

2005 OCTOBER 03

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 October 03 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. C.A. Turpin, Deputy City Manager
Mr. W.C. Sinclair, Director Engineering
Mr. R. Earle, Director Finance
Ms. K. Friars, Director Parks, Recreation & Cultural Services
Mr. J. Belhouse, Director Planning & Building
Mr. B. Rose, City Solicitor
Mrs. D.R. Comis, City Clerk
Ms. A.R. Skipsey, Deputy City Clerk

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:00 p.m.

PROCLAMATIONS

His Worship Mayor Derek R. Corrigan proclaimed 2005 October 05 as "**World Teachers' Day**" in the City of Burnaby.

His Worship Mayor Derek R. Corrigan proclaimed 2005 October 08 and 09 as "**Fire Prevention Weekend**" in the City of Burnaby.

His Worship Mayor Derek R. Corrigan read an announcement regarding the 3rd Annual Thanksgiving community fundraiser in benefit of Lower Mainland Food Banks. In recognition of Thanksgiving celebrations, Shaw Cablesystems and Save-on-Foods launched their campaign which last year raised over \$21,000 in cash donations and 51,000 pounds of food in support of B.C. families. From October 01 to 10th donations of non-perishable food items and other necessities can be made at local Save-on-Foods stores or cash donations can automatically be added to your grocery bill at the checkout. The Mayor concluded by asking citizens to please remember that even a small donation can make such a difference: *"Let's open our hearts and share our blessings with those families who are less fortunate"*.

1. MINUTES

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

"THAT the minutes of the 'Open' Council meeting held on 2005 September 19 be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the Public Hearing (Zoning) held on 2005 September 20 be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the Public Hearing (Heritage Designation) held on 2005 September 20 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

A) ICBC Regional Coordinator, 2005 September 27

Re: Community Crash Reduction Challenge

2005 October 01 to October 31

Speakers: Gail Reid, Claims Centre Manager,

Gord Couling, ICBC Regional Coordinator

- B) Elsie Dean, Burnaby/New Westminster
Chapter Council of Canadians, Undated,
Re: Sale of Terasen Gas to a U.S. Corporation
Speaker: Andrew Murray

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- A) **Gail Reid**, Claim Center Manager and **Gord Couling**, ICBC Regional Coordinator appeared before Council to announce the second annual "*Community Crash Reduction Challenge*" (or "*O Crash Month*") taking place from October 1st – 31st and to invite Burnaby citizens to take the Challenge. Ms. Reid noted October has traditionally been a bad month for accidents attributed partly to the increase in rain fall and the shorter day light hours. The speaker advised that the crash rate for Burnaby citizens in October is predicted to be 1,938 or approximately 62 crashes every day. Ms. Reid advised that in the first annual Challenge in 2004 May the reduction rate for Burnaby was 19%.

Mr. Couling noted the top 10 accident locations, the top 3 being: Highway No. 1 and Willingdon; Lougheed Highway and North Road; and Lougheed and Willingdon.

Ms. Reid advised there were 177 communities invited to participate with the top prize of a \$35,000 grant being offered to the municipality with the best crash reduction result. All local governments were encouraged to sign a pledge or to challenge another community. Individuals were also invited to register for a top individual prize of \$35,000 towards a new car. The rules and details can be found on the website: www.zerocrashmonth.com where individuals can also register online.

His Worship, Mayor Derek R. Corrigan announced that the City of Burnaby has accepted a challenge from Delta and Council and City residents are encouraged to get involved in the *2005 Community Crash Reduction Challenge*.

- B) **Mr. Andrew Murray**, 7070 Belyea Street, New Westminster appeared before Council as the Chair of the local Chapter of the Council of Canadians to express their strong opposition to the proposed sale of Terasen Gas to Kinder Morgan, a U.S. Company.

In particular, the delegation is concerned about the safety and environmental record of this company. The speaker advised that since 1993, Kinder Morgan has experienced at least 44 accidents including a pipeline explosion that resulted in the deaths of 5 employees.

Mr. Murray also discussed concerns related to NAFTA and the various disputes between Canada and the United States including the potential impact of turning over pipeline control to an American Company. In conclusion, Mr. Murray requested Council adopt a resolution in support of the Council of Canadians position and express concerns about the sale of Terasen Gas to Kinder Morgan.

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

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR EVANS:

"THAT Mayor Corrigan write the Attorney General to request the British Columbia Utilities Commission allow public participation in the public hearing process for the sale of Terasen Gas pipelines to Kinder Morgan and that copies of this resolution be sent to all other municipalities who would be affected by changes in the natural gas market."

CARRIED UNANIMOUSLY

3. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT the following item of correspondence be received and those items of the City Manager's Report dated 2005 October 03 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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

- A) Chairman, Royal Canadian Legion
Branch 148, 2005 October 03,
Re: 53rd Annual Remembrance Day Ceremonies

A letter was received from Brian Simpson, Royal Canadian Legion Branch 148 regarding the 53rd Annual Remembrance Day Ceremony on Friday, November 11th, 2005 and requesting permission for their parade to march along the route specified.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT Manager's Item 10 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

10. Remembrance Day Parade: 2005 November 11

The City Manager submitted a report from the Director Engineering requesting Council approval for the Remembrance Day parade.

The City Manager recommended:

1. THAT Council approve the parade as discussed in this report.
2. THAT a copy of this report be sent to Brian Simpson, Chairman, Royal Canadian Legion Branch 148, 4356 E. Hastings Street, Burnaby, B.C. V5C 2J9.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

4. REPORTS

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

- A) Housing Committee**
Re: Petition for Area Rezoning of 6312 and
6338 Neville Street and 7738 – 7890
Gilley Avenue (East Side) from R3 District to R12 District

The Housing Committee submitted a report requesting Council concurrence that a proposed area rezoning not proceed because the proposal is not consistent with the OCP designation for the area, the housing stock is quite new and there is no small lot character in the petition area.

The Housing Committee recommended:

1. THAT Council deny the request to rezone 6312 and 6338 Neville Street and 7738 – 7890 Gilley Avenue (east side) from the R3 District to the R12 District and that the petitioners be so advised.

MOVED BY COUNCILLOR REDMAN:

SECONDED BY COUNCILLOR JORDAN:

“THAT the recommendation of the Housing Committee be adopted.”

CARRIED UNANIMOUSLY

B) Housing Committee

**Re: Request for Area Rezoning to the R5 District
7238 – 7520 1st Street, (Northeast Side),
8206 Wedgewood Street, 8214 19th Avenue,
8215 18th Avenue, 8216 17th Avenue**

The Housing Committee submitted a report reviewing the results of the consultation process regarding the above noted request for an area rezoning. Of the 24 property owners in the rezoning area, 12 indicated support, 4 indicated opposition and 1 was undecided. The requirement for majority support for the proposal amongst residents in the petition area, consistent with Council adopted guidelines, has been met.

The Housing Committee recommended:

1. THAT Council authorize that a Rezoning Bylaw for 7238 – 7520 1st Street (northeast side), 8206 Wedgewood Street, 8214 19th Avenue, 8215 18th Avenue and 8216 17th Avenue be prepared and advanced to First Reading on 2005 October 17 and to a Public Hearing on 2005 December 13.
2. THAT Council authorize staff to forward a copy of this report along with notification of Council’s decision to the residents and property owners in the proposed rezoning area and the consultation area.

MOVED BY COUNCILLOR REDMAN:

SECONDED BY COUNCILLOR DHALIWAL:

“THAT the recommendations of the Housing Committee be adopted.”

CARRIED UNANIMOUSLY

C) Housing Committee
Re: Selection of Community Benefit to be Achieved
Through Rez. 05-41 Brentwood Town Centre

The Housing Committee submitted a report recommending that the community benefit to be achieved through a proposed density bonus for RZ #05-41 be applied to the expansion of Willingdon Heights Community Centre, located in Willingdon Heights Park.

The Housing Committee recommended:

1. THAT the Committee recommend to Council that the community benefit funds associated with RZ #05-41 be applied to the expansion of Willingdon Heights Community Centre, located in Willingdon Heights Park.
2. THAT Council forward a copy of this report to the Parks, Recreation and Culture Commission for its information.

MOVED BY COUNCILLOR REDMAN:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendations of the Housing Committee be adopted.”

CARRIED UNANIMOUSLY

D) Executive Committee of Council
Re: Grant Applications

The Executive Committee submitted the following applications for approval by Council:

#38/05 CNIB

The Executive Committee recommended:

1. THAT a one-time only grant in the amount of \$3,300 be awarded to the Canadian National Institute for the Blind to assist with the cost of providing a Vision Adjustment and Rehabilitation service in Burnaby.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR DHALIWAL:

“THAT the recommendation of the Executive Committee be adopted.”

CARRIED UNANIMOUSLY

#41/05 Lowermainland Community Housing Registry Society

The Executive Committee recommended:

1. THAT this grant request be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

#42/05 Canadian Interuniversity Sport (C.I.S.) Adopt an Athlete Program

The Executive Committee recommended:

1. THAT this grant request be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

#43/05 Burnaby Lakers Jr. 'A' Lacrosse Club

The Executive Committee recommended:

1. THAT a grant in the amount of \$1,000 (\$125 x 8 Burnaby players) be awarded to the Burnaby Lakers Jr. 'A' Lacrosse Club to assist with travel expenses to the 2005 Minto Cup in Edmonton, Alberta.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

#44/05 Burnaby Royals Soccer Team

The Executive Committee recommended:

1. THAT a grant in the amount of \$1,875 (\$125 x 15 players) be awarded to Burnaby Royals under 17/18 Metro Select Soccer Team to assist with travel expenses to the 2005 Club Nationals Championship to be held in Sydney, Nova Scotia from October 05 – 11.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the Executive Committee be adopted.”

CARRIED UNANIMOUSLY

#45/05 2006 World Junior Games

The Executive Committee recommended:

1. THAT a grant in the amount of \$150 be awarded to Don Steen Central Track & Field to assist with Curtis Moss’s travel expenses to the 2006 World Junior Games.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the Executive Committee be adopted.”

CARRIED UNANIMOUSLY

**#46/05 Community Living Society – Club for Community Living –
Mt. Kilimanjaro 2006**

The Executive Committee recommended:

1. THAT a grant in the amount of \$100 be awarded to Community Living Society to assist with David Palmer’s travel expenses to participate in the *“Climb for Community Living – Mt. Kilimanjaro 2006.”*

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the Executive Committee be adopted.”

CARRIED UNANIMOUSLY

#47/05 Dachhund & Small Dog Rescue

The Executive Committee recommended:

1. THAT this grant application be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

“THAT the recommendation of the Executive Committee be adopted.”

CARRIED UNANIMOUSLY

#48/05 2005 National Rugby Championship

The Executive Committee recommended:

1. THAT this grant application be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR EVANS:

“THAT the recommendation of the Executive Committee be adopted.”

CARRIED UNANIMOUSLY

E) Mayor Derek R. Corrigan
Re: Appointments to Burnaby Public Library Board
and Traffic Safety Committee

His Worship, Mayor Derek R. Corrigan submitted a report recommending ten appointments to fill the current vacancies on the Burnaby Public Library Board and the Traffic Safety Committee.

His Worship, Mayor Derek R. Corrigan recommended:

1. THAT Council appoint Andy Chiang to the Burnaby Public Library Board for a term of one year.
2. THAT Council appoint Aldo Gambin as the Senior Citizen’s Representative to the Traffic Safety Committee for a term of three years.
3. THAT a letter of appreciation be sent to Mr. Timo Sokkanen for his service over the years, most recently on the Burnaby Public Library Board.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendations of His Worship, Mayor Derek R. Corrigan be adopted.”

CARRIED UNANIMOUSLY

D) The City Manager presented Report dated 2005 October 03 on the matters listed following as Items 01 to 11 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Rezoning Reference #05-27**
Proposed Multi-Sport Centre of Excellence,
Burnaby Lake Sports Complex West

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 October 25. The purpose of the proposed rezoning bylaw amendment is to permit the development of a Multi-Sport Centre of Excellence within the Burnaby Lake Sports Complex West area, entailing the sale of City land on the north portion of the site, and to establish Community Plan guidelines for a future hotel on the southern portion of the site.

The City Manager recommended:

1. THAT a copy of this report be sent to the property owners at 3600 Norland Avenue (Eight Rinks) and 6556 Sprott Street (Jamatkhana Centre) and to the Parks, Recreation and Culture Commission.
2. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.5 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
3. THAT the sale of City-owned property for inclusion within the subject development site be approved in accordance with the terms outlined in this report, and subject to the applicant pursuing the rezoning proposal to completion.
4. 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.
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 consolidation of the net project site into two legal parcels.
- e) The granting of any necessary easements and covenants, including, but not necessarily limited to, Section 219 Covenants related to restrictions on the proposed commercial and dormitory uses, project signage and establishing minimum floodproofing requirements. Reciprocal access easements will be required to ensure shared access for both the hotel site via the proposed southern access on Kensington Avenue (sport centre site) and the sport centre via the access on Sprott Street (hotel site). An easement will also be required to temporarily permit vehicular exiting only via Joe Sakic Way, through the City parking lot, until such time that Sprott Street is improved to its final standard.
- f) The granting of any necessary statutory rights-of-way, easements and covenants.
- g) The dedication of any rights-of-way deemed requisite.
- h) The 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.
- i) Completion of the Highway Closure Bylaw.
- j) The deposit of the applicable GVS & DD Sewerage Charge.
- k) The provision of facilities for cyclists in accordance with this report.

- l) The completion of the sale and consolidation of City property.
- n) The submission of a Site Profile and resolution of any arising requirements.
- o) The approval of the Ministry of Transportation to the rezoning application.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED

OPPOSED: COUNCILLORS RANKIN
AND REDMAN

**2. Rezoning Reference #05-41
Mixed-Use Commercial, Townhousing and a
High-Rise Apartment Tower
Brentwood Town Centre Plan - 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 rezoning bylaw amendment is to permit a mixed-use project consisting of grade-level retail, a mid-rise office building, townhouses and a high-rise residential tower.

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 introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.1 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
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) Demolition of any improvements will be permitted after Second Reading of the Rezoning Bylaw has been granted provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Third Reading and/or Final Adoption of the Rezoning Bylaw. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism.
- e) The utilization of an amenity density bonus through the deposit of funds equal to the estimated value of the density bonus to be allocated for the provision of an expansion to the Willingdon Heights Community Centre in accordance with Section 3.2 of this report.
- f) The consolidation of the net project site into one legal parcel.
- g) The granting of any necessary easements and covenants, including, but not necessarily limited to, Section 219 Covenants restricting the enclosure of balconies.
- h) The dedication of any rights-of-way deemed requisite.
- i) 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.
- j) The approval of the Ministry of Transportation to the rezoning application.
- k) The design and provision of units adaptable to persons with disabilities (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.

- l) 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.
- m) The deposit of the applicable GVS & DD Sewerage Charge.
- n) The deposit of the applicable Parkland Acquisition Charge.
- o) The deposit of the applicable School Site Acquisition Charge.
- p) Completion of the Highway Closure Bylaw.
- q) The provision of facilities for cyclists in accordance with this report.
- r) The undergrounding of existing overhead wiring adjacent to the site.
- s) Compliance with the Council-adopted sound criteria.
- t) The submission of a Site Profile and resolution of any arising requirements.
- u) 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 JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

**3. Strata Title Application #05-01
McDonald's Restaurants of Canada Ltd.**

The City Manager submitted a report from the Director Planning and Building requesting Council authority for the strata titling of an existing and occupied commercial building subject to the conditions in the report.

The City Manager recommended:

1. THAT the strata titling of 4400 Still Creek Drive be approved subject to complete satisfaction of the following prerequisite conditions:
 - a) The satisfaction of the requirements of the Chief Building Inspector as outlined in Section 3.3 of this report.
 - b) The submission of the necessary strata title plans.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**4. Building Permit Tabulation Report No. 09
From 2005 August 15 to 2005 September 11**

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.

Councillor Redman retired from the Council Chamber at 8:51 p.m.

Councillor Redman returned to the Council Chamber at 8:53 p.m. and took her place at the Council table.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**5. SFU East Neighbourhood Park –
Request for Permission to Establish Underpinning,
Construction Access and Overhead Crane Agreements
With VanCity Enterprises Ltd.**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval for establishment of underpinning, construction access and overhead crane agreements with VanCity Enterprises Ltd.

The City Manager recommended:

1. THAT VanCity Enterprises Ltd. be permitted access over portions of SFU Community Trust property leased by the City for the SFU East Neighbourhood Park (Lot 12) for the purpose of facilitating construction of a multi-family residential development project, as outlined in the attached report.
2. THAT staff be authorized to issue a temporary license to occupy a portion of Lot 12, District Lot 211, Plan BCP 3161, for a term of one year beginning October 01, 2005 under the terms outlined in the attached report.
3. THAT staff be authorized to issue a temporary easement for the radial swing of a crane arm over a portion of Lot 12, District Lot 211, Plan BCP 3161 under the terms outlined in the attached report.
4. THAT staff be authorized to enter into an underpinning agreement with VanCity Enterprises Ltd. for the purpose of permitting the installation of underground soil anchors over a portion of Lot 12, District Lot 211, Plan BCP 3161, under the terms outlined in the attached report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting recessed at 8:55 p.m.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT the 'Open' Council meeting reconvene."

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened at 9:09 p.m.

6. Parkland Acquisition Levy Expenditures

The City Manager submitted a report from the Director Finance requesting Council approval for a bylaw to be brought forward to appropriate money from the Parkland Acquisition Levy Reserve. In order to have funds available to pay for lands acquired for parks and recreation purposes, the Local Government Act requires that a bylaw be passed to appropriate funds from the Reserve.

The City Manager recommended:

1. THAT a bylaw be brought forward to appropriate \$5,000,000 from the Parkland Acquisition Levy Reserve to fund future land acquisition expenditures.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

7. Exemptions from Taxation - 2006

The City Manager submitted a report from the Director Finance requesting Council approval of permissive exemptions from property taxation for 2006. The guidelines as adopted by Council were applied to all applications which will be considered for 2006 exemption under Section 224 of the Community Charter.

The City Manager recommended:

1. THAT bylaws to exempt from taxation in 2006 those properties listed in Part III (A) 100% (1 – 28) be brought forward; and

2. THAT bylaws to exempt from taxation in 2006 those properties listed in Part III (B) 100% (1 – 33) and 50% (34) be brought forward; and
3. THAT bylaws to exempt from taxation in 2006 those properties listed in Part III(C) 100% (1 – 13) and 50% (14) be brought forward; and
4. THAT bylaws to exempt from taxation in 2006 those properties listed in Part III (D) 100% (1 – 86) be brought forward; and
5. THAT bylaws to exempt from taxation in 2006 those properties listed in Part III (E) 100% (1) be brought forward.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

8. Request for Proposal for Digital Photocopiers

The City Manager submitted a report from the Director Finance requesting Council approval to enter into an agreement for multifunction devices to replace existing digital photocopiers.

The City Manager recommended:

1. THAT the City enter into an agreement with Xerox Canada Ltd. To supply, install, and support for a forty-eight month period with an option to renew for an additional 12-month period, a fleet of 62 multifunction devices (MFD) at an estimated average monthly cost per copier of \$143 for a total estimated cost of \$426,000 with final payment based on actual copy and print volumes.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**9. McPherson Park – House Demolition
At 5290 Watling Street**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval for the sale or moving or salvage or demolition of the structures at 5290 Watling Street.

The City Manager recommended:

1. THAT authorized be given for the sale or moving or salvage or demolition of the structures including all outbuildings at 5290 Watling Street.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

10. Remembrance Day Parade: 2005 November 11

This item was dealt with previously in the meeting in conjunction with Correspondence Item (A).

11. Work Orders No. 60-30-114 and No. 60-30-122

The City Manager submitted a report from the Director Engineering requesting Council approval of work orders no. 60-30-114 combined sewer separation and no. 60-30-122 minor unspecified at various locations.

The City Manager recommended:

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

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR EVANS:

"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 JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

5. TABLED MATTER

- A) Rez. 05-42
7438, 7462 Royal Oak Avenue
And Ptn. Of Lane Allowance
(Tabled 2005 September 19)

Council chose not to lift this item from the table at this time.

6. BYLAWS

FIRST READING

#11980	3495 North Road	REZ #03-68
#11981	4035, 4151 & 4279 Norland Drive	REZ #05-26
#11982	7325 MacPherson Avenue	REZ #05-05
#11983	5079 Imperial Street	REZ #05-32
#11984	6728, 6738 & 6750 Arcola Street	REZ #05-33
#11985	7244 Arcola Street	REZ #05-46
#11986	8168 Glenwood Drive	REZ #05-29
#11990	6546-6570 Hardwick Street/6545- 6596 Woodsworth Street/6545-6597 Spratt Street/3625 Auckland Avenue/ 3711 Kensington Avenue	REZ #05-27

#11991 4411, 4417, 4432, 4441 Lougheed Highway REZ #05-41
 4412, 4423, 4432, 4442 & 4452 Buchanan St.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

- | | |
|--|--------|
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 44, 2005 | #11980 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 45, 2005 | #11981 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 46, 2005 | #11982 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 47, 2005 | #11983 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 48, 2005 | #11984 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 49, 2005 | #11985 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 50, 2005 | #11986 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 51, 2005 | #11990 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 52, 2005 | #11991 |

be now introduced and read a first time."

CARRIED
OPPOSED: COUNCILLOR RANKIN TO
BYLAW #11990

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 31, 2005	#11979
Burnaby Fire Services Bylaw, 2004 Amendment Bylaw 2005	#11987
Burnaby Park Dedication Bylaw 2005	#11988
Burnaby Development Cost Charges Reserve Fund Expenditure Bylaw No. 4, 2005	#11989

be now introduced and read three times."

CARRIED UNANIMOUSLY

SECOND READING:

#11960	Eastbrook Parkway, Still Creek Ave., Willingdon Ave.	REZ #03-51
#11961	4510 Still Creek Avenue	REZ #05-14
#11977	Text Amendment	

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Heritage Designation Bylaw Bylaw No. 2, 2005	#11959
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 2005	#11960
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 2005	#11961

Burnaby Zoning Bylaw 1965, Amendment #11977
Bylaw No. 44, 2005 Text Amendment

Burnaby Heritage Designation Bylaw #11978
No. 3, 2005

be now read a second time."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#11866 7815 and Ptn of 7765 North Fraser Way REZ #03-27

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR EVANS:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11866
Bylaw No. 2, 2005

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Highway Closure Bylaw #11947
Bylaw No. 4, 2005

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

CARRIED UNANIMOUSLY

7. NOTICE OF MOTION

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR JOHNSTON:

"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 for as a "Grow-op" drug operation 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 healthy 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."

Arising from consideration of this matter, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT the staff report include an update from the task force on their activities surrounding problem properties."

CARRIED UNANIMOUSLY

Council further requested the staff report also address actions against private ownership proceeds of crime legislation and protection of tenants.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT the motion be **AMENDED** to replace the words 'grow-ops' or 'grow operations' with the words 'drug' operations."

CARRIED UNANIMOUSLY

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

"THAT WHEREAS the proliferation of residential controlled substance drug 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 drug operations in our Community;

AND WHEREAS operators of illegal drug operations 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 for as a drug operation 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 drug operations by placing greater responsibility on landlords to inspect and maintain property and to ensure healthy and safety standards are met in properties that have been found to have been used for drug 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 drug operations and to ensure the health and safety of premises that have been found to have been used for drug operations" AS AMENDED and same was CARRIED UNANIMOUSLY.

8. NEW BUSINESS

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

"THAT a Finance and Civic Development Committee meeting be scheduled for Thursday, 2005 December 08 at 5:00 p.m. in the Council Committee Room."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR REDMAN:
SECONDED BY COUNCILLOR VOLKOW:

"THAT a Housing Committee meeting be scheduled for Wednesday, 2005 October 12 at 5:00 p.m. in the Council Committee Room."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT a meeting of the Burnaby Economic Development Steering Committee be scheduled for Thursday, 2005 October 13 at 6:00 p.m. in Studio 103 at Shadbolt Center for the Arts."

CARRIED UNANIMOUSLY

Councillor Volkow

Arising from discussion of Item (C) of Council Correspondence Package dated 2005 September 23 regarding Charlemagne 100th Anniversary, Councillor Volkow was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT Council send a card to Charlemagne, Quebec in celebration of their 100th Anniversary."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the Traffic Safety Committee meeting scheduled for Tuesday, 2005 October 04 at 6:00 p.m. in the Council Chamber be **CANCELLED**."

CARRIED UNANIMOUSLY

9. INQUIRIES

There were no inquiries brought before Council at this time.

10. ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 10:00 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK