

2008 OCTOBER 27

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 October 27 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. Nokony, Assistant Director Cultural Services
Mr. B. Luksun, Director Planning & Building
Mr. B. Rose, City Solicitor
Mrs. D.R. Comis, City Clerk
Ms. B. Zeinabova, A/Administrative Officer Operations

MOVED BY COUNCILLOR BEGIN:

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 E S E N T A T I O N

City of Burnaby Community Policing Award

Presenters: His Worship, Mayor Derek Corrigan

Councillor Pietro Calendino, Chair, Community Policing Committee

Award Recipient: Jay William Ponting

Councillor Calendino introduced award recipient Jay William Ponting. His Worship Mayor Corrigan and Councillor Calendino presented Mr. Ponting, who was in attendance at the Council meeting, with a crystal plaque.

His Worship Mayor Corrigan introduced members of the Community Policing Committee in attendance at the meeting; Diane Gillis, Gloria Inglis, Chris Hildred, Stan Fukawa and RCMP Inspector Brad Demarais.

His Worship Mayor Corrigan congratulated and thanked Mr. Ponting for his unselfish act of bravery.

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

His Worship Mayor Derek R. Corrigan proclaimed the week of November 03rd to 09th, 2008 as ***"Seniors' Fall Prevention Week"*** in the City of Burnaby.

His Worship Mayor Derek R. Corrigan proclaimed the week of October 27th to November 02nd, 2008 as ***"Diwali Week"*** in the City of Burnaby.

1. MINUTES

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the minutes of the 'Open' Council meeting held on 2008 October 20 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) Jim Ervin
Re: Parkcrest Bikeway
Speaker: Jim Ervin
- B) Ivan Hnatuik
Re: Traffic Issues in North Burnaby
Speaker: Ivan Hnatuik

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- A) Mr. Jim Ervin**, 1451 Sherlock Avenue, Burnaby, appeared before Council to request the names and addresses of the people who made favourable comments on the Parkcrest Bikeway. It is Mr. Ervin's contention the survey has been tampered with and the people in favour do not really exist.

The speaker contends the Parkcrest Bikeway does not have community support. Mr. Ervin spoke against increased density and the twinning of the Port Mann bridge.

In conclusion, Mr. Ervin requested Council place a question on the ballot about bike routes in Burnaby.

- B) Mr. Ivan Hnatuik**, 4253 Albert Street, Burnaby, appeared before Council to express frustration about traffic in North Burnaby.

Mr. Hnatuik advised that residents of North Burnaby are at the mercy of the illegal actions of rat runners through their neighbourhoods. The speaker outlined 4 specific areas of safety concerns: speeding; stop sign violations; truck traffic not permitted on residential streets; and excessive traffic volumes for residential streets.

The speaker reviewed the history of their presentations to the Traffic and Transportation Committees beginning in 2004, and the subsequent failed attempts to undertake surveys, studies and staff reports leading to the present day.

Mr. Hnatuik advised that their greatest fear is the dire consequences of traffic and rat running unchecked in the neighbourhood. In July 2008, a 6 year old boy was struck by an SUV in their neighbourhood. The young boy was hospitalized for 4 days as a result of his injuries. The delegation advised the problems are worse than ever before and the residents feel their proposals have not been heard by Council.

In conclusion, Mr. Hnatuik requested Councillors respond to three questions:

- 1) Do you believe it is your responsibility as a member of Council to ensure that the traffic laws and bylaws currently in place regarding stop signs and speeding are enforced?
- 2) Do you believe it is your responsibility to protect the safety of the residents of Burnaby by curbing the inconsiderate, illegal and dangerous actions of arrogant rat runners as currently experienced by Burnaby residents?
- 3) Having failed over the past four years to enforce the existing laws and having failed to implement effective solutions to these issues, are you now prepared to consider inhibiting the traffic on our residential side streets and abandon the previously held position that we must keep traffic moving at all times?

Councillor Rankin retired from the Council Chamber at 8:02 p.m.

Councillor Rankin returned to the Council Chamber at 8:04 p.m. and took his place at the Council table.

3. REPORTS

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the Council meeting do now recess."

CARRIED UNANIMOUSLY

The Council meeting recessed at 8:14 p.m.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the Council meeting do now reconvene."

CARRIED UNANIMOUSLY

The Council meeting reconvened at 8:20 p.m.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT Report Item 3 (E) be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

E) Environment Committee
Re: Sustainable Purchasing Guidelines
And Initiatives

The Environment Committee submitted a report to inform Council of initiatives undertaken by the Purchasing Department and to seek Council endorsement of the proposed Sustainable Purchasing Guidelines and Initiatives. Ms. Gisele Caron, the City of Burnaby's Purchasing Manager, appeared before Council to present information on sustainable purchasing practices undertaken by the Purchasing Department.

Current sustainable purchasing practices include electronic process management; materials, equipment and services; and establishment of sustainable purchasing guidelines promoting reduced impact on the environment of products and services utilized by the City. The presentation outlined short term goals for the furtherance of the City's sustainable purchasing program through the formation of "*The Green Team*", with representatives from all City Departments; a sustainable vehicle acquisition process and a review of long term goals.

The Environment Committee recommended:

1. THAT Council endorse the proposed Sustainable Purchasing Guidelines and Initiatives, as outlined in this report.
2. THAT Council authorize staff to proceed with the implementation of the proposed guidelines and initiatives with the assistance of a City "*Green Team*", as outlined in this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

The normal order of the agenda resumed.

A) Community Heritage Commission
Re: Designated Heritage Building Plaques

The Community Heritage Commission submitted a report requesting Council approval for the manufacture and installation of designated heritage building plaques. These heritage plaques have an important role in the overall City Heritage Program as they visually mark the heritage building and indicate the city's legal protection. The plaques also convey the special interest and pride that the community retains in these historic sites as well as serving an interpretive role to convey the name of the original owner and the building's construction date.

The Community Heritage Commission recommended:

1. THAT Council approve the expenditure of \$1,000.00 (inclusive of GST) for the manufacture and installation of plaques for privately-owned designated heritage buildings.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the Community Heritage Commission be adopted."

CARRIED UNANIMOUSLY

B) Community Heritage Commission
Re: Central Park Entrance Gate

The Community Heritage Commission submitted a report requesting funding approval for preparation of a conservation plan for the Central Park Entrance Gate and for issuance of a Heritage Alteration Permit for works being advanced by Metro Vancouver. The Central Park Entrance Gate forms a significant city-owned heritage landmark within Metrotown as one of the major entrances to historic Central Park.

The Community Heritage Commission recommended:

1. THAT Council approve expenditure not to exceed \$10,000 (inclusive of 5% GST) towards preparing a conservation plan for the Central Park Entrance Gate, as outlined in this report.
2. THAT Council approve a Heritage Alteration Permit for Metro Vancouver to undertake the dismantling of the "wing wall" section of the Central Park Entrance Gate wall, as outlined in this report.

3. THAT a copy of this report be advanced to the Parks, Recreation and Culture Commission for their information.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendations of the Community Heritage Commission be adopted."

CARRIED UNANIMOUSLY

C) Community Heritage Commission

Re: Heritage Burnaby Website/Online Database

Project Phase III Completion & 2009 Work Program

The Community Heritage Commission submitted a report updating the Commission and Council of the completion of Phase III of the Heritage Burnaby Online Database Project and to request expenditure authorization to undertake the proposed 2009 work program. The launch of the new Heritage Burnaby website has enabled the City to make a substantial commitment and investment in providing citizens with access to historic records and information. The Heritage Burnaby website also provides the public with unprecedented access to their recorded heritage. With approval, the proposed work program, outlined in the report, will add to this resource in a substantial way with new content and a focus on public awareness and education. This City Archives initiative will continue to be guided and supported by the Community Heritage Commission.

The Community Heritage Commission recommended:

1. THAT Council approve the expenditure of Gaming Funds not to exceed \$72,500 (inclusive of 5% GST) to implement the 2009 work program for the Heritage Burnaby Website Online Database Project, as outlined in this report.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the Community Heritage Commission be adopted."

CARRIED UNANIMOUSLY

D) Community Heritage Commission
Re: Heritage Interpretation Plaque Program

The Community Heritage Commission submitted a report initiating heritage interpretation plans for Deer Lake Park and Barnet Marine Park.

The Community Heritage Commission recommended:

1. THAT Council authorize an expenditure not to exceed \$6,000 (inclusive of GST) to undertake a Heritage Interpretation Plan for Deer Lake Park and Barnet Marine Park, as outlined in this report.
2. THAT a copy of this report be referred to the Parks, Recreation and Culture Commission for their information.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendations of the Community Heritage Commission be adopted."

CARRIED UNANIMOUSLY

E) Environment Committee
Re: Sustainable Purchasing Guidelines
And Initiatives

This item was dealt with previously in the meeting prior to Report Item 3(A).

F) Executive Committee of Council
Re: Grant Applications

The Executive Committee of Council submitted the following applications:

#08/56 Burnaby Community Connections Recreation Credit Program

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$21,240 be awarded to Burnaby Community Connects to assist with the cost of administering the Burnaby Parks, Recreation and Cultural Services Credit Program in 2008.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#08/57 Padang Lutheran Christian Relief

The Executive Committee of Council recommended:

1. THAT this grant application be denied.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#08/58 Christmas Dinner Grants

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$5.50 per person be awarded to Senior's groups applying for their 2008 Christmas Dinner grants.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#08/59 Burnaby Fellowship Centre Society

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$400 be awarded to Burnaby Fellowship Centre Society for 2008 to assist with providing a Christmas Lunch to members who are attending a 12-Step Recovery Program.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#08/60 Burnaby Community Connection – Burnaby Christmas Bureau

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$5,000 be awarded to Burnaby Christmas Bureau for their 2008 Christmas Campaign.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JORDAN:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

G) Finance and Civic Development Committee
Re: Economic Development Program
Burnaby Board of Trade

The Finance and Civic Development Committee submitted a report with a completed annual review of the Economic Development program operated by the Burnaby Board of Trade. The Committee, in reviewing the information as presented by the Burnaby Board of Trade on the achievements in membership growth, events, receptions, and fiscal responsibility, is in support of the continued operation of the City's Economic Development Program.

The Finance and Civic Development Committee recommended:

1. THAT Council provide a grant in the amount of \$100,000 to the Burnaby Board of Trade for the yearly operation of the City of Burnaby Economic Development Program which is to be paid in quarterly installments of \$25,000, commencing 2008 October 01 and continuing on 2009 January 01, 2009 April 01 and 2009 July 01.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR BEGIN:

"THAT the recommendation of the Finance and Civic Development be adopted."

CARRIED UNANIMOUSLY

H) Finance and Civic Development Committee
Re: Burnaby Mountain Golf Driving Range
Replacement Project

The Finance and Civic Development Committee submitted a report requesting Council approval to engage an Architectural Consultant for the detailed design and contract administration of the proposed Driving Range Structure at Burnaby Mountain Golf Course.

The Finance and Civic Development Committee recommended:

1. THAT Council authorize the execution of Client/Architect Agreement with the consulting firm of Studio One Architecture Inc. for the detailed design and contract administration of the proposed Driving Range Structure at Burnaby Mountain Golf Course.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the Finance and Civic Development Committee be adopted."

CARRIED UNANIMOUSLY

- I) The City Manager presented Report dated 2008 October 27 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. Neighbourhood Zero Emission Vehicles

The City Manager submitted a report from the Director Engineering determining the feasibility of allowing the use of Neighbourhood Zero Emission Vehicles (NZEV) within the City of Burnaby. Staff report that allowing the use of NZEVs is a tangible way for the City of Burnaby to support another alternative form of sustainable transportation, help reduce greenhouse gas emissions, and provide leadership in promoting sustainable transportation technology.

The City Manager recommended:

1. THAT the Street and Traffic By-Law be amended to:
 - allow Neighbourhood Zero Emission Vehicles to travel on streets with speed limits of 50km/h or less, and
 - ensure Neighbourhood Zero Emission Vehicles utilize the general purpose lane on the street that is closest to the right hand edge or curb of the street, except when a left hand turn is necessary or when passing another vehicle.
2. THAT a copy of the report be sent to TransLink and Metro Vancouver for consideration at a regional level, and that a copy be sent to neighbouring municipalities, the Transportation Committee and the Traffic Safety Committee for information.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR BEGIN:

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

CARRIED UNANIMOUSLY

2. Santa Claus Parade

The City Manager submitted a report from the Director Engineering requesting Council approval for the 6th annual Santa Claus Parade to take place on Saturday, 2008 November 22.

The City Manager recommended:

1. THAT the parade, as discussed in this report, be approved.
2. THAT the coordinator of the event, Paul McDonell, Parade Committee Member, 209 – 6707 Southpoint Drive, Burnaby, BC V3N 4V8, be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

3. Internal Order

The City Manager submitted a report from the Director Engineering requesting funding approval for an Internal Order account 60-30115 Sewer System Evaluation – Sanitary Extensions.

The City Manager recommended:

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

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

4. 2009 Fees for Building Permits and Other Planning Applications and Services

The City Manager submitted a report from the Director Planning and Building providing Council with recommendations for the Planning and Building Department’s 2009 fee schedule for various applications for the purpose of cost recovery.

The City Manager recommended:

1. THAT Council approve the proposed fee adjustments and text changes as outlined in this report.
2. THAT Council authorize the preparation of a bylaw amending the rezoning application fees in the Burnaby Zoning Bylaw, as outlined in Section 3.2 of Schedule A, and that the bylaw be advanced to First Reading on 2008 November 03 and to a Public Hearing on 2008 November 25 at 7:30 pm.
3. THAT Council authorize the preparation of the necessary bylaw amendments to effect the fee adjustments and text changes outlined in Section 4.0 of Schedule A.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

5. Rezoning Reference #07-43
Four-Storey Mixed-Use Development
Royal Oak Community Plan, Sub-Area 8

The City Manager submitted a report from the Director Planning and Building requesting Council authority to forward this application to a Public Hearing on 2008 November 25. The purpose of the rezoning bylaw amendment is to permit the construction of a four-storey mixed use development with retail and residential at grade with residential uses above, including fully enclosed under-building and underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2008 November 03, and to a Public Hearing on 2008 November 25 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) The submission of an undertaking to remove 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 undergrounding of existing overhead wiring abutting the site.
- f) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- g) The granting of Section 219 Covenants including the restricting enclosure of balconies and providing that all disabled parking to remain as common property.
- h) Compliance with the Council-adopted sound criteria.
- i) Compliance with the guidelines for underground parking for residential visitors.
- j) The provision of a covered car wash stall and 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.
- k) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- l) The submission of a Site Profile and resolution of any arising requirements.
- m) The review of a detailed Sediment Control System by the Director Engineering.
- n) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- o) The deposit of the applicable Parkland Acquisition Charge.

- p) The deposit of the applicable GVS & DD Sewerage Charge.
- q) The deposit of the applicable School Site Acquisition Charge.
- r) 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

6. Rezoning Reference #03-46
Stacked Townhouses with Underground Parking
Metrotown Development Plan, Sub-Area 11

The City Manager submitted a report from the Director Planning and Building requesting Council authorization to forward this application to a Public Hearing on 2008 November 25. The purpose of the proposed rezoning bylaw amendment is to permit a stacked townhouse development with underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2008 November 3, and to a Public Hearing on 2008 November 25 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 including switching and transformer kiosks 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 dedication of any rights-of-way deemed requisite.
- e) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- f) The granting of 219 Covenants restricting enclosure of balconies and ensuring that disabled parking remains as common property.
- g) The consolidation of the site into one legal parcel.
- h) The retention of the identified on-site existing tree and identified tree root zones; the registration of a Section 219 Covenant for the identified protected area; submission of a written undertaking to ensure that the identified area is effectively protected by chain link fencing during the whole course of site and construction work; that patio, additional planting and/or hard landscaping in the identified protected area only be installed under the direction of the project arborist; and the deposit of sufficient monies to ensure the protection of the identified area, to be refunded a year after the release of occupancy permits, upon satisfactory inspection.
- i) The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- j) Compliance with guidelines for underground parking for residential visitors.

- k) Compliance with the Council-adopted sound criteria.
- 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 provision of facilities for cyclists in accordance with this report.
- p) The pursuance of Stormwater Management Best Practices in line with established guidelines.
- q) 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

7. Rezoning Reference #07-61
Low-Rise Apartment Building with Underground
Parking – Royal Oak Community Plan

The City Manager submitted a report from the Director Planning and Building requesting Council authorization to forward this application to a Public Hearing on 2008 November 25. The purpose of the proposed rezoning bylaw amendment is to permit the construction of a two-storey plus penthouse loft multi-family development with underground parking.

The City Manager recommended:

1. THAT the sale be approved, in principle, of City-owned property for inclusion within the subject development site in accordance with the

terms outlined in Section 3.2 of this report, and subject to the applicant pursuing the rezoning proposal to completion.

2. 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.
3. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2008 November 3 and to a Public Hearing on 2008 November 25.
4. 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 but not prior to Third Reading of the Bylaw. Demolition 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 or vandalism.
 - e) The consolidation of the net project site into one legal parcel.
 - f) The review of a detailed Sediment Control System by the Director Engineering.

- g) The completion of the Highway Closure Bylaw.
- h) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- i) Compliance with the guidelines for surface and underground parking for residential visitors.
- j) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- k) The undergrounding of existing overhead wiring abutting the site.
- l) Compliance with the Council-adopted sound criteria.
- m) The provision of a covered car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- n) The deposit of the applicable Parkland Acquisition Charge.
- o) The deposit of the applicable GVS & DD Sewerage Charge.
- p) The deposit of the applicable School Site Acquisition Charge.
- q) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- r) The granting of a 219 Covenant restricting enclosure of balconies.
- s) The granting of a 219 Covenant providing that all disabled parking to remain as common property.
- t) 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 BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

8. Road Closure Reference #04-13
Proposed Closure of Rear Lane Allowance
Between 4560 Harken Drive and 4579 Grassmere Street

The City Manager submitted a report from the Director Planning and Building requesting Council approval to introduce a Burnaby Highway Closure Bylaw for the closure, sale and consolidation of the subject rear lane allowance with property at 4560 Harken Drive and 4579 Grassmere Street.

The City Manager recommended:

1. THAT Council authorize the introduction of a Burnaby Highway Closure Bylaw for the closure, sale and consolidation of the rear lane allowance with property at 4560 Harken Drive and 4579 Grassmere Street, as shown on the *attached* Sketch #1, subject to the conditions outlined in Section 2.0 of this Report.
2. THAT Council also authorize staff to introduce a Burnaby Highway Closure Bylaw for the closure, sale and consolidation of the entire lane allowance with either property at 4560 Harken Drive or 4579 Grassmere Street, should either owner fail to satisfy the requirements for closure and consolidation, subject to the conditions outlined in Section 2.0 of this report.
3. THAT the Director Engineering be authorized to prepare the requisite road closure, subdivision consolidation and statutory right-of-way plans.
4. THAT a copy of this report be sent to Mr. and Mrs. Suresh and Mungala Rampersad, 4560 Harken Drive, Burnaby, BC V5G 2M7; Mr. Dave Korn and Mrs. Heidi Korn, 4579 Grassmere Street, Burnaby, BC V5G 2N8; and Ms. Anna Maria Massullo at 4645 Harken Drive, Burnaby, B.C. V5G 2M8.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

9. Fire Department Third Quarter Report

The City Manager submitted a report from the Fire Chief to provide Council with information relating to the Fire Department's activities during the 3rd quarter of 2008.

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

4. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Highway Closure Bylaw No. 6, 2008

#12542

be now introduced and read three times."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#12485 7297 Ridge Drive

REZ #07-11

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

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

#12485

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Local Improvement Fund Expenditure
Bylaw No. 5, 2008

#12539

Burnaby Local Improvement Fund Expenditure
Bylaw No. 6, 2008

#12540

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

CARRIED UNANIMOUSLY

5. NEW BUSINESS

There were no new business items brought before Council at this time.

6. INQUIRIES

Councillor Begin

Councillor Begin inquired as to whether a response has been received from the Province regarding the possibility of the youth detention centre being used as a homeless shelter.

The City Clerk advised that to date there has been no response and will follow-up with the Province.

7. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

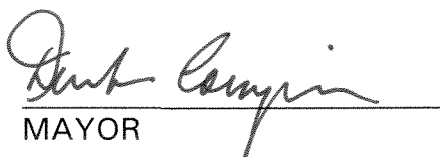
"THAT this 'Open' Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 9:02 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK