

2011 APRIL 18

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2011 April 18 at 6:00 p.m. followed immediately by a 'Closed' meeting from which the public was excluded. At the conclusion of the 'Closed' meeting, the 'Open' meeting was reconvened at 7:00 p.m. in the Council Chamber.

PRESENT: His Worship, Mayor D.R. Corrigan, In the Chair
Councillor 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. 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 CALENDINO:

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

CARRIED UNANIMOUSLY

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

PROCLAMATIONS

Councillor S. Dhaliwal, on behalf of His Worship, Mayor Derek R. Corrigan, proclaimed the month of 2011 May as "***MS Awareness Month***" in the City of Burnaby.

Councillor R. Chang, on behalf of His Worship, Mayor Derek R. Corrigan, proclaimed the week of 2011 May 01 - 07 as "***BC Drinking Water Week***" in the City of Burnaby.

Councillor C. Jordan, on behalf of His Worship, Mayor Derek R. Corrigan, proclaimed the month of 2011 May as "***Vision Health Month***" and Thursday, 2011 May 26 as "***Shades of Fun Day***" in the City of Burnaby.

Councillor D. Johnston, on behalf of His Worship, Mayor Derek R. Corrigan, proclaimed Saturday, 2011 May 07 as "***BC-Yukon Figure Skating Day***" in the City of Burnaby.

Councillor P. McDonell, on behalf of His Worship, Mayor Derek R. Corrigan, proclaimed Sunday, 2011 May 08 as ***“Tzu Chi Day”*** in the City of Burnaby.

Councillor N. Volkow, on behalf of His Worship, Mayor Derek R. Corrigan, proclaimed Thursday, 2011 April 28 as ***“BC’s Children’s Hospital’s Jeans Day”*** in the City of Burnaby.

Councillor A. Kang, on behalf of His Worship, Mayor Derek R. Corrigan, proclaimed the week of 2011, May 02 - 08 as ***“Mental Health Week”*** in the City of Burnaby.

Councillor P. Calendino, on behalf of His Worship, Mayor Derek R. Corrigan, proclaimed the week of 2011 May 02 - 08 as ***“Elizabeth Fry Week”*** in the City of Burnaby.

2. DELEGATIONS

The following wrote requesting an audience with Council:

A) New Westminster & District Labour Council

Re: Day of Mourning

Speaker: Ardell Brophy

B) Chuck Puchmayr

Re: Organ Donor Awareness Week

**Speakers: Chuck Puchmayr
Jillian St. James**

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

His Worship, Mayor Derek R. Corrigan proclaimed Thursday, 2011 April 28 as ***“Annual Day of Mourning for Workers Killed and Injured on the Job”*** in the City of Burnaby.

- A) Ms. Ardell Brophy**, representing the New Westminster and District Labour Council appeared before Council to present information regarding the 2011 Annual Day of Mourning for workers killed or injured on the job. Ms. Brophy acknowledged and thanked Council for its leadership and continued support through recognition of this important issue.

The speaker noted their presentation is meant to educate local governments and citizens on current workplace issues and about their efforts to ensure that Provincial legislation and compensation regulations adequately meet the needs of working people. Ms. Brophy reported workers being exposed to health compromising toxins, suffering permanent disability or death from a workplace incident is a reality every day in British Columbia and that the massive changes that flowed from Bill 49 revisions to WCB in 2002 continue to have a devastating impact on thousands of injured workers.

The delegation interprets the Provincial Government's announcement to cut red tape for employers as a shift of the burden of regulation and costs from employers to injured workers. The result is fewer regulations, self-regulation, no enforcement or monitoring, lower premiums and reduced or complete loss of benefits. Ms. Brophy advised that in one industry alone, the cost of moving to a model of self-regulation resulted in an enormous increase in the number of worker deaths and after an intensive review the WCB accepted that self-regulation had proven "a deadly mistake".

The Labour Council believes it is not an accident when an employer takes no responsibility for worker safety or when a worker has no training or works alone without adequate protection. The delegation maintains the Worker's Compensation system no longer provides adequate protection or benefits to workers devastated by injury or disease and that is the direct result of employer demands to reduce their premium costs.

Ms. Brophy advised that with increasing levels of worker claims for compensation, employer premiums are now at a 30 year low. The speaker then provided information on the history on the establishment of the WCB in 1917.

In conclusion, the delegation suggested everyone must share the responsibly to ensure human life or the quality of a human life is never sacrificed for profit and productivity. Ms. Brophy asked Council, as community leaders, to promote the need for a balanced and fair compensation system.

The New Westminster & District Labour Council will co-host the Day of Mourning ceremony with the Canadian Labour Congress and the City of Burnaby at Burnaby City Hall at 12 noon on Thursday, April 28th to remember the workers who did not come home.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

"THAT Item 3 A) of the Correspondence be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

A) New Westminster & District Labour Council
Re: Day of Mourning

A letter was received from the New Westminster & District Labour Council requesting the declaration and observation of April 28th as the official "Day of Mourning for Workers Killed or Injured on the Job".

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JORDAN:

"THAT the item of correspondence be received."

CARRIED UNANIMOUSLY

A minute of silence was held in memory of those workers killed or injured on the job.

His Worship, Mayor Derek R. Corrigan presented the delegation with a copy of the *"Annual Day of Mourning for Workers Killed and Injured on the Job"* proclamation.

His Worship, Mayor Derek R. Corrigan proclaimed the week of 2011 April 17 - 23 as ***"Organ Donor Awareness Week"*** in the City of Burnaby.

B) Mr. Chuck Puchmayr, 1107 Nanaimo Street, New Westminster, BC appeared before Council to discuss the importance of organ donor awareness. Mr. Puchmayr reported that 85% of people express the desire to become organ donors, but only 17% are actually registered organ donors.

The speaker congratulated the City of Burnaby for the steps it has taken to support awareness of this important issue. Mr. Puchmayr noted he takes the proclamations adopted by various local governments and has them hung in the hospital where surgery recipients can see them.

The delegation noted Ms. Jillian St. James was not able to be there as she was presenting before another local government. However, he did relay her story of being a 24 year old woman suffering from liver disease when her younger brother donated half of his liver to save her life.

In conclusion, Mr. Puchmayr advised that 25,000 people die of natural causes each year; of the 25,000, only 1% are organ donors and of those only 1% qualify for organ donation. He noted there are currently 394 people on the organ donor list needing transplants but there are thousands more who will end up on this list.

His Worship, Mayor Derek R. Corrigan presented the delegation with a copy of the *"Organ Donor Awareness Week"* proclamation.

1. MINUTES

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the 'Open' Council meeting held on 2011 April 11 be now adopted."

CARRIED UNANIMOUSLY

3. CORRESPONDENCE

A) New Westminster & District Labour Council
Re: Day of Mourning

This item was dealt with previously in the meeting in conjunction with Delegation 2 A).

4. REPORTS

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

A) Community Heritage Commission

**Re: New Residence – Heritage Revitalization
Agreement (6337 Sperling Avenue)**

The Community Heritage Commission submitted a report seeking Council approval for minor amendments to the design of a new residence under the Wysong House Heritage Revitalization Agreement.

The Community Heritage Commission recommended:

1. THAT Council approve the minor amendments to the exterior design for the new residential dwelling under the Wysong House Heritage Revitalization Agreement, as outlined in this report.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the Community Heritage Commission be adopted.”

CARRIED UNANIMOUSLY

B) Community Heritage Commission

Re: Heritage Plaque Program – 2011

The Community Heritage Commission submitted a report seeking Council authorization for the proposed maintenance and improvement of specific heritage interpretation signs installed under the City’s Heritage Plaque Program. The results of a recent inspection and review of the signage located along Hasting Street and the Trans-Canada Trail has identified the need for some project improvements and maintenance requirements.

The Community Heritage Commission recommended:

1. THAT Council authorize an expenditure not to exceed \$6,000 (inclusive of HST) to undertake the proposed maintenance and improvement of specific heritage interpretation signs, as outlined in this report.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR KANG:

“THAT the recommendation of the Community Heritage Commission be adopted.”

CARRIED UNANIMOUSLY

C) Community Heritage Commission
Re: City Award Sponsorship for the
“Rivers to Sea Regional Heritage Fair”
2011 May 13 – 14

The Community Heritage Commission submitted a report seeking Council authorization to fund the City of Burnaby Award for the 2011 “Rivers to Sea Regional Heritage Fair” to be held 2011 May 13 – 14. The Community Heritage Commission has created and funded the City of Burnaby community award to recognize the best student project with a Burnaby heritage or history theme.

The Community Heritage Commission recommended:

1. THAT Council approve \$500.00 to fund the City of Burnaby Award for the 2011 “Rivers to Sea Regional Heritage Fair”, as outlined in this report.

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR McDONELL:

“THAT the recommendation of the Community Heritage Commission be adopted.”

CARRIED UNANIMOUSLY

D) Environment Committee
Re: Water Shortage Response Plan

The Environment Committee submitted a report providing Council with an update of the recent revisions by the Metro Vancouver Board to the regional Water Shortage Response Plan and seeking amendments to the City of Burnaby’s Waterworks Regulation Bylaw. The revised regional Lawn Sprinkling Regulations contained in the Water Shortage Response Plan is intended to reduce the per-capita peak hour and peak day demands, address the existing water transmission system challenges and defer new costly supply infrastructure.

The Environment Committee recommended:

1. THAT Council amend the Waterworks Regulation Bylaw to incorporate the revised regional Water Shortage Response Plan, as outlined in Section 3.0 of this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Council requested information on the restrictions be provided to Burnaby residents in a number of different languages and that there be an opportunity for citizens to provide their feedback.

E) Environment Committee
Re: Public School Food Scraps Collection
Pilot Program

The Environment Committee submitted a report seeking Council approval to undertake a public school food scraps collection pilot project. In order to meet Metro Vancouver's Integrated Solid Waste and Resource Management Plan goal of 70% diversion by 2015 and strengthen diversion programs for the institutional sector, it is recommended that a public school food scraps collection pilot project be undertaken to ensure the success of the full-scale institution food scraps collection program in the future.

The Environment Committee recommended:

1. THAT Council authorize staff to work with the Burnaby School District to undertake a pilot food scraps collection from public schools, as outlined in Section 2.0 of this report.
2. THAT Council authorize staff to report back to Council on the findings of the pilot project.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

“THAT the recommendations of the Environment Committee be adopted.”

CARRIED UNANIMOUSLY

F) Environment Committee
Re: 2010 Annual Solid Waste and
Recycling Report – A Year in Review

The Environment Committee submitted a report providing Council with the 2010 Annual Report on the City's integrated solid waste and recycling program. The City of Burnaby provides a comprehensive waste and recycling service to its residential and commercial customers. The service programs offered by the City range from curb side service to central depot collection, and are considered as one of the most integrated waste and

recycling management models in the region. Some of the key achievements in 2010 included: implementing curb side collection of food scraps from single and two family homes; undertaking a multi-family food scraps collection pilot project; replacing the old solid waste bylaw with a new solid waste and recycling bylaw; the installation of 200 three compartment units at civic facilities and along City road rights-of-way as a means of further diverting recyclable materials; and enhancing litter control which includes cleaning up litter and abandoned materials from rear laneways.

The Environment Committee recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

G) Environment Committee
Re: 2011 Environment Week

The Environment Committee submitted a report seeking Council approval for the 2011 Environment Week program scheduled for 2011 June 05 – 11. Burnaby’s contribution to Environment Week is an annual opportunity to raise awareness of the importance of the natural environment and acknowledge the people who strive to enhance it. This year’s Burnaby Lake Rejuvenation Project celebratory event, waste reduction and other environmentally themed activities will allow Burnaby citizens to learn more and actively participate in a wide variety of community environmental initiatives.

The Environment Committee recommended:

1. THAT Council approve the 2011 Burnaby Environment Week program, as outlined in *Appendix A*.
2. THAT Council approve an expenditure of \$15,500 from the Boards, Committees and Commissions budget for advertising and event signage for 2011 Environment Week.
3. THAT Council approve an expenditure of \$5,000 from the Boards, Committees and Commissions budget for a Burnaby Lake Rejuvenation Project celebratory event in conjunction with the Environment Awards reception.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

“THAT the recommendations of the Environment Committee be adopted.”

Recommendation No. 1

CARRIED UNANIMOUSLY

Recommendation No. 2

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT Recommendation No. 2 as moved by Councillor Johnston and seconded by Councillor Jordan being ‘THAT Council approve an expenditure of \$15,500 from the Boards, Committees and Commissions budget for advertising and event signage for 2011 Environment Week’ be now **TABLED.**”

CARRIED UNANIMOUSLY

Recommendation No. 3

CARRIED UNANIMOUSLY

H) The City Manager presented a report dated 2011 April 18 on the matters listed following as Items 01 to 09 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. 5456 Clinton Street, Burnaby, BC
Lot 3, Block 11, DL 158, Plan 1908

The City Manager submitted a report from the Director Planning and Building requesting a Council resolution to file notice in the Land Title Office pursuant to Section 57 of the Community Charter, with respect to a property in contravention of City bylaws.

The City Manager recommended:

1. THAT Council direct the City Clerk to file a Notice in the Land Title Office stating that:
 - a) A resolution relating to the land has been made under Section 57 of the Community Charter, and
 - b) Further information respecting the resolution may be inspected at the offices of the City Clerk, City of Burnaby.
2. THAT a copy of this report be sent to the following owner:

Gurinder S. Mangat
5456 Clinton Street
Burnaby, BC V5J 2L8.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

2. Burnaby Village Farmers' Market

The City Manager submitted a report from the Director Planning and Building advising Council of the proposal to relocate the Burnaby Farmers' Market to Burnaby Village Museum. The new market is scheduled to commence operation every Saturday beginning 2011 May 7th until October 29th from 9:00 a.m. to 2:00 p.m. Staff are working closely with Artisan Markets on an integrated publicity plan and will provide for the installation of temporary signage at the former market site at City Hall to re-direct the public to the new location at Burnaby Village Museum.

The City Manager recommended:

1. THAT Council receive this report for information purposes.

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

3. Promotion of the 2011 Census

The City Manager submitted a report from the Director Planning and Building providing Council with information on the 2011 Census and actions that the City can take to help promote it. The 2011 Census will take place in May this year. The Census provides important population information that is vital to planning for community services and determining transfer payments from senior governments.

The City Manager recommended:

1. THAT Council authorize staff to undertake the actions outlined in Section 2.0 of this report to help promote the census.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

Councillor Chang retired from the 'Open' Council meeting at 8:41 p.m.

CARRIED UNANIMOUSLY

Council requested staff ask the Federal Government to provide materials in other languages including Chinese, Punjabi, and Korean to assist the City in promoting the Census to its Burnaby citizens.

4. Burnaby Village Museum Fees Bylaw No. 12789

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council authorization to amend the 2011 Burnaby Village Museum Fees Bylaw for free admission.

The City Manager recommended:

1. THAT approval be given for the amendment of the Burnaby Village Museum Fees Bylaw No. 12789 to reflect no-charge general site admission for 2011.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. Rezoning Reference #10-18
Low-Rise Apartment Development
Royal Oak Community Plan Sub-Area 2

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2011 May 31. The purpose of the proposed zoning bylaw amendment is to permit the construction of a 32-unit low-rise apartment development with full underground parking.

The City Manager recommended:

1. THAT the sale of City-owned property be approved for inclusion within the subject development site in accordance with the terms outlined in Section 3.7 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
2. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.7 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
3. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 May 05, and to a Public Hearing on 2011 May 31 at 7:00 p.m.
4. THAT the following be established as prerequisites to the completion of the rezoning:

- a) The submission of a suitable plan of development.
- b) The deposit of sufficient monies including, a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d) The 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 site into one legal lot.
- 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.
- i) The granting of a Section 219 Covenant restricting enclosure of balconies.
- j) The granting of a Section 219 Covenant regarding the guest suite.
- k) The granting of a Section 219 Covenant indicating that project driveway accesses will not be restricted by gates.
- l) Compliance with the Council-adopted sound criteria.
- m) Compliance with the guidelines for underground parking for visitors.
- n) The provision of a covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.

- o) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- p) The submission of a Site Profile and resolution of any arising requirements.
- q) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- r) Completion of the Highway Closure Bylaw.
- s) Completion of the sale of City property.
- t) The deposit of the applicable Parkland Acquisition Charge.
- u) The deposit of the applicable GVS & DD Sewerage Charge.
- v) The deposit of the applicable School Site Acquisition Charge.
- w) 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 VOLKOW:

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

CARRIED UNANIMOUSLY

6. Rezoning Reference #10-34
Proposed Dania Campus of Care and
Phase I Complex Care Building

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2011 May 31. The purpose of the proposed zoning bylaw amendment is to permit the development of a new 68 bed complex care facility to replace the existing 67 bed Dania Home Care facility, as well as to indicate an additional 33 beds, as a future phase of rezoning and development.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 May 05, and to a Public Hearing on 2011 May 31 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 granting of any necessary statutory rights-of-way, easements and/or covenants.
 - e) The dedication of any rights-of-way deemed requisite.
 - 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 approval of the Ministry of Transportation to the rezoning application.
 - h) Compliance with the Council-adopted sound criteria.
 - i) The submission of an exterior lighting plan which meets the standards for seniors' housing complexes as adopted by Council.
 - j) The deposit of the applicable Parkland Acquisition Charge.
 - k) The deposit of the applicable GVS & DD Sewerage Charge.
 - l) The provision of facilities for cyclists.
 - 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 review of a detailed Sediment Control System by the Director Engineering.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

7. Rezoning Reference #10-37
Four-storey Mixed-use Development
Royal Oak Community Plan, Sub-Area 8

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2011 May 31. The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed-use development with retail and residential at grade with residential uses above, including fully enclosed under-building and underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 May 05, and to a Public Hearing on 2011 May 31 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 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 site into one legal lot.
- f) The undergrounding of existing overhead wiring abutting the site.
- g) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- h) The granting of any necessary Section 219 Covenants including restricting enclosure of balconies and providing that all disabled parking remain as common property.
- i) Compliance with the Council-adopted sound criteria.
- j) Compliance with the guidelines for underground parking for residential visitors.
- k) The provision of a covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- l) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- m) The submission of a Site Profile and resolution of any arising requirements.
- n) The review of a detailed Sediment Control System by the Director Engineering.
- o) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- p) The deposit of the applicable Parkland Acquisition Charge.
- q) The deposit of the applicable GVS & DD Sewerage Charge.
- r) The deposit of the applicable School Site Acquisition Charge.
- s) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

8. Rezoning Reference #10-41
City Works Yard

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2011 May 31. The purpose of the proposed zoning bylaw amendment is to establish a specific plan of development for the City Works Yard in line with the conceptual plan being established through Rezoning Reference #09-16.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 May 05 and to a Public Hearing on 2011 May 31 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) Completion of the Engineering Design for all services necessary to serve the site and provision of funding for construction.
 - 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) Completion of the subdivision creating the net project site.
 - e) Final Adoption of the bylaw for REZ #09-16 to establish the conceptual plan for the subject site.
 - f) The granting of any necessary statutory rights-of-way, easements and/or covenants.
 - g) The granting of Section 219 Covenants for riparian setback areas, for floodproofing requirements, to ensure the water table at the property lines is not drawn down, and to ensure the site is developed in accordance with the accepted Geotechnical Report.
 - h) The deposit of the applicable GVS & DD Sewerage Charge.
 - i) 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.
 - j) The review of a detailed Sediment Control System by the Director Engineering.

- k) Submission of a site profile and resolution of any arising requirements.
- l) The approval of the Ministry of Transportation to the rezoning application.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

9. Rezoning Reference #11-15
Minor Amendments to Comprehensive Development Plan
Metrotown Development Plan Sub-Area 1

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2011 May 31. The purpose of the proposed zoning bylaw amendment is to permit the expansion of a permitted fitness facility within the 3rd floor podium, relocation of the 4th floor pool within the hotel component, minor expansion of the residential lobby and relocation of the City’s non-profit office facility to the 4th floor roof deck.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 May 05, and to a Public Hearing on 2011 May 31 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 granting of any necessary statutory rights-of-way, easements and/or covenants.
 - c) The deposit of the applicable GVS & DD Sewerage Charge.
 - d) The deposit of the applicable Metrotown Public Open Space Charge.
 - e) The deposit of the applicable Metrotown Grade-separated Pedestrian Linkage Over Kingsway Charge.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

“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 KANG:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. TABLED MATTER

- A) **Bylaws – Second Reading**
Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 2, 2010 – Bylaw No. 12878
(Tabled 2011 January 17)

Council chose not to lift this item from the table at this time.

6. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 21, 2011	#12935
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 22, 2011	#12936
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 23, 2011	#12937

be now introduced and read three times.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Capital Works, Machinery and Equipment #12932
Reserve Fund Expenditure Bylaw No. 18, 2011

Burnaby Capital Works, Machinery and Equipment #12933
Reserve Fund Expenditure Bylaw No. 19, 2011

Burnaby Capital Works, Machinery and Equipment #12934
Reserve Fund Expenditure Bylaw No. 20, 2011

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

CARRIED UNANIMOUSLY

7. NEW BUSINESS

Councillor Volkow

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the Council meeting scheduled for 2011 May 02 be cancelled and an Open Council meeting be held on Thursday, 2011 May 05 at 5:00 p.m. in the Burnaby Council Chamber, for the purpose of advancing the 2011 Annual Budget Report, readings of related bylaws and First Reading of zoning amendment bylaws scheduled to go forward to Public Hearing on 2011 May 31st.”

CARRIED UNANIMOUSLY

Councillor Calendino

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR McDONELL:

“THAT the Community Policing Committee meeting scheduled to be held on Thursday, 2011 May 12 be CANCELLED and RE-SCHEDULED to Thursday, 2011 May 05, in the Council Chambers at 6:00 p.m.”

CARRIED UNANIMOUSLY

Councillor Chang returned to the 'Open' Council meeting at 8:47 p.m. and took his place at the Council table.

8. INQUIRIES

There were no inquiries brought before Council at this time.

9. 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 8:48 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK