

2011 AUGUST 29

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 August 29 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 R. Chang
Councillor S. Dhaliwal
Councillor D. Johnston
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N.M. Volkow

ABSENT: Councillor P. Calendino

STAFF: Mr. R.H. Moncur, City Manager
Mr. R. Earle, Deputy City Manager
Mr. L. Chu, Director Engineering
Mrs. D. Jorgenson, Director Finance
Ms. W. Scott, Asst. Director Recreation Services Division
Mr. B. Luksun, Director Planning & Building
Mr. S. Cleave, Acting Deputy City Clerk
Ms. E. Prior, Acting Administrative Officer I

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

“THAT the 'Open' Council meeting do now reconvene.”

CARRIED UNANIMOUSLY

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

PROCLAMATIONS

His Worship, Mayor Derek R. Corrigan proclaimed the week of 2011 September 5th to 9th as ***“Union Label Buying Week”*** in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed 2011 September as ***“Terry Fox Month”*** in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed Friday, 2011 September 9th, as ***“International Fetal Alcohol Spectrum Disorder (FASD) Awareness Day”*** in the City of Burnaby.

1. MINUTES

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JORDAN:

“THAT the minutes of the ‘Open’ Council meeting held on 2011 July 25 be now adopted.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

“THAT the minutes of the Public Hearing (Zoning) held on 2011 July 26 be now adopted.”

CARRIED UNANIMOUSLY

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) **Abdul M. Mousa**
Re: 7872 Willard Street – Notice on Title
Speaker: Abdel M. Mousa
- C) **Theresa Manning**
Re: Park Naming and Designation
Speaker: Theresa Manning
- D) **Citizens Opposed to the Gondola (COG)**
Re: Opposition to the SFU-TransLink
Gondola Project
Speaker: Chris Rarinca
Marita Wallace

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

- A) **Mr. Narinder and Mrs. Bhupinder Sidhu**, 5171 Empire Drive, Burnaby, appeared before Council to appeal Council's decision to direct the City Clerk to file a notice in the Land Title Office regarding an illegal rear addition to their dwelling. The delegation advised they were not aware of the illegal addition at the time they purchased the property in January 2011.

In response to a query from Council, the Director Planning and Building advised he would review the development density of the subject site and the impact of the illegal addition on the permitted density.

The Director Planning and Building undertook to contact Mr. and Mrs. Sidhu after completing his review.

- B) **Mr. Abdul M. Mousa**, 825 Sharpe Street, Coquitlam, appeared before Council to appeal Council's previous decision declaring the buildings on the property at 7872 Willard Street to be a nuisance and imposing a remedial action requirement on the registered owners, Mr. Mousa and his wife, to demolish the buildings and remove all demolition waste, building materials and refuse.

Mr. Mousa provided a history of the property and referenced numerous break-ins as well as complaints. The speaker advised that he is currently waiting for an HST ruling from Revenue Canada before proceeding with the demolition.

Mr. Mousa concluded by requesting the remedial action order be set aside and he be given sufficient time to arrange for the demolition in an orderly way.

Arising from the delegation's presentation, Councillor McDonell was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Council confirm the remedial action requirement for 7872 Willard Street."

CARRIED UNANIMOUSLY

- C) **Ms. Theresa Manning**, 5869 Keith Street, Burnaby, appeared before Council requesting the parkland adjacent to Glenwood Elementary School be designated as a neighbourhood park and named 'Jill Robinson Park'. The speaker concluded by outlining Ms. Robinson's successful efforts over many years to protect and preserve this park area.

Arising from the delegation's presentation, Councillor Dhaliwal was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR McDONELL:

“THAT the delegation’s presentation and request be **REFERRED** to the Parks, Recreation and Culture Commission for consideration.”

CARRIED UNANIMOUSLY

D) Mr. Chris Rarinca, 8990 Flowering Place, Burnaby and **Ms. Marita Wallace**, 10–8710 Maple Grove Cr., Burnaby, Citizens Opposed to the Gondola, appeared before Council presenting copies of 352 TransLink feedback forms for the proposed SFU gondola project. These forms expressed wide spread opposition to the project.

The delegation advised that after their presentation was given to the Metro Vancouver Board on July 15, TransLink started meeting with the various complexes in the Forest Grove community. Those meetings, however, frustrated many local residents.

The delegation noted the Lower Mainland urgently needs major public transportation development, projects like the Evergreen Line, the UBC Corridor Expansion, and the Rapid Transit for communities south of the Fraser. In comparison, the proposed gondola line would serve a much smaller population. Based on TransLink’s estimate of \$120 M, the gondola project would be very expensive. TransLink has not yet publicly released the business case for this project, but it appears that they believe they can do it through a public-private partnership.

The delegation further noted, in the 1970s Burnaby City planners envisioned the Forest Grove neighbourhood as a “conservation-like” community and residents continue to respect the forest areas, watch over streams and participate in the Stoney Creek salmon fry release. The delegation expressed concerns that the gondola line’s cables and towers would pose a serious collision risk to songbirds and raptors and, that with its noise, lights, and cabins passing by every 20 seconds, for 18 – 20 hours/day, 7 days a week it would negatively affect all wildlife in the conservation area.

In conclusion, the delegation requested that Council oppose the gondola line, and deny TransLink requests for permits.

Council requested that staff provide Council with the results of TransLink’s consultation process for the project and the completed business case for the project as soon as they become available.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the ‘Open’ Council meeting do now recess.”

CARRIED UNANIMOUSLY

The ‘Open’ Council meeting recessed at 8:32 p.m.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

“THAT the ‘Open’ Council meeting do now reconvene.”

CARRIED UNANIMOUSLY

The ‘Open’ Council meeting reconvened at 8:40 p.m.

3. CORRESPONDENCE

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the following items of correspondence be received.”

CARRIED UNANIMOUSLY

A) James Koll, Vice President, Burnaby Artists Guild
Re: Request to Place Temporary Event
Signs on Burnaby Public Property

A letter was received from Mr. James Koll, Vice President, Burnaby Artists Guild seeking Council approval to allow for the placement of temporary signs on City road right-of-way to advertise their fall art show at Shadbolt Centre for the Arts.

A staff note appended to this item of correspondence advised the Engineering and Planning & Building departments have no objection to the request for the placement of eight signs on road rights-of-way between 2011 October 14 to 2011 October 30 and again from 2012 March 30 to 2012 April 15. The Burnaby Artists Guild has provided a written commitment to remove the signs within three days of the conclusion of the event. The City Traffic Engineering Division will also advise the Burnaby Artist Guild of specific sign locations so as to not create a safety hazard or obstruction for pedestrians or vehicles, and to avoid locations directly fronting commercial uses.

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

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT Council grant permission to Burnaby Artists Guild to temporarily place signs on street rights-of-way in order to advertise their annual fall and spring art show at the Shadbolt Centre for the Arts.”

CARRIED UNANIMOUSLY

**B) Rick Kotar, General President, Burnaby Civic
Employees' Union, Local 23 CUPE
Re: United Way Labour Loaned Representative
2011**

A letter was received from Mr. Rick Kotar, General President of the Burnaby Civic Employees' Union, Local 23 C.U.P.E. noting the appointment of Mike Grover from the Parks, Recreation and Cultural Services Department, as the United Way Labour Loaned Representative for the year 2011.

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

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT Council confirm paid leave for the appointment of Mike Grover to participate in the United Way Loaned Representative Programme for 2011."

CARRIED UNANIMOUSLY

**C) John Doyle, MAcc, CA, Auditor General
Re: SmartCard and Faregate Project**

A letter was received from Mr. John Doyle, Auditor General of British Columbia in response to Council's concerns regarding TransLink's business case for smart cards and faregates. Mr. Doyle noted his jurisdiction as defined by the current Auditor General Act is limited to provincial government reporting entities. Accordingly, Mr. Doyle indicated TransLink is technically not within his jurisdiction and he is not able to further assist the City.

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT His Worship, Mayor Derek R. Corrigan write a letter to the Auditor General of British Columbia asking him to reconsider his decision regarding this matter."

CARRIED UNANIMOUSLY

Council further requested that a copy of the letter to the Auditor General be forwarded to the Provincial Public Accounts Committee.

D) Nancy Olewiler, Board Chair, TransLink
Re: SmartCard and Faregate Project

A letter was received from Ms. Nancy Olewiler, Board Chair, TransLink in response to Council's concerns regarding the business case for smart cards and faregates. The Board Chair noted TransLink is satisfied that all the necessary financial and non-financial attributes of the project were met and the Board remains committed to implementing the Compass Card and faregates in 2013.

E) Ida Chong, FCGA, Minister of Community, Sport and Cultural Development
Re: Municipal Auditor General

A letter was received from Minister Ida Chong requesting feedback from local governments to assist in the establishment of a Municipal Auditor General Office.

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT His Worship, Mayor Derek R. Corrigan write a letter to the Minister of Community Sport and Cultural Development responding to her request for feedback regarding the proposed establishment of a Municipal Auditor General office, and further that copies of the letter be forwarded to the Opposition Critic, the four Burnaby MLAs and UBCM."

CARRIED UNANIMOUSLY

Council noted the Province has not properly identified the problems they are attempting to resolve through the establishment of a Municipal Auditor General Office. Council also noted the Province should consider utilizing the Offices of the Inspector of Municipalities or the Auditor General of BC instead of creating a new Municipal Auditor General Office.

F) Union of BC Municipalities
Re: Municipal Auditor General Update

Correspondence was received from the Union of BC Municipalities providing a background and context paper regarding the proposed Office of the Municipal Auditor General.

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT His Worship, Mayor Derek R. Corrigan forward a letter of appreciation to the UBCM for their work to date regarding the proposed Office of the Municipal Auditor General.”

CARRIED UNANIMOUSLY

4. REPORTS

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

A) Community Development Committee

**Re: Community Benefit Derived Through
Rezoning #06-47
4420, 4444 Lougheed Highway; 2060 Rosser
Avenue; 4461, 4408 Sumas Street & 2131
Willingdon Avenue**

The Community Development Committee submitted a report recommending on-site amenity space and a cash-in-lieu contribution as the approved community benefits to be derived through Rezoning Reference #06-47 for a large mixed-use commercial-residential project at the subject address.

The Community Development Committee recommended:

1. THAT Council approve the on-site amenity space and a cash-in-lieu contribution as the community benefits to be derived through the density bonus granted to Rezoning Reference #06-47.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

B) Social Issues Committee

Re: 2011 Local Hero Nominees

The Social Issues Committee submitted a report recommending individuals for receipt of 2011 Local Hero Awards and seeking funding approval for the 2012 Local Hero Award

program. The Committee noted that the nominees satisfied the guidelines for Burnaby Local Hero Awards and made noteworthy contributions to community well being in Burnaby over the years.

The Social Issues Committee recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

“THAT the recommendation of the Social Issues Committee be adopted.”

CARRIED UNANIMOUSLY

- C) The City Manager presented a report dated 2011 August 29 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. World Rivers Day 2011

The City Manager submitted a report from the Director Planning and Building presenting the program for World Rivers Day 2011 in Burnaby and seeking Council expenditure authorization for advertising and promotion. World Rivers Day in Burnaby is an annual event that recognizes the environmental and cultural importance of rivers in Burnaby and throughout the world.

The City Manager recommended:

1. THAT Council authorize expenditures for World Rivers Day 2011 in the amount of \$4,500 for advertising and promotion, as outlined in this report.
2. THAT a copy of this report be forwarded to the Environment Committee, Burnaby Parks, Recreation and Culture Commission, Mark Angelo, Chair, Rivers Institute at BCIT, Robert Gunn, Program Head, Fish Wildlife and Recreation Program, BCIT and the Outdoor Recreation Council of British Columbia for information purposes.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

2. Proposed Healthier Communities Partnership with Fraser Health

The City Manager submitted a report from the Director Planning and Building providing information about Fraser Health's Healthier Communities Partnership initiative, and proposing that the City's potential involvement be explored through the Phase 1 implementation and workplan development process of the Burnaby Social Sustainability Strategy.

The City Manager recommended:

1. THAT the City's potential involvement in Fraser Health's Healthier Communities Partnership initiative be explored through the Phase 1 implementation and workplan development process of the Burnaby Social Sustainability Strategy.
2. THAT a copy of this report be forwarded to Ms. Cathie Heritage, Executive Director, and Ms. Ruth Hellerud-Brown, Community Health Specialist, of Fraser Health, both at 3935 Kincaid St., Burnaby, BC V5G 2X6.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

3. Proposal Call Process for Community Amenity Space at Rosser Avenue and Lougheed Highway (RZ #08-06)

The City Manager submitted a report from the Director Planning and Building seeking Council approval to initiate a Request for Proposal (RFP) process to identify a community organization(s) to occupy City-owned non-profit office/program space in a mixed use development at 2085 Rosser Avenue (at Lougheed Highway).

The City Manager recommended:

1. THAT Council endorse the proposed process to select a non-profit tenant(s) for a community amenity space associated with RZ #08-06, as outlined in Sections 2.0 and 3.0 of this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

**4. Liquor Licence Application #11-04
8888 University Drive, Simon Fraser University
Amended Liquor Licences for Various SFU
Campus Buildings and Centres**

The City Manager submitted a report from the Director Planning and Building providing recommendations on the request to amend existing liquor primary licences for various SFU campus buildings and centres. Given the proposed liquor licence amendments are related to the service of liquor during special events and receptions only, staff supported these changes to liquor licensing classifications, areas and occupant loads.

The City Manager recommended:

1. THAT Council support the proposed liquor licence amendments to areas within various buildings at the SFU campus on Burnaby Mountain, 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. Bert Hick, Rising Tide Consultants Ltd., Suite 1270 – 1130 West Pender Street, Vancouver, BC V6E 4A4.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**5. Rezoning Reference #04-09
Development Plan Guidelines and
First Phase of High-Density Mixed-Use Development
Metrotown Development Plan – Sub-Area 1**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2011 September 20. The purpose of the proposed rezoning bylaw amendment is to establish detailed development guidelines for the subject site, as well as to permit mixed-use high-rise apartment development with ground-level street-fronting commercial and renovation of existing commercial buildings as a first phase of development.

The City Manager recommended:

1. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Sections 4.4 and of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 August 29, and to a Public Hearing on 2011 September 20 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 Lot 1 within 24 months of the rezoning amendment bylaw receiving Final Adoption by Council.
 - e) The utilization of an amenity bonus through the provision of a cash in-lieu contribution of \$4,959,605 in accordance with Section 4.2 of this report.
 - 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, allocating development densities on the overall site, guaranteeing provision and maintenance of public art, providing that all disabled parking to remain as common property, and the provision and maintenance of identified public plazas.
 - h) The granting of any necessary easements, including, but not necessarily limited to easements guaranteeing public access to proposed plaza, public open space and pedestrian walkway/linkage areas.
 - i) The provision and maintenance of the public plaza by the development.
 - j) The provision of statutory rights-of-way and/or easements guaranteeing

public access to non-profit office parking areas and related pedestrian connections.

- k) The dedication of any rights-of-way deemed requisite.
- l) The design and provision of units adaptable to persons with disabilities (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person) with allocated disabled parking spaces protected by Section 219 Covenant.
- m) 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 within the residential portions of the development and a commitment to implement the recycling provisions.
- n) 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.
- o) The pursuance of green building practices for the proposed development in accordance with Section 4.1 of this report.
- p) The deposit of the applicable GVS & DD Sewerage Charge.
- q) The deposit of the applicable Parkland Acquisition Charge.
- r) The deposit of the applicable School Site Acquisition Charge.
- s) The deposit of the applicable Metrotown Public Open Space Charge.
- t) Completion of the Highway Closure Bylaw.
- u) The completion of the sale of City property.
- v) The provision of facilities for cyclists in accordance with this report.
- w) The undergrounding of existing overhead wiring adjacent to the site.
- x) Compliance with the Council-adopted sound criteria.
- y) The review of a detailed Sediment Control System by the Director Engineering.
- z) The submission of a Site Profile and resolution of any arising requirements.
- aa) Compliance with the guidelines for underground parking for visitors.
- bb) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and,

to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

6. Rezoning Reference #11-24
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 September 20. The purpose of the proposed rezoning bylaw amendment is to permit construction of a high-rise residential tower over a low-rise street-oriented residential podium.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 August 29, and to a Public Hearing on 2011 September 20 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 utilization of an amenity bonus through the provision of a \$6,049.364 cash in-lieu contribution in accordance with Section 3.2 of this report.
- 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) The provision of facilities for cyclists in accordance with this report.
- q) The undergrounding of existing overhead wiring adjacent to the site.

- r) Compliance with the Council-adopted sound criteria.
- s) The review of a detailed Sediment Control System by the Director Engineering.
- t) Compliance with the guidelines for underground parking for visitors.
- u) 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 #06-47
Mixed-Use Retail, Office and Apartment Towers
Brentwood Town 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 September 20. The purpose of the proposed rezoning bylaw amendment is to permit development of a major mixed-use residential/commercial project.

The City Manager recommended:

1. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 4.4 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. THAT the sale be approved in principle of City-owned property for inclusion within the subject development site in accordance with the terms outlined in Section 4.4 of this report and subject to the applicant pursuing the rezoning proposal to completion.
3. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 August 29, and to a Public Hearing on 2011 September 20 at 7:00 p.m.
4. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No. 40/08, Bylaw No. 12491, be abandoned contingent upon the granting by Council of

Second Reading of the subject Rezoning Bylaw.

5. THAT the following be established as prerequisites to the completion of the rezoning:

- a) The submission of a suitable plan of development.
- b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d) The 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 utilization of an amenity bonus through the provision of a 4,570 sq. ft. community "flex" space owned by the City and established through the creation of an airspace parcel and protected by a 219 Covenant in accordance with Section 4.3 of this report.
- f) The utilization of an amenity density bonus through the deposit of funds equal to the estimated remainder value of the density bonus in accordance with Section 4.3 of this report.
- g) The consolidation of the net project site into one legal parcel.
- h) The granting of any necessary covenants, including, but not necessarily limited to, Section 219 Covenants:
 - restricting the enclosure of balconies,
 - restricting development to those phases which have contributed related amenity bonus funds,
 - indicating that project surface driveway accesses will not be restricted by gates,

- allocating development densities on the overall site,
 - guaranteeing provision and maintenance of public art,
 - ensuring commercial entrances on Lougheed Highway remain open and operable,
 - restricting commercial/retail uses fronting Lougheed Highway from having obscured fenestration,
 - to assure the provision and continuing maintenance of end-of-trip facilities for cyclists and bicycle storage rooms, and
 - providing that all disabled parking to remain as common property.
- i) The granting of a Section 219 Covenant for the provision of three surface car co-op spaces per residential tower, with cars and memberships for the residential units to be held as common property in accordance with Section 4.2 of this report.
- j) The granting of any necessary easements.
- k) The provision of statutory rights-of-way guaranteeing public access to a north-south pedestrian walkway linking Lougheed Highway to the internal public plaza area through the commercial buildings and guaranteeing public access to the proposed plaza, public open space and pedestrian walkway/linkage areas.
- l) The provision of a statutory right-of-way guaranteeing public access to an east-west vehicular and pedestrian route (private road) connecting Rosser Avenue to Willingdon Avenue.
- m) The provision of a statutory right-of-way securing area for a future landing of a possible grade-separated pedestrian crossing of Willingdon Avenue south of Lougheed Highway.
- n) Compliance with the guidelines for surface and underground parking for residential visitors and commercial patrons.
- o) Submission of the applicant's schedule for the construction / development phasing of the subject proposal.
- p) The dedication of any rights-of-way deemed requisite.
- q) The completion of the sale of City property.
- r) 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 within the residential portions of the development and a commitment to implement the recycling provisions.
- s) The approval of the Ministry of Transportation to the rezoning application.

- t) 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.
- u) The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- v) The deposit of the applicable GVS & DD Sewerage Charge.
- w) The deposit of the applicable Parkland Acquisition Charge.
- x) The deposit of the applicable School Site Acquisition Charge.
- y) Completion of the Highway Closure Bylaw.
- z) The provision of facilities for cyclists in accordance with this report.
- aa) The undergrounding of existing overhead wiring adjacent to the site.
- bb) Compliance with the Council-adopted sound criteria.
- cc) The review of a detailed Sediment Control System by the Director Engineering.
- dd) The submission of a Site Profile and resolution of any arising requirements.
- ee) 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 JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

**8. Rezoning Reference #10-35
Low-Rise Multiple Family Development with
Underground Parking
Edmonds Town Centre, Sub-Area 2**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2011 September 20. The purpose of the proposed rezoning bylaw amendment is to permit the construction of a four-storey multiple-family development with underground parking.

The City Manager recommended:

1. THAT the sale be approved in principle of City-owned property for inclusion within the subject development site in accordance with the terms outlined in Section 3.3 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
2. THAT the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.2 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
3. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 August 29 and to a Public Hearing on 2011 September 20 at 7:00 p.m.
4. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The removal of all existing improvements from the site prior to Final Adoption but not prior to Third Reading of the Bylaw. Demolition 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 or vandalism.

- 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, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- g) The submission of an environmental review and arising requirements regarding the daylighting of the creek to the approval of Ecosystem Planning
- h) The completion of the sale of City property.
- i) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
 - A statutory right-of-way over a portion of the site for access to the on-site sanitary pipe and maintenance of the creek.
 - 219 Covenant restricting the enclosure of balconies.
 - Section 219 Covenant providing that all disabled parking to remain as common property.
- j) 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.
- k) The consolidation of the net project site into one legal parcel.
- l) The completion of the Highway Closure Bylaw.
- m) The undergrounding of existing overhead wiring abutting the site.
- n) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- o) The deposit of the applicable Parkland Acquisition Charge.
- p) The deposit of the applicable GVS & DD Sewerage Charge.
- q) The deposit of the applicable School Site Acquisition Charge.
- r) 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

9. Rezoning Reference #11-18
Townhouse Development with Under-Unit Parking
Royal Oak Community Plan, Sub-Area 9

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 September 20. The purpose of the proposed rezoning bylaw amendment is to permit the construction of a three-storey townhouse development with under-unit parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2011 August 29 and to a Public Hearing on 2011 September 20 at 7:00 pm.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The submission of an undertaking to remove all existing improvements from the site prior to Final Adoption of the Bylaw, but not prior

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

- e) The dedication of any rights-of-way deemed requisite.
- f) The review of a detailed Sediment Control System by the Director Engineering.
- g) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- h) Compliance with the guidelines for surface and underground parking for residential visitors.
- i) The granting of any necessary statutory rights-of-way, easements and/or covenants including:
 - The granting of a 219 Covenant restricting the enclosure of balconies
 - The granting of a 219 Covenant indicating that project driveway accesses will not be restricted by gates
- j) The undergrounding of existing overhead wiring abutting the site.
- k) The submission of a tree survey and arbourist's report.
- l) Compliance with the Council-adopted sound criteria.
- 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 Director Engineering and a commitment to implement the recycling provisions.
- n) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- o) The deposit of the applicable Parkland Acquisition Charge.
- p) The deposit of the applicable GVS & DD Sewerage Charge.
- q) The deposit of the applicable School Site Acquisition Charge.
- r) 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

10. Rezoning Reference #11-09

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 September 20. The purpose of the proposed rezoning bylaw amendment is to permit a 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 August 29, and to a Public Hearing on 2011 September 20 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) Removal of all existing improvements from the site. 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 into nine 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 VOLKOW:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

11. Authority to Work with Applicant
6837 and 6857 Royal Oak Avenue
Rezoning Reference #10-16
Royal Oak Community Plan

The City Manager submitted a report from the Director Planning and Building seeking Council authority to work with the applicant of Rezoning Reference #10-16 towards the preparation of a suitable plan of development for presentation to a future Public Hearing.

The City Manager recommended:

1. THAT the sale be approved in principle of the City property at 6857 Royal Oak Avenue for inclusion in the subject development site 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 VOLKOW:

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

CARRIED UNANIMOUSLY

12. Strata Title Application #07-8
5645 Neville Street

The City Manager submitted a report from the Director Planning and Building seeking Council authority for strata titling of an existing occupied two-family dwelling on the subject site.

The City Manager recommended:

1. THAT strata titling of 5645 Neville Street be approved subject to complete satisfaction of the Guidelines for Conversion of Existing and Occupied Two-Family Dwellings into Strata Title Units.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

13. Strata Title Application #10-10
7426 Fourth Street

The City Manager submitted a report from the Director Planning and Building seeking Council authority for strata titling of an existing occupied two-family dwelling on the subject site.

The City Manager recommended:

1. THAT strata titling of 7426 Fourth Street be approved subject to complete satisfaction of the Guidelines for Conversion of Existing and Occupied Two-Family Dwellings into Strata Title Units.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

14. Building Permit Tabulation Report No. 7
From 2011 July 01 – 2011 July 31

The City Manager submitted a report from the Director Planning and Building providing 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 VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

15. Still Creek Avenue, Eastbrook Parkway to
Westminster Avenue

The City Manager submitted a report from the Director Engineering seeking funding approval for the completion of Still Creek Avenue between Eastbrook Parkway and Westminster Avenue.

The City Manager recommended:

1. THAT Council authorize bringing forward a Capital Works Expenditure Bylaw in the amount of \$2.035 Million (inclusive of 12% HST) for the completion of Still Creek Avenue between Eastbrook Parkway and Westminster Avenue.
2. THAT the contract price for Contract 2010-11, Still Creek Ave – Phase 1, be amended to \$1.987 Million (inclusive of 12% HST).

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

16. Remembrance Day Parade – 2011 November 11

The City Manager submitted a report from the Director Engineering seeking Council approval for a Remembrance Day Parade on Friday, 2011 November 11. The proposed parade and ceremony will be conducted by the Royal Canadian Legion Branch #83 and the Korean Veterans Association Unit #14.

The City Manager recommended:

1. THAT Council approve the parade as discussed in this report.
2. THAT the coordinator of the event, John Otway, Royal Canadian Legion #83, 5289 Grimmer St., Burnaby, BC V5H 2H3, be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

17. 33rd Annual Christmas Toy Run

The City Manager submitted a report from the Director Engineering advising of the preparations for the 33rd Annual Christmas Toy Run to be held on Sunday, 2011 October 02. The Christmas Toy Run is an annual event that provides a large quantity of toys for families throughout the Lower Mainland.

The City Manager recommended:

1. THAT the 33rd Annual Toy Run be approved as discussed in this report.
2. THAT the RCMP and City staff be authorized to provide continuing support for this event as discussed in this report.
3. THAT a copy of this report be sent to the event coordinator, Chris Bayliss, Executive Director, Lower Mainland Christmas Bureau, 3fl – 1870 Pandora St., Vancouver, BC, V5L 1M5.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

18. Royal Oak Community Church Neighbourhood Event

The City Manager submitted a report from the Director Engineering seeking Council approval for a temporary road closure on Sunday, 2011 September 11 for a neighbourhood event organized by the Royal Oak Community Church. The event would include music, a free barbecue, activities for the children, and visits by both the Fire and Police departments.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Debra Shelley, Elder Chair, Royal Oak Community Church, 7175 Royal Oak Avenue, Burnaby, BC V5J 4J3, be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

19. The 2011 Local Area Services Roadworks Program

The City Manager submitted a report from the Director Engineering seeking Council approval of additional expenditures under Contract 2011-03, the 2011 Roadworks and Streetlighting Local Area Services Program.

The City Manager recommended:

1. THAT the contract price for Contract 2011-03, the 2011 Roadworks and Streetlighting Local Area Service Program, be amended to \$2.192 Million (inclusive of 12% HST).

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

20. Funding Bylaw

The City Manager submitted a report from the Director Engineering seeking funding approval for various capital projects regarding rehabilitation of street infrastructure and traffic signal communication upgrades.

The City Manager recommended:

1. THAT a Capital Expenditure Bylaw in the amount of \$264,000 (inclusive of 12% HST) be brought forward to finance various capital projects, as described in this report.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

21. Hired Equipment Expenditure Approval

The City Manager submitted a report from the Director Engineering seeking Council approval to increase the purchase order limit for hired equipment services.

The City Manager recommended:

1. THAT Council approve the continued use of Hired Equipment Services provided by Hank's Bulldozing & Trucking for the remainder of 2011 as outlined in this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

22. Contract Award – Richmond Park Redevelopment

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the construction of tennis & sports courts at Richmond Park.

The City Manager recommended:

1. THAT a contract be awarded to C.A.P. Ventures Ltd. for the construction of tennis & sports courts at Richmond Park for a total cost of \$351,736.00 including HST in the amount of \$37,686.00.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

“THAT Bylaw 5.BB) Burnaby Capital Works Machinery and Equipment Reserve Fund Expenditure Bylaw No. 31, 2011 (Bylaw #12990) be brought forward for consideration at this time.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

BB) Burnaby Capital Works, Machinery and Equipment
Reserve Fund Expenditure Bylaw No. 31, 2011

#12990

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

“THAT Bylaw No. 12990 be now reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.”

CARRIED UNANIMOUSLY

The normal order of the agenda resumed.

23. Contract No. 2011-08

2011 Sanitary and Storm Sewer Relining Program

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the 2011 Sanitary and Storm Sewer Relining Program.

The City Manager recommended:

1. THAT a contract be awarded to the lowest compliant bidder DFI Corporation for a total cost of \$343,665.80 including HST in the amount of \$36,821.34 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

24. Contract No. 2011-20
2011 Watermain Replacement Program – Package “C”

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for the 2011 Watermain Replacement Program – Package “C”. The work of this contract includes the construction of watermain complete with corrosion protection, fittings, valves, hydrants, service connections and various related works.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder Hyland Excavating Ltd. for a total cost of \$1,076,728.80 including HST in the amount of \$115,363.80 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

25. Tender for Asphaltic Concrete Pavement Repairs

The City Manager submitted a report from the Director Finance seeking Council approval to award a contract for pavement repairs. The work of this contract includes cold milling and pavement repairs following utility construction work and/or to repair isolated sections of deteriorated pavement on various roadways throughout the City of Burnaby.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder Winvan Paving Ltd. for asphaltic concrete pavement repairs for a total cost of \$308,548.80 including HST in the amount of \$33,058.80. Final payment will be based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

26. Tender for the Supply of Gravel and Sand Aggregates

The City Manager submitted a report from the Director Finance seeking Council approval to extend the existing contract for the supply and delivery of gravel and sand aggregates by one year. Council has previously approved the first three extensions. The work of this contract involves the supply and delivery of sand and gravel aggregates, delivered as and when required to various locations within Burnaby for the period 2011 September 08 to 2012 September 07.

The City Manager recommended:

1. THAT the current Mainland Sand & Gravel Ltd. contract for the supply and delivery of gravel and sand aggregates be extended for a one year term at an estimated cost of \$630,000 plus \$75,600 HST. Final payment will be based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

27. Retirements

The City Manager submitted a report from the Director, Human Resources informing Council of the following retirements from 2011 January – June:

<i>Mr. David Butler</i>	<i>Building</i>	<i>29 Years of Service</i>
<i>Ms. Louise Fata</i>	<i>Building</i>	<i>20 Years of Service</i>
<i>Mr. Doug Hyde</i>	<i>Building</i>	<i>21 Years of Service</i>
<i>Mr. James Allan</i>	<i>Engineering</i>	<i>25 Years of Service</i>
<i>Mr. Wieslaw Borysiak</i>	<i>Engineering</i>	<i>27 Years of Service</i>
<i>Mr. Bruce Cook</i>	<i>Engineering</i>	<i>17 Years of Service</i>
<i>Mr. Daniel King</i>	<i>Engineering</i>	<i>36 Years of Service</i>
<i>Mr. Edgar Smith</i>	<i>Engineering</i>	<i>30 Years of Service</i>
<i>Mr. Alex Sookochove</i>	<i>Engineering</i>	<i>44 Years of Service</i>
<i>Mr. Ray Webb</i>	<i>Engineering</i>	<i>34 Years of Service</i>
<i>Ms. Alice Edmonds</i>	<i>Finance</i>	<i>15 Years of Service</i>
<i>Ms. Alexis Janzen</i>	<i>Finance</i>	<i>36 Years of Service</i>
<i>Mr. Thomas Chapman</i>	<i>Fire</i>	<i>29 Years of Service</i>
<i>Mr. Robert Cook</i>	<i>Fire</i>	<i>36 Years of Service</i>
<i>Mr. James Robson</i>	<i>Fire</i>	<i>30 Years of Service</i>
<i>Ms. Robi Baxter</i>	<i>Parks</i>	<i>20 Years of Service</i>
<i>Mr. Daryle Birnie</i>	<i>Parks</i>	<i>33 Years of Service</i>
<i>Mr. Peter Chow</i>	<i>Parks</i>	<i>32 Years of Service</i>
<i>Ms. Pat Christiansen</i>	<i>Parks</i>	<i>34 Years of Service</i>

<i>Mr. Alan Kehoe</i>	<i>Parks</i>	<i>30 Years of Service</i>
<i>Ms. Cathy Lavery</i>	<i>Parks</i>	<i>14 Years of Service</i>
<i>Mr. Brian Matthews</i>	<i>Parks</i>	<i>36 Years of Service</i>
<i>Ms. Marie Stewart</i>	<i>Parks</i>	<i>31 Years of Service</i>
<i>Mr. Wayne Tunncliffe</i>	<i>Parks</i>	<i>34 Years of Service</i>

The City Manager recommended:

1. THAT this report be received for informational purposes.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST READING

#12980	4600 Kingsway and 6200 McKay Avenue	REZ #04-09
#13007	4420 & 4444 Lougheed Highway, 2060 Rosser Avenue, 4461 & 4408 Sumas Street 2131 Willingdon Avenue	REZ #06-47
#13008	6634 & 6638 Dow Avenue	REZ #11-24
#13009	840 Sperling Avenue	REZ #11-09
#13010	6668 Dufferin Avenue	REZ #11-18

#13011 7125, 7133, 7139, 7145 Stride Avenue
 7132, 7134, 7138 Sixteenth Avenue

REZ #10-35

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Zoning Bylaw 1965, Amendment #12980
Bylaw No. 26, 2011

Burnaby Zoning Bylaw 1965, Amendment #13007
Bylaw No. 35, 2011

Burnaby Zoning Bylaw 1965, Amendment #13008
Bylaw No. 36, 2011

Burnaby Zoning Bylaw 1965, Amendment #13009
Bylaw No. 37, 2011

Burnaby Zoning Bylaw 1965, Amendment #13010
Bylaw No. 38, 2011

Burnaby Zoning Bylaw 1965, Amendment #13011
Bylaw No. 39, 2011

be now introduced and read a first time.”

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Highway Closure Bylaw No. 5, 2011 #12991

Burnaby Local Area Service Construction Bylaw #12992
No. 9, 2011

Burnaby Local Area Service Construction Bylaw #12993
No. 10, 2011

Burnaby Local Area Service Construction Bylaw #12994
No. 11, 2011

Burnaby Local Area Service Construction Bylaw No. 12, 2011	#12995
Burnaby Local Area Service Construction Bylaw No. 13, 2011	#12996
Burnaby Local Area Service Construction Bylaw No. 14, 2011	#12997
Burnaby Local Area Service Construction Bylaw No. 15, 2011	#12998
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 32, 2011	#13000
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 33, 2011	#13001
Burnaby Council Indemnity Bylaw 2011	#13003
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 34, 2011	#13004
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 35, 2011	#13005
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 36, 2011	#13006

be now introduced and read three times.”

CARRIED UNANIMOUSLY

SECOND READING:

#12961	7399 North Fraser Way, 7400 Hugh Drive, Portion of Hugh Drive Road Allowance Adjacent to 7400 Hugh Drive	REZ #10-13
#12962	2830 Douglas Road	REZ #11-16
#12963	107 – 1899 Rosser Avenue (4399 Lougheed Hwy)	REZ #11-19
#12970	6566/6576/6584/6594 Nelson Avenue 6565/6575/6583/6593 Dunblane Avenue	REZ #10-29
#12976	Text Amendment	
#12977	Text Amendment	

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 19, 2011	#12961
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 20, 2011	#12962
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 21, 2011	#12963
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 22, 2011	#12970
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 24, 2011	#12976
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 25, 2011	#12977

be now read a second time.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

Bylaw #12990 was read previously in the Council meeting prior to Item 23, Managers Report 2011 August 29, “Sanitary and Storm Sewer Relining Program”.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 30, 2011	#12988
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be now reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.”

CARRIED UNANIMOUSLY

6. NEW BUSINESS

Councillor Chang

Councillor Chang advised of the recent passing of Jack Layton, Leader of the Opposition.

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

MOVED BY COUNCILLOR CHANG:

SECONDED BY COUNCILLOR McDONELL:

“THAT His Worship, Mayor Derek R. Corrigan write a letter of condolence to Jack Layton’s family.”

CARRIED UNANIMOUSLY

Councillor Kang

Councillor Kang made reference to a letter dated 2011 August 23 from the BC Health Coalition requesting Council consider supporting their resolution calling on the provincial government to protect public health care by establishing a moratorium on the expansion and funding of private, for-profit surgical and diagnostic clinics in BC.

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

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR McDONELL:

“THAT Council support the BC Health Coalition resolution regarding for-profit clinics in BC.”

CARRIED UNANIMOUSLY

Councillor Johnston

Councillor Johnston made reference to a letter received from Premier Christy Clark regarding tax exemptions for the Royal Canadian Legions in BC.

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

“THAT a copy of a letter from the Premier regarding tax exemptions for Royal Canadian Legions in BC be sent to the three Royal Canadian Legions in Burnaby and Burnaby MLAs for information.”

CARRIED UNANIMOUSLY

Councillor Dhaliwal

Councillor Dhaliwal expressed concern regarding Kinder Morgan's plans to expand its oil pipeline system and significantly increase its shipping capacity out of Burrard Inlet.

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

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JOHNSTON:

"WHEREAS Kinder Morgan's Trans Mountain Pipeline UCL Firm Service Application has been approved by the National Energy Board (NEB) on August/September 2011 thus, enabling Kinder Morgan's plans to expand the Trans Mountain oil pipeline system and the size and frequency of oil tanker traffic through the Straits of Juan de Fuca, Georgia, and Burrard Inlet en route to the Westridge marine terminal in Burnaby;

AND WHEREAS B.C.'s local governments shoulder significant economic, cultural and environmental risk in the event of a large oil spill into their watershed(s) or the marine environment near their communities;

AND WHEREAS B.C.'s local governments have not been actively consulted regarding Kinder Morgan's historic or planned expansions of oil tanker traffic:

THEREFORE BE IT RESOLVED that the UBCM request that the National Energy Board and Federal Ministers of Environment, Natural Resources, and Transport commit that any further application by Kinder Morgan to expand the amount of oil transported by pipeline and tanker utilize the highest degree of environmental assessment and consultation available, with full opportunity for local government participation."

CARRIED UNANIMOUSLY

Council requested this resolution be forwarded to the 2011 UBCM Convention for consideration as an emergency resolution.

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this 'Open' Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 10:03 p.m.

Confirmed:

Certified Correct:

MAYOR

A/DEPUTY CITY CLERK