

2013 MAY 13

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2013 May 13 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 7:05 p.m. in the Council Chamber.

PRESENT: His Worship, Mayor D. Corrigan, In the Chair
Councillor P. Calendino
Councillor R. Chang
Councillor S. Dhaliwal
Councillor D. Johnston
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N. Volkow

STAFF: Mr. R. Moncur, City Manager
Mr. C. Turpin, Deputy City Manager
Mr. L. Chu, Deputy City Manager
Mr. B. Davis, Acting Director Engineering
Mrs. D. Jorgenson, Director Finance
Mr. D. Ellenwood, Director Parks, Recreation & Cultural Services
Mr. L. Pelletier, Director Planning & Building
Mr. B. Rose, City Solicitor
Mrs. M. Manuel, Acting City Clerk
Mr. S. Cleave, Deputy City Clerk

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:05 p.m.

PROCLAMATIONS

Councillor Dhaliwal, on behalf of His Worship, Mayor Derek Corrigan proclaimed the week of 2013 May 20th – 24th as ***“Local Government Awareness Week”*** in the City of Burnaby.

Councillor Volkow, on behalf of His Worship, Mayor Derek Corrigan proclaimed the week of 2013 May 19th – 25th as ***“Public Works Week”*** in the City of Burnaby.

Councillor McDonell, on behalf of His Worship, Mayor Derek Corrigan proclaimed the week of 2013 May 19th – 25th as ***“Elizabeth Fry Week”*** in the City of Burnaby.

Councillor Johnston, on behalf of His Worship, Mayor Derek Corrigan proclaimed the week of 2013 May 19th – 25th as “**Cycling4Diversity Week**” in the City of Burnaby.

Councillor Jordan, on behalf of His Worship, Mayor Derek Corrigan proclaimed Saturday 2013 May 18th as “**Ahmadiyya Day**” in the City of Burnaby.

1. MINUTES

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR McDONELL:

“THAT the minutes of the ‘Open’ Council meeting held on 2013 May 06 be now adopted.”

CARRIED UNANIMOUSLY

2. REPORTS

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

A) Acting City Clerk
Re: Certificate of Sufficiency
(Resident Initiated)

The Acting City Clerk submitted a report providing Council with the Certificate of Sufficiency covering the resident initiated 2013 Local Area Service Roads (Utilities) and 2013 Lighting (Utilities) Programs.

The Acting City Clerk recommended:

1. THAT Council receive the Acting City Clerk's Certificate of Sufficiency covering the 2013 Local Area Service Roads (Utilities) and 2013 Lighting (Utilities) Programs.
2. THAT on receipt of the successful petitions, the City Solicitor prepare a Local Area Service Construction Bylaw for each successful project.
3. THAT on receipt of the successful petitions, the City Solicitor prepare a Local Area Service Fund Expenditure Bylaw for each successful project.
4. THAT the owners of the properties on the petitions be advised of the outcome.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

B) The City Manager presented a report dated 2013 May 13 on the matters listed following as Items 01 to 08 either providing the information shown or recommending the courses of action indicated for the reasons given:

**1. Environmental Sustainability Strategy -
Public Consultation Framework and
Phase 1 Consultation Plan**

The City Manager submitted a report from the Director Planning and Building seeking Council approval to undertake the first phase of public consultation for the Burnaby Environmental Sustainability Strategy (ESS). The first phase focuses on building awareness about the City’s existing initiatives, principles of sustainability, the ESS process, and obtaining feedback from the public regarding their priorities for environmental sustainability.

The City Manager recommended:

1. THAT Council approve in principle the draft guiding principles and the draft subcommittee themes for the Burnaby Environmental Sustainability Strategy (ESS), as outlined in *Attachment 2* and *Attachment 3*, respectively, of this report.
2. THAT Council endorse the public consultation framework for the Burnaby Environmental Sustainability Strategy (ESS), as outlined in this report.
3. THAT Council authorize staff to undertake the phased public consultation program for the Burnaby Environmental Sustainability Strategy (ESS), as outlined in this report, beginning with *Phase 1-Issues and Awareness*.
4. THAT a copy of this report be sent to the Community Development Committee, the Environment Committee, and the Parks, Recreation and Culture Commission for their information.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**2. Rezoning Reference #12-24
High Density High Rise above a Commercial
Office-Retail Podium**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2013 May 28. The purpose of the proposed zoning bylaw amendment is to permit the construction of a 37 storey high-rise building above a four storey commercial office-retail podium.

The City Manager recommended:

1. THAT the adjustment to the Metrotown Town Centre Development Plan, as outlined in Section 3.1 of this report be approved, to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.
2. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2013 May 13, and to a Public Hearing on 2013 May 28 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) 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 \$6,919,219.20 cash in-lieu contribution in accordance with Section 3.3 of

this report.

- f) The consolidation of the net project site into one legal parcel.
- g) The granting of any necessary statutory rights-of-way and easements, including but not limited to a 2.4 m statutory-right of way on Willingdon Avenue.
- h) The granting of any necessary covenants, including, but not necessarily limited to:
 - 219 Covenant restricting enclosure of balconies;
 - 219 Covenant indicating that project surface driveway access will not be restricted by gates;
 - 219 Covenant guaranteeing the provision and maintenance of public art;
 - 219 Covenant guaranteeing for the provision and maintenance of the public plaza at the corner of Beresford Street and Willingdon Avenue;
 - 219 Covenant providing for future air space parcels covering both the commercial and residential components to ensure that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as a single, integrated development;
 - 219 covenant ensuring the provision of two fast charging electric vehicle (EV) plug-in stations in the resident parking area, as well as two electric vehicles (one small and one large passenger vehicles), which are to be held in common property, and operated and maintained by the Strata Corporation; and
 - 219 covenant ensuring the provision of a minimum of 9 handicap accessible parking stalls in the resident parking area for the sole use of the required 9 accessible units, and that these stalls, as well as any other handicap accessible parking provided in the residential component of the underground parking, be held in common property to be administered by the Strata Corporation.
- i) The dedication of any rights-of-way deemed requisite.
- j) The design and provision of 9 adaptable units (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person) with allocated handicap parking spaces protected by a Section 219 Covenant.
- k) The undergrounding of existing overhead wiring abutting the site.
- l) The submission of a detailed Comprehensive Sign Plan

- m) Compliance with the Council-adopted sound criteria.
- n) The provision of a 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.
- o) The provision of a cash contribution towards the future installation of a signalized intersection at Beresford Street and Willingdon Avenue, as outlined in Section 3.6 of this report.
- p) The submission of a suitable on-site stormwater management system to the approval of the Acting 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.
- q) The provision of facilities for cyclists in accordance with this report.
- r) The review of a detailed Sediment Control System by the Acting Director Engineering.
- s) Compliance with the guidelines for underground parking for visitors.
- 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 deposit of the applicable Metrotown Public Open Space Charge.
- x) 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

3. Strata Title Application #13-1
6697 Sperling Avenue

The City Manager submitted a report from the Director Planning and Building seeking Council authority for strata titling of an existing two-family dwelling. With Council approval for the strata titling of the subject property, owners would be requested to submit the required strata plans and legal fees. Once received, the necessary covenant will be prepared by the City Solicitor to ensure each unit is used as a single-family dwelling only and, after the requisite signatures are obtained, the documents and plans will be registered at the Land Title Office.

The City Manager recommended:

1. THAT Strata Titling of 6697 Sperling Avenue be approved subject to complete satisfaction of the Guidelines for Conversion of an Existing Two-Family Dwelling into Strata Title Units

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

**4. Building Permit Tabulation Report No: 4
From 2013 April 01 – 2013 April 30**

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 JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**5. Douglas Road / Goring Street / Still Creek Avenue
Road Improvements**

The City Manager submitted a report from the Acting Director Engineering seeking Council approval of the revised expenditure for engineering services related to the Douglas Road / Goring Street / Still Creek Avenue Road Improvements Project.

The City Manager recommended:

1. THAT Council approve the revised amount of \$757,000 including taxes under the existing Engineering Agreement E14-2009 with Delcan Corporation to include the additional engineering and construction inspection services for the Still Creek road improvements project.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

6. Contract Extension
HVAC Systems Maintenance and Repair Services

The City Manager submitted a report from the Director Finance seeking Council approval to extend a contract for HVAC systems maintenance and repair services for the second option year with a 1.38% increase to the contract for the maintenance portion and hourly rates for repairs.

The City Manager recommended:

1. THAT the existing contract with Honeywell Limited for HVAC systems maintenance and repair services be extended for one year to 2014 May 31 at an estimated annual cost of \$600,000 plus GST. Final Pricing will be based on actual work performed.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

7. Contract Award 2013-17
2013 Combined Sewer Separation Package II –
Gilmore Avenue North

The City Manager submitted a report from the Director Finance seeking Council approval to award a construction contract for the 2013 Combined Sewer Separation Package II – Gilmore Avenue North. The work of this contract includes the construction of 600 metres of sanitary sewer, 300 metres of storm sewer, 950 metres of watermain, complete with all appurtenances. The work also includes complete road reconstruction with approximately 3,800 cubic metres of common

excavation, 3,000 tonnes of superpave asphalt, 2,200 tonnes of base gravels, 4,300 tonnes of subbase gravels and 3,200 tonnes of imported fill.

The City Manager recommended:

1. THAT a construction contract be awarded to the lowest bidder J. Cote & Son Excavating Ltd. for a total cost of \$2,336,250.00 including GST in the amount of \$111,250.00 for work as outlined in this report. Final payment will be based on actual quantity of goods and services delivered and unit prices as tendered.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**8. Contract Award 2013-08
2013 Watermain Replacement Program Package “C”**

The City Manager submitted a report from the Director Finance seeking Council approval to award a construction contract for the 2013 Watermain Replacement Program Package C. The work of this contract includes the installation of 100mm to 200mm diameter of watermain, 200mm to 250mm diameter of sanitary sewer, installation of street lighting on one residential block, and performance of pavement rehabilitation work on various roadways throughout some sections of the City of Burnaby's west and east residential areas. The work will consist primarily of the supply and installation of 2,000 m of watermain, 640 m of sanitary sewer, 170 m of street light conduit, 5 street lamps, 17,000 square metres of asphaltic concrete surface/full depth milling, and 29,500 square metres of asphaltic concrete paving.

The City Manager recommended:

1. THAT a construction contract be awarded to the lowest bidder Timbro Contracting (A Partnership) for a total cost of \$2,067,731.38 including GST in the amount of \$98,463.40 for work as outlined in this report. Final payment will be based on actual quantity of goods and services delivered and unit prices as tendered.

MOVED BY COUNCILLOR VOLKOW:

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 KANG:

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

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST READING

- | | | |
|--------|---|-------------|
| #13209 | Area 1 – 3290 Sperling Avenue & unaddressed property | REZ #12-27a |
| #13210 | Area 2 – 7951 Burris Street, 7951 & 7950 Haszard Street, 7950 Rayside Street 7225 Trans Canada Highway & three unaddressed properties | REZ #12-27b |
| #13211 | Area 3 – 9011 Avalon Avenue, 9002 & 9186 Brunette River, 6743 & 6825 Cariboo Road | REZ #12-27c |
| #13212 | Area 4 – 6955 & 6965 Ash Street, 8736 Baker Avenue, 6974, 6984, & 6995 Louise Street | REZ #12-27d |
| #13213 | 6225 & 6255 Cassie Avenue | REZ #12-24 |

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Zoning Bylaw 1965, Amendment

#13209

Bylaw No. 12, 2013

Burnaby Zoning Bylaw 1965, Amendment #13210
Bylaw No. 13, 2013

Burnaby Zoning Bylaw 1965, Amendment #13211
Bylaw No. 14, 2013

Burnaby Zoning Bylaw 1965, Amendment #13212
Bylaw No. 15, 2013

Burnaby Zoning Bylaw 1965, Amendment #13213
Bylaw No. 16, 2013

be now introduced and read a first time.”

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

“THAT

Burnaby Capital Works, Machinery and Equipment #13217
Reserve Fund Expenditure Bylaw No. 15, 2013

Burnaby Capital Works, Machinery and Equipment #13218
Reserve Fund Expenditure Bylaw No. 16, 2013

be now introduced and read three times.”

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#13106 7008, 7018 & 7070 14th Avenue REZ #11-49

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

“THAT

Burnaby Zoning Bylaw 1965, Amendment #13106
Bylaw No. 28, 2012

be now considered and read a third time.”

Burnaby Rates Bylaw 2013

#13208

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

MOVED BY COUNCILLOR CHANG:

SECONDED BY COUNCILLOR DHALIWAL:

“THAT the date for the International Relations & Friendship Cities Committee meeting be rescheduled from Wednesday, 2013 May 15 at 12:00 pm to Tuesday, 2013 June 11 at 12:00 pm in the Clerks Committee Room at City Hall.”

CARRIED UNANIMOUSLY

Councillor Jordan

Councillor Jordan made reference to Item E) of the Council correspondence package received to 2013 May 09 from John Doyle, Auditor General of British Columbia, regarding the audit of the Evergreen Line Rapid Transit System and the determination of SkyTrain technology as the appropriate choice for the line. Councillor Jordan noted the audit failed to explain the cost differences between the 2006 business case supporting LRT technology and the 2008 business case supporting SkyTrain technology. Councillor Jordan further noted TransLink was unable to locate the breakdown of costs associated with LRT technology from the 2006 business case.

Arising from discussion 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 Corrigan write a letter to the Auditor General of British Columbia to express continuing concern regarding the audit of the Evergreen Rapid Transit Line with particular reference to the missing information relating to the breakdown of costs for LRT technology from the 2006 business case.”

CARRIED UNANIMOUSLY

Councillor Calendino

Councillor Calendino encouraged citizens to vote on provincial election day, Tuesday, May 14.

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 7:35 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK