



COUNCIL MEETING M I N U T E S

**Monday, January 25, 2021, 5:00 p.m.
Council Chamber, City Hall
4949 Canada Way, Burnaby, BC**

PRESENT: His Worship, Mayor Mike Hurley
Councillor Pietro Calendino
Councillor Sav Dhaliwal
Councillor Dan Johnston (*participated electronically*)
Councillor Colleen Jordan (*participated electronically*)
Councillor Joe Keithley
Councillor James Wang

STAFF: Mr. Lambert Chu, City Manager
Mr. Dipak Dattani, Director Corporate Services
Mr. Leon Gous, Director Engineering
Ms. Noreen Kassam, Director Finance
Mr. Dave Ellenwood, Director Parks, Recreation and Cultural Services
Mr. Ed Kozak, Director Planning and Building
Mr. Dave Critchley, Director Public Safety and Community Services
Ms. May Leung, City Solicitor
Ms. Blanka Zeinabova, City Clerk
Ms. Eva Prior, Acting Deputy City Clerk

1. CALL TO ORDER

His Worship, Mayor Mike Hurley, called the Open meeting to order at 5:00 p.m. and conducted the roll call. Due to the COVID-19 pandemic, Councillors Johnston and Jordan participated electronically.

For the benefit of the Council members that were participating by electronic means, Mayor Mike Hurley reviewed the staff members present at the meeting.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT the Open Council meeting reconvene at 5:00 p.m.

CARRIED UNANIMOUSLY

His Worship, Mayor Mike Hurley, recognized the ancestral and unceded homelands of the hən̓q̓əmin̓əm̓ and Skwxwú7mesh speaking peoples, and extended appreciation for the opportunity to hold a meeting on this territory.

2. **MINUTES**

2.1 **Open Council Meeting held 2020 December 14**

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the minutes of the Open Council meeting held on 2020 December 14 be now adopted.

CARRIED UNANIMOUSLY

2.2 **Public Hearing (Zoning) held 2020 December 15**

MOVED BY COUNCILLOR WANG
SECONDED BY COUNCILLOR JOHNSTON

THAT the minutes of the Public Hearing (Zoning) held on 2020 December 15 be now adopted.

CARRIED UNANIMOUSLY

2.3 **Special Open Council Meeting held 2020 December 17**

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT the minutes of the Special Open Council meeting held on 2020 December 17 be now adopted.

CARRIED UNANIMOUSLY

3. **PROCLAMATIONS**

3.1 **Black History Month (2021 February)**

Councillor Sav Dhaliwal, on behalf of His Worship, Mayor Mike Hurley, proclaimed 2021 February as “***Black History Month***” in the City of Burnaby.

3.2 Burnaby Family Life Month (2021 February)

Due to technical difficulties, the proclamation was read after Item 3.4.

3.3 International Day of Zero Tolerance for Female Genital Mutilation (2021 February 6)

Councillor James Wang, on behalf of His Worship, Mayor Mike Hurley, proclaimed 2021 February 6 as “***International Day of Zero Tolerance for Female Genital Mutilation***” in the City of Burnaby.

3.4 M.T.O. Shahmaghsoudi Day (2021 February 4)

Councillor Dan Johnston, on behalf of His Worship, Mayor Mike Hurley, proclaimed 2021 February 4 as “***M.T.O. Shahmaghsoudi Day***” in the City of Burnaby.

3.2 Burnaby Family Life Month (2021 February)

Councillor Colleen Jordan, on behalf of His Worship, Mayor Mike Hurley, proclaimed 2021 February as “***Burnaby Family Life Month***” in the City of Burnaby.

3.5 World Interfaith Harmony Week (2021 February 1 - 7)

Councillor Joe Keithley, on behalf of His Worship, Mayor Mike Hurley, proclaimed 2021 February 1 - 7 as “***World Interfaith Harmony Week***” in the City of Burnaby.

4. DELEGATIONS

4.1 Tourism Burnaby - Re: 2021 Overview and Municipal and Regional District Tax

Mr. Chris Peters, Executive Director, Tourism Burnaby, appeared before Council via Zoom and provided an update on the impact of COVID-19 on the visitor economy in Burnaby, and outlined a recovery plan for the next 24 months. The speaker further requested to delay the use of the Online Accommodation Platform (OAP) Municipal and Regional District Tax (MRDT) revenue for the City’s affordable housing initiatives until Tourism Burnaby revenue reaches 80% of the 2019 levels for at least three (3) consecutive months.

Mr. Peters advised the impact of COVID-19 has resulted in an 83% reduction in revenue for Burnaby hotels; 50% reduction in short term rentals; and 85% of employees laid-off have not been re-hired.

The speaker provided an overview of a path to recovery, which included sport hosting events, a continued partnership with the City, and developing and promoting select community events.

In conclusion, Tourism Burnaby requested that the City delay using Municipal and Regional District Tax funds for affordable housing initiatives until revenue levels from hotel partners reach 80% of 2019 levels for a minimum of three consecutive months. Until this threshold is reached, the City would continue to remit the total combined funds generated by the tax, both hotel and short-term rental accommodations, to Tourism Burnaby.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR DHALIWAL

SECONDED BY COUNCILLOR JOHNSTON

THAT the delegation's presentation be **REFERRED** to staff.

CARRIED UNANIMOUSLY

4.2 Davison Law Group - Re: Operation of Hookah Cafes in Burnaby

Mr. Dean Davison, legal counsel representing Living Room Cafe Inc. and Narah Shisha Cafe Inc., appeared before Council via Zoom regarding Bylaws 14220 and 14221, the proposed regulation of smoking in business premises.

The speaker addressed the adverse effect these Bylaws will have on the 11 hookah cafes currently operating in the City. Printed materials were provided by the delegation, which included a 1,600-signature petition in support of the cafes.

The speaker advised that hookah cafes are a place where people enjoy a cultural and historic practice, citing Burnaby's Social Sustainability Strategy which recognizes, supports and promotes a culturally diverse society and the benefits of multiculturalism.

In conclusion, the speaker requested that Council defeat the two Bylaws which would ban hookah cafes in the City.

5. REPORTS

5.1 City Clerk - Re: Certificate of Sufficiency - Resident Initiated

The City Clerk submitted a report of the Resident Initiated Local Area Service Project petitions. Sufficient petitions were **not** received for Resident Initiated Local Area Service Projects: 21-003, 21-004 and 21-303. Council is therefore precluded from proceeding with these projects.

The City Clerk recommended:

1. THAT Council receive the report for information.
2. THAT the owners of the properties on the petitions be advised of the outcome.

MOVED BY COUNCILLOR DHALIWAL

SECONDED BY COUNCILLOR JORDAN

THAT the recommendations of the City Clerk be adopted.

CARRIED UNANIMOUSLY

5.2 Financial Management Committee - Re: 2021 January Engineering Capital Facilities Management Bylaw Funding Request

The Financial Management Committee submitted a report seeking Council authorization for the use of a Capital Reserve Fund Bylaw to finance 2021 - 2022 Engineering capital Facilities Management improvement projects.

The Financial Management Committee recommended:

1. THAT Council authorize the City Solicitor to bring forward a Capital Reserve Fund Bylaw in the amount of \$5,370,000 to finance the Engineering capital Facilities Management improvement projects, as outlined in the report.

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

5.3 Financial Management Committee - Re: 2021 January Engineering Capital Transportation Bylaw Funding Request

The Financial Management Committee submitted a report seeking Council authorization for the use of a Capital Reserve Fund Bylaw to finance 2021 Engineering capital transportation projects.

The Financial Management Committee recommended:

1. THAT Council authorize the City Solicitor to bring forward a Capital Reserve Fund Bylaw in the amount of \$1,454,100 to finance Engineering capital transportation improvement projects, as outlined in the report.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

5.4 Financial Management Committee - Re: 2021 January Engineering Capital Infrastructure Bylaw Funding Request

The Financial Management Committee submitted a report seeking Council authorization for the use of Waterworks Utility and Sanitary Sewer Fund Reserves, and a Capital Reserve Fund Bylaw to finance 2021 - 2022 Engineering capital infrastructure projects.

The Financial Management Committee recommended:

1. THAT Council authorize the City Solicitor to bring forward a Capital Reserves Fund Bylaw in the amount of \$21,149,000, the use of Sanitary Sewer Fund Capital Reserves in the amount of \$5,690,000 and the use of Waterworks Utility Capital Reserves in the amount of \$1,275,000 to finance Engineering capital infrastructure improvement projects, as outlined in the report.

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

Council queried the duplication of Items 1 through 9 in the table under Appendix A, Section 1.14.

Staff undertook to investigate.

5.5 Financial Management Committee - Re: 2021 January - Parks, Recreation and Cultural Services Gaming Reserve Projects

The Financial Management Committee submitted a report seeking Council authorization for the use of the Gaming Reserve to finance the following projects: Burnaby Mountain Park - Trail Development and Eagles Estate Landscape Restoration.

The Financial Management Committee recommended:

1. THAT Council authorize the use of the Gaming Reserves in the amount of \$525,000 to finance the projects, as outlined in the report.

MOVED BY COUNCILLOR WANG
SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

5.6 Financial Management Committee - Re: Purchase of 3713 Kensington Avenue

The Financial Management Committee submitted a report seeking Council authorization for the use of Community Benefit Reserves to finance the purchase of 3713 Kensington Avenue.

The Financial Management Committee recommended:

1. THAT Council authorize the use of Community Benefit Reserves in the amount of \$30,000,000 to finance the purchase of 3713 Kensington Avenue, as outlined in the report.
2. THAT a copy of the report be forwarded to the Parks, Recreation and Culture Commission for information.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR CALENDINO

THAT the recommendations of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

5.7 Financial Management Committee - Re: Major Civic Building Projects Status Update

The Financial Management Committee submitted a report providing an update on the current status of major civic building projects.

The Financial Management Committee recommended:

1. THAT Council receive the report for information.

MOVED BY COUNCILLOR DHALIWAL
SECONDED BY COUNCILLOR JORDAN

THAT the recommendation of the Financial Management Committee be adopted.

CARRIED UNANIMOUSLY

5.8 Social Planning Committee - Re: Social Purpose Institute

The Social Planning Committee submitted a report seeking Council authorization for a trilateral partnership between the City, the Social Purpose Institute and the Burnaby Board of Trade to support social purpose in business in Burnaby.

The Social Planning Committee recommended:

1. THAT Council approve a trilateral partnership between the City, United Way's Social Purpose Institute and the Burnaby Board of Trade to promote social purpose in business in Burnaby.
2. THAT a copy of the report be forwarded to the Social Purpose Institute and the Burnaby Board of Trade.

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendations of the Social Planning Committee be adopted.

CARRIED UNANIMOUSLY

5.9 Social Planning Committee - Re: Proposed Food Systems Strategy

The Social Planning Committee submitted a report seeking Council authorization for a framework and approach for a Burnaby Food Systems Strategy.

The Social Planning Committee recommended:

1. THAT Council approve the framework and approach, outlined in Section 4.0, for a Burnaby Food Systems Strategy.
2. THAT a copy of the report be forwarded to the Environment Committee, the Parks, Recreation and Culture Commission, and the Planning and Development Committee for information.

MOVED BY COUNCILLOR KEITHLEY

SECONDED BY COUNCILLOR CALENDINO

THAT the recommendations of the Social Planning Committee be adopted.

CARRIED UNANIMOUSLY

5.10 City Manager's Report, 2021 January 25

The City Manager submitted a report dated 2021 January 25 on the following matters:

6. MANAGER'S REPORTS

6.1 2021 JANUARY CAPITAL RESERVE FUND BYLAW REQUEST - LIBRARY

The City Manager submitted a report from the Chief Librarian seeking Council approval for a Capital Reserve Fund Bylaw to finance the Library Occupational Health & Safety and Automated Materials Handling projects.

The City Manager recommended:

1. THAT Council authorize the City Solicitor to bring forward a Capital Reserve Fund Bylaw in the amount of \$1,290,000 to finance the projects, as outlined in the report.

MOVED BY COUNCILLOR DHALIWAL

SECONDED BY COUNCILLOR JORDAN

THAT the recommendation of the City Manager be adopted.

CARRIED UNANIMOUSLY

6.2 2021 JANUARY - PARKS, RECREATION AND CULTURAL SERVICES CAPITAL FUNDING BYLAW

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services seeking Council approval for a Capital Reserve Fund Bylaw to finance 2021 projects outlined in the report.

The City Manager recommended:

1. THAT Council authorize the City Solicitor to bring forward a Capital Reserve Fund Bylaw in the amount of \$8,737,000 to finance the projects outlined in the report.

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendation of the City Manager be adopted.

CARRIED UNANIMOUSLY

6.3 REQUEST TO AMEND SECTION 219 DEMOLITION COVENANT - 7550 ROSEWOOD STREET

The City Manager submitted a report from the Director Planning and Building providing information of a request to amend a demolition covenant to permit continued use of an existing building as a residential care facility, for a period of seven years.

The City Manager recommended:

1. THAT the report be received for information purposes.
2. THAT a copy of the report be sent to: Mr. Darin Froese, CEO, New Vista Healthcare & Housing, 7232 New Vista Place, Burnaby, BC V5E 3Z3.

MOVED BY COUNCILLOR KEITHLEY

SECONDED BY COUNCILLOR CALENDINO

THAT the recommendations of the City Manager be adopted.

CARRIED UNANIMOUSLY

6.4 BUILDING PERMIT TABULATION REPORT NO. 12 - FROM 2020 DECEMBER 01 - 2020 DECEMBER 31

The City Manager submitted a report from the Director Planning and Building providing information on construction activity as reflected by the building permits that have been issued for the subject periods.

The City Manager recommended:

1. THAT the report be received for information purposes.

MOVED BY COUNCILLOR DHALIWAL

SECONDED BY COUNCILLOR JORDAN

THAT the recommendation of the City Manager be adopted.

CARRIED UNANIMOUSLY

6.5 LIQUOR LICENCE APPLICATION #20-03 - RESPONSE TO PUBLIC CONSULTATION PROCESS - SFU STADIUM, PLAZA AND WEST GYM - 8888 UNIVERSITY DRIVE

The City Manager submitted a report from the Director Planning and Building providing recommendations regarding the subject liquor primary liquor licence application.

The City Manager recommended:

1. THAT Council support the requested amendments to the subject liquor primary liquor licence, as described in Sections 2.0 and 3.0 of the report.
2. THAT Council authorize the registration of a Section 219 Covenant, within 45 days of Council approval of this application, to record the new maximum person capacity and liquor service hours, as outlined in Section 2.0 of the report.

3. THAT a copy of the report be forwarded to the applicant.
4. THAT following registration of the above noted Section 219 Covenant, a copy of the report be forwarded to the General Manager, Liquor and Cannabis Regulation Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, BC V8W 9J8.

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR JOHNSTON

THAT the recommendations of the City Manager be adopted.

CARRIED UNANIMOUSLY

6.6 RETIREMENTS

The City Manager submitted a report from the Director Human Resources informing Council of the following retirements from July to December 2020:

Ms. Johanna Chin, Parks Department (19 years)
Ms. Kathleen Evers, Parks Department (30 years)
Mr. Peter Hallam, Fire Department (29 years)
Mr. Greg Lund, Parks Department (33 years)
Mr. Rodger Lynch, Fire Department (29 years)
Mr. Peter Resch, Parks Department (29 years)
Mr. Wayne Matheson, Engineering Department (12 years)
Mr. Barry Mawhinney, Fire Department (33 years)
Ms. Jacquie Boudewyn, Engineering Department (32 years)
Mr. Steve Gale, Parks Department (33 years)
Mr. Tharmaratnam Jeyaratnam, Parks Department (22 years)
Mr. William R. Hennessy, Parks Department (43 years)
Mr. Brian Esau, Building Department (19 years)
Mr. Steve Jopson, Parks Department (30 years)
Mr. James Page, Parks Department (14 years)
Mr. Perry Talkkari, Fire Department (32 years)
Mr. Wayne Edens, Engineering Department (28 years)

The City Manager recommended:

1. THAT the report be received for informational purposes.

MOVED BY COUNCILLOR KEITHLEY

SECONDED BY COUNCILLOR CALENDINO

THAT the recommendation of the City Manager be adopted.

CARRIED UNANIMOUSLY

His Worship, Mayor Hurley congratulated and thanked the retirees for their many years of service to the City.

7. BYLAWS

7.1 FIRST, SECOND AND THIRD READING

7.1.1 #14280 - Burnaby Development Cost Charges Reserve Fund Expenditure Bylaw No. 1, 2021

7.1.2 #14281 - Burnaby Storm Sewer Extension Contribution and Fee Bylaw 2017, Repeal Bylaw 2021

7.1.3 #14282 - Burnaby Sewer Connection Bylaw 1961, Amendment Bylaw No. 1, 2021

7.1.4 #14283 - Burnaby Animal Control Bylaw 1991, Amendment Bylaw No. 1, 2021

MOVED BY COUNCILLOR DHALIWAL

SECONDED BY COUNCILLOR JORDAN

THAT the Bylaw No. 14280, 14281, 14282 and 14283 be now introduced and read three times.

CARRIED UNANIMOUSLY

7.2 CONSIDERATION AND THIRD READING

7.2.1 #14200 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 27, 2020 - Rez. #19-24 (Unit B - 6681 MacPherson Avenue)

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR JOHNSTON

THAT the Bylaw No. 14200 be now read a third time.

CARRIED UNANIMOUSLY

7.3 RECONSIDERATION AND FINAL ADOPTION

7.3.1 #14084 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 38, 2019 - Rez. #17-26 (6525 Telford Avenue)

7.3.2 #14214 - Burnaby Highway Closure Bylaw No. 2, 2020

7.3.3 #14220 - Burnaby Business Licence Bylaw 2017, Amendment Bylaw No. 2, 2020

7.3.4 #14221 - Burnaby Bylaw Notice Enforcement Bylaw 2009, Amendment Bylaw No. 2, 2020

7.3.5 #14275 - Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 34, 2020

7.3.6 #14276 - Burnaby Local Improvement Fund Expenditure Bylaw No. 8, 2020

7.3.7 #14277 - Burnaby Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw No. 35, 2020

MOVED BY COUNCILLOR KEITHLEY

SECONDED BY COUNCILLOR CALENDINO

THAT the Bylaw No. 14084, 14214, 14220, 14221, 14275, 14276 and 14277 be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

DIVIDED

MOVED BY COUNCILLOR KEITHLEY

SECONDED BY COUNCILLOR CALENDINO

THAT the Bylaw No. 14084, 14214, 14275, 14276 and 14277 be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN

SECONDED BY COUNCILLOR JOHNSTON

THAT Bylaw No. 14220 and 14221 be **TABLED** until staff has had an opportunity to further review the submissions, and report back to Council.

DEFEATED

(Opposed: Mayor Hurley, Councillors Calendino, Dhaliwal, Keithley, Wang)

As the motion was DEFEATED, the following motion was put:

MOVED BY COUNCILLOR DHALIWAL

SECONDED BY COUNCILLOR CALENDINO

THAT the Bylaw No. 14220 and 14221 be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

CARRIED

(Opposed: Councillors Jordan and Johnston)

7.4 ABANDONMENT

7.4.1 #14133 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 5, 2020 - Rez. #19-12 (Portion of 5255 North Fraser Way)

MOVED BY COUNCILLOR KEITHLEY

SECONDED BY COUNCILLOR JORDAN

THAT the Bylaw No. 14133 be now abandoned.

CARRIED UNANIMOUSLY

8. NEW BUSINESS

Councillor Calendino – Moratorium on Sale of Vaping Products

Councillor Calendino submitted the following Notice of Motion:

1. THAT staff bring forward a report on the advisability and feasibility of placing a moratorium on the sale of vaping products in the City.

With notice given, the motion will be brought forward for consideration of Council at the next Council meeting.

His Worship, Mayor Mike Hurley – City of Burnaby Support of Bill C-213

His Worship, Mayor Hurley, advised that he received correspondence from Peter Julian, Member of Parliament, seeking the City's support of Bill C-213, an Act to enact the Canada Pharmacare Act. It was noted that Bill C-213 is a ground-breaking new federal legislation, modelled off the Canada Health Act, to establish a universal, single-payer, comprehensive and public pharmacare plan that is accessible and affordable, the very principles of universal medicare. The Canada Pharmacare Act will deliver better healthcare and improve the health and lives of millions of Canadians.

Arising from discussion, the following motion was introduced:

MOVED BY COUNCILLOR WANG

SECONDED BY COUNCILLOR CALENDINO

THAT Mayor, on behalf of Council, sent a letter to Peter Julian, MP, endorsing and supporting Bill C-213, an Act to enact the Canada Pharmacare Act.

CARRIED UNANIMOUSLY

9. **INQUIRIES**

There were no inquiries brought before Council at this time.

10. **ADJOURNMENT**

Without objection, the Open Council meeting adjourned at 6:46 p.m.

MAYOR

CITY CLERK