

## **2009 June 22**

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2009 June 22 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 P. Calendino  
Councillor R. Chang  
Councillor S. Dhaliwal  
Councillor D. Johnston  
Councillor C. Jordan  
Councillor P. McDonell  
Councillor N.M. Volkow

ABSENT: Councillor A. Kang

STAFF: Mr. R.H. Moncur, City Manager  
Mr. L. Chu, Director Engineering  
Mr. R. Earle, Director Finance  
Mr. D. Ellenwood, Director Parks, Recreation & Cultural Services  
Mr. L. Pelletier, Deputy Director Planning & Building  
Mr. B. Rose, City Solicitor  
Mrs. D.R. Comis, City Clerk  
Ms. A. Skipsey, Deputy City Clerk

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

"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**

Presentation of BC Council Award to  
His Worship, Mayor Derek R. Corrigan & Councillors from  
Mohammad I. Shamsi, Divisional Superintendent, St. John Ambulance

Mohammad I. Shamsi, Divisional Superintendent, St. John Ambulance, appeared before Council to express appreciation to Council for its help and

support of the St. John Ambulance organization and their mission to deliver first aid and public safety services to the community at large.

Mr. Shamsi noted that in 2008, St. John Ambulance delivered 16,744 hours of volunteer service to the community.

Branch Manager, Andrea Banning, presented Mayor Derek R. Corrigan with a framed Certificate of Appreciation for Council's continued support of St. John Ambulance.

**Councillor Dhaliwal**

Councillor Dhaliwal noted that he attended the B.C. Lion's Society's 30<sup>th</sup> Annual 24 Hour Relay for the Kids on Saturday, 2009 June 20. A plaque of appreciation was presented by the Lions Club of BC to the City of Burnaby in appreciation of the City's continued sponsorship and support.

**1. MINUTES**

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the 'Open' Council meeting held on 2009 June 15 be now adopted."

CARRIED UNANIMOUSLY

**2. CORRESPONDENCE**

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the following item of correspondence be received."

CARRIED UNANIMOUSLY

- A) BC 2009 World Police and Fire Games  
Re: Canadian Forces Snowbirds –  
Request to Fly over Burnaby

A letter was received from the Chief Executive Officer of the Games requesting Council extend an invitation to the Canadian Snowbirds to fly over Burnaby during the Closing Ceremonies of the 2009 World Police & Fire Games to be held at Swangard Stadium on August 9<sup>th</sup>, 2009.

A staff note advises that should Council wish to extend an invitation to the Canadian Forces Snowbirds to fly over Burnaby during the Closing Ceremonies

of the 2009 World Police & Fire Games, a motion by Council is required. The required letter and flight path information would then be sent to the Canadian Forces on behalf of Council and the BC 2009 World Police & Fire Games.

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

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR McDONELL:

"THAT Council extend an invitation to the Canadian Snowbirds to fly over Burnaby during the World Police and Fire Games Closing Ceremonies to be held at Swangard Stadium on August 9, 2009."

CARRIED

OPPOSED: COUNCILLORS DHALIWAL  
AND JORDAN

### **3. REPORTS**

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

#### **A) Community Heritage Commission**

##### **Re: Charting Change Interactive Atlas**

The Community Heritage Committee submitted a report outlining a proposal to create the Charting Change Interactive Atlas for the public on the Heritage Burnaby Website.

The Community Heritage Committee recommended:

1. THAT Council approve the development of the Charting Change Interactive Atlas project, as outlined in this report.
2. THAT Council approve an expenditure of Gaming Funds not to exceed \$30,000 (inclusive of 5% GST) to implement the Charting Change Interactive Atlas project.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**B) Executive Committee of Council**  
**Re: Universal Cultural Society of Canada**  
**Mangala Bhatt Performance**

The Executive Committee of Council submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval for a grant to cover the cost of the use of the James Cowan Theatre to facilitate a performance by Ms. Mangala Bhatt of Kathak, a classical dance of North India. The Committee noted this event falls within the guidelines for cultural activities that make a unique contribution and are sponsored by a non-profit society.

The Executive Committee of Council recommended:

1. THAT Council approve a grant in the amount of \$1,143.65 to cover the costs of the use of the James Cowan Theatre for Ms. Bhatt's dance performance on 2009 June 12.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**C) Executive Committee of Council**  
**Re: Fiji Indian Association Festival 2009**

The Executive Committee of Council submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval for a grant to cover the cost of the use of Swangard Stadium to hold the Fiji Indian Association Festival. This cultural event is being held to celebrate the dance, food and activities of the Fiji Indian community and noted that support would provide an opportunity to host this popular cultural event in Burnaby.

The Executive Committee of Council recommended:

1. THAT Council approve a grant in the amount of \$3,115.07 to cover the costs of the Fiji Indian Association Festival 2009 to be held at Swangard Stadium on 2009 July 11.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**D) Executive Committee of Council**  
**Re: Grant Applications**

The Executive Committee of Council submitted the following grant requests:

**#09/33 Burnaby Community Connections – Burnaby Camping Bureau**

The Executive Committee of Council recommended:

1. THAT this grant application be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendation of the Executive Committee of Council be adopted.”

CARRIED UNANIMOUSLY

**#09/34 Odyssey of the Mind – South Slope Elementary**

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$1,050 (\$150 x 7 Burnaby residents) be awarded to South Slope Elementary School to assist with travel expenses to participate at the 2009 Odyssey of the Mind World Championships to be held in Ames, Iowa on 2009 May 27.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendation of the Executive Committee of Council be adopted.”

CARRIED UNANIMOUSLY

**#09/35 South Burnaby Neighbourhood House**

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$5,000 be awarded to South Burnaby Neighbourhood House to assist in the development of licensed childcare programs for 2009.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendation of the Executive Committee of Council be adopted.”

CARRIED UNANIMOUSLY

**#09/36 Administrators of Volunteer Resources BC (AVRBC)**

The Executive Committee of Council recommended:

1. THAT a grant for in kind printing services up to the value of \$1,500 be awarded to The Administrators of Volunteer Resources BC (AVRBC) in support of the AVRBC Conference for 2009.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**#09/37 South Burnaby Metro Club**

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$1,000 be awarded to South Burnaby Metro Club in memory of Freeman Don Brown.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**#09/38 Volleyball BC**

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$150 be awarded to Volleyball BC to assist with travel expenses for Camille Wallace, a Burnaby resident to compete at the Canada Games to be held in Prince Edward Island 2009 August 15 - 29.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**#09/39 The Conference Board of Canada**

The Executive Committee of Council recommended:

1. THAT this grant application be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**#09/40 Crystal Meth Society of BC**

The Executive Committee of Council recommended:

1. THAT this grant application be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**#09/41 St. John Ambulance**

The Executive Committee of Council recommended:

1. THAT this grant application be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**#09/42 Canadian University Sport**

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$150 be awarded to Canadian University Sport to assist with travel expenses for Jaclyn Dunnett, a Burnaby resident, to compete at the University World Games to be held in Belgrade, Serbia from 2009 June 22 to July 13.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**E) Finance and Civic Development Committee**  
**Re: Edmonds Town Centre Library**

The Finance and Civic Development Committee submitted a report providing Council with a status update on the construction progress for the Edmonds Town Centre Library.

The Finance and Civic Development Committee recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**F) Finance and Civic Development Committee**  
**Re: Fire Station No. 7 – Gilmore**

The Finance and Civic Development Committee submitted a report providing Council with a status update on construction progress of Fire Station No. 7 - Gilmore.

The Finance and Civic Development Committee recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY



**G) Traffic Safety Committee**  
**Re: Parking Meter Program Expansion**

The Traffic Safety Committee submitted a report requesting Council approval for the capital funding related to expansion of the parking meter program. The Committee noted that introduction of parking meters in existing time-limited parking zone areas help increase parking turnover to better manage the high parking demands and encourage alternative means of transportation for the benefit of the environment.

The Traffic Safety Committee recommended:

1. THAT Council authorize bringing forward a Capital Works Expenditure Bylaw in the amount of \$152,300 (inclusive of 5% GST) for expansion of the parking meter program in various areas, as outlined in this report.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

**H) Transportation Committee**  
**Re: TransLink Universal Pass**

The Transportation Committee submitted a report requesting Council endorsement of resolutions asking for an expansion of TransLink's Universal Pass program, with a call to TransLink to review its funding programs and fare charges to establish an equitable universal fare for all post-secondary educational institutions. The recommended Program changes would result in no increased costs to students currently participating in the program. The Provincial Government is also required to provide for consistent and predictable annual funding to allow for this amendment to the U-Pass program with no increase in TransLink's reliance on revenue drawn from the municipal property tax base.

The Transportation Committee recommended:

1. THAT Council endorse the resolutions as set out in this Report.
2. THAT copies of the resolutions be forwarded to the TransLink Board of Directors, the provincial Minister of Transportation and Infrastructure, and provincial MLAs in Burnaby.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

- I) The City Manager presented a report dated 2009 June 22 on the matters listed following as Items 01 to 15 either providing the information shown or recommending the courses of action indicated for the reasons given:

**1. Burnaby Central Secondary School  
Replacement Project  
4935 Canada Way (Fronting Deer Lake Parkway)  
Preliminary Plan Approval and Subdivision Applications**

The City Manager submitted a report from the Director Planning and Building informing Council of the proposed Burnaby Central Secondary School Replacement Project which is being pursued under Preliminary Plan Approval and Subdivision applications. The proposal includes the opportunity for a partnership with the City for the provision of an international competition calibre track and field facility which would mutually benefit both the School District and the City. The development is a complex one involving many issues, in particular, those related to traffic management and road improvements to Deer Lake Parkway.

The City Manager recommended:

1. THAT a copy of this report be sent to the Chair, Burnaby Board of Education; Burnaby School District, Superintendent of Schools, Mr. Claudio Morelli; and to the Parks, Recreation and Culture Commission for their information.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**2. Rezoning Reference #07-60  
7183, 7189 and 7195 Sixteenth Avenue  
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 on 2009 June 02 for Rezoning Reference #07-60. The report provides information in

response to submissions received raising issues and questions with regard to the future of Sixteenth Avenue, drainage onto adjacent properties, privacy concerns due to the height and siting of the development, securing of on-site garbage receptacles from racoons and other animals and the sufficiency of resident and visitor parking provision within the subject development.

The City Manager recommended:

1. THAT a copy of this report be sent to the applicant and to delegations who spoke at, or submitted correspondence to the Public Hearing for Rezoning Reference #07-60.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**3. Rezoning Reference #05-63**  
**Mixed-Use Commercial/Residential Project**  
**Community Plan 8**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2009 July 21. The purpose of the proposed zoning bylaw amendment is to permit the construction of a four storey mixed-use development, including 30 residential units and at-grade and second floor commercial retail and office floor area, with full underground parking.

The City Manager recommended:

- 1 THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 July 06, and to a Public Hearing on 2009 July 21 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 consolidation of the net project site into one legal parcel.
- f) The dedication of any rights-of-way deemed requisite.
- g) The undergrounding of existing overhead wiring abutting the site.
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants including, but not limited to:
  - Covenant restricting enclosure of balconies
  - Covenant restricting driveway gates
  - Covenant to retain disabled parking as common property administered by the Strata Corporation.
  - 1.2m (4.0ft.) statutory right-of-way on the Canada Way frontage is required for a stamped concrete rear boulevard
- i) Compliance with the guidelines for underground parking for visitors.
- j) Compliance with the Council-adopted sound criteria.
- k) The provision of one covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.

- l) The submission of a Site Profile and resolution of any arising requirements.
- m) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- n) The review of a detailed Sediment Control System by the Director Engineering.
- o) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- p) The approval of the Ministry of Transportation to the rezoning application.
- q) The deposit of the applicable Parkland Acquisition Charge.
- r) The deposit of the applicable GVS & DD Sewerage Charge.
- s) The deposit of the applicable School Site Acquisition Charge.
- 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 CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**4. Rezoning Reference #06-46**  
**Four-Storey Mixed Use Development**  
**Royal Oak Community Plan, Sub-Area 7**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to Public Hearing on 2009 July 21. The purpose of the proposed zoning bylaw amendment is to permit the construction a four-storey mixed use

development with retail at grade and residential above with underground parking.

The City Manager recommended:

1. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No 45/07, Bylaw #12362, be abandoned 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 2009 July 06, and to a Public Hearing on 2009 July 21 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 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 consolidation of the net project site into one legal lot.
- f) The dedication of any rights-of-way deemed requisite.
- g) The undergrounding of existing overhead wiring abutting the site.
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- i) The granting of Section 219 Covenants restricting enclosure of balconies and to retain disabled parking as common property administered by the Strata Corporation.
- j) Compliance with the Council-adopted sound criteria.
- k) Compliance with the guidelines for underground parking for visitors.
- l) The provision of a covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- m) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- n) The submission of a Site Profile and resolution of any arising requirements.
- o) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- p) The review of a detailed Sediment Control System by the Director Engineering.
- q) The deposit of the applicable Parkland Acquisition Charge.
- r) The deposit of the applicable GVS & DD Sewerage Charge.
- s) The deposit of the applicable School Site Acquisition Charge.
- 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 McDONELL:

SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

**5. Rezoning Reference #08-24**  
**Townhouse Development with Under-unit Parking**  
**Edmonds Town Centre, Sub-Area 2**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2009 July 21. The purpose of the proposed zoning bylaw amendment is to permit the construction of a townhouse development with under-unit 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 3.2 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 2009 July 6 and to a Public Hearing on 2009 July 21 at 7:30 p.m.
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 review of a detailed Sediment Control System by the Director Engineering.
- f) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- g) The completion of the sale of City property.
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
  - 3m statutory right-of-way for a pedestrian pathway.
  - Statutory right-of-way for on-site vehicular turnaround from Hubert Street.
  - 219 Covenant restricting the enclosure of balconies.
  - 219 Covenant restricting vehicular access to the site from Hubert Street only.
  - 219 Covenant indicating that project driveway access will not be restricted by gates.

- 219 Covenant assuring that any individually secure parking spaces allocated to a specific residential unit cannot be utilized for any other purpose.
- 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) The consolidation of the new project site into one legal parcel.
- k) The submission of a Site Profile and resolution of any arising requirements.
- l) Compliance with the Council-adopted sound criteria.
- m) The completion of the Highway Closure Bylaw.
- n) The undergrounding of existing overhead wiring abutting the site.
- 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 provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- s) 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 JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**6. Rezoning Reference #06-22**  
**Low-Rise Apartment Project**  
**Community Plan Eight**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2009 July 21. The purpose of the proposed zoning bylaw amendment is to permit the construction of a 35-unit stacked townhouse development with underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 July 6, and to a Public Hearing on 2009 July 21 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 consolidation of the net project site into one legal parcel.
- f. The undergrounding of existing overhead wiring abutting the site.
- g. The granting of a Section 219 Covenant restricting the enclosure of balconies.
- h. The granting of a Section 219 Covenant providing that all disabled parking to remain as common property.
- i. The review of a detailed Sediment Control System by the Director Engineering.
- j. Compliance with the guidelines for underground parking for residential visitors.
- k. Compliance with the Council-adopted sound criteria.
- l. The approval of the Ministry of Transportation to the rezoning application.
- m. The provision of a covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- n. The pursuance of Storm Water Management Best Practices in line with established guidelines.
- o. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- p. The deposit of the applicable Parkland Acquisition Charge.
- q. The deposit of the applicable GVS & DD Sewerage Charge.
- r. The deposit of the applicable School Site Acquisition Charge.
- s. 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 JOHNSTON:

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

CARRIED UNANIMOUSLY

**7. Western Community-Centred College  
for the Retired - Lease Renewal**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council authorization for the preparation and execution of a five year lease extension for the Western Community Centred College for the Retired.

The City Manager recommended:

1. THAT authorization be given for the preparation and execution of a five year lease extension for the Western Community Centred College for the Retired under the terms and conditions outlined in the attached report.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

**8. Bylaw to Fund Parks, Recreation and Cultural  
Services 2009 Capital Projects**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council authority to bring forward a bylaw to appropriate funds from Capital Reserves to finance twelve projects.

The City Manager recommended:

1. THAT a bylaw be brought down to appropriate \$4,961,250 (inclusive of 5% GST) from Capital Reserves to finance the projects as outlined in the attached report.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

#### **9. Capital Budget Funding Request**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council authority to appropriate Gaming Funds for Cultural Heritage Buildings Roofing/Structure Upgrades.

The City Manager recommended:

1. THAT approval be given for the appropriation of Gaming Funds in the amount of \$157,500 (inclusive of 5% GST) for the project as outlined in the attached report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

#### **10. Council Indemnities**

The City Manager submitted a report from the Director Finance requesting Council indemnities be set in accordance with the formula established by the Council Indemnity Advisory Committee.

The City Manager recommended:

1. THAT in accordance with the Indemnity Advisory Committee's established formula, Council indemnities be set as detailed in this report; and
2. THAT the City Solicitor bring down a bylaw to establish the new indemnities effective 2009 January 01.

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**11. Contract No. 2009-15**  
**Burnaby Lake Rejuvenation Project**

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for dredging areas of Burnaby Lake.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Hazco Environmental Services, for dredging areas of Burnaby Lake and other related work, for a total cost of \$13,998,252.45 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**12. Contract No. 2009-03**  
**Willingdon Overhead Seismic Retrofit**

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the Willingdon Overhead Seismic Retrofit.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Chet Construction Ltd. for the Willingdon Overhead Seismic Retrofit for a total cost of \$458,062.50 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**13. Contract No. 2009-08**

**Burris Street Road Widening**

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the widening and rehabilitation of Burris Street.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Imperial Paving Ltd., for the widening and rehabilitation of Burris Street, for a total cost of \$948,567.37 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**14. Contract No. 2009-17**

**2009 Combined Sewer Separation – Package IV  
Lane South of Georgia**

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the Combined Sewer Separation – Package IV, Lane South of Georgia.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Gemco Construction Ltd., for combined sewer separation, for a total cost of \$1,510,638.15 with final payment based on actual quantities and unit prices tendered.



MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

**15. Internal Orders**

The City Manager submitted a report from the Director Engineering seeking Council approval of the following Capital Internal Orders: 60-30129 Combined Sewer Separation (2009 Program); 60-30115 Sewer System Evaluation; 60-30127 development Related Pump Station upgrades; and 60-32132 Storm Sewer Computer Modelling and Flow Monitoring.

The City Manager recommended:

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"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

**4. TABLED MATTERS**

**A) 2009 UBCM Annual Dues  
(Tabled 2009 January 19)**

The following item was tabled at the 'Open' Council meeting held on 2009 January 19:

**A) 2009 UBCM Annual Dues**

**An invoice was received from the Union of BC Municipalities for 2009 UBCM annual membership dues.**

**A staff note advises that in order that the invoice for UBCM annual dues be paid a motion of Council is required.**

**MOVED BY COUNCILLOR JORDAN:**

**SECONDED BY COUNCILLOR VOLKOW:**

**"THAT the invoice from the UBCM for 2009 annual membership dues be now TABLED."**

**CARRIED UNANIMOUSLY**

**This item was TABLED in order to allow Council the opportunity to review the role of the UBCM and to meet with representatives to discuss the UBCM's ability to represent local governments.**

**MOVED BY COUNCILLOR JOHNSTON:**

**SECONDED BY COUNCILLOR JORDAN:**

**"THAT the invoice from the UBCM for 2009 annual membership dues be now LIFTED from the table."**

**CARRIED UNANIMOUSLY**

The item was now before the meeting.

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

**MOVED BY COUNCILLOR DHALIWAL:**

**SECONDED BY COUNCILLOR VOLKOW:**

**"THAT Council approve payment of the invoice from the Union of BC Municipalities for the 2009 annual membership dues."**

**CARRIED**

**OPPOSED: COUNCILLORS JOHNSTON,  
JORDAN & McDONELL**

Arising from discussion, Councillor Calendino was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT His Worship, Mayor Derek R. Corrigan, write to the UBCM expressing Council's concerns with respect to the effectiveness of the UBCM in its negotiations with the Provincial Government."

CARRIED UNANIMOUSLY

- B) Bylaws – Second Reading:  
Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 20, 2009 – Bylaw #12648  
(Tabled 2009 June 15)

The following item was tabled at the 'Open' Council meeting held on 2009 June 15:

**SECOND READING**

**#12648      7183, 7189, 7195 Sixteenth Avenue**

**REZ #07-60**

**MOVED BY COUNCILLOR CALENDINO:**

**SECONDED BY COUNCILLOR JOHNSTON:**

**'THAT**

**Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 20, 2009**

**#12648**

**be now read a second time."**

**MOVED BY COUNCILLOR McDONELL:**

**SECONDED BY COUNCILLOR VOLKOW:**

**'THAT**

**Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 20, 2009**

**#12648**

**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 #07-60.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

"THAT the motion as moved by Councillor Calendino and seconded by Councillor Johnston being:

'THAT

Burnaby Zoning Bylaw 1965, Amendment	#12648
Bylaw No. 20, 2009	

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

CARRIED UNANIMOUSLY

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

"THAT

Burnaby Zoning Bylaw 1965, Amendment	#12648
Bylaw No. 20, 2009	

be now read a second time" and same was CARRIED UNANIMOUSLY."

## **5. BYLAWS**

### **FIRST, SECOND AND THIRD READING:**

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Capital Works, Machinery and Equipment	#12666
Reserve Fund Expenditure Bylaw No. 22, 2009	

Burnaby Capital Works, Machinery and Equipment	#12667
Reserve Fund Expenditure Bylaw No. 23, 2009	

Burnaby Advisory Planning Commission Bylaw 1980,	#12668
Amendment Bylaw 2009	

Burnaby Parks Regulation Bylaw 1979, Amendment #12669  
Bylaw 2009

Burnaby Notice Enforcement Bylaw 2009, #12670  
Amendment Bylaw 2009

be now introduced and read three times."

CARRIED UNANIMOUSLY

**CONSIDERATION AND THIRD READING:**

#12647      6655 and 6669 Kingsway      REZ #07-48

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #12647  
Bylaw No. 19, 2009

be now read a third time."

CARRIED UNANIMOUSLY

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

#12627      Text Amendment

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #12627  
Bylaw No.18, 2009

Burnaby Heritage Designation Bylaw No. 1, 2009 #12640

Burnaby Heritage Revitalization Agreement #12641  
Bylaw No. 1, 2009

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

CARRIED UNANIMOUSLY

**RECONSIDERATION AND FINAL ADOPTION:**

#12473      6800 14<sup>th</sup> Avenue

REZ #07-33

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment      #12473  
Bylaw No. 33, 2008

Burnaby Capital Works, Machinery and Equipment      #12659  
Reserve Fund Expenditure Bylaw No.16, 2009

Burnaby Capital Works, Machinery and Equipment      #12660  
Reserve Fund Expenditure Bylaw No. 17, 2009

Burnaby Capital Works, Machinery and Equipment      #12661  
Reserve Fund Expenditure Bylaw No.18, 2009

Burnaby Capital Works, Machinery and Equipment      #12662  
Reserve Fund Expenditure Bylaw No.19, 2009

Burnaby Capital Works, Machinery and Equipment      #12663  
Reserve Fund Expenditure Bylaw No.20, 2009

Burnaby Capital Works, Machinery and Equipment      #12665  
Reserve Fund Expenditure Bylaw No.21, 2009

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

CARRIED UNANIMOUSLY

**ABANDONMENT:**

#12440      6655 and 6669 Kingsway

REZ #07-48

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

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

be now abandoned."

CARRIED UNANIMOUSLY

**6. NEW BUSINESS**

**Councillor Johnston**

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

"THAT the meeting of the Finance and Civic Development Committee scheduled to be held on Thursday, 2009 June 24 be **CANCELLED** and rescheduled to Thursday, 2009 July 02 at 5:30 p.m. in the Council Committee Room.

CARRIED UNANIMOUSLY

**Councillor Dhaliwal**

Councillor Dhaliwal advised that at its meeting of 2009 May 20 the Parks, Recreation and Culture Commission approved a recommendation to partner with School District #41 on three projects to increase community access to schools. The projects have been approved in principal for grant funding from the UBCM Community Connections Grant program.

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

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Council approve application for a Community Connections Grant for the following three community enhancement projects. These projects will be completed in partnership with School District #41:

1. to purchase start up equipment for the community space at the new elementary school on Burnaby Mountain;
2. to modify existing space at Maywood Community School to increase the flexibility and range of opportunity for community access to services;
3. to enhance the Early Learning Hub at Morley School by developing a playground to support the programs."

CARRIED UNANIMOUSLY

**Councillor Calendino**

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR McDONELL:

"THAT the Community Policing Committee meeting scheduled to be held on Thursday, 2009 September 10, be **RE-SCHEDULED** to Thursday, 2009 September 24 at 6:00 p.m. in the Council Chambers."

CARRIED UNANIMOUSLY

**7. INQUIRIES**

There were no inquiries brought before Council at this time.

**8. ADJOURNMENT**

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR JORDAN:

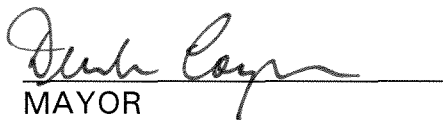
"THAT this 'Open' Council Meeting do now adjourn."

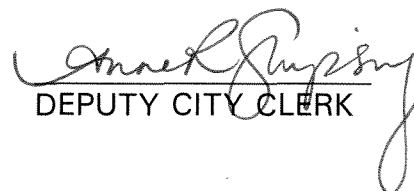
CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 8:50 p.m.

Confirmed:

Certified Correct:

  
MAYOR

  
DEPUTY CITY CLERK