

## 2006 SEPTEMBER 11

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2006 September 11 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 G. Begin  
Councillor S. Dhaliwal  
Councillor G. Evans  
Councillor D. Johnston  
Councillor C. Jordan  
Councillor L.A. Rankin  
Councillor N.M. Volkow

ABSENT: Councillor P. Calendino

STAFF: Mr. R.H. Moncur, City Manager  
Mr. W.C. Sinclair, Director Engineering  
Mr. Rick Earle, Director Finance  
Mr. B. Luksun, Director Planning & Building  
Ms. K. Friars, Director Parks, Recreation & Cultural Services  
Mr. B. Rose, City Solicitor  
Mrs. D.R. Comis, City Clerk  
Ms. A.R. Skipsey, Deputy City Clerk

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 6:59 p.m. with Councillor Calendino absent.

### **1. MINUTES**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the 'Open' Council meeting held on 2006 August 28 be now adopted.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the Public Hearing (Zoning) meeting held on 2006 August 29 be now adopted.

CARRIED UNANIMOUSLY

## 2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) Falun Gong, 2006 July 31  
Re: Organ Harvesting  
Speaker: Sue Zhang
  
- B) Board of Directors, Scandinavian Community  
Centre Society, 2006 July 20  
Re: Permissive Exemption from Property Taxes  
Speaker: Håkan Telenius
  
- C) David & Sabita Porter, 2006 August 22  
Re: 7575 Canada Way - Restrictions of R5 Zoning  
Speaker: David & Sabita Porter

MOVED BY COUNCILLOR DHALIWAL:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- A) **Mr. Ryan Moffatt**, 601 - 6759 Willingdon Avenue, Burnaby appeared before Council to provide information on the practice of Falun Gong, a form of Chi-Gong advocating truth, compassion and tolerance. In 1999, the former Chairman of the Communist Party of China initiated the torture and murder of Falun Gong practitioners in that country. The speaker discussed the newest form of torture against Falun Gong practitioners in the form of organ harvesting from live victims. Mr. Moffatt alleged more than 3,000 Falun Gong practitioners have been tortured and killed and twice that many are currently imprisoned in China awaiting the same fate. The organs are then sold throughout China.

The delegation noted an independent investigation launched by former MP David Kilgour and lawyer David Mastus concluded the reports are true and that organ harvesting is a "*new form of evil visited upon the planet*". The speaker then provided a variety of position documents attesting to the accuracy of the organ harvesting allegations.

In conclusion, Mr. Moffatt requested Council pass motions to urge China to end the persecution of Falun Gong practitioners and support legislation to end Canadians travelling to China for transplant procedures.

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR EVANS:

"THAT Burnaby Council urge the Federal Government to investigate these matters, and, if as a result of their investigation the allegations are proven to be true, that the Government of Canada ensure citizens do not participate in the illegal transplant of organs and further that the Government of Canada support any international action to end this practice."

CARRIED UNANIMOUSLY

**B) Mr. Håkan Telenius**, Scandinavian Community Centre, 6540 Thomas Street, Burnaby, appeared before Council on behalf of the Scandinavian Community Centre Society to provide a history of the Centre and outline its future direction. The speaker introduced a number of Board Members and founders of the Centre in attendance at the meeting.

Mr. Telenius advised this is the 10th Anniversary of the Centre even though they have been part of the community for over 40 years with their beginnings as a rest home for Norwegians. The Community Centre began in 1996 by bringing together the cultures from four countries: Denmark; Sweden; Finland and Norway. The speaker provided an overview of the activities which take place at the Centre including a variety of programs including education, culture and language training for individuals from preschool to adult. In addition, the property has both grass and gravel training fields for sports activities. Some of the traditional events include folk dancing, choirs, concerts, theatre, lectures and festivals. Finally, the Centre provides seniors activities for residents of the four Scandinavian rest homes operated by their Society in Burnaby.

Mr. Telenius advised the Centre is used by thousands of Burnaby residents. The speaker outlined a plan for growth over the next 10 years advocating a partnership with the City to continue to enhance its service to the community. In conclusion, the delegation requested a permissive exemption from property taxes noting the \$20,000 is their biggest single annual expense.

Arising from consideration of 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 staff prepare a report on the proposal for property tax exemption as put forward by the Scandinavian Community Centre including an analysis of the administrative and financial structures of the organization."

CARRIED UNANIMOUSLY

- C) **David & Sabita Porter**, 7575 Canada Way, Burnaby appeared before Council to discuss the development potential of their property.

Mr. Porter advised that he has recently found out there are restrictions that limit his development potential. Although the property has more than the square footage required the frontage of the property is short by 0.15 feet and therefore is not eligible for duplex construction.

Mr. Porter requested Council provide a variance to allow duplex construction on this lot and review other properties in the neighbourhood with similar concerns.

MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the matter raised by the delegation be **REFERRED** to staff for a report to the Community Development Committee for review."

CARRIED UNANIMOUSLY

### **3. CORRESPONDENCE AND PETITIONS**

MOVED BY COUNCILLOR DHALIWAL:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the following item of correspondence be received."

CARRIED UNANIMOUSLY

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

- A) CFO, Greater Vancouver Water District  
2006 August 29  
Re: Payment of grant in lieu of taxes  
from Greater Vancouver Water District

A letter was received from Gordon Ruth, Chief Financial Officer for the Greater Vancouver Water District advising of the City of Burnaby's eligibility for a grant in lieu of taxes.

A note from staff advises that in order for payment to be made, Burnaby Council must adopt a resolution to receive the 2006 grant in lieu of taxes from the Greater Vancouver Water District in the amount of \$77,110.

MOVED BY COUNCILLOR DHALIWAL:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the City of Burnaby consent to receive the 2006 grant in lieu of taxes from the Greater Vancouver Water District in the amount of \$77,110.00."

CARRIED UNANIMOUSLY

#### 4. REPORTS

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

#### A) **Traffic Safety Committee** **Re: Street Lighting - 4000 Block Georgia Street**

The Traffic Safety Committee submitted a report discussing proposed changes to the street lighting in response to a petition from the residents of this block.

The Traffic Safety Committee recommended:

1. THAT the street lighting in the 4000 block of Georgia Street be modified as discussed in this report.
2. THAT the residents of the houses fronting on the 4000 block Georgia Street be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR DHALIWAL:

"THAT the recommendations of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

- #### B)
- The City Manager presented a report dated 2006 September 11 on the matters listed following as Items 01 to 10 either providing the information shown or recommending the courses of action indicated for the reasons given:

**1. World Rivers Day 2006**

The City Manager submitted a report from the Director Planning and Building providing the schedule of events for World Rivers Day in Burnaby and request funding for advertising and promotion. This year's World Rivers Day provides an opportunity for residents, businesses, local community and environmental groups, government agencies and educational institutions to increase their awareness and appreciation for waterways both locally and globally, and to become stewards of an important waterway in Burnaby – namely Still Creek.

With the support of Council, the Environment Committee Chair, community environmental groups and community sponsors, a variety of exciting hands-on activities have been scheduled for the *Nature Next Door – Explore Still Creek* event. These activities will be advertised in both local papers, the Georgia Straight, on the City's web page, at local libraries and recreation centres, at BCIT campus, and McDonald's Restaurant, and through public service announcements.

The City Manager recommended:

1. THAT Council approve funding up to a maximum of \$7,500 for advertising and promotion for the proposed World Rivers Day events as identified in this report.
2. THAT a copy of this report be forwarded to the Environment Committee for its information.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**2. Civil Design Fees  
Fire Station #7 - Gilmore  
3151 Gilmore Diversion**

The City Manager submitted a report from the Director Planning and Building requesting Council approval for an expenditure not to exceed \$75,000 (inclusive of GST) for civil design fees related to the Gilmore Diversion for development of Fire Station #7.

The City Manager recommended:

1. THAT Council authorize the expenditure of \$75,000 (inclusive of GST) for civil design fees related to Gilmore Diversion for the development of Fire Station #7.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**3. Community Police Office Southeast District**

The City Manager submitted a report from the Director Planning and Building requesting Council expenditure authorization for completion of the new Southeast District Community Police Office in Highgate Village. Construction of the space for the Community Police Office is scheduled to be completed by the developer in 2006 October. The City is responsible for outfitting the space with the necessary furniture, fixtures and equipment for the Community Police Office use.

The City Manager recommended:

1. THAT a Capital Expenditure Bylaw in the amount of \$80,000 (inclusive of 6% GST) be brought forward to finance furniture, fixtures and equipment for the new Southeast District Community Police Office in Highgate Village.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR RANKIN:

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

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

This item was TABLED in order to provide Council members with a further opportunity for review.

**4. Abandonment of Inactive Rezoning Bylaws**

The City Manager submitted a report from the Director Planning and Building putting forward a number of rezoning amendment bylaws to Council for approval to abandon in accordance with adopted Council policy.

The City Manager recommended:

1. THAT Council authorize the abandonment of the outstanding Bylaws listed in Appendix A of this report.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**5. Contract No. 2006-17  
Central Valley Greenway - Section 2,3**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for urban trail upgrades. The work of this contract involves the supply of all labour, materials, tools, plant and equipment required for the construction of trails, sidewalks, bridge design and installation, pathway lighting and other related works.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Jack Cewe Ltd., for urban trail upgrades in the Still Creek Avenue and Gilmore Avenue area of Burnaby for a total cost \$633,350.00 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY



**6. Bylaw to Appropriate Funds for Land Assembly and Development Expenditures**

The City Manager submitted a report from the Director Finance to appropriate \$5,000,000 from the Capital Works, Machinery and Equipment Reserve to fund planned land acquisitions and development.

The City Manager recommended:

1. THAT a bylaw be brought forward to appropriate \$5,000,000 from the Capital Works, Machinery and Equipment Reserve.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**7. Council Indemnities 2006**

The City Manager submitted a report from the Director Finance to set Council indemnities in accordance with the formula set by the Council Indemnity Advisory Committee.

The City Manager recommended:

1. THAT Council indemnities be set as detailed in the report; and
2. THAT the City Solicitor bring down a bylaw to establish the new indemnities effective 2006 January 01.

MOVED BY COUNCILLOR JOHNSTON :

SECONDED BY COUNCILLOR VOLKOW:

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

MOVED BY COUNCILLOR EVANS:  
SECONDED BY COUNCILLOR RANKIN:

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

DEFEATED

FOR: COUNCILLORS BEGIN,  
EVANS AND RANKIN

OPPOSED: MAYOR CORRIGAN AND  
COUNCILLORS DHALIWAL,  
JOHNSTON, JORDAN AND  
VOLKOW

A vote was then taken on the motion as moved by Councillor Johnston and seconded by Councillor Volkow being "THAT the recommendations of the City Manager be adopted" and same was CARRIED with Councillors Begin, Evans and Rankin OPPOSED.

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

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR RANKIN:

"THAT the matter of Council indemnities, criteria and the formula for setting the indemnities be **REFERRED** to a Council Committee for review."

MOVED BY COUNCILLOR DHALIWAL:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT the motion as moved by Councillor Begin and seconded by Councillor Rankin being 'THAT the matter of Council indemnities, criteria and the formula for setting the indemnities be REFERRED to a Council Committee for review' be now **TABLED.**"

CARRIED UNANIMOUSLY

**8. Capital Infrastructure Improvements**

The City Manager submitted a report from the Director Engineering requesting funding approval for the City's share of various capital infrastructure improvements.

The City Manager recommended:

1. THAT Council authorize bringing forward a Capital Reserve Expenditure Bylaw in the amount of \$424,000 (inclusive of 6% GST) to fund the City's share of various infrastructure improvements.

MOVED BY COUNCILLOR DHALIWAL:  
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**9. Road Closure**

The City Manager submitted a report from the Director Engineering requesting Council approval for a road closure. St. Alban's Anglican Church will be celebrating their 100<sup>th</sup> year anniversary and are requesting the closure of 19<sup>th</sup> Avenue from Canada Way to 7<sup>th</sup> Street on Saturday September 16 between 10 a.m. to 4 p.m.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Margaret Kelly of St. Alban's Anglican Church, 7717 19th Avenue, Burnaby, B.C. V3N 1E8, be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**10. Summer Council Meeting Schedule**

The City Manager submitted a report from the City Clerk requesting Council amend the Council policy of two Council meetings per month in July and August to allow for two Council meetings and one Public Hearing in July and eliminate scheduled Council Meetings and Public Hearings in August beginning in 2007.

The City Manager recommended:

1. THAT the summer Council meeting schedule be amended effective 2007 to hold two Council meetings on alternate Mondays in the month of July and one Public Hearing in the month of July and eliminate scheduled Council meetings and Public Hearings in the month of August.

MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR VOLKOW:

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

MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR BEGIN:

"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. BYLAWS**

**FIRST READING**

#12143      7312 Magnolia Terrace

REZ #06-36

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 45, 2006

#12143

be now introduced and read a first time."

CARRIED UNANIMOUSLY

**FIRST, SECOND AND THIRD READING:**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Local Improvement Charges Bylaw 1985, Amendment Bylaw 2006	#12138
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 29, 2006	#12139
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 30, 2006	#12140
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 31, 2006	#12141
Burnaby Highway Closure Bylaw No. 6, 2006	#12142

be now introduced and read three times."

CARRIED UNANIMOUSLY

**SECOND READING:**

#12131	4200 Canada Way	REZ #98-51
#12132	5375 Gilpin Street	REZ #06-34
#12133	Ptn. of Unit 7492 Conway Avenue	REZ #06-35

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 2006	#12131
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 2006	#12132

Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 44, 2006

#12133

be now read a second time."

CARRIED UNANIMOUSLY

**THIRD READING & RECONSIDERATION AND FINAL ADOPTION:**

#12097 Ptn. of 7540 Government Road

REZ #05-39

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 20, 2006

#12097

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

CARRIED UNANIMOUSLY

**RECONSIDERATION AND FINAL ADOPTION:**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

"THAT

Burnaby Capital Works, Machinery and Equipment  
Reserve Fund Expenditure Bylaw No. 28, 2006

#12137

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

CARRIED UNANIMOUSLY

**6. NEW BUSINESS**

**Councillor Jordan**

MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT a meeting of the Mayor's Task Force on Graffiti be held on Thursday, 2006 September 21 at 6:00 p.m. in the Discovery Room at Burnaby Village Museum."

CARRIED UNANIMOUSLY

**7. INQUIRIES**

**Councillor Begin**

Councillor Begin noted there had been a number of apartment fires recently in Burnaby and inquired as to whether or not the fire alarms had been activated in the buildings and whose responsibility it is to activate the fire alarms in apartment buildings at the time of an emergency.

Council requested a memo from the Fire Chief to clarify this matter.

Councillor Begin advised there is a problem with jaywalking across Kingsway at Olive Avenue which lies between Wilson and Patterson Avenues and inquired as to whether or not it would be possible to have a pedestrian activated crosswalk signal at this location.

The Director Engineering advised he would investigate the traffic warrant for the location and submit a memo to Council.

**Councillor Johnston**

Councillor Johnston advised that he was in California last month and noticed school zones displayed electronic signs, similar to our regular speed limit signs, indicating the actual speed at which your vehicle is travelling.

The Director Engineering indicated he would look into the possibility of implementing similar electronic signs here, however, concern was expressed about the cost factor.

**8. ADJOURNMENT**

MOVED BY COUNCILLOR DHALIWAL:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 8:53 p.m.

Confirmed:

Certified Correct:

  
MAYOR

  
DEPUTY CITY CLERK