

2013 OCTOBER 21

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 October 21 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. C. Turpin, Deputy City Manager
Mr. L. Chu, Deputy City Manager
Mr. L. Gous, 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
Mr. S. Cleave, Deputy City Clerk
Ms. B. Zeinabova, Administrative Officer

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

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

P R O C L A M A T I O N

His Worship, Mayor Derek Corrigan proclaimed Thursday, 2013 October 24 as "*United Nations Day*" in the City of Burnaby.

1. MINUTES

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the minutes of the 'Open' Council meeting held on 2013 October 07 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) **Walter Hallam**
Re: Proposed Amendment to Burnaby Tree Bylaw
Speaker: Walter Hallam
- B) **Honeyeh Adibi-Larijani**
Re: Hafez Tea House – 6649 E. Hastings
Speaker: Honeyeh Adibi-Larijani

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

- A) **Walter Hallam**, 3321 Dalebright Drive, Burnaby appeared before Council expressing opposition to the proposed amendments to the tree bylaw. The delegation noted the following points:

- the tree canopy cover in Burnaby is no less now than 20 or more years ago.
- homeowners trim, remove and plant trees as their needs evolve.
- government has no business in the front and back yards of residential property owners unless there is clear evidence of wanton destruction of trees and unbiased proof that the homeowner is ruining the ecology and aesthetic values of the City.

Mr. Hallam concluded by inviting members of Council to visit his residence to discuss this matter in more detail.

- B) **Honeyeh Adibi-Larijani**, 6649 Hastings Street, Burnaby, accompanied by **Nasrin Jafargholizade** and **Michael Blady**, appeared before Council requesting an exemption from or amendment to the City smoking bylaw to allow for operation of their cultural tea house without having to build a separate smoking room. Ms. Adibi-Larijani also noted that the current bylaw does not permit tea or water to be served in a separate smoking room. The delegation concluded by noting that compliance with the current bylaw would also create a serious financial hardship for their business.

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

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

“THAT staff prepare a report in response to the delegation’s presentation.”

CARRIED UNANIMOUSLY

Council requested that staff review the City of Vancouver and City of Port Moody smoking bylaw amendments which accommodate the operation of cultural tea houses. Council also asked staff to review this matter with the appropriate health authorities.

3. REPORTS

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

A) Community Heritage Commission
Re: Heritage Burnaby Upgrades and Book
Scanning Pilot Project

The Community Heritage Commission submitted a report outlining a proposed 2014 Heritage Burnaby work program including website upgrades and a Heritage Book scanning pilot project.

The Community Heritage Commission recommended:

1. THAT Council refer this report to the Finance and Civic Development Committee for consideration of an expenditure from Gaming Funds in the amount of \$50,000.00 (excluding GST) for upgrades to the Heritage Burnaby website and the implementation of the Heritage Book scanning pilot project.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

“THAT the recommendation of the Community Heritage Commission be adopted.”

CARRIED UNANIMOUSLY

B) Community Heritage Commission
Re: Burnaby Remembers Program – 2013

The Community Heritage Commission submitted a report seeking Council expenditure authorization for the Burnaby Remembers Program for Remembrance Day – November 11,

2013. This heritage project includes both the annual display of Burnaby's historic World War I and World War II Honour Rolls in the foyer of City Hall and the promotion of Remembrance Day ceremonies in the City.

The Community Heritage Commission recommended:

1. THAT Council approve an expenditure of \$1,500.00 (inclusive of GST) for the Burnaby Remembers Program as outlined in this report.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendation of the Community Heritage Commission be adopted."

CARRIED UNANIMOUSLY

C) Community Heritage Commission
Re: Heritage Revitalization Agreement &
Heritage Alteration Permit
George S. & Jessie Haddon House
5558 Buckingham Avenue

The Community Heritage Commission submitted a report seeking Council authorization for a Heritage Revitalization Agreement and Heritage Alteration Permit for the George S. and Jessie Haddon House. The proposed HRA has been developed in response to the current owners' desire to restore the original porte-cochere of the house which was recently discovered through historic photographs of the property. As the Haddon House is a designated City heritage property, the proposed addition to the residence also required approval of a Heritage Alteration Permit.

The Community Heritage Commission recommended:

1. THAT Council authorize the preparation of a Heritage Revitalization Agreement Bylaw for the George S. and Jessie Haddon House located at 5558 Buckingham Avenue.
2. THAT Council approve the issuance of a Heritage Alteration Permit for the Haddon House, as described in this report.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT the recommendations of the Community Heritage Commission be adopted."

CARRIED UNANIMOUSLY

Arising from discussion, Council requested that adjacent properties be advised of the heritage revitalization agreement and heritage alteration permit.

D) Community Policing Committee

**Re: BC Crime Prevention Association – 35th Annual
Training Symposium – 2013 October 31 &
November 01 – 02**

The Community Policing Committee submitted a report seeking Council approval for up to five Community Policing Committee members to attend the BC Crime Prevention Association – 35th Annual Training Symposium to be held at the Delta Burnaby Hotel and Conference Centre on 2013 October 31 and November 1 – 2.

The Community Policing Committee recommended:

1. THAT Council approve up to five (5) Community Policing Committee members to attend the BC Crime Prevention Association – 35th Annual Training Symposium at an approximate cost of \$1,500.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

- E)** The City Manager presented a report dated 2013 October 21 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:

**01 Renewal of Federal Gas Tax Agreement
UBCM Member Survey**

The City Manager submitted a report from the Director Planning and Building seeking Council endorsement of proposals for renewal of the Federal Gas Tax Agreement. The renewal negotiations provide an important opportunity for Metro Vancouver local governments to express how the agreement can be improved to better reflect the objectives and priorities of Metro Vancouver and its member municipalities based on the principles of accountability, transparency, equitability and regional representation.

The City Manager recommended:

1. THAT Council request the Ministry of Community, Sport and Cultural Development and the Federal Department of Infrastructure Canada to develop a renewed Gas Tax Agreement for BC that establishes the Metro Vancouver Board as the responsible authority for management and administration of the agreement for the identification of project priorities and allocation of gas tax funds, within the Metro Vancouver Region, as outlined in this report.

2. THAT Council request that the development of a future administrative framework for the renewed Gas Tax Agreement, as outlined in this report, provide for:
 - a) full transparency and accountability within the governance model;
 - b) tracking of administrative costs for the MV area;
 - c) segmentation of the Innovation Fund to ensure that the Metro Vancouver Region receives its fair share of available funding under this funding stream;
 - d) a clear definition of qualifying local and regional governments to avoid the situation whereby applications from non-qualifying organizations would be considered;
 - e) clear assessment of criteria including information on weighting, ranking and priorities for program criteria; and
 - f) a broader scope of eligible project categories.
3. THAT Council request the support of the Metro Vancouver Board and of the member municipalities of the Metro Vancouver for the establishment of a renewed Gas Tax Agreement, based on the proposals and directions presented in this report.
4. THAT a copy of this report be sent to: Ministers responsible for the Ministry of Community, Sport and Cultural Development and the Federal Department of Infrastructure; the Metro Vancouver Board; member municipalities of the Metro Vancouver Region; and the UBCM.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

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

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT Recommendation No. 4 be **AMENDED** to read as follows:

4. THAT a copy of this report be sent to: Ministers responsible for the Ministry of Community, Sport and Cultural Development and the Federal Department of Infrastructure; the Metro Vancouver Board; member municipalities of the Metro Vancouver Region; and the UBCM including member municipalities.”

CARRIED UNANIMOUSLY

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

2. Proposed Animal Control Bylaw Amendments to Regulate Burnaby Pet Store Operations

The City Manager submitted a report from the Director Finance seeking Council approval to amend the Burnaby Animal Control Bylaw by implementing pet store regulations to help ensure a common standard of care for the animals and to help protect the interests of the consumer.

The City Manager recommended:

1. THAT Council adopt the amendments to the Burnaby Animal Control Bylaw 1991 as presented in this report.
2. THAT a copy of this report be sent to Kathy Powelson, Executive Director of Paws for Hope Animal Foundation and Val Lofvendahl of the Reptile Rescue, Adoption and Education Society.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

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

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendations of the City Manager be now **TABLED**.”

CARRIED UNANIMOUSLY

The recommendations in the report were TABLED to provide an opportunity for those who consider themselves affected by the bylaw to make written submissions to Council by 2013 November 08.

Arising from discussion, Council requested that staff provide information on the City’s website noting the differences between current and proposed regulations, fines and penalties and outlining existing bylaw tools used by the City.

Council also requested a memo be forwarded to Council containing this information.

3. 2014 Watermain Replacement Program Package C Engineering Services

The City Manager submitted a report from the Director Engineering seeking Council approval to increase the revised expenditure for engineering services related to the 2014 Watermain Replacement Program Package C. To take advantage of available funding and to minimize construction impact to area residents, the decision was made to include road rehabilitation with the planned watermain replacement program. This represents

additional scope for the consultant to design and administrate the road construction. A fee increase of \$68,875 including GST and contingency is required to complete the combined watermain and road renewal program.

The City Manager recommended:

1. THAT Council approve the revised amount of \$257,800 (inclusive of GST and contingency) under existing Engineering Agreement E18/2013 with RF Binnie and Associates Ltd.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

4. Edmonds Festival of Light Road Closure Request

The City Manager submitted a report from the Director Engineering seeking Council approval for a temporary road closure to accommodate the 4th Annual “Edmonds Festival of Lights” on Saturday, 2013 November 23.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT Antonia Beck, Chair, Edmonds Festival of Lights, C/O South Burnaby Neighbourhood House, 4845 Imperial St, Burnaby, BC V5J 1C5, 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

5. Fire Department 3rd Quarter 2013 Report

The City Manager submitted a report from the Fire Chief providing Council with information relating to the Fire Department’s activities during the 3rd Quarter of 2013.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR McDONELL:

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

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

“THAT the report be **REFERRED** to the Finance and Civic Development Committee for review.”

CARRIED UNANIMOUSLY

Council expressed concern regarding the increase in medical emergencies and motor vehicle incidents.

6. Major Roads Network Winter Maintenance Contract

The City Manager submitted a report from the Director Finance seeking Council approval for a one year renewal of the City’s Major Roads Network winter maintenance contract. Mainroad Howe Sound Contracting Ltd. has satisfactorily provided these services since 2009 November. City staff have negotiated a small decrease in rates for the period of 2013 November 15 to 2014 March 15 based on CPI (Consumer Price Index) adjustments. Pricing of the salt brine has been fixed for the term of the contract.

Funding for this contract, including funds provided by TransLink was previously approved by Council and these expenditures are included in the Major Road Network component of the 2013 Annual Financial Plan.

The City Manager recommended:

1. THAT Council approve a one year renewal contract with Mainroad Howe Sound Contracting Ltd. to provide winter maintenance of the City’s Major Roads Network and for the supply of de-icing salt brine for an estimated annual cost of \$362,245.67 including taxes of \$19,016.41, as further outlined in this report.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Arising from discussion, Council noted this is the final year of the contract and the City will examine the advisability and feasibility of providing the service in-house upon completion of the contract.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR KANG:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

5. BYLAWS

CONSIDERATION AND THIRD READING:

#13186 5369, 5401 and 5437 Lane Street

REZ #11-37

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 8, 2013

#13186

be now considered and read a third time.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#12982 4301 Hastings Street

REZ #10-43

#13213 6225 and 6255 Cassie Avenue

REZ #12-24

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CHANG:

“THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 28, 2011

#12982

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

#13213

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

Councillor Johnston

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

“THAT the start time for the Finance and Civic Development Committee meeting scheduled to be held on Thursday, 2013 October 24 in the Council Committee Room be **CHANGED** from 5:30 p.m. to 4:00 p.m.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT a meeting of the Finance and Civic Development Committee be held on Wednesday, 2013 November 13 at 5:00 p.m. in the Council Committee Room.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT a meeting of the Environmental Sustainability Strategy Steering Committee be scheduled for Wednesday, 2013 October 30 at 6:00 p.m. at Town Square D, SE2, British Columbia Institute of Technology (BCIT), 3700 Willingdon Avenue, Burnaby.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT the Environment Committee meeting scheduled to be held on Tuesday, 2013 November 12 at 6:00 p.m. in the Council Committee Room be **RESCHEDULED** to Wednesday, 2013 November 20 at 6:00 p.m. in the Clerk’s Committee Room.”

CARRIED UNANIMOUSLY

Councillor Calendino

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

“THAT the start time of the Community Policing Committee ‘Open’ meeting scheduled to be held on Thursday, 2013 November 07 be changed from 6:00 p.m. to 6:30 p.m. in Council Chamber.”

CARRIED UNANIMOUSLY

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 8:55 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK