

2008 SEPTEMBER 08

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 September 08 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. C.A. Turpin, Deputy City Manager
Mr. L. Chu, Director Engineering
Mr. B. Luksun, Director Planning & Building
Mr. R. Earle, Director Finance
Mr. D. Ellenwood, Director Parks, Recreation & Cultural Services
Ms. A. Skipsey, Deputy City Clerk
Mr. S. Cleave, Administrative Officer I

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:08 p.m.

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

**Gianfranco Giammaria Memorial Society
Gift to the City of Burnaby for the Purchase
Of Defibrillators and Training
Presenter: His Worship, Mayor Derek R. Corrigan**

Certificate of Appreciation Recipients

Rico Perrotta, President
Denise Giammaria, Secretary
Ivana Ronning, Director
Cliff Ronning, Volunteer *(not in attendance)*
Nazarina Di Spirito, Volunteer

His Worship Mayor Derek R. Corrigan announced he had a special presentation to make to the members of the Gianfranco Giammaria Memorial Society. Mayor Corrigan asked the members in attendance to come forward and presented them with a framed certificate of appreciation for their generous donation to the City of Burnaby of eight Automated External Defibrillators (AEDs), including the required training program. Mayor Corrigan advised that following the sudden and unexpected death of Gianfranco Giammaria during a game of pick-up hockey at 8-Rinks, his wife Denise and some family friends formed the Society. Their goal was to raise money to purchase defibrillators for recreation centres in the lower mainland. AEDs have since been installed in Bill Copeland Arena, Burnaby Lake Arena, Kensington Arena, Eileen Dailly Pool, CG Brown Pool, Bonsor Recreation Centre, Cameron Recreation Centre and Burnaby Lake Sports Complex West. This deployment of AEDs into Burnaby's recreation facilities is one of the largest in any BC community. Mayor Corrigan and Council thanked Denise Giammaria and the members of the Society for their most valuable and life saving gift.

2. MINUTES

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT the minutes of the 'Open' Council meeting held on 2008 August 25 be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

"THAT the minutes of the Public Hearing (zoning) held on 2008 August 26 be now adopted."

CARRIED UNANIMOUSLY

3. REPORTS

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

A) City Clerk
Re: Certificate of Sufficiency

The City Clerk submitted a report providing Council with the Certificate of Sufficiency for petitions received supporting Local Area Service Speed Hump and Street Lighting projects.

The City Clerk recommended:

1. THAT Council receive the City Clerk's Certificate of Sufficiency covering the 2008 Local Area Service Speed Hump Program and the 2009 Local Area Service Street Lighting Program.
2. THAT on receipt of the successful petitions, the City Solicitor prepares Local Area Service Construction Bylaws for each of the successful projects.
3. THAT on receipt of the successful petitions, the City Solicitor prepare Local Area Service Fund Expenditure Bylaws for each of the successful projects.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

- B)** The City Manager presented a report dated 2008 September 08 on the matters listed following as Items 01 to 06 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Kingsway Pedestrian Overpass

The City Manager submitted report from Director of Planning and Building seeking Council approval for the opening ceremonies of the Kingsway Pedestrian Overpass. The new Kingsway Pedestrian Overpass is a civic amenity that has been accomplished through the City's long-established Metrotown Development Cost Charge (DCC) which was implemented in order to fund the construction of new pedestrian infrastructure projects. The overpass was identified as a key feature of Metrotown's comprehensive urban design and pedestrian plan and its completion now links the north and south commercial areas of the town centre on Kingsway. The overpass provides for a safe, grade separated pedestrian crossing of Kingsway at McMurray Avenue. A second smaller overpass of McMurray Avenue connects the development's commercial and residential components.

The City Manager recommended:

1. THAT Council approve an expenditure not to exceed \$5,000 from the Council Committees and Boards' operating budget for the opening ceremony of the Kingsway Pedestrian Overpass, as outlined in this report.
2. THAT Council approve the temporary road closure as discussed in this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**2. Strata Title Application #07-6
6093/6095 Sixth Street**

The City Manager submitted report from Director of Planning and Building seeking Council authority for strata titling of an existing occupied two-family dwelling. According to Section 242 of the Strata Property Act, Council approval is required where conversion of previously occupied buildings into strata title is requested.

The City Manager recommended:

1. THAT Strata Titling of 6093/6095 Sixth Street be approved subject to the complete satisfaction of the Guidelines for Conversion of Existing and Occupied Two-Family Dwellings into Strata Title Units.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

3. Burnaby Immobilization and Towing Bylaw

The City Manager submitted report from Director of Finance informing Council of submissions received in regard to proposed amendments to the Burnaby Vehicle Immobilization and Towing Bylaw. On 2008 June 09, Council received a report from the Licence Office recommending that the Burnaby Vehicle Immobilization and Towing bylaw be amended to have rates for impoundment, storage and drop charges correspond to those found in Section 43.05 of the British Columbia Motor Vehicle Act Regulations. The vehicle release fee or drop charge is applicable when a vehicle owner returns to a vehicle that has been hooked to a tow truck or is in the process of being hooked, but has yet to be removed from the parking spot. The Bylaw includes a drop fee of 50% of the tow charge to cover the costs incurred by the tow operator that reasonably equals half the service required to complete the tow to the tow yard. This drop fee rate has been in effect since bylaw inception in 1993 and is regarded as fair for both the tow operator and consumer.

The City Manager recommended:

1. THAT Council receive this report for information.
2. THAT a copy of this report be forwarded to Mundies Towing.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

4. Unightly/Overgrown Property at 7320 Canada Way

The City Manager submitted a report from the Director Planning and Building seeking Council authority for City staff to enter the property at 7320 Canada Way, in accordance with Burnaby's Unightly Premises Bylaw. Since receiving the initial complaint staff has attempted to work with the mortgage holder and his representatives in an effort to achieve voluntary bylaw compliance. Despite two verbal agreements with the representatives, the property remains in contravention of the Unightly Premises Bylaw and the Licence Office has received further complaints regarding the state of the property.

The City Manager recommended:

1. Council authorize City staff or agents to enter the property at 7320 Canada Way to remove the unsightly overgrowth of weeds, grass and blackberry bushes, remove tree/shrub branches from the ground to the 2 metre level and dispose of used lumber, various debris and litter.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. Remembrance Day Parade – 2008 November 11

The City Manager submitted a report from the Director Engineering seeking Council approval for the Remembrance Day Parade on Tuesday, 2008 November 11. Council approval is required by the Street & Traffic Bylaw. The Remembrance Day Parade originates in the Safeway covered parking lot off of Hastings near Willingdon, leaving the parking lot heading east on Hastings at 10:30am, north on Alpha Ave to the Cenotaph at Confederation Park and return via the same route to Rosser, south on Rosser to laneway and disperse on the Legion premises in the laneway south of Hastings at approximately 12:00 noon.

The City Manager recommended:

1. THAT Council approve the parade as discussed in this report.

2. THAT a copy of this report be sent to Brian Simpson, Chairman, Royal Canadian Legion Branch 148, 4356 E. Hastings St, Burnaby BC, V5C 2J9.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

6. Hired Equipment Expenditure Approval

The City Manager submitted a report from Director Engineering seeking Council approval to increase the purchase order limit for hired equipment services provided by McRae's Environmental Services to \$290,000.

The City Manager recommended:

1. THAT Council approve the continued use of Hired Equipment Services provided by McRae's Environmental Services.

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 VOLKOW:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR BEGIN:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

4. TABLED MATTERS

- A) Item 18, Manager's Report
Re: Unsightly Premises
(Tabled 2008 July 21)

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.

MOVED BY COUNCILLOR EVANS:
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

A vote was then taken on the motion as moved by Councillor Begin and seconded by Councillor Volkow being ‘THAT the recommendation of the City Manager be adopted’ and same was CARRIED UNANIMOUSLY.

B) Item 07, Manager’s Report
Re: Proposed Preliminary Plan Approval
Tabled 2008 August 25

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.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT the report be **REFERRED** back to staff for further consideration."

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST READING:

- | | | |
|--------|--|-----------|
| #12506 | 5170 Hastings Street | REZ#08-29 |
| #12507 | 1680 & 1710 Gilmore Avenue,
1771/79/91 Douglas Road | REZ#07-59 |
| #12508 | 380 Ellesmere Avenue | REZ#07-56 |

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

- | | |
|--|--------|
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 47, 2008 – Rez. #08-29 | #12506 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 48, 2008 – Rez. #07-59 | #12507 |
| Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 49, 2008 – Rez. #07-56 | #12508 |

be now introduced and read a first time."

CARRIED UNANIMOUSLY

FIRST, SECOND & THIRD READING:

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"THAT

Burnaby Capital Works, Machinery and Equipment #12504
Reserve Fund Expenditure Bylaw No. 22, 2008

Burnaby Municipal Employees Retirement #12505
Age Bylaw Repeal Bylaw 2008

be now introduced and read three times."

CARRIED UNANIMOUSLY

SECOND READING:

- | | | |
|--------|--|-----------|
| #12491 | 4420 & 4444 Lougheed Highway, 2060 Rosser Ave.,
4461 & 4408 Sumas St., 2131 Willingdon Avenue | REZ#06-47 |
| #12492 | 4452 & 4556 Hastings St. | REZ#08-08 |
| #12493 | 319 Brisbane Cres., 4881 Bessborough Dr.,
4804 Penzance Dr., 8829 / 39 Government St.
8190 Shellmont St., 8160 Forest Grove Dr.,
7599 Mission Ave., 6784-14 th Ave., 5415/49/77 &
5511 Patterson Ave., 5442/84 & 5516 Inman Ave.,
4060 Bond St., Ptn. of Lindsay Ave.,
6730 Jubilee Ave., 6466 & 6512 Deer Lake Dr. | REZ#08-18 |
| #12494 | 4331/20 Dominion St. & 4405 Norfolk Street | REZ#08-23 |
| #12495 | 7868 Elwell St. | REZ#08-11 |
| #12496 | 7898 North Fraser Way | REZ#08-27 |
| #12497 | 7030/38/42/54/58/60/62/64 Edmonds St.
7359-18 TH St., 7077-18 th Ave., 7042-19 th Ave.,
Ptn. of 19 th Avenue, Edmonds St. Rd. Allowances | REZ#07-57 |

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 40, 2008 – Rez. #06-47	#12491
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 2008 – Rez. #08-08	#12492
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 2008 – Rez. #08-18	#12493
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 2008 – Rez. #08-23	#12494
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 44, 2008 – Rez. #08-11	#12495
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 2008 – Rez. #08-27	#12496
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 46, 2008 – Rez. #07-57	#12497

be now introduced and read a second time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Vehicle Immobilization and Towing Bylaw, Amendment Bylaw 2008	#12479
Burnaby Highway Closure Bylaw No. 4, 2008	#12490
Burnaby Development Cost Charge Reserve Fund Expenditure Bylaw No. 1, 2008	#12498

Burnaby Local Area Service Construction Bylaw No. 6, 2008	#12499
Burnaby Local Area Service Construction Bylaw No. 7, 2008	#12500
Burnaby Local Area Service Construction Bylaw No. 8, 2008	#12501
Burnaby Animal Control Bylaw 1991, Amendment Bylaw 2008	#12502

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 noted that in light of an upcoming federal election, Council may wish to make candidates in the Burnaby ridings aware of the federal issues raised by Council over the last year or so, such as affordable housing, Burnaby Lake, transportation, revenue sharing, child care strategies, and funding for the 2009 World Police and Fire Games.

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 DHALIWAL:

"THAT staff provide a report on the items Council has raised relevant to the Federal Government so that any candidates from Burnaby may be made aware of these issues."

CARRIED UNANIMOUSLY

Councillor Begin

Councillor Begin raised the idea of community festivals and suggested Burnaby may wish to consider planning a number of local events during the 2009 World Police and Fire Games. Councillor Begin recommended opening up the streets to build community and say "welcome" to the delegates from around the world.

The Deputy City Manager advised the Executive of the Games has been speaking with the various cultural centres about hosting events but stated he would take back the idea of holding open neighbourhood festivals throughout Burnaby.

Councillor Volkow

Councillor Volkow referred to the Neville Hydro substation located near Sperling and Kingsway and advised that work had been ongoing for the past several weeks tidying the landscaping and improving the appearance of the property.

Council requested that His Worship, Mayor Derek R. Corrigan write a letter of appreciation to BC Hydro for this effort.

7. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

"THAT this 'Open' Council meeting do now recess."

CARRIED UNANIMOUSLY

The 'Open' Council meeting recessed at 7:45 p.m.

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

The 'Closed' Council meeting reconvened at 7:47 p.m. with Councillor Rankin absent.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

"That this 'Closed' Council meeting do now adjourn."

CARRIED UNANIMOUSLY

The 'Closed' Council meeting adjourned at 8:10 p.m.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened at 8:10 p.m.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

"That the 'Open' Council meeting do now adjourn."

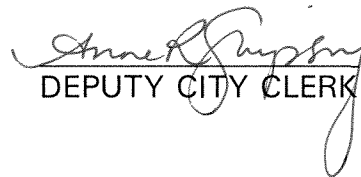
CARRIED UNANIMOUSLY

The 'Open' Council meeting adjourned at 8:10 p.m.

Confirmed:


MAYOR

Certified Correct:


DEPUTY CITY CLERK