



COUNCIL MEETING

MINUTES

**Monday, September 23, 2024, 5:00 p.m.
Council Chamber, City Hall
4949 Canada Way, Burnaby, BC**

- PRESENT:** Mayor Mike Hurley
Councillor Pietro Calendino
Councillor Sav Dhaliwal
Councillor Alison Gu
Councillor Joe Keithley (*participated electronically*)
Councillor Richard T. Lee
Councillor Maita Santiago
Councillor Daniel Tetrault
Councillor James Wang
- STAFF:** Leon Gous, Chief Administrative Officer (CAO)
Noreen Kassam, Deputy CAO / Chief Financial Officer
Dave Critchley, General Manager Community Safety
Juli Halliwell, General Manager Corporate Services
May Phang, General Manager Engineering
James Lota, General Manager Lands & Facilities
Mary Morrison-Clark, General Manager Parks, Recreation & Culture
Ed Kozak, General Manager Planning & Development
May Leung, City Solicitor
Nikki Best, Director Legislative Services / Corporate Officer
Blanka Zeinabova, Sr. Manager Legislative Services

1. CALL TO ORDER

Mayor Hurley called the Open Council meeting to order at 5:07 p.m.

2. LAND ACKNOWLEDGEMENT

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

3. **ADOPTION OF AGENDA**

3.1 **Open Council Meeting Agenda for September 23, 2024**

Resolution No. 2024 - 388

THAT the agenda for the Open Council meeting of Monday, September 23, 2024 be adopted, **AS AMENDED**, to include a message of condolences from the Mayor immediately following the adoption of agenda.

CARRIED UNANIMOUSLY

Condolences - Don Wrigley

Mayor Hurley, on behalf of Council, expressed condolences to the Wrigley family. The following are the Mayor's remarks:

"I would like to take a moment to pass our condolences on to the Wrigley family on behalf of the entire community of Burnaby.

Earlier this summer, Don Wrigley passed away at the age of 100.

Dorothy Wrigley, his wife and partner in so much of his work, passed away in 2023 – the year of their 75th wedding anniversary.

Don was an avid volunteer, a generous donor to a variety of causes, and an active contributor to community life in Burnaby through his church and volunteer work.

His lifelong work was recognized by the City in 1990, when he won the Kushiro Cup as Burnaby's Citizen of the Year.

He played an instrumental role in bringing the Parker #119 carousel to the Burnaby Village Museum, as part of the Friends of the Carousel organization. He served as chair when the group purchased and restored the carousel, and he was also the chief fundraiser – helping to bring together over \$330,000 in pledges and additional in-kind donations.

And he remained active in the "Friends of the Carousel" group - long after the carousel was opened at the Museum.

Don also helped to initiate the restoration of Interurban 1223. The historic 1912 B.C. Electric Interurban tram is now on display at the Burnaby Village Museum.

Originally born in the United Kingdom, Don and Dorothy came over to Canada in 1957.

She enjoyed a successful secretarial career, serving as Executive Secretary to four of Burnaby's mayors before retiring in 1986.

I can tell you firsthand, that is not an easy job.

Both Don and Dorothy joined the United Church after moving to Canada, and later, the Deer Lake United Church.

Together, Don and Dorothy helped build Burnaby into a better community.

We are grateful for their years of service, and for their generosity and passion for their community.

Our condolences to their family and friends. Thank you."

4. ADOPTION OF MINUTES

4.1 Open Council Meeting Minutes September 9, 2024

Resolution No. 2024 - 389

THAT the minutes of the Open Council meeting held on September 9, 2024, be now adopted.

CARRIED UNANIMOUSLY

5. DELEGATIONS AND INVITED PRESENTATIONS

5.1 Delegation: Volleyball BC - Re: Update on Volleyball BC and Harry Jerome Sports Centre

Speaker: Emma Gibbons, CEO, and Ryan Gandy, Board Member

Emma Gibbons, CEO, and Ryan Gandy, Board Member, Volleyball BC, appeared before Council providing an update on the Harry Jerome Sports Centre facility.

The speakers provided a history of the organization as well as last year's statistics and information on the cost of the roof replacement and the conditions of their lease agreement.

The General Manager Lands and Facilities advised that a report will be forthcoming to Council before the end of the year.

6. ADMINISTRATIVE REPORTS

6.1 CBBR - CHILD CARE GRANT FUNDING

The General Manager Planning and Development submitted a report providing information on Provincial funding received for two City child care centres and an update on a financial commitment with the Burnaby School District.

Resolution No. 2024 - 390

THAT the release of the capital grant of \$664,000 from the Community Benefit Bonus Reserve to finance 24 new infant/toddler spaces at Burnaby North Secondary, as described in Section 3.2.1 of the report titled “Child Care Funding Update” dated September 23, 2024, be authorized.

CARRIED UNANIMOUSLY

6.2 REZ #21-33 - 3819 AND 3841 CANADA WAY - MIXED USE DEVELOPMENT

The General Manager Planning and Development submitted a report seeking Council authorization to forward REZ #21-33 to First and Second Reading at a future Council meeting. The purpose of the proposed zoning bylaw amendment is to facilitate the construction of a mixed-use development comprised of one six-storey building with commercial uses at grade and residential units above.

Resolution No. 2024 - 391

THAT a Rezoning Bylaw for REZ #21-33 be prepared and advanced to First and Second Reading at a future Council meeting;

THAT a Housing Agreement be authorized according to the terms outlined in Section 3.3 of the report titled “REZ #21-33 – 3819 and 3841 Canada Way – Mixed Use Development” dated September 23, 2024, and the City Solicitor be authorized to bring forward a Housing Agreement Bylaw for Final Adoption concurrently with Final Adoption of the Rezoning Bylaw for REZ #21-33; and

THAT the items listed in **Attachment 3** – Rezoning Prerequisites to the report be established as prerequisites to consideration of Final Adoption of the Rezoning Bylaw for REZ #21-33.

CARRIED UNANIMOUSLY

6.3 TUP #24-01 - 5755 BERESFORD STREET

The General Manager Planning and Development submitted a report seeking Council approval for Temporary Use Permit (TUP) #24-01 to permit the cooking and packaging of prepared meat, fish, poultry, and other food products at the subject site.

Resolution No. 2024 - 392

THAT the issuance of Temporary Use Permit #24-01 (see **Attachment 2**) to the report titled “TUP #24-01 - 5755 Beresford Street” dated September 23, 2024, be approved.

CARRIED UNANIMOUSLY

6.4 CI - IPD OWNER'S REPRESENTATIVE FOR THE CITY OF BURNABY COMMUNITY SAFETY BUILDING PROJECT

The Deputy General Manager Finance submitted a report seeking Council approval to award a Contract Increase (CI) for Integrated Project Delivery (IPD) Owner’s Representative for the City of Burnaby Community Safety Building Project (formerly known as the New RCMP Detachment Project).

Resolution No. 2024 - 393

THAT a contract increase to EcoAmmo Sustainable Consulting (2017) Inc. for an estimated cost of \$572,250 including GST in the amount of \$27,250 as outlined in Council Report titled “CI – IPD Owner’s Representative for the City of Burnaby Community Safety Building Project” dated for September 23, 2024, be approved;

THAT the allowance for anticipated contingency for a budget cost of \$210,000 including GST in the amount of \$10,000 be approved; and

THAT final payment will be based on the actual quantity of goods and services delivered and unit rates as quoted.

CARRIED UNANIMOUSLY

6.5 CI - MCGILL LIBRARY AUTOMATED MATERIAL HANDLING SYSTEM (AMHS) TENANT IMPROVEMENTS

The Deputy General Manager Finance submitted a report seeking Council approval to award a Contract Increase (CI) to Holaco Construction (1997) Ltd. for the Construction of the McGill Library Tenant Improvement and accommodation for an AMHS.

Resolution No. 2024 - 394

THAT a contract increase to Holaco Construction (1997) Ltd. for an estimated cost of \$7,756 including GST in the amount of \$370 as outlined in the Council report titled “CI – McGill Library Automated Material Handling System (AMHS) Tenant Improvements” dated September 23, 2024, be approved;

THAT the allowance for anticipated contingency for a budget cost \$191,944 including GST in the amount of \$9,141 be approved; and

THAT final payment be based on the actual quantities of services delivered and unit prices as tendered.

CARRIED UNANIMOUSLY

6.6 CI - CONSTRUCTION MANAGEMENT AND CONSTRUCTION BURNABY LAKE BRIDGE OVERPASS (CA-3282)

The Deputy General Manager Finance submitted a report seeking Council approval to award a Contract Increase (CI) for the re-finalized pricing of the Burnaby Lake Bridge Overpass project.

The original recommendation was moved and seconded, and Councillor Gu then introduced an amendment to be added as the final clause as follows and indicated with underline:

THAT Council direct staff to negotiate with the Ministry of Transportation and Infrastructure (MOTI) on cost-recovery of provincial fees and permits, considering the City is building the Burnaby Lake Overpass due to Highway 1, which is under provincial jurisdiction.

CARRIED UNANIMOUSLY

The amended motion was then put to a final vote:

Resolution No. 2024 - 395

THAT a contract increase to Jacob Bros. Construction Inc., for an estimated cost of \$4,317,640 including GST in the amount of \$205,602 as outlined in the report titled “CI – Construction Management and Construction Burnaby Lake Bridge Overpass (CA-3282)” dated September 23, 2024, be approved;

THAT final payment will be based on the actual quantity of goods and services delivered and unit prices as submitted; and

THAT Council direct staff to negotiate with the Ministry of Transportation and Infrastructure (MOTI) on cost-recovery of provincial fees and permits, considering

the City is building the Burnaby Lake Overpass due to Highway 1, which is under provincial jurisdiction.

CARRIED UNANIMOUSLY

6.7 CI - CAMERON COMMUNITY CENTRE AND LIBRARY - DESIGN

The Deputy General Manager Finance submitted a report seeking Council approval to award a Contract Increase (CI) to Diamond and Schmitt Architects Incorporated for the Cameron Community Centre and Library Project – Design Phase II.

Resolution No. 2024 - 396

THAT a contract increase to Diamond and Schmitt Architects Incorporated (DSAI), for a total cost of \$1,501,099 including GST in the amount of \$71,481 as outlined in the report titled “CI – Cameron Community Centre and Library - Design” dated September 23, 2024, be approved; and

THAT final payment will be based on the actual quantity of services delivered and hourly rates as submitted.

CARRIED UNANIMOUSLY

6.8 CE - RECYCLING SERVICES - MIXED WASTE METALS

The Deputy General Manager Finance submitted a report seeking Council approval to award a Contract Extension (CE) for recycling services for mixed waste metals.

Resolution No. 2024 - 397

THAT a one-year contract extension to Richmond Steel Recycling Ltd. for an estimated revenue to the City of \$400,000 including GST in the amount of \$19,048 as outlined in the Council Report titled “CE – Recycling Services – Mixed Waste Metals” dated September 23, 2024 be approved; and,

THAT final revenues will be based on the actual quantity of scrap metal recycled and unit price as proposed.

CARRIED UNANIMOUSLY

6.9 CA - SUPPLY AND DELIVER DE-ICING SALT

The Deputy General Manager Finance submitted a report seeking Council approval for a Contract Award (CA) for the supply and delivery of de-icing salt.

Resolution No. 2024 - 398

THAT a contract award to Mainroad Maintenance Products LP for an estimated total cost of \$4,620,000 including GST and PST in the amount of \$495,000 as outlined in the report titled “CA – Supply and Deliver De-Icing Salt” dated September 23, 2024 be approved; and,

THAT final payment be based on the actual quantity of goods and services delivered and unit prices as submitted.

CARRIED UNANIMOUSLY

7. COMMITTEE REPORTS

7.1 EXECUTIVE COMMITTEE OF COUNCIL (ECC) - RE: PROPOSED 2025 LEASE RATE AND GRANTS FOR COMMUNITY RESOURCE CENTRES

The Executive Committee of Council submitted a report proposing 2025 lease rates and lease grants for the non-profit tenants at the City-owned Community Resource Centres.

Resolution No. 2024 - 399

THAT a proposed 2025 lease rate of \$15.61 per square foot per annum for the City’s Community Resource Centres, as outlined in the report titled, “Proposed 2025 Lease Rate and Grants for Community Resource Centres, dated September 4, 2024 of the Open meeting of the Executive Committee of Council, be approved;

THAT the proposed 2025 lease grants for Community Resource Centre tenants as outlined in Section 4.0 of this report be approved; and

THAT the information on the approved 2025 lease rate and grants be distributed to Resource Centres tenants.

CARRIED UNANIMOUSLY

7.2 EXECUTIVE COMMITTEE OF COUNCIL (ECC) - RE: FESTIVALS BURNABY GRANT - SEPTEMBER 2024

The Executive Committee of Council submitted a report seeking Council approval for Festivals Burnaby Grant Program September recommendation.

Resolution No. 2024 - 400

THAT the disbursement of the Festivals Burnaby Grant for Culture Chats BC Association totaling **\$1,500**, as outlined in **Attachment 2** of the report titled "Festivals Burnaby Grant – September 2024", dated September 4, 2024, of the Open meeting of Executive Committee of Council, be approved.

CARRIED UNANIMOUSLY

7.3 EXECUTIVE COMMITTEE OF COUNCIL (ECC) - RE: CIVIC BUILDINGS - COUNCIL OFFICIAL OPENING PLAQUE POLICY

The Executive Committee of Council submitted a report seeking Council approval for the proposed Civic Buildings - Council Official Opening Plaques Policy.

Resolution No. 2024 - 401

THAT the draft policy included as Attachment 1 of the report titled "Civic Buildings - Council Official Opening Plaques Policy" dated September 4, 2024 of the Open meeting of Executive Committee of Council, be approved.

CARRIED UNANIMOUSLY

7.4 EXECUTIVE COMMITTEE OF COUNCIL (ECC) - RE: INTERIM GUIDELINES AND PROCEDURES FOR NAMING CIVIC ASSETS

The Executive Committee of Council submitted a report seeking Council's endorsement of a set of guidelines and procedures for the naming of civic assets, as an interim measure while the development of a comprehensive Burnaby Naming and Commemoration Policy is undertaken.

Resolution No. 2024 - 402

THAT the proposed guidelines and procedures for naming civic assets outlined in Section 3.0 of the report titled "Interim Guidelines and Procedures for Naming Civic Assets" dated September 4, 2024, be **REFERRED** to staff to incorporate recommended changes noted at the Executive Committee of Council Open meeting on September 4, 2024 as follows:

- ensure inclusive and gender-neutral language is used;
- allow for naming of living individuals except current City elected officials or staff and by including living individuals the following amendments would be required:
 - discussions regarding information related to preliminary naming considerations continue to be held in closed pursuant to section 90 of the *Community Charter*;
 - staff must obtain consent from the named individual, and if the naming is posthumous, the person's immediate family or executor of the estate must provide consent;
 - include guidelines on how to decommission a named asset; and
 - include plaque installation when a new civic asset is named for an individual, and ensure biographical information is easily accessible to the public when visiting the asset.

CARRIED UNANIMOUSLY

7.5 FINANCIAL MANAGEMENT COMMITTEE (FMC) - RE: PERMISSIVE TAX EXEMPTIONS 2025-2026

The Financial Management Committee submitted a report seeking Council approval for Permissive Property Tax Exemptions for 2025 and 2026.

Council requested the opportunity to receive legal advice from the City Solicitor and moved the following:

THAT Council resolved into the Closed meeting at 6:00 p.m. under the *Community Charter* Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

**Public and staff, with the exception of the attendees noted, left the meeting at 6:01 p.m.*

By unanimous consent and without objection, the Council reconvened to Open meeting at 6:32 p.m.

CARRIED UNANIMOUSLY

**Public and staff returned to the meeting at 6:32 p.m.*

Resolution No. 2024 - 403

THAT the Permissive Tax Reduction application and subsequent appeal from Burnaby Winter Club be denied for the year of 2025 based on the eligibility criteria.

CARRIED UNANIMOUSLY

Resolution No. 2024 - 404

THAT the City Solicitor be authorized to bring forward amendments to the Burnaby Taxation Exemption Bylaw 2023 to be effective for the 2025 and 2026 taxation years, as outlined in Section 3.0 of the report titled "Permissive Tax Exemptions 2025-2026" dated September 12, 2024.

CARRIED UNANIMOUSLY

7.6 FINANCIAL MANAGEMENT COMMITTEE (FMC) - RE: CAPACITY FUNDING FOR LOCAL GOVERNMENT HOUSING INITIATIVES

The Financial Management Committee submitted a report providing information regarding the Provincial Government's "Capacity Funding for Local Government Housing Initiatives" program and seeking approval for its proposed uses.

Resolution No. 2024 - 405

THAT the proposed distribution of Capacity Funds as outlined in Section 5.0 in the report titled "Capacity Funding for Local Government Housing Initiatives" dated September 12, 2024, of the Open meeting of the Financial Management Committee, be approved.

CARRIED UNANIMOUSLY

8. CONSENT AGENDA

Resolution No. 2024 - 406

THAT resolutions for Items 8.1., 8.2. and 8.3. on the Consent Agenda on the Regular Council Meeting of September 23, 2024, be approved.

CARRIED UNANIMOUSLY

8.1 SU: BUILDING PERMIT TABULATION REPORT NO. 8 - FROM AUGUST 1 - AUGUST 31, 2024

The General Manager Planning and Development submitted a report providing Council with information on construction activity as reflected by the building permits that have been issued for the subject periods.

Resolution No. 2024 - 407

THAT the report titled “SU: Building Permit Tabulation Report No. 08 – From August 1 – August 31, 2024” dated September 23, 2024, be received for information.

CARRIED UNANIMOUSLY

8.2 FINANCIAL MANAGEMENT COMMITTEE (FMC) - RE: SU: MAJOR ENGINEERING PROJECTS

The Financial Management Committee submitted a report providing an update on select Engineering Projects

Resolution No. 2024 - 408

THAT the report titled “SU: Major Engineering Projects” dated September 12, 2024 of the Open meeting of the Financial Management Committee, be received for information.

CARRIED UNANIMOUSLY

8.3 FINANCIAL MANAGEMENT COMMITTEE (FMC) - RE: SU: MAJOR CIVIC BUILDING PROJECTS - AS OF SEPTEMBER 2024

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

Resolution No. 2024 - 409

THAT the report titled “SU: Major Civic Building Projects – As of September 2024” dated September 12, 2024 of the Open meeting of the Financial Management Committee, be received for information.

CARRIED UNANIMOUSLY

9. ITEMS REMOVED FROM CONSENT AGENDA

No items were removed from Consent Agenda.

10. INFORMATION REPORTS

No Information Reports were received.

11. BYLAWS

11.1 FIRST AND SECOND READING

11.1.1 #14689 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 19, 2024 - REZ #22-37 (Portion of 4828 Hastings Street)

11.1.2 #14690 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 20, 2024 - REZ #24-05 (4170 Still Creek Drive)

Resolution No. 2024 - 410

THAT Bylaw No. 14689 and 14690 be now read a first and second time.

CARRIED UNANIMOUSLY

11.2 FIRST, SECOND AND THIRD READING

11.2.1 #14682 - Burnaby Highway Closure Bylaw No. 5, 2024

11.2.2 #14691 - Burnaby Taxation Exemption Bylaw 2023, Amendment No. 1, 2024

Resolution No. 2024 - 411

THAT Bylaw No. 14682 and 14691 be now read a first, second and third time.

CARRIED UNANIMOUSLY

11.3 THIRD READING

11.3.1 #14615 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 37, 2023 - REZ #22-31B (Site Specific Rezoning - Phase 1A and 1B - Courtyard - Portion of 7201 11th Avenue)

Resolution No. 2024 - 412

THAT Bylaw No. 14615 be now read a third time.

CARRIED UNANIMOUSLY

11.4 FINAL ADOPTION

11.4.1 #14447 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 13, 2022 - Rez. #18-32 (9850 Austin Road, 9858/9898 Gatineau Place and portion of Gatineau Place road right-of-way)

11.4.2 #14448 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 14, 2022 - Rez. #20-18 (3846 Carrigan Court)

11.4.3 #14450 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 16, 2022 - Rez. #19-32 (3755 McGill Street)

11.4.4 #14582 - Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 18, 2023 - REZ #21-45 (3700 Willingdon Avenue, 4355 Mathissi Place)

11.4.5 #14688 - Boundary Road Maintenance Agreement Bylaw 2024

Resolution No. 2024 - 413

THAT Bylaw No. 14447, 14448, 14450, 14582 and 14688 be now read a final time and adopted.

CARRIED UNANIMOUSLY

12. CORRESPONDENCE

No items of correspondence were received for Council's decision. All other items of correspondence were published at the Council Correspondence and Public Notice Submissions package dated September 23, 2024.

Mayor Hurley brought forward items 2.2.1, 2.2.2, 2.2.3 and 2.2.4 from the Council Correspondence and Public Notice Submissions package for discussion, seeking clarification on the restrictive covenant on the properties.

The General Manager Planning and Development provided clarification on the restrictive covenants, Official Community Plan, and residential and park designations.

13. OTHER BUSINESS

13.1 Councillor Lee - NOM: Independent Review of Metro Vancouver's Governance Structure

Councillor Lee brought forward a Notice of Motion regarding independent review of Metro Vancouver's governance structure.

As the Notice of Motion was not seconded, the motion was not on the floor.

13.2 Cancellation of the September 26, 2024, Social Planning Committee

Resolution No. 2024 - 413

THAT the Social Planning Committee meeting scheduled to be held on Thursday, September 26, 2024, at 5:00 p.m. in the Council Chamber, be **CANCELLED**.

CARRIED UNANIMOUSLY

14. RELEASE OF CLOSED MEETING DECISIONS

Resolution No. C2024 - 098

Recommendation:

THAT staff be directed to renew the lease agreement with the Burnaby Horsemen's Association at 9030, 9050 and 9080 Avalon Avenue for a three-year (3) term with an optional additional extension for up to five (5) years.

CARRIED
(Opposed: Councillor Keithley)

By unanimous consent and without objection, the Open Council meeting recessed at 6:55 p.m. to allow Council to go back to the Closed meeting to conclude the unfinished business on the agenda.

CARRIED UNANIMOUSLY

Following the conclusion of the Closed portion of the meeting, the Open Council meeting reconvened at 7:19 p.m.

15. ADJOURNMENT

THAT the Open Council meeting adjourn at 7:20 p.m.

CARRIED UNANIMOUSLY

Mayor Hurley, MAYOR

Nikki Best, CORPORATE OFFICER

DRAFT