

2010 SEPTEMBER 13

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2010 September 13 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. R. Earle, Deputy City Manager
Mr. L. Chu, Director Engineering
Mrs. D. Jorgenson, 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 CALENDINO:

SECONDED BY COUNCILLOR KANG:

“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 KANG:

SECONDED BY COUNCILLOR VOLKOW:

“THAT the minutes of the 'Open' Council meeting held on 2010 August 30 be now adopted.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the minutes of the Public Hearing (Zoning) held on 2010 August 31 be now adopted.”

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

- A) **Helen Chang**
Re: Organized Crime and Hate Crime
Speaker: Helen Chang

Note: The delegation was not available at this time. The delegation arrived at the Council meeting at 7:10 p.m. and delivered her presentation to Council (see Minutes page 3).

3. REPORTS

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

- A) **His Worship, Mayor Derek R. Corrigan**
Re: Proposed Economic Development and
Friendship City Mission – China and Korea

His Worship, Mayor Derek R. Corrigan submitted a report to advise Council of further initiatives in support of the Province’s B.C. Asia Twinning Program. The provincial government provided the City of Burnaby with one-time funding of \$50,000 to promote B.C. Asia twinning initiatives. This grant covered the cost of the exchange mission to Taiwan and China in May 2009 and partially supported the mission to China in September 2009. Funds for the proposed mission to China and Korea are available in the 2010 Annual Budget.

His Worship, Mayor Derek R. Corrigan recommended:

1. THAT Council receive this report for information purposes.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of His Worship, Mayor Derek R. Corrigan be adopted.”

CARRIED UNANIMOUSLY

His Worship, Mayor Derek R. Corrigan acknowledged that the delegation, Ms. Helen Chang, had arrived at the Council meeting.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the delegation be heard.”

CARRIED UNANIMOUSLY

- A) **Ms. Helen Chang**, 3280 Chrisdale Avenue, Burnaby, appeared before Council to discuss organized crime and hate crimes in Canadian society. Ms. Chang alluded to potential victims of racially motivated crimes dating back to 1997 and requested Council’s assistance to identify victims and obtain restitution for these individuals.

Council then resumed the regular order of business.

- B) The City Manager presented a report dated 2010 September 13 on the matters listed following as Items 01 to 11 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Port Mann / Highway 1 Project**
Burnaby Access Memorandum (BAM)

The City Manager submitted a report from the Director Planning and Building providing Council with information on the terms of a proposed Burnaby Access Memorandum (BAM) regarding the Port Mann / Highway 1 Project. Council at the ‘Closed’ Council meeting held on 2010 August 30, received and adopted the report seeking Council approval for the City to enter into a Burnaby Access Memorandum with the Transportation Investment Corporation and the BC Transportation Financing Authority regarding the Province’s Port Mann / Highway 1 Project. While still reflecting Council’s fundamental opposition to the project, the BAM achieves a range of improvements on the corridor, addresses some integration and mitigation issues, and provides for compensation for City lands taken into the project.

The City Manager recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

2. Federal Process on Additions-to-Reserve (ATR)

The City Manager submitted a report from the Director Planning and Building briefing Council on the local government issues and interests related to the federal process for Additions-to-Reserve (ATR) as identified by the Lower Mainland Treat Advisory Committee (LMTAC) and to advance responding recommendations for the consideration of Council. Under the Indian and Northern Affairs Canada ATR policy of 2001, lands can be considered for addition to existing reserves if an application falls within the categories of legal obligations, community additions and new reserves.

The City Manager recommended:

1. THAT Council endorse the 12 recommendations put forward in the LMTAC discussion paper titled, “*Local Government Issues and Interests on the Federal Additions-to-Reserve Process*”, as outlined in Section 4.0 of this report.
2. THAT Council approve the additional three (3) recommendations put forward by the City of Burnaby staff, as outlined in Section 4.0 of this report.
3. THAT Council forward a copy of this report to the Honourable John Duncan, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, the Burnaby Members of Parliament, the Honourable George Abbott, Minister of Aboriginal Relations and Reconciliation (MARR), the Burnaby Members of the Legislative Assembly, and Ms. Regan Schlecker, Managing Director, Lower Mainland Treaty Advisory Committee (LMTAC).

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

3. Edmonds Street Road Improvements

The City Manager submitted a report from the Director Engineering seeking Council approval to award an engineering assignment and Council authority to prepare a funding bylaw for engineering services related to Edmonds Street, Kingsway to Canada

Way, road improvement project. The scope of services includes detailed engineering design and construction administration and inspection of the proposed road improvements. The road improvements on Edmonds Street are oriented towards safer traffic operation and improved crossing for pedestrians, including the replacement of the deteriorating pavement surface, and renewal of the aging sewer mains and watermains.

The City Manager recommended:

1. THAT Council authorize staff to prepare a Capital Reserve Expenditure Bylaw in the amount of \$265,000 (inclusive of HST) for financing of the engineering services required.
2. THAT Council approve the award of the engineering consulting assignment for the Edmonds Street Road Improvements to Aplin & Martin Consulting Ltd. as outlined in this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

4. Street Tree Planting

The City Manager submitted a report from the Director Engineering providing Council with information on street tree planting in the City of Burnaby. Council, at the ‘Open’ Council meeting of 2010 July 12, received a delegation requesting Council consider funding street tree planting as a separate item in the Capital Budget. There are some 60,000 street trees in the City and although there is no separate funding provision for street tree planting, there are funds allocated for both planting and maintenance.

The City Manager recommended:

1. THAT Council receive this report for information.
2. THAT a copy of this report be forwarded to Ms. Farrell at #301 – 6366 Cassie Avenue, Burnaby, BC V5H 2W5.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**5. Soil and Water Testing Services
Burnaby Lake Rejuvenation Project**

The City Manager submitted a report from the Director Engineering seeking Council approval of the revised soil and water samples testing fee for the Burnaby Lake project. As part of the project scope, testing of the treated water and residual soils following the dredging, dewatering and treatment process is required.

The City Manager recommended:

1. THAT Council approve the revised testing service fee as outlined in this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

6. Road Closure – St. Helen’s Terry Fox Run

The City Manager submitted a report from the Director Engineering seeking Council approval for a road closure to facilitate St. Helen’s Terry Fox Run to be held Friday, 2010 September 24 between 12:30 p.m. and 3:00 p.m. St. Helen’s is requesting closure of the blocks surrounding the school which includes Ingleton Avenue, Esmond Avenue, Pandora Street and Triumph Street to provide the children with secure space for the event.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Enrico Perrotta, Athletic Director, St. Helen’s Elementary School, 3894 Triumph Street, Burnaby, BC V5C 1Y7, be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

7. Hired Equipment Expenditure Approval

The City Manager submitted a report from the Director Engineering seeking Council approval to increase the purchase order limit for hired equipment services provided by

McRae's Environmental Services. With a significant water and sewer service renewal and an increasing use of vacuum excavation services, which minimizes excavation requirements, there is an additional service provision required by the contractor.

The City Manager recommended:

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

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

8. Capital Account

The City Manager submitted a report from the Director Engineering seeking Council approval to fund the 2010 Capital Program, Sanitary Sewer capital account. Sufficient General Revenue funds are available and these expenditures are included in the Sanitary Sewer Utility component of the 2010 Annual Financial Plan.

The City Manager recommended:

1. THAT the capital account, as more specifically referred to in this report, be approved.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

9. Exemptions from Taxation - 2011

The City Manager submitted a report from the Director Finance to obtain Council's approval of permissive exemptions from property taxation for 2011.

The City Manager recommended:

1. THAT bylaws to exempt from taxation in 2011 those NEW properties listed in Part II(A) 100% (1) and partial exemption (2 – 3) be brought forward; and
2. THAT tax exemption bylaws be amended in 2011 to reflect the CHANGES to properties listed in Part II(B) (1-5) providing for a partial exemption; and

3. THAT bylaws be amended in 2011 to reflect the DELETION of the applicants listed in Part II(B) (1 – 7) who are no longer eligible for exemption; and
4. THAT bylaws to exempt from taxation in 2011 those properties listed in Part III(A) 100% (1 – 18 & 20 – 29) and 50% (19) be brought forward; and
5. THAT bylaws to exempt from taxation in 2011 those properties listed in Part III (B) 100% (1 - 20) and 50% (21) be brought forward; and
6. THAT bylaws to exempt from taxation in 2011 those properties listed in Part III(C) (1 - 83) be brought forward; and
7. THAT bylaws to exempt from taxation in 2011 those properties listed in Part III (D) 100% (1) be brought forward.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

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

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the Section C of the report, *Deletions from Exemption*, be **AMENDED** to include 3875 Kingsway – 2690-3875-000 and the wording changed to ‘The two parking lots excess to the needs of the congregations occupying the church at 3891 Kingsway is being made taxable’.”

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Johnston and seconded by Councillor Kang being “THAT the recommendations of the City Manager be now adopted” AS AMENDED and same was CARRIED UNANIMOUSLY.

10. Unightly Property at 7480 Broadway

The City Manager submitted a report from the Director Finance seeking Council authority for City staff or agents to enter the property at 7480 Broadway to remove unsightly materials and overgrowth at the property owner’s expense, in accordance with the Burnaby Unightly Premises Bylaw. Since 2006 April, five complaints of unsightly premises have been received from neighbours. Since receiving the initial complaint Licence Office staff have attempted to work with the property owner to bring the property into compliance.

The City Manager recommended:

1. THAT Council authorize City staff or agents to enter the property at 7480 Broadway, to remove and dispose of the accumulation of rubbish, discarded

materials and overgrowth referred to in this report that have created unsightly conditions, the costs of which will be charged to the property taxes if unpaid by December 31 of the year in which the expenses were incurred.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

11. Tender for the Supply of Asphalt

The City Manager submitted a report from the Director Finance seeking Council approval to extend the contract for the supply of asphalt to 2011 June 30. In 2007 June, contracts were awarded to Winvan Paving Ltd., B.A. Blacktop Ltd., Columbia Bitulithic, a Division of Lafarge Canada Inc. for the supply of hot mix asphalt and to Jack Cewe Ltd. for the supply and delivery of cold mix asphalt. Due to additional works being performed by City crews, the overall value of the recommended contract extensions will now require Council approval.

The City Manager recommended:

1. THAT Council approve the third one year extension for the supply of asphalt for a total estimated cost of \$815,360 including HST of \$87,360 with final payment based on actual quantities ordered and current unit prices.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

4. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Capital Works, Machinery and Equipment #12843
Reserve Fund Expenditure Bylaw No. 22, 2010

be now introduced and read three times.”

CARRIED UNANIMOUSLY

SECOND READING:

#12822	7449, 7481 and 7515 Gilley Avenue	REZ #10-17
#12823	8118 North Fraser Way	REZ #10-14
#12825	3292 Production Way	REZ #10-19

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Official Community Plan Amendment Bylaw 2010	#12815
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 25, 2010	#12822
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 26, 2010	#12823
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 28, 2010	#12825

be now read a second time.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

“THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 21, 2010	#12826
Burnaby Local Area Service Construction Bylaw No. 1, 2010	#12827
Burnaby Local Area Service Construction Bylaw No. 2, 2010	#12828
Burnaby Local Area Service Construction Bylaw No. 3, 2010	#12829
Burnaby Local Area Service Construction Bylaw No. 4, 2010	#12830
Burnaby Local Area Service Construction Bylaw No. 5, 2010	#12831
Burnaby Local Area Service Construction Bylaw No. 6, 2010	#12832
Burnaby Local Area Service Construction Bylaw No. 7, 2010	#12833
Burnaby Local Area Service Construction Bylaw No. 8, 2010	#12834
Burnaby Local Area Service Construction Bylaw No. 9, 2010	#12835
Burnaby Local Area Service Construction Bylaw No. 10, 2010	#12836
Burnaby Local Area Service Construction Bylaw No. 11, 2010	#12837
Burnaby Local Area Service Construction Bylaw No. 12, 2010	#12838
Burnaby Local Area Service Construction Bylaw No. 13, 2010	#12839

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

CARRIED UNANIMOUSLY

ABANDONMENT:

#12021 3871 Pandora Street

REZ #04-47

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 56, 2005

#12021

be now abandoned.”

CARRIED UNANIMOUSLY

5. NEW BUSINESS

Councillor Calendino

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

“THAT the Social Issues Committee meeting scheduled to be held on Thursday, 2010 September 23 be **CANCELLED** and rescheduled to Thursday, October 07 at 6:00 p.m. in the Council Chambers.”

CARRIED UNANIMOUSLY

Councillor Dhaliwal

Councillor Dhaliwal referred to a Pakistani Flood Relief Effort Memorandum outlining options for Council to donate to the relief effort. Arising from consideration of this matter, Councillor Dhaliwal was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR McDONELL:

“THAT the City of Burnaby donate \$5,000 to the Canadian Red Cross in the name of Pakistani Flood Relief.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT a copy of this motion be forwarded to UBCM for circulation to other municipalities at the conference.”

CARRIED
OPPOSED: COUNCILLORS CALENDINO,
JORDAN, JOHNSTON, and
VOLKOW

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT the Federal Government be requested to match donations to Pakistani Flood Relief put forward by local governments across Canada in the same manner as the Federal Government matched the donations put forward by individuals.”

CARRIED UNANIMOUSLY

Councillor Johnston

Councillor Johnston advised citizens have expressed concerns regarding signage proliferation around the City such as garage sales and real estate advertising and requested staff pick up these signs when driving around the City on business.

Councillor McDonell

Councillor McDonell reported that the 7th Annual City Fair held Sunday, 2010 September 12 was wet but successful, despite the weather.

Councillor Jordan

Councillor Jordan made reference to the disaster over the weekend in San Francisco caused by a natural gas explosion and inquired as to what safety processes are in place in Burnaby regarding natural gas lines. Arising from the discussion, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff prepare a report on existing safety practices related to natural gas lines.”

CARRIED UNANIMOUSLY

Councillor Kang

Councillor Kang advised Homeless Action Week begins 2010 October 14 and encouraged citizens to make donations of food and clothing.

6. **INQUIRIES**

There were no inquiries brought before Council at this time.

7. **ADJOURNMENT**

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

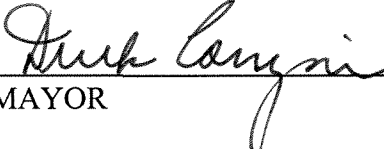
“THAT this ‘Open’ Council Meeting do now adjourn.”

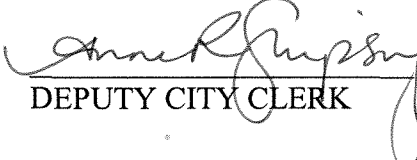
CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 8:10 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK