

2009 November 23

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 November 23 at 6:00 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 S. Dhaliwal
Councillor D. Johnston
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N.M. Volkow

ABSENT: Councillor P. Calendino
Councillor R. Chang

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

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:00 p.m.

1. MINUTES

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR KANG:

"THAT the minutes of the 'Open' Council meeting held on 2009 November 16 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

- A) Vancouver Airport Authority
Re: Airport Initiatives and Activities
Speakers: Bob Cowan
Anne Murray

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR KANG:

“THAT the delegation be heard.”

CARRIED UNANIMOUSLY

- A) **Mr. Bob Cowan**, Senior Vice President Engineering and **Ms. Anne Murray**, Vice President Community and Environmental Affairs, Vancouver Airport Authority, appeared before Council to report on airport initiatives and activities, including: 2009 airport operations; 2010 Olympic and Paralympic Games readiness; new airport facilities; and sustainability and the environment.

Mr. Bob Cowan reported a drop in passenger traffic and aircraft operations in the past year, however, there is an expectation for a modest increase in 2010 fuelled by the Winter Olympics. The speaker highlighted some of the over 30 customer care improvements made at the airport over the last few years. Mr. Cowan advised the \$1.4 billion capital program announced in 2004 was essentially completed in 2009. The speaker informed Council they are encouraged with ridership on the Canada Line noting about 15% of airport passengers are using the service compared to the forecasted 8 – 10%. Mr. Cowan advised that the Vancouver Airport is ready to welcome the world in 2010 with a number of initiatives to address the expected volumes. Other improvements include a new public observation area, five new domestic gates, an automated border clearance pilot program intended to decrease wait times, new de-icing arrangements and additional snow clearing equipment and procedures.

Ms. Anne Murray reported that their goal is to be a sustainable airport by integrating economic, environmental and social aspects of their business. Ms. Murray noted that in 2008, they updated their environmental management plan identifying the top three strategic priorities to reduce emissions, energy consumption and waste. The speaker advised another priority for the Authority is dealing with aircraft noise. The Noise Management Committee has developed a number of initiatives including a 5 year plan and a noise management and flight tracking system which includes WebTrak, a flight tracking tool available to the public through the YVR website.

The Vancouver Airport Authority's 2008 Annual Report is available to the public on YVR's website at www.yvr.ca.

3. REPORTS

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

A) Community Policing Committee

Re: Authority to Address Problem Properties

The Community Policing Committee submitted a report providing Council with a comparison of the powers currently available in British Columbia for addressing problem properties, with powers available under safer communities and neighbourhoods (SCAN) legislation in place in other Canadian jurisdictions.

The Community Policing Committee recommended:

1. THAT the Mayor, on behalf of Council, write to the Premier and Provincial Minister of Public Safety and Solicitor General urging the Provincial Government to work collaboratively with the Union of British Columbia Municipalities to create an approach – which includes municipal enforcement of safety-related Building Code requirements – to address the public disorder and neighbourhood deterioration caused by illegal drug operations and other problem properties.
2. THAT a copy of this report be forwarded to the Union of British Columbia Municipalities.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR DHALIWAL:

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Recommendation 2, be **AMENDED** as follows:

2. THAT a copy of this report be forwarded to the Union of British Columbia Municipalities and Burnaby MLAs."

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor McDONELL and seconded by Councillor Dhaliwal being, "THAT the recommendations of the Community Policing Committee be adopted" **AS AMENDED** and same was CARRIED UNANIMOUSLY.

B) Executive Committee of Council
Re: Grant Applications

The Executive Committee of Council submitted the following grant applications for Council's consideration:

#09/65 Burnaby Seniors Outreach Services Society

The Executive Committee of Council recommended:

1. THAT a one time only grant in the amount of \$2,000 be awarded to the Burnaby Seniors Outreach Services Society – Peer Counselling Program for 2009.
2. THAT Burnaby Council write a letter to Burnaby MLAs requesting support for reinstatement of Provincial funding to BSOSS.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

MOVED BY COUNCILLOR DHALI WAL:
SECONDED BY COUNCILLOR McDONELL:

"THAT Recommendation 2, be **AMENDED** as follows:

2. THAT Burnaby Council write a letter to Burnaby MLAs and the Minister responsible for grants requesting support for reinstatement of Provincial funding to BSOSS."

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Volkow and seconded by Councillor McDONELL being "THAT the recommendations of the Executive Committee of Council be adopted" **AS AMENDED** and same was CARRIED UNANIMOUSLY.

#09/67 Burnaby Community Connections – Burnaby Christmas Bureau

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$5,000 be awarded to the Burnaby Community Connections – Burnaby Christmas Bureau for 2009.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

#09/69 Burnaby Minor Lacrosse Club

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$250 (2 x \$125) be awarded to Burnaby Minor Lacrosse Club to assist with travel expenses for Matthew Shannik and Danny Spagnoulo, Burnaby residents and members of Team BC Lacrosse Bantam Team to compete at the Canadian National Bantam Lacrosse Championships held in Whitby, Ontario, 2009 August 02 to 09.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

#09/70 North Delta Softball Association

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$125 be awarded to North Delta Softball Association to assist with travel expenses for Lauren Shannik, a Burnaby resident and member of the Delta Heat 90 A Softball Team to compete at the Canadian National Midget Softball Championships held in Brampton, Ontario, 2009 August 01 to 09.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

#09/71 Heights Garden Society

The Executive Committee of Council recommended:

1. THAT an in-kind grant to cover the cost of a garbage receptacle that includes scheduled Municipal garbage pickup be awarded to the Heights Garden Society for 2009.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

#09/73 Volunteer Burnaby – Gift Wrap Centre 2009

The Executive Committee of Council recommended:

1. THAT an in-kind grant for printing costs in the amount of \$750 be awarded to Volunteer Burnaby – Gift Wrap Centre for 2009.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

- C) The City Manager presented a report dated 2009 November 23 on the matters listed following as Items 01 to 13 either providing the information shown or recommending the courses of action indicated for the reasons given:

**1. 2010 Lease Grants –
Community Resource Centres**

The City Manager submitted a report from the Director Planning and Building providing Council information on lease grants for the year 2010 for non-profit tenants at the Holdom and Edmonds Community Resource Centres.

The City Manager recommended:

1. THAT Council approve the proposed 2010 lease grants for community resource centre tenants, as outlined in this report.

2. THAT Council authorize staff to make the appropriate 2010 lease renewal arrangements with Holdom and Edmonds Community Resource Centre tenants.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**2. Siting Approval Application #09-62
6811 and 6851 Hastings Street
Proposed Construction of Automotive Repair Service
Facility Under Existing Zoning
Apartment Study Area 'C'**

The City Manager submitted a report from the Director Planning and Building informing Council of a request for new construction under existing zoning in Apartment Study Area 'C'.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**3. Rezoning Reference #08-20
Mixed-Use Development with Underground Parking
Apartment Area C**

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 December 15. The purpose of the proposed rezoning bylaw amendment is to permit the construction of a mixed-use development composed of townhousing with a street-fronting commercial component with underground parking.

The City Manager recommended:

1. 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.

2. 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.
3. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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 review of a detailed Sediment Control System by the Director Engineering.
 - e) The pursuance of Storm Water Management Best Practices in line with established guidelines.
 - f) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
 - Statutory right of way in the northern part of the site for access to the oil line
 - 219 Covenant restricting the enclosure of balconies
 - 219 Covenant providing that all disabled parking to remain as common property.
 - g) 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.

- h) The consolidation of the new project site into one legal parcel.
- i) The completion of the Highway Closure Bylaw
- j) The completion of the sale of City property
- k) The deposit of the applicable Parkland Acquisition Charge.
- l) The deposit of the applicable GVS & DD Sewerage Charge.
- m) The deposit of the applicable School Site Acquisition Charge.
- n) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- o) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

4. Rezoning Reference #09-15
Accessible Automobile Facility
Big Bend Development Plan

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 December 15. The purpose of the rezoning bylaw amendment is to permit the sale, servicing and storage of accessible automobiles related to the proposed use of Units 107 and 108.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 at 7:30 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The granting of a Section 219 Covenant to ensure permitted automotive uses are limited to the sale, service and storage of accessible automobiles only, as outlined in Section 3.3 of this report.
 - c) The deposit of the applicable GVS&DD Sewerage Charge.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**5. Deconstruction of Burnaby Heights
Resource Centre**

The City Manager submitted a report from the Major Civic Building Project Coordination Committee seeking Council approval for a Capital Reserves Expenditure Bylaw to finance deconstruction of the Burnaby Heights Resource Centre.

The City Manager recommended:

1. THAT Council bring down a Capital Reserves Expenditure Bylaw in the amount of \$750,750 (inclusive of GST @ 5%) to finance the deconstruction of Burnaby Heights Resource Centre and site restoration work.
2. THAT a copy of this report be sent to the Parks, Recreation and Culture Commission.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**6. Central Park – Right-of-Way Request
For GVWD Water Distribution System
Optimization Project**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval in principle for the granting of a statutory right-of-way and temporary construction easement within Central Park in favour of the Greater Vancouver Water District.

The City Manager recommended:

1. THAT approval in principle be given to the granting of a statutory right-of-way and temporary construction easement, over a portion of Lot 1, District Lot 151, Group 1, N.W.D., Plan LMP7878 in favour of the Greater Vancouver Water District for the purpose of constructing, maintaining and operating underground water distribution works within Central Park as described in the attached report.
2. THAT the Legal and Lands Department be authorized to negotiate the terms of a new statutory right-of-way agreement with the Greater Vancouver Water District under the terms and conditions outlined in the attached report.
3. THAT a copy of this report be sent to the Greater Vancouver Water District.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**7. Bylaw to Fund Parks, Recreation and
Cultural Services 2009 Capital Project**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval to bring forward a bylaw to appropriate funds to finance the purchase of Life Fitness equipment.

The City Manager recommended:

1. THAT a bylaw be brought down to appropriate \$52,500 (inclusive of 5% GST) from Capital Reserves to finance the purchase of Life Fitness equipment.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

8. Hired Equipment Expenditure Approval

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council approval to increase the purchase order limit for hired equipment services provided by Jerry Williams Excavating Ltd.

The City Manager recommended:

1. THAT Council approve the continued use of hired equipment services provided by Jerry Williams Excavating Ltd.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

9. Lease Renewal of 4970 Canada Way

The City Manager submitted a report from the Director Finance seeking Council approval to renew the lease of the subject property to Rising Star Learning Ltd.

The City Manager recommended:

1. THAT Council authorize the lease renewal of the subject property and improvements to Rising Star Learning Ltd. under the terms and conditions outlined in this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**10. Contract No. 2009-37
Watermain Replacement Program –
Package 'B'**

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for construction of replacement watermain and related work.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Timbro Contracting (A Partnership), for the replacement of watermain for a total cost of \$1,229,388.30 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

11. Internal Order

The City Manager submitted a report from the Director Engineering seeking Council approval of Internal Order 60-21153 Watermain Renewals (2009 Program).

The City Manager recommended:

1. THAT the above internal order as more specifically referred to in this report, be approved.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

12. Temporary Financing Bylaw

The City Manager submitted a report from the Director Finance seeking Council authorization to obtain borrowing authority to temporarily finance expenditures.

The City Manager recommended:

1. THAT a bylaw be brought down to permit borrowing to a maximum of \$5 million for the period 2010 January 01 to December 31, repayable 2010 December 31.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

13. Rezoning Applications

The City Manager submitted a report from the Director Planning and Building submitting the current series of new rezoning applications for Council consideration.

The City Manager recommended:

1. THAT Council set a Public Hearing for this group of rezonings on 2009 December 15 at 7:30 p.m. except where noted otherwise in the individual reports.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #1 Application for the rezoning of:
Rez #09-19 Parcel “B” (EP14458), Lots 2 & 3, Blk 13, D.L. 158, Group 1, NWD Plan 1908

From: C2 Community Commercial District

To: R5 Residential District

Address: 5228 Neville Street

Purpose: To bring the subject property into conformance with its existing residential use and to permit the future construction of a new single-family dwelling.

The City Manager recommended:

1. THAT the amendment to the Royal Oak Community Plan, as outlined in Section 4.1 of this report, be approved.

2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23, and to a Public Hearing on 2009 December 15 at 7:30 p.m.
3. THAT the following be established as a prerequisite to the completion of the rezoning:
 - a) The granting of a Section 219 Covenant restricting vehicular access from the lane only.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #2 Application for the Rezoning of:
Rez #09-20 Lots 29, 30 & 31, Blk 6, D.L. 122, Group 1, NWD Plan 1308

From: C4a Service Commercial District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District, C2 Community Commercial District and Hastings Street Area Plan guidelines)

Address: 4719 Hastings Street

Purpose: To permit a four-storey mixed-use development.

The City Manager recommended:

1. THAT the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

Item #3 Application for the rezoning of:
Rez #09-21 Lot 84, D.L. 216, Group 1, NWD Plan 10936

From: R2a Residential District

To: R2 Residential District

Address: 7297 Ridge Drive

Purpose: To return the property to the original R2 District zoning and to permit future subdivision into two single-family lots.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 at 7:30 p.m.
2. THAT the following be established as a prerequisite to the completion of the rezoning:
 - a) The discharge of the following Section 219 Covenants:
 - Certifying that the land shall be developed only in accordance with the approved building and landscape plans.
 - Limiting the site to single-family use only.
 - Respecting the submitted geotechnical review confirming that the site may be used safely for the intended purpose.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #4 Application for the Rezoning of:
Rez #09-22 Lot 1, D.L. 34, Group 1, NWD Plan LMP33243

From: CD Comprehensive Development District (based on C2 Community

Commercial District)

To: Amended CD Comprehensive Development District (based on C2 Community Commercial District and P1 Neighbourhood Institutional District and Metrotown Development Plan guidelines and in accordance with the development plan entitled "Proposed New Daycare at 4021 Kingsway, Bby., B.C." prepared by Stephen Chan)

Address: 4021 Kingsway

Purpose: To permit a childcare facility for a maximum of 88 children.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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) Compliance with all requirements of the Fraser Health Authority, including the applicable sections of the Child Care Licensing Regulations of the *Community Care and Assisted Living Act*.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

Item #5 Application for the rezoning of:
Rez #09-23 Lot 6, D.L. 152, Group 1, NWD Plan 1292

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Metrotown Development Plan guidelines)

Address: 6709 Marlborough Avenue

Purpose: To permit construction of a four-unit townhouse development with under-building parking.

The City Manager recommended:

1. THAT a copy of this report be sent to the property owners at 6687 and 6729 Marlborough Avenue and 6688, 6710 and 6730 Dunblane Avenue.
2. THAT the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

Item #6 Application for the Rezoning of:
Rez #09-24 Lots 5 & 6, D.L. 152, Group 1, NWD Plan 80573

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and C6a Gasoline Service Station District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District and Metrotown Development Plan guidelines)

Address: 4860 Bennett Street and 6535 Nelson Avenue

Purpose: To permit a residential high-rise tower and street-fronting townhouses.

The City Manager recommended:

1. THAT the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Item #7

Rez #09-25

Application for the Rezoning of:

Lot 1, D.L. 164, Group 1, NWD Plan BCP35866

From: CD Comprehensive Development District (based on RM1 Multiple Family Residential District)

To: Amended CD Comprehensive Development District (based on RM1 Multiple Family Residential District and New Haven Conceptual Development Plan guidelines and in accordance with the development plan entitled “New Haven Townhomes Revised Residential Concept” prepared by Robert Ciccozzi Architecture Inc.)

Address: 4250 Marine Drive

Purpose: To permit the amendment of the previously approved 90 unit townhouse concept.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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) Provision of any necessary easements, covenants and statutory rights-of way including a Section 219 Covenant to govern the use and development of the site in accordance with the Comprehensive Development Plan and Heritage Designation Bylaw.
- e) Compliance with the Council-adopted sound criteria.
- f) The submission of a geotechnical review confirming that the site may be used safely for the intended uses, for review by the Chief Building Inspector and the granting of a Section 219 Covenant respecting the submitted report.
- g) The submission of a written undertaking committing to comply with all the prerequisites established under Rezoning Reference #05-50 and to all requirements of Subdivision Reference #05-52.
- h) 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 KANG:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff provide Council a copy of the layout in the original plan in comparison to the new layout.”

CARRIED UNANIMOUSLY

Item #8

Rez #09-26

Application for the rezoning of:

Lot 1, D.L.'s 70, 73 & 124, Group 1, NWD Plan BCP25458

From: CD Comprehensive Development District (based on M1 Manufacturing District, M5 Light Industrial District, C2 Community Commercial District and C6a Gasoline Service Station District)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District, C2 Community Commercial District and C6a Gasoline Service Station District and in accordance with the development plan entitled “Costco Willingdon BC Proposed Garden Centre” prepared by Mitchell C. Smith Architect MAIBC)

Address: 4500 Still Creek Drive

Purpose: To permit a seasonal outdoor garden centre for the existing Costco warehouse.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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 approval of the Ministry of Transportation to the rezoning application.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item #9 Application for the Rezoning of:
Rez #09-27 Lot 2 (BP247323), D.L. 70, Group 1, NWD Plan 71013

From: CD Comprehensive Development District (based on M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M5 and M5r Light Industrial District, Willingdon Business Park guidelines and in accordance with the development plan entitled "Proposed Restaurant: Unit 100-4370 Still Creek Drive (Willingdon Park)" prepared by CEI Architecture Planning Interiors)

Address: 4350 Still Creek Drive (#100 – 4370 Still Creek Drive)

Purpose: To permit a restaurant with 50 seats or less serving surrounding industrial / office developments.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 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 the 50% cash contribution towards a new pedestrian crosswalk.
 - c) The approval of the Ministry of Transportation to the rezoning application.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

Item #10 Application for the rezoning of:
Rez #09-28 Lot 1, D.L. 119, Group 1, NWD Plan BCP29858

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and Brentwood Town Centre Plan guidelines and in accordance with the development plan entitled "Browns Social House Restaurant" prepared by Hearth Architectural)

Address: 1908 Rosser Avenue (Unit #2)

Purpose: To permit exterior changes to the building and a reduction in parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2009 November 23 and to a Public Hearing on 2009 December 15 at 7:30 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The granting of a Section 219 Covenant to limit the hours of use of the patio to 11:00 a.m. to 10:00 p.m., Monday to Saturday, and 12:00 noon to 10:00 p.m. on Sundays; as well as prohibit any amplified or live music.
 - c) The granting of a Section 219 Covenant guaranteeing use of 40 office parking stalls during evening (after 6:00 p.m.) and weekend hours.
 - d) The approval of the Ministry of Transportation to the rezoning application.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Arising from consideration of the rezoning, Council requested staff prepare a memorandum to provide background information on the decision to not allow smoking on the patio.

Item #11 Application for the Rezoning of:
Rez #09-29 Lot A, D.L. 121, Group 1, NWD Plan 13633

From: C8 Urban Village Commercial District (Hastings)

To: CD Comprehensive Development District (based on C8 Urban Village Commercial District (Hastings) and Hastings Street Area Plan guidelines)

Address: 4114 Hastings Street

Purpose: To seek an exemption from the required loading provision for a proposed single-storey commercial building.

The City Manager recommended:

1. THAT Council reject this rezoning request.
2. THAT copies of this report be sent to the rezoning applicant and to the property owner.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

4. BYLAWS

FIRST READING

#12736	7176 Barnet Road	REZ #08-20
#12737	4250 Marine Drive	REZ #09-25
#12738	4021 Kingsway	REZ #09-22
#12739	7297 Ridge Drive	REZ #09-21
#12740	5228 Neville Street	REZ #09-19
#12741	1908 Rosser Avenue (Unit #2)	REZ #09-28
#12742	8289 North Fraser Way, Units #107-108	REZ #09-15
#12743	4500 Still Creek Drive	REZ #09-26
#12744	4350 Still Creek Drive (#100-4370 Still Creek Drive)	REZ #09-27

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 2009	#12736
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 46, 2009	#12737
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 2009	#12738
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 48, 2009	#12739

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 49, 2009	#12740
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 50, 2009	#12741
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 51, 2009	#12742
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 52, 2009	#12743
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 53, 2009	#12744

be now introduced and read a first time.”

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Local Improvement Fund Expenditure Bylaw No. 7, 2009	#12745
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be now introduced and read three times.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 28, 2009	#12733
Burnaby Local Improvement Fund Expenditure Bylaw No. 5, 2009	#12734

Burnaby Local Improvement Fund Expenditure
Bylaw No. 6, 2009

#12735

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

CARRIED UNANIMOUSLY

5. NEW BUSINESS

Councillor Johnston

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

“THAT the Environment Committee meeting scheduled to be held on Tuesday, 2009 December 08 at 6:00 p.m. in the Council Committee Room be re-scheduled to Tuesday, 2009 December 08 at 4:30 p.m. in the Council Committee Room.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON :
SECONDED BY COUNCILLOR McDONELL:

“THAT a special meeting of the Finance & Civic Development Committee be scheduled for Thursday, 2009 December 03 at 5:30 p.m. in the Council Committee Room.”

CARRIED UNANIMOUSLY

Councillor Jordan

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff provide an update to Council on the progress of the Highway 1 expansion.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT Councillor Johnston and Councillor Jordan trade Acting Mayor assignments for December and January, being that Councillor Jordan take Acting Mayor position in December 2009 and Councillor Johnston in January 2010.”

CARRIED UNANIMOUSLY

Councillor Volkow

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

“THAT the City contribute \$1,500.00 to the 15th Annual Labour Community Christmas Dinner.”

CARRIED UNANIMOUSLY

6. INQUIRIES

There were no inquiries brought before Council at this time.

7. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

“THAT this ‘Open’ Council Meeting do now adjourn.”

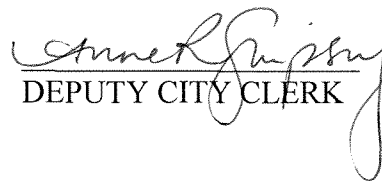
CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 8:06 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK