

2006 FEBRUARY 13

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 February 13 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 P. Calendino
Councillor S. Dhaliwal
Councillor G. Evans
Councillor D. Johnston
Councillor C. Jordan
Councillor N.M. Volkow

ABSENT: Councillor L.A. Rankin

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
Mr. J. Belhouse, Director Planning & Building
Ms. K. Friars, Director Parks, Recreation & Cultural Services
Mr. B. Rose, City Solicitor
Ms. A.R. Skipsey, Deputy City Clerk
Mr. S. Cleave, Administrative Officer I

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

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

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

His Worship Mayor Derek R. Corrigan, proclaimed the week of 2006 February 12th to 18th as "***Job's Daughters Week***" in the City of Burnaby.

His Worship Mayor Derek R. Corrigan proclaimed 2006 February 15 as "***National Flag of Canada Day***" in the City of Burnaby.

1. **MINUTES**

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the 'Open' Council meeting held on 2006 February 06 be now adopted."

CARRIED UNANIMOUSLY

2. **REPORTS**

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

A) The City Manager presented a report dated 2006 February 13 on the matters listed following as Items 01 to 09 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Barnet Marine Park – Proposed Dedication and Naming of West Shoreline Trail in Honour of Doug Drummond**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval for the dedication and naming of the west shoreline trail in honour of Doug Drummond and for the expenditure for a gateway feature, plaque and interim informational signs.

The City Manager recommended:

1. THAT a trail route connecting the Barnet Marine Park foreshore trail west of the proposed pier to the urban trail junction at Hastings Street and Cliff Avenue, be dedicated and named in honour of former Burnaby Mayor, Douglas P. Drummond.
2. THAT approval be given for the expenditure of \$43,500.00 from the Gaming Reserve Fund for the supply and installation of a gateway feature and plaque to mark and celebrate the proposed trail dedication and to supply and install interim informational signs about proposed park and trail improvements to provide trail users context for the trail dedication.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

2. Correspondence from Sierra Legal Defence Fund
and Western Canada Wilderness Committee
in Defence of Canada's Spotted Owl

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services providing Council with information on the issue raised in correspondence from the Sierra Legal Defence Fund and Western Canada Wilderness Committee regarding the future of Canada's spotted owl.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

Arising from consideration of the report, Councillor Dhaliwal was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

- "1. THAT Burnaby City Council write to the Honourable Pat Bell, Minister of Agriculture and Lands urging the Provincial government to consider the recommendations as presented in the report entitled **"In Defence of Canada's Spotted Owl"** by the Sierra Legal Defence Fund and Western Canada Wilderness Committee.
2. THAT Council further urge the Minister to take all reasonable measures to protect the spotted owl.
3. THAT a copy of the letter be sent to the Sierra Legal Defence Fund, Western Canada Wilderness Committee and Burnaby's MLA's."

CARRIED UNANIMOUSLY

**3. Expanded Site
Rezoning Reference #05-42
7462 & 7438 Royal Oak Avenue
Royal Oak Community Plan – Sub-Area 2**

The City Manager submitted a report from the Director Planning and Building informing Council of an expanded site proposed for Rezoning Reference #05-42.

The City Manager recommended:

1. THAT Planning and Building Department be authorized to work with the applicant towards the preparation of a plan of development suitable for presentation to a Public Hearing for the expanded site in line with this report on the understanding that a more detailed report will be submitted at a later date.
2. THAT a copy of this report be sent to the owner of 7428 Royal Oak Avenue.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

**4. Rezoning Reference #05-62
Subdivision Reference #05-65
Proposed Joint Subdivision and Rezoning
Marine Drive, Southridge Drive, Byrne Park Drive,
14th Avenue, Ravine Park
Edmonds Town Centre – Sub-Area 3**

The City Manager submitted a report from the Director Planning and Building advising of a change to the proposed conceptual subdivision plan to correspond to an existing area of dedicated park.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the report be **REFERRED** to Community Development Committee."

CARRIED UNANIMOUSLY

5. Proposed Property Sale
6015 Byrne Road
Lot 5, D.L. 159, Plan 2014

The City Manager submitted a report from the Director Planning and Building requesting Council approval to offer the property at 6015 Byrne Road for sale through public tender.

The City Manager recommended:

1. THAT the City Solicitor be authorized to offer the property at 6015 Byrne Road for sale through public tender.
2. THAT Council approve an expenditure not to exceed \$31,000 for the servicing of the subject lot as outlined in Section 3.0 of this report.
3. THAT the owner of the property at 8656 Gilley Avenue be forwarded a copy of this report for information purposes.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

6. Building Permit Tabulation Report No. 13
From 2005 December 5 to 2005 December 31

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 BEGIN:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**7. Bylaw #12015 – Proposed Amendments to Burnaby
Animal Control Bylaw to Regulate Tethering/Chaining of Dogs**

The City Manager submitted a report from the Director Finance providing information requested by Council related to the proposed amendments to the Animal Control Bylaw. The proposed tethering regulations, with the additional provision for no tethered dogs at businesses as recommended in this report, will address a significant concern with respect to the humane treatment of animals. Animal regulation relating to tethering is not common in the region and, if adopted, this bylaw may be used as an example for other communities.

The City Manager recommended:

1. THAT the Burnaby Animal Control Bylaw be amended to include tethering regulations specific to business situations as noted in this report.
2. THAT a copy of this report be sent to:

Judith Stone, Animal Advocates Society
Box 114, 103 - 1075 Marine Drive
North Vancouver, B.C. V7P 3T6

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR BEGIN:

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

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

The motion was TABLED in order to provide Councillor Rankin the opportunity to be present for the adoption of the report.

8. External Training Authorization

The City Manager submitted a report from the Director Finance requesting Council approval for staff training expenses.

The City Manager recommended:

1. THAT Council authorize expenditures not to exceed \$5,400 for the Manager Financial Services' (Internal Audit) training on auditing SAP (Burnaby's newest business system).

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

9. Work Orders

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

The City Manager recommended:

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

"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

3. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT

Burnaby Golf Fees Bylaw 2006 #12057

Burnaby Capital Works, Machinery and Equipment #12058
Reserve Fund Expenditure Bylaw No. 2, 2006

be now introduced and read three times."

CARRIED UNANIMOUSLY

THIRD READING:

#11945 6490 & 6498 Elgin Avenue Rez #05-11

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11945
Bylaw No. 38, 2005

be now read a second time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#11928 5575 Jersey Avenue REZ #05-10

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11928
Bylaw No. 33, 2005

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

CARRIED UNANIMOUSLY

4. NEW BUSINESS

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT a meeting of the Economic Development Strategy Steering Committee be scheduled for Tuesday, February 28, 2006 at 7:00 p.m. in the Main Gallery, Ceperley House, 6344 Deer Lake Avenue, Burnaby, B.C."

CARRIED UNANIMOUSLY

Councillor Calendino:

Councillor Calendino made reference to a recent article from the Vancouver Sun with regard to a 6.5% rate increase in automobile insurance proposed by ICBC. Arising from consideration of the matter, Councillor Calendino was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the Mayor, on behalf of Council, write a letter to the Utilities Commission, asking the Commission to follow due process and to freeze the implementation of the 6.5% rate increase requested by ICBC until the Commission has done a thorough review and ordered an external audit of ICBC's books to ensure that the rate increase is actually needed."

CARRIED UNANIMOUSLY

Councillor Johnston:

Councillor Johnston provided Council with the following notice of motion regarding Election Signs for Council's consideration at the 2006 February 20 Council meeting:

"THAT WHEREAS the Citizens of Burnaby have had the opportunity to participate in the electoral process at all three levels during the past 18 months in the form of two Federal, one Provincial and one Municipal election; and

WHEREAS all political parties and organizations who have traditionally sought approval in writing to erect election signs during the period of an election have been granted the necessary approval, equally; and

WHEREAS Burnaby's Sign Bylaw 1972 currently permits the erection of signs pertaining to campaigns, drives or events of political, civic, philanthropic, educational or religious organizations, but no such signs shall be erected on parkland under the jurisdiction of the Parks and Recreation Commission; and

WHEREAS Burnaby's Sign Bylaw 1972 currently permits the erection of signs on boulevards with the consent of Council if the applicant has agreed in writing to remove the signs within three days after the campaign, drive or event has concluded, but no signs shall be placed on or in front of flower or shrub beds nor along the 60 metre portion of Nelson Avenue and of Imperial Street fronting on the Cenotaph located at the northwest corner of their intersection; and

WHEREAS the Sign Bylaw permits members of the public to post notices and poster on cylinders and kiosks provided for that purpose on public property, which would be available to candidates in elections; and

WHEREAS in recent elections held in the City, election signs have been spotted in many locations up to 14 and 21 days after the election still standing on public property resulting in their removal by City Workers at a cost to the Burnaby Civic Taxpayer; and

WHEREAS election signs situated on public areas are often the victims of vandals and pyromania resulting in nuisance responses by City Fire and Police Departments thereby taking resources away from Crime and Public Health and Safety responses; and

WHEREAS election signs cluttering up boulevards on key city roads can often result in restricted vision to drivers or even possibly collisions, and or pedestrian injuries; and

WHEREAS environmentally sensitive areas within the City are often at risk from being disturbed by uninformed or over zealous volunteers looking for the perfect sign location; and

WHEREAS as two of the City's adjoining municipalities, the City of Vancouver and the City of New Westminster, do not permit the erection of election signs on Public property and as such limit them to private property; and

WHEREAS letters and telephone calls have been received by Council or individual Councillors over the years from Burnaby Citizens concerned about the pollution of green space, landscapes, traffic corridors and parkland with a bombardment of election signs;

THEREFORE BE IT RESOLVED THAT Burnaby Council amend the City of Burnaby Sign Bylaw to restrict the erection of signs relating to Elections, Campaigns and or other political or partisan activity to private property, and the kiosks and cylinders noted above; and

BE IT FURTHER RESOLVED THAT Burnaby Council send a copy of this resolution to all Political Parties, Civic Organizations, Independent Candidates, and other affected third parties who are known to field candidates for office at the Federal, Provincial, School Board or Municipal levels within the City of Burnaby; and

BE IT FURTHER RESOLVED THAT Burnaby Council send a copy of this notice of motion to the Burnaby School Board, Burnaby's Members of Parliament and Members of the Legislative Assembly for their information."

5. INQUIRIES

Councillor Begin:

Councillor Begin referred to the recent labour dispute at City Hall and inquired as to why Council members had not been provided with any information regarding the issues and the outcome.

His Worship, Mayor D.R. Corrigan advised that he had been absent during the dispute and ensured Council that an update on the matter would be forthcoming and, in future, information would be disseminated to Council in a timely manner.

Councillor Begin inquired as to the status of an emergency homeless shelter in Burnaby and requested an update from staff.

The Director Planning and Building confirmed a memorandum providing an update would be circulated to the Council members.

Councillor Begin inquired as to whether or not there were any plans to supply dog waste bags in Burnaby parks.

The Director Parks, Recreation and Cultural Services advised that the issue was under consideration by the Parks, Recreation and Culture Commission and a recommendation on the matter would be contained within an upcoming report.

Councillor Evans:

Councillor Evans inquired as to which construction projects are going to be taking place in the 4300 block of Oxford Street.

The Director Engineering advised the sewer separation program as well as a local area service project to install sidewalks will be taking place in that neighbourhood over the next month or so.

Councillor Evans inquired as to what was happening with the two vacancies for citizen representatives on Council Committees.

His Worship Mayor Corrigan advised any vacancies would be re-advertised within the next week.

His Worship, Mayor D.R. Corrigan

His Worship, Mayor D.R. Corrigan thanked Burnaby resident Ron Johnstone for contacting the City regarding "National Flag of Canada Day" and for providing the Canadian flags displayed around the Council table in the stands which were made by Mr. Johnstone's grandson.

6. ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

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


CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 8:00 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK