

2013 FEBRUARY 18

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 February 18 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 S. Dhaliwal
Councillor D. Johnston
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N. Volkow

ABSENT: Councillor R. Chang

STAFF: Mr. R. Moncur, City Manager
Mr. C. Turpin, Deputy City Manager
Mr. L Chu, Deputy City Manager
Mr. D. Dattani, Asst. Director Engineering – Environmental Protection
Mrs. D. Jorgenson, Director Finance
Mr. D. Ellenwood, Director Parks, Recreation & Cultural Services
Mr. E. Kozak, Asst. Director Current Planning
Mr. B. Rose, City Solicitor
Mrs. M. Manuel, Acting City Clerk
Mr. S. Cleave, Deputy City Clerk

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:07 p.m.

PROCLAMATION

Councillor Jordan, on behalf of His Worship, Mayor Derek Corrigan proclaimed 2013 February 23 as ***“Rotary Day”*** in the City of Burnaby.

1. MINUTES

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the minutes of the ‘Open’ Council meeting held on 2013 February 04 be now adopted.”

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

A) Rotary Clubs

Re: Rotary Day 2013

**Speakers: Gary Johanson, Deer Lake Rotary Club
Gloria Staudt, Metrotown Rotary Club
Roger Silva, Rotary Club of Burnaby**

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the delegation be heard.”

CARRIED UNANIMOUSLY

- A) Roger Silva, Rotary Club of Burnaby, Gloria Staudt, Rotary Club of Burnaby Metrotown and Gary Johanson, Rotary Club of Deer Lake, appeared before Council expressing appreciation to the City for proclaiming February 23, 2013 as Rotary Day.**

The delegation advised Rotary promotes high ethical standards and builds social capital and trust. Their activities and events include Rotary Coats for Kids, Rotary Wine, Food and Music festival, Rotary Rollers Graffiti Paint Outs, Boots for Kids and Polio Plus. The speakers also noted they would like to initiate discussion with the City regarding the possibility of building a signature water park in Central Park.

The delegation concluded by presenting a plaque to His Worship, Mayor Derek Corrigan in recognition of the City’s support for the three rotary clubs in the community.

3. CORRESPONDENCE

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JORDAN:

“THAT the following items of correspondence be received.”

CARRIED UNANIMOUSLY

- A) **Lawrence Ryan, Chair**
Hats Off Day Organizing Committee
Re: Hats Off Day 2013

A letter was received from Lawrence Ryan, Chair, Hats Off Day Organizing Committee, requesting City support for their annual parade.

A staff report regarding this item of business appears later in the meeting as Item 6 in the City Manager's Report.

- B) **Lower Mainland Local Government Association**
Re: 2012 Membership Dues

An invoice was received from the Lower Mainland Local Government Association for the City of Burnaby's 2012 membership dues.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR DHALIWAL:

“THAT Council approve payment of the 2012 Lower Mainland Local Government Association membership dues.”

CARRIED UNANIMOUSLY

4. REPORTS

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

- A) **Environment Committee**
Re: 2013 Environment Week and
Environmental Awards Program

The Environment Committee submitted a report seeking Council approval for the preliminary planning approach for Environment Week and the Environmental

Awards Program call for nominations for 2013. Environment Week, together with the Environmental Awards Program, celebrates Burnaby's ongoing commitment to environmental sustainability through the coordination and promotion of environmental events and activities. The theme of 'Nature in the City' is proposed to recognize Burnaby's legacy of environmental protection and the urban ecosystems that are woven throughout the city, and highlight ways in which individual action can further protect and enhance our environment.

The Environment Committee recommended:

1. THAT Council approve the preliminary planning approach of Environment Week, scheduled for 2013 June 2 – June 8, as outlined in this report.
2. THAT Council approve the call for nominations for the 2013 Environmental Awards Program.
3. THAT Council approve the expenditure of \$2,500 from the Boards, Committees and Commissions' operating budget for advertising the Environmental Awards Program call for nominations.
4. THAT Council approve the expenditure of \$5,650 from the Boards, Committees and Commissions' operating budget for advertising the City's Garage Sale Day Event.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

"THAT the recommendations of the Environment Committee be adopted."

CARRIED UNANIMOUSLY

B) Environment Committee
Re: Hydraulic Fracturing

The Environment Committee submitted a report seeking Council consideration for a resolution regarding a moratorium on hydraulic fracturing. This process involves injecting water, sand and chemicals at high pressure down a well to crack rock formations to release natural gas and other petroleum deposits. The concerns related to hydraulic fracturing are high water use, disposal of wastewater, the potential for surface water and ground water contamination, and the potential for air pollution.

The Environment Committee put forward the following resolution for Council's consideration:

"WHEREAS hydraulic fracturing uses a large amount of water; and

WHEREAS more scientific study is needed on the impact of hydraulic fracturing and the receiving environment; and

WHEREAS more legal and regulation reporting support is required for hydraulic fracturing; and

WHEREAS water, air and resources are shared commons, and as such, require public consultation and a process that enables communities to be a part of the decision-making process; and

WHEREAS there is no consistent policy and approach taken by Provinces on hydraulic fracturing;

THEREFORE BE IT RESOLVED that the City requests a moratorium on hydraulic fracturing until senior governments give full consideration to the potential human and environmental impacts of hydraulic fracturing, and undertake a comprehensive public consultation process.

BE IT FURTHER RESOLVED that the Resolution be forwarded to the Federal Minister of Environment and the B.C. Minister of Environment.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Burnaby MLA's and Burnaby MP's and LMLGA."

The Environment Committee recommended:

1. THAT Council adopt a Resolution to request a moratorium on hydraulic fracturing until senior governments give full consideration to the potential human and environmental impacts of hydraulic fracturing, and undertake a comprehensive public consultation process.
2. THAT the Resolution be forwarded to the Federal Minister of Environment and the B.C. Minister of Environment.
3. THAT a copy of this Resolution be forwarded to Burnaby MLA's, Burnaby MP's and LMLGA.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

"THAT the recommendations of the Environment Committee be adopted."

Council agreed to add the words 'and chemicals' to the first whereas in the resolution.

CARRIED UNANIMOUSLY

Councillor Johnston suggested that Council's resolution be advanced for consideration in the FCM and UBCM resolution process at upcoming annual conventions.

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR McDONELL:

“THAT Council’s resolution on hydraulic fracturing be forwarded to the FCM and the LMLGA for submission to the UBCM.”

CARRIED UNANIMOUSLY

C) Environment Committee

**Re: Public School Food Scraps Collection
Pilot Project**

The Environment Committee submitted a report advising of the success of the public school food scraps pilot project and seeking Council approval to proceed with a full-scale public school food scraps collection program.

The Environment Committee recommended:

1. THAT Council receive the findings of the public school food scraps pilot project for information.
2. THAT Council authorize staff to work with the Burnaby School District to implement a full scale school food scraps collection program, as outlined in Section 3.0 of this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

“THAT the recommendations of the Environment Committee be adopted.”

CARRIED UNANIMOUSLY

Council requested staff work with Burnaby School District to provide educational materials for students and their parents regarding reducing food waste.

D) Environment Committee

**Re: Packaging and Printed Paper
Extended Producer Responsibility (EPR)
Program Update**

The Environment Committee submitted a report providing Council with an update on the packaging and printed paper extended producer responsibility program including a review of the draft updated list for PPP to be collected under the PPP stewardship Plan.

The Environment Committee recommended:

1. THAT Council send a letter to Mr. Allen Langdon, Chair, Multi-Material British Columbia expressing concerns with the proposed removal of collecting recyclable materials such as glass at curbside and that MMBC should instead be striving to maximize recycling beyond the existing level of service provided to the residents of Burnaby.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

“THAT the recommendation of the Environment Committee be adopted.”

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR DHALIWAL:

“THAT the recommendation of the Environment Committee be **AMENDED** to include that copies of the report be forwarded to Burnaby MLAs and Metro Vancouver.”

CARRIED UNANIMOUSLY

A vote was then take on the motion as moved by Councillor Johnston and seconded by Councillor Kang being, ‘THAT the recommendation of the Environment Committee be adopted’ AS AMENDED and same was CARRIED UNANIMOUSLY.

Council further requested staff arrange a workshop regarding the implications of the Multi-Material British Columbia proposal for Burnaby’s recycling program.

E) Environment Committee
Re: Sustainable Purchasing Initiatives
City Green Team

The Environment Committee submitted a report providing Council with a summary of initiatives undertaken by the City Green Team in 2012 and seeking Council’s endorsement of the proposed 2013 Work Plan. To-date, approximately 91% of the construction contract value has been completed and the contractor’s updated schedule proposes a substantial completion date by the end of March 2013.

The Environment Committee recommended:

1. THAT Council receive this report for information.
2. THAT Council authorize the Green Team to proceed with the proposed 2013 Work Plan, as outlined in this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

“THAT the recommendations of the Environment Committee be adopted.”

CARRIED UNANIMOUSLY

F) Finance and Civic Development Committee
Re: Edmonds Community Centre

The Finance and Civic Development Committee submitted a report providing Council with a status update on the construction progress for the Edmonds Community Centre Project. To date approximately 91% of the construction contract value has been completed and the contractor's updated schedule proposed a substantial completion date by the end of March 2013.

The Finance and Civic Development Committee recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

G) Finance and Civic Development Committee
Re: Still Creek Recycling / Green Waste Depot
and Works Yard

The Finance and Civic Development Committee submitted a report providing Council with a status update on the construction progress for the Still Creek Recycling / Green Waste Depot and Works Yard. The contractor for the Still Creek Works Yard and Recycling Depot, DGS Construction Ltd. is well organized and proceeding in an efficient and timely manner.

The Finance and Civic Development Committee recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

H) Social Issues Committee
Re: Child Care Resources Group Update for 2013

The Social Issues Committee submitted a report providing Council with a summary of activities of the Child Care Resources Group (CCRG) during 2012 and to propose a workplan for 2013. During 2013, the CCRG proposes a variety of actions which include continuing to assist in the implementation of actions pertaining to child care contained in Burnaby’s Social Sustainability Strategy as well as preparing and distributing materials on child care needs, the approvals process for child care, and community resources available for child care providers and parents.

The Social Issues Committee recommended:

1. THAT Council endorse the proposed 2013 CCRG Workplan.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

I) Traffic Safety Committee
Re: Pedestrian Signal at
Kingsway and Olive Avenue

The Traffic Safety Committee submitted a report in response to a request for a pedestrian signal at the intersection of Kingsway and Olive Avenue. The most recent review has shown that pedestrians crossing Kingsway at Olive Avenue have increased, peaking at over 60 crossings during the morning rush hour. Proximity to bus stops along Kingsway, walkways to the residential neighbourhood to the north and the Patterson SkyTrain Station to the south are all contributing to the increase. This new data reveals that a pedestrian signal is warranted according to Transportation Association of Canada (TAC) guidelines.

The Traffic Safety Committee recommended:

1. THAT Council approve the installation of a pedestrian activated signal on Kingsway at Olive Avenue as outlined in this report.
2. THAT a copy of this report be sent to Ms. Judy Parker, 305 – 5565 Barker Avenue, Burnaby, BC, V5H 2N8.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR KANG:

“THAT the recommendations of the Traffic Safety Committee be adopted.”

CARRIED UNANIMOUSLY

J) Traffic Safety Committee
Re: 2013 Local Area Service Program for
Speed Humps

The Traffic Safety Committee submitted a report reviewing applications for the 2013 Speed Hump Program and recommending streets that should proceed to the Local Area Service Program (LASP) process.

The Traffic Safety Committee recommended:

1. THAT Council advance the requested speed humps, as discussed and recommended in this report, to the 2013 LASP process.
2. THAT Council send a copy of this report to the residents who requested speed humps as part of the 2013 LASP.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JORDAN:

“THAT the recommendations of the Traffic Safety Committee be adopted.”

CARRIED UNANIMOUSLY

K) The City Manager presented a report dated 2013 February 18 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. Application for Funding Assistance
BC Hydro Beautification Program
Deer Lake Park Beautification Project

The City Manager submitted a report from the Director Planning and Building providing Council with an update of the status of Burnaby's application to BC Hydro for underground wiring funding assistance and seeking Council

authorization to pursue the priority project on Deer Lake Avenue for 2012 – 2013.

The City Manager recommended:

1. THAT Council bring down a Capital Reserves Expenditure Bylaw in the amount of \$554,800.16 (including 12% HST) to fund the costs to remove overhead lines on Deer Lake Avenue.
2. THAT Council approve acceptance of the BC Hydro and TI Corporation cost share contributions of \$205,000 and \$481,200.16, respectively, to reduce the net City cost contribution for this project to \$73,600.
3. THAT Council authorize the granting of the proposed statutory rights-of-way in favour of BC Hydro and Telus, as outlined in this report.
4. THAT a copy of this report be sent to the Parks, Recreation and Culture Commission for information purposes.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

2. 7045 Sierra Drive, Burnaby, BC
Lot 127, D.L. 216, Group 1, N.W.D. Plan 11656

The City Manager submitted a report from the Director Planning and Building requesting a Council resolution to file notice in the Land Title Office pursuant to Section 57 of the Community Charter, with respect to a property in contravention of City bylaws.

The City Manager recommended:

1. THAT Council direct the City Clerk to file a Notice in the Land Title Office stating that:
 - (a) a resolution relating to the land has been made under Section 57 of the Community Charter, and
 - (b) further information respecting the resolution may be inspected at the offices of the Acting City Clerk, City of Burnaby.

2. THAT a copy of this report be sent to the following owner:

Victor Pires Meira
7045 Sierra Drive
Burnaby, BC V5A 1A4

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

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

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT Item 2, Manager’s Report be now **TABLED.**”

CARRIED UNANIMOUSLY

This report was TABLED in order to provide an opportunity for the property owner to respond to a second notice.

3. Building Permit Tabulation Report No: 1
From 2013 January 01 – 2013 January 31

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

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

4. Shark Fin

The City Manager submitted a report from the Director Finance providing Council with information regarding a request to ban shark fins. The Federal government holds responsibility for importation, fisheries and oceans. Canadian law prohibits shark finning in our waters and also protects wildlife globally. Two private members bills relating to shark fin regulation have been

introduced to the Federal government. Provincial authority for shark fin regulation is less clear although state authorities in the U.S. are taking a lead with shark fin prohibitions for their jurisdictions. To effectively regulate shark fins and stem the market supplied by shark finning, senior levels of government will need to enact prohibiting legislation.

The City Manager recommended:

1. THAT Council receive this report for information.
2. THAT a copy of this report be sent to Ms. Marley Daviduk and Mr. Anthony Marr.
3. THAT local Members of Parliament and Members of the Legislative Assembly be sent a copy of this report and encouraged to support change to federal and provincial law to address global shark finning.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendations of the City Manager be **AMENDED** to include:

4. ‘THAT the City continue to monitor the legal status of the Toronto shark fin bylaw and any subsequent court appeals’.”

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Volkow and seconded by Councillor Johnston being ‘THAT the recommendations of the City Manager be adopted’, AS AMENDED and same was CARRIED UNANIMOUSLY.

5. Contract Extension – Electrical Maintenance And Repair Services

The City Manager submitted a report from the Director Finance seeking Council approval to extend the contracts for electrical maintenance and repair services from 2013 March 01 to 2015 February 28.

The City Manager recommended:

1. THAT Council approve a two year extension to Western Integrated Electric Ltd, (WIE) for the electrical maintenance and repair services. The

estimated total cost is \$1,334,440 including HST of \$219,440. 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

6. Hats Off Day Parade – Saturday, 2013 June 01

The City Manager submitted a report from the Acting Director Engineering seeking Council approval for the Hats Off Day Parade to be held 2013 June 01. A temporary road closure will be required.

The City Manager recommended:

1. THAT Council approve the parade as discussed in this report.
2. THAT a copy of this report be sent to Lawrence Ryan, Chair, Hats Off Day Committee, c/o Heights Merchants Association, 4019 Hastings St, Burnaby, BC V5C 2J1.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

7. Nagar Kirtan Parade – Saturday, 2013 April 6

The City Manager submitted a report from the Acting Director Engineering seeking Council approval for the Nagar Kirtan Parade to be held Saturday 2013 April 6. A rolling road closure will be required.

The City Manager recommended:

1. THAT Council approve the parade as discussed in this report.
2. THAT the coordinator of the event, Harjit Sohpaal, president of Shri Guru Ravidass Sabha, 7271 Gilley Ave, Burnaby, BC V5J 4W9, be sent a copy of this report.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

8. Capitol Project Funding

The City Manager submitted a report from the Acting Director Engineering seeking Council approval to fund the sidewalk replacement program.

The City Manager recommended:

1. THAT Council authorize expenditure in the amount of \$100,000 (exclusive of taxes) for replacement sidewalk at various locations.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

5. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Capital Works, Machinery and Equipment
Reserve Fund Expenditure Bylaw No. 3, 2013

#13179

be now introduced and read three times.”

CARRIED UNANIMOUSLY

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

#12879	8038 Glenwood Drive	REZ #10-30
#13150	2830 Bainbridge Avenue	REZ #12-25
#13164	Text Amendment	

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 2010	#12879
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 2012	#13150
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 1, 2013	#13164

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

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#13092	4249 and 4265 Sardis Street	REZ #11-34
--------	-----------------------------	------------

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 23, 2012	#13092
Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 2, 2013	#13176

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

There was no new business brought before Council at this time.

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 8:35 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK