

2014 February 24

An 'Open' meeting of the City Council was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2014 February 24 at 7:04 p.m.

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. R. Moncur, City Manager
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. S. Cleave, Deputy City Clerk
Ms. B. Zeinabova, Administrative Officer

The 'Open' Council meeting was called to order in the Council Chamber at 7:04 p.m.

1. MINUTES

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

"THAT the minutes of the 'Open' Council meeting held on 2014 February 17 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

- A) **The Association of Community Organizations for Reform Now (ACORN), Canada**
Re: Payday Lender Sites in Burnaby
Speakers: **Monica McGovern, Burnaby ACORN Chapter Chair**
Steven McMurtrie, Burnaby ACORN member

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR KANG:

“THAT the delegation be heard.”

CARRIED UNANIMOUSLY

- A) **Monica McGovern**, Burnaby ACORN Chapter Chair and **Steven McMurtrie**, Burnaby ACORN member, appeared before Council to discuss payday lender sites in the community. The delegation noted these businesses charge exorbitant interest rates and fees to low income individuals in need of emergency financial assistance.

The delegation requested that Council introduce zoning bylaws to restrict where and how many payday lender sites can operate in the City of Burnaby. The delegation also requested that Council consider a moratorium on the issuance of additional licences to payday lender companies.

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

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the delegations’ presentation be **REFERRED** to the Community Development Committee for review and further; that staff prepare a report in response to the issues raised by the delegation for the consideration of the Committee.”

CARRIED UNANIMOUSLY

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) **Community Heritage Commission**
Re: City of Burnaby Archives Annual Report 2013

The Community Heritage Commission submitted a report to present the 2013 Annual Report of the City of Burnaby Archives noting the programs completed have resulted in improved services and heritage assets for the community.

The Community Heritage Commission recommended:

1. THAT this report be received for information.

MOVED BY COUNCILLOR JORDAN:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

- B)** The City Manager presented a report dated 2014 February 24 on the matters listed following as Items 01 to 09 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Giro di Burnaby

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council approval for the road closure for the Giro di Burnaby on 2014 July 10. This cycling event, named as a tribute to the area's Italian community and to the world famous Giro d'Italia, is a professional cycle race that is a part of the BC Superweek series, the richest event in Canadian Cycling with professional racers from around the world competing for a prize purse totalling over \$15,000 for the week.

The City Manager recommended:

1. THAT approval be granted for the road closure for Giro di Burnaby as identified in the attached report.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**2. Playground Development Grant Request for
Glenwood Elementary School and
École Cascade Heights Elementary School**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council authorization for the City to enter into an agreement with the Burnaby School District for the contribution to the cost of the playground upgrades for École Marlborough Elementary School, Maywood Community School and Stoney Creek Community School.

The City Manager recommended:

1. THAT authorization be given for the City to enter into an agreement with the Burnaby School District for the contribution to the cost of the playground upgrades as detailed in the attached report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

3. Deer Lake Boat Rental License Agreement

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council approval for the execution of a license agreement with Silent Waters Boat Rentals. Silent Waters Boat Rentals have been providing appropriate boat rental service at Deer Lake since 1999. Their combination of experience and a reasonable financial return for the City is seen as being favourable.

The City Manager recommended:

1. THAT approval be granted for the execution of a license agreement with Silent Waters Boat Rentals for the continuance of the boat rental service at Deer Lake for the period 2014 March 01 to 2019 February 28 under the terms and conditions outlined in the attached report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

4. Bylaw to Fund Parks, Recreation & Cultural Services 2014 Capital Projects

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking authorization to bring forward a bylaw to finance 15 capital projects including upgrades to various parks, continued park development and improvements.

The City Manager recommended:

1. THAT a bylaw be brought forward to appropriate \$1,777,345 (inclusive of GST) from Capital Reserves to finance 15 projects.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR KANG:

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

CARRIED UNANIMOUSLY

**5. Rezoning Reference #07-29
Four-Storey Mixed-Use Development
Royal Oak Community Plan, Sub-Area 7**

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2014 March 25. The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed-use development with under-building and underground parking, with at-grade commercial uses fronting Imperial Street and Royal Oak Avenue and residential uses above.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2014 March 03, and to a Public Hearing on 2014 March 25 at 7:00 p.m.
2. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No. 18/08, Bylaw #12442, be abandoned contingent upon the granting by Council of Second Reading of the subject rezoning bylaw.
3. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies including, a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.

- d) The consolidation of the net project site into one legal lot.
- e) The dedication of any rights-of-way deemed requisite.
- f) The undergrounding of existing overhead wiring abutting the site.
- g) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- h) In light of the proximity of the site to Royal Oak Avenue and Imperial Street, a noise study is required to ensure compliance with the Council-adopted sound criteria.
- i) Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
- j) The provision of a covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- k) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- l) The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- m) The submission of a Site Profile and resolution of any arising requirements.
- n) The review of a detailed Sediment Control System by the Director Engineering.
- o) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- p) The submission of a detailed Comprehensive Sign Plan.
- q) The deposit of the applicable Parkland Acquisition Charge.
- r) The deposit of the applicable GVS & DD Sewerage Charge.
- s) The deposit of the applicable School Site Acquisition Charge.
- t) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

6. Rezoning Reference #06-55
Multiple Family Development
Sixth Street Area Plan

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2014 March 25. The purpose of the proposed zoning bylaw amendment is to permit the construction of a three-storey townhouse development with underground parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2014 March 03 and to a Public Hearing on 2014 March 25.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The consolidation of the net project site into one legal parcel.
 - e) The review of a detailed Sediment Control System by the Director Engineering.
 - f) The pursuance of Storm Water Management Best Practices in line with established guidelines.

- g) Compliance with the guidelines for surface and underground parking for residential visitors.
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants, including:
 - The granting of a 219 Covenant restricting enclosure of balconies.
 - The granting of a 219 Covenant providing that all disabled parking to remain as common property.
 - The granting of a 1.5 metre Statutory Right-of-Way along Sixth Street and a 3X3 metre Statutory Right-of-Way at the southwest corner of the site.
- i) The undergrounding of existing overhead wiring abutting the site.
- j) Compliance with the Council-adopted sound criteria.
- k) The provision of a covered car wash stall and adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- l) The deposit of the applicable Parkland Acquisition Charge.
- m) The deposit of the applicable GVS & DD Sewerage Charge.
- n) The deposit of the applicable School Site Acquisition Charge.
- o) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- p) The submission of a Site Profile and resolution of any arising requirements.
- q) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

MOVED BY COUNCILLOR KANG:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

7. Rezoning Reference #13-02
New Light Industrial Building

The City Manager submitted a report from the Director Planning and Building seeking Council authorization to forward this application to a Public Hearing on 2014 March 25. The purpose of the proposed zoning bylaw amendment is to permit a new two-storey light industrial building with surface parking.

The City Manager recommended:

1. THAT a Rezoning Bylaw be prepared and advanced to First Reading on 2014 March 03, and to a Public Hearing on 2014 March 25 at 7:00 p.m.
2. THAT the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The undergrounding of existing overhead wiring abutting the site.
 - e) The consolidation of the net project site into one legal parcel.
 - f) The granting of any necessary statutory rights-of-way, easements and covenants.
 - g) The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
 - h) The submission of a Site Profile and resolution of any arising requirements.
 - i) The submission of a geotechnical review confirming that the site may be used safely for the intended use for review by the Chief Building Inspector and granting of a Section 219 Covenant respecting the submitted report.
 - j) The review of a detailed Sediment Control System by the Director Engineering.
 - k) The submission of a suitable on-site Stormwater Management System to

the approval of the Director Engineering, and the granting of a Section 219 Covenant and deposit of sufficient monies to guarantee its provision and continuing operation.

- l) The approval of the Ministry of Transportation to the rezoning application.
- m) The deposit of the applicable GVS & DD Sewerage Charge.
- n) The submission of a detailed Comprehensive Sign Plan.

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

8. 2nd Annual Sun Ripe Tri Kids Triathlon

The City Manager submitted a report from the Director Engineering seeking Council approval for road closures related to the 2nd Annual Sun Rype Tri Kids Triathlon on Sunday, 2014 June 01. The event requires the closure and use of Sperling Avenue between the north entrance of Burnaby Lake east parking lot and Roberts Street, Sprott Street between Kensington Avenue and Sperling Avenue and Roberts Street from Sperling to the Burnaby Lake Pavilion from 6:00 a.m. to 4:00 p.m. and includes the time necessary for setting up and taking down the event.

The City Manager recommended:

- 1. THAT Council approve the road closures as discussed in this report.
- 2. THAT the coordinators of the event, Tara & Brad Melville, Race Directors, Run Well Events, 1332 Goldhawk Trail, Oakville, Ontario, L6M 3Y6, be sent a copy of this report.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

9. 2014 Election Bylaws and Election Day Pay Rates

The City Manager submitted a report from the Chief Election Officer seeking Council authorization to prepare bylaws for conducting the Advance Voting opportunities and Special Voting Opportunities for the 2014 Local Government Election, to establish election day pay rates and to enter into an agreement with School District No. 41 regarding cost sharing.

The City Manager recommended:

1. THAT Council authorize Bylaw No. 12948 dividing the City into voting divisions be repealed.
2. THAT Council authorize the City Solicitor to prepare a bylaw to provide additional Advance Voting Opportunities on 2014 November 01 and 08.
3. THAT Council authorize the City Solicitor to prepare a bylaw to provide Special Voting Opportunities for qualified residents of care homes and seniors facilities on 2014 November 04 and for qualified residents hospitalized in Burnaby Hospital on general voting day, 2014 November 15 as presented in the *attached* Appendix "B".
4. THAT Council approve the 2014 Election Day pay rates as presented in the *attached* Appendix "C".
5. THAT Council authorize the Chief Election Officer to execute an agreement with School District No. 41 to share in the costs of the 2014 Local Government Election for School Trustees.
6. THAT a copy of this report be forwarded to School District No. 41 for information.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR McDONELL:

"THAT the recommendations 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 JOHNSTON:

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

CARRIED UNANIMOUSLY

5. BYLAWS

THIRD READING, RECONSIDERATION AND FINAL ADOPTION:

#13281	5104/10/26/36/46/56 McKee Street	REZ #13-38
	5110/11/20/25/30/35/40/46/55/56/66/71/76/86/89	
	Ewart Street	
	8087 Royal Oak Avenue	
	5105/31/33/55/75/77/87/89 Carson Street	

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment	#13281
Bylaw No. 1, 2014	

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:

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT

Burnaby Highway Closure Bylaw No. 3, 2011	#12957
Burnaby Highway Closure Bylaw No. 1, 2014	#13285
Burnaby Animal Control Bylaw 1991, Amendment	#13295
Bylaw 2014	
Burnaby Capital Works, Machinery and Equipment	#13298
Reserve Fund Expenditure Bylaw No. 4, 2014	
Burnaby Capital Works, Machinery and Equipment	#13299

Reserve Fund Expenditure Bylaw No. 5, 2014

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

Councillor McDonell

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT the Social Issues Committee meeting scheduled to be held on Wednesday, 2014 June 04 at 6:00 p.m. in the Council Chamber be RELOCATED to the Univercity Childcare Centre at 8888 University Drive.”

CARRIED UNANIMOUSLY

Councillor Jordan

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the start time for the Community Development Committee meeting to be held Tuesday, 2014 February 25 in the Council Committee Room be changed from 5:00 p.m. to 5:30 p.m.”

CARRIED UNANIMOUSLY

Councillor Jordan commended City staff for their excellent work in keeping the streets clear during the recent snowfall.

Councillor Johnston

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT a meeting of the Audit Committee be scheduled for Monday, 2014 March 31 at 4:00 p.m. in the Council Committee Room.”

CARRIED UNANIMOUSLY

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR McDONELL:

SECONDED BY COUNCILLOR CALENDINO:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 7:53 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK