

2013 SEPTEMBER 09

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 09 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 7:08 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 (*arrived at 7:10 p.m.*)
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N. Volkow

STAFF: Mr. R. Moncur, 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
Mrs. M. Manuel, Acting City Clerk
Mr. S. Cleave, Deputy City Clerk

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

“THAT the ‘Open’ Council meeting do now reconvene.”

CARRIED UNANIMOUSLY

The ‘Open’ Council meeting reconvened in the Council Chamber at 7:08 p.m.

PROCLAMATIONS

His Worship, Mayor Derek Corrigan proclaimed Saturday, 2013 September 21st as “*International Day of Peace*” in the City of Burnaby.

His Worship, Mayor Derek Corrigan proclaimed Wednesday, 2013 September 18th as “*Cops for Cancer Day*” in the City of Burnaby.

Councillor Johnston arrived at the ‘Open’ Council meeting at 7:10 p.m. and took his place at the Council table.

His Worship, Mayor Derek Corrigan proclaimed the month of September as “*Prostate Cancer Month*” in the City of Burnaby.

His Worship, Mayor Derek Corrigan proclaimed Thursday, 2013 September 19th as “*New Vista Society 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 August 26 be now adopted.”

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- A) **Wildlife Rescue Association of BC**
Re: Overview of the Programs and Services
Speakers: Stephanie Broad, Volunteer Coordinator
Krystal Brennan, Education Coordinator

- B) **Robert Semerdjian, President – Strata C #1666**
Re: Parking Issues at 4118 Dawson
Speakers: Robert Semerdjian, Strata President
Sharam Jafari, Strata Vice President

- C) **British Columbia Nurses’ Union**
Re: Advocating for Mental Health Services
- Everyone’s Job
Speaker: Debra McPherson, President

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR McDONELL:

“THAT the delegations be heard.”

CARRIED UNANIMOUSLY

- A) **Krystal Brennan**, Education Co-ordinator, and **Stephanie Broad**, Volunteer Co-ordinator, Wildlife Rescue Association of BC, appeared before Council to provide an overview of their programs and services. The speakers advised that the organization provides leadership in rehabilitating injured, orphaned and pollution damaged wildlife and promotes the welfare of wild animals in the urban environment. In 2012, wildlife admissions exceeded 4,000 animals. The Wildlife Rescue Association also receives up to 150 hotline calls per day and provides general wildlife information and animal crisis guidance.

The delegation noted that the organization has 300 active volunteers involved in animal care and transport, facility maintenance, education, Habitat Garden, administration, events and fundraising. The delegation concluded by advising their annual budget of \$850,000 comes from direct mail campaigns, events, education programs and regular annual donations.

- B) Mr. Robert Semerdjian**, President, Strata Council #166, 1404 – 6659 Southoaks Crescent, Burnaby appeared before Council regarding a parking issue at Tandem Properties (Tower ‘A’) at 4118 Dawson Street. The delegation noted Tower ‘A’ has always suffered from the lack of a loading / unloading area for residents moving in and out of the building. As a result, retail and moving trucks started to park at the entrance to the visitor parking area causing air pollution, noise and serious damage to the driveway. The strata council authorized installation of a height restriction bar to address this issue. The problem for owners moving in and out of the building, however, remains unresolved.

Mr. Semerdjian noted that he previously requested the hooding of parking meters in front of Tandem Properties to provide a loading area, however, City staff did not support the request. The speaker concluded by requesting assistance from Council to find a practical, non-onerous solution to this parking issue.

A copy of Mr. Semerdjian’s presentation is on file in the City Clerk’s Office.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT the delegation’s presentation be **REFERRED** to staff to respond to the issues raised.”

CARRIED UNANIMOUSLY

- C) Ms. Debra McPherson**, President, British Columbia Nurses’ Union, appeared before Council to address the issue of services for those living with mental illness. Ms. McPherson expressed concern regarding Fraser Health’s decision to phase out evening clinics at six centres including the Burnaby location.

Ms. McPherson noted that evening clinics offer invaluable services to people who struggle with mental illness, many of whom cannot get there during the day because of their work, volunteer or school schedules. The delegation also noted these cuts to mental health services could result in additional police interventions.

Councillor Chang retired from the ‘Open’ Council meeting at 8:05 p.m.

The delegation concluded by requesting that the City of Burnaby continue to advocate for mental health services and urge health authorities and the provincial government to provide a level of care which can stand up to the daily demands and needs of people living with mental illness.

A copy of Ms. McPherson’s presentation is on file in the City Clerk’s Office.

Councillor Chang returned to the ‘Open’ Council meeting at 8:15 p.m. and took his place at the Council table.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

“THAT the delegation’s presentation be **REFERRED** to staff for a report to respond to the issues raised including matters related to Fraser Health cost savings and the impact of mental health service cuts on policing in the community.”

CARRIED UNANIMOUSLY

3. REPORTS

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

A) Traffic Safety Committee
Re: Crosswalk on 6th Street at 18th Avenue

The Traffic Safety Committee submitted a report responding to a request for a pedestrian crosswalk on 6th Street at 18th Avenue.

Councillor Jordan retired from the 'Open' Council meeting at 8:28 p.m.

The Traffic Safety Committee recommended:

1. THAT Council approve the installation of an overhead down lit crosswalk at 6th Street at 18th Avenue as outlined in this report.
2. THAT a copy of this report be sent to Ms. Adele Sherman, 7784 18th Avenue, Burnaby, BC, V3N 1J2.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

B) Traffic Safety Committee
Re: Safety Concerns at Canada Way and Stanley Crescent

The Traffic Safety Committee submitted a report responding to a request for a pedestrian signal on Canada Way at Stanley Crescent. Due to the low pedestrian activity across Canada Way at Stanley Crescent, the Committee noted a pedestrian signal is not

warranted at this time. The Committee also recommended that the RCMP continue with periodic speed enforcement along Canada Way as resources and priorities allow.

The Traffic Safety Committee recommended:

1. THAT Council receive this report for information.
2. THAT a copy of this report be sent to Mr. William Yeung, 7691 Stanley Crescent, Burnaby, BC V5E 1V9.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR KANG:

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

Councillor Jordan returned to the 'Open' Council meeting at 8:32 p.m. and took her place at the Council table.

CARRIED UNANIMOUSLY

C) Social Issues Committee
Re: Allocation of Space at Holdom Community
Resource Centre

The Social Issues Committee submitted a report proposing an allocation of non-profit office/program space at the Holdom Community Resource Centre.

The Social Issues Committee recommended:

1. THAT Council approve the allocation of 1,469 square feet (offices 204, 205, and 206) at the Holdom Community Resource Centre to the Dixon Transition Society, as outlined in Section 3.0 of this report.
2. THAT Council authorize staff to undertake the necessary lease arrangement between the City and the proposed tenant.
3. THAT a copy of this report be sent to Ms. Pany Aghili, Executive Director, Dixon Transition Society, at 108-2101 Holdom Ave., Burnaby BC V5B 0A4.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

D) Social Issues Committee
Re: Proposed Development of a Healthier
Community Partnership with Fraser Health

The Social Issues Committee submitted a report providing Council with information on the proposed process to develop a Healthier Community Partnership with Fraser Health. The Committee advised that the City has received a grant of \$5,000 from the BC Healthy Communities Society to assist in the development of a Healthy Community Partnership with Fraser Health. Development of the HCP will assist in meeting the objectives of the Phase 1 Implementation Plan of the Burnaby Social Sustainability Strategy and respond to Fraser Health's goal to develop healthier community partnerships with its member municipalities.

The Social Issues Committee recommended:

1. THAT Council approve the process to develop a Healthier Community Partnership with Fraser Health, as described in Section 3.0 of this report.
2. THAT a copy of this report be forwarded to Ms. Cathie Heritage, Executive Director, Burnaby Hospital and Ms. Ruth Hellerud-Brown, Community Health Specialist, both of Fraser Health, and the BC Healthy Communities Society.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

E) The City Manager presented a report dated 2013 September 09 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. Environmental Sustainability Strategy
Sub-Committee Terms of Reference

The City Manager submitted a report from the Director Planning and Building seeking Council approval to form sub-committees in support of the Burnaby Environmental Sustainability Strategy (ESS). The intent is for the sub-committees to focus their expertise on specific topics in order to develop theme-based recommendations for the consideration of the ESS Steering Committee, and, subsequently, for consideration by Mayor and Council. Four ESS sub-committees are being proposed to focus on one or more of the following themes:

1. Ecosystems - *Green and Flow*
2. Urban Development – *Live, Move, Build and Breathe*

3. Health and Well-Being - *Live and Prosper*
4. Green Economy, Food Systems and Waste – *Conserve, Prosper and Nourish*

The City Manager recommended:

1. THAT Council endorse the sub-committee Terms of Reference included as *Attachment 3* to this report.
2. THAT Council authorize the Mayor to appoint the members to the ESS Sub-Committees, as described within Section 3.0 this report and Attachment 3.
3. THAT Council send a copy of this report to the Community Development Committee, the Environment Committee, and the Parks, Recreation and Culture Commission for their information.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

2. Revised Draft Federal Policy on Additions to Reserve (ATR) / Reserve Creation

The City Manager submitted a report from the Director Planning and Building to brief Council regarding the Revised Draft Federal Policy on Additions to Reserve (ATR) / Reserve Creation and specific local government issues and interests related to these proposed policy changes.

The City Manager recommended:

1. THAT Council convey its strong objection to the revised draft 2013 ATR policy, and strongly recommend that Aboriginal Affairs and Northern Development Canada (AANDC) address the following missing elements:
 - further develop the second stage of the ATR process (stakeholder negotiations) to address the local government issues and concerns raised in this report including loss of jurisdiction, jurisdictional fragmentation, local government consultation, timelines, loss of land base, remediation, land use planning and bylaw coordination, servicing, tax loss, and intergovernmental coordination;
 - include a mechanism to improve stakeholder coordination within the ATR application process; and
 - include a dispute resolution mechanism to deal with issues that arise in the future.

2. THAT Council send a copy of this report to Aboriginal Affairs and Northern Development Canada, Room 1230, 10 Wellington, Gatineau, QC K1A 0H4 as the City of Burnaby's formal submission of feedback and comments prior to the federal government's 2013 September 30 deadline.
3. THAT Council send a copy of this report to Angela Turner of UBCM so that it can be included as part of the consolidated member response being prepared by UBCM prior to UBCM's 2013 September 13 deadline.
4. THAT Council send a copy of this report to the Honourable Bernard Valcourt, *Minister of Aboriginal Affairs and Northern Development Canada (AANDC)*, the Burnaby Members of Parliament, the Federation of Canadian Municipalities (FCM) for their coordination and action at the federal level, the Honourable John Rustad, *Minister of Aboriginal Relations and Reconciliation (MARR)*, the Burnaby Members of the Legislative Assembly, and Mr. Marino Piombini, *Supervisor Aboriginal Relations*, Corporate Services, Metro Vancouver.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

3. Siting Approval #13-63
7565 Nineteenth Avenue
Request for Construction of a New Single Family Dwelling
Edmonds Town Centre Plan

The City Manager submitted a report from the Director Planning and Building informing Council of a request for demolition of the existing single-family dwelling and development of a new single-family dwelling under existing zoning in the Edmonds Town Centre Plan. The property is designated as part of an assembly for mixed-use residential/commercial development through CD Comprehensive Development District rezoning, utilizing the RM3 Multiple Family Residential District and C2 Community Commercial District as guidelines. Given the age and good condition of dwellings within the planned assembly site, notably the improvements at 7555 and 7575 Nineteenth Avenue, redevelopment under the planned assembly is unlikely to be achieved in the short to medium term. Therefore, unless otherwise directed by Council, staff would propose to grant Siting Approval to permit the processing and issuance of a Demolition Permit and Building Permit for the construction of a new single-family dwelling, subject to conformance with the R5 Residential District and meeting all requirements of the Chief Building Inspector.

The City Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

4. Burnaby Animal Control Bylaw

The City Manager submitted a report from the Director Finance seeking Council approval to amend the Burnaby Animal Control Bylaw. The report addresses the existing breed specific (Pit bull) regulation and other general bylaw housekeeping items. Based on bite data for Burnaby’s breed specific bylaw designation noted in the Burnaby Animal Control Bylaw, staff support maintaining and strengthening the breed specific provision in the bylaw. In addition, the proposed amendments are intended to address current pet trends, regulatory gaps, fee structures and public safety.

The City Manager recommended:

1. THAT Council adopt the amendments to the Burnaby Animal Control Bylaw 1991 as presented in this report.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

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

The Director Finance requested Council amend the report as noted in the following points:

- To ensure that the information provided in the report to Council is accurate the data was revisited with the aid of the SPCA and a more conservative definition of Pitbulls has now been applied.
- The number of bites attributed to Pitbulls was reduced from 59 to 52, however the conclusions drawn in the report remain unchanged. Pitbull type breeds remain the largest breed responsible for bites. Of the 239 bites where breed was identified 21.76% are attributed to Pitbulls. Pitbulls are known to have committed 10.90% of the total number of 477 reported bites.
- The projected column for 2013 bites has also been deleted, to ensure only known statistics are being reported.

- Another petition was received by the City’s Chief Licence Inspector on 2013 July 02 containing 172 signatures from petitioners from various locations, some in Burnaby and some outside of Burnaby. In order to not incorrectly divide the numbers between Burnaby residents, a simple statement amendment has been included in the report. Many of the petitioners have only provided a postal code, with no address. To determine if they reside in Burnaby will require some time. In order to move this report forward for public consultation this evening a single statement was included in the amended report.
- The projected 2013 statistics have also been removed to make the number fact based.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT Item 4 of the City Manager’s Report be **AMENDED** to include the updated statistics and wording as provided by the Director Finance.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

“THAT the recommendation of the City Manager be adopted, AS AMENDED, be TABLED.”

CARRIED UNANIMOUSLY

The recommendation was TABLED to provide an opportunity for those who consider themselves affected by the bylaw to make written submission to Council by 2013 September 20.

5. 2014 Local Government Election

The City Manager submitted a report from the Acting City Clerk recommending appointment of the Chief Election Officer and providing Council with information concerning the 2014 Local Government Election.

The City Manager recommended:

1. THAT Lynne Axford be appointed Chief Election Officer for the 2014 Local Government Election.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

6. 2012 Tax Sale – Redemption Period Extension

The City Manager submitted a report from the Director Finance seeking Council authorization to grant a one year extension to the 2012 Tax Sale redemption period for the property located at 7647 Willard Street, Burnaby to encourage the property owners to coordinate their financial resources to redeem this property.

The City Manager recommended:

1. THAT a Burnaby Tax Sale Redemption Period Extension Bylaw 2013 be brought down to extend the Tax Sale redemption period for one year on the property located at 7647 Willard Street, Burnaby.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

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

4. BYLAWS

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

“THAT

Burnaby Tax Sale Redemption Period Extension
Bylaw 2013

#13239

be now introduced and read three times.”

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#13154 3520 Sperling Avenue and REZ #11-40
 Portion of 3860 Sperling Avenue

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

“THAT

 Burnaby Zoning Bylaw 1965, Amendment #13154
 Bylaw No. 47, 2012

be now considered and read a third time.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR JOHNSTON:

“THAT

 Burnaby Capital Works, Machinery and Equipment #13234
 Reserve Fund Expenditure Bylaw No. 20, 2013

 Burnaby Capital Works, Machinery and Equipment #13235
 Reserve Fund Expenditure Bylaw No. 21, 2013

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

CARRIED UNANIMOUSLY

5. NOTICE OF MOTION

Councillor Calendino

Re: Proposed amendments to the Metro Vancouver Regional Growth Strategy Land Use Designation Map requested by Township of Langley.
(Item B, Section 1 of Council Correspondence package received to 2013 August 22)

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

“THAT Burnaby City Council express opposition to the request from the Township of Langley to make amendments to the Regional Growth Strategy Land Use Designation Map, where the specific purpose, in the case of two of the three amendments, includes removing agricultural land from a protected area and designating it for general urban use.”

CARRIED UNANIMOUSLY

6. NEW BUSINESS

Councillor Jordan

Councillor Jordan made reference to the Packaging and Printed Paper Stewardship Plan developed by Multi-Material BC (MMBC).

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

MOVED BY COUNCILLOR JORDON:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT Council provide notice of qualified acceptance of the offer from MMBC to collect packaging and printed paper from Burnaby residents and further; THAT Council write to the Minister of the Environment requesting postponement of the 2013 September 16 deadline to respond to MMBC and further; THAT Council advise the Minister of the Environment and Metro Vancouver of the City’s position regarding this matter.”

CARRIED UNANIMOUSLY

Councillor Chang

MOVED BY COUNCILLOR CHANG:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT the International Relations & Friendship Cities Committee meet on Friday, 2013 September 13 at 9:00 a.m. in the Clerk’s Committee Room at City Hall.”

CARRIED UNANIMOUSLY

Councillor Calendino

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT the Community Policing Committee ‘Open’ meeting scheduled to be held on Thursday, 2013 September 12 at 6:00 p.m. be **RE-SCHEDULED** to Tuesday, 2013 October 15 at 6:00 pm in Council Chambers.”

CARRIED UNANIMOUSLY

Councillor McDonell

Councillor McDonell made reference to Item F) of the Council correspondence package received to 2013 September 05 from David Butler-Jones, MD, Chief Public Health Officer, Public Health Agency of Canada congratulating the City of Burnaby for the Age-Friendly British Columbia Recognition Award. The letter noted making communities age-friendly has been identified as one of the best ways to help seniors remain healthy, active and independent as long as they can.

Councillor McDonell advised he attended the New Vista Society Annual General Meeting on 2013 September 05 and fall prevention was one of the main topics of discussion. Councillor McDonell noted 270 cameras have been installed at the New Vista care facility to record falls. He also noted the installation of cushioned flooring has contributed to a significant reduction in hip injuries.

Councillor McDonell expressed concern regarding the cost to operate the five integrated RCMP teams within the Lower Mainland. He noted the City’s share of this cost has significantly increased.

Councillor Volkow

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT the Transportation Committee meeting scheduled for Wednesday, 2013 September 11 at 6:00 p.m. in the Council Chamber be **CANCELLED**.”

CARRIED UNANIMOUSLY

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 9:15 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK