

2014 FEBRUARY 03

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 03 at 7:06 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
Mr. B. Klimek, Deputy 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

His Worship, Mayor Derek Corrigan called the 'Open' Council meeting to order at 7:06 p.m.

1. MINUTES

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the minutes of the 'Open' Council meeting held on 2014 January 27 be now adopted.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

“THAT the minutes of the Public Hearing (Zoning) held on 2014 January 28 be now adopted.”

CARRIED UNANIMOUSLY

2. DELEGATION

The following wrote requesting an audience with Council:

- A) **Third Estates Ltd.**
Re: 6961 Hall Avenue and 6960 Salisbury Avenue
Speakers: Theresa Winkler
George Winkler

The delegation withdrew prior to the meeting.

3. REPORTS

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

- A) **Community Development Committee**
Re: Development of a New Long-Term Federal
Plan to Fix Canada’s Housing Crunch

The Community Development Committee submitted a report in support of an FCM resolution calling for a national housing strategy.

The Community Development Committee recommended:

1. THAT Council adopt the Federation of Canadian Municipalities Resolution for the Development of a New Long-Term Plan to Fix Canada’s Housing Crunch.

Councillor Dhaliwal retired from the ‘Open’ Council meeting at 7:06 p.m.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

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

Councillor Dhaliwal returned to the ‘Open’ Council meeting at 7:08 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

B) Finance and Civic Development Committee
Re: 2014 Information Technology – Infrastructure
Capital Program

The Finance and Civic Development Committee submitted a report seeking Council approval for capital funding for computer equipment replacement, betterments and IT infrastructure acquisitions as part of the 2014 IT Infrastructure Capital Program.

The Finance and Civic Development Committee recommended:

1. THAT Council approve the capital expenditure of \$3,965,655 inclusive of taxes for computer equipment replacement, betterments and IT infrastructure acquisitions, as outlined in this report.
2. THAT Council bring down a Capital Reserves Expenditure Bylaw in the amount of \$1,830,055 inclusive of taxes for the 2014 City business application initiatives.
3. THAT Council authorize staff to bring down the necessary Capital Reserves Expenditure Bylaws.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

C) Finance and Civic Development Committee
Re: Funding Bylaw – City Buildings

The Finance and Civic Development Committee submitted a report seeking Council funding approval for various City facilities capital projects. The 2014 Provisional Financial Plan includes provision for the City’s annual capital program to replace aging building components that have reached the end of their service life. The building program is designed to protect building assets and to maintain the service levels to the occupants of the facilities. By replacing the end of service life components in a timely manner, the City can minimize service disruptions due to system breakdowns.

The Finance and Civic Development Committee recommended:

1. THAT Council approve the expenditure of \$4,170,000 from the 2014 Provisional Budget for the projects outlined in this report.
2. THAT Council bring down a bylaw to appropriate \$4,378,500 (inclusive of GST) from Capital Reserves to finance the capital projects as described in this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

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

CARRIED UNANIMOUSLY

D) Finance and Civic Development Committee
Re: City Investments – 2013 Year End Report

The Finance and Civic Development Committee submitted a report providing Council with an update on the City’s current investment program and performance in 2013. Diversification and a conservative investment strategy have provided the City with a 2013 return of \$38.3 million at an annual yield of 4.64% on the City’s Investment Fund.

The Finance and Civic Development Committee recommended:

1. THAT this report be received for information purposes.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED UNANIMOUSLY

Council also expressed concern regarding current investments in Schedule II Banks and requested that staff review the matter.

E) 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 construction progress for the Still Creek Recycling / Green Waste Depot and Works Yard. The general contractor is maintaining the original construction schedule which indicates substantial completion in August 2014. The work site is well organized and work to date is of a good standard. Staff will continue to monitor progress and provide updated reports throughout the course of construction.

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

F) The City Manager presented a report dated 2014 February 03 on the matters listed following as Items 01 to 03 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Tree Bylaw Amendments

The City Manager submitted a report from the Director Planning and Building providing Council with the proposed amendments to the Burnaby Tree Bylaw in order to enhance the City’s tree protection measures.

The City Manager recommended:

1. THAT Council approve the proposed Burnaby Tree Bylaw text amendments, as outlined in this report.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

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

CARRIED
OPPOSED: COUNCILLOR DHALIWAL

2. Road Closure – Do It For Dad

The City Manager submitted a report from the Director Engineering seeking Council approval for a road closure for the 16th Annual “Do It For Dad Walk/Run” for prostate cancer on Sunday 2014 June 15. The event will require the closure and use of Roberts Street from 7:00 a.m. to 2:00 p.m., Glencarin Drive from 9:30 a.m. to 11:30 a.m., and Sperling Avenue from Roberts Street to Glencarin Drive from 9:30 a.m. to 11:30 a.m.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.
2. THAT a copy of this report be sent to Shelley Werk, Prostate Cancer Foundation of BC, #4 – 17918 55th Avenue, Surrey, BC V3S 6C8.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

3. Contract Extension
Supply and Delivery of Janitorial Supplies

The City Manager submitted a report from the Director Finance seeking Council approval for one year extensions for the supply and delivery of janitorial supplies that are inventoried for use by staff to maintain civic facilities.

The City Manager recommended:

1. THAT Council approve one year extensions to two contracts, Unisource Canada Inc. and Swish Maintenance Limited, for the supply and delivery of janitorial supplies at a total estimated cost of \$352,800 including GST and PST of \$37,800. Final payment will be based on actual quantities ordered and approved unit prices.

MOVED BY COUNCILLOR McDONELL:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT the Committee now rise and report.”

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

4. TABLED MATTER

A) Bylaw to Fund Central Valley Artificial Field 2 Replacement

This item of business was withdrawn prior to the meeting.

5. BYLAWS

FIRST READING

#13287	4567 Lougheed Highway	REZ #12-45
#13288	8601 Glenlyon Parkway	REZ #13-19
#13289	4320/4331 Dominion Street and 4405 Norfolk Street	REZ #13-27

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 5, 2014	#13287
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 2014	#13288
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 7, 2014	#13289

be now introduced and read a first time.”

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READING:

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 2, 2014	#13291
--	--------

Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 3, 2014	#13292
Burnaby Tree Bylaw 1996, Amendment Bylaw 2014	#13293
Burnaby Bylaw Notice Enforcement Bylaw 2009 Amendment Bylaw 2014	#13294
Burnaby Animal Control Bylaw 1991, Amendment Bylaw 2014	#13295
Burnaby Business Improvement Area (Hastings) Bylaw 2014	#13296
Burnaby Home Rental Business Licence Bylaw, 2014	#13297

be now introduced and read three times.”

CARRIED UNANIMOUSLY

SECOND READING:

#13281	5104/10/26/36/46/56 McKee Street, 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	REZ #13-38
#13282	7350 Edmonds Street 7338 Kingsway	REZ #12-26
#13283	6616/42/68 Nelson Avenue 6635 Dunblane Avenue	REZ #13-17
#13284	6500 Hastings Street	REZ #13-36

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR McDONELL:

“THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 1, 2014	#13281
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 2, 2014	#13282
Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 3, 2014	#13283

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 4, 2014

#13284

be now read a second time.”

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#13238 9055 University High Street

REZ #13-09

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT

Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 28, 2013

#13238

Burnaby Hotel Room Additional Tax Levy Bylaw,
2014

#13286

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

CARRIED UNANIMOUSLY

6. NEW BUSINESS

His Worship, Mayor Derek Corrigan

His Worship, Mayor Derek Corrigan announced that the City of Burnaby has filed an application for intervener status with the National Energy Board regarding the Kinder Morgan Trans Mountain Pipeline Expansion Project. The text of the Mayor’s statement is as follows:

“I want to take a few minutes tonight to advise our citizens about the fact that today the City of Burnaby applied for intervener status in the hearings that are part of the National Energy Board public hearing process.

This is in response to our deep concern about the fact that, on December 16, 2013, Kinder Morgan/Trans Mountain submitted an application to the National Energy Board, seeking authorization to build and operate its proposed \$5.4 billion Trans Mountain Expansion Project, which will almost triple oil capacity (from 300,000 to 890,000 barrels per day) in pipelines running to Burnaby from the Alberta oil sands, and bring approximately six times as many tankers per year into Burrard Inlet (up from about 60 to 400) shipping

diluted bitumen from the Westridge Marine Terminal for export. The pipeline would run through Burnaby and will terminate at Kinder Morgan's Westridge Marine Terminal.

The proposed pipeline would carry diluted bitumen (heavy crude oil products) from the Alberta oil sands to Burnaby, for export. Its construction and operation would have tremendous negative impacts on the City. The pipeline would require extensive land disruption for construction and would result in expansion of facilities in Burnaby. Much of the line through our city is proposed to follow new routes that would require new rights-of-way to be constructed. In addition, Kinder Morgan's application proposes expansion of the Burnaby Mountain Terminal (the large round holding tanks that can be seen on the mountain in North Burnaby) from 13 to 26 tanks (more than tripling their storage capacity with larger tanks) and the construction of new loading docks and a utility dock at the Westridge Marine Terminal in Burnaby.

I am extremely concerned about this proposal to build pipelines through Burnaby streets and communities to carry heavy oil from Alberta for export. Trans Mountain says this pipeline is in our best interest. We know that it is not. This is a project that will benefit Trans Mountain at our city's great expense. Putting the Trans Mountain facilities here in the first place, back in 1952, when parkland was expropriated from Burnaby for the Burnaby Mountain tank farm and when the Westridge Terminal was installed on the ecologically sensitive Burrard Inlet waterfront, was an historic mistake. Why would we now exacerbate that error severalfold? And why is Trans Mountain in such a hurry to ship so much of our oil out of our country? Where is the long-term vision here? This is oil our grandchildren will need.

In spite of the fact that this oil is not for us – or for our country, for that matter, our City would be severely impacted by the construction of the new pipelines, then would be perpetually and permanently vulnerable to potential spills – on Burnaby land, near Burnaby homes and in Burrard Inlet. Trans Mountain's application even shows potential spill zones that would see oil flow down Burnaby Mountain into the Brunette River and Burnaby Lake – and even spill zones that would take oil into Burrard Inlet and the Fraser River, all via Burnaby streams and neighbourhoods. This is completely unacceptable and we will do everything we can to ensure this pipeline is not built.

We have already dealt with one significant Trans Mountain spill in our City – in 2007. A Burnaby neighbourhood was drenched in oil, oil leaked into Burrard Inlet and Kask Creek, and 44 homes were oiled, requiring evacuation of families. This was a relatively small spill – in fact miniscule compared to what would be possible with this new pipeline – and was not the diluted bitumen that Trans Mountain is proposing to carry in the new lines. In spite of safety assurances from Kinder Morgan and Trans Mountain, in Burnaby we know what can and really does happen with pipelines and we will not stand idly by while Trans Mountain proposes to further increase our City's risk.

Burnaby groups and citizens can independently apply to participate in the National Energy Board hearings online through the National Energy Board's website. You can also contact the NEB at 1-866-514-6700 or ask to be added to an email list that provides

updates on the hearing process. All applications for participation must be received by the NEB by 11 a.m., Pacific time, February 12.

Regardless of whether or not you formally apply to participate in the hearings, we hope that you will work with us to make Burnaby citizens' voices heard throughout the hearing process! To help ensure you will be heard and to help you to become familiar with Kinder Morgan/Trans Mountain's proposal and the tremendous threats it poses, the City will host a number of information sessions and will post information on the City website. Two public workshops will take place in the near future in the City, to offer residents and businesses information about the proposed expansion and how they can express their views.

The Trans Mountain application is 15,000 pages long, so we all need some help getting through it. But it is worth our time. It talks about how the line will travel through what the application itself describes as "the rich agricultural lands of the Lower Mainland of B.C." and makes reassuring comments (in a section on economic impacts) such as –and I really can't get over this one – "Spill response and clean-up creates business and employment opportunities for affected communities, regions, and clean-up service providers." End quote.

So, when you hear Kinder Morgan talking about the economic benefits of this project, it's important to note the sorts of activities they count as a benefit! In Burnaby, spill clean-up is not an employment sector we are looking to expand.

In closing, this proposal is absurd. We will work hard to fight it and to help Burnaby businesses and citizens to become aware of all of its potential implications – and we hope that all of you will join us in this very important fight to protect our community and our environment."

Councillor Johnston

Councillor Johnston noted that the Provincial Minister of Justice has accepted the 73 recommendations contained in the BC Liquor Policy Review Report.

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

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"THAT staff continue to review and monitor the impact of the recent liquor policy changes on Burnaby and report back to Council as appropriate."

CARRIED UNANIMOUSLY

Councillor Chang

MOVED BY COUNCILLOR CHANG:
SECONDED BY COUNCILLOR McDONELL:

“THAT a meeting of the International Relations and Friendship Cities Committee be scheduled for Wednesday, 2014 February 05 at 3:00 pm in the Council Committee Room.”

CARRIED UNANIMOUSLY

Councillor Dhaliwal

Councillor Dhaliwal made reference to Item I) of the Council Correspondence package received to 2014 January 30 from Phil Le Good regarding railway safety.

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

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR McDONELL:

“THAT His Worship, Mayor Derek Corrigan forward a copy of the letter from Mr. Le Good to the FCM National Municipal Rail Safety Working Group and further, THAT the Mayor forward a letter of appreciation to Mr. Le Good.”

CARRIED UNANIMOUSLY

7. INQUIRIES

There were no inquiries brought before Council at this time.

8. ADJOURNMENT

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

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

CARRIED UNANIMOUSLY

The ‘Open’ Council Meeting adjourned at 8:00 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK