

## **2013 SEPTEMBER 23**

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 September 23 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. C. Turpin, Deputy City Manager  
Mr. L. Chu, Deputy City Manager  
Mr. L. Gous, Director Engineering  
Mrs. D. Jorgenson, Director Finance  
Mr. L. Pelletier, Director Planning & Building  
Mr. D. Nokony, Assistant Director, Cultural Services Division  
Mr. B. Rose, City Solicitor  
Mrs. M. Manuel, City Clerk  
Mr. S. Cleave, Deputy City Clerk

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR KANG:

“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 Friday, 2013 September 27<sup>th</sup> as  
“*S.U.C.C.E.S.S. Community Service 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 September 09 be now adopted.”

CARRIED UNANIMOUSLY

**2. DELEGATIONS**

The following wrote requesting an audience with Council:

- A) **Jorge Santa Barbara**  
**Re: Animal Control Bylaw – Vicious Dogs**  
**Speaker: Jorge Santa Barbara**
  
- B) **Anna MacNeil-Allcock**  
**Re: Animal Control Bylaw – Breed Specific**  
**Legislation: Effective Alternatives**  
**Speakers: Anna MacNeil-Allcock**  
**Rebeka Breder**
  
- C) **April Fahr**  
**Re: Vicious Dog Regulations and Best Practices**  
**in Other Communities**  
**Speakers: April Fahr**  
**Jessica Rumm**

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

- A) **Mr. Jorge Santa Barbara**, 3842 Myrtle Street, Burnaby, a behaviourist and professional dog trainer, appeared before Council to address issues regarding breed specific legislation.

The speaker presented a video noting the importance of teaching a dog how not to react to provocation from other dogs. The speaker also noted if you take the most sociable dog and muzzle and leash it, then that dog will become less social, more reactive, and more dangerous.

The speaker noted the following suggestions:

- alter breed specific legislation to behaviour specific legislation;
- create dog training programs which focus on prevention; and
- use money generated from fines to pay for dog training programs.

The speaker concluded by requesting Council direct City staff to work with him and other professionals to develop potential amendments to specific sections of the Animal Control Bylaw.

- B) **Anna MacNeil – Allock**, 8558 Redrooffs Road, Halfmoon Bay, B.C. and **Rebeka Breder**, an animal law lawyer, appeared before Council to address proposed amendments to the Animal Control Bylaw.

**Ms. Breder** referenced the animal control report prepared by City staff and noted her support for the guiding principles in the report as well as establishment of a list of prohibited animals and the proposal to increase the number of dogs permitted per household from two to three. The speaker, however, also expressed several concerns and noted the following points:

- judges in dangerous dog cases do not consider breed to be a relevant factor; their focus is on public safety and responsible pet ownership;
- the proposed city bylaw amendments should focus on known risk factors such as the sexual status of the dog, any underlying disease of the dog, and victim behaviour; and
- the City staff report is based on flawed and inaccurate analysis; in her opinion, the data from the website [www.dogsbite.org](http://www.dogsbite.org) is not objective.

Ms. Breder asked Council not to pass breed specific legislation and instead continue to carefully review the research and data with stakeholders and reliable sources.

**Ms. Anna MacNeil-Allock** noted the following points:

- breed specific legislation does not decrease dog bites according to a UBC Canadian Animal Control study;
- Burnaby does not have a dog problem. Burnaby has the fourth lowest bite rate in Western Canada at 1.7 bites per 10,000 population;
- from 2006 to 2011 Burnaby's population increased by 10% and the bite rate increased by 9%;
- 2006 to 2011 dog bites statistics indicated the following:
  - Pitbulls represent 2% of licensed population and are involved in 3% overall bites and 6% of recognized bites;
  - Shepherds represent 5.4% of licensed population and are involved in 7% of overall bites and 12% of recognized bites;
- in 2008 a study found Pitbulls to be lower in aggression to owners and strangers compared to other breeds;

- in Germany, 415 Pitbulls were no different from Golden Retrievers in a behaviour test for aggression;
- 2011 UBC study indicated the following:
  - Pitbulls are less aggressive towards their owners;
  - Pitbull adopters are responsible and diligent; they consider their dogs as family members;
- decrease dog bites through very active ticketing and education.

The delegation asked Council not to proceed with the proposed changes to the Animal Control Bylaw. The speaker also urged Council to send the proposal back for another review that considers relevant research.

- C) **April Fahr**, 346 Alberta Street, New Westminster and **Jessica Rumm**, 105 Madison Avenue North, Burnaby, appeared before Council to discuss the realities, repercussions and hidden costs of breed specific legislation.

The delegation compared Breed Specific Legislation to Dangerous Dog Legislation and noted the following points:

Breed Specific Legislation:

- never shown to reduce dog bites
- not supported by major organizations
- expensive
- animal control officers are policing breed, not behaviour
- an increase in licence fees means Pitbull owners are less likely to identify their dogs
- an increase in the impound period means surrender rates increase, low adoptability for Pitbull breeds, deterioration of the animal and a rise in kennelling costs and euthanasia rates

Dangerous Dog Legislation

- proven to reduce dog bites
- endorsed by every credible animal, legal and public health organization
- targets known risk factors for canine aggression and owner responsibility
- fines and tickets bad owners until they become more responsible
- provides broader tool kit for animal control officers and includes multi-tiered definitions of aggressive, vicious, and dangerous dogs

The delegation concluded by requesting Council vote against the current recommendations, further review Breed Specific Legislation and draw upon best practices and research available from the SPCA and neighbouring communities.

### **3. REPORTS**

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

#### **A) International Relations and Friendship Cities Committee**

##### **Re: Friendship City Visit – Changshu, China**

The International Relations and Friendship Cities Committee submitted a report seeking Council approval to cover the costs of hosting a 6-member delegation from Changshu, China who are visiting to learn more about the City of Burnaby and further build upon the existing friendship city relationship between the two cities.

The International Relations and Friendship Cities Committee recommended:

1. THAT Council approve the costs associated with hosting of a 6-member delegation from Changshu, China on September 23 and 24, 2013 as outlined in this report.

MOVED BY COUNCILLOR CHANG:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendation of the International Relations and Friendship Cities Committee be adopted.”

CARRIED UNANIMOUSLY

#### **B) Social Issues Committee**

##### **Re: 2013 Local Hero Nominees**

The Social Issues Committee submitted a report informing Council of the list of the nominees for the 2013 Local Heroes Awards. The Committee noted the nominees satisfied the guidelines for Burnaby Local Hero Awards and made noteworthy contributions to the community over the years.

The Social Issues Committee recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

- C) The City Manager presented a report dated 2013 September 23 on the matters listed following as Items 01 to 11 either providing the information shown or recommending the courses of action indicated for the reasons given:

**1. Edmonds Park Redevelopment Project**

The City Manager submitted a report from the Director Parks, Recreation & Cultural Services seeking Council approval to bring forward a bylaw to appropriate funds from Capital Reserves to finance the Edmonds Park redevelopment project including plaza construction and playground work.

The City Manager recommended:

1. THAT a bylaw be brought down to appropriate \$732,710 (inclusive of GST) from Capital Reserves to finance the Edmonds Park redevelopment project.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**2. Bylaw to Fund Parks, Recreation & Cultural Services 2013 Capital Projects**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council approval to fund various capital projects including road and parking lot paving, improvements to dogs off leash facilities, seniors outdoor fitness area, relocation of picnic site in the Fraser Foreshore area, and improvements to the ammonia cooling system at the Kensington arena.

The City Manager recommended:

1. THAT a bylaw be brought down to appropriate \$978,690 (inclusive of GST) from Capital Reserves to finance five projects.

MOVED BY COUNCILLOR KANG:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**3. Building Permit Tabulation Report No: 8**  
**From 2013 August 01 – 2013 August 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 that have been issued for the subject period.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**4. Wildlife Rescue Association (WRA) Open House**

The City Manager submitted a report from the Director Engineering seeking Council approval for a road closure for the WRA Open House celebration on Sunday, 2013 October 27. The WRA is requesting the closure of Glencarin Drive from their location (5216 Glencarin) heading east to the end of the road between 11:00 a.m. and 2:00 p.m.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT the coordinator of the event, Krystal Brennan, Education Coordinator, Wildlife Rescue Association of BC, 5216 Glencarin Dr., Burnaby, BC V5B 3C1, be sent a copy of this report.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**5. Mural Grant Application University Highlands Elementary School**

The City Manager submitted a report from the Director Engineering seeking Council funding approval for a mural bordering Simon Fraser University and University Highlands Elementary School, as part of the 2013 Mural Grant Program. The program was developed to promote murals and deter graffiti in the City of Burnaby.

The City Manager recommended:

1. THAT the request for a grant of \$3,000.00 for a mural at University Highlands Elementary School, 9388 Tower Road, Burnaby BC be approved as part of the 2013 Mural Grant Program.
2. THAT a copy of this report be forwarded to Catherine Michielsens, Fundraising Chair of the Parent Advisory Council at University Highlands Elementary School.
3. THAT a copy of this report be forwarded to Pablo Vimos, Parent Advisory Council at University Highlands Elementary School.
4. THAT a copy of this report be forwarded to Carolyn Oraziatti, Executive Director, Burnaby North Road BIA at 9912 Lougheed Highway, Burnaby BC V3J 1N3.
5. THAT a copy of this report be forwarded to Todd Polich, artist and founder of Earth Foundation Conservation Society at 4272 Alderwood Court, Burnaby BC V5G 2G8.
6. THAT a copy of this report be sent to Joyce Chong, Director of Administration & Real Estate Services Simon Fraser University.



MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**6. 2012 Roadworks and Streetlighting LASP**

The City Manager submitted a report from the Director Engineering seeking Council approval of the revised expenditure for engineering services related to the 2012 Roadworks and Streetlighting Local Area Services Program. During the course of the project the consultant required additional effort due to a longer than anticipated construction schedule. The total project cost is within the project budget previously approved by Council; however, the final projected contract administration cost of \$265,000 exceeds the approved Engineering Agreement budget of \$248,000.

The City Manager recommended:

1. THAT Council approve the revised amount of \$265,000 (inclusive of taxes) under the existing Engineering Agreement E25/2011 with Vector Engineering Services Ltd. for engineering design and contract administration services related to the 2012 Roadworks and Streetlighting Local Area Services Program.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR CHANG:

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

CARRIED UNANIMOUSLY

**7. Funding Bylaw**

The City Manager submitted a report from the Director Engineering seeking Council funding approval for sidewalks and streetlighting improvements. Total cost of engineering services and construction is estimated at \$1.46 Million (exclusive of taxes) of which \$860,000 have been previously approved by Council. This report seeks additional funding approval of \$600,000. Sufficient Capital Reserves are available to complete this project and these expenditures are included in the Major Roads component of the 2013 Annual Financial Plan.

The City Manager recommended:

1. THAT a Capital Expenditure Bylaw in the amount of \$600,000 (exclusive of taxes) be brought forward to finance capital improvements at various locations on Lougheed Highway, as described in this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**8. Capital Project Funding**

The City Manager submitted a report from the Director Engineering seeking Council funding approval for the rehabilitation of street infrastructure. These works are fully funded by TransLink and include improvements to drainage culverts, streetlights, fences, concrete curbs, sidewalks and medians at various locations on the MRN. However, the City must interim finance these expenditures as payment transfers from TransLink are made on a quarterly basis.

The City Manager recommended:

1. THAT Council authorize expenditures in the amount of \$125,000 (exclusive of taxes) for rehabilitation of street infrastructure at various locations.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

**9. Exemptions from Taxation - 2014**

The City Manager submitted a report from the Director Finance seeking Council approval of permissive exemptions from property taxation for 2014.

The City Manager recommended:

1. THAT the one new application for 2014 be denied as per section II (A) of this report; and
2. THAT a bylaw be brought forward for amendment in 2014 to reflect the CHANGES to properties listed in Part II (B) (1 – 2) providing for an exemption; and

3. THAT a bylaw be brought forward for amendment in 2014 to reflect the DELETION of six applicants listed in Part II (C) (1 – 6) that are no longer eligible for exemption; and
4. THAT a bylaw be brought forward to exempt from taxation in 2014 the properties listed in Part III (A) (1 – 29); and
5. THAT a bylaw be brought forward to exempt from taxation in 2014 the properties listed in Part III (B) (1 – 19); and
6. THAT a bylaw be brought forward to exempt from taxation in 2014 the properties listed in Part III (C) (1 – 84); and
7. THAT a bylaw be brought forward to exempt from taxation in 2014 the properties listed in Part III (D) (1 – 2).

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

**10. Contract Extension Supply and Deployment  
of Computer Hardware**

The City Manager submitted a report from the Director Finance seeking Council approval for a one year contract extension from 2013 March 01 to 2014 February 28 for the supply and deployment of computer hardware. The work of this contract involves the supply, deployment, installation and commissioning of new computer hardware and the decommissioning and disposal of existing computer hardware.

The City Manager recommended:

1. THAT Council approve the first contract extension year for the supply and deployment of computer hardware for a total estimated cost of \$506,000.00 including GST and PST of \$54,214.29. Final payment based on actual quantities ordered and current unit prices.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

**11. Contract Award 2013 – 24**  
**16<sup>th</sup> Avenue Watermain Replacement**

The City Manager submitted a report from the Director Finance seeking Council approval to award a construction contract for the 16<sup>th</sup> Avenue Watermain Replacement Project. The work of this contract involves the supply and installation of approximately 15m of 250mm, 805m of 200mm and 30m of 150mm ductile iron watermain. Along with the watermain, the contractor is required to supply and install water services to property line, fittings, valves, appurtenances, hydrants and all surface restoration.

The City Manager recommended:

1. THAT a construction contract be awarded to the lowest bidder Hyland Excavating Ltd. for a total cost of \$426,993 including GST in the amount of \$20,333 for work as outlined in this report. Final payment will be based on actual quantity of goods and services delivered and unit process as tendered.

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR VOLKOW:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

## **5. BYLAWS**

### **CONSIDERATION AND THIRD READING:**

#13213                      6225 and 6255 Cassie Avenue                      REZ #12-24

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT

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

be now considered and read a third time.”

CARRIED UNANIMOUSLY

### **RECONSIDERATION AND FINAL ADOPTION:**

#13119	4515 & 4567 Lougheed Highway	REZ #11-22
#13209	Area 1 – 3290 Sperling Avenue & Unaddressed property (Burnaby Lake Regional Nature Park)	REZ #12-27a
#13210	Area 2 – 7951 Burris Street, 7951 & 7950 Haszard Street, 7950 Rayside Street, 7225 Trans Canada Highway and three unaddressed properties (Burnaby Lake Regional Nature Park)	REZ #12-27b
#13211	Area 3 – 9011 Avalon Avenue, 9002 & 9186 Brunette River, 6743 & 6825 Cariboo Road (Burnaby Lake Regional Nature Park)	REZ #12-27c
#13212	Area 4 – 6955 & 6965 Ash Street, 8736 Baker Ave. 6974, 6984, 6995 Louise Street (Burnaby Lake Regional Nature Park)	REZ #12-27d

MOVED BY COUNCILLOR McDONELL:  
SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 32, 2012	#13119
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 12, 2013	#13209
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 13, 2013	#13210
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 14, 2013	#13211
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 15, 2013	#13212
Burnaby Tax Sale Redemption Period Extension Bylaw 2013	#13239

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

CARRIED UNANIMOUSLY

**5. NEW BUSINESS**

**Councillor Volkow**

Councillor Volkow advised that he, along with Councillors McDonell and Dhaliwal, attended the UBCM Conference last week. He also congratulated Councillor Dhaliwal for being elected First Vice President of the UBCM.

Councillor Volkow advised that the Union of BC Municipalities voted to ask the Provincial Government to extend the consultation period regarding the Packaging and Printed Paper Stewardship Plan developed by Multi-Material BC.

**Councillor Johnston**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR DHALIWAL:

“THAT the start time for the Community Development Committee meeting to be held Tuesday, 2013 September 24, in the Council Committee Room be changed from 5:00 p.m. to 6:00 p.m.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT the Finance & Civic Development Committee meeting scheduled to be held on Thursday, 2013 September 26 at 5:30 p.m. in the Council Committee Room be RESCHEDULED to Wednesday, 2013 September 25 at 5:30 p.m. in the Council Committee Room.”

CARRIED UNANIMOUSLY

**Councillor McDonell**

Councillor McDonell advised that UBCM delegates adopted a resolution to extend Council terms from three to four years. He also noted the Provincial Government intends to introduce an elections expenses bill in the spring session of the Legislature.

Councillor McDonell advised that he and Deputy City Manager Chad Turpin attended a tour of D-Wave Systems, Inc., a quantum computing company based in Burnaby.

**Councillor Calendino**

Councillor Calendino noted the cost to operate the RCMP Integrated Teams continues to increase.

In response to Councillor Calendino’s comment, His Worship, Mayor Derek Corrigan, as Chair of the Mayor’s Forum on Police Service, advised that he will continue to brief Council regarding this matter.

**6. INQUIRIES**

No inquiries were brought forward at this time.

**7. ADJOURNMENT**

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 8:26 p.m.

Confirmed:

Certified Correct:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DEPUTY CITY CLERK