

2011 JULY 25

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 July 25 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. R.H. Moncur, City Manager
Mr. C.A. Turpin, Deputy City Manager
Mr. R. Earle, Deputy City Manager
Mr. B. Davis, Deputy Director Engineering
Mrs. D. Jorgenson, Director Finance
Mr. D. Ellenwood, Director Parks, Recreation & Cultural Services
Mr. B. Luksun, Director Planning & Building
Mr. B. Rose, City Solicitor
Ms. A. Skipsey, Acting City Clerk
Mr. S. Cleave, Administrative Officer I

MOVED BY COUNCILLOR JOHNSTON:

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.

P R E S E N T A T I O N

*The Canadian Institute of Planners' Award
for Planning Excellence in Neighbourhood Development
Presenter: Gordon Harris, CEO, SFU Community Trust*

Gordon Harris, CEO, SFU Community Trust, appeared before Council advising he and Robert Renger, Senior Current Planner, recently attended an awards ceremony at the Canadian Institute of Planners Conference in St. Johns, Newfoundland, to accept the 2011 National Award of Excellence in Neighbourhood Planning for UniverCity.

The speaker noted this award symbolizes the close working relationship between the City, SFU Community Trust and the University itself.

The speaker further advised of other awards previously received including an FCM Sustainable Communities Award for Integrated Community Development as well as awards from the American Planning Association, BC Hydro and Burnaby Board of Trade.

Mr. Harris concluded by presenting the 2011 National Award of Excellence to His Worship, Mayor Derek R. Corrigan.

Mayor Corrigan accepted the Award and advised the City is very proud of UniverCity.

1. MINUTES

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

“THAT the minutes of the ‘Open’ Council meeting held on 2011 July 11 be now adopted.”

CARRIED UNANIMOUSLY

Councillor Jordan retired from the ‘Open’ Council meeting at 7:11 p.m.

2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) Narinder & Bhupinder Sidhu
Re: 5171 Empire Drive – Notice on Title
Speaker: Narinder Sidhu
- B) Angelina Cappellano
Re: 4908 Hastings Street
Speaker: Angelina Cappellano

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

- A) The delegation **WITHDREW** prior to the Council meeting.

Councillor Jordan returned to the ‘Open’ Council meeting at 7:13 p.m. and took her place at the Council table.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT Item13, Manager’s Report 2011 July 25 “*5171 Empire Drive, Burnaby, BC Lot 26, D.L. 127, Grp 1, NWD Plan 17446*” be brought forward for consideration at this time.”

CARRIED UNANIMOUSLY

13. 5171 Empire Drive, Burnaby, BC
Lot 26, D.L. 127, GRP 1, NWD Plan 17446

The City Manager submitted a report from the Director Planning and Building requesting a Council resolution to file a notice in the Land Title Office pursuant to Section 57 of the Community Charter, with respect to the subject 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 owners:
 - a) Narinder S. Sidhu
Bhupinder K. Sidhu
6826 Nanaimo Street
Vancouver, BC V5P 4L6

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

The normal order of the agenda resumed.

- B) Angelina Cappellano**, 3204 Rainbow Court, Burnaby, appeared before Council requesting support for her rezoning application to permit the establishment of a grocery store on the main floor of the existing two storey multiple-family residential building at 4908 Hastings Street.

The speaker advised that she has worked hard to improve the condition of the building since purchasing it in April of this year. The speaker also noted ample parking is available at the rear of the building.

Ms. Cappellano noted local residents would appreciate the opportunity to walk to a grocery store instead of having to drive to one.

The speaker concluded by presenting Council with a petition containing 81 signatures from local residents supporting her rezoning application.

The text of the petition read as follows:

'Petition to Re-open the Neighbourhood Grocery Store

We the undersigned support the rezoning application made by Proprietor of the premises located at 4908 Hastings St., Burnaby BC, V5B 1P9. We request that Council vote in favour of the rezoning in order to have our neighbourhood grocery store re-opened as it would be a great asset to this neighbourhood.'

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT Item 3 of Item 27 Manager's Report 2011 July 25 "Rezoning Applications – Rezoning Reference #11-27 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Item # 03

Rez #11-27 Application for the rezoning of:

Lot 2 Except: Firstly: Part Subdivided By Plan 19297 Secondly: Part Outlined Red On Plan 22210, Block "G", D.L. 127, Group 1, NWD Plan 1254

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District, C1 Neighbourhood Commercial District and Hastings Street Area Plan)

Address: 4908 Hastings Street

Purpose: To permit the establishment of a grocery store on the main floor of an existing two storey multiple-family residential building. No new construction is proposed.

The City Manager recommended:

1. THAT Council reject this rezoning request.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR McDONELL:

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR McDONELL:

“THAT Item 3 of Item 27 Manager’s Report 2011 July 25 “*Rezoning Applications – Rezoning Reference #11-27*” be **REFERRED** back to staff for report to Community Development Committee providing a review of options for the subject site and the implications of approving the current rezoning request.”

CARRIED UNANIMOUSLY

Council further requested the Community Development Committee review the zoning along the Hastings corridor.

The normal order of the agenda resumed.

3. REPORTS

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

A) City Clerk

Re: Certificate of Sufficiency

The City Clerk submitted a report providing Council with the Certificate of Sufficiency covering the 2011 Local Area Service Speed Hump Program.

The City Clerk recommended:

1. THAT Council receive the City Clerk’s Certificate of Sufficiency covering 2011 Local Area Service Speed Hump Program.
2. THAT on receipt of the successful petitions, the City Solicitor prepare Local Area Service Construction Bylaws for each of the successful projects.
3. THAT on receipt of the successful petitions, the City Solicitor prepare Local Area Service Fund Expenditure Bylaws for each of the successful projects.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Councillor Dhaliwal retired from the 'Open' Council meeting at 7:42 p.m.

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

- B)** The City Manager presented a report dated 2011 July 25 on the matters listed following as Items 01 to 27 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. 2011 Park Dedications

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council approval for the preparation and enactment of a Park Dedication Bylaw and the authorization to seek community opinion on the proposed Parks Dedication Bylaw, and approval for the wording of the 2011 Park Dedication Bylaw Community Opinion Questions.

The City Manager recommended:

1. THAT approval be given to the preparation and enactment of a Park Dedication Bylaw for those City properties outlined in Attachment #1.
2. THAT authorization be given to seek community opinion on the proposed Park Dedication Bylaw from the electors at the civic election in 2011 November.
3. THAT the wording of the 2011 Park Dedication Bylaw Community Opinion Questions outlined in Attachment #3 be approved.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

2. Burnaby Village Museum Participation

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services to provide Council an update regarding Burnaby Village Museum participation.

The City Manager recommended:

1. THAT this report be received for information.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Councillor Johnston retired from the 'Open' Council meeting at 7:46 p.m.

Councillor Johnston returned to the 'Open' Council meeting at 7:46 p.m. and took his place at the Council table.

**3. Bylaw to Fund Burnaby Central High School
Athletic Facilities**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council authorization to bring down a bylaw to appropriate \$3,174,080 (inclusive of 12% HST) from Capital Reserves to assist in financing a project that includes a new artificial sports field and eight-lane track to be built at Burnaby Central High School.

The City Manager recommended:

1. THAT a bylaw be brought forward to appropriate \$3,174,080 (inclusive of 12% HST) from Capital Reserves to finance this project.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

4. Museum Collection Storage

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council authorization to bring down a bylaw to appropriate \$74,890 (inclusive of 12% HST) from Capital Reserves to finance the Museum Collection Storage project. The current storage facility at 6857 Royal Oak is being considered for redevelopment under Rezoning Reference #10-16. The collection will need to be relocated. The City owned property located at 8059 Texaco Drive meets the space requirements for the collection. However, renovations are required prior to occupancy.

The City Manager recommended:

1. THAT a bylaw be brought forward to appropriate \$74,890 (inclusive of 12% HST) from Capital Reserves to finance the project.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

5. Rezoning Reference #10-39
Mixed Use High-Rise Apartment Tower with Street Fronting Townhouses
Metrotown Development Plan – Sub-Area 7

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 August 30. The purpose of the proposed zoning bylaw amendment is to permit the construction of a mixed-use development consisting of a high-rise apartment tower over a commercial/ground oriented podium.

The City Manager recommended:

1. THAT the sale be approved in principle of City-owned property at 4394 Beresford Street for inclusion within the subject development site in accordance with Section 3.3 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 July 25, and to a Public Hearing on 2011 August 30 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 utilization of an amenity bonus through the provision of a \$6,218,933 cash in-lieu contribution in accordance with Section 3.4 of this report.
 - e) The completion of a Heritage Designation Bylaw and a Heritage

Revitalization Agreement to be on title for the relocation, restoration and incorporation of the historic "Mowat Residence" within the development site.

- f) The consolidation of the net project site into one legal parcel.
- g) The granting of any necessary Covenants, including, but not necessarily limited to, Section 219 Covenants restricting the enclosure of balconies, indicating that project surface driveway accesses will not be restricted by gates, guaranteeing provision and maintenance of public art, and providing that all disabled parking to remain as common property.
- h) The granting of any necessary easements and statutory rights-of-way.
- i) The dedication of any rights-of-way deemed requisite.
- j) 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 a Section 219 Covenant.
- k) The provision of covered car wash stalls 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 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.
- m) The deposit of the applicable GVS & DD Sewerage Charge.
- n) The deposit of the applicable Parkland Acquisition Charge.
- o) The deposit of the applicable School Site Acquisition Charge.
- p) Completion of the sale of City property.
- q) The provision of facilities for cyclists in accordance with this report.
- r) The undergrounding of existing overhead wiring adjacent to the site.
- s) Compliance with the Council-adopted sound criteria.
- t) The review of a detailed Sediment Control System by the Director Engineering.
- u) Compliance with the guidelines for underground parking for visitors.
- v) 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.”

CARRIED UNANIMOUSLY

**6. Rezoning Reference #10-43
Four-Storey Mixed-Use Development
Hastings Street Area 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 August 30. The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed use development.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 July 25 and to a Public Hearing on 2011 August 30 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 of the Bylaw, but not prior to Third Reading of the Bylaw.

- e) 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.
- f) The dedication of any rights-of-way deemed requisite.
- g) The consolidation of the net project site into one legal parcel.
- 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 and ensuring all disabled parking spaces remain as common property.
- j) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- k) The review of a detailed Sediment Control System by the Director Engineering.
- l) The submission of a Site Profile and resolution of any arising requirements.
- m) The provision of a covered car wash stall and an 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.
- n) Compliance with the guidelines for surface and underground parking for residential visitors and commercial patrons.
- o) Compliance with Council-adopted sound criteria.
- p) The undergrounding of existing overhead wiring abutting the site.
- q) The deposit of the applicable Parkland Acquisition Charge.
- r) The deposit of the applicable GVS & DD Sewerage Charge.
- s) The deposit of the applicable School Site Acquisition Charge.
- t) 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 McDONELL:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

7. Rezoning Reference #10-27
Four-Storey Mixed-Use Development
Hastings Street Area 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 August 30. The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed use development.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 July 25 and to a Public Hearing on 2011 August 30 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 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 dedication of any rights-of-way deemed requisite.
- f) The consolidation of the net project site into one legal parcel.
- g) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- h) The granting of a Section 219 Covenant restricting enclosure of balconies and ensuring all disabled parking spaces remain as common property.
- i) The registration of a legal agreement to permit a future community art project on the subject site.
- j) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- k) The review of a detailed Sediment Control System by the Director Engineering.
- l) The submission of a Site Profile and resolution of any arising requirements.
- m) The provision of a covered car wash stall and an 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.
- n) Compliance with the guidelines for surface and underground parking for residential visitors and commercial patrons.
- o) Compliance with Council-adopted sound criteria.
- p) The undergrounding of existing overhead wiring abutting the site.
- q) The deposit of the applicable Parkland Acquisition Charge.
- r) The deposit of the applicable GVS & DD Sewerage Charge.
- s) The deposit of the applicable School Site Acquisition Charge.
- t) 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 DHALIWAL:
SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

8. Rezoning Reference #10-11
Office Building Expansion
Myrtle Street Area

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 August 30. The purpose of the proposed zoning bylaw amendment is to permit an expansion to the existing office building on the subject site.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 July 25, and to a Public Hearing on 2011 August 30 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 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. 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, including but not limited to, a Section 219 Covenant to guarantee the provision, operation and continuing operation of stormwater management facilities.
 - e) The review of a detailed Sediment Control System by the Director Engineering.
 - f) 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.

- g) The approval of the Ministry of Transportation to the rezoning application.
- h) The deposit of the applicable GVS&DD Sewerage Charge.
- i) The provision of facilities for cyclists in accordance with this report.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

9. Rezoning Reference #11-06
Light Industrial, Office and Research Uses within the
Existing Buildings - Lake City Business Centre

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 August 30. The purpose of the proposed zoning bylaw amendment is to permit light industrial, office and research uses within the existing buildings on the subject properties. No new buildings will be constructed.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 July 25 and to a Public Hearing on 2011 August 30 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 dedication of any rights-of-way deemed requisite.

- e) The granting of any necessary statutory rights-of-way, easements and /or covenants.
- f) The granting of a Section 219 Covenant and the deposit of sufficient monies to assure the provision and continuing maintenance of upgraded on-site landscaping and end-of-trip and bicycle storage facilities for cyclists.
- g) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- h) The review of a detailed Sediment Control System by the Director Engineering.
- i) The approval of the Ministry of Transportation to the rezoning application.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

10. Rezoning Reference #11-10

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 August 30. The purpose of the proposed zoning bylaw amendment is to permit an R5 Residential District single- and two-family residential subdivision.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 July 25, and to a Public Hearing on 2011 August 30 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. 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 granting of any necessary statutory rights-of-way, easements and/or covenants, including the restriction of vehicular access to the rear lane.
- f) The dedication of any rights-of-way deemed requisite.
- g) The completion of the subdivision of the overall site (934 and 950 Sperling Avenue) into five residential lots.
- h) The submission of a Site Profile and resolution of any arising requirements.
- i) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- j) The submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- k) The undergrounding of existing overhead wiring abutting the site.
- l) The deposit of the applicable Parkland Acquisition Charge.
- m) The deposit of the applicable GVS & DD Sewerage Charge.
- n) The deposit of the applicable School Site Acquisition Charge.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

11. Liquor Licence Application #11-05
James Street Cafe & Grill
3819 Canada Way (See Attached Sketch #1)

The City Manager submitted a report from the Director Planning and Building in response to an application to amend the existing food primary licence for the James Street Café & Grill at 3819 Canada Way to permit patron participation entertainment within the restaurant, specifically the development of a 400 sq. ft. dance floor with amplified live and/or DJ disc jockey music. Given that the dance

floor component is disproportionately large, 17% of the overall public dining area, staff noted the proposed use is not considered to be consistent with the approved restaurant use and intent of the food primary liquor licence.

The City Manager recommended:

1. THAT Council not support the requested patron participation entertainment at the subject food primary liquor establishment, as described in Section 3.0 of this report.
2. THAT a copy of this report be forwarded to the General Manager, Liquor Control and Licensing Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, BC V8W 9J8; and to the applicant, Mr. Anish Lakhani, 5467 Hardy Court, Burnaby, BC V5G A06.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

12. Siting Approval #11-59
4630 Hazel Street
Lot 17, 18; DL 151, 153; Plan 8362

The City Manager submitted a report from the Director Planning and Building advising Council of a request to construct an outdoor deck to a two-family dwelling at 4630 Hazel Street located in the Metrotown Town Centre Plan.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

13. 5171 Empire Drive, Burnaby, BC
Lot 26, D.L. 127, GRP 1, NWD Plan 17446

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

14. Council Indemnities 2011

The City Manager submitted a report from the Director Finance to set Council Indemnities for the 2011 fiscal year.

The City Manager recommended:

1. THAT the City Solicitor bring down a bylaw to establish the new indemnities for Mayor and Council effective 2011 January 01.
2. THAT all other terms of the existing Annual Indemnity Bylaw remain unchanged.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

15. Deer Lake Centre Capital Upgrades

The City Manager submitted a report from the Director Finance seeking Council authority to provide funding for capital upgrades at Deer Lake Centre for the maintenance and modernization program.

The City Manager recommended:

1. THAT Council bring down a Capital Reserves Expenditure Bylaw in the amount of \$1,650,000 (inclusive of 12% HST) for capital upgrades at Deer Lake Centre as outlined in this report.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

16. 7741 Edmonds Street – Lost in the 50's

This item was **WITHDRAWN** from the agenda prior to the Council meeting.

17. Unsightly Premises at 31 Hythe Avenue North

The City Manager submitted a report from the Director Finance seeking Council authorization for City staff or agents to enter the property at 31 Hythe Avenue

North to remove unsightly materials and overgrowth at the property owner's expense, in accordance with the Burnaby Unsightly Premises Bylaw.

The City Manager recommended:

1. THAT Council authorize City staff or agents to enter the property at 31 Hythe Avenue North, to remove and dispose of the unsightly material on the property at the owners' expense in accordance with the Burnaby Unsightly Premises Bylaw.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

18. Repair & Maintenance of Streetlighting & Traffic Signal Systems

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the repair and maintenance of street lights and traffic signal systems. The recommended proponent, Cobra Electric Ltd., has provided maintenance and repair services for the City's street lights and traffic signal systems since 1984.

The City Manager recommended:

1. THAT Council approve the award of a five year contract to the lowest evaluated proponent, Cobra Electric Ltd., for the repair and maintenance of street lights and traffic signal systems at various locations, for a total estimated value of \$14,151,935.99, including HST of \$1,516,278.85, with final payment based on actual quantities and unit prices proposed.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**19. Contract No. 2011-13
Gilmore Pump Station Upgrade**

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the Gilmore Pump Station Upgrade. The work of this contract includes the construction of a new sewage pumping station.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Carver Construction Ltd. for the Gilmore Pump Station Upgrade, for a total cost of \$2,291,778.53, including HST in the amount of \$245,547.70.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

20. Fire Department 2nd Quarter 2011 Report

The City Manager submitted a report from the Fire Chief providing Council with information relating to the Fire Department's activities during the 2nd quarter of 2011.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

21. The 2011 MRN Infrastructure Rehabilitation Program

The City Manager submitted a report from the Director Engineering seeking Council approval of the revised expenditure for engineering services related to the 2011 Major Road Network infrastructure rehabilitation program. During the design phase, it was determined that the Marine Way corridor between Nelson and Glenlyon Parkway, due to underlying poor soil conditions, would benefit from a non-conventional rehabilitation strategy utilizing an innovative foamed asphalt base stabilization technology. The subsequent alternative design and an enhanced traffic management plan required additional technical investigation and specifications preparation which incurred additional engineering cost.

The City Manager recommended:

1. THAT Council approve the revised amount of \$286,300 (inclusive of 12% HST) under the existing Engineering Agreement E10-2011 with ISL Engineering and Land Services Ltd. as described in this report.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

22. Mural Application Edmonds Resource Centre

The City Manager submitted a report from the Director Engineering seeking Council approval for funding for a mural at the Edmonds Resource Centre as part of the 2011 City of Burnaby Mural Program.

The City Manager recommended:

1. THAT the request for a grant of \$2,673.75 for a mural at the Edmonds Resource Centre be approved as part of the City of Burnaby Mural Program.
2. THAT a copy of this report be forwarded to Ryan Meadows, President of the Edmonds Business and Community Association, and Todd Polich, artist and founder of Earth Foundation Conservation Society.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

23. Funding Bylaw

The City Manager submitted a report from the Director Engineering seeking Council approval for funding for the following capital projects: Culvert Inspection Program, Willard Drainage Improvement Program, Drainage Pump Station Rehabilitation, and Storm Sewer Rehabilitation – 2011 Program.

The City Manager recommended:

1. THAT a Capital Expenditure Bylaw in the amount of \$639,000 (inclusive of 12% HST) be brought forward to finance the capital projects as described in this report.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

24. Capital Accounts

The City Manager submitted a report from the Director Engineering seeking Council approval for funding for the following capital accounts: Gilmore Sanitary Sewer Pump Station Upgrade and Sewer Pump Stations Upgrade Program.

The City Manager recommended:

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

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

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

The City Manager submitted a report from the Director Engineering seeking Council approval for a road closure to facilitate St. Helen’s Terry Fox Run on Friday, 2011 September 23 between 12:30 p.m. and 3:00 p.m.

The City Manager recommended:

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

26. Road Closure – 2011 August 04

The City Manager submitted a report from the Director Engineering seeking Council approval for a road closure Thursday, 2011 August 04 between 11:00 a.m. and 2:30 p.m. for the 3rd Annual Community Open House and Barbecue.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Antonia Beck, Executive Director, South

Burnaby Neighbourhood House, 4845 Imperial St, Burnaby, BC V5J 1C5 be sent a copy of this report.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

27. Rezoning Applications

The City Manager submitted a report from the Director Planning and Building providing the current series of new rezoning applications for Council's consideration.

The City Manager recommended:

1. THAT Council set a Public Hearing for this group of rezonings on 2011 August 30 at 7:00 p.m. except where noted otherwise in the individual reports.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

Item # 01

Rez #11-25 Application for the rezoning of:

Parcel 110, D.L. 98, Group 1, NWD Plan 62958; Parcel 1, D.L. 98, Group 1, NWD Plan LMP40935

From: M4 Special Industrial District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Royal Oak Community Plan guidelines)

Address: 6830 and 6888 Burlington Avenue

Purpose: To permit construction of a multiple-family residential development with underground parking.

The City Manager recommended:

1. THAT the sale be approved in principle of City property at 6888 Burlington

Avenue for inclusion in the subject development site in accordance with the terms outlined in Section 4.2 this report, and subject to the applicant pursuing the rezoning proposal to completion.

2. THAT the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Item # 02

Rez #11-26 Application for the rezoning of:

Lot 83, D.L. 94, Group 1, NWD Plan 40640; the East Half of Lot 16, D.L. 94, Group 1, NWD Plan 720

From: M4 Special Industrial District

To: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Royal Oak Community Plan guidelines)

Address: 5312 and 5352 Grimmer Street

Purpose: To permit the construction of a mixed use four-storey residential and commercial building with parking below.

The City Manager recommended:

1. THAT a copy of this report be sent to the property owners of 5309 Lane Street for their information.
2. THAT the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Item # 03

Rez #11-27 Application for the rezoning of:

Lot 2 Except: Firstly: Part Subdivided By Plan 19297 Secondly: Part Outlined Red On Plan 22210, Block "G", D.L. 127, Group 1, NWD Plan 1254

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District, C1 Neighbourhood Commercial District and Hastings Street Area Plan)

Address: 4908 Hastings Street

Purpose: To permit the establishment of a grocery store on the main floor of an existing two storey multiple-family residential building. No new construction is proposed.

This item of business was dealt with previously in the meeting in conjunction with Delegations 2(B).

Item # 04

Rez #11-28 Application for the rezoning of:

Lot 24, D.L. 211, Group 1, NWD Plan PL BCP45523

From: CD Comprehensive Development District (based on C3 General Commercial District and P11e SFU Neighbourhood District)

To: Amended CD Comprehensive Development District (based on C3 General Commercial District, P11e SFU Neighbourhood District, SFU Community Plan guidelines and in accordance with the development plan entitled "SFU Parcel 24 Sales Centres" prepared by PWL Partnership)

Address: 8955 University High Street

Purpose: To permit three sales centres to market residential development at UniverCity and to maintain the existing guidelines for future redevelopment of the site.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 July 25, and to a Public Hearing on 2011 August 30 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 pursuance of Storm Water Management Best Practices in line with established guidelines.
- e) The submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

Item # 05

Rez #11-29 Application for the rezoning of:

Portion of Lot A, D.L. 153, Group 1, NWD Plan 77973

From: CD Comprehensive Development District (based on C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on C3 General Commercial District and P6 Regional Institutional District and Metrotown Development Plan guidelines and in accordance with the development plan entitled “Alexander College Proposal” prepared by Marv Westrom)

Address: 4603 Kingsway (Units #101 & 211)

Purpose: To permit an internal change of use to allow a post-secondary college use.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 July 25 and to a Public Hearing on 2011 August 30 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 a Section 219 Covenant permitting the specific P6 post-secondary college use subject to limitations outlined in Section 3.2 of this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

Item # 06

Rez #11-30 Application for the rezoning of:
Lot 197, D.L. 91, Group 1, NWD Plan 29565

From: R3 Residential District

To: R3a Residential District

Address: 7378 Morley Street

Purpose: To permit construction of a new single-family dwelling larger than is permitted under the site's current R3 zoning.

The City Manager recommended:

1. THAT the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

Item # 07

Rez #11-31 Application for the rezoning of:
North Half Lot 23, D.L. 151, Group 1, NWD Plan 1895
South Half Lot 23, D.L. 143, Group 1, NWD Plan 1895
South Half Lot 22, D.L. 151, Group 1, NWD Plan 1895
North Half Lot 21, D.L. 151, Group 1, NWD Plan 1895
South Half Lot 21, D.L. 151, Group 1, NWD Plan 1895
Lot 5, D.L. 151, Group 1, NWD Plan 1895
Lot 6, D.L. 151, Group 1, NWD Plan 1895

From: RM5 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and Metrotown Development guidelines)

Address: 5821, 5829, 5845, 5853, 5861 Barker Avenue and 5808, 5826 Patterson Avenue

Purpose: To permit the development of a residential apartment tower with street-fronting townhouses.

The City Manager recommended:

1. THAT the sale be approved in principle of redundant road right-of-way for inclusion within the subject development site in accordance with Section 4.3 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
2. THAT the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

Item # 08

Rez #11-32 Application for the rezoning of:

Lot 1, D.L. 151 & 153, Group 1, NWD Plan BCP40118; Lot “C”, D.L. 153, Group 1, NWD Plan 7421

From: RM3 Multiple Family Residential District and CD Comprehensive Development District (based on RM3 Residential Multiple Family Residential District)

To: CD Comprehensive Development District (based on RM3s Multiple Family Residential District and Metrotown Development Plan guidelines)

Address: 6509 and 6539 McKay Avenue

Purpose: To permit the development of a low-rise apartment building with underground parking.

The City Manager recommended:

1. THAT the Planning and Building Department be authorized to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

4. TABLED MATTERS

A) Finance and Civic Development Committee
Re: Burnaby Art Gallery Special Exhibitions Project
(Tabled 2011 June 27)

D) Finance and Civic Development Committee
Re: Burnaby Art Gallery Special Exhibitions
Project

The Finance and Civic Development Committee submitted a report providing Council with an update on the three year Burnaby Art Gallery Project and seeking Council approval for funding for another three years. Developing institutional capacity will be the primary focus of the curatorial program over the next three years. The 2012-2014 term will provide for the investigation of new themes and enhance opportunities to include new partners and audiences.

The Finance and Civic Development Committee recommended:

1. THAT Council approve the use of Gaming Reserve Funds in the amount of \$336,000 (inclusive of 12% HST) for a three year special exhibitions project.

2. **THAT an expenditure of \$112,000 (inclusive of 12% HST) be allocated for 2012, 2013 and 2014.**

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT the recommendations of the Finance and Civic Development Committee be adopted.”

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

“THAT the motion as moved by Councillor Johnston and seconded by Councillor Volkow being ‘THAT the recommendations of the Finance and Civic Development Committee be adopted’ be now TABLED.”

CARRIED UNANIMOUSLY

This item was TABLED until the 2011 July 11 Open Council meeting in order for Council to receive additional information regarding attendance.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR McDONELL:

“THAT the motion as moved by Councillor Johnston and seconded by Councillor Volkow being ‘THAT the recommendations of the Finance and Civic Development Committee be adopted’ be now **LIFTED from the table.”**

CARRIED UNANIMOUSLY

The motion was now before the meeting.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR McDONELL:

“THAT the recommendations of the Finance and Civic Development Committee be **AMENDED as follows:**

1. **THAT Council approve the use of Gaming Reserve Funds in the amount of \$112,000 (inclusive of 12% HST) for a one year special exhibitions project.**
2. **THAT an expenditure of \$112,000 (inclusive of 12% HST) be allocated for 2012.”**

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Johnston and seconded by Councillor Volkow being, 'THAT the recommendations of the Finance and Civic Development Committee be adopted' **AS AMENDED** and same was CARRIED UNANIMOUSLY.

B) Community Development Committee
Re: Use of Comprehensive Development
(CD) District in Area Rezoning Process
(Tabled 2011 July 11)

D) Community Development Committee
Re: Use of Comprehensive Development
(CD) District in Area Rezoning Process

The Community Development Committee submitted a report presenting Council with a proposal for the use of the Comprehensive Development (CD) District in the area rezoning process. The subject CD District area rezoning approach has been prepared as a means to enable a rezoning to proceed and achieve the development requirements at the time individual property owners intend to access the provisions of new zoning district approved under the CD Area Rezoning.

The Community Development Committee recommended:

1. THAT Council endorse the use of the Comprehensive Development (CD) District in the area rezoning process, on a case by case basis, as outlined in this report.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR McDONELL:

"THAT the recommendation of the Community Development Committee be adopted."

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT the motion as moved by Councillor Jordan and seconded by Councillor McDonell being 'THAT the recommendation of the Community Development Committee be adopted' be now TABLED."

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the motion as moved by Councillor Jordan and seconded by Councillor McDonell being ‘THAT the recommendation of the Community Development Committee be adopted’ be now **LIFTED** from the table.”

CARRIED UNANIMOUSLY

The motion was now before the meeting.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the report be **REFFERED** back to staff for further review.”

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST READING

| | | |
|--------|--|------------|
| #12981 | 4806 and 4856 Hastings Street | REZ #10-27 |
| #12982 | 4301 Hastings Street | REZ #10-43 |
| #12983 | 950 Sperling Avenue | REZ #11-10 |
| #12984 | 8955 University High Street | REZ #11-28 |
| #12985 | 4603 Kingsway (Units #101 & 211) | REZ #11-29 |
| #12986 | 4060 Regent Street | REZ #10-11 |
| #12987 | 8501 & 8600 Commerce Court | REZ #11-06 |
| #12989 | 4382/4394 Beresford Street, 6337/6361 Silver Avenue 6336/6350/6364 McKay Avenue | REZ #10-30 |

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR McDONELL:

“THAT

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| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 27, 2011 | #12981 |
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| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 28, 2011 | #12982 |
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| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 29, 2011 | #12983 |
| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 30, 2011 | #12984 |
| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 31, 2011 | #12985 |
| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 32, 2011 | #12986 |
| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 33, 2011 | #12987 |
| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 34, 2011 | #12989 |

be now introduced and read a first time.”

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT

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|---|--------|
| Burnaby Highway Closure Bylaw No. 4, 2011 | #12979 |
| Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 30, 2011 | #12988 |
| Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 31, 2011 | #12990 |

be now introduced and read three times.”

CARRIED UNANIMOUSLY

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

| | | |
|--------|--------------------|------------|
| #12920 | 1255 Duthie Avenue | REZ #09-10 |
| #12937 | 4501 Kingsway | REZ #11-15 |

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR CALENDINO:

“THAT

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| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 2011 | #12920 |
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| | |
|--|--------|
| Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 13, 2011 | #12937 |
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be now read a third time, reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT

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| Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 28, 2011 | #12974 |
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|---|--------|
| Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 29, 2011 | #12975 |
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| | |
|---|--------|
| Burnaby Second-Hand Dealer Regulation Bylaw 1924, Amendment Bylaw 2011 | #12978 |
|---|--------|

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

Councillor Jordan

Councillor Jordan advised that Council, at the ‘Open’ Council meeting held 2011 June 27 received Item 1 of the Manager’s Report entitled “Rezoning Reference #10-36 – Academic Use of Existing Multi-tenant Facility at Discovery Park SFU Site” and referred same to the Community Development Committee for further review.

The Community Development Committee, at its ‘Open’ meeting held on 2011 June 28 received the report for information. Since that Committee meeting, Councillor Jordan advised additional information has been received from the Planning and Building Department addressing concerns in the subject report.

Arising from discussion, Councillor Jordan was granted leave by Council to introduce the following motion pertaining to Rezoning Reference #10-36:

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR KANG:

- “1. THAT a Rezoning Bylaw be prepared and that First Reading be now given to Burnaby Zoning Bylaw #12973.
2. THAT the Rezoning Bylaw be advanced to a Public Hearing on 2011 August 30 at 7:00 p.m.
3. THAT the following be established as prerequisite to the completion of the rezoning:
 - a) The submission of a suitable plan of development.”

CARRIED UNANIMOUSLY

Councillor Johnston

Councillor Johnston made reference to Item I) of the Council Correspondence package to 2011 July 22 from Corinne Atwood, Executive Director, BC Bottle Depot Association regarding milk containers and the current used beverage container deposit system.

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

“THAT this item of correspondence be **REFERRED** to the Environment Committee for review and report.”

CARRIED UNANIMOUSLY

Councillor Johnston made reference to Item L) of the Council Correspondence package to 2011 July 22 from Robyn G. Anderson, City Clerk, City of North Vancouver regarding a new energy vision for Canada.

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

“THAT this item of correspondence be **REFERRED** to the Environment Committee for report.”

CARRIED UNANIMOUSLY

Councillor Dhaliwal

Councillor Dhaliwal made reference to Item M) of the Council Correspondence package to 2011 July 22 from the Honourable Ed Fast, Minister of International Trade and Minister for the Asia-Pacific Gateway regarding Comprehensive Economic and Trade Agreement (CETA).

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

MOVED BY COUNCILLOR DHALI WAL:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT His Worship Mayor Derek R. Corrigan write a letter to the appropriate Provincial Minister drawing attention to the paragraph in the letter from The Honourable Ed Fast, P.C., M.P., Minister of International Trade and Minister for the Asia-Pacific Gateway, regarding Provincial responsibilities related to CETA and include a copy of the UBCM endorsed resolution urging the Province to negotiate a clear, permanent exemption for municipalities from CETA.”

CARRIED UNANIMOUSLY

Councillor Volkow

Councillor Volkow noted Jack Layton, Leader of the Opposition, has announced he will be taking a temporary leave of absence for treatment of another form of cancer.

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

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT His Worship, Mayor Derek R. Corrigan write a letter to Jack Layton expressing the City’s wishes for his speedy recovery.”

CARRIED UNANIMOUSLY

Councillor Calendino

Councillor Calendino advised that Diane Watts, Mayor of Surrey, fractured two vertebrae while horseback riding this past weekend.

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

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT His Worship, Mayor Derek R. Corrigan write a letter to Mayor Diane Watts expressing the City’s wishes for her speedy recovery.”

CARRIED UNANIMOUSLY

Councillor Calendino advised of the recent terrorist attacks in Norway.

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

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT His Worship, Mayor Derek R. Corrigan write a letter of condolence to the Norwegian Consulate General in Vancouver.”

CARRIED UNANIMOUSLY

7. INQUIRIES

Councillor McDonell

Councillor McDonell inquired regarding the status of the North Perimeter Road Project.

Council requested staff provide a memorandum to Council with any updates on this project.

8. ADJOURNMENT

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 8:42 p.m.

Confirmed:

Certified Correct:

MAYOR

A/DEPUTY CITY CLERK