

2008 JANUARY 14

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2008 January 14 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 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. D.R. Comis, City Clerk
Mrs. A.L. Lorentsen, A/Deputy City Clerk

MOVED BY COUNCILLOR BEGIN:
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.

1. MINUTES

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the minutes of the 'Open' Council meeting held on 2008 January 07 be now adopted."

CARRIED UNANIMOUSLY

2. REPORTS

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**A) His Worship, Mayor Derek R. Corrigan
Re: "Building a Safer Community: Gangs, Drugs
& Domestic Violence Issues" Conference**

His Worship, Mayor Derek R. Corrigan submitted a report requesting Council approval for Councillor Evans to attend a conference on 2008 February 28 & 29.

His Worship, Mayor Derek R. Corrigan recommended:

1. THAT Councillor Garth Evans be authorized to attend the UBCM 'Building a Safer Community: Gangs, Drugs and Domestic Violence' Conference to be held 2008 February 28 and 29 in Richmond and that expenses be paid by the City of Burnaby.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of His Worship, Mayor Derek R. Corrigan be adopted."

CARRIED UNANIMOUSLY

**B) Environment Committee
Re: Greening the BC Building Code – Update**

The Environment Committee submitted a report providing information on the current status of proposed amendments to the Building Code to promote green building objectives.

The Environment Committee recommended:

1. THAT Council request the Minister Responsible for Housing to take into consideration the comments provided with respect to the proposed green amendments to the BC Building Code, as outlined in Sections 2.1 to 2.3 of this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

C) Transportation Committee
Re: Public Consultation for Parkcrest Bikeway

The Transportation Committee submitted a report requesting Council approval in principle for a concept for the Parkcrest Bikeway, and authorization to undertake a public consultation process on that basis.

The Transportation Committee recommended:

1. THAT Council approve in principle the Parkcrest Bikeway concept as the basis of a public consultation process, as outlined in this report.
2. THAT Council request the Parks, Recreation and Culture Commission approve the use of the park areas identified for the Parkcrest Bikeway, as outlined in Section 4.0 of this report.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

D) Transportation Committee
Re: Lochdale Street: Local Traffic Measures

The Transportation Committee submitted a report on the traffic monitoring information and the outcome of a meeting with residents to discuss the traffic concerns with the opening of Lochdale Street to Sperling.

The Transportation Committee recommended:

1. THAT a copy of this report be sent to the residents of the 6500 block of Lochdale Street

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR RANKIN:

"THAT the Transportation Committee report regarding Lochdale Street be **REFERRED** back to the Transportation Committee for further review."

CARRIED UNANIMOUSLY

E) The City Manager presented a report dated 2008 January 14 on the matters listed following as Items 01 to 02 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Rezoning Reference #07-27**
3718, 3724, 3728, 3734, 3738 & 3744 Laurel Street
Response to Public Hearing Issues

The City Manager submitted a report from the Director Planning and Building responding to issues raised at the Public Hearing for Rezoning Reference #07-27.

The City Manager recommended:

1. THAT a copy of this report be sent to the applicant and to area residents who spoke at, or submitted correspondence to the Public Hearing for Rezoning Reference #07-27.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

2. **Unightly Property at 7321 Barnet Road**

The City Manager submitted a report from the Director Finance requesting Council approval for City staff or agents to enter the property at 7321 Barnet Road and remove unsightly materials at the property owners' expense, in accordance with the Unightly Premises Bylaw.

The City Manager recommended:

1. THAT Council authorize City staff or agents to enter the property at 7321 Barnet Road, to remove the accumulation of used building materials, rubbish and discarded materials referred to in this report that have created unsightly conditions, the costs of which will be charged to the property taxes if unpaid by December 31 of the year in which the expenses were incurred.

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 VOLKOW:

"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. TABLED MATTER

- A) Bylaws – Second Reading:
Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 51, 2007 – Bylaw No. 12388
(Tabled 2007 January 07)

The following Bylaw was tabled at the 'Open' Council meeting held on 2007 January 07:

SECOND READING:

#12388 3718/24/28/34/38/44 Laurel Street

REZ #07-27

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 51, 2007**

#12388

be now read a second time."

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR BEGIN:

"THAT the motion as moved by Councillor Johnston and seconded by Councillor Volkow, being 'THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 51, 2007**

#12388

be now read a second time' be now TABLED."

CARRIED UNANIMOUSLY

The bylaw was tabled pending a staff report requested at the 2007 December 18 Public Hearing.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the motion as moved by Councillor Johnston and seconded by Councillor Volkow being,

'THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 51, 2007**

#12388

be now read a second time' be now LIFTED from the table."

CARRIED UNANIMOUSLY

The motion was now before the meeting.

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

'THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 51, 2007	#12388
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be now read a second time' and same was CARRIED UNANIMOUSLY.

4. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Solid Waste Bylaw 1981, Amendment Bylaw 2008	#12405
Burnaby Local Area Service Construction Bylaw No. 1, 2008	#12406
Burnaby Local Area Service Construction Bylaw No. 2, 2008	#12407
Burnaby Local Area Service Construction Bylaw No. 3, 2008	#12408
Burnaby Local Area Service Construction Bylaw No. 4, 2008	#12409
Burnaby Local Area Service Construction Bylaw No. 5, 2008	#12410

be now introduced and read three times."

CARRIED UNANIMOUSLY

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

#12390 7555 Edmonds Street REZ #07-20
#12368 Text Amendment

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #12390
Bylaw No. 53, 2007

Burnaby Zoning Bylaw 1965, Amendment #12368
Bylaw No. 50, 2007

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 VOLKOW:

"THAT

Burnaby Highway Closure Bylaw No. 10, 2007 #12386

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

CARRIED UNANIMOUSLY

5. **NEW BUSINESS**

Councillor Rankin

Councillor Rankin, in reference to Item (C) Council Correspondence received 2008 January 11, from Fred Scott regarding wood burning fireplaces, was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR EVANS:

"THAT Council Correspondence Item (C) from Fred Scott be **REFERRED** to the Environment Committee."

CARRIED UNANIMOUSLY

Councillor Rankin, in reference to Council Correspondence Item (D) from BCGEU regarding the Information Package on Road & Highway Maintenance, was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR VOLKOW:

"THAT Council Correspondence Item (D) from BCGEU be **REFERRED** to Transportation Committee."

CARRIED UNANIMOUSLY

Councillor Jordan

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR EVANS:

"THAT the Community Development Committee meeting scheduled for 2008 January 22 be cancelled and be **RESCHEDULED** to 2008 February 06."

CARRIED UNANIMOUSLY

Councillor Jordan informed Council that, at the last Community Policing Committee meeting, OIC Supt. Taylor announced Burnaby has additional six new officers as part of the Integrated Road Safety Unit.

Councillor Jordan referred to a recent newspaper article wherein comments were made by Councillor Evans with regard to matters that are the subject of legal action between the City and Telus and the City and Kinder Morgan. Arising from the discussion Councillor Jordan was granted leave to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the City of Burnaby seek outside legal advice as to the propriety and legality under the Community Charter of comments in the press, attributed to Councillor Evans, in respect to confidential legal matters facing the city; including an opinion on the potential legal and financial position of the City in both the Kinder Morgan and Telus matters."

His Worship, Mayor Corrigan read relevant sections of the Community Charter respecting the duties of Council members and duty of confidentiality.

Councillor Evans advised that in his opinion he has not done anything wrong nor has he prejudiced the interest of the City as he only discussed the terms of a contract that should be available to the public. It is his belief the public has a right to know what is going on in the City.

CARRIED
OPPOSED: COUNCILLORS EVANS AND
RANKIN

Councillor Dhaliwal

Councillor Dhaliwal referred to Item (A) of Council Correspondence received to 2008 January 11 from George Laphorne, Director of Operations, Bonny's Taxi Ltd. requesting the City review its definition of uses permitted in the M4 zoning district to allow taxi businesses to locate in that district. Councillor Dhaliwal was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT Council Correspondence Item (A) from Bonny's be **REFERRED** to the Community Development Committee."

CARRIED UNANIMOUSLY

6. INQUIRIES

Councillor Rankin

Councillor Rankin raised a concern about a situation that had occurred last year whereby a matter that was the subject of a report to a Committee had appeared in the press prior to the 'Closed' report coming before Council. Councillor

Rankin inquired if the City Clerk had any knowledge of the report being given to the media by her staff.

The City Clerk assured Council that the media had not acquired the report in question from her Department.

7. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

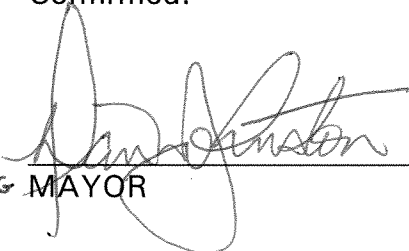
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 7:40 p.m.

Confirmed:



ACTING MAYOR

Certified Correct:



A/DEPUTY CITY CLERK