

2005 JANUARY 24

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 24 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
Ms. A.R. Skipsey, Deputy City Clerk
Ms. G. McCaskie, Administrative Officer I

MOVED BY COUNCILLOR DHALIWAL:
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.

His Worship, Mayor Derek R. Corrigan, acknowledged Journalism Students from B.C.I.T. and their instructor, George Orr, in attendance and welcomed them to the Council meeting.

PROCLAMATIONS

His Worship, Mayor Derek R. Corrigan, proclaimed 2005 January 27 as "***Family Literacy Day***" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan, proclaimed the month of 2005 February as "**Heart Month**" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan, proclaimed the month of 2005 February as "**Black History Month**" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan, proclaimed the month of 2005 February as "**Celebrate Rotary Month**" in the City of Burnaby and congratulated them on their 100th Anniversary.

1. MINUTES

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the 'Open' Council meeting held on 2005 January 17 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) Rozy Karim & Alan Higbee, 2005 January 18
Re: Proposal to work with City of Burnaby
in hosting a concert to raise funds towards
Burnaby's contribution to the FCM aid fund
for Tsunami victims
Speaker: Rozy Karim

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the delegation be heard."

CARRIED UNANIMOUSLY

- A) **Ms. Rozy Karim and Mr. Allan Higbee, 6091 Sprott Street, Burnaby**, appeared before Council representing a Canadian Group of world music artists from Africa, Asia and Latin America to present a proposal to work with the City of Burnaby in hosting a fundraising concert. The funds raised would go towards Burnaby's contribution to the Federation of Canadian Municipalities' aid fund for

the South East Asia tsunami victims. The speakers proposed the following: organizing an evening of music called *"No More Tears"* to be held in the beginning of February 2005 along with a business dinner and dance event and the launching of the Lower Mainland's only World Music Festival to be held in Burnaby. Ms. Karim suggested large and mid size corporate companies in Burnaby could be invited to participate. The speaker suggested that at the event the Mayor could identify a specific project that the funds raised would be used toward.

The delegation shared their visions as to how the citizens of Burnaby might interact and follow the success and progress of the rebuilding of communities in South Asia. In conclusion, Ms. Karim requested Council approve and sponsor the *"No More Tears"* event.

Arising from the delegation's presentation, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the delegation's comments and proposal be **REFERRED** to the Executive Committee of Council for consideration."

CARRIED UNANIMOUSLY

3. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT all of the following listed items of correspondence be received and those items of the City Manager's report dated 2005 January 24 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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

- A) President, Union of BC Municipalities
2005 January 04
Re: 2005 UBCM Membership

A letter was received from the Union of British Columbia Municipalities highlighting their 2003 and 2004 accomplishments along with an invoice for the City of Burnaby's 2005 UBCM annual membership dues.

A staff note advises in order that the invoice for UBCM membership fees be paid a motion by Council is required.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Council approve payment of 2005 Union of British Columbia Municipalities' membership dues."

CARRIED UNANIMOUSLY

- B) Mayor Alberts, Township of Langley to Minister of Public Safety and Solicitor General
Re: Seek support for request for a regional ban
on Halloween fireworks as well as a Provincial ban

A copy of a letter was received from the Township of Langley to the Honourable Rich Coleman with their resolution requesting the Provincial government ban the use of fireworks in British Columbia on Hallowe'en. Langley is not proposing a total ban on fireworks, but that the use of fireworks be limited to individuals or groups who receive some form of training and are licensed to hold fireworks displays.

Arising from consideration of Correspondence Item 3 (B) from Mayor Alberts, Township of Langley, Councillor Johnston was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT this item of correspondence be **REFERRED** to staff for report."

CARRIED UNANIMOUSLY

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) Executive Committee of Council
Re: Grant Applications**

The Executive Committee of Council submitted the following grant applications for Council's consideration:

#1/05 Burnaby Family Life Institute

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$14,000 be awarded to Burnaby Family Life Institute for 2005.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#2/05 Organization for Assistance & Services to Italians (OASI)

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$1,500 be awarded to the OASI for 2005.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR EVANS:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#3/05 Comitato Attivata Scolastiche Italiane (CASI) School.

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$2,500 be awarded to CASI in 2005.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

- B) The City Manager presented a report dated 2005 January 24 on the matters listed following as Items 01 to 18 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Central Park - Proposal for a Korean War Memorial**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval in principle for use of a site within Central Park for development of a Korean War Memorial.

The City Manager recommended:

1. THAT approval in principle be granted for use of a site within Central Park, located between Boundary Road and the outdoor pool, for development of a Korean War Memorial by the Korea Veterans Association of Canada Inc. Pacific Region and the Korea Veterans Canada Western Chapter, subject to the conditions outlined in the attached report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

2. **2005 Burnaby Golf Fees Bylaw**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval for the 2005 Golf Fees Bylaw.

The City Manager recommended:

1. THAT approval be granted to the 2005 Golf Fees Bylaw as detailed on attachment #1 of the attached report.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

3. Bylaw to Fund Parks, Recreation and Cultural Services 2005 Capital Project

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council to bring down a bylaw to appropriate \$192,600 from Capital Reserves to fund golf course renovations and improvements.

The City Manager recommended:

1. THAT a bylaw be brought down to appropriate \$192,600 (inclusive of 7% GST) from Capital Reserves to finance golf course renovations and improvements.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

4. Riparian Area Regulation Update

The City Manager submitted a report from the Director Planning and Building updating Council on the status of the Riparian Area Regulation.

The City Manager recommended:

1. THAT Council request that the Minister of Water, Land and Air Protection extend the date that the Riparian Area Regulation comes into effect from 2005 March 31 to 2005 December 31.
2. THAT a copy of this report be forwarded to the Union of British Columbia Municipalities, member municipalities, the Department of Fisheries and Oceans and the City's Environment Committee for their information.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Council requested that a copy of the report be also sent to Burnaby's four MLAs.

5. **Approval to Operate #134 Bus Route on Parts of Kensington, Sperling and Underhill Avenues**

The City Manager submitted a report from the Director Planning and Building requesting Council approval for the #134 bus in North Burnaby to operate on Kensington and Sperling Avenues (between Hastings and Curtis) and Underhill Avenue (between Broadway and Eastlake).

The City Manager recommended:

1. THAT Council authorize the use of Kensington and Sperling Avenues (both between Hastings Street and Curtis Street) and Underhill Avenue (between Broadway and Eastlake Drive), for the re-routing of the #134 bus as outlined in this report.
2. THAT a copy of this report be sent to Ms. K. McCune, Service Planner, Coast Mountain Bus Company.

Councillor Rankin retired from the Council Chamber at 8:15 p.m.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

Councillor Rankin returned to the Council Chamber at 8:17 p.m. and took his place at the Council table.

6. **Request to Change Business Licence from a Restaurant To a Traditional Tea House, 6755 Hastings Street**

The City Manager submitted a report from the Director Planning and Building responding to Council's request for information on the health impact of hooka smoking and its management in other jurisdictions in the Lower Mainland.

The City Manager recommended:

1. THAT a copy of this report be sent to Nasrin Jarargholizdeh and Abbas Adibi, 6775 E. Hastings Street, Burnaby, B.C. V5B 1S6.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

7. Preparation of City Lots for Sale
7932 Mayfield Street and 6688 Altringham Court

The City Manager submitted a report from the Director Planning and Building requesting Council approval to place a riparian setback covenant on two City lots at 7932 Mayfield Street and 6688 Altringham Court in preparation for future sale for residential development.

The City Manager recommended:

1. THAT Council authorize the registration of a Section 219 Covenant on the City lots at 7932 Mayfield Street and 6688 Altringham Court in preparation for future sale and residential development.
2. THAT the Director Engineering be authorized to prepare the required covenant plan for registration at the Land Title Office, as outlined in this report.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

8. Rezoning Reference #03-40
Proposed Commercial Mixed-Use/High-Rise
Residential Development

The City Manager submitted a report from the Director Planning and Building requesting Council authority to forward this application to a Public Hearing on 2005 February 22. The purpose of the proposed rezoning bylaw amendment is to permit the construction of a mixed-use commercial/high-rise residential development on the two parcels on either side of McMurray Avenue north of Kingsway to be linked by a privately-funded publicly-accessible pedestrian overpass of McMurray Avenue.

The City Manager recommended:

1. THAT staff be authorized to bring forward for abandonment Amendment Bylaw #51/04, Bylaw No. 11771, a predecessor bylaw for this zoning application after Second Reading has been granted for the new bylaw.
2. THAT the discharge be authorized of any redundant covenants, leases or other charges on City lands and to close lanes that are to be sold for consolidation of the site.
3. THAT the raising of title to a portion of McMurray Avenue be authorized for the purpose of pursuing an air space parcel or right-of-way for the privately funded, publicly accessible pedestrian overpass as outlined in Section 3.10 of this report.
4. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 07 and to a Public Hearing on 2005 February 22 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 Second 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 Second Reading.

- e. The utilization of an amenity bonus through the deposit of funds equal to the estimated value of the density bonus to be allocated for the provision of improvements to Bonsor Recreation Complex in accordance with Section 3.8 of this report.
- f. The consolidation of the net project site into two legal parcels.
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- h. The dedication of any rights-of-way deemed requisite.
- i. The undergrounding of existing overhead wiring abutting the site.
- j. The provision of a private pedestrian overpass (including linkages, stairs and elevator from 4789 Kingsway) across McMurray Avenue by the developer with a statutory right-of-way for public access during extended daytime hours.
- k. The provision of linkages from the project stairs and landing on the north side of the 4800 block Kingsway to allow for up to 24-hour public access to the public pedestrian overpass across Kingsway as well as structural support area for the pedestrian overpass as necessary.
- l. Compliance with the Council-adopted sound criteria.
- m. The provision of covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding spaces and a commitment to implement the recycling provisions.
- n. Completion of the Highway Closure Bylaw
- o. The deposit of the applicable Parkland Acquisition Charge.
- p. The deposit of the applicable Metrotown Public Open Space Charge.
- q. The deposit of the applicable Metrotown Grade-Separated Pedestrian linkages (over Kingsway) Charge in line with Section 3.12 of this report.
- r. The deposit of the applicable GVS & DD Sewerage Charge.

- s. The deposit of the applicable School Site Acquisition Charge.
- t. The design and provision of units adaptable to the persons with disabilities, with allocated parking spaces that 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 provision of facilities for cyclists in accordance with this report.
- v. The completion of the sale of City property.
- w. Registration of a 219 Covenant restricting enclosure of balconies or roof decks.
- x. Registration of a Section 219 Covenant to ensure that the density of development on each of the two proposed lots will comply with the approved CD zoning of the site.
- y. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the granting of a 219 Covenant and deposit of sufficient monies to guarantee its provision and continuing operation.
- z. The submission of a Site Profile and resolution of any arising requirements.
- aa. The provision of public art and agreement to maintain it as part of the development as outlined in Section 3.18 of this report.
- bb. 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 VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

9. **Rezoning Reference #03-69**
Low-Rise Residential Buildings with High Rise Tower
Brentwood Town Centre Development Plan
Address: 4709-4859 Lougheed Highway
1050/60 Beta Avenue
1975-1996 Alton Avenue
1977-2002 Gamma Avenue
4817-4857 WestGlen Drive
and 1967 Delta Avenue
-

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 February 22. The purpose of the proposed rezoning bylaw amendment is to permit the development of six low-rise apartment buildings and one high-rise apartment tower.

The City Manager recommended:

1. THAT the adjustment to the Brentwood Town Centre Development Plan, as outlined in Section 3.4 of this report be approved (to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site).
2. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.1 of this report (to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site).
3. THAT the sale be approved in principle of City-owned property for inclusion within the subject development site in accordance with the terms outlined in Section 3.0 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
4. THAT copies of this report be sent to residents on the 4700 and 4800 blocks of Ridgelawn Drive.
5. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 07, and to a Public Hearing on 2005 February 22 at 7:30 p.m.
6. 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 consolidation of the site will require the demolition of existing dwellings prior to Final Adoption. Unless otherwise directed by Council, staff will pursue, if requested by the applicant, the release of the Demolition Permit for existing dwellings on the site, after Second Reading and prior to Third Reading of the bylaw, in order to allow for the required notice of two months to vacate to be given to tenants of the dwellings, subject to the proviso that actual demolition of any dwellings will not commence until after Third Reading.
- f. 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 the 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.
- g. The utilization of an amenity bonus through the provision of non-market housing units and associated underground parking spaces, which are to be owned by the City and protected by a 219 Covenant in accordance with Section 3.2 of this report.
- h. The granting of any necessary easements and covenants, including, but not necessarily limited to, Section 219 Covenants restricting the enclosure of balconies, prohibiting gates restricting access to the internal east-west private road (to ensure 24 hour public access), restricting maximum development densities, protecting the forested buffer area at the northeast part of the

site, indicating that project surface driveway accesses will not be restricted by gates, and agreeing that any liability due to flooding is to remain with the property owner. A reciprocal access easement arrangement will be required to ensure all buildings within the development are able to take access from the Lougheed Highway.

- i. The provision of a statutory right-of-way guaranteeing public access to the future landing for the pedestrian overpass over the Lougheed Highway at the southeast corner of the site.
- j. The provision of a statutory right-of-way guaranteeing public access to the north-south urban trail along the eastern portion of the site. Maintenance of the walkway is to remain with the City.
- k. The dedication of any rights-of-way deemed requisite.
- l. The completion of the sale of City property.
- m. The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering within the residential portions of the development and a commitment to implement the recycling provisions.
- n. The design and provision of 5% of the units adaptable to the disabled (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person) with allocated disabled parking spaces.
- o. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- p. The deposit of the applicable GVS & DD Sewerage Charge.
- q. Completion of the Highway Closure Bylaw.
- r. The deposit of the applicable Parkland Acquisition Charge.
- s. The deposit of the applicable School Site Acquisition Charge.
- t. The provision of facilities for cyclists in accordance with this report.

- u. Compliance with the Council-adopted sound criteria.
- v. The submission of a Site Profile and resolution of any arising requirements.
- w. 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 VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**10. Rezoning Reference #04-35
Two Phased Four-Storey Mixed-Use
Commercial and Residential Project
Address: 7641 Royal Oak Avenue**

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 February 22. The purpose of the proposed rezoning bylaw amendment is to permit the construction of Phase I of a two-phased four-storey mixed-use commercial and residential project consisting of commercial uses at-grade including a reconstructed liquor store and, above, a three-level apartment building.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 7 and to a Public Hearing on 2005 February 22 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 Phase One of 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 the necessary subdivision of the site into two lots for two phased developments.
- 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. The undergrounding of existing overhead wiring abutting the entire site along Royal Oak Avenue.
- i. Compliance with the 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 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 Section 3.11 of the rezoning report.
- o. The granting of a 219 Covenant restricting enclosure of balconies.
- p. The submission of a Site Profile and resolution of any arising requirements.
- 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 VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

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

Councillor Redman retired from the Council Chamber at 8:46 p.m.

Councillor Redman returned to the Council Chamber at 8:49 p.m. and took her place at the Council table.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

This item was TABLED in order to allow staff time to address concerns raised by Council.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the Council meeting do now recess."

CARRIED UNANIMOUSLY

The Council meeting recessed at 9:12 p.m.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR EVANS:

"THAT the Council meeting do now reconvene."

CARRIED UNANIMOUSLY

The Council meeting reconvened at 9:17 p.m. with Councillors Jordan and Redman absent.

11. Rezoning Reference #04-58
Proposed Furniture Manufacturing Facility
Big Bend Development Plan
Address: Ptn. of 8398 North Fraser Way

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 February 22. The purpose of the proposed rezoning bylaw amendment is to permit the development of a multi-tenant office/industrial building to include a furniture manufacturing facility.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 7 and to a Public Hearing on 2005 February 22 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 deposit of the applicable GVS & DD Sewerage Charge.
- e. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, and the granting of a 219 Covenant guaranteeing its provision and continuing operation as outlined in Section 3.4 of this report.
- g. The completion of all requirements of Subdivision Reference #02-44.
- h. 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 granting of a Section 219 Covenant respecting the approved report.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

12. Rezoning Reference #04-38
Proposed New Casino/Refurbished Hotel Complex
Address: 4320, 4331 & 4431 Dominion Street and
4405 Norfolk Street

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 February 22. The purpose of the proposed rezoning bylaw amendment is to permit the development of a new entertainment centre and refurbished hotel to include a relocated casino, restaurant, conference centre, sports bar, related liquor primary facilities and a comprehensive sign plan with two skysigns.

The City Manager recommended:

1. THAT the raising of the title to a portion of Dominion Street be authorized for the purpose of pursuing an air space parcel for the private pedestrian overpass as outlined in Section 4.0 of this report.
2. THAT a copy of this report be sent to the General Manager, Liquor Control and Licensing Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, B.C. V8W 9J8.

3. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 07, and to a Public Hearing on 2005 February 22 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 (with the exception of the existing hotel tower and parking garage) 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 consolidation of 4331 and 4431 Dominion Street site into one legal parcel and the completion of all subdivision requirements.
 - 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. The removal of the existing overhead wiring adjacent to the site along Sumner Avenue and replacement underground.
 - i. The retention of the landscaped riparian zone and 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 and trees identified for preservation 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 the riparian zone and identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.

- j. The approval of the Ministry of Transportation to the rezoning application.
- k. The approval of the Ministry of Transportation to the Comprehensive Sign Plan and Skysign Proposal as outlined in Sections 6.0 and 7.0 of this report.
- l. The deposit of the applicable GVS & DD Sewerage Charge.
- m. The provision of facilities for cyclists in accordance with this rezoning report.
- n. 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.
- o. The registration of an appropriate easement for the proposed private pedestrian overpass across Dominion Street to be constructed by the developer to provide access between the casino/hotel facility and the parking structure located at 4320 Dominion Street and the payment of the one-time fee to cover the use of the air-space easement as outlined in Section 4.0 of this report.
- p. The granting of a Section 219 Covenant respecting flood proof elevations.
- q. The granting of a Section 219 Covenant regarding the exclusive use of the required number of parking spaces within the parking structure and surface parking lot at 4405 Norfolk Street for the patrons and employees of the casino/hotel complex as described in Section 3.1 of this report.
- 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 granting of a Section 219 Covenant respecting the approved report.

- s. The submission of a Site Profile and resolution of any arising requirements.
- t. The registration of Section 219 Covenant regarding the hours of alcohol beverage sales and service within the proposed casino, sports bar and associated patio area as described in Section 5.0 of this report.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**13. Building Permit Tabulation Report No. 12
from 2004 November 08 to 2004 December 05**

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 this report be received for information purposes.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**14. Work Orders:
60-21-145 Watermain Renewals (2005 Program) - Phase I
60-30-120 Infrastructure Improvements - Various Programs
60-30-115 Sewer System Evaluation (2005) Program**

The City Manager submitted a report from the Director Engineering requesting Council approval of above work orders.

The City Manager recommended:

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

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

15. Fireworks

The City Manager submitted a report from the Fire Chief providing Council with information relating to the sale and use of fireworks during Halloween.

The City Manager recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**16. Sale of Multi-Family Development Site
7325 MacPherson Avenue
Lot A, DL 98, Group 1, NWD, Plan BCP14532**

The City Manager submitted a report from the City Solicitor requesting Council approval to accept a bid for the subject property.

The City Manager recommended:

1. THAT Council accept the highest bid received for the subject property.

Councillor Jordan returned to the Council Chamber at 9:18 p.m. and took her place at the Council table.

Councillor Redman returned to the Council Chamber at 9:19 p.m. and took her place at the Council table.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

17. To Establish Temporary Legal Signing Authority within the Clerk's Department

The City Manager submitted a report from the City Clerk requesting Council approval to grant legal signing authority to the Acting Administrative Officer Operations during the 2005/2006 Election Office operation.

The City Manager recommended:

1. THAT effective 2005 February 01 to 2006 January 31, Gloria McCaskie, Acting Administrative Officer Operations be designated as an authorized signatory of the City of Burnaby and be empowered to sign and seal all legal documents on behalf of the City except as may otherwise be provided by statute or by Direction of City Council.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

18. 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 February 22 at 7:30

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

Item #1

Rez #04-68

WITHDRAWN

Item #2 Application for the rezoning of:
Rez #04-69 Lots 9, 10 & 11, Blk 7, D.L. 96, Group 1, NWD Plan 1194

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Edmonds Town Centre Development Plan guidelines)

Address: 6728/38/50 Arcola Street

Purpose: To permit a three-storey multi-family residential development with underground parking.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

Item #3 Application for the rezoning of:
Rez #04-70 Parcel 3 Except: Firstly: Airspace Parcel 1, PI 79744, Secondly: Airspace Parcel 2, PI 87288, Group 1, NWD Plan 79648

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

To: Amended CD Comprehensive Development District (based on C3, C3a, C3c General Commercial District, P2 Administration and Assembly District and Metrotown Development Plan and in accordance with the development plan entitled "Relocation of Amusement Arcade" prepared by Ivanhoe Cambridge)

Address: 4700 Kingsway (Units #E12 & #E5)

Purpose: To permit the establishment of an amusement arcade within a tenant space in Metropolis and the deletion of the C3c designation, permitting an amusement arcade in the tenant space occupied by Playdium.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 7 and to a Public Hearing on 2005 February 22 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. That the subject amusement arcade (CHQ Entertainment) cease operation at its current location.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

Item #4 Application for the rezoning of:
Rez #04-71 Ptn. of Lot 5, Except: Part Subdivided by Plan 8603, D.L. 155C,
 166 & 167, Group 1, NWD Plan LMP39018

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

To: Amended CD Comprehensive Development District (based on M2
 General Industrial District, M5 Light Industrial District use and
 density and Burnaby Business Park Concept Plan and in accordance
 with the development plan entitled “Proposed New Warehouse
 Facility” prepared by Christopher Bozyk Architects Ltd.)

Address: Ptn. of 8398 North Fraser Way

Purpose: To permit construction of a warehouse building with associated
 manufacturing and office space.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 7 and to a Public Hearing on 2005 February 22 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 deposit of the applicable GVS & DD Sewerage Charge.
- e. The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, and the granting of a 219 Covenant guaranteeing its provision and continuing operation as outlined in Section 4.4 of this report.
- f. 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 granting of a Section 219 Covenant respecting the approved report.
- g. The completion of all requirements of Subdivision Reference #02-44.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

Item #5 Application for the rezoning of:
Rez #04-72 Strata Lots 1 to 10, D.L. 69, Group 1, NWD Strata Plan
BCS1027, together with an interest in the common property in
proportion to the unit entitlement of the Strata Lot as shown on
Form V

From: CD Comprehensive Development District (based on RM3 Multiple
Family Residential District)

To: Amended CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Community Plan Eight guidelines and in accordance with the development plan entitled "Proposed Parking Amendment" prepared by Centaur Designs Ltd.)

Address: 3139 Smith Avenue

Purpose: To permit an amendment to the parking provisions of this project.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 7 and to a Public Hearing on 2005 February 22 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 approval of the Ministry of Transportation to the rezoning application.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

Item #6 Application for the rezoning of:
Rez #04-73 Lot 21 Except: Firstly: the north 66 ft. and Secondly: the south 57 ft., D.L. 35, Group 1, NWD Plan 1198; and South 57 ft. of Lot 21, D.L. 35, Group 1, NWD Plan 1198

From: R5 Residential District

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

Address: 5449/83 Smith Avenue

Purpose: To permit a townhouse project with at-grade parking.

The City Manager recommended:

1. THAT copies of this report be sent to the owners of 5415 Smith Avenue and 3761, 3767, 3775 and 3785 Thurston Street which, along with the subject properties, are outlined for inclusion in a potential larger site assembly in Community Plan Eight.
2. THAT the subject rezoning application be held in abeyance pending the resolution of the requested RM2-type designation by the Housing Committee and Council.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

Item #7 Application for the rezoning of:
Rez #04-74 Lot 11, D.L. 211, Group 1, NWD Plan BCP3161

From: P11e SFU Neighbourhood District

To: CD Comprehensive Development District (based on RM4 Multiple Family Residential District and SFU Community Plan guidelines and in accordance with the development plan entitled "SFU - Lot 11" prepared by Gomberoff Bell Lyon Architects Group Inc.)

Address: 9191 University Crescent

Purpose: To permit proposed variations in building siting, parking provision and one-bedroom unit size.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading 2005 February 7, and to a Public Hearing on 2005 February 22 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 provision of two covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.

- c. The granting of a Section 219 Covenant restricting enclosure of balconies.
- d. 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
- e. The submission of a suitable on-site stormwater management plan to the approval of the Director Engineering.
- f. The deposit of the applicable GVS & DD Sewerage Charge.
- g. The submission of an 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.
- h. The granting of a Section 219 Covenant to ensure apartment resales are below fair market value for ongoing affordability.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

Item #8 Application for the rezoning of:
Rez #04-75 Lot 1, D.L. 72, Group 1, NWD Plan 84820

From: CD Comprehensive Development District (based on M5 Light Industrial District, M8 Advanced Technology Research District, P2 Administration and Assembly District)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District, M8 Advanced Technology Research

District, P2 Administration and Assembly District, P6 Regional Institutional District and Discovery Place Community Plan guidelines and in accordance with the development plan entitled "T.I. for I.G.G. - All Nations Institute" prepared by Centroproject Consulting Inc.)

Address: 4355 Mathissi Place

Purpose: To permit an internal change of use to allow for on-site post secondary instruction

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2005 February 07 and to a Public Hearing on 2005 February 22 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 dedication of any rights-of-way deemed requisite.
 - c. The granting of any necessary easements and covenants, including, but not necessarily limited to Section 219 Covenants protecting identified conservation and other buffer areas on the site and restricting the scope of the post-secondary use component, and a 1.5 m. cut/fill easement along the Willingdon Avenue frontage.
 - d. The provision of a statutory right-of-way guaranteeing public access to the east-west trail along the southern edge of existing development on the site. Construction and maintenance of the trail is to be with Electronic Arts as established under Rezoning Reference #03-33 (Electronic Arts Phase III Expansion).
 - e. The approval of the Ministry of Transportation to the rezoning application.
 - f. The deposit of the applicable GVS & DD Sewerage Charge (\$0.443 per sq. ft. of additional floor area).
 - g. The submission of a written undertaking to comply with all the prerequisites of the previous rezoning of the site (Rezoning Reference #37/89).

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #9 Application for the rezoning of:
Rez #04-76 Ptn. of Lot 3, D.L. 138, Group 1, NWD Plan 58917

From: R2 Residential District

To: R2 "a" Residential District

Address: Ptn. of 7480 Curtis Street

Purpose: To permit the retention of an existing single-family dwelling which has a gross floor area greater than that permitted under the R2 District zoning in connection with the proposed subdivision of the property.

The City Manager recommended:

1. 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 DHALIWAL:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

5. BYLAWS

CONSIDERATION AND THIRD READING:

#11744	6409 and 6429 Elgin Avenue	REZ #04-03
#11745	Ptn. of 3555 Douglas Road	REZ #04-15
#11857	4321 Still Creek Drive	REZ #04-63
#11858	Ptn. of 1200 Gaglardi Way	REZ #04-61

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 37, 2004	#11744
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 38, 2004	#11745
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 83, 2004	#11857
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 84, 2004	#11858

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

CARRIED UNANIMOUSLY

6. NOTICE OF MOTION

A) Councillor Johnston
Re: Tax Incentives for Film Industry

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT WHEREAS 35,000 British Columbians work in the film and television industry;
and

WHEREAS the B.C. film industry spent \$1.4 billion dollars, with a spinoff economic benefit of \$4.9 billion, in British Columbia in 2004; and

WHEREAS recent changes to film industry tax credits in other provinces have impacted on the ability of B.C.'s film industry to fairly compete for business; and

WHEREAS simply matching tax credits in other provinces constitutes a classic government "race to the bottom" that is to the ultimate detriment of all provincial and local governments and does not address other challenges faced by the industry;

THEREFORE BE IT RESOLVED THAT the Provincial government be requested to work with the government of Canada and other provinces, that have growing film industries to formulate a national film strategy with a competitive tax and incentive structure that creates a level playing field between provinces in support of the Canadian Film Industry."

CARRIED UNANIMOUSLY

7. NEW BUSINESS

Councillor Redman

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT the meeting of the Community Heritage Commission scheduled for Thursday, 2005 February 03 be **RESCHEDULED** to Tuesday, 2005 February 15 at 6:00 p.m. in the Council Committee Room."

CARRIED UNANIMOUSLY

Councillor Johnston

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT the meeting of the Finance and Civic Development Committee scheduled for Thursday, 2005 January 27th be **RESCHEDULED** to Monday, 2005 February 07th at 5:30 p.m. in the Council Committee Room; and THAT the meeting of the Finance and Civic Development Committee scheduled for Thursday, 2005 February 17th at 5:30 p.m. in the Council Committee Room be **CANCELLED**.”

CARRIED UNANIMOUSLY

Councillor Rankin

Councillor Rankin provided Council with information related to air quality and the Aircare On-Road (ACOR) Program. The information included copies of a review of the Aircare On-Road Program, an article on the health impacts of air pollution and a newspaper article “*Aircare On-Road Program Still Waiting For Teeth*”. Councillor Rankin provided the following motion with regard to the Aircare On-Road Program for Council’s consideration at its next regular Council meeting:

WHEREAS published reports indicate that many heavy-duty vehicles fail the Aircare On-Road Program (ACOR); and

WHEREAS the current version of the ACOR Program has no means of compelling compliance by way of issuing fines or linking compliance to vehicle registration and/or licence removal for heavy-duty vehicles that fail to meet appropriate emission testing; and

WHEREAS heavy duty vehicle emissions are major contributors to urban smog and fine particle pollution in the Greater Vancouver and Fraser Valley Area; and

WHEREAS the Greater Vancouver Regional District has estimated that between 1985 and 2020, Aircare and other programs will save 2,800 lives, prevent 33,000 emergency hospital visits and will result in a \$1.6 billion benefit to the Provincial economy; and

WHEREAS in less than twenty years respiratory disease has increased four-fold across the country; and

WHEREAS Asthma is now the number one reason for hospital admissions among Canadian children; and

WHEREAS air pollution is the greatest contributing factor in respiratory disease;
and

WHEREAS the City of Burnaby has undertaken initiatives to reduce vehicle emissions by embarking upon an anti-idling initiative to reduce unnecessary vehicle idling; and

WHEREAS moving the ACOR program for heavy-duty vehicles from a voluntary to a mandatory compliance phase requires legislative action from the Provincial Government;

THEREFORE BE IT RESOLVED THAT the City of Burnaby urge the Provincial Government to act as quickly as possible to enact appropriate legislation to provide the Aircare On Road Program (ACOR) with the ability to enforce compliance for heavy duty vehicles that fail to meet appropriate air emission standards within the Greater Vancouver area.

AND BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Premier of British Columbia, Gordon Campbell, the Minister of Transportation, Kevin Falcon, the Minister of Water, Land and Air Protection, Bill Barisoff and the four members of the Legislative Assembly representing the City of Burnaby.

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.

8. INQUIRIES

There were no inquiries brought before Council at this time.

9. ADJOURNMENT

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR EVANS:

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

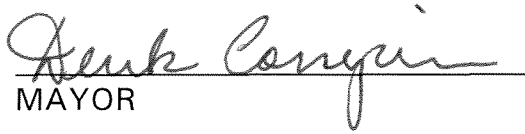
CARRIED UNANIMOUSLY

2005 January 24

The 'Open' Council Meeting adjourned at 9:49 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK