

## **2008 AUGUST 25**

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 August 25 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. Chu, Director Engineering  
Mr. R. Earle, Director Finance  
Mr. D. Ellenwood, Director Parks, Recreation & Cultural Services  
Mr. B. Luksun, Director Planning & Building  
Ms. A. Skipsey, Deputy City Clerk  
Ms. L. Axford, Administrative Officer I

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:10 p.m.

## **PROCLAMATIONS**

Councillor Johnston, on behalf of His Worship, Mayor Derek R. Corrigan proclaimed the month of September as "Arthritis Awareness Month" in the City of Burnaby.

Councillor Calendino, on behalf His Worship, Mayor Derek R. Corrigan proclaimed the month of September as "Terry Fox Month" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed the week of 2008 September 1<sup>st</sup>-7<sup>th</sup> as "Union Label Week" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed Saturday, 2008 August 30<sup>th</sup> as "Taiwan Day" in the City of Burnaby.

**1. MINUTES**

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the 'Open' Council meeting held on 2008 July 21 be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the Public Hearing (zoning) held on 2008 July 22 be now adopted."

CARRIED UNANIMOUSLY

**2. DELEGATIONS**

The following wrote requesting an audience with Council:

**A) Nellie Wong, Kehli's Sharing Society**

**Re: Parking for Disabled**

**Speakers: Nellie Wong  
Peter Hanson**

**B) Norm Bacon**

**Re: Street Cleaning**

**Speaker: Norm Bacon**

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- A) Ms. Nellie Wong, 4655 Westlawn Drive, Burnaby and Mr. Peter Hanson, 7264 Kingsway, Burnaby** appeared before Council to address the staff report related to Burnaby's policies for parking for the disabled. Ms. Wong advised Council that her daughter is disabled and is non-verbal. Therefore, the speaker is an advocate for the disabled and sits on a number of committees, including Burnaby's Access Awareness Committee. The delegation stated

that street parking is preferential for people with side lifts on their vehicles as it is much safer to exit onto the sidewalk. Ms. Wong suggested that many disabled people have a hard time using the meters and also have many other expenses related to their disability.

Mr. Hanson noted that the low number of participants in Vancouver's decal program could be attributed to the fact most persons with disabilities to the extent where they would be unable to feed the meter are usually accompanied by a companion, care giver or hired driver.

The speaker also noted that the sale of decals would limit the privilege to only those residents of Burnaby. Mr. Hanson clarified that the handicap parking placards are registered to the disabled person, not to their vehicle. The delegation suggested that the City could consider having a set number of hours where parking for the disabled would be free. In conclusion, Mr. Hanson provided copies of the Street & Traffic bylaws from both the City and District of North Vancouver for options.

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

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR EVANS:

"THAT the Tabled Matter Item 5.(A) Manager's Reports be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Tabled matter was now before the meeting.

**A) Item 15, Manager's Reports**  
**Re: Parking for People with Disabilities**  
**(Tabled 2008 July 21)**

The following report was tabled at the 2008 July 21 'Open' meeting of Council:

**15. Parking for People with Disabilities**

The City Manager submitted a report from the Director Engineering responding to a request for free metered parking for people with disabilities and presenting a proposal of improving on-street disabled parking accessibility.

The City Manager recommends:

1. THAT staff be authorized to improve on-street parking accessibility for people with disabilities by providing additional designated parking spaces (metered or non-metered) on city streets where appropriate, for vehicles displaying a disability placard.
2. THAT a copy of this report be sent to Mr. Peter Hanson of 1203-7264 Kingsway, Burnaby, BC, V5E 3Z5.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR VOLKOW:

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

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR VOLKOW:

"That the motion as moved by Councillor Dhaliwal and seconded by Councillor Volkow being 'That the recommendations of the City Manager be adopted' be now **TABLED**."

**CARRIED UNANIMOUSLY**

This item was **TABLED** until the 2008 August 25 'Open' Council meeting in order to allow a delegation related to this matter to appear before Council.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR EVANS:

"That the motion as moved by Councillor Dhaliwal and seconded by Councillor Volkow being 'That the recommendations of the City Manager be adopted' be now **LIFTED** from the table."

**CARRIED UNANIMOUSLY**

*Councillor Calendino retired from the Council meeting at 7:57 p.m.*

A vote was then taken on the motion as moved by Councillor Dhaliwal and seconded by Councillor Volkow being 'THAT the recommendations of the City Manager be now adopted' and same was **CARRIED UNANIMOUSLY**.

- B) **Norm Bacon, 6585 McKay Avenue**, appeared before Council to discuss a lack of street cleaning in his area. Mr. Bacon noted that it had been more than a year since his street and the streets in his

neighbourhood had been cleaned. The delegation questioned whether this is due to a lack of equipment or manpower.

*Councillor Calendino returned to the Council Chamber at 8:00 p.m. and took his place at the Council table.*

Mr. Bacon also stated his concern about the weeds allowed to grow on the boulevards and noted that when City staff do trim the weeds and grass they leave all of the debris on the roads.

In conclusion, the speaker advised Council that it had taken him two hours to travel from Maywood and Willingdon to City Hall by transit bus and commented that people will never get out of their cars with this type of service.

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

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the correspondence be received."

CARRIED UNANIMOUSLY

A) **Rick Kotar, Burnaby Civic Employees' Union  
Local 23 C.U.P.E.  
Re: 2008 United Way Loaned Representative  
PROGRAMME**

A letter was received from Burnaby Civic Employees' Union President, Rick Kotar, inviting the City to once again participate in the United Way Labour Loaned Representative program by granting a paid leave for a skilled labour representative from August through December 2008.

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

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JORDAN:

"THAT the request for a paid leave for a City worker from 2008 August to December to participate in the 2008 United Way Loaned Representative Programme be approved."

CARRIED UNANIMOUSLY

#### **4. REPORTS**

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

- A) The City Manager presented a report dated 2008 August 25 on the matters listed following as Items 01 to 21 either providing the information shown or recommending the courses of action indicated for the reasons given:

##### **1. World Rivers Day 2008**

The City Manager submitted a report from Director Planning and Building providing the schedule of events for World Rivers Day and requesting Council authorization for advertising and promotion expenditures. The report concludes that World Rivers Day 2008 will once again provide an opportunity for residents, businesses, local community and environmental groups, government agencies and educational institutions to increase their awareness and contribute to the health of Burnaby's waterways. A variety of interactive hands-on activities will be offered at the Water and Wildlife – Explore Guichon Creek event, set for Sunday, September 28 (11:00 am to 3:00 pm) at Guichon Creek on the BCIT campus. Advertising will be placed in both local papers, in the *Georgia Straight*, on the websites of the City of Burnaby and the Outdoor Recreation Council of BC, at local libraries and recreation centers, at BCIT campus, and at various sponsor or partner retail locations throughout the City.

The City Manager recommended:

1. THAT Council approve the proposed events for World River's Day 2008, and authorize funding in the amount of \$7,500 for advertising and promotion, as outlined in this report.
2. THAT a copy of this report be forwarded to the Environment Committee for information.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

**2. 2008 Cycle Road Program: Burris Street**

The City Manager submitted a report from Director Planning and Building requesting Council expenditure authorization for improvements to the City's Cycle Road network. This project is being undertaken in conjunction with the pavement rehabilitation program, which provides an opportunity cost-effective development of a section of the cycle network.

The City Manager recommended:

1. THAT Council approve the Cycle Road construction work on Burris Street, as outlined in this report, and authorize the subject expenditure of \$840,000.
2. THAT this report be forwarded to the Transportation Committee, including the Bicycle Advisory Group, for information.

MOVED BY COUNCILLOR DHALIWAL:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**3. Rezoning Reference #08-29**  
**Proposed Transitional and Supportive Housing**  
**5170 Hastings Street**

The City Manager submitted a report from Director Planning and Building requesting Council to amend the rezoning bylaw to permit transitional and supportive housing use at the subject site. The purpose of the proposed rezoning bylaw amendment is to permit use of the two existing building on site as transitional and supportive housing for women and children.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2008 September 8 and to a Public Hearing on 2008 September 30 at 7:30 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
  - a. The submission of a suitable plan of development.

- b. The granting of any necessary statutory rights-of-way or easements.
- c. The granting of a Section 219 Covenant indicating that the site will be used as non-profit transitional and supportive housing.
- d. The submission of an Operational Management Plan as detailed in Section 5.7 of this report.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**4. Rezoning Reference #07-59**  
**High-rise Apartment Tower and Townhousing**  
**Brentwood Development Plan - Sub-Area 3**

The City Manager submitted a report from Director Planning and Building seeking Council authorization to forward the application to a Public Hearing on 2008 September 30. The purpose of the proposed rezoning bylaw amendment is to permit a high-rise apartment tower with street-facing townhouses within the Brentwood Town Centre Development Plan area.

The City Manager recommended:

- 1. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.3 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
- 2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2008 September 08, and to a Public Hearing on 2008 September 30 at 7:30 p.m.
- 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) The removal of all existing improvements from the site prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw. 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 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 (southern development) site into one legal parcel.
- g) The granting of any necessary covenants, including, but not necessarily limited to, Section 219 Covenants restricting the enclosure of balconies, indicating that project surface driveway accesses will not be restricted by gates, allocating development densities on the overall site, guaranteeing provision and maintenance of public art, retention of identified trees and providing that all disabled parking to remain as common property.

- h) The granting of a Section 219 Covenant for the provision of four surface car co-op spaces, with cars and memberships for the each of the residential units to be held as common property in accordance with Section 3.6 of this report.
- i) The granting of any necessary easements and statutory rights-of-way including but not limited to a statutory right-of-way guaranteeing CAN members' access to the co-op car parking area.
- j) The dedication of any rights-of-way deemed requisite.
- 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 protected by Section 219 Covenant.
- l) 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.
- m) 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.
- n) The pursuance of green building practices for the proposed development (Built Green Gold rating) in accordance with Section 3.6 of this report.
- o) The deposit of the applicable GVS & DD Sewerage Charge.
- p) The deposit of the applicable Parkland Acquisition Charge.
- q) The deposit of the applicable School Site Acquisition Charge.

- r) Completion of the Highway Closure Bylaw.
- s) The provision of facilities for cyclists in accordance with this report.
- t) The undergrounding of existing overhead wiring adjacent to the site.
- u) Compliance with the Council-adopted sound criteria.
- v) The review of a detailed Sediment Control System by the Director Engineering.
- w) The submission of a Site Profile and resolution of any arising requirements.
- x) Compliance with the guidelines for underground parking for visitors.
- y) 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 VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**5. Rezoning Reference #07-56**  
**Infill Townhouse Development with Under-Building Park**  
**Apartment study Area 'B'**

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The City Manager submitted a report from Director Planning and Building seeking Council authorization to forward the application to a Public Hearing on 2008 September 30. The purpose of the proposed rezoning bylaw amendment is to permit the construction of a five-unit infill townhouse development with under-building parking.

The City Manager recommended:

- 1     THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2008 September 8 and to a Public Hearing on 2008 September 30 at 7:30 p.m.
2.    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)     Removal of all existing improvements from the site prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw.  
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 granting of any necessary statutory rights-of-way, easements and /or covenants.
  - f)     The granting of a Section 219 Covenant restricting enclosure of balconies.

- g) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- h) The review of a detailed Sediment Control System by the Director Engineering.
- i) The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- j) Compliance with Council-adopted sound criteria.
- k) The undergrounding of existing overhead wiring abutting the site.
- l) The deposit of the applicable Parkland Acquisition Charge.
- m) The deposit of the applicable GVS & DD Sewerage Charge.
- n) The deposit of the applicable School Site Acquisition Charge.
- o) 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 DHALIWAL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**6. Road Dedication – City Lot at 2241 Douglas Road  
Rezoning Reference #05-47 & 06-60  
X-Ref Subdivision References #05-47 & #07-57**

The City Manager submitted a report from Director Planning and Building seeking Council authority to dedicate a City-owned lot at 2241 Douglas Road for road right-of-way purposes. Under Rezoning References #05-47 and #06-60, Council approved the construction of the Dawson Street extension as a component of the servicing for the subject rezoning applications. Construction of this road and related intersection works is being jointly undertaken by the developers for the noted rezoning applications, and necessitates the dedication of the City-owned lot at 2241 Douglas Road as road allowance.

The City Manager recommended:

1. THAT Council authorize the dedication of the City-owned lot at 2241 Douglas Road as road allowance.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**7. Proposed Preliminary Plan Approval  
7513 Edmonds Street  
Request for the construction of a new  
C4 Development Edmonds Town Centre Plan Sub-Area 1**

The City Manager submitted a report from Director Planning and Building informing Council of a request to construct a commercial building within the Edmonds Town Centre Plan.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR DHALIWAL:

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

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

This item was TABLED to allow the members of Council a further opportunity for review.

**8. 16 North Gilmore, Avenue, Burnaby, BC  
South Half Lot 1, Block 16, DL 187, Group 1,  
Newstminster District, Plan 1282 ("The Property")**

The City Manager submitted a report from Director Planning and Building recommending that Council declare the fire damaged dwelling on the property to be in hazardous condition and so dilapidated and unclean as to be a nuisance, and require that the property owners complete the remedial action requirements set out in this report.

The City Manager recommended:

1. THAT Council declare the building on the property to be in an unsafe condition.
2. THAT Council declare the building on the property to be a nuisance as being so dilapidated and unclean as to be offensive to the community.
3. THAT Council require the registered property owners to complete the following remedial action requirements:
  - a) demolish the building on the property and remove all demolition waste, building materials and refuse, or
  - b) bring the building on the property up to a standard specified by zoning, building, plumbing, and electrical bylaws

- c) obtain all permits and approvals required to complete a) or b) above.
- 4. THAT notice of these remedial action requirements and a copy of this report be given to the registered property owners and each holder of a registered charge in relation to the property.
- 5. THAT Council require the property owners to complete the remedial action requirements not later than 60 days after the notice referred to in Recommendation 4 is given to them.
- 6. THAT Council direct that if the property owners should fail to take the remedial actions referred to in Recommendation 3, the City be authorized to demolish the building on the property and remove all demolition waste, building materials, and refuse and recover the costs incurred from the property owners.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

"THAT Recommendation No. 5 be AMENDED to require the property owners to complete the remedial action requirements not later than 30 days after the notice referred to in Recommendation 4 is given to them."

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Begin and seconded by Councillor Volkow being 'THAT the recommendations of the City Manager be adopted' AS AMENDED and same was CARRIED UNANIMOUSLY.

**9. 4981 Claude Avenue, Burnaby, BC  
Lot 170, D.L. 85, Group 1, N.W.D., Plan 40315**

The City Manager submitted a report from Director Planning and Building recommending that Council declare the building on the subject property a fire hazard and order that it be demolished. The report advises that the building on the Property is currently vacant and open to unauthorized access by vagrants. The interior shows obvious signs of being occupied and the fireplace being used. This constitutes a hazard to property and life safety of those accessing the building.



The City Manager recommended:

1. THAT Council declare the building on the property having the civic address 4981 Claude Avenue (the "Property") to be a fire hazard nuisance.
2. THAT Council require the owners of the Property to complete the following remedial action requirements by not later than 30 days after the notice referred to in Recommendation #3:
  - a) Demolish the building;
  - b) Remove from the Property all building materials and demolition waste; and
  - c) Obtain all permits and approvals, as may be required, to effect the works outlined in (a) and (b) above.
3. THAT Notice of the remedial action requirements and a copy of this report be given to the following owners of the land and each registered charge holder in relation to the Property:
  - a) 0780256 BC Ltd.,  
104 – 2418 E. Broadway  
Vancouver, BC – V5M 4T9
  - b) Premka Nand  
3395 Euclid Avenue  
Vancouver, BC – V5R 5G1
4. THAT Council direct that if the owners of the property fail to fulfill the remedial action requirements, the City be authorized to fulfill the remedial action requirements and recover the costs incurred by the City from the owners as a debt similar to taxes in arrears if they are unpaid on 2008 December 31.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

**10. 277 Howard Avenue, Burnaby, BC  
Lot 108, D.L. 127, Group 1, Plan 49812, N.W.D.**

The City Manager submitted a report from Director Planning and Building requesting Council resolution to file a Notice in the Land Title office pursuant to Section 57 of the Community Charter. The property contains unauthorized construction which is the subject of a complaint of an unauthorized enclosed sunroom. A building permit cannot be obtained as the property is at maximum development permitted.

The City Manager recommended:

1. THAT Council direct the City Clerk to file a Notice in the Land Title Office stating that:
  - a) A resolution relating to the land at 277 Howard Avenue, Burnaby, B.C. has been made under Section 57 of the Community Charter, and further information respecting the resolution may be inspected at the offices of the City Clerk, City of Burnaby.
2. THAT a copy of this report be sent to the following owners:
  - a) Loredana Balic and Stjepan Balic  
277 Howard Avenue  
Burnaby, B.C. – V5B 3P6

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR BEGIN:

“THAT the recommendations of the City Manager be adopted.”

CARRIED UNANIMOUSLY

**11. Building Permit Tabulation Report No:7  
From 2008 July 01 – 2008 July 31**

The City Manager submitted a report from the Director Planning and Building providing Council with information on the 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 VOLKOW:  
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**12. Burnaby City Employees Retirement Age  
Bylaw No. 8178**

The City Manager submitted a report from the Human Resources Director advising Council on amendments made to the *B.C. Human Rights Code* which prohibits discrimination against persons age 65 or older and effectively eliminating mandatory retirement in British Columbia. The City sought to negotiate a Letter of Understanding with CUPE, Local 23 to address issues arising from the change in legislation and were successful in achieving an agreement.

The City Manager recommended:

1. THAT the City Solicitor be authorized to prepare a bylaw to repeal Bylaw No. 8178 adopted by Burnaby City Council in 1984.

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**13. 2008 Local Government Election**

The City Manager submitted a report from the City Clerk recommending the appointment of a new Chief Election Officer and Deputy Chief Election Officer.

The City Manager recommended:

1. THAT Anne R. Skipsey be appointed Chief Election Officer for the 2008 Local Government Election.
2. THAT Ann Lorentsen be appointed Deputy Chief Election Officer for the 2008 Local Government Election.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**14. 30<sup>th</sup> Annual Christmas Toy Run**

The City Manager submitted a report from Director of Engineering advising Council on the preparations for the 30<sup>th</sup> Annual Christmas Toy Run to be held on Sunday, 2008 October 5. The Christmas Toy Run is an annual event that provides a large quantity of toys for families throughout the Lower Mainland.

The City Manager recommended:

1. THAT the 30<sup>th</sup> Annual Toy Run be approved as discussed in this report.
2. THAT the RCMP and City staff be authorized to provide continuing support for this event as discussed in this report.
3. THAT a copy of this report be sent to the event coordinator, Chris Bayliss, Executive Director, Lower Mainland Christmas Bureau, Floor 3-1870 Pandora St, Vancouver BC V5L 1M5

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

**15. Road Closure Request – Health Kids  
Preschool Fair**

The City Manager submitted a report from Director Engineering seeking Council approval for a temporary road closure to facilitate a community event. A request to use City streets for the 11<sup>th</sup> Annual Healthy Kids Preschool Fair on 2008 October 02 has been received and Council approval is required.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.

2. THAT the coordinator of the event, Daniela Tench, Recreational Programmer, Eastburn Community Centre, 7435 Edmonds St, Burnaby BC V3N 1B1, be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

**16. Road Closure Request –  
For Edmonds City Fair**

The City Manager submitted a report from Director Engineering seeking Council approval for a temporary road closure to facilitate a community event. A request to use City streets for the "Edmonds City Fair" on Sunday, 2008 September 14, has been received and Council approval is required. Edmonds Town Centre Business & Community Association, Edmonds Lions Club, City of Burnaby and Burnaby NewsLeader, are organizing their 5<sup>th</sup> City Fair including an "old fashioned" picnic at Richmond Park to celebrate multiculturalism and community in the Edmonds area. The event will require the closure of Vista Crescent from Fulton to Humphries from 8am to 5pm.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT Paul McDonell, Chair, Edmonds City Fair, 209-6707 Southpoint Dr, Burnaby BC V3N 4V8, be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

**17. Internal Orders**

The City Manager submitted a report from Director Engineering seeking Council approval for funding for these Internal Orders: Water and Sewer Infrastructure Renewals; 60-30115 Sewer System Evaluation; 60-32140 Stormwater BMP Implementation Plan; and 60-70-442 Traffic Signal at Kingsway / McMurray Ave.

The City Manager recommended:

1. THAT Internal Orders, as more specifically referred to in this report, be approved.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

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

The City Manager submitted a report from Director Finance seeking Council approval 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 VOLKOW:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

**19. Tender for the Supply of Gravel and Sand Aggregates**

The City Manager submitted a report from Director of Finance seeking Council approval to extend the contract for the supply and delivery of gravel and sand aggregates by one year. Considering the increases in construction materials, labour rates and fuel costs, the proposed increases are considered acceptable.

The City Manager recommended:

1. THAT the option be accepted to extend the contract awarded to Mainland Sand & Gravel Ltd., for the supply and delivery of gravel and sand aggregates, for an additional one year period at an estimated additional cost of \$606,814.25 with final payment based on actual quantities and unit prices.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**20. Contract No. 2008-24**  
**2008 Road and Lane Rehabilitation**

The City Manager submitted a report from Director Finance seeking Council approval to award a contract for rehabilitation work on various roads. The Director Engineering is of the opinion that the tenders received are competitive and reflective of current market conditions.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Lafarge Canada Inc. C.O.B. as Columbia Bitulithic, for rehabilitation work on various roads of the Local Road Network (LRN) and lanes within the City of Burnaby for a total cost of \$1,992,461.10 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

**21. Contract No. 2008-11**  
**2008 LASP (Roadworks: Phase 1 and II**  
**Street Lighting: Phase 1)**

The City Manager submitted a report from Director Finance seeking Council approval to award a contract for road and street lighting rehabilitation. The recommended bidder, Jack Cewe Ltd., has completed several projects under contract for the City in the past and all were completed to the satisfaction of the City.

The City Manager recommended

1. THAT a contract be awarded to the lowest bidder, Jack Cewe Ltd., for road and street lighting rehabilitation for a total cost \$3,269,826.00 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

MOVED BY COUNCILLOR BEGIN :

SECONDED BY COUNCILLOR JOHNSTON:

"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) Item 15, Manager's Reports**  
**Re: Parking for People with Disabilities**  
**(Tabled 2008 July 21)**

The following report was tabled at the 2008 July 21 'Open' meeting of Council:

**15. Parking for People with Disabilities**

The City Manager submitted a report from the Director Engineering responding to a request for free metered parking for people with disabilities and presenting a proposal of improving on-street disabled parking accessibility.

The City Manager recommended:

1. THAT staff be authorized to improve on-street parking accessibility for people with disabilities by providing additional designated parking



spaces (metered or non-metered) on city streets where appropriate, for vehicles displaying a disability placard.

2. THAT a copy of this report be sent to Mr. Peter Hanson of 1203-7264 Kingsway, Burnaby, BC, V5E 3Z5.

**MOVED BY COUNCILLOR RANKIN:**

**SECONDED BY COUNCILLOR VOLKOW:**

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

**MOVED BY COUNCILLOR RANKIN:**

**SECONDED BY COUNCILLOR VOLKOW:**

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

**CARRIED UNANIMOUSLY**

**This item was TABLED until the 2008 August 25 'Open' Council meeting in order to allow a delegation related to this matter to appear before Council.**

**This matter was dealt with previously in the 'Open' Council meeting in conjunction with Delegation 2 A).**

- B. Item 08, Manger's Reports**  
**Re: Rezoning Reference #03-46**  
**Response to Public Hearing Issues**  
**(Tabled 2008 July 21)**

- 08. Re: Rezoning Reference #03-46**  
**5607, 5625, 5641 & Ptn. of 5587 Chaffey Avenue**  
**Metrotown Development Plan, Sub-Area 11**  
**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 References #03-46. The report indicates that the proposed three-storey thirty unit townhouse development with underground parking conforms in density, scale and siting to the adopted Metrotown Development Plan designation with the site being rezoned to the CD Comprehensive Development District. In response to issues raised at the Public Hearing regarding the proposed Sardis Street connection, the report provides clarification of area circulation options, and notes that the project driveway from a new dead-end lane could provide suitable access to the**

project while still providing a public pedestrian and cyclist through-block connection in the form of a greenway buffer delineating the boundary between multiple-family dwellings to the south and the single and two-family neighbourhood to the north. It would be the intent of staff to work with the applicant to achieve the proposed modifications to the development plan with the Sardis Street connection not being built as part of this project.

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 #03-46.

**MOVED BY COUNCILLOR BEGIN:**

**SECONDED BY COUNCILLOR VOLKOW:**

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

**MOVED BY COUNCILLOR BEGIN:**

**SECONDED BY COUNCILLOR VOLKOW:**

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

**CARRIED UNANIMOUSLY**

**This item was TABLED until the 2008 August 25 'Open' Council Meeting in order to provide Council members with a further opportunity for review.**

**MOVED BY COUNCILLOR BEGIN:**

**SECONDED BY COUNCILLOR JOHNSTON:**

**"THAT the motion as moved by Councillor Begin and seconded by Councillor Volkow being 'THAT the recommendation of the City Manager be adopted' be now **LIFTED** from the Table."**

**CARRIED UNANIMOUSLY**

The report was now before the meeting.

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 JOHNSTON:

"THAT this item from the Manager's report of 2008 July 21, together with the Plan of Development for Rezoning Reference #03-46, presented to Public Hearing on 2008 June 24, be REFERRED back to staff for reconsideration; and

THAT the Planning and Building Department be authorized to work with the applicant for Rezoning Reference #03-46 to prepare a revised suitable plan of development solely for the properties at 560, 5625, and 5641 Chaffey Avenue for presentation to Public Hearing; and

THAT the Metrotown Development Plan be amended to delete the proposed Sardis Street road alignment between Halley Avenue and Chaffey Avenue; and

THAT staff be authorized to prepare the City owned lots at 5608 Halley and 5587 Chaffey Avenue for sale by public tender based on the prevailing R5 Residential District with provision through re-subdivision for a paved and lit public pedestrian and cycle path to connect Halley Avenue to Chaffey Avenue, subject to required Council approvals; and

THAT the City Clerk be directed to advise the applicant and those who spoke at or submitted correspondence to the Public Hearing for Rezoning Reference #03-46 of these resolutions."

CARRIED UNANIMOUSLY

- C) **Item 18, Manger's Reports**  
**Re: Unsightly Premises at 22, 104 and**  
**106 Holdom Avenue North**  
**(Tabled 2008 July 21)**

The following report was tabled at the 2008 July 21 'Open' meeting of Council.

18. **Unsightly Premises at 22, 104 and 106 Holdom Avenue North**

The City Manager submitted a report from the Director Finance requesting Council authority for City staff to enter the adjacent properties at 22, 104 and 106 Holdom Avenue North and remove unsightly materials at the property owner's expense in accordance with the Unsightly Premises Bylaw.

The City Manager recommended:

1. THAT Council authorize City staff or agents to enter the adjacent properties at 22, 104 and 106 Holdom Avenue North to remove and dispose of the accumulation of rubbish, discarded materials and overgrowth 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 BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

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

**CARRIED UNANIMOUSLY**

This item was TABLED in order to provide Council additional time for review of this matter.

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

- D) Bylaws – Second Reading:  
Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 26, 2008 – Bylaw No. 12466  
(Tabled 2008 July 07)

SECOND READING:

#12466 5607/25/41 & Ptn. 5587 Chaffey Avenue

REZ #03-46

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 26, 2008

#12466

be now TABLED."

**CARRIED UNANIMOUSLY**

**The Bylaw was TABLED to allow staff additional time to prepare a staff report on the issues raised at the Public Hearing in relation to Rezoning Reference #03 – 46.**

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

**6. BYLAWS**

**FIRST, SECOND & THIRD READING:**

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Development Cost Charge Reserve Fund Expenditure Bylaw No. 1, 2008	#12498
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Burnaby Local Area Service Construction Bylaw No. 6, 2008	#12499
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Burnaby Local Area Service Construction Bylaw No. 7, 2008	#12500
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Burnaby Local Area Service Construction Bylaw No. 8, 2008	#12501
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Burnaby Animal Control Bylaw 1991 Amendment Bylaw 2008	#12502
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Burnaby Highway Closure Bylaw No. 5, 2008	#12503
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be now introduced and read three times."

CARRIED UNANIMOUSLY

**SECOND READING:**

#12482	7423 / 49 / 81 & 7515 Gilley Avenue	REZ.#08-04
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#12483	7164 / 70 / 78 Stride Avenue	REZ.#07-50
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#12484	6451 / 75 / 79 Telford Ave. and Ptn. Lane Allowance	REZ.#08-05
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MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #12482  
Bylaw No. 35, 2008

Burnaby Zoning Bylaw 1965, Amendment #12483  
Bylaw No. 36, 2008

Burnaby Zoning Bylaw 1965, Amendment #12484  
Bylaw No. 37, 2008

Burnaby Zoning Bylaw 1965, Amendment #12485  
Bylaw No. 38, 2008

Burnaby Zoning Bylaw 1965, Amendment #12486  
Bylaw No. 39, 2008

be now read a second time."

CARRIED UNANIMOUSLY

**CONSIDERATION & THIRD READING:**

#12233	5587, 5607, 5621 & 5635 Inman Avenue	REZ.#06-15
#12260	7520 Seventeenth St. and 7157 Stride Ave.	REZ.#06-45
#12440	6655 and 6669 Kingsway	REZ.#07-48

MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #12233  
Bylaw No. 7, 2007

Burnaby Zoning Bylaw 1965, Amendment #12260  
Bylaw No. 22, 2007

Burnaby Zoning Bylaw 1965, Amendment #12440  
Bylaw No. 16, 2008

be now read a third time."

CARRIED UNANIMOUSLY

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

#12472      1409 Sperling Avenue

REZ.#07-54

MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 32, 2008

#12472

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

CARRIED UNANIMOUSLY

**RECONSIDERATION AND FINAL ADOPTION:**

Burnaby Vehicle Immobilization & Towing Bylaw, Amendment Bylaw 2008, No. 12479  
was WITHDRAWN from the agenda prior to the 'Open' Council meeting.

#12197      2190, 2200 & 2244 Douglas Road

REZ.#05-47

#12432      Text Amendment

REZ.#06-42

MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 60, 2008 – REZ#05-47

#12197

Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 14, 2008 – REZ#06-42

#12432

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

CARRIED UNANIMOUSLY

## **6. NEW BUSINESS**

### **Councillor Rankin**

Councillor Rankin made reference to a recent Press Release received from the Director Planning & Building with regard to an announcement by the Provincial Minister of Public Safety and Solicitor General John Van Dongen outlining intentions to replace the former youth detention centre on Willingdon Avenue with a remand facility by 2012.

*Councillor Calendino retired from the Council Chamber at 9:13 p.m.*

Council expressed their concerns about this announcement and the way in which it was made and delivered to the City of Burnaby.

*Councillor Calendino returned to the Council Chamber at 9:15 p.m. and took his place at the Council table.*

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

MOVED BY COUNCILLOR RANKIN:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT staff prepare a report regarding the announcement of a remand centre, providing information on the issues and options available to Council."

CARRIED UNANIMOUSLY

### **Councillor Begin**

Councillor Begin advised that through recent discussions with Wilf Hurd, Director Government Relations, Simon Fraser University, he had become aware that the theatre on campus may be coming available for use to an organization outside of the University.

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 VOLKOW:

"THAT staff prepare a report on the advisability and feasibility regarding possible usage of the theatre at Simon Fraser University."

CARRIED UNANIMOUSLY



**7. INQUIRIES**

**Councillor Johnston**

Councillor Johnston inquired about noise from construction on Highway #1 and inquired about the schedule of working hours.

Director Planning and Building advised construction involves restriping of lanes. Phase 2 of the project will be done behind screening to mitigate any construction noise.

**Councillor Rankin**

Councillor Rankin inquired as to the status of the Master Plan at Central Park as he had read about discussions taking place between a major developer and the Mayor's Office regarding a proposed expansion of Swangard Stadium.

His Worship Mayor Derek R. Corrigan advised there have been expressions of interest by an MLS franchise, however, they have been told that the process requires all decisions must go through Council.

**8. ADJOURNMENT**

MOVED BY COUNCILLOR EVANS:

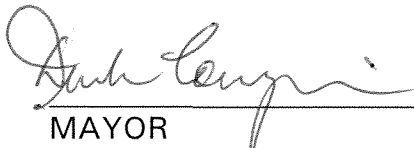
SECONDED BY COUNCILLOR JORDAN:

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

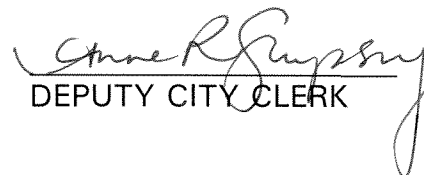
CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 9:48 p.m.

Confirmed:

  
MAYOR

Certified Correct:

  
DEPUTY CITY CLERK