

2011 JANUARY 24

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 January 24 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 A. Kang
Councillor P. McDonell
Councillor N.M. Volkow

ABSENT: Councillor C. Jordan

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
Mr. S. Cleave, Administrative Officer 1

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.

PROCLAMATION

His Worship, Mayor Derek R. Corrigan proclaimed January 26th, 2011 as “Great British Columbia Shakeout Day” in the City of Burnaby.

1. MINUTES

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the minutes of the ‘Open’ Council meeting held on 2011 January 17 be now adopted.”

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

A) The Heights Merchants Association

**Re: Underground Parkade at MacDonald
and Hastings**

**Speakers: K.J. Eom
M. Kasaei**

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

“THAT the delegation be heard.”

CARRIED UNANIMOUSLY

A) Mr. Max Kasaei, owner, Heights Meat and Deli, 4022 Hastings Street, Burnaby and **K.J. Eom**, Regent Fish Market, 4020 Hastings Street, Burnaby appeared before Council to present a signed petition from merchants of the 3900 – 4000 Block Hastings Street regarding the parkade at MacDonald Avenue and Hastings Street. The parkade was closed to the public by the City to alleviate concerns about public safety however, when the closure was implemented the merchants observed a significant, immediate drop in sales which they attribute to the difficulty for the public to find convenient parking in the neighbourhood.

Mr. Eom noted that merchants are affected by both the limited availability of on street parking and the impact of parking restrictions during peak hours to accommodate three lanes of traffic on Hastings Street.

The delegation is requesting the parkade be reopened during business hours, from 8 a.m. – 6 p.m., with brighter lighting and security cameras; using Impark or Diamond Parking or Bylaw Officers to monitor use and issue tickets for those parking beyond the designated time limits and a gate be installed between the first and second level to limit public parking to the first level of the parkade.

In conclusion, Mr. Eom submitted the petition containing 26 signatories which states as follows:

WHEREAS:

The loss of public access parking has affected the shopping ability of customers;

NOW THEREFORE:

We, the undersigned merchants on the 4000 block Hastings Street (The Heights), Burnaby, BC, hereby request that the City Council reinstate public access parking at 485 MacDonald Avenue for the benefit of the merchants and customers.

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

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the petition be **REFERRED** to the Community Development Committee for review.”

CARRIED UNANIMOUSLY

3. REPORTS

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

1A) His Worship, Mayor Derek R. Corrigan **Re: Appointment of Council Members to Various** **Boards, Committees and Commissions** **Of Council – 2011**

His Worship, Mayor Derek R. Corrigan submitted a report recommending the appointment of members of Council to various Boards, Committees and Commissions, regionally and locally.

His Worship, Mayor Derek R. Corrigan recommended:

1. THAT council appoint and reappoint representatives to various Boards, Commissions and Committees of Council, as set out in this report for the terms specified.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

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

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR McDONELL:

“THAT the report be **AMENDED** as follows: Social Issues Committee Chair, Councillor Paul McDonell; Vice Chair, Councillor Anne Kang; and Member, Councillor Pietro Calendino.

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Johnston and seconded by Councillor Kang being: ‘THAT the recommendation of His Worship, Mayor Derek R. Corrigan be adopted’ AS AMENDED and same was CARRIED UNANIMOUSLY.

2A) His Worship, Mayor Derek R. Corrigan
Re: Citizen Appointments and Reappointments
To Boards, Committees and Commissions
Of Council – 2011

His Worship, Mayor Derek R. Corrigan submitted a report recommending the appointment and reappointment of citizen representatives to various boards, committees and commissions of Council.

His Worship, Mayor Derek R. Corrigan recommended:

1. THAT council appoint and reappoint representatives to various Boards, Commissions and Committees of Council, as set out in this report for the terms specified.”

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

E) The City Manager presented a report dated 2011 January 24 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. City Investments – 2010 Update

The City Manager submitted a report from the Director Finance providing Council with an update on the City’s current investment program. Solid diversification and investment

strategy development has allowed the City to increase its investment income while maintaining strict controls and guidelines as outlined under the Community Charter. The return on the Investment Fund in 2010 was in excess of \$33.0 million with an annual yield of 5.10%

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

2. Burnaby Mountain Gondola Transit Project – Business Case

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to work toward a suitable concept plan for the Burnaby Mountain gondola project with the project proponent (TransLink), the project’s funding partner (Ministry of Transportation and Infrastructure), and the project’s partner agencies (Simon Fraser University Community Trust, Simon Fraser University).

Staff recommend participation in the development of the project concept to ensure significant issues are identified early and addressed to the greatest extent possible throughout the project development process, including that undertaken as part of the Business Case work, prior to Council giving consideration to endorsing the project at a future date.

The City Manager recommended:

1. THAT Council authorize staff to work with the project proponent (TransLink), the project’s funding partner (Ministry of Transportation and Infrastructure), and the project’s partner agencies (Simon Fraser University Community Trust, Simon Fraser University) toward a suitable concept plan for the Burnaby Mountain gondola project, to ensure that significant issues are identified early and addressed to the greatest extent possible throughout the project development process, including that undertaken as part of the Business Case work, prior to Council giving consideration to endorsing the project at a later date.
2. THAT Council send a copy of this report to:
 - a. the Burnaby Parks, Recreation and Cultural Commission;
 - b. the Burnaby Environment Committee;

- c. Jeffery Busby, Manager, Infrastructure Planning, TransLink;
- d. Ed Storm, Manager, TransLink Initiatives, Ministry of Transportation and Infrastructure (MoT);
- e. Gordon Harris, President and CEO, Simon Fraser University Community Trust; and
- f. Lee Gavel, Chief Facilities Officer/University Architect, Simon Fraser University.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

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

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR McDONELL:

“THAT the motion as moved by Councillor Dhaliwal and seconded by Councillor Calendino, being, ‘THAT the recommendations of the City Manager be adopted’ be now TABLED.”

CARRIED UNANIMOUSLY

This item was TABLED to the 2011 January 31 ‘Open’ Council meeting in order to provide Council members with a further opportunity for review.

**3. Rezoning Reference #03-35
Film Production Storage and
Manufacturing Facility/Automobile Parts Storage Yard
Big Bend Development Plan**

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 February 22. The purpose of the proposed zoning bylaw amendment is to permit the development of a facility for film production, storage and manufacture of products associated with the film industry as well as associated office uses on Lot 1 based on CD (M2) zoning, and the continued operation of an automobile parts storage yard on Lot 2 based on CD (M3a) zoning.

The City Manager recommended:

- 1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 February 07, and to a Public Hearing on 2011 February 22 at 7:00 p.m.
- 2. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No. 4/08, Bylaw 12402 be abandoned contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.

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 any 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.
 - 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 undergrounding of existing overhead wiring abutting the site.
 - e. The submission of a Site Profile and resolution of any arising requirements.
 - f. The granting of any necessary statutory rights-of-way, easements and covenants.
 - g. The granting of a Section 219 Covenant respecting flood proofing requirements.
 - h. The granting of a Section 219 Covenant such that no building may be erected on Lot #1 until such time that Lot #2 is brought into conformance with the proposed zoning.
 - i. The completion of the necessary subdivision.
 - j. 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.
 - k. The dedication of any rights-of-way deemed requisite.
 - l. The granting of the necessary access agreement.
 - m. The submission of a geotechnical review regarding the site's stability, and its ability to be used safely for the intended use, for review by the Chief Building Inspector and granting of a Section 219 Covenant respecting the submitted report.
 - n. The granting of a Section 219 Covenant to ensure that as part of any future rezoning application, for either of the two resulting sites, that the balance of

road works (sidewalks) on Thorne and Meadow Avenues be undertaken to its final standard for the subject development sites.

- o. The deposit of the applicable GVS&DD Sewerage Charge.
- p. 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

**4. Shell Diesel Additive Storage & Blending System,
Burmound Terminal
2751 Underhill Avenue, Burnaby**

The City Manager submitted a report from the Director Planning and Building to advise Council of a Preliminary Plan Approval (PPA) application for the installation of a Shell Diesel Extra (SDX) additive storage and blending system at the Burmount Terminal in Burnaby. The proposed system will facilitate direct addition of the SDX additive into diesel fuel at the facility’s truck loading rack.

The City Manager recommended:

- 1. THAT a copy of this report be forwarded to Ms. Elaine Bell, Burmount Terminal Superintendent, Shell Canada Products, 2751 Underhill Avenue, Burnaby, B.C. V5A 3C3.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

5. Capital Budget Funding Request

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council approval for the appropriation of Gaming Funds for a public art project. The project will facilitate the process of procurement of a unique, purpose built public art component for the new Edmonds Community Centre. Funding would be utilized for project management, generation of a call of interest, short list

development, awarding of a contract, artist honorarium, material fees and fabrication of the art work. Funds for this purpose are included in the 2011 Provisional Capital Budget.

The City Manager recommended:

1. THAT approval be given for the appropriation of Gaming Funds in the amount of \$179,200 (inclusive of 12% HST) for the project as outlined in the attached report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

6. Playground Development Funding Requests

The City Manager submitted a report from Director Parks, Recreation and Cultural Services seeking Council authorization for the City to enter into three agreements with the Burnaby School District for contributions to the cost of playground upgrades. Five elementary schools submitted applications, with three of the applicants meeting the Playground Funding Requests Criteria. The three successful elementary school applicants include Confederation Elementary School, Rosser Elementary School and Buckingham Elementary School.

The City Manager recommended:

1. THAT authorization be given for the City to enter into three agreements with the Burnaby School District for the contribution to the cost of the playground upgrades as detailed in the attached report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

7. Bylaw to Fund Parks, Recreation and Cultural Services 2011 Capital Projects

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council authorization to bring forward a bylaw to appropriate funds from Capital Reserves to finance thirteen projects.

The City Manager recommended:

1. THAT a bylaw be brought down to appropriate \$1,775,200 (inclusive of 12% HST) from Capital Reserves to finance thirteen projects.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

8. Local Area Services and Sewer Assessment Rolls

The City Manager submitted a report from Director Engineering seeking Council authority to convene a Court of Revision on Thursday, 2011 March 03 at 6:00 p.m. A Court of Revision is scheduled each year to provide an opportunity for property owners to appeal local area services and sewer parcel taxes being charged for the first time.

The City Manager recommended:

1. THAT a Court of Revision be established in the Council Chambers, Thursday, 2011 March 03 at 6:00 p.m. to hear appeals against the Local Area Services and Sewer Assessment Rolls.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

9. Capital Accounts

The City Manager submitted a report from Director Engineering seeking Council approval to fund the annual sanitary sewer replacement program. The proposed program consists of both contracted work and work by City forces including coordinated works with Metro Vancouver, LASP programs, renewals related to condition, development and all related engineering services at a total estimated cost of \$7.325 million, including contingency and taxes.

The City Manager recommended:

1. THAT approval be given to the capital account referred to in this report.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Capital Works, Machinery and Equipment #12900
Reserve Fund Expenditure Bylaw No. 4, 2011

be now introduced and read three times.”

CARRIED UNANIMOUSLY

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

#12880 Text Amendment

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT

Burnaby Zoning Bylaw 1965, Amendment #12880
Bylaw No. 44, 2010

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 7:32 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK