

2007 JUNE 18

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2007 June 18 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

ABSENT: Councillor L.A. Rankin
Councillor N.M. Volkow

STAFF: Mr. R.H. Moncur, City Manager
Mr. C.A. Turpin, Deputy City Manager
Mr. L.S. Chu, Director Engineering
Mr. R. Earle, Director Finance
Ms. K. Friars, Director Parks, Recreation & Cultural Services
Mr. B. Luksun, Director Planning & Building
Mr. B. Rose, City Solicitor
Mrs. A.L. Lorentsen, A/Deputy City Clerk
Mr. S. Cleave, A/Administrative Officer Operations

MOVED BY COUNCILLOR DHALIWAL:

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.

P R E S E N T A T I O N

His Worship, Mayor Derek Corrigan, on behalf of Her Excellency, The Right Honourable Michaëlle Jean presented Certificates of Commendation to Burnaby residents Gary Azcona and Michael Bettlestone. Certificates of Commendation are issued to persons who have made a significant contribution by providing assistance to another person in a selfless manner.

The Certificates presented to Mr. Azcona and Mr. Bettlestone are in recognition of their actions following an incident on Highway 97C, near Aspen Grove, on August 19, 2006. According to the Merritt Detachment, RCMP, these two men, together with seven other individuals, worked as a team to rescue three persons from a burning vehicle. Sadly, one of the three victims did not survive, however the survival of the two remaining passengers was solely due to the many "Good Samaritans" and their courageous and selfless actions.

Mayor Corrigan was honoured to have the privilege of making this presentation on behalf of the Governor General to two Burnaby residents who put their lives in jeopardy to save others.

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

His Worship Mayor Derek R. Corrigan proclaimed 2007 June 21st as "***National Aboriginal Day***" in the City of Burnaby.

His Worship Mayor Derek R. Corrigan proclaimed 2007 June 20th as "***World Refugee Day***" in the City of Burnaby.

His Worship Mayor Derek R. Corrigan proclaimed the week of 2007 June 25th to 28th as "***Law Enforcement Torch Run Week***" 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 2007 June 11 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

- A) Ruth Hardy, Chair, Burnaby Public Library Board, 2007 May 22
Re: The Library's 2006 Annual Report
Speaker: Ruth Hardy
- B) Sandra D. Duranleau, 2007 June 07
Re: Displacement of Long Time Residents
-4825 Canada Way
Speaker: Sandra Duranleau

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- A) Ruth Hardy**, Chair of the Burnaby Library Board appeared before Council advising that she was accompanied by Chief Librarian **Edel Toner-Rogala** and introduced Library Board members Andy Chiang and Iqbal Dhanani also in attendance at the Council meeting. Ms. Hardy outlined a number of highlights from the Annual Report which appeared as an insert in the Saturday, 2007 June 16th edition of the Burnaby NOW. The speaker informed Council that the highly successful *"My Kindergarten Year"* project moved into its second year and the *"Conversation Circles"* program which had been introduced at the Bob Prittie Metrotown Library was introduced to the Kingsway Branch.

The summer of 2006 saw 6,200 children participate in the Extreme Reading Club and almost 2,800 children earned their summer reading club medals. In the fall the Library board initiated a Community Needs Assessment, with the participation of more than 3,000 citizens, to gain better insight into the knowledge and information needs of Burnaby's citizens and to help the Board make informed decisions regarding library services. Technology is becoming an important part of library operations, with the installation of wireless computer access scheduled for Bob Prittie and McGill Libraries and the addition of programs such as *"Library To Go"* which allows access to a growing virtual library.

Ms. Hardy took the opportunity to thank past Board Chair, Sharon Freeman for her service to the Burnaby Library Board and acknowledge her belief in the value of public libraries. Mr. Ernest Maitland has been welcomed as the newest Board appointee. In conclusion, the speaker thanked Council for its support and in particular, Councillor Nick Volkow for his continued dedication to the Burnaby Public Library and invited everyone to attend the annual Medal Award Ceremony and Pancake Breakfast outside Bob Prittie Metrotown Library on Saturday, September 8th.

- B) Sandra Diane Duranleau**, advised that she was acting on behalf of the residents of 4825 Canada Way in seeking Council's assistance with regard to the proposed subdivision and redevelopment of this property, home of the Grandview Manufactured Home Park. Accompanying Ms. Duranleau were, Doreen Mortensen, President of the Surrey Manufactured Homeowners Association and Lynn Gueguen, President of the Grandview Manufactured Homeowners Tenancy Association. Ms. Duranleau informed Council that the Honourable Rich Coleman, Minister of Housing had been invited to attend the meeting this evening; Minister Coleman had been unable to attend but would be sending a letter in response to the Homeowners situation.

Ms. Doreen Mortensen informed Council that manufactured home parks had been developed in the 1950's as a form of low cost housing appealing especially to seniors, low income, and/or young families and persons with disabilities. Although the benefit of a manufactured home is that it is mobile and can be transported to a new location, the dwindling number of such parks and the desire of most residents to remain in their communities has resulted in many owners of manufactured homes being long term residents who have invested time, energy and money into their homes, explained the speaker. Many residents of Grandview Manufactured Home Park have resided at this location from seven to 40 years. The Manufactured Home Park Tenancy Act adopted by the Provincial government requires landlords, in the case of redevelopment, to provide a 12 month notice to vacate and are required to pay compensation equivalent to 12 months rent. This compensation, noted Ms. Mortensen is not sufficient to cover the cost of relocating and in most instances the homes are of an age that they will not survive being relocated. The owner's intention to subdivide this property into 11 single family lots will leave these residents without a home, insufficient compensation to purchase a new property and no place to go, concluded the speaker, and she urged Council to hold approval of the subdivision until such time as adequate compensation for relocation can be found.

Lynne Gueguen, President, Grandview Manufactured Homeowners Tenancy Association, advised the residents are looking for Council's help; they cannot relocate, cannot sell their manufactured homes and many long term residents are at risk of losing everything.

His Worship, Mayor Corrigan, in responding to the delegations' concerns advised Council's authority in this matter is limited because, in accordance with Provincial legislation, the subject property with the approval of the Approving Officer is permitted to be subdivided under its existing zoning.

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the concerns expressed by the delegation regarding the proposed redevelopment of 4825 Canada Way be **REFERRED** to staff for report."

CARRIED UNANIMOUSLY

3. CORRESPONDENCE

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

"THAT all of the following listed items of correspondence be received and those items of the City Manager's Report dated 2007 June 18 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) Rosalind Wong, BC Health Coalition,
2007 June 07
Re: Pass a Municipal Resolution on Home
Support for BC Seniors Week

A letter was received from the BC Health Coalition seeking Council's adoption of a resolution endorsing home support and calling on the provincial government to re-invest and enhance it, making it adequate for seniors.

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

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT His Worship Mayor Derek R. Corrigan write the Minister of Health requesting consideration of this resolution and to consider it in relation to the budget."

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) Environment Committee
Re: Cosmetic Herbicide Usage
on Private Properties

The Environment Committee submitted a report providing Council with a draft framework of a proposed bylaw to regulate cosmetic herbicide usage on private property; financial/resource requirements for education outreach and enforcement of the proposed bylaw; and framework for a public and stakeholder consultation process on the proposed framework of the bylaw.

The Environment Committee recommended:

1. THAT Council authorize staff to undertake a public and stakeholder consultation process on the framework of a proposed bylaw to regulate the use of cosmetic herbicides on private properties as outlined in this report.
2. THAT Council authorize staff to seek public and stakeholder opinion on expanding the proposed draft elements of the bylaw to prohibit the use of all cosmetic pesticides on private properties except to control infestations.
3. THAT staff report back to the Environment Committee and Council on the outcome of the public consultation process and recommend the final elements of the bylaw for Council's consideration.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendations of the Environment Committee be adopted."

CARRIED UNANIMOUSLY

B) Environment Committee
Re: Tree Bylaw Review

The Environment Committee submitted a report providing a review of the Burnaby Tree Bylaw.

The Environment Committee recommended:

1. THAT Council be requested to amend the Burnaby Tree Bylaw, as outlined in Section 4.0 of this report.

2. THAT Council be requested to authorize staff to pursue further research and development of proposals for possible additional tree protection initiatives, as outlined in Section 5.0 of this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR BEGIN:

"THAT the recommendations of the Environment Committee be adopted."

CARRIED UNANIMOUSLY

C) Traffic Safety Committee

Re: Parking at 6354 Beresford Street

The Traffic Safety Committee submitted a report responding to correspondence regarding parking concerns at the International College of Esthetics, 6354 Beresford Street.

The Traffic Safety Committee recommended:

1. THAT a copy of this report be sent to Mrs. Dominelli, International College of Esthetics, 6354 Beresford Street, Burnaby, B.C. V5E 1B6.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

D) Traffic Safety Committee

Re: Illegal Parking at 3964 Kitchener Street

The Traffic Safety Committee submitted a report reviewing parking issues at 3964 Kitchener Street brought forward by Mr. Roy Hunter.

The Traffic Safety Committee recommended:

1. THAT a copy of this report be sent to Mr. Roy Hunter, 3995 Kitchener Street, Burnaby, B.C. V5C 3L9.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

E) Traffic Safety Committee
Re: Jay Walking on Kingsborough

The Traffic Safety Committee submitted a report reviewing the options for dealing with Jay walking on Kingsborough.

The Traffic Safety Committee recommended:

1. THAT the emergency vehicle parking zone on the south side of Kingsborough be replaced by a "No Stopping Anytime Zone".
2. THAT a copy of this report be sent to the Community Policing Committee.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR EVANS:

"THAT the issue of safety on Kingsborough be **REFERRED** to staff and the Traffic Safety Committee for development of options for consideration."

CARRIED UNANIMOUSLY

F) Transportation Committee
Re: Barnet Hastings HOV Lanes – Delegation
from the Heights Merchants Association

The Transportation Committee submitted a report responding to the proposal from the Heights Merchants Association to eliminate the Barnet Hastings High Occupancy Vehicle (HOV) Lanes.

The Transportation Committee recommended:

1. THAT the Heights Merchants Association be advised that the proposal for the elimination of the HOV lane west of Willingdon is not supported based on the transit and traffic management considerations outlined in this report.
2. THAT a copy of this report be forwarded to Isobel Kolic, Executive Director, Heights Merchants Association; Hansel Wang, Manager, Engineering and Infrastructure Planning, TransLink; and Peter Klitz, Service Planner, Coast Mountain Bus Company.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendations of the Transportation Committee be adopted."

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT this matter be **REFERRED** to the Transportation Committee to continue investigation of other options for traffic on Hastings Street and its impact on the Heights merchants."

CARRIED UNANIMOUSLY

G) Transportation Committee
Re: Coast Mountain Bus Company:
2007 Annual Service Plan

The Transportation Committee submitted a report advising the Transportation Committee of the service improvements outlined in the Coast Mountain Bus Company (CMBC) 2007 Annual Service Plan.

The Transportation Committee recommended:

1. THAT this report be received for information.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

D) The City Manager presented a report dated 2007 June 18 on the matters listed following as Items 01 to 04 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Justice Building Complex
Chiller Replacement/Mechanical Upgrade

The City Manager submitted a report from the Major Civic Building Project Coordination Committee award a construction contract for the chiller replacement and mechanical upgrade within the Justice Building Complex.

The City Manager recommended:

1. THAT Council approve the award of a contract to Bynett Construction Services Ltd. in the amount of \$586,317.80 (inclusive of GST) for the chiller replacement and mechanical upgrade to the Justice Building Complex.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**2. Property Management Agreement,
Deer Lake Centre**

The City Manager submitted a report from the Director Finance recommending a two year contract extension for property management services at the Deer Lake Centre.

The City Manager recommended:

1. THAT Colliers International Real Estate Management Services be granted a two (2) year contract extension commencing 2007 June 01 and expiring 2009 May 31.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**3. Liquor Licence Application #07-02
James Street Café, 3819 Canada Way
Proposed Extension of Operating Hours**

The City Manager submitted a report from the Director Planning and Building providing Council with recommendations on the requested extension of operating hours of liquor sale at the subject food primary establishment at 3819 Canada Way.

The City Manager recommended:

1. THAT Council not support the request for a 2:00 a.m. closing hour of liquor sale within the 12-seat outdoor patio area at the subject food primary establishment as described in Section 3.0 of this report.
2. THAT a copy of this report be forwarded to the General Manager, Liquor Control and Licensing Branch (LCLB), P.O. Box 9292, Stn. Provincial Government, Victoria, BC V8W 9J8; to the applicant, Mr. Ismail Jinnah, 5793 Mayview Circle, Burnaby, B.C. V5E 4B7.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

4. Update on Graffiti Bylaw for Burnaby

The City Manager submitted a report from the Director Planning and Building informing Council that the proposed Graffiti Bylaw will be presented for First Reading on 2007 June 25 and come into force on 2007 September 01.

The City Manager recommended:

1. THAT this report be received for information.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR JORDAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Capital Works, Machinery and Equipment #12292
Reserve Fund Expenditure Bylaw No. 14, 2007

Burnaby Capital Works, Machinery and Equipment * #12293
Reserve Fund Expenditure Bylaw No. 15, 2007

be now introduced and read three times."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#11983 5079 & 5091 Imperial Street REZ #05-32

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #11983
Bylaw No. 47, 2005

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Capital Works, Machinery and Equipment #12288
Reserve Fund Expenditure Bylaw No. 13, 2007

Burnaby Animal Control Bylaw 1991, Amendment
Bylaw 2007

#12289

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT a meeting of the Mayor's Task Force on Graffiti be scheduled for Thursday, 2007 June 28 at 6 p.m. in Committee Room 1 & 1A, Burnaby City Hall, 4949 Canada Way, Burnaby."

CARRIED UNANIMOUSLY

7. INQUIRIES

Councillor Evans

Councillor Evans made reference to Item (B) of the Correspondence received to 2007 June 15 from the Commanding Officer, 637 Arrow Squadron, Royal Canadian Air Cadets regarding the need for a space to relocate to. Councillor Evans enquired what the City can do to help this organization?

The Director Parks, Recreation and Cultural Services advised that a preliminary investigation has begun, however due to the special flooring and space requirements for cadet activities it may take some time to find an appropriate location.

Councillor Johnston

Councillor Johnston made reference to a letter from Bill Siksay regarding funding for dredging Burnaby Lake and extended his compliments to Burnaby's MPs for being diligent about this matter.

8. ADJOURNMENT

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 9:14 p.m.

Confirmed:

Certified Correct:


MAYOR


A/DEPUTY CITY CLERK