

2011 NOVEMBER 28

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2011 November 28 at 6:30 p.m. followed immediately by a 'Closed' meeting from which the public was excluded. At the conclusion of the 'Closed' meeting, the 'Open' meeting was reconvened at 7:00 p.m. in the Council Chamber.

PRESENT: His Worship, Mayor D.R. Corrigan, In the Chair
Councillor P. Calendino
Councillor R. Chang
Councillor S. Dhaliwal
Councillor D. Johnston
Councillor C. Jordan
Councillor A. Kang (*arrived at 7:03 p.m.*)
Councillor P. McDonell
Councillor N.M. Volkow

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

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

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

1. MINUTES

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR McDONELL:

"THAT the minutes of the 'Open' Council meeting held on 2011 November 07 be now adopted."

Councillor Kang arrived at the 'Open' Council meeting at 7:03 p.m. and took her place at the Council table.

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) **Brad Bussche**
Re: Multicultural Enrichment
Speaker: Brad Bussche
- B) **Kingsway Imperial Neighbourhood Association**
Re: 2011 Community Garland
Speakers: Diane Gillis, President of KINA
Bob Rigdon
Leanna Hawkins

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

- A) **Mr. Brad Bussche**, 7291 Randolph Avenue, Burnaby, BC appeared before Council to bring attention to Burnaby’s visible minority population and show how he naturally connected to a large part of this demographic.

Mr. Bussche volunteers to assist in bringing Shen Yun Performing Arts production to the Lower Mainland as part of a world tour. The speaker presented a four minute video describing the show as a revival of 5000 years of ancient Chinese civilization. The speaker noted classical Chinese dance is the Shen Yun hallmark. It is one of the most expressive and demanding art forms in the world.

Mr. Bussche concluded by requesting the City consider supporting the show through use of city facilities and communication channels.

Councillor Dhaliwal retired from the ‘Open’ Council meeting at 7:18 p.m.

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

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

“THAT the delegation’s presentation be **REFERRED** to the Executive Committee of Council.”

CARRIED UNANIMOUSLY

Councillor Dhaliwal returned to the 'Open' Council meeting at 7:20 p.m. and took his place at the Council table.

- B) Ms. Diane Gillis**, President, **Bob Rigdon**, Vice-President, and **Leanna Hawkins**, Secretary – Treasurer, Kingsway Imperial Neighbourhood Association (KINA) appeared before Council to express appreciation to Mayor and Council, Burnaby School Board, RCMP and City staff for their support of KINA events including community clean ups as well as public and business safety forums.

Ms. Gillis presented the 2011 Community Garland to Mayor and Council. The garland symbolizes community efforts to strengthen neighbourhoods and make them a better place to live, work and attend school. Community members sign and add links to the garland describing what a community means to them.

His Worship, Mayor Derek R. Corrigan accepted the Community Garland on behalf of Council and thanked the delegation for their invaluable work in building the community.

3. REPORTS

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

- A) Chief Election Officer**
Re: 2011 Local Government Election Report

The Chief Election Officer submitted a report providing the results of the 2011 Local Government Election in accordance with the provisions of Section 148 of the *Local Government Act of B.C.*

The Chief Election Officer recommended:

1. THAT the report be received for information.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

“THAT the recommendation of the Chief Election Officer be adopted.”

CARRIED UNANIMOUSLY

B) Community Development Committee
Re: Area Rezoning Process – Review of
Comprehensive Development Zoning
Approach

The Community Development Committee submitted a report providing Council with information on the CD zoning approach considered for the area rezoning process in the single and two family residential areas. The report also discussed other options including custom regulations in the zoning bylaw and rezoning to R12 with conditions. It concludes that there are difficulties with all the approaches because they result in more complexity and set a precedent for the rezoning process which is not typical of the standard approach for development.

The Community Development Committee recommended:

1. THAT Council decline pursuing a CD Approach to R12 Area Rezoning.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR McDONELL:

“THAT the recommendation of the Community Development Committee be adopted.”

CARRIED UNANIMOUSLY

C) Community Development Committee
Re: Request for Area Rezoning to the R12 District -
Block Bounded by Parker Street,
MacDonald Avenue, Napier Street, and
Ingleton Avenue

The Community Development Committee submitted a report seeking Council concurrence to initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12 Residential District. The rezoning would permit single and two family dwellings on smaller lots of sufficient area and width, subdivision of consolidated lots, and two family dwellings on small lots with lane access. Given the existing small lot character in the surrounding area, the configuration of the petition area and the support of the property owners to pursue the area rezoning process, the Committee recommends that a consultation process be initiated to explore the desirability of an area rezoning of the subject area to the R12 Residential District zoning category.

The Community Development Committee recommended:

1. THAT Council be requested to authorize initiation of a consultation process to explore the desirability of an area rezoning of 3908 to 3970 Parker Street, 3905 to 3973 Napier Street, 1030 Ingleton Avenue, and 1007 and 1085 MacDonald Avenue to the R12 Residential District.

2. THAT a copy of this report be sent to Mr. Bryce Clark, the petition organizer.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendations of the Community Development Committee be adopted.”

CARRIED UNANIMOUSLY

D) Community Development Committee

**Re: R12S District Area Rezoning
Public Consultation Results
Hurst, Dow, Victory, Sussex**

The Community Development Committee submitted a report providing Council with a review of the results of the public consultation process for the proposed R12S area rezoning of properties in the block bounded by Hurst, Dow, Victory and Sussex. Given the requirement for support for the proposal amongst residents in the rezoning area has not been met, the Committee recommends that Council not advance this area rezoning request.

The Community Development Committee recommended:

1. THAT Council not advance the request for the R5 and R9 District to R12S District area rezoning for the block bounded by Hurst Street, Dow Avenue, Victory Street and Sussex Avenue.
2. THAT a copy of this report be sent to the property owners and residents in the petition and consultation areas.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendations of the Community Development Committee be adopted.”

CARRIED UNANIMOUSLY

E) Community Policing Committee

Re: Expansion of the Business Watch Program

The Community Development Committee submitted a report seeking Council approval for the recommended expansion of the Business Watch Program to the Southwest Community Policing District as the first step in the possible introduction of a program city-wide.

The Community Policing Committee recommended:

1. THAT Council approve the expansion of the Business Watch Program to the Southwest Community Policing District during the period from 2011 December to 2012 May.
2. THAT Council consider budgeting resources for operating the program in 2013.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

“THAT the recommendations of the Community Policing Committee be adopted.”

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT Recommendation #2 be **AMENDED** to read as follows:

2. THAT Council review budgeting resources for operating the program in 2013.”

CARRIED UNANIMOUSLY

A vote was then held on the motion as moved by Councillor Calendino and seconded by Councillor Kang being, “THAT the recommendations of the Community Policing Committee be adopted”, **AS AMENDED** and same was CARRIED UNANIMOUSLY.

F) Executive Committee of Council
Re: Grant Requests

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

#11/52 Normanna (Norwegian Old People’s Home Association)
The Charles R. Shaw House Heritage Restoration Project

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$7,000 be awarded to Normanna to assist with the restoration and maintenance of designated heritage house – the Charles R. Shaw. House.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

#11/62 Administrators of Volunteer Resources BC (AVRBC)
Movin' to the Rhythm (International Volunteer Manager's Day)

This grant request was **WITHDRAWN** from the agenda.

#11/63 Coquitlam Metro-Ford Soccer Club Y-League
Tyler Leonard

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$175 be awarded to the Coquitlam Metro-Ford Soccer Club Y-League to assist with Tyler Leonard's travel expenses to compete at the Super Y-League North American Finals Tournament to be held in Tampa, Florida on 2011 December 1 - 7.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#11/64 Volunteer Burnaby – 2011 Holiday Season Program
Gift Wrapping Services

The Executive Committee of Council recommended:

1. THAT an in-kind grant for printing costs up to an amount of \$1,000 be awarded to Volunteer Burnaby – Gift Wrap Centre at Brentwood Town Centre for 2011.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

"THAT the recommendation of the Executive Committee of Council be adopted."

CARRIED UNANIMOUSLY

#11/65 Burnaby New Westminster Ringette Association
2012 Canadian Ringette Championship

The Executive Committee of Council recommended:

1. THAT an in-kind grant up to a value of \$10,000 for printing services (approximately \$8,000) and facility rental fees (approximately \$2,000) be awarded to the Burnaby New Westminster Ringette Association in support of the 2012 Canadian Ringette Championship to be held on 2012 April 08 - 14.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

#11/66 BC Federation of Labour

17th Annual Labour Community Christmas Dinner

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$1,500 be awarded to the BC Federation of Labour to assist with the cost of providing the 17th annual Christmas dinner on 2011 December 24.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

#11/67 Burnaby Fellowship Centre Society

Holiday Meals

The Executive Committee of Council recommended:

1. THAT a grant in the amount of \$600 be awarded to Burnaby Fellowship Centre Society for 2011 to assist with providing hot holiday meals to members who are attending a 12-Step Recovery Program.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

G) Finance and Civic Development Committee
Re: Police Services Fees Bylaw

The Finance and Civic Development Committee submitted a report seeking Council approval for the collection of fees from the public for various documentation and administration services provided relating to police records and information. The Committee advised the proposed fees are moderate, consistent with other Lower Mainland police agencies and provide an appropriate level of cost recovery.

The Finance and Civic Development Committee recommended:

1. THAT Council bring down the Burnaby Police Service Fees Bylaw.
2. THAT Council approve the Burnaby Police Services fees, as proposed in Attachment #1 of this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR McDONELL:

“THAT a copy of this report be forwarded to the Community Policing Committee for information.”

CARRIED UNANIMOUSLY

H) Finance and Civic Development Committee
Re: Edmonds Pool & Community Centre

The Finance and Civic Development Committee submitted a report providing Council with a construction progress update on the Edmonds Pool and Community Centre Project. The proposed completion date for this project is 2012 November. The site is well organized and the construction is proceeding on schedule.

The Finance and Civic Development Committee recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

Hi) Finance and Civic Development Committee
Re: Waterworks Utility Rates for 2012

The Finance and Civic Development Committee submitted a report seeking Council approval for the 2012 water rates. The proposed rate adjustments will ensure that the Water Utility continues to be financially self sustaining.

The Finance and Civic Development Committee recommended:

1. THAT Burnaby Waterworks Regulation Bylaw be amended to provide for the water rates contained in Schedule A, effective 2012 January 01 including the additional amendments as outlined in this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

Hii) Finance and Civic Development Committee
Re: Sanitary Sewer Utility Rates for 2012

The Finance and Civic Development Committee submitted a report seeking Council approval for the 2012 sanitary sewer rates. The Sanitary Sewer Fund is financially self sustaining and necessary rate changes are recommended to Council based on projected costs.

The Finance and Civic Development Committee recommended:

1. THAT the following bylaws be amended to provide for the fees outlined in Schedule C effective 2012 January 01:
 - a) Burnaby Sewerage System Parcel Tax Bylaw,
 - b) Burnaby Sewer Charge Bylaw.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

- J) The City Manager presented a report dated 2011 November 28 on the matters listed following as Items 01 to 15 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Burnaby Christmas Bureau Promotional Support

The City Manager submitted a report from the Director Parks, Recreation and Cultural Development seeking Council approval for a promotional initiative and donation of revenue from Burnaby Village Museum Carousel rides on 2011 December 15 to the Burnaby Christmas Bureau.

The City Manager recommended:

1. THAT approval be granted for a promotional initiative in support of the Burnaby Christmas Bureau at the Burnaby Village Museum at Heritage Christmas 2011 as outlined in the attached report.
2. THAT approval be granted to donate revenue from Burnaby Village Museum Carousel rides from 4 p.m. to 8 p.m. on Thursday, 2011 December 15 to the Burnaby Christmas Bureau.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**2. 2012 Lease Grants
Community Resource Centres**

The City Manager submitted a report from the Director Planning and Building seeking Council approval for the proposed lease grants for 2012 for non-profit tenants at the Holdom and Edmonds Community Resource Centres.

The City Manager recommended:

1. THAT Council approve the proposed 2012 lease grants for Community Resource Centre tenants, as outlined in Table 1, attached, of this report.
2. THAT Council authorize staff to make the appropriate 2012 lease renewal arrangements with Holdom and Edmonds Community Resource Centre tenants.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**3. BC Hydro Beautification Program
Underground Wiring Project
Deer Lake Avenue**

The City Manager submitted a report from the Director Planning and Building seeking Council approval for an underground wiring project on Deer Lake Avenue for cost share funding under the 2012 – 2013 BC Hydro Beautification Program.

The City Manager recommended:

1. THAT Council approve the Deer Lake Avenue underground wiring project, as outlined in this report.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**4. Rezoning Reference #10-40
Bridge Studios Expansion
(x-ref: #96-28; #01-31; #05-67)**

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 December 13. The purpose of the proposed zoning bylaw amendment is to permit the expansion of Bridge Studios.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 November 28, and to a Public Hearing on 2011 December 13 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 retention of identified existing trees and vegetation on the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
- g) The review of a detailed Sediment Control System by the Director Engineering.
- h) The 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.
- i) The submission of a Site Profile and resolution of any arising requirements.
- j) The approval of the Ministry of Transportation to the rezoning application.
- k) The deposit of the applicable GVS & DD Sewerage Charge.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

5. Rezoning Reference #11-25
Townhouse Development
Royal Oak Community Plan Sub-Area 7

The City Manager submitted a report from the Director Planning and Building seeing Council authorization to forward this application to a Public Hearing on 2011 December 13. The purpose of the proposed zoning bylaw amendment is to

permit the construction of a 60 unit townhouse development with underground parking.

The City Manager recommended:

1. THAT the sale be approved in principle of City-owned property for inclusion with the subject development site in accordance with the terms outlined in Section 3.8 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 November 28, and to a Public Hearing on 2011 December 13 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 removal of all existing improvements from the site prior to Final Adoption 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 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 Section 219 Covenants including:
 - restricting enclosure of balconies,
 - provision, operation and ongoing maintenance of required of stormwater management facilities,
 - providing that all disabled parking is to remain as common property.
- j) Compliance with the Council-adopted sound criteria.
- k) Compliance with the guidelines for underground parking for visitors.
- l) The provision of one co-op car and one co-op car parking space on the development site, and of one-year car co-op memberships for the 60 residential units in the development, and granting of any necessary covenants, easements and rights-of-way to provide for the long-term retention and use of the designated space for car co-op purposes.
- m) The provision of one covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- n) The review of a detailed Sediment Control System by the Director Engineering.
- o) 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.
- 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) The completion of the sale of City property.
- s) The submission of an exterior lighting plan.
- 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 KANG:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

6. Rezoning Reference #10-42
Low-rise Apartment Development
Metrotown 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 December 13. The purpose of the proposed zoning bylaw amendment is to permit the construction of a 15-unit low-rise apartment development with full underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 November 28, and to a Public Hearing on 2011 December 13 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 consolidation of the net site into one legal lot.
 - e) The undergrounding of existing overhead wiring abutting the site.

- f) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- g) The granting of Section 219 Covenants restricting the enclosure of balconies and that all handicap accessible stalls remain as common property.
- h) Compliance with the Council-adopted sound criteria.
- i) Compliance with the guidelines for underground parking for visitors.
- j) 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.
- k) The review of a detailed Sediment Control System by the Director Engineering.
- l) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- m) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- n) The utilization of an amenity bonus through the deposit of funds equal to the estimated value of the density bonus in accordance with Section 3.7 of this report
- o) The deposit of the applicable Parkland Acquisition Charge.
- p) The deposit of the applicable GVS & DD Sewerage Charge.
- q) The deposit of the applicable School Site Acquisition Charge.
- r) 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 VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**7. Rezoning Reference #09-23
Infill Townhouse Development
Metrotown 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 December 13. The purpose of the proposed zoning bylaw amendment is to permit the construction of a 6-unit infill townhouse development with full underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 November 28, and to a Public Hearing on 2011 December 13 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 granting of a Section 219 Covenant restricting enclosure of balconies.
 - f) Compliance with the Council-adopted sound criteria.
 - g) Compliance with the guidelines for underground parking for visitors.
 - h) 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.
 - i) The pursuance of Storm Water Management Best Practices in line with established guidelines.

- j) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- k) The deposit of the applicable Parkland Acquisition Charge.
- l) The deposit of the applicable GVS & DD Sewerage Charge.
- m) The deposit of the applicable School Site Acquisition Charge.
- n) 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 VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

8. Rezoning Reference #09-18
Phased Development of Automobile Dealerships

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 December 13. The purpose of the proposed zoning bylaw amendment is to permit the phased development of new automobile dealerships on the site.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 November 28 and to a Public Hearing on 2011 December 13 at 7:00 p.m.
2. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No. 42/07, Bylaw #12330, 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 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 including switching and transformer kiosks 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 approval of the Ministry of Transportation to the rezoning application.
- f) The deposit of the applicable GVS & DD Sewerage Charge.
- g) The provision of a suitable on-site stormwater management system to the approval of the Director Engineering, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- h) The provision of facilities for cyclists in accordance with this report.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

9. 4753 Pender Street, Burnaby, BC
Lot 24, Block 11, DL 122, Plan 1308

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to require the owner of the subject property at 4753 Pender Street, Burnaby to demolish the buildings on the property and remove all demolition waste, building materials and refuse. Should the works not be completed as specified within 60 days of notice being delivered to the owner, the City will proceed to demolish the buildings on the property and remove all demolition waste, building materials, and refuse, and recover the costs incurred from the registered owner of the subject property

The City Manager recommended:

1. THAT Council declare the buildings on the subject property at 4753 Pender Street, Burnaby, and legally described as Lot 24, Block 11, D.L 122, Plan, to be in an unsafe condition and a nuisance as being so dilapidated as to be offensive to the community.

2. THAT Council require the registered property owner to complete the following remedial action requirements:
 - a) demolish the buildings on the subject property and remove all demolition waste, building materials and refuse.
3. THAT notice of these remedial action requirements and a copy of this report be given to the registered property owner, Adam J. Alberts, and each holder of a registered charge in relation to the subject property.
4. THAT Council require the registered owner of the subject property to complete the remedial action requirements not later than sixty (60) days after the notice referred to in Recommendation 3 is delivered.
5. THAT Council direct that, if remedial actions referred to in Recommendation 2 are not satisfied within the time referenced to in Recommendation #4, the City be authorized to demolish the buildings on the subject property and remove all demolition waste, building materials, and refuse, and to recover the costs incurred from the registered owner of the subject property.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

10. Building Permit Tabulation Report No: 10
From 2011 October 01 – 2011 October 31

The City Manager submitted a report from the Director Planning and Building providing Council with information on construction activity as reflected by the building permits that have been issued for the subject period.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

11. Revision to Burnaby Sewer Use Bylaw for 2011

The City Manager submitted a report from the Director Finance seeking Council approval to amend the 2011 rate structure contained within the Sewer Use Bylaw for biochemical oxygen demand (BOD) and total suspended solids (TSS) permitted customers.

The City Manager recommended:

1. THAT the 2011 Burnaby Sewer Charge Bylaw #12883 be amended.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

12. Bylaw to Appropriate Funds for Land Assembly and Development Expenditures

The City Manager submitted a report from the Director Finance seeking Council authorization to appropriate \$5,000,000 from the Capital Works Machinery and Equipment Reserve to fund planned acquisitions and development. This reserve is used primarily for the purchase of property to round out and service municipal subdivisions and for the acquisition and development of lands which may be needed for municipal purposes.

The City Manager recommended:

1. THAT a bylaw be brought forward to appropriate \$5,000,000 from the Capital Works Machinery and Equipment Reserve.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

13. Contract Award for the Supply and Delivery of Fuel Products

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the supply and delivery of gasoline, diesel, bio-diesel and related fuel products as outlined in this report.

The City Manager recommended:

1. THAT a contract be awarded to the lowest proponent Chevron Canada Ltd. for a three year period with an annual estimated cost of \$2,700,000 including HST in the amount of \$289,285. Final payments will be based on actual delivered quantities and unit pricing.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

14. Fire Department 3rd 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 3rd quarter of 2011.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

15. Rezoning Applications

The City Manager submitted a report from the Director Planning and Building regarding 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 December 13 at 7:00 p.m. except where noted otherwise in the individual reports.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

Item # 01

Rez #11-41 Application for the rezoning of:
Lot 63, District Lot 153, Group 1, NWD Plan 26684

From: RM3 Multiple Family Residential District

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

Address: 4675 Imperial Street

Purpose: To permit the construction of a low-rise multi-family development.
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 JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

Item # 02

Rez #11-42 Application for the rezoning of:
Lot 5, District Lots 166 and 167, Group 1, NWD Plan BCP36851

From: CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Burnaby Business Park Concept Plan and in accordance with the development plan entitled “Spider Management” prepared by Chip Barrett Architect)

Address: 8080 North Fraser Way

Purpose: To permit construction of an industrial/warehouse/office development.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 November 28 and to a Public Hearing on 2011 December 13 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 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 a Section 219 Covenant respecting flood proofing requirements.
- e) The review of a detailed Sediment Control System by the Director Engineering.
- f) The submission of a geotechnical review confirming that the site may be used safely for the intended uses, for review by the Chief Building Inspector and the granting of a Section 219 Covenant respecting the submitted report.
- g) The submission of a suitable on-site stormwater management plan for the site to the approval of the Director Engineering that meets or exceeds the guidelines established in the Burnaby Business Park Concept Plan and Subdivision Reference #07-69. The granting of a Section 219 Covenant and deposit of sufficient monies to guarantee the plan's provision and continued operation are required.
- h) The deposit of the applicable GVS&DD Sewerage Charge.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

Item # 03

Rez #11-45

Application for the rezoning of:

Lot 4, Block 53, DL 30, Group 1, NWD Plan 3036

Lot 5, Block 53, DL 30, Group 1, NWD Plan 3036

Lot 5, DL 30, Group 1, NWD Plan 4098

Lot 6, DL 30, Group 1, NWD Plan 4098

Parcel “E” (Reference Plan 3410), Lot 6, Block 53, DL 30, Group 1, NWD Plan 3036; Parcel ”G”, (reference Plan 3021), Lot 6, Block 53, DL 30, Group 1, NWD Plan 3036; Lot 7, Block 53, DL 30, Group 1, NWD Plan 3036

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Edmonds Town Centre Plan guidelines)

Address: 7405, 7413, 7425, 7435 Kingsway and 7456 Britton Street

Purpose: To permit the development of townhomes with underground parking.

The City Manager recommended:

1. THAT the sale be approved in principle of the City-owned properties at 7456 Britton Street, for inclusion within the subject development site in accordance with the terms outlined in Section 4.5 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.
3. THAT a copy of this report be sent to the property owners of 7377, 7389, 7397 Kingsway; 7337, 7331, 7320 Hubert Street; 7313 Sixteenth Avenue and 7478, 7430, 7416 Britton Avenue for information purposes.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

Item # 04

Rez #11-46 Application for the rezoning of:
Lot A, DL 71, Group 1, NWD Plan LMP24640

From: CD Comprehensive Development District (based on M8 Advanced Technology Research District)

To: Amended CD Comprehensive Development District (based on M8 Advanced Technology Research District, and Discovery Place Community Plan guidelines)

Address: 3555 Gilmore Way

Purpose: To permit a new three-storey research-oriented office building.

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 VOLKOW:

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

CARRIED UNANIMOUSLY

Item # 05

Rez #11-47 Application for the rezoning of:
Lot 3, District Lot 11, Group 1, NWD Plan 81194

From: C1 Neighbourhood Commercial District

To: R3 Residential District

Address: 8691 Armstrong Avenue

Purpose: To permit the construction of a single family dwelling.

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 CALENDINO:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

Item # 06

Rez #11-48 Application for the rezoning of:
Lot 13, D.L. 74, Group 1, NWD Plan 1876; Lot 14, D.L. 74, Group 1, NWD Plan 1876

From: R5 Residential District

To: R12 Residential District

Address: 3630 and 3650 Douglas Road

Purpose: To permit a three-lot R12 Residential District subdivision.

The City Manager recommended:

1. THAT Council reject this rezoning application.
2. THAT a copy of this report be sent to the applicant, Mr. Babulal Patel, 7591 Burris Street, Burnaby, BC V5E 1Z1.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Item # 07

Rez #11-49

Application for the rezoning of:

Lot A, D.L. 53, Group 1, NWD Plan LMP39523; Lot B, D.L. 53, Group 1, NWD Plan 39523; Lot 71, Except: Part Dedicated Road on Plan BCP11553, D.L. 53, Group 1, NWD Plan 35475

From: M1 Manufacturing District

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

Address: 7008, 7018 and 7070 Fourteenth Avenue

Purpose: To permit construction of a low-rise, multi-family residential development.

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 KANG:

“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 JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

4. BYLAWS

FIRST READING

#13022	6830 & 6888 Burlington Avenue	REZ #11-25
#13023	6515 & 6525 Burlington Avenue	REZ #10-42
#13024	6709 Marlborough Avenue	REZ #09-23
#13025	4451 Still Creek Drive	REZ #09-18
#13026	3700/3880 Henning Drive	REZ #10-40
#13027	8080 North Fraser Way	REZ #11-42

MOVED BY COUNCILLOR CHANG:
SECONDED BY COUNCILLOR KANG:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 44, 2011	#13022
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 2011	#13023
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 46, 2011	#13024
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 2011	#13025
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 48, 2011	#13026
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 49, 2011	#13027

be now introduced and read a first time.”

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR CHANG:

SECONDED BY COUNCILLOR KANG:

“THAT

Burnaby Sewer Charge Bylaw 1961, Amendment Bylaw No. 1, 2011	#13018
Burnaby Temporary Financing Bylaw 2012	#13019
Burnaby Highway Closure Bylaw No. 6, 2011	#13020
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 37, 2011	#13021
Burnaby Sewer Parcel Tax Bylaw 1994 Amendment Bylaw No. 2, 2011	#13028
Burnaby Waterworks Regulation Bylaw 1953, Bylaw No. 2, 2011	#13029
Burnaby Sewer Charge Bylaw 1961, Amendment Bylaw No. 2, 2011	#13030

be now introduced and read three times.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR CHANG:

SECONDED BY COUNCILLOR KANG:

“THAT

Burnaby Park Dedication Bylaw 2011	#12999
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be now reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.”

CARRIED UNANIMOUSLY

5. NEW BUSINESS

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

"THAT the meeting of the Environment Committee scheduled to be held on Thursday, 2011 December 15 at 6:00 p.m. in the Council Chamber be **CANCELLED**."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"THAT Councillor Jordan be appointed Acting Mayor for the month of 2011 December."

CARRIED UNANIMOUSLY

Councillor Johnston

Councillor Johnston made reference to Items D), E), F) and G) of the Council Correspondence package received to 2011 November 25 requesting a fireworks ban in Burnaby.

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

"THAT staff provide copies of previous fireworks reports to Council and updated information from other jurisdictions regarding this matter."

CARRIED UNANIMOUSLY

Councillor McDonell

Councillor McDonell expressed appreciation to City staff and the RCMP for their assistance with the Edmonds Festival of Lights community building event held on Saturday, 2011 November 26.

Councillor Dhaliwal

Councillor Dhaliwal made reference to Item X) of the Council Correspondence package received to 2011 November 25 expressing appreciation for support of the Rumble Park celebration held on 2011 October 15.

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

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR McDONELL:

“THAT this item of correspondence be **REFERRED** to the Parks, Recreation and Culture Commission.”

CARRIED UNANIMOUSLY

Councillor Johnston

Councillor Johnston referred to a CKNW news story regarding TransLink losses due to bus fare evasion.

Staff undertook to provide further information regarding this matter.

6. INQUIRIES

There were no inquiries brought before Council at this time.

7. 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 8:20 p.m.

Confirmed:

Certified Correct:

MAYOR

A/DEPUTY CITY CLERK