

2010 JUNE 28

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 28 at 5:30 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
Mrs. D.R. Comis, City Clerk
Ms. A. Skipsey, Deputy City Clerk

MOVED BY COUNCILLOR McDONELL:
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 JORDAN:

“THAT the minutes of the 'Open' Council meeting held on 2010 June 21 be now adopted.”

CARRIED UNANIMOUSLY

2. **DELEGATIONS**

The following wrote requesting an audience with Council:

- A) **Fraser Health Authority**
Re: Burnaby General Hospital
Speakers: Ms. Arden Krystal
Ms. Cathie Heritage

- B) **Tzu Chi Foundation of Canada**
Re: Global Relief Efforts
Speaker: Mr. Gary Ho

- C) **The Woof Dog Lounge & Spa**
Re: Change to Animal Kennelling Bylaw
Speaker: Mr. Tony Haller

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

- A) **Ms. Arden Krystal**, Vice President, Clinical Operations, Fraser Health Authority and **Ms. Cathie Heritage**, Executive Director, Burnaby Hospital, appeared before Council to provide updated information on the latest developments at Burnaby General Hospital and to address areas of concerns raised by Burnaby City Council with regards to the Hospital.

Ms. Heritage noted that today Burnaby Hospital has approximately 600 employees, 334 funded beds (up from 269 over the last 3 years) with 8 ICU beds and 6 operating rooms. The delegation reported Burnaby General is a robust community hospital which offers a variety of services. The hospital is the third largest site in the region and as such is a referral centre for smaller sites. Ms. Heritage advised the 334 beds include funding for medical beds and a new 20-bed Acute Care for the Elderly (ACE) unit.

The speakers outlined investments to Burnaby Hospital which include: a new Emergency Department triage and waiting room; installation of clean/dirty elevators; renovations to the Sterile Processing Department; improvements to the 3rd floor front entrance and gift shop; and an Optimization Clinic. The delegation announced the Burnaby Hospital Foundation's fundraising goal for 2010/11 is \$3,000,000 which will help fund the MRI machine and complete a new Patient and Family Education Centre. The speakers outlined Fraser Health's current policy regarding patient transfers and advised they have contracts with SN Transport for medically stable patient transfer services.

Councillor Johnston retired from the 'Open' Council meeting at 7:40 p.m.

Councillor Johnston returned to the 'Open' Council meeting at 7:43 p.m. and took his place at the Council table.

Councillor Jordan retired from the 'Open' Council meeting at 8:05 p.m.

Councillor Jordan returned to the 'Open' Council meeting at 8:08 p.m. and took her place at the Council table.

In conclusion, the delegation agreed to bring the appropriate individuals from the Fraser Health Authority to meet with Council and other involved parties to discuss the funding priorities at Burnaby General Hospital and any other areas of concern.

B) Mr. Gary Ho, CEO, Tzu Chi Foundation Canada, appeared before Council to share with Council updates on the many local, national, and global efforts the Tzu Chi Foundation is involved with. Mr. Ho advised that the Tzu Chi Foundation has been assisting with disaster relief efforts in countries where help is needed such as Sri Lanka after the tsunami, China after the earthquake, the US after hurricane Katrina and Haiti since the earthquake. The speaker shared experiences of their relief efforts and also provided video clips highlighting the work they have been doing. Mr. Ho noted the volunteers from the Tzu Chi Foundation pay for their own transportation and living arrangements. The Tzu Chi philosophy is to serve with gratitude, respect and unconditional love.

C) Mr. Tony Haller, Vice President, The Woof Dog Lounge & Spa, appeared before Council to present a proposal for changes to the Burnaby Animal Kennelling Bylaw to permit dog and cat kennels in M-class or industrial zones. The speaker noted that with the growing population in the City, the current number of dogs in Burnaby has increased to 15,000. Mr. Haller suggested that with the increased density in the City, the demand for overnight care for dogs and cats has also grown considerably. The delegation provided examples of the bylaws in Vancouver and North Vancouver which he claims have successfully incorporated changes to permit overnight pet care in industrial and commercial areas. The speaker suggested allowing the proposed change would assist pet owners, reduce pressure on agricultural land and allow businesses in Burnaby to better compete. In conclusion, Mr. Haller requested Council's support for changes to Burnaby's Animal Kennelling bylaw.

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

“THAT staff prepare a report on the delegation's proposal for consideration by the Community Development Committee.”

CARRIED UNANIMOUSLY

3. REPORTS

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

A) Executive Committee of Council
Re: Festivals Burnaby Pilot Project

The Executive Committee of Council submitted a report seeking Council approval for a “Festivals Burnaby” pilot project in order to provide supplementary funding and support for festivals and special events orchestrated by the City and by the community. The Committee recommended a 3 year pilot project with funding of \$670,000 per year from Gaming Reserve Funds.

The Executive Committee of Council recommended:

1. THAT Council approve the Festivals Burnaby Pilot Project as outlined in this report.
2. THAT Council forward a copy of this report to the Finance and Civic Development Committee for information.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

Councillor Johnston retired from the 'Open' Council meeting at 8:40 p.m.

Councillor Johnston returned to the 'Open' Council meeting at 8:42 p.m. and took his place at the Council table.

Councillor Chang retired from the 'Open' Council meeting at 8:52 p.m.

CARRIED UNANIMOUSLY

B) Executive Committee of Council
Re: Grant Applications

The Executive Committee of Council submitted the following grant applications for Council’s consideration.

#10/41 Burnaby North Community Association

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$500 be awarded to the Burnaby North Community Association in support of the Community Fair at Kensington Park.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

#10/42 Burnaby North Secondary School

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$100 be awarded to the Burnaby North Secondary School Dry Grad for 2010.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

#10/43 The Ethiopian Community of BC

The Executive Committee of Council recommended:

1. THAT an in-kind grant up to \$1,500 and a cash grant in the amount of \$500 be awarded to the Ethiopian Community of BC for the Ethiopian Summer Festival.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

#10/44 BC Council for Exceptional Children (CEC)

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$200 be awarded to BC Council for Exceptional Children (CEC) to assist with travel expenses for Jake Anthony to attend the Annual CEC Convention held in Nashville, Tennessee on 2010 April 23.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

#10/45 Burnaby Hospice Society

The Executive Committee of Council recommended:

1. THAT this grant request be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

#10/46 Boys and Girls Clubs of Greater Vancouver

The Executive Committee of Council recommended:

1. THAT this grant request be denied.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

#10/47 Crisis Intervention and Suicide Prevention Centre of BC

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$4,000 be awarded in support of the Crisis Intervention and Suicide Prevention Centre of BC for 2010.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

#10/48 Donald Steven Belliveau Entertainment Inc.

The Executive Committee of Council recommended:

1. THAT this grant request be denied.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

Arising from consideration of the grant request from the Burnaby Hospice Society, Council directed that any requests for funding from such organizations be compiled and raised for discussion when meeting with representatives from Burnaby General Hospital and the Fraser Health Authority.

C) Executive Committee of Council
Re: African Canadian Soccer and
Cultural Association (ACSCA)

The Executive Committee of Council submitted a report seeking Council approval for a grant to support the cost of hosting the 2010 African Soccer Tournament.

The Executive Committee of Council recommended:

1. THAT Council approve a grant in the amount of \$1,000 to support the costs of hosting the 2010 African Soccer Tournament on 2010 August 10 – 14.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

D) Executive Committee of Council
Re: Request for Funding – 60th Anniversary
of the RCMP Policing in the City of Burnaby

The Executive Committee of Council submitted a report seeking Council approval for in-kind and cash grants toward the cost of celebrating the 60th Anniversary of RCMP services to the citizens of Burnaby.

The Executive Committee of Council recommended:

1. THAT Council approve an in-kind grant in the amount of \$3,000 and a cash grant in the amount of \$5,000 in support of the 60th anniversary of RCMP services to the citizens of Burnaby.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

E) Executive Committee of Council

Re: Fiji Indian Association Festival 2010

The Executive Committee of Council submitted a report seeking Council approval for a grant in support of the Fiji Indian Association of BC for use of Swangard Stadium for the Association's annual Fiji Festival.

The Executive Committee of Council recommended:

1. THAT Council approve a cash grant for up to 50% of the final cost for the use of Swangard Stadium for the Fiji Indian Association Festival 2010 to be held at Swangard Stadium on 2010 July 17.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

Councillor Chang returned to the 'Open' Council meeting at 8:57 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

F) Mayor's Task Force on Graffiti

Re: Anti-Graffiti Strategy

The Mayor's Task Force on Graffiti submitted a report providing Council with a progress report on the Anti-Graffiti Strategy, including work in progress in each of the four elements of Eradication, Education, Prevention, and Deterrence.

The Mayor's Task Force on Graffiti recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendation of the Mayor's Task Force on Graffiti be adopted.”

CARRIED UNANIMOUSLY

- G) The City Manager presented a report dated 2010 June 28 on the matters listed following as Items 01 to 16 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Evergreen Line Update**

The City Manager submitted a report from the Director Planning and Building providing Council with an update on the current status of the Evergreen Line Rapid Transit Project and presenting the Province's responses to the Council motions of 2009 July 20.

The City Manager recommended:

1. THAT copies of this report be sent to the Executive Project Director, Evergreen Line Rapid Transit Project; Burnaby's Members of the Legislative Assembly; and the City's Transportation Committee.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

2. **Rezoning Reference #09-24
High-Rise Apartment Building with Street-fronting
Townhouses and City Amenity Building
Metrotown**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2010 July 27. The purpose of the proposed zoning bylaw amendment is to permit a residential high-rise tower with street-fronting townhouses and a City amenity building.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2010 July 12 and to a Public Hearing on 2010 July 27 at 7:00 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All

services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.

- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d) The removal of all existing improvements from the site prior to Final Adoption but not prior to Third Reading of the Bylaw. In the event that existing improvements on the site are vacant and considered to be unsafe, unstable, and a hazard to life, the Fire Prevention Division may recommend immediate demolition of such improvements and removal of the resultant debris prior to Third Reading.
- e) The consolidation of the net project site into one legal parcel.
- f) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- g) The dedication of any rights-of-way deemed requisite.
- h) The undergrounding and relocation of existing BC Hydro switching and transformer kiosks on-site.
- i) The utilization of an amenity density bonus through the provision of a Seniors Centre to be owned by the City and established through the creation of an airspace parcel and protected by a 219 Covenant in accordance with Section 3.3 of this report.
- j) The granting of a Section 219 Covenant for the development and maintenance of a public plaza with Public Art at the corner of the site, with provision of a statutory right-of-way for public access, and deposit of sufficient monies to guarantee completion of works.
- k) The granting of a 219 Covenant restricting enclosure of balconies.
- l) The provision of covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- m) Compliance with the guidelines for surface and underground parking for residential visitors.
- n) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- o) The deposit of the applicable Parkland Acquisition Charge.
- p) The deposit of the applicable GVS & DD Sewerage Charge.

- q) The deposit of the applicable School Site Acquisition Charge.
- r) Compliance with the Council-adopted sound criteria.
- s) The design and provision of units adaptable to persons with disabilities (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person), and with allocated disabled parking spaces.
- t) The granting of a 219 Covenant to maintain disabled parking spaces as common property.
- u) The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- v) The review of a detailed Sediment Control System by the Director Engineering.
- w) The retention of identified existing trees on and adjacent to the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that the site area identified for preservation of the existing tree and the park area adjacent to the site are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of the identified existing trees and areas, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
- x) The finalization of the design and contract for development of the City amenity building and site.
- y) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

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

Councillor Kang retired from the 'Open' Council meeting at 9:37 p.m. and did not return.

CARRIED

OPPOSED: COUNCILLOR DHALIWAL

**3. Rezoning Reference #05-48
Mixed-Use High-Rise Residential and Commercial Development
Metrotown Development Plan Sub-Area 1**

The City Manager submitted a report from the Director Planning & Building seeking Council authorization to forward this application to a Public Hearing on 2010 July 27. The purpose of the proposed zoning bylaw amendment is to permit the development of a mixed-use hotel and apartment tower over a 2-storey retail podium.

The City Manager recommended:

1. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No. 21/08, Bylaw No. 12453, be abandoned contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.12 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
3. 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 3.12 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
4. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2010 July 12, and to a Public Hearing on 2010 July 27 at 7:00 p.m.
5. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies including, a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The submission of an undertaking to remove all existing improvements from the site prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw. Demolition of any improvements will be permitted after

Second Reading of the Rezoning Bylaw has been granted, provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Third Reading and/or Final Adoption of the Rezoning Bylaw. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism.

- e) The consolidation of the net project site into one legal parcel.
- f) The dedication of any rights-of-way deemed requisite.
- g) The undergrounding of existing overhead wiring abutting the site.
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants including, but not limited to, those identified in Section 3.7 of this report.
- i) The provision of a public pedestrian walkway statutory right-of-way from Kingsway to Hazel Street, within the closed portion of Pioneer Avenue, and the construction of a concrete walk and lighting to the approval of the Director Engineering.
- j) Compliance with the guidelines for underground parking for visitors.
- k) Compliance with the Council-adopted sound criteria.
- l) The provision of two covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement recycling provisions.
- m) The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, and the granting of a Section 219 covenant and deposit of sufficient monies to guarantee its provision and continuing operation.
- n) The submission of a Site Profile and resolution of any arising requirements.
- o) The pursuance of green building practices for the proposed development in accordance with Section 3.3 of this report.
- p) The determination of an agreement with the Strata Corporation of 4505 Hazel Street regarding the protection and/or replacement of identified trees proximate to the property line on 4505 Hazel Street.
- q) The utilization of an amenity density bonus through the provision of a 6,100 sq. ft. non-profit office space on the third floor, to be transferred to City ownership with the creation of an airspace parcel and protected by a Section 219 Covenant in accordance with Section 3.2 of this report.

- r) The design and provision of units adaptable to persons with disabilities (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person) with allocated disabled parking spaces protected by Section 219 Covenant.
- s) Completion of the Highway Closure Bylaw
- t) Completion of the sale of City property.
- u) The provision of facilities for cyclists including provision of resident bike lockers, commercial bike racks, visitor bike racks and commercial end of trip facilities in accordance with Section 3.17 of this report.
- v) The deposit of the applicable Parkland Acquisition Charge.
- w) The deposit of the applicable GVS & DD Sewerage Charge.
- x) The deposit of the applicable School Site Acquisition Charge.
- y) The deposit of the applicable Metrotown Public Open Space Charge.
- z) The deposit of the applicable Metrotown Grade-separated Pedestrian Linkage Over Kingsway Charge.
- aa) 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 JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

4. Rezoning Reference #04-47
Private Elementary School

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2010 July 27. The purpose of the proposed zoning bylaw amendment is to permit the phased construction of two new school classroom wings, increase student enrolment, and bring the zoning of the overall site into compliance with its existing and intended uses.

The City Manager recommended:

1. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No. 56/05, Bylaw No. 12021 be abandoned contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2010 July 12, and to a Public Hearing on 2010 July 27 at 7:00 p.m.
3. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The granting of any necessary statutory rights-of-way, easements and covenants.
 - e) The granting of Section 219 Covenants to: limit student enrolment to up to 292 students until the completion of Phase II construction, when school enrolment is permitted to be up to 350 students; ensure that the existing school building at the northeast corner of the site is demolished and the area is landscaped within 90 days of the Occupancy Permit being issued for the east classroom wing (Phase II); and ensure the school implements a staggered recess/lunch program for primary and intermediate students.
 - f) The retention of identified existing trees on the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection
 - g) The review of a detailed Sediment Control System by the Director Engineering.

- h) The pursuance of Storm Water Management Best Practices in line with established guidelines, the deposit of sufficient monies for the provisions, and the granting of a Section 219 Covenant for a monitoring and maintenance program.
- i) The deposit of the applicable GVS & DD Sewerage Charge.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

5. City Land Sale
Rezoning Reference #08-20
7176 Barnett Road
Apartment Area C

The City Manager submitted a report from the Director Planning and Building informing Council of change in the value of land to be sold and included in the subject rezoning. The Legal and Lands Department has reviewed a request from the developer and has concurred that the established land value should be adjusted to account for the relocation of an existing gas line.

The City Manager recommended:

1. THAT Council approve the proposed adjustment in the value of the subject land sale, as outlined in this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

6. 2009 Financial Report

The City Manager submitted a report from the Director Finance presenting the 2009 Financial Statements to Council. Copies of the annual financial statements are available from the Finance Department without charge.

The City Manager recommended:

1. THAT the City of Burnaby 2009 Financial 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

7. Council Remuneration and Expenses

The City Manager submitted a report from the Director Finance presenting the 2009 Council Remuneration and Expenses Annual Report.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

8. RFP for Supply and Delivery of Light Trucks

The City Manager submitted a report from the Director Finance seeking Council approval to award purchase orders for the supply and delivery of various light trucks for the Engineering and Parks departments. A total of 23 trucks is recommended with funding available from the 2010 Annual Financial Plan.

The City Manager recommended:

1. THAT Council approve the award of two purchase orders, one to Metro Motors Ltd., for \$533,503.04 including levies and HST of \$57,161.04 and the second to Carter Chevrolet Buick GMC Cadillac Ltd., for \$179,463.20 including levies and HST of \$19,228.20 as outlined in this report.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

9. Tender for Ductile Iron Water Pipe

The City Manager submitted a report from the Director Finance seeking Council approval to extend the contract for the supply and delivery of ductile iron water pipe to 2011 June 30.

The City Manager recommended:

1. THAT Council approve the second one year extension to the contract with Andrew Sheret Ltd., for the supply and delivery of ductile iron water pipe for a total estimated cost of \$290,000 including HST of \$31,071.43 with final payment based on actual quantities ordered and current unit prices.
2. THAT Council approve the additional estimated expenditure of \$60,000 for the first one year contract extension ending 2010 June 30.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**10. Contract No. 2010-12
Douglas Road – Still Creek Bridge
To Goring Street**

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for construction of road works on Douglas Road – Still Creek Bridge to Goring Street. The work of this contract involves the construction of approximately 475.0 metres of road works, including mill and paving, full depth pavement construction, road widening and related work.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Jack Cewe Ltd., for road works for a tendered total cost of \$3,223,696 including \$345,396 HST, with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

11. Contract No. 2010-10
Canada Way at Boundary Road Intersection

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the rehabilitation of Canada Way at Boundary Road intersection. The work of this contract involves the construction of curbs, roadworks, traffic signals, street lighting, paving and related work.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Imperial Paving Ltd., for the rehabilitation of Canada Way at Boundary Road intersection, for a total cost of \$1,443,527.68 including \$154,663.68 HST with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

12. Contract No. 2010-02
Southpoint Drive Rain Garden

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the Southpoint Drive Rain Garden. This contract involves the removal of existing asphalt and concrete and the construction of approximately 350 metres of storm channel complete with landscaping, storm control manholes, storm sewer and tie-ins, asphalt path and all surface restoration.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Double M Excavating Ltd. for the construction of the Southpoint Drive Rain Garden for a tendered total cost of \$279,749.05 including \$29,973.11 HST, with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**13. Contract No. 2010-05
2010 Major Roads Network Infrastructure
Rehabilitation Program**

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the major roads network infrastructure rehabilitation program. The work of this contract involves the performance of rehabilitation and related work on various roads of the Major Road Network in the City of Burnaby.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Lafarge Canada Inc. C.O.B. as Columbia Bitulithic, for the 2010 Major Roads Network Infrastructure Rehabilitation Program for a tendered total cost of \$1,341,337.61, including \$143,714.74 HST, with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**14. 2009 Local Roads Network
Rehabilitation Program**

The City Manager submitted a report from the Director Engineering seeking Council approval of extra construction costs associated with the 2009 Local Roads Network Rehabilitation Program. The cost increase is due primarily to poor ground conditions at various locations that were discovered during construction.

The City Manager recommended:

1. THAT Council approve additional expenditure of \$253,198 to complete the 2009 Local Roads Network Rehabilitation Program, Contract 2009-07.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

15. 17th Annual Alta Vista Park Celebration

The City Manager submitted a report from the Director Engineering seeking Council approval for a temporary road closure for the 17th Annual Alta Vista Park Community Picnic to be held Saturday, 2010 September 18.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Sandra Banero, Program Coordinator, Bonsor Recreation Complex, 6550 Bonsor Avenue, Burnaby BC V5H 3G4 be sent a copy of this report.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

16. Capital Accounts

The City Manager submitted a report from the Director Engineering seeking Council approval for funding of capital accounts for Sanitary Sewer Renewals (2010 Program) and Watermain Renewals (2010 Program).

The City Manager recommended:

1. THAT approval be given to the Capital Accounts referred to in this report.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

“THAT the recommendation 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 McDONELL:

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

CARRIED UNANIMOUSLY

4. TABLED MATTER

- A) PPA Reference #10-83
7817 Sixth Street
Request to Construct a New Carwash
Sixth Street Area Plan
(Item 4, Manager's Report, 2010 June 21)

The following item was tabled at the 'Open' Council meeting held on 2010 June 21:

**PPA Reference #10-83
7817 Sixth Street
Request to Construct a New Carwash
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 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 members with a further opportunity for review.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

“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 **LIFTED** from the table.”

CARRIED UNANIMOUSLY

The motion was now before the meeting.

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

5. BYLAWS

FIRST READING

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT

Burnaby Official Community Plan Amendment Bylaw 2010 #12815

be now introduced and read a first time.”

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#12761 6947/51/79 Hastings Street REZ #07-53

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT

Burnaby Zoning Bylaw 1965, Amendment #12761
Bylaw No. 2, 2010

be now read a third time.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#12559 528 Sperling Avenue REZ #08-32

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 58, 2008	#12559
Burnaby Highway Closure Bylaw No. 4, 2010	#12796
Burnaby Highway Closure Bylaw No. 5, 2010	#12798
Burnaby Highway Closure Bylaw No. 6, 2010	#12799
Burnaby Highway Closure Bylaw No. 7, 2010	#12800
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 13, 2010	#12808
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 14, 2010	#12809
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 15, 2010	#12810
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 16, 2010	#12811
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 reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.”

CARRIED UNANIMOUSLY

Councillor Jordan retired from the 'Open' Council meeting at 10:05 p.m. as she indicated a conflict of interest with respect to Final Adoption of Bylaw #12492 as Chair of the Credit Union which may become a tenant at the subject site.

RECONSIDERATION AND FINAL ADOPTION:

#12492 4552 & 4556 Hastings Street REZ #08-08

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 41, 2008

#12492

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

CARRIED UNANIMOUSLY

Councillor Jordan returned to the 'Open' Council meeting at 10:06 p.m. and took her place at the Council table.

6. NEW BUSINESS

Councillor Dhaliwal

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

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT WHEREAS the government of Canada and the European Union have been negotiating a trade agreement known as the Comprehensive Economic and Trade Agreement (the “CETA”); and

WHEREAS the European Union and European corporations are insisting on full access to procurement by sub-national governments – including municipalities, school boards, universities, hospitals and other provincial agencies – which could significantly reduce or eliminate the right to specify local priorities when public money is invested in goods, services or capital projects; and

WHEREAS Canadian municipalities have expressed growing concerns with trade agreements and their potential impacts on municipal programs and services and local autonomy; and

WHEREAS unfettered access to Canadian municipal procurement by European corporations may encourage privatization and reduce economic development options for local communities; and

WHEREAS the B.C. government and other provincial governments have been actively involved in negotiating CETA with the European Union:

THEREFORE BE IT RESOLVED that the Union of B.C. Municipalities request that the provincial government negotiate a clear, permanent exemption for municipalities from CETA.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

“THAT WHEREAS the government of Canada and the European Union have been negotiating a trade agreement known as the Comprehensive Economic and Trade Agreement (the “CETA”); and

WHEREAS the European Union and European corporations are insisting on full access to procurement by sub-national governments – including municipalities, school boards, universities, hospitals and other provincial agencies – which could significantly reduce or eliminate the right to specify local priorities when public money is invested in goods, services or capital projects; and

WHEREAS Canadian municipalities have expressed growing concerns with trade agreements and their potential impacts on municipal programs and services and local autonomy; and

WHEREAS unfettered access to Canadian municipal procurement by European corporations may encourage privatization and reduce economic development options for local communities:

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities request that the Canadian government negotiate a clear, permanent exemption for municipalities from CETA.”

CARRIED UNANIMOUSLY

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JORDAN:

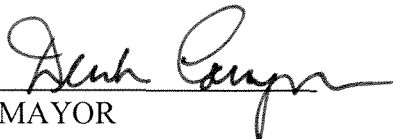
“THAT this ‘Open’ Council Meeting do now adjourn.”

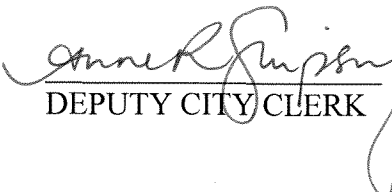
CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 10:15 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK