

2013 JANUARY 14

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 January 14 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. Corrigan, In the Chair
Councillor P. Calendino
Councillor R. Chang
Councillor S. Dhaliwal
Councillor D. Johnston
Councillor A. Kang
Councillor P. McDonell
Councillor N. Volkow

ABSENT: Councillor C. Jordan

STAFF: Mr. R. Moncur, City Manager
Mr. C. Turpin, Deputy City Manager
Mr. L. Chu, Deputy City Manager
Mr. D. Louie, Asst. Director Engineering – Traffic & Parking Management
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 KANG:

SECONDED BY COUNCILLOR DHALIWAL:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:03 p.m.

1. MINUTES

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

“THAT the minutes of the 'Open' Council meeting held on 2012 December 10 be now adopted.”

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR McDONELL:

“THAT the minutes of the ‘Open’ Council meeting held on 2012 December 10 be **AMENDED** in Item 2, City Manager’s Report, to read as follows:

- ‘1. THAT a Capital Works Machinery and Equipment Reserve Fund Bylaw be brought forward to appropriate \$7,000,000 for land assembly and development’.”

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Volkow and seconded by Councillor McDonell being “THAT the minutes of the ‘Open’ Council meeting held on 2012 December 10 be now adopted” AS AMENDED and same was CARRIED UNANIMOUSLY.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR McDONELL:

“THAT the minutes of the Public Hearing (Zoning) held on 2012 December 11 be now adopted.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR McDONELL:

“THAT the minutes of the Public Hearing (Heritage) held on 2012 December 11 be now adopted.”

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

- A) Kwantlen Polytechnic University
Re: South-West British Columbia Food System
Design and Planning Project Summary
Speaker: Dr. Kent Mullinix

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the delegation be heard.”

CARRIED UNANIMOUSLY

- A) **Dr Kent Mullinix**, Kwantlen Polytechnic University, Institute for Sustainable Horticulture, appeared before Council outlining a three year initiative to develop a Food System Design and Implementation Plan for southwest British Columbia that aims to substantially enhance local-regional economies and communities, create jobs and manifest other important sustainability attributes. The regional food system design and implementation plan will provide a comprehensive vision and basis for a regionally based food system as well as a roadmap of actions that can be taken by various stakeholders including local governments to create a regionally based food system that reflects aspirations for increased food security and self-reliance, greater economic vitality and ecological integrity.

The delegation requested a commitment from the City of Burnaby to engage in the design of and implementation planning for the southwest BC Food System. The delegation also requested a financial contribution to the project of \$4,000 a year for three years and identification of a city staff person to act as liaison to the project team.

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

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the delegation's presentation be **REFERRED** to staff for review and report to the Executive Committee of Council followed by a report from the Committee to Council.”

CARRIED UNANIMOUSLY

3. CORRESPONDENCE

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR DHALIWAL:

“THAT the following items of correspondence be received.”

CARRIED UNANIMOUSLY

- A) **Federation of Canadian Municipalities**
Re: Annual Membership Dues

An invoice was received from the Federation of Canadian Municipalities for the City of Burnaby's 2013 Annual Membership dues.

A staff note advises a motion of Council is required in order to pay the invoice for the FCM Annual Membership dues.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT Council approve payment of the invoice from the Federation of Canadian Municipalities for membership dues for 2013.”

CARRIED UNANIMOUSLY

B) Metro Vancouver
Re: Request to Adopt Resolution in Support of
Labour Relations Service Bylaw No. 1182, 2012

A letter was received from Greg Moore, Chair, Metro Vancouver Board requesting Council adopt a resolution consenting to the terms and conditions of withdrawal of the GVRD Labour Relations Service Bylaw No. 1182, 2012 and approving the adoption of the GVRD Labour Relations Service Bylaw No. 1182 by providing consent on behalf of the electors.

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

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT Council consent to the terms and conditions of withdrawal of the Greater Vancouver Regional District Labour Relations Service Bylaw No. 1182, 2012 and approve the adoption of the Greater Vancouver Regional District Labour Relations Service Bylaw No. 1182, 2012 by providing consent on behalf of the electors.”

CARRIED UNANIMOUSLY

C) Metro Vancouver
Re: Request to Adopt Resolution in Support of
Greater Vancouver Regional District Bylaw
to Repeal the Mosquito Control Administration
and Coordination Service (Bylaw No. 1179, 2012)

A letter was received from Greg Moore, Chair, Metro Vancouver Board requesting Council adopt a resolution consenting to the repeal of the Greater Vancouver Regional District Mosquito Control Administration and Coordination Service Establishment Bylaw No. 1034, 2005 and consenting to the adoption of the Greater Vancouver Regional District Bylaw to Repeal the Mosquito Control Administration and Coordination Service (Bylaw No. 1179, 2012).

A staff note advises, based on the minimal West Nile virus activity observed in this region over past number of years and Fraser Health Authority’s recommendation of

discontinuing surveillance and pre-emptive larviciding for West Nile virus as of 2012, the Engineering Department does not have any objection to repealing the Regional Mosquito Control Administration and Coordination Service Establishment Bylaw for West Nile virus related services.

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

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT Council consent to the repeal of the Greater Vancouver Regional District Mosquito Control Administration and Coordination Service Establishment Bylaw No. 1034, 2005 and consent to the adoption of the Greater Vancouver Regional District Bylaw to Repeal the Mosquito Control Administration and Coordination Service (Bylaw No. 1179, 2012).”

CARRIED UNANIMOUSLY

4. REPORTS

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

A) Community Development Committee

Re: Policy Proposal

Permitted Storeys in the C8 and C8A Urban

Village Commercial District

Hastings Street Area Plan

The Community Development Committee submitted a report seeking Council approval of a proposed policy framework to permit the number of storeys allowed in the C8 and C8a Urban Village Commercial District to be varied through CD zoning to allow for an additional residential mezzanine floor.

The Community Development Committee recommended:

1. THAT Council approve the proposed policy framework to vary the number of storeys allowed in the C8 and C8a Urban Village Commercial District (Hastings) through CD Comprehensive Development District rezoning.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

B) Community Development Committee
Re: Request for Area Rezoning to the R12 District
4600 to 4676 and 4605 to 4679 Albert Street,
250 Alpha Avenue and 271 Beta Avenue

The Community Development Committee submitted a report seeking Council approval to initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12 Residential District. The process would include brochures, questionnaires and an open house to determine the support for the rezoning. The results would be reported back to the Committee and Council with a recommendation to either advance or not advance the rezoning through the bylaw approval process.

The Community Development Committee recommended:

1. THAT Council authorize initiation of a consultation process to explore the desirability of an area rezoning of 4600 to 4676 and 4605 to 4679 Albert Street, 250 Alpha Avenue, and 271 Beta Avenue to the R12 Residential District.
2. THAT a copy of this report be sent to Mr. Gene Yuen, the petition organizer, at 4668 Albert Street, Burnaby, BC, V5C 2G8.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

C) The City Manager presented a report dated 2013 January 14 on the matters listed following as Items 01 to 06 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Special Outdoor Events 2013

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council approval for special outdoor events in 2013. Outdoor events will include the City’s annual Symphony in the Park, the Burnaby Blues and Roots Festival and up to eight ticketed concerts hosted by outside promoters and/or community groups at the festival lawn. At Swangard Stadium,

events will include the annual two-day “24 Hour Relay”, Eurofest, and up to 11 other special events.

The City Manager recommended:

1. THAT approval be granted for up to 10 outdoor concerts at the Deer Lake Park Festival Lawn between 2013 May 01 and 2013 September 30, and up to 13 special events at Swangard Stadium between 2013 April 01 and 2013 November 01.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

2. Local Area Services and Sewer Assessment Rolls

The City Manager submitted a report from the Acting Director Engineering seeking Council authorization to convene a Court of Revision on Tuesday, 2013 February 19 at 6:00 p.m. A Court of Revision is scheduled each year to provide an opportunity for property owners to appeal Local Area Services and sewer parcel taxes that are being charged for the first time. The assessments confirmed by this Court are the basis for the preparation of Local Area Services and Sewer Assessment tax rolls.

The City Manager recommended:

1. THAT a Court of Revision be established in the Council Chambers, Tuesday, 2013 February 19 at 6:00 p.m. to hear appeals against the Local Area Services and Sewer Assessment Rolls.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**3. Rezoning Reference #12-15
6530 and 6550 Nelson Avenue
Response to Public Hearing Issues**

The City Manager submitted a report from the Director Planning and Building providing Council with the response to issues raised at the Public Hearing for Rezoning Reference #12-15 including density and building form, loss of existing rental housing, relationship to neighbouring sites, vehicular access and traffic on

Dunblane Avenue/Grimmer Street, traffic safety and construction impacts on the surrounding neighbourhood.

The City Manager recommended:

1. THAT a copy of this report be sent to the applicant and those who spoke at, or submitted correspondence to the Public Hearing for Rezoning Reference #12-15.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**4. BC Hydro Statutory Right-of-Way
6557, 6575 and 6591 Nelson Avenue and
6609 Jubilee Avenue**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization for the execution of the subject right-of-way. The granting of the unregistered statutory right-of-way is required in order to properly authorize and allow BC Hydro to conduct the necessary works related to the connection of the existing underground distribution line to service the Council approved development at 6560 Nelson Avenue.

The City Manager recommended:

1. THAT Council authorize the granting of an unregistered statutory right-of-way over a portion of City-owned properties at 6557, 6575 and 6591 Nelson Avenue and 6609 Jubilee Avenue at Bonsor Park, in favour of BC Hydro and Power Authority, for its existing underground power line and related equipment, as outlined in this report.
2. THAT a copy of this report be sent to the Parks, Recreation and Culture Commission for information

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. Road Closure Reference #12-04
X-Reference: Subdivision #12-30
Proposed Closure of a 4.0 m Portion of
Unconstructed Seventeenth Avenue Road Allowance
Adjacent 6084 Marine Drive

The City Manager submitted a report from the Director Planning and Building seeking Council authority to introduce a Burnaby Highway Closure Bylaw for the closure, sale and consolidation of a portion of the subject road allowance. The closure will contribute lot area for the proposed development of a new single family dwelling for 6084 Marine Drive.

The City Manager recommended:

1. THAT Council authorize staff to introduce a Burnaby Highway Closure Bylaw for the closure, sale and consolidation of a 4.0 m (170.5 m²) portion of the road allowance with 6084 Marine Drive (see *attached* Sketch #1), subject to the conditions outlined in this report.
2. THAT a copy of this report be sent to Byron Macoli, 8645 Armstrong Avenue, Burnaby, BC V3N 2H4.

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

6. Animal Control Contract

The City Manager submitted a report from the Director Finance seeking Council approval to exercise the City's option of extending the current animal control service contract with the British Columbia Society for the Prevention of Cruelty to Animals (BCSPCA). This organization continues to provide effective animal control and shelter service to the community. The proposed contract service includes the benefit of the BCSPCA's humanitarian mandate, comprehensive expertise and broad organizational functions relating to animal welfare.

The City Manager recommended:

1. THAT the current animal control service contract with the BCSPCA be extended for a two year term beginning on 2013 January 01 at an estimated cost of \$520,383.00 for 2013 with annual increase based on the Vancouver Consumer Price Index.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

5. TABLED MATTER

- A) Bylaws – Second Reading
Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 46, 2012 – Bylaw No. 13152
(Tabled 2012 December 03)

SECOND READING:

#13147	4125 Sardis Street	REZ #11-52
#13148	Portion of 2801 Ellerslie Avenue	REZ #12-17
#13149	5161 & 5191 Hastings Street	REZ #07-45
#13150	2830 Bainbridge Avenue	REZ #12-25
#13152	6530 & 6550 Nelson Avenue	REZ #12-15

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

“THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 42, 2012**

#13147

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 43, 2012** #13148

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 44, 2012** #13149

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 45, 2012** #13150

be now read a second time.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

“THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 46, 2012** #13152

be now **TABLED.**”

CARRIED UNANIMOUSLY

This bylaw was TABLED in order to allow staff additional time to prepare a report to Council responding to the issues raised at the 2012 November 27 Public Hearing.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

‘THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 46, 2012** #13152

be now **LIFTED** from the table.”

CARRIED UNANIMOUSLY

Second Reading of Bylaw #13152 was now before the meeting.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR KANG:

‘THAT

**Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 46, 2012** #13152

be now read a second time.”

CARRIED UNANIMOUSLY

6. BYLAWS

FIRST READING

#13164 Text Amendment

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 1, 2013	#13164
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be now introduced and read a first time.”

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Subdivision Control Bylaw 1971 Amendment Bylaw 2013	#13165
Burnaby Liquor Licence Application Fee Bylaw 2001, Amendment Bylaw 2013	#13166
Burnaby Plumbing Bylaw 2000, Amendment Bylaw 2013	#13167
Burnaby Gas Bylaw 1978, Amendment Bylaw 2013	#13168
Burnaby Building Bylaw 2004, Amendment Bylaw 2013	#13169
Burnaby Electrical Bylaw 1974, Amendment Bylaw 2013	#13170
Burnaby Tree Bylaw 1996, Amendment Bylaw 2013	#13171
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 1, 2013	#13172
Burnaby Access to Election Filing Documents Bylaw 2013	#13173

be now introduced and read three times.”

CARRIED UNANIMOUSLY

SECOND READING:

#13154	3520 Sperling Avenue and Portion of 3860 Sperling Avenue	REZ #11-40
#13155	8540 Greenall Avenue	REZ #12-02
#13156	8335 Eastlake Drive	REZ #08-21

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 2012	#13154
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 48, 2012	#13155
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 49, 2012	#13156
Burnaby Heritage Designation Bylaw No. 2, 2012	#13162

be now read a second time.”

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#13077	6509 & 6539 McKay Avenue	REZ #11-32
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MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 19, 2012	#13077
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be now considered and read a third time.”

CARRIED UNANIMOUSLY

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

#13120	8138 North Fraser Way	REZ #12-19
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MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 33, 2012

#13120

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

CARRIED UNANIMOUSLY

7. **NEW BUSINESS**

Councillor Calendino

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT Councillor Dhaliwal be authorized to attend FCM Board of Directors’ meetings in 2013 and that related expenses be paid.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR McDONELL:

“THAT the start time for the Executive Committee of Council meeting scheduled for Thursday, 2013 January 17 at 5:00 p.m. be changed to 4:00 p.m.”

CARRIED UNANIMOUSLY

Councillor Volkow

Councillor Volkow made reference to Item I) of the Council Correspondence package received to 2013 January 11 from Dean McKerracher, Mayor of the District of Elkford to Honourable Keith Ashfield, Minister of Fisheries and Oceans, regarding Federal Fisheries Act, Bill C38.

In response to this item of correspondence the Director Planning and Building advised the Environment Committee previously reviewed federal changes to the Fisheries Act. The Director Planning and Building also noted the Burnaby Zoning Bylaw includes streamside protection measures.

Councillor Volkow made reference to Item L) of the Council Correspondence package received to 2013 January 11 from Lexa Hobenshield, Manager, External Relations,

Kinder Morgan regarding the Trans Mountain Expansion Project and expressed concern regarding the proposed increase in capacity from 750,000 to 890,000 barrels per day.

Mayor Corrigan

His Worship, Mayor Derek Corrigan also referred to Item L) of the Council correspondence package and expressed concern regarding the lack of public consultation and the increased risk of an oil spill in Burrard Inlet. In addition, Mayor Corrigan requested staff continue to review legal options available to the City and report back as appropriate to a 'Closed' Council meeting.

Councillor Kang

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR VOLKOW:

“THAT Council members be authorized to attend the 2013 UBCM and FCM Conventions in Vancouver and that related expenses be paid.”

CARRIED UNANIMOUSLY

Councillor Dhaliwal

Councillor Dhaliwal made referenced to Item J) of the Council Correspondence package received to 2013 January 11 from Robyn G. Anderson, City Clerk, City of North Vancouver regarding the impact of the return of the PST on district energy systems.

Arising from discussion of the correspondence, 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 Environment Committee for review.”

CARRIED UNANIMOUSLY

Councillor Johnston

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

"THAT a meeting of the Environmental Sustainability Strategy Committee be scheduled for Wednesday, 2013 January 30 at 6:30 p.m. at the University Highlands Elementary School (9388 Tower Road) and further; THAT a tour of the University Childcare Centre (9075 Highland Court) be held prior to the meeting starting at 5:45 p.m.”

CARRIED UNANIMOUSLY

8. INQUIRIES

There were no inquiries brought before Council at this time.

9. ADJOURNMENT

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 8:23 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK