rezoning bylaw amendment is to permit the construction of a low-rise apartment and townhouse project with underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 October 03 and to a Public Hearing on 2005 October 25 at
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 undergrounding of existing overhead wiring abutting the site.
 - e. The provision of a suitable Certificate of Compliance.
 - f. Compliance with Council-adopted sound criteria.
 - g. The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.

- h. The deposit of the applicable Parkland Acquisition Charge.
- i. The deposit of the applicable GVS & DD Sewerage Charge.
- j. The deposit of the applicable School Site Acquisition Charge.
- k. The provision of facilities for cyclists in accordance with this report.
- l. The granting of a 219 Covenant restricting enclosure of balconies and preventing age restrictions.
- m. 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 to guarantee its provision and continuing operation.
- n. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**8. Rezoning Reference #05-29
Proposed Distribution Warehouse
Big Bend Development Plan**

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 October 25. The purpose of the proposed rezoning bylaw amendment is to permit the development of a warehouse distribution facility with associated office space.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 October 03 and to a Public Hearing on 2005 October 25 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 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.
 - c. The deposit of applicable GVS&DD Sewerage Charge.
 - d. 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 the granting of a Section 219 Covenant respecting the approved report.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**9. Request to Amend Covenant Restricting
Development of the Site
Ptn. of 3555 Douglas Road, Amended Covenant #05-01**

The City Manager submitted a report from the Director Planning and Building providing Council with a recommendation on the subject application to permit the proposed amendment to the covenant registered against the subject property.

The City Manager recommended:

1. THAT the covenant on the property be amended to permit an increase in the gross floor area permitted on the subject site, as discussed in this report.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

10. 5881 Dundas Street, Burnaby, B.C.
Lot 47, Block 47, DL 218, Plan 4953

The City Manager submitted a report from the Director Planning and Building requesting Council approval to direct the City Clerk to file a Notice in the Land Title Office, pursuant to Section 57 of the Community Charter, with respect to a property observed to be in contravention of City Bylaws.

The City Manager recommended:

- 1) THAT Council direct the City Clerk to file a Notice in the Land Title Office stating that:
 - a) A resolution relating to the land at 5881 Dundas Street, Burnaby B.C., Lot 47, Block 47, D.L. 218, Plan 4953, has been made under Section 57 of the Community Charter, and
 - b) Further information respecting the resolution may be inspected at the offices of the City Clerk, City of Burnaby.
- 2) THAT a copy of the report be sent to the following owner:
 - a) Stanislava Juriga
5881 Dundas Street
Burnaby, B.C. – V5B 1B6

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

11. 2005 Provincial Voters' List

The City Manager submitted a report from the City Clerk and Chief Election Officer providing Council with information relating to the use of the Provincial Voters' list for the 2005 Local Election. Some voters will be inconvenienced on voting day and may need to register at their voting place.

Residents are encouraged to check to see if they are on the list and if not, information is available as to what identification they will need to produce in order to register on voting day.

The City Manager recommended:

1. THAT this report be received for information.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Council requested that a copy of the report be sent to Burnaby four MLAs and Elections B.C. for information.

**12. Arrows to Freedom Cultural Healing Society
Room 207 at the Edmonds Neighbourhood
Resource Centre**

The City Manager submitted a report from the Director Finance requesting Council approval to cancel the tenant's lease and regain possession of the space.

The City Manager recommended:

1. THAT Council approve the cancellation of the lease agreement for the Arrows to Freedom Cultural Healing Society.
2. THAT staff take possession of the leased space (Room 207) at the Edmonds Neighbourhood Resource Centre and dispose of items abandoned by the tenant.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

13. Retirements

The City Manager submitted a report from the Director Human Resources informing Council of the following retirements from 2005 July to September:

<i>Ms. Lynn McLaughlin</i>	<i>31 years of service</i>	<i>Finance</i>
<i>Ms. Elisa Mottes</i>	<i>19 years of service</i>	<i>Parks, Recreation & Cultural Services</i>
<i>Mr. Richard McRitchie</i>	<i>28 years of service</i>	<i>Engineering</i>
<i>Mr. William Lamb</i>	<i>33 years of service</i>	<i>Fire</i>

The City Manager recommended:

1. THAT the Mayor, on behalf of Council, send to the following retirees a letter of appreciation for their many years of loyal and dedicated service to the City.

Councillor Redman retired from the Council Chamber at 8:56 p.m.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

14. 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 2005 October 25 at 7:30 p.m. except where noted otherwise in the individual reports.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #1 Application for the rezoning of:
Rez #05-42 Lot "P", D.L. 98, Group 1, NWD Plan 23774, Parcel "One"
(BY44553E) of Lot "A", D.L. 98, Group 1, NWD Plan 9676

From: R5 Residential District

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

Address: 7438, 7462 Royal Oak Avenue and Ptn. of Lane Allowance

Purpose: To permit a townhouse project.

The City Manager recommended:

1. THAT copies of this report be sent to the owners of 7428 Royal Oak Avenue and 5229 Irmin Street which, along with the subject properties, are part of a differing assembly in the Royal Oak Community Plan, as discussed in Section 3.1 of this report.
2. THAT the sale be approved in principle of City property in the undeveloped lane allowance between 7438 and 7462 Royal Oak Avenue for inclusion in the subject development site in accordance with the terms outlined in Section 4.2 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
3. THAT the Planning and Building Department be authorized 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 JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

This item was **TABLED** to allow Council time to review the issues raised by Delegation 2(B) with regard to this rezoning application.

Item #2 Application for the rezoning of:
Rez #05-43 Lot 5, D.L.'s 166 & 167, Group 1, NWD Plan BCP8603

From: CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Burnaby Business Park Concept Plan)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District and Burnaby Business Park Concept Plan)

Address: 7955 North Fraser Way

Purpose: For the development of a light manufacturing facility.

The City Manager recommended:

1. THAT this report be received for information purposes

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Item #3 Application for the rezoning of:
Rez #05-44 Lot 2, D.L. 155, Group 1, NWD Plan BCP4738, Ptn. of Parcel "A"
Except: Firstly: Part Subdivided on Plan BCP4738, Secondly: Part Subdivided by Plan BCP8172, D.L. 155, Group 1, NWD Plan BCP4737

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

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District and Glenwood Industrial Estates Concept Plan guidelines)

Address: 8035 Glenwood Drive, Ptn. Of 8545 North Fraser Way

Purpose: For the development of a film studio.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

Item #4 Application for the rezoning of:

Rez #05-46 Parcel "D", D.L. 95, Group 1, NWD Plan 58881

From: CD Comprehensive Development District (based on C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on C3 General Commercial District, P1 Neighbourhood Institutional District and Edmonds Town Centre Plan guidelines and in accordance with the development plan entitled "7244 Arcola Street" prepared by Erica Yu)

Address: 7244 Arcola Street

Purpose: To permit a child care facility in one of the existing buildings on the site with associated outdoor play areas.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 October 03 and to a Public Hearing on 2005 October 25 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. Compliance with all requirements of the Fraser Health Authority, including the applicable sections of the Child Care Licensing regulation of the *Community Care and Assisted Living Act*.

Item #6

Rez #05-48

Application for the rezoning of:
See attached Schedule A

From: C3 General Commercial District, C4 Service Commercial District, R5 Residential District and P8 Parking District

To: Comprehensive Development District (based on C3 General Commercial District, RM5 Multiple Family Residential District and Metrotown Development Plan guidelines)

Address: 4509, 4519 & 4539 Kingsway, 5956 & 5968 Willingdon Avenue, 5955 & 5967 Pioneer Avenue

Purpose: To permit development of a retail-commercial podium and seniors' supportive housing project.

The City Manager recommended:

1. THAT Council amend the Metrotown Development Plan to allow for the change of designation of this site from CD Comprehensive Development District (based on C3 General Commercial) to CD Comprehensive Development District (based on C3 General Commercial District and RM5 Multiple Family Residential) to allow for the development of seniors supportive housing in conjunction with the commercial uses on this site as outlined in Section 4.1 of this report to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.
2. THAT the Planning and Building Department be authorized 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 EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Item #7 Application for the rezoning of:
Rez #05-49 Portion of Parcel "A" (Ref. PI 7878), D.L. 164, Group 1, NWD, Lot 24, D.L. 164, Group 1, NWD Plan 29518

From: CD Comprehensive Development District (based on M5 Light Industrial District, B1 Suburban Office District, RM1 Multiple Family Residential District, C1 Neighbourhood Commercial District and P3 Park and Public Use District)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District, B1 Suburban Office District and New Haven Conceptual Development Plan guidelines)

Address: Ptn. of 4250 Marine Drive

Purpose: To develop office and light industrial buildings on the subject Lot #2, in accordance with the adopted New Haven Conceptual Development Plan.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

Item #8 Application for the rezoning of:
Rez #05-50 Portion of Parcel "A" (Ref. PI 7878), D.L. 164, Group 1, NWD, Lot 24, D.L. 164, Group 1, NWD Plan 29518

From: CD Comprehensive Development District (based on M5 Light Industrial District, B1 Suburban Office District, RM1 Multiple Family Residential District, C1 Neighbourhood Commercial District and P3 Park and Public Use District)

To: CD Comprehensive Development District (based on RM1 Multiple Family Residential District and New Haven Conceptual Development Plan guidelines) and P3 Park and Public Use District

Address: Ptn. of 4250 Marine Drive

Purpose: To develop the designated residential townhouse component on Lot #4, transferring of the public park land component (Lot #5) to the City and rezoning the public park land and road closure areas to the P3 Park and Public Use District, in accordance with the adopted New Haven Conceptual Development Plan.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

15. Fireworks

The City Manager submitted a report from the Fire Chief recommending to Council an amendment to the Fire Services Bylaw relating to fireworks.

The City Manager recommended:

1. THAT Council approve the amendment of Burnaby Fire Service Bylaw to restrict the sale of fireworks to Family Packs only.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. BYLAWS

CONSIDERATION AND THIRD READING

#11907 5389 and 5577 Byrne Road REZ #04-50

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11907
Bylaw No. 26, 2005

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#11520 6545 Bonsor Avenue REZ #02-48

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11520
Bylaw No. 18, 2003

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

CARRIED UNANIMOUSLY

5. NOTICE OF MOTION

Councillor Rankin provided Council with the following notice of motion:

THAT WHEREAS the proliferation of residential controlled substance grow operations creates significant concerns about public safety and criminal activity within Burnaby neighbourhoods;

AND WHEREAS the Burnaby detachment of the Royal Canadian Mounted Police devotes considerable resources to the investigation and elimination of residential "Grow-ops" in our Community;

AND WHEREAS operators of illegal grow-ops can cause considerable damage to residential property and can create significant risk of fire and other damage to neighbouring property;

AND WHEREAS the use of a residential dwelling as a "Grow-up" can create significant health risks for City emergency and investigative personnel, as well as subsequent occupants;

AND WHEREAS other communities, for example, the City of Abbotsford, have adopted bylaws that specifically relate to the detection and prevention of illegal grow-ops by placing greater responsibility on landlords to inspect and maintain property and to ensure health and safety standards are met in properties that have been found to have been used for grow operations:

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 of rental properties in order to curb the proliferation of illegal grow operations and to ensure the health and safety of premises that have been found to have been used for grow operations.

6. NEW BUSINESS

Councillor Johnston

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

"THAT His Worship Mayor Derek R. Corrigan write a letter of congratulations to Ashley Leitao on her accomplishments at Canadian Idol."

CARRIED UNANIMOUSLY

Councillor Jordan

Councillor Jordan referred to recent information in the news about the natural gas price increases proposed by Terasen Gas and the resulting public outcry for justification. Arising from consideration of the matter, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT staff prepare a report on the proposed increases to natural gas prices in B.C."

CARRIED UNANIMOUSLY

Councillor Redman

Councillor Redman advised of a public meeting regarding watermain replacement. The 'Open' house will be held 2005 September 28 from 6:30 – 9:00 p.m. at St. Helen's Church.

Councillor Dhaliwal

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

"THAT His Worship Mayor Derek R. Corrigan write a letter of congratulations to the Jr. Burnaby Lakers Lacrosse Team for winning their 2nd consecutive Minto Cup."

CARRIED UNANIMOUSLY

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

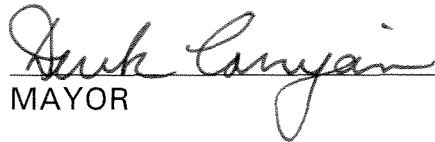
"THAT this 'Open' Council Meeting do now adjourn."

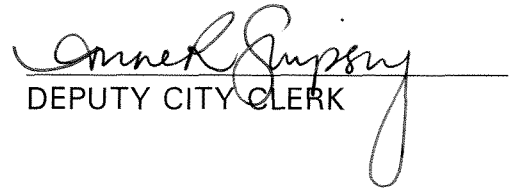
CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 9:35 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK