



COUNCIL MEETING MINUTES

Monday, 2017 April 24

An Open meeting of the City Council was held in the Council Chamber, Burnaby City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2017 April 24 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.

1. CALL TO ORDER

PRESENT: His Worship, Mayor Derek R. Corrigan
Councillor Pietro Calendino
Councillor Sav Dhaliwal
Councillor Dan Johnston
Councillor Colleen Jordan
Councillor Paul McDonell
Councillor Nick Volkow

ABSENT: Councillor Anne Kang
Councillor James Wang

STAFF: Mr. Lambert Chu, City Manager
Mr. Leon Gous, Director Engineering
Ms. Noreen Kassam, Director Finance
Mr. Dave Ellenwood, Director Parks, Recreation & Cultural Services
Mr. Lou Pelletier, Director Planning and Building
Mr. Dave Critchley, Director Public Safety & Community Services
Ms. May Leung, City Solicitor
Mr. Dennis Back, City Clerk
Ms. Blanka Zeinabova, Administrative Officer

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

THAT the Open Council meeting do now reconvene.

CARRIED UNANIMOUSLY

The Open Council meeting reconvened at 7:04 p.m.

2. **MINUTES**

A) **Open Council Meeting held 2017 April 10**

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR JOHNSTON

THAT the minutes of the Open Council meeting held on 2017 April 10 be now adopted.

CARRIED UNANIMOUSLY

3. **PRESENTATION**

A) **Impact of Kinder Morgan's Proposed Pipeline Routing Plan** **Presenter: Dipak Dattani, Deputy Director Engineering**

Mr. Dipak Dattani, Deputy Director Engineering, provided an overview of the impacts that Kinder Morgan's proposed pipeline routing plan will have on the City of Burnaby.

The speaker advised that the Project components consists of: 980 km of new pipeline, 193 km reactivated pipeline, 12 new pump stations, 19 new storage tanks to existing terminals (13 new tanks including one replacement tank in Burnaby alone), and expansion of three new tanker berths at Westridge Marine Terminal in Burnaby.

Mr. Dattani noted that the City remains opposed to the Project, and it is challenging the Federal Governor in Council decision in the Federal Courts.

The speaker further noted that on 2017 March 3, Kinder Morgan filed the Plan, Profile and Book of Reference (PPBoR) with the NEB as part of the detailed pipeline route approval process. There is a 30 day time limit starting from the date a landowner receives the notice from Kinder Morgan to submit Statement of Opposition to the NEB. The City was served with notices for City-owned lands on 2017 April 6. However, adjacent landowners, leaseholders or occupants did not receive a direct notice from Kinder Morgan. These persons have 30 days from the last publication of the notice in the local newspaper to submit their Statement of Opposition to the NEB.

As part of the City's public information and awareness program, the City delivered letters to residents and businesses adjacent to the proposed pipeline route alignment, details on the City's website and advertised in the Burnaby Now and Sing Tao newspapers.

In conclusion, Mr. Dattani advised that significant impacts will be at the following key areas:

- Cottonwood Park – sterilizes park land for future public uses, and significant impacts to Stoney Creek;
- Forest Hill/Meadowood Park Neighbourhood – diminished value of City's buffer area covenant, and loss of forested area that serves as a buffer to the Shellmont Tank Farm;
- Brunette Conservation Area – significantly decreased conservation value through loss of forest, and significant impacts to Brunette River watershed.

4. **PROCLAMATIONS**

A) Elizabeth Fry Week (2017 May 7-13)

Councillor Dhaliwal, on behalf of His Worship, Mayor Derek R. Corrigan proclaimed the week of 2017 May 7-13 as "**Elizabeth Fry Week**" in the City of Burnaby.

B) Human Values Day (2017 April 24)

Councillor McDonell, on behalf of His Worship, Mayor Derek R. Corrigan proclaimed Monday, 2017 April 24 as "**Human Values Day**" in the City of Burnaby.

C) MS Awareness Month (May 2017)

Councillor Volkow, on behalf of His Worship, Mayor Derek R. Corrigan proclaimed the month of 2017 May as "**MS Awareness Month**" in the City of Burnaby.

D) National Day of Mourning (2017 April 28)

See page 5 of the minutes, immediately following the delegation Item 5(B)

E) National Volunteer Week (2017 April 23 - 29)

Councillor McDonell, on behalf of His Worship, Mayor Derek R. Corrigan proclaimed the week of 2017 April 23-29 as "**National Volunteer Week**" in the City of Burnaby.

F) Rail Safety Week (2017 April 24 - 30)

Councillor Calendino, on behalf of His Worship, Mayor Derek R. Corrigan proclaimed the week of 2017 April 24-30 as "**Rail Safety Week**" in the City of Burnaby.

5. **DELEGATIONS**

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR JOHNSTON

THAT the delegations be heard.

CARRIED UNANIMOUSLY

A) Community Volunteer Resources
Re: Annual Report
Speaker: Anne Waller, Administrator

Ms. Anne Waller, Administrator, Citizen Support Services, appeared before Council to present their Annual Report. **Ms. Michele Wilson**, Coordinator, introduced a guest speaker, a newcomer and volunteer - Ms. Saba Muhamed.

Ms. Muhamed provided an overview of her volunteering experience as a new Canadian noting that volunteering contributes both to the society and to the volunteer themselves by developing important social skills and gaining valuable work experience at the same time.

B) New Westminster & District Labour Council
Re: Day of Mourning
Speaker: Sam Otim

Mr. Sam Otim, representing the New Westminster and District Labour Council, appeared before Council to present information regarding the Annual Day of Mourning for workers killed or injured on the job.

The speaker noted the presentation is to raise awareness of workplace health and safety, as the impact of work related injury and death reaches beyond the workplace and into the communities.

Mr. Otim advised that the United Steelworkers Westray Campaign led to Bill C-45, which amended the Criminal Code of Canada to assign criminal liability to organizations for acts of their representatives. The Westray Amendment came into a law in early 2004. In 2013, the Steelworkers began a campaign called 'Stop the Killing, Enforce the Law', and have lobbied to ensure that police, Crown Prosecutors and regulators are better educated and trained on the Westray Amendment and that there is coordination between agencies responding to workplace fatalities.

In conclusion, Mr. Otim encouraged everyone to commemorate the Day of Mourning for Workers' Killed and Injured on the Job on Friday, 2017 April 28 at 11 a.m. at Pier Park in New Westminster.

His Worship, Mayor Derek R. Corrigan proclaimed Friday, 2017 April 28 as **"National Day of Mourning"** in the City of Burnaby.

A minute of silence was held in memory of those workers killed and injured on the job.

6. **CORRESPONDENCE**

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR JOHNSTON

THAT the correspondence be received.

CARRIED UNANIMOUSLY

A) **Stoney Creek Community School**
Re: Request to Post Signs for Fun Fair

Correspondence was received from Stoney Creek Community School requesting permission to post signs for the purpose of publicizing their Fun Fair.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR CALENDINO

THAT Council approve the request from Stoney Creek Community School to permit the temporary placement of signs on street rights-of-way for this event and staff will work with event organizers to determine the appropriate location and number of signs to be placed on City boulevards near the venue.

CARRIED UNANIMOUSLY

B) **Burnaby Potters' Guild**
Re: Request for Summer Show Signs

Correspondence was received from Burnaby Potters' Guild requesting permission to post signs for the purpose of publicizing their summer and winter show and sale.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR JOHNSTON

THAT Council approve the request from the Burnaby Potters' Guild to permit the temporary placement of signs on street rights-of-way for this event and staff will work with event organizers to allow the same 16 locations approved last year in close proximity to the venue.

CARRIED UNANIMOUSLY

7. **REPORTS**

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR CALENDINO

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

CARRIED UNANIMOUSLY

A) Community Heritage Commission
Re: City Award Sponsorship for the Rivers to Sea Regional
Heritage Fair, 2017 May 12 & 13

The Community Heritage Commission submitted a report to Council for approval to fund the City of Burnaby Award for the 2017 "Rivers to Sea Regional Heritage Fair".

The Community Heritage Commission recommended:

1. THAT Council approve \$500 to fund the City of Burnaby Award for the 2017 "Rivers to Sea Regional Heritage Fair", 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

B) Community Heritage Commission
Re: Heritage BC Annual Conference, Victoria, BC
2017 May 04 – 06

The Community Heritage Commission submitted a report seeking Council authorization to fund Commission members to attend the Heritage BC Annual Conference.

The Community Heritage Commission recommended:

1. THAT Council authorize an expenditure up to \$4,000 for Community Heritage Commission members to attend the Heritage BC Annual Conference to be held in Victoria, BC in May 2017.

MOVED BY COUNCILLOR JORDAN
SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendation of the Community Heritage Commission be adopted.

CARRIED UNANIMOUSLY

C) Financial Management Committee
Re: 2017 - 2021 Financial Plan

The Financial Management Committee submitted a report to obtain Council approval for the five year 2017 - 2021 Financial Plan.

The Financial Management Committee recommended:

1. THAT Council approve the 2017 – 2021 Financial Plan.
2. THAT Council authorize staff to bring down the Burnaby Financial Plan Bylaw 2017 authorizing the proposed funding sources, proposed expenditures, and proposed transfers between funds as set out for each year in the planning period as shown in Schedule A attached hereto and forming part of this report.
3. THAT Council authorize staff to bring down the Burnaby Rates Bylaw 2017 in the amount of \$250,575,300 to provide funding for the 2017 fiscal year included within the 2017 – 2021 Financial Plan.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR JORDAN

THAT the recommendations of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

D) Public Safety Committee
Re: Crosswalk - Oakland Street and Dufferin Avenue

The Public Safety Committee submitted a report to Council to review the pedestrian safety concerns at the intersection of Oakland Street and Dufferin Avenue.

The Public Safety Committee recommended:

1. THAT Council approve the installation of a roadside mounted special crosswalk on Oakland Street at Dufferin Avenue, as detailed in this report.

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR MCDONELL

THAT the recommendation of the Public Safety Committee be adopted.

CARRIED UNANIMOUSLY

The City Manager submitted a report dated 2017 April 24 on the following matters:

8. MANAGER'S REPORTS

1. IMPACT OF KINDER MORGAN'S PROPOSED PIPELINE ROUTING PLAN

The City Manager submitted a report from the Director Engineering, Director Planning and Building and City Solicitor to inform Council of the impact of Kinder Morgan's proposed pipeline routing plan and request approval from Council to file formal Statements of Opposition with the National Energy Board.

The City Manager recommended:

1. THAT Council authorize staff to file Statements of Opposition with the National Energy Board related to Kinder Morgan's proposed pipeline routing plan.
2. THAT a copy of this report be forwarded to all Burnaby Members of Parliament and the Sustainable City Advisory Committee.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendations of the City Manager be adopted.

CARRIED UNANIMOUSLY

Councillor Jordan also requested this report be forwarded to the Old Interurban Forest Preservation Society.

2. FREEDOM OF INFORMATION BYLAW - HEAD OF THE LOCAL PUBLIC BODY

The City Manager submitted a report from the City Clerk to Council to recommend a change in the designated head of the City of Burnaby for purposes of the Freedom of Information and Protection of Privacy Act.

The City Manager recommended:

1. THAT Council designate the City Manager as Head for the purposes of the Freedom of Information and Protection of Privacy Act.
2. THAT the City Solicitor be authorized to bring forward an amendment to the Burnaby Freedom of Information Bylaw No. 10183 to designate the City Manager as head for the purposes of the Freedom of Information and Protection of Privacy Act.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR VOLKOW

THAT the recommendations of the City Manager be adopted.

CARRIED UNANIMOUSLY

3. 2017 LOCAL SERVICE TAX BYLAW

The City Manager submitted a report from the Director Finance seeking Council approval to bring forward a Local Service Tax Bylaw to impose parcel taxes for local improvement works completed between 2016 June 01 and 2016 December 31.

The City Manager recommended:

1. THAT City Solicitor bring forward a Local Service Tax Bylaw to impose parcel taxes for completed local improvement works on benefiting properties included in Attachment 1, as outlined in this report.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR VOLKOW

THAT the recommendation of the City Manager be adopted.

CARRIED UNANIMOUSLY

4. 2017/2018 FACILITY USE, PROGRAM AND SERVICES FEE SCHEDULE

The City Manager submitted a report from the Director Parks, Recreation & Cultural Services seeking Council approval of the 2017/2018 Facility Use Fee Schedule.

The City Manager recommended:

1. THAT the 2017/2018 Facility Use Fee Schedule (Attachment #1) be approved as outlined in this report.
2. THAT the City Solicitor be requested to bring forward the necessary amendments to the following bylaws for consideration:
 - Burnaby Recreation Fees and Admissions Bylaw 2017
 - Burnaby Shadbolt Centre and Burnaby Art Gallery Rental Fee Bylaw 2017
 - Burnaby Village Museum Fees Bylaw 2017

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR CALENDINO

THAT the recommendations of the City Manager be adopted.

CARRIED UNANIMOUSLY

**5. 2017 APRIL – PARKS, RECREATION & CULTURAL
SERVICES CAPITAL FUNDING BYLAW**

The City Manager submitted a report from the Director Parks, Recreation & Cultural Services seeking Council approval to authorize staff to bring down a bylaw to appropriate \$601,869 (inclusive of GST) from Capital Reserves to finance five projects.

The City Manager recommended:

1. THAT Council authorize staff to bring down a bylaw to appropriate \$601,869 (inclusive of GST) from Capital Reserves to finance five projects.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR CALENDINO

THAT the recommendation of the City Manager be adopted.

CARRIED UNANIMOUSLY

6. GIRO DI BURNABY

The City Manager submitted a report from the Director Parks, Recreation & Cultural Services seeking Council approval for the road closure for the Giro di Burnaby and approval to maintain the current practice of depositing surplus Giro donations in a reserve for future Giro events.

The City Manager recommended:

1. THAT approval be granted for the road closure for the Giro di Burnaby as identified in the attached report.
2. THAT approval be granted to maintain the current practice of depositing surplus Giro donations in a reserve for future Giro events.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR VOLKOW

THAT the recommendations of the City Manager be adopted.

CARRIED UNANIMOUSLY

7. BURNABY FESTIVAL OF LEARNING

The City Manager submitted a report from the Director Parks, Recreation & Cultural Services providing Council with information regarding the partnership with Simon Fraser University to facilitate Burnaby Festival of Learning.

The City Manager recommended:

1. THAT this report be received for information.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendation of the City Manager be adopted.

CARRIED UNANIMOUSLY

8. ROAD CLOSURE - REMI STREET

The City Manager submitted a report from the Director Engineering seeking Council approval for a road closure.

The City Manager recommended:

1. THAT Council approve the road closure as discussed in this report.

2. THAT the coordinator of the event, Cynde Downs, Executive Assistant & Facility Coordinator, Spartan Controls, 7500 Winston St, Burnaby, BC, V5A 4X5, be sent a copy of this report.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendations of the City Manager be adopted.

CARRIED UNANIMOUSLY

9. UNSIGHTLY PREMISES AT 7647 WILLARD STREET

The City Manager submitted a report from the Director Public Safety and Community Services seeking Council authority for City Staff and/or agents to enter onto the property at 7647 Willard Street in order to bring the property into compliance with the Burnaby Unsightly Premises Bylaw, No. 5533.

The City Manager recommended:

1. THAT Council authorize City staff and/or agents to enter the property at 7647 Willard Street to remove and dispose of all overgrowth, materials and debris contributing to the unsightliness of the property at the expense of the property owner.
2. THAT on completion of the cleanup the directors of Globe Foundry Limited be invoiced for the actual work performed, and if the charges for such work should remain unpaid on the 31st day of December of the year in which the expenses are incurred, they be added to and form part of the taxes payable in respect of the real property, as taxes in arrears.

MOVED BY COUNCILLOR MCDONELL
SECONDED BY COUNCILLOR VOLKOW

THAT the recommendations of the City Manager be adopted.

CARRIED UNANIMOUSLY

10. BUILDING PERMIT TABULATION REPORT NO. 3
FROM 2017 MARCH 01 - 2017 MARCH 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 JOHNSTON
SECONDED BY COUNCILLOR MCDONELL

THAT the recommendation of the City Manager be adopted.

CARRIED UNANIMOUSLY

11. CONTRACT AWARD
2017 COMBINED SEWER SEPARATION PROGRAM
TRINITY & YALE LANES

The City Manager submitted a report from the Director Finance obtaining Council approval to award a contract for the 2017 Combined Sewer Separation Program - Trinity and Yale Lanes.

The City Manager recommended:

1. THAT Council approve a contract award to Sandpiper Contracting Ltd. for an estimated total cost of \$1,770,829.41 including GST in the amount of \$84,325.21 as outlined in this report. Final payment will be based on the actual quantity of goods and services delivered and unit prices as tendered.

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 CALENDINO

THAT the Committee now rise and report.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR JOHNSTON

THAT the report of the Committee be now adopted.

CARRIED UNANIMOUSLY

9. **BYLAWS**

First, Second and Third Reading

- | | |
|---|--------|
| A) Burnaby Community Heritage Commission Bylaw, Amendment Bylaw No. 1, 2017 | #13737 |
| B) Burnaby Highway Closure Bylaw No. 1, 2017 (Road Closure #17-01) | #13743 |
| C) Burnaby Rates Bylaw 2017 | #13747 |
| D) Burnaby Financial Plan Bylaw 2017 | #13748 |
| E) Burnaby Local Service Tax Bylaw 2017 | #13749 |

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR JOHNSTON

THAT Bylaw No. 13737, 13743, 13747, 13748 and 13749 be now introduced and read three times.

CARRIED UNANIMOUSLY

Consideration and Third Reading

- | | |
|--|--------|
| F) Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 33, 2015 - Rez. #14-29 (6960 Royal Oak Avenue) | #13529 |
|--|--------|

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR JOHNSTON

THAT Bylaw No. 13529 be now considered and read a third time.

CARRIED UNANIMOUSLY

Third Reading, Reconsideration and Final Adoption

- G) Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 3, 2017 #13707
- Rez. #16-36 (6056 Gilley Avenue)

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR JOHNSTON

THAT Bylaw No. 13707 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

- H) Burnaby Capital Works, Machinery and Equipment Reserve #13744
Fund Expenditure Bylaw No. 18, 2017
- I) Burnaby Capital Works, Machinery and Equipment Reserve #13745
Fund Expenditure Bylaw No. 19, 2017
- J) Burnaby Golf Fees Bylaw 2017 #13746

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR JOHNSTON

THAT Bylaw No. 13744, 13745 and 13746 be now reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

CARRIED UNANIMOUSLY

10. NEW BUSINESS

Councillor Jordan – Salish Sea as UNESCO World Heritage Site

Councillor Jordan made reference to Item H of the Council Correspondence package received up 2017 April 20 from Ms. Kait Burgan, Sea Legacy Society, Salish Sea Trust, seeking support for the Salish Sea UNESCO World Heritage Site Application.

MOVED BY COUNCILLOR JORDAN
SECONDED BY COUNCILLOR CALENDINO

THAT staff report back on the implications for the City of the UNESCO World Heritage Site Application for Salish Sea proposal.

CARRIED UNANIMOUSLY

Councillor Jordan – Chevron Refinery

Councillor Jordan requested an update on the sale of the Chevron Refinery.

MOVED BY COUNCILLOR JORDAN
SECONDED BY COUNCILLOR JOHNSTON

THAT staff provide a memorandum with an update on the sale of the Chevron Refinery.

CARRIED UNANIMOUSLY

11. INQUIRIES

There were no inquiries brought before the Council at this time.

12. 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 8:58 p.m.

Confirmed:

Certified Correct:

MAYOR

CITY CLERK