

2010 JUNE 21

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 June 21 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. 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
Ms. A. Skipsey, Deputy City Clerk
Ms. B. Zeinabova, Administrative Officer I

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

"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 CALENDINO:

"THAT the minutes of the 'Open' Council meeting held on 2010 June 14 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) **The Voices of Burnaby Seniors Task Force**
Re: Update of VOBS Projects
Speakers: Carole Kaye
Mariam Larson
- B) **Gordon World**
Re: Keeping Backyard Chickens
Speaker: Gordon World
- C) **Director Parks, Recreation and Cultural Services**
Re: Parks, Recreation and Cultural Services
2009 Annual Report
Speaker: Dave Ellenwood

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

- A) **Ms. Carole Kaye and Ms. Mariam Larson**, representing the Voices of Burnaby Seniors (VOBS) Task Force, appeared before Council providing an update of VOBS' projects, thanking the City for its continued support, and requesting endorsement of a prospective Door 2 Door bus service to shuttle Burnaby seniors. The delegation circulated materials in support of the presentation including the Business Plan Executive Summary of the VOBS' Burnaby Door 2 Door (D2D) Bus and the VOBS 2010 Community Resource Card.

Ms. Kaye explained VOBS is comprised of Burnaby seniors as well as representatives from agencies serving Burnaby seniors and their goal is to try to support seniors in being healthy, independent and connected members of the community. The speaker advised that in 2007, a comprehensive study was conducted and the resulting report “Voices of Burnaby Seniors – A Survey of Burnaby Citizens 55 Years and Older” provides information about seniors' needs and preferences related to housing, transportation, support services and social connections. In 2008, the Task Force received funding to develop an Action Plan and the following three working groups were formed: Transportation and the Built Environment; Housing; and Healthy Living – Outreach and Community Support and Awareness. These groups are now each working on a number of important projects.

In conclusion, Ms. Kaye acknowledged a number of VOBS members in attendance at the Council meeting.

- B) **Mr. Gordon World**, appeared before Council to speak to the staff report regarding the keeping of hens on residential properties in Burnaby appearing elsewhere on the Council agenda. Mr. World suggested the report was overly brief as well as unbalanced and biased and compared it to one produced by the City of Vancouver which he lauded for containing research on a number of the areas of concern. The speaker reviewed and addressed each of the concerns listed in Burnaby's report including: noise and odour; pests; spread of disease; and unwanted poultry.

In conclusion, Mr. World requested there be more dialogue and consultation on the keeping of backyard hens in Burnaby and that the staff report not be the final word on this matter.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW

"THAT Item 02, Manager's Report, 2010 June 21 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

2. **Keeping of Hens on Residential Properties**

The City Manager submitted a report from the Director Planning and Building responding to a request from Council to review a proposal to permit the keeping of hens on single family residential properties. Staff are unable to support the keeping of hens in the R Residential Districts given the impact such activities may have on the property, and adjacent residential land uses and residents. Staff consider it appropriate for the keeping of hens to remain limited to the A1 and A2 Agricultural Districts.

The City Manager recommended:

1. THAT a copy of this report be sent to Mr. Gordon World and Ms. Heather Havens at 7478 Sandborne Avenue, Burnaby, BC V3N 5A9.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

- C) **Mr. Dave Ellenwood**, Director Parks, Recreation and Cultural Services, appeared before Council on behalf of Commission Chair, Councillor Sav Dhaliwal, the Parks, Recreation and Culture Commission and Parks staff to present their 2009 Annual Report.

Director Ellenwood announced the Report was made available electronically (with printed copies available only upon request) thus using technology to further their commitment to

environmental sustainability and to encourage community participation and feedback. The speaker navigated through the report illustrating some of the interactive features it contains.

Mr. Ellenwood highlighted some of the 2009 accomplishments such as winning the “facility excellence” award from the BC Parks, Recreation Association for Burnaby’s Mountain Air Bike Skills Park as well as receiving praise for the quick and efficient way in which the Safe Harbour anti-discrimination program was rolled out. The delegation advised they had also received recognition by *Municipal World* magazine for their pioneering eco-sculpture initiative.

Other areas of interest covered in the Report include: upgrades & maintenance; planning & design; 2009 events; World Police & Fire Games; tournaments & community events; recreation; golf; arts & heritage; community arts; parks; eco-sculptures; business operations & food services; community partnerships; and financial performance. Mr. Ellenwood noted there is a future development feedback survey contained within the electronic report and encouraged citizens to provide input.

The 2009 Parks, Recreation & Culture Annual Report is available on the City’s website (www.burnaby.ca) by clicking on the link to the Parks, Recreation and Culture page and then on 2009 Annual Report.

3. CORRESPONDENCE

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the following item of correspondence be received.”

CARRIED UNANIMOUSLY

A) Lower Mainland Local Government Association Re: 2010 Membership Dues

An invoice was received from the Lower Mainland Local Government Association for 2010 membership fees.

Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNICLLOR JORDAN:

SECONDED BY COUNCILLOR KANG:

“THAT Council approve payment of 2010 the Lower Mainland Local Government Association membership dues.”

CARRIED UNANIMOUSLY

4. REPORTS

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

A) Transportation Committee

Re: Simon Fraser University Road Conditions

The Transportation Committee submitted a report advising Council of concerns expressed by the Bicycle Advisory Group regarding dangerous road conditions on University Drive. The concerns specifically address the lack of shoulder for cyclists to utilize as well as restricted vision while attempting to merge onto Burnaby Mountain Parkway.

The Transportation Committee recommended:

1. THAT a copy of this report be forwarded to Simon Fraser University.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

“THAT the recommendation of the Transportation Committee be adopted.”

CARRIED UNANIMOUSLY

- B)** The City Manager presented a report dated 2010 June 21 on the matters listed following as Items 01 to 10 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Progress on Burnaby's Social Sustainability Strategy

The City Manager submitted a report from the Director Planning and Building seeking Council endorsement for the three proposals in order to set the stage for launching the next phase of the Strategy development process.

The City Manager recommended:

1. THAT Council endorse the proposed Vision, Working Group Terms of Reference, and Communications Framework for the Social Sustainability Strategy, as developed by the Social Sustainability Strategy Steering Committee, and as outlined in this report.

2. THAT a copy of this report be forwarded to the Social Issues Committee for information.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

2. **Keeping of Hens on Residential Properties**

This item was dealt with previously in the ‘Open Council meeting in conjunction with Delegations 2. B).

3. **Federal Action Plan to Support Progress in the BC Treaty Process**

The City Manager submitted a report from the Director Planning and Building providing Council with a response to the recently released Federal Action Plan titled, “*Canada takes action to support progress in the BC Treaty Process*”, dated 2010 March 2, along with the related briefing material issued by the Lower Mainland Treaty Advisory Committee (LMTAC). LMTAC views the Plan as an important reaffirmation of Canada’s commitment to the BC Treaty Process and a potential narrowing of the differences between the Provincial and Federal negotiations mandates.

The City Manager recommended:

1. THAT Council adopt the resolution contained in Attachment A of this report to endorse the use of the responding paper developed by LMTAC as a mechanism for advancing the discussion with the Federal Government on their recently released Action Plan.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

4. **PPA Reference #10-83**
7817 Sixth Street
Request to Construct a New Car Wash
Sixth Street Area Plan

The City Manager submitted a report from the Director Planning and Building informing Council of a Preliminary Plan Approval request to construct a new car wash

in the 6th Street Area Plan. This property is currently occupied with a used car lot. The proposed car wash will occupy the entire site and is considered to be of a relatively low improvement value.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR McDONELL:

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

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the motion as moved by Councillor Kang and seconded by Councillor McDonell being ‘THAT the recommendation of the City Manager be adopted’ be now **TABLED**.”

CARRIED UNANIMOUSLY

This item was TABLED in order to provide Council with a further opportunity for review.

5. Southpoint Rainwater Management Amenity

The City Manager submitted a report from the Director Engineering seeking Council approval to fund the implementation of a rainwater management amenity and associated multi-use trail project on the 6500 block Southpoint Drive. The project seeks to transform a portion of unused roadway into a rainwater management facility and multi-use trail that can serve to improve the environment, enhance local recreational activities and provide value to the community as an educational and interactive resource.

The City Manager recommended:

1. THAT Council approve the remaining funding of \$80,000 from the Gaming Fund Reserves for construction of the Southpoint Rainwater Management Amenity and Urban Trail Project;
2. THAT a copy of this report be sent to the Finance and Civic Development Committee for their information.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

6. Marine Way/North Fraser Way Road Improvements

The City Manager submitted a report from the Director Engineering seeking Council approval to fund the Stage 2 preload construction on Marine Way.

The City Manager recommended:

1. THAT Council authorize bringing forward a Capital Reserves Expenditure Bylaw in the amount of \$1.0 million (inclusive of 12% HST) for the Stage 2 preload construction on Marine Way at North Fraser Way.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

7. Douglas Road Reconstruction

The City Manager submitted a report from the Director Engineering seeking Council approval to bring down a Capital Reserves Expenditure Bylaw for the reconstruction of Douglas Road, Still Creek bridge to Goring Street. The planned roadworks provide an ideal opportunity to improve pedestrian safety and vehicle turning movements with installation of street lights, additional traffic lanes at the intersections and upgrades to the traffic signals and rail crossing.

The City Manager recommended:

1. THAT Council authorize bringing forward a Capital Reserves Expenditure Bylaw in the amount of \$3.1 million (inclusive of 12% HST) to finance the reconstruction of Douglas Road, Still Creek bridge to Goring Street.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

8. Royal Oak Avenue Reconstruction

The City Manager submitted a report from the Director Engineering seeking Council approval to bring down a Capital Reserves Expenditure Bylaw for the reconstruction of Royal Oak Avenue, Spruce Street to Sprott Street.

The City Manager recommended:

1. THAT a Capital Reserves Expenditure Bylaw in the amount of \$1.0 million (inclusive of 12% HST) be brought down to finance the reconstruction of Royal Oak Avenue, Spruce to Sprott and sidewalk extension between Spruce and Eglinton.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

9. Canada Way/Boundary Road Intersection

The City Manager submitted a report from the Director Engineering seeking Council approval to fund road improvements at the intersection of Canada Way and Boundary Road. The proposed designs consist of a reconstructed “T” intersection, with Canada Way teeing into Boundary Road to improve traffic safety and to reduce congestion on Canada Way.

The City Manager recommended:

1. THAT Council authorize bringing forward a Capital Reserves Expenditure Bylaw in the amount of \$400,000 (inclusive of 12% HST) to provide the remaining funding required for road improvements at the intersection of Canada Way and Boundary Road.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**10. Garbage and Yard Waste Collection Service –
4500 Block Rumble Street**

The City Manager submitted a report from the Director Engineering responding to a petition from the residents on the south side of 4500 block Rumble Street regarding recent changes to the garbage and yard waste collection service.

The City Manager recommended:

1. THAT staff be authorized to work with the residents within the subject area based on the proposed solution outlined in Section 3 of this report; and,

2. THAT a copy of this report be sent to Mr. Walter Koblbauer, 4532 Rumble Street, Burnaby, BC.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

"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

5. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 13, 2010	#12808
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Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 14, 2010	#12809
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Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 15, 2010	#12810
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Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 16, 2010	#12811
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Burnaby Highway Closure Bylaw No. 8, 2010	#12812
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 17, 2010	#12813
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 18, 2010	#12814

be now introduced and read three times.”

CARRIED UNANIMOUSLY

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

#12780	107 – 1899 Rosser Avenue	Rez #10-01
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MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR KANG:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 11, 2010	#12780
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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 DHALIWAL:
SECONDED BY COUNCILLOR KANG:

“THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 12, 2010	#12801
Burnaby Treasurer Appointment Bylaw 2010	#12802

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

Councillor Volkow

Councillor Volkow advised two important reports had been released recently: the Major Inquiry regarding the bombing of Air India Flight 182 and the Braidwood Inquiry examining the safety of tasers and the death of Mr. Robert Dziekanski. Arising from consideration of this information, Council requested copies of these reports be made available through the Office of the City Clerk.

Councillor Volkow made reference to Item A) of the Council Correspondence received to 2010 June 18 from Burnaby resident Elsie Dean expressing her concern regarding the distribution of oil through pipelines in Burnaby and oil tankers moving through Burrard Inlet. Arising from consideration of the correspondence, Council requested staff prepare a memo providing information on current tanker traffic as well as the decommission process for pipelines through Burnaby.

Councillor Dhaliwal

Councillor Dhaliwal was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR McDONELL:

“THAT WHEREAS June 23, 2010 marks the 25th anniversary of the murder of 329 innocent men, women, children and infants aboard Air India Flight 182; and

WHEREAS on the same day, in a related explosion, two innocent baggage handlers were murdered at the airport in Narita, Japan; and

WHEREAS on March 16th, 2005, BC Supreme Court Justice Ian Josephson determined that the explosion aboard Air India Flight 182 and the explosion in Narita resulted from the two bombs originating in Vancouver; and

WHEREAS after twenty-five years of pain and suffering, the families of the victims are still waiting for the guilty party to be brought to justice for the worst mass-murder of Canadians and foreign nationals in the history of our country; and

WHEREAS the City of Burnaby had formally called for a Public Inquiry into the bombing of Air India through a resolution in March 2005; and

WHEREAS Justice John Major has just released key findings of his Commission of Inquiry into the investigation of the bombing of Air India Flight 182 to address aviation security and redress for the families of the victims;

THEREFORE BE IT RESOLVED that the City of Burnaby call on the Government of Canada to implement these recommendations without delay; and

BE IT FURTHER RESOLVED that the City of Burnaby call on the Government of Canada to sharpen its focus on bringing all persons responsible for killing 331 innocent victims to justice; and

BE IT FURTHER RESOLVED that the City of Burnaby extend its deepest sympathy to the families of the victims for the grief they continue to endure; and

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Prime Minister of Canada, all Opposition Leaders and Burnaby's Members of Parliament.

CARRIED UNANIMOUSLY

7. **INQUIRIES**

There were no inquiries brought before Council at this time.

8. **ADJOURNMENT**

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JORDAN:


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

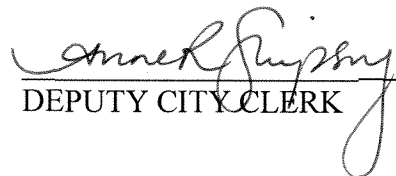
CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 8:57 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK