

## 2009 MARCH 09

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 March 09 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 A. Kang  
Councillor P. McDonell  
Councillor N.M. Volkow

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

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR VOLKOW:

"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 O C L A M A T I O N S

His Worship, Mayor Derek R. Corrigan proclaimed 2009 March 21 at "***International Day for the Elimination of Racial Discrimination***" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed the week of 2009 March 8<sup>th</sup> to 14<sup>th</sup> as "***Stop the Sexual Exploitation of Children & Youth Awareness Week***" in the City of Burnaby.

1. **MINUTES**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the 'Open' Council meeting held on 2009 March 02 be now adopted."

CARRIED UNANIMOUSLY

2. **REPORTS**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

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

The Finance and Civic Development Committee submitted a report providing a status update on the construction progress. Based on the construction progress to-date, the project is on budget. However, due to extreme weather conditions in December and January, the project is 2-3 weeks behind schedule. The contractor feels that they will be able to make up some time in other areas.

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

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

The Finance and Civic Development Committee submitted a report providing a status update on the construction progress. The project is on budget and work to-date is proceeding in an organized manner. The contractor's proposed completion date for Fire Station No. 7 is 2009 May.

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

**C) Social Issues Committee**  
**Re: 2009 Workplan for Burnaby's**  
**Access Advisory Committee**

The Social Issues Committee submitted a report providing a summary of the Burnaby Access Advisory Committee's (BAAC's) activities in 2008 and an outline of its proposed workplan for 2009. BAAC has played a very important role since its establishment twenty-one years ago in providing valuable advice and recommendations to the City regarding accessibility issues. Implementation of items identified in the workplan for 2009 will allow BAAC to continue to assist the City of meet its commitment to enhancing access to facilities and services for Burnaby residents with disabilities. Access Awareness Day will take place in 2009 June.

The Social Issues Committee recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR KANG:

"THAT the recommendation of the Social Issues Committee be adopted."

CARRIED UNANIMOUSLY

**D) Social Issues Committee**  
**Re: Hospital Employees' Union –**  
**Living Wage Campaign**

The Social Issues Committee submitted a report providing Council with information on the Hospital Employees' Union's Living Wage Campaign. Since the Provincial government initiated its Core Service Review in early 2002, Council has expressed its concerns regarding a number of policy changes that have negatively impacted vulnerable individuals and families. Since the legislation was passed, hospital employee wages have been reduced to their current hourly rate of \$13.05. The Campaign calls on health authorities to require their contractors to pay a "living wage" to its employees (recently identified as \$16.74 an hour in Metro Vancouver for each parent working full-time with two young children).

The Social Issues Committee recommended:

1. THAT Council convey its concerns to the Minister of Health Services regarding the negative impacts associated with the wage reductions for housekeeping and dietary workers in B.C. hospitals that have occurred since the Province passed the Health and Social Services Delivery Improvement Act in 2002.
2. THAT a copy of this report be sent to the Hospital Employees' Union, 5000 North Fraser Way, Burnaby, B.C. V5J 5M3.

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the recommendations of the Social Issues Committee be adopted."

CARRIED UNANIMOUSLY

Council requested staff include a copy of the Committee's report with the letter to the Minister of Health.

**E) Social Issues Committee**  
**Re: Early Childhood Development –**  
**Burnaby Initiatives**

The Social Issues Committee submitted a report providing information to Council on the importance of early childhood development (ECD) and ECD initiatives taking place in Burnaby. The Committee notes the critical importance

of healthy early childhood development to the individual and the community's future health and well-being.

The Social Issues Committee recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the Social Issues Committee be adopted."

CARRIED UNANIMOUSLY

- F) The City Manager presented a report dated 2009 March 09 on the matters listed following as Items 01 to 08 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Bylaw Dispute Adjudication System (Ticketing)**

The City Manager submitted a report from the Director Planning and Building, Director Finance, Director Engineering, Fire Chief and Director Parks, Recreation and Cultural Services requesting Council approval to proceed with the development of a ticketing bylaw for certain defined infractions. Following the adoption of the bylaw, staff will complete the work required to develop an administrative process for the management of the adjudication system. It is anticipated that this new process will be ready for implementation by 2009 August 01.

The City Manager recommended:

1. THAT Council authorize the preparation of a ticketing bylaw as outlined in Section 2.0 of this report.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**2. Petition to Dedicate as Parkland  
City-owned Lands at 4905 Canada Way,  
4336 Iris Avenue & 4456 Percival Avenue  
X-Ref. Rezoning Reference #51/91,  
Central Administrative Area**

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The City Manager submitted a report from the Director Planning and Building providing a response to a petition to dedicate as parkland the City-owned lands at 4905 Canada Way, 4336 Iris Avenue and 4456 Percival Avenue. Staff report the future use of this site reflects a need to balance economic, social and environmental considerations for the proper management of the City as a whole. The request for additional conservation parkland at this location is not generally supportable given the existing base of designated and protected park and conservation lands in the area.

The City Manager recommended:

1. THAT copies of this report be sent to all signatories of the petition for information.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**3. 6439 Burns Street, Burnaby  
Lot 11, DL 92, Plan 14066**

The City Manager submitted a report from the Director Planning and Building requesting Council direct the City Clerk to file a Notice in the Land Title Office, pursuant to Section 57 of the Community Charter, with respect to a property observed to be in contravention of the City Bylaws.

The City Manager recommended:

1. THAT Council direct the City Clerk to file a notice in the land Title Office stating:
  - a) A resolution relating to the land at 6439 Burns Street, Burnaby, BC has been made under Section 57 of the Community Charter, and

- b) Further information respecting the resolution may be inspected at the office of the City Clerk, City of Burnaby.

2. THAT a copy of this report be sent to the following owner:

Hand Delivered  
& Registered Mail:

Alternate address  
Registered Mail:

Manohanjit Singh  
6439 Burns Street  
Burnaby, B.C. V5E 1T3

Manohanjit Singh  
c/o Karamjit Singh  
369 Hickey Drive  
Coquitlam, B.C. V3K 5Z4

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR JORDAN:

"THAT Item 3, Manager's Report of the 'Open' meeting held 2009 March 09 be now **TABLED.**"

CARRIED UNANIMOUSLY

The report was TABLED until the 2009 March 23 'Open' Council meeting in order to allow a delegation related to this matter to appear before Council.

**4. Strata Title Application #08-3**  
**5191 Booth Avenue**

The City Manager submitted a report from the Director Planning and Building requesting Council approval for strata titling of an existing occupied two-family dwelling subject to the conditions in this report.

The City Manager recommended:

- 1. THAT Strata titling of 5191 Booth Avenue be approved subject to complete satisfaction of the Guidelines for Conversion of Existing and Occupied Two-Family Dwellings into Strata Title Units.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**5. Building Permit Tabulation Report No. 2  
From 2009 February 01 – 2009 February 28**

The City Manager submitted a report from the Director Planning and building providing Council with information on the construction activity as reflected by the building permits that have been issued for the subject period.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**6. Engineering and Construction Management  
Services Expenditure Approval – Griffiths  
Pedestrian Bridge and Related Trails**

The City Manager submitted a report from the Director Engineering requesting Council approval of the expenditure under Engineering Agreement E28/2005. The existing agreement had been approved to \$220,000, however, a longer than expected construction phase of the project and additional inspection services required for the completion of the project require an additional expenditure of \$37,000.

The City Manager recommended:

1. THAT Council approve the additional engineering expenditure under Engineering Agreement E28/2005 as outlined in this report.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY



**7. Internal Order**

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

The City Manager recommended:

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

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**8. Contract No. 2009 – 05**  
**2009 MRN Road and Watermain Rehabilitation**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for road and watermain rehabilitation.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Jack Cewe Ltd., for road and watermain rehabilitation at various locations throughout Burnaby for a total cost of \$3,019,191.00 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**3. BYLAWS**

**FIRST READING:**

- #12587 Text Amendment
- #12607 Text Amendment
- #12608 3811 North Fraser Way REZ #01-35
- #12609 3405 Willingdon Avenue REZ #09-02
- #12610 7900 Fraser Park Drive REZ #09-05
- #12611 7118 & 7128 Lougheed Highway REZ #08-13

MOVED BY COUNCILLOR CHANG:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

- Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 2, 2009 #12587
- Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 7, 2009 #12607
- Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 8, 2009 #12608
- Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 9, 2009 #12609

Burnaby Zoning Bylaw 1965, Amendment #12610  
Bylaw No. 10, 2009

Burnaby Zoning Bylaw 1965, Amendment #12611  
Bylaw No. 11, 2009

be now introduced and read a first time."

CARRIED UNANIMOUSLY

**FIRST, SECOND AND THIRD READING:**

MOVED BY COUNCILLOR CHANG:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Capital Works, Machinery and Equipment #12612  
Reserve Fund Expenditure Bylaw No. 6, 2009

Burnaby Capital Works, Machinery and Equipment #12613  
Reserve Fund Expenditure Bylaw No. 7, 2009

Burnaby Capital Works, Machinery and Equipment #12614  
Reserve Fund Expenditure Bylaw No. 8, 2009

be now introduced and read three times."

CARRIED UNANIMOUSLY

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

#12586 Text Amendment

#12589 4415 Fitzgerald Avenue REZ #08-44

MOVED BY COUNCILLOR CHANG:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #12586  
Bylaw No. 1, 2009

Burnaby Zoning Bylaw 1965, Amendment  
Bylaw No. 4, 2009

#12589

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:**

MOVED BY COUNCILLOR CHANG:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Capital Works, Machinery and Equipment  
Reserve Fund Expenditure Bylaw No. 3, 2009

#12603

Burnaby Capital Works, Machinery and Equipment  
Reserve Fund Expenditure Bylaw No. 4, 2009

#12604

Burnaby Capital Works, Machinery and Equipment  
Reserve Fund Expenditure Bylaw No. 5, 2009

#12605

Burnaby Local Service Tax Bylaw 2009

#12606

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

CARRIED UNANIMOUSLY

**4. NEW BUSINESS**

**Councillor Jordan**

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR McCONNELL:

"THAT the start time for the Community Development Committee meeting to be held Tuesday, 2009 March 24 in the Council Committee Room be changed from 6:00 p.m. to 5:00 p.m."

CARRIED UNANIMOUSLY

Councillor Jordan was granted leave by Council to put forward the following resolution regarding Proposed Tax Authority Restrictions:

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT WHEREAS the Throne Speech presented by the Provincial Government contained the following reference:

"...more needs to be done to ensure that provincial tax relief is not negated by local property tax hikes. Our government will work with the Union of British Columbia Municipalities to develop new legislation over the summer, for introduction early next year, that will protect provincial tax reductions"; and

WHEREAS the Throne Speech goes on to say that "All levels of government must be equally disciplined to ensure that tax reductions at one level of government are not negated by tax increases at another"; and

WHEREAS this proposed action is another in a long series of actions by the Provincial Government that interfere in the autonomy of local governments without acknowledging the restrictions already placed on our level of government, such as not being allowed to operate at a deficit; or recognizing the impact of the off-loading of the cost of services from the other levels of government;

THEREFORE BE IT RESOLVED THAT Burnaby Council go on record as strongly opposing any further fiscal restrictions on our local government authority, and that we request through a resolution to the LMLGA that the UBCM advise the Provincial Government that they will not *'work with'* the government towards any such legislation, and further;

THAT Burnaby Council request, through the LMLGA that the UBCM develop a comprehensive campaign showing the impact to property tax payers of senior government off-loading, and defending the accomplishments of cities who deliver a wealth of services for only 8 cents of each tax dollar."

CARRIED UNANIMOUSLY

Councillor Jordan made reference to Item A) of Council Correspondence received to 2009 March 06 from Mr. J. Carline, Commissioner & CEO, Metro Vancouver regarding a draft strategy for Metro Vancouver regional growth entitled "*Metro Vancouver 2040 – Shaping our Future*".

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR CALENDINO:

"THAT Metro Vancouver be invited to attend a Council meeting to provide a presentation on the draft Metro Vancouver Regional Growth Strategy."

CARRIED UNANIMOUSLY

**His Worship, Mayor Corrigan**

His Worship, Mayor Corrigan made reference to Item F) of Council Correspondence received to 2009 March 06 from Ms. Dawn Black, MP New Westminster-Coquitlam, requesting support for a Bill she introduced into the House of Commons. Bill C-315 seeks to amend the Criminal Code to make it an indictable offence for a person to leave their province of residence when they know or believe that a warrant of arrest has been or will be issued for them.

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"THAT Council write to Federal Minister of Justice, Honourable Rob Nicholson, expressing support for Bill C-315 which seeks to amend the Criminal Code to make it an indictable offence for a person to leave their Province of residence when they know or believe that a warrant of arrest has or will be issued for them."

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the motion be **AMENDED** to include that Council forward a resolution to the Federation of Canadian Municipalities expressing support for the principle of Bill C-315."

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Johnston and seconded by Councillor Calendino being "THAT Council write to Federal Minister of Justice, Honourable Rob Nicholson, expressing support for Bill C-315 which seeks to amend the Criminal Code to make it an indictable offence for a person to leave their Province

of residence when they know or believe that a warrant of arrest has or will be issued for them and THAT Council forward a resolution to the FCM expressing support for the principle of Bill C-315." AS AMENDED and same was CARRIED UNANIMOUSLY.

5. INQUIRIES

Councillor McDonell

Councillor McDonell advised on March 14 the Gilley Temple will be having a celebration and parade and invited all members of the community to attend.

6. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR JOHNSTON:


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

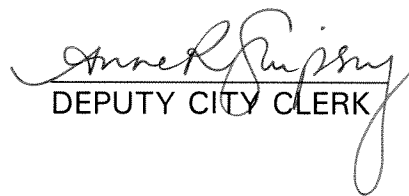
CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 7:58 p.m.

Confirmed:

Certified Correct:

  
MAYOR

  
DEPUTY CITY CLERK