

H. 11111

SEPTEMBER 11, 1972

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, September 11, 1972 at 7:08 p.m.

PRESENT: His Worship, Mayor Prittie, in the Chair;
Alderman W. A. Blair;
Alderman T. W. Constable;
Alderman J. D. Drummond;
Alderman J. Dailly (7:35 p.m.);
Alderman D. A. Lawson;

ABSENT: Alderman W. R. Clark;
Alderman H. G. Ladner;
Alderman G.M. Dowding;

STAFF PRESENT: Mr. M. J. Shelley - Municipal Manager;
Mr. J. H. Shaw - Municipal Clerk;
Mr. E. A. J. Ward - Deputy Municipal Clerk;
Mr. L. Armstrong - Administrative Planner;
Mr. E. Olson - Municipal Engineer;

A Public Hearing was held in connection with:

- (a) Burnaby Highway Exchange By-law No. 2, 1972, Amendment By-law No. 1, 1972 #6151 - re lanes in Block 12, D.L. 121, Plan 1054 (Canada Safeway)
- (b) Burnaby Highway Exchange By-law No. 4, 1972 #6156 (Proposed Road Exchange in connection with proposed Crown Zellerbach Home Centre, Lougheed Mall) D.L.'s 2/6, Lot 78, Plan 35966

No one appeared to speak on either of the above two By-laws.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN BLAIR:
"That the Minutes of the Public Hearing held on August 28, 1972 and the Council Meeting on August 14, 1972 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:
"That Aldermen Clark, Ladner and Dowding be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

The following wrote requesting an audience with Council:

- (a) Mr. Jean-Pierre Daem, Chairman, Simon Fraser Hills Council re bus stops.

- (b) Mrs. D. Giroday, Executive Secretary, Burnaby Emergency Depot Society re assistance

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CONSTABLE:
"That both of the above delegations be heard."

CARRIED UNANIMOUSLY

(a) Item 14 of the Municipal Manager's Report No. 56, 1972, which was scheduled for consideration later in the evening and which deals with the subject of the presentation by Mr. Daem, was brought forward at this time and read.

The following is the substance of that report:

(14) Bus Stops - Simon Fraser Hills

There is a set amount in the budget each year for the improvement of bus stop loading areas. As the amount allotted each year is not enough to improve all stops, consideration is given their improvements in the order requested unless there is some hazard associated with one that warrants priority being given.

As regards the bus stops identified as 1 and 3 on the sketch accompanying Mr. Daem's letter, a thirty foot section of concrete sidewalk will be built behind the curb at these stops. The same treatment will be given the bus stop on the West side of Eastlake Drive across from Stop #3.

As for the bus stop at Location No. 2, without steps down the North embankment pedestrians naturally will cross Beaverbrook Drive at street level.

It was therefore recommended that this stop be removed and its patrons be directed to use bus stop No. 1.

Staff members from the municipality and the B. C. Hydro and Power Authority meet when required to discuss transit routes, bus stop improvements, etc., and a representative of the B. C. Hydro and Power Authority is appointed to the Traffic Safety Committee.

It was recommended that:

- (a) The improvements mentioned above for bus stops 1 and 3, plus the one across from bus stop #3, be approved.
- (b) Bus Stop #2 be removed.
- (c) A copy of the foregoing report be sent to Mr. Daem.

When questioned by Council, Mr. Daem stated that the recommendations in the report of the Manager satisfy those he represents.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN LAWSON:
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

Sept/11/1972

(b) Mr. Edward Giroday, President and Manager of the Burnaby Emergency Depot Society, then spoke and summarized the points made in the Brief which was submitted by the Secretary of the Society.

Mr. Giroday also commented that:

- (1) The Society requires more and better space for its activities.
- (2) The Local Initiatives Programme under which the Society operates has been extended to November 30, 1972, and there is a possibility it will be extended for one year longer.
- (3) The Federal Government has urged the Society to enlist the aid of the Municipal Council in pursuing the objectives of the Society.
- (4) The municipality was being asked to donate suitable land, zoned industrially, on which the Society could erect a building to accommodate its activities.
- (5) The Society will donate the first thousand dollars toward the cost of a building for the activities.
- (6) The Federal Government will make a contribution in that regard after that.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CONSTABLE:
"That the request of the Burnaby Emergency Depot Society be referred to the Municipal Manager for a report indicating the possibility of land being made available to the Society for the purpose it desires."

CARRIED UNANIMOUSLY

* * *

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:
"That all of the below listed Original Communications be received and action on the subjects of the letters from Mrs. Joan Samson and Mrs. R. M. Supeene be deferred until consideration of Items (12) and (4), respectively of the Municipal Manager's Report No. 56, 1972 later in the evening. "

CARRIED UNANIMOUSLY

Mrs. Donna W. Lawson, Secretary, Burnaby Concert Band Society, wrote to request permission to hold the Annual Candy Drive on the evenings of October 16th and 17, 1972.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:
"That permission be granted to the Society to conduct its campaign at the times indicated."

CARRIED UNANIMOUSLY

Sept/11/1972

Mrs. S. C. Matthews, The Burnaby Hajamo Folk Dancers, submitted a letter requesting permission to hold a Walkathon on September 17th, 1972 on streets in the area bounded by Boundary Road, Oxford Street, Springer Avenue and Graveley Street.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:

"That permission be granted to the Burnaby Hajamo Folk Dancers to conduct their Walkathon on the date and in the area mentioned, subject to the approvals of the R.C.M.P. and the Municipal Engineer."

CARRIED UNANIMOUSLY

Mrs. J. Samson wrote to appeal a decision of the Municipal Engineer to not grant a sidewalk crossing at 4143 Parker Street.

Mrs. R. Supeene submitted a letter requesting that steps be taken to more adequately control dogs running at large.

* * *

ENQUIRIES

Alderman Lawson served a Notice of Motion in which it was urged that Burnaby Lake be established as a wildlife sanctuary.

The Council directed that this Motion be considered at its next meeting.

* * *

REPORTS

MUNICIPAL CLERK submitted a Certificate of Sufficiency covering the paving of the lane South from 16th Avenue to the S.P.L. of Lot 11, Block 23, D.L. 29, Plan 3035 and West to Humphries Court as a Local Improvement.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CONSTABLE:

"That the Certificate be received and a Local Improvement Construction By-law be prepared to authorize the work in question."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN BLAIR:

"That the Council now resolve itself into a Committee of the Whole."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN BLAIR:
"That Items (4) and (12) of the Municipal Manager's Report No. 56,
1972 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 56, 1972 on the matters listed below as Items (1) to (14), either providing the information shown or recommending the courses of action indicated for the reasons given:

(4) Dogs(Supeene)

The Capitol Hill area, which is the one mentioned in the letter Council received earlier in the evening from Mrs. R. Supeene, has an unusually high population of dogs and is the most heavily patrolled area in the municipality. More dogs are impounded from that area than any other one in Burnaby.

Because authority to enact By-laws in regard to all matters, including dog control, is limited by the provisions of the Municipal Act, it is not always possible to provide the type of legislation or enforcement which may be desired. However, the U.B.C.M. will be considering the following resolutions at its Convention in Vancouver this week:

WHEREAS Section 870, Subsection (t) of the Municipal Act provides that dogs shall be kept on a leash while upon a highway or public place;

AND WHEREAS this subsection does not provide for a leash by-law to be passed for certain areas of the municipality;

AND WHEREAS in district municipalities particularly there are areas of urban development together with areas of suburban and rural development;

AND WHEREAS it is considered desirable to provide for the control of dogs by a leash by-law for certain areas of a municipality particularly in the built-up urban areas;

THEREFORE BE IT RESOLVED that the Union of B. C. Municipalities petition the Provincial Government to amend Section 870 Subsection (t) of the Municipal Act to provide for the passing of a leash by-law for all of or a defined area or areas of a district municipality.

* *

WHEREAS nuisances from dogs roaming at large are a perennial problem;

AND WHEREAS the Municipal Act gives power to establish and maintain dog pounds, and to fix fines and fees for dogs caught roaming at large;

Sept/11/1972

AND WHEREAS some additional control could be exercised by serving violation notices on owners of dogs where difficulties occur in apprehending a dog and where the owner is known;

AND WHEREAS the legal power to implement the issuance of violation notices and provide for suitable fines appears to be in doubt;

THEREFORE BE IT RESOLVED that the Union of B. C. Municipalities urge the Provincial Government to amend Section 871(2) of the Municipal Act to clearly empower municipal councils to adopt regulations permitting the issuance of violation notices upon the owners of dogs who allow their animals to roam at large.

Implementation of one or both of these resolutions will greatly enhance a municipality's ability to control problems involving dogs.

More effective control of stray dogs can be achieved now if complainants will initiate legal action against the owners of dogs when such animals are allowed to wander at large and/or create disturbances. The Licence Department will assist complainants in this regard.

The Council will, on September 18th, be given specific proposals for the new contract with the S.P.C.A. Included in that will be a recommendation that the number of Poundkeepers be increased so as to expand the patrol and enforcement activities. The Council will also, at that time, be reviewing revisions to the Dog Tax and Pound By-law. Another review will presumably be made in the future if the above two resolutions are adopted.

It was recommended that a copy of the above report be sent to Mrs. Supeene.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN CONSTABLE:
"That the recommendation of the Manager be adopted, and Mrs. Supeene informed that, if the two resolutions in the report are endorsed by the U.B.C.M., it will be necessary for the Provincial Government to consider the requests in the resolutions and, if that Government concurs, then the necessary legislation will need to be enacted before the municipality is able to take action on the matters covered by the resolutions."

CARRIED UNANIMOUSLY

(12) Sidewalk Crossing - 4143 Parker Street - (Samson)

The following was being submitted as a result of Council receiving a letter earlier in the evening from Mrs. Joan Samson requesting retention of the driveway serving the above property:

- (a) Vehicular access was refused by the Municipal Engineer because the slab driveway is in violation of the front yard parking regulations in the Zoning By-law. In that regard, the house is set back only 17 feet from the property line and, unless a vehicle was very small, it would encroach onto the Parker Street right-of-way.

- (b) The lot has secondary access by means of a paved lane and the rear fence has been set back 24 feet from the lane, which will provide room for two vehicles.
- (c) To gain access to the main floor of the house by way of the front door would require a climb of nine steps. Access to the rear door requires a climb of four steps to the rear yard and another seven to the back porch. Access to the basement area is at ground level by means of a side door. It has been presumed that Mrs. Samson's mother, to whom she refers in her letter, gains entrance at this door.
- (d) Even if vehicular access to the front slab is refused, transportation for Mrs. Samson's mother could be carried out at the curb without any undue problems.

It was recommended that the decision of the Municipal Engineer to deny access to the concrete slab in the front yard of property at 4143 Parker Street be upheld.

ALDERMAN DAILLY ARRIVED AT THE MEETING.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN BLAIR:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND LEFT THE MEETING.

(1) Four Rinks Arena

The Parks and Recreation Commission is presently in the process of having a second municipal ice rink constructed in Kensington Park and, at this time, has no idea what the requirements for additional ice time at private rinks will be.

The site on which the Four Rinks arena is to be built was surveyed at a cost of \$762.00. As such work is ordinarily an expense to the owner of property, the cost will be paid by the municipality as a condition of final settlement.

It was recommended that the information contained in the report at hand be sent to Floyd-Harris Arenas Limited, which is the Company constructing the Four Rinks arena.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(2) Southerly Extension of Willingdon Avenue

A report of the Planning Department pertaining to the above matter was being submitted herewith.

It was recommended that authority be granted to proceed with the necessary property acquisitions for the Southerly extension of Willingdon Avenue in order to proceed with the project.

Sept/11/1972

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN CONSTABLE:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND RETURNED TO THE MEETING.

(3) Burnaby Lake Public Facility

The working drawings for the above project have been approved and authority given to call tenders by the Canada Summer Games Management Committee. The Parks and Recreation Commission has also granted the same approvals.

The Parks and Recreation Staff and the Chief Building Inspector have worked with the Architect in the preparation of the drawings. The Local Technical Advisors for the Canoeing and Rowing Sports have also worked with the Architect.

The project is a very complex one, and some of the problems encountered are:

- (a) Piling as long as 80 feet will be required because of the soil condition.
- (b) The expected building movement has dictated the need for the piling to become part of the structure by bringing it up beside the the walls of the building and tying everything together. The piles will also have to be on a batter.
- (c) The access road to the site is expected to settle some three to five feet during a ten year period so the Architect has had to provide for a "floating" ramp transition between the concrete concourse and the approach fill. For similar reasons, the access road cannot economically be paved.

It is felt the problems expected can be overcome, although undoubtedly there will be an impact on the budget. The tender stage is the next critical point but there are some technical details and contracting methods to resolve before tenders are invited, which hopefully will be within a week.

A separate tender will be called for the actual lane marking but any piling and platforms associated with the rowing course will be included with the major tender call so as to keep all common work together.

It was recommended that:

- (a) The working drawings for the project be approved and the Municipal Manager be authorized to invite tenders for the Burnaby Lake Public Facility when he feels the technical details have been resolved.
- (b) A copy of the report at hand be sent to the Parks and Recreation Commission and the 1972 Canada Summer Games Society.

The Architect for the project which is the subject of the Manager's Report, Mr. Peter Heiss, was present and explained in greater detail the findings thus far in regard to the site of the proposed Burnaby Lake Public Facility. In that regard, Mr. Heiss stated that extensive soil testing has been conducted which confirmed the presence of bearing soils at depths ranging from 50 to 80 feet. He added that the pilings should not move after being tied together with glulam beams and bolts. Mr. Heiss also commented that fill will be placed no closer than 100 feet to the building so that any lateral displacement of the sub-soils will have no effect on the structure when the fill is placed.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN CONSTABLE:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(4) Dogs (Supeene)

(This Item was dealt with previously in the meeting.)

(5) Stride Public Housing Project

Staff of the Planning Department have visited the above Project and, after inspection of all parts of the development, concluded that there are certain aspects to the standards of maintenance that leave something to be desired. It is apparent that, while some of the obvious problems involved maintenance and management control and are subject to short-term corrective solutions, there are other shortcomings in the development which require attention from a more long-range point of view.

The Planning Department has written to the B. C. Housing Management Commission and expects to be meeting with representatives of the Commission shortly to discuss the problems and solutions to them to improve the character of the project as a whole.

A further report will be submitted once the possibilities have been explored.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN LAWSON:
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(6) Contract #21 - 1972 Storm Drainage and Sanitary Sewer (F.P.E.L. Programme - Part 14)

It was recommended that the tender of Gosal Bros. Contracting Ltd. in the amount of \$226,828.90 for the supply and installation of the storm drainage materials mentioned in the report be accepted,

with final payment to be based on the actual quantities and the unit prices tendered for each item.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN LAWSON:
"That the report of the Manager be tabled until the September 18th meeting and, in the meantime, the Manager provide all the written material which was given to those who submitted tenders for the project mentioned in the report at hand."

CARRIED UNANIMOUSLY

(7) Contract No. 24, 1972 (F.P.E.L. Programme - Part 15)

It was recommended that the tender of Kany Construction and Engineering Ltd. in the amount of \$207,293.18 for the supply and installation of the storm drainage materials detailed in the report be accepted, with final payment to be based on the actual quantities and unit prices tendered for each item.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN CONSTABLE:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(8) Ornamental Street Lighting - Simon Fraser Hills

It was recommended that the following cost report for a proposed ornamental street lighting system in the Simon Fraser Hills area be received and that authority be granted to initiate the project:

Total estimated cost	\$ 17,000
No. of lights	21
No. of Strata Title properties	253
Owners' share of cost	17,000
Actual foot frontage	5,183.35'
Taxable foot frontage	16,698.00'
Estimates lifetime of work	20 years
Annual levy per property for local improvement	13.00 - 10 yr. levy
Annual levy per property for electrification	3.00 - continuing levy

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN DAILLY:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(9) Estimates

It was recommended that the Special Estimates of Work of the Municipal Engineer, which total \$55,150.00, be approved.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN DAILLY:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(10) Delta Avenue North of Still Creek Street

The above portion of Still Creek Street was closed as a part of a land exchange proposal involving the Inter-City Express Company.

Because of the existence of a pole line of the B. C. Hydro and Power Authority on some of the property involved, it was recommended that Council authorize the granting of an easement to the Authority over that portion of the former subject road allowance shown cross hatched on a sketch accompanying the report.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN DAILLY:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(11) Haszard Street between Malvern Avenue and Sperling Avenue (Brine)

The Planning Department has written to the B. C. Hydro and Power Authority requesting information on the location of a pole line in the subject road allowance, and whether the line must be retained.

A further report will be submitted on the matter after a reply is received from the Authority.

It was recommended that a copy of the report at hand be sent to Mr. Brine, who has expressed interest in the subject road allowance.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN DAILLY:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(12) Sidewalk Crossing - 4143 Parker Street (Samson)

(This item was dealt with previously in the meeting.)

(13) Contract No. 2, 1972 - 1972/73 Local Improvement Programme (Columbia Bitulithic Ltd.)

It was recommended that Council authorize an extension of the completion date in the above Contract to October 28, 1972, without implementation of the \$100.00 per day liquidated damages clause therein, including the performance bond relating to the Contract.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DRUMMOND:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(14) Bus Stops - Simon Fraser Hills

(This item was dealt with previously in the meeting.)

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:
"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN CONSTABLE:
"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

* * *

BY - L A W S

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN DAILLY"
"That the Council do now resolve into a Committee of the Whole
to consider and report on "Burnaby Zoning By-law 1965, Amendment
By-law No. 43, 1972" #6138."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ #44/72 and 46/72

FROM R4 TO RM3

(270, 290, 330 S. Ellesmere Avenue, 271, 251, 221 S.
Holdom Avenue and 341, 331 and 291 S. Holdom Avenue)

Municipal Clerk stated that the Planning Department has reported
that the prerequisites established by Council in connection with
this rezoning proposal are now nearing completion.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN DAILLY:
"That the Committee now rise and report the By-law complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ADDERMAN DAILLY:
"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN DAILLY:
"That "Burnaby Zoning By-law 1965, Amendment By-law No. 43, 1972"
be now read three times."

CARRIED UNANIMOUSLY

* * *

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1972 provides for the following proposed rezoning:

Reference RZ #81/71

FROM R5 TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

(Located between Sprott Street and a point approximately 100 feet North of Hardwick Street from a point 132 feet East of Ardingley Avenue Easterly a distance of 462 feet)

Municipal Clerk stated that the Planning Department has reported that the prerequisites established by Council in connection with this rezoning proposal have been satisfied.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:
 "That: BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1972" #6132
 "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2, 1972, AMENDMENT BY-LAW NO. 1, 1972" #6151
 "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 4, 1972" #6156
 "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 15, 1972" #6155
 "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1972" #6115

be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

* * *

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN CONSTABLE:
 "That the Council now resolve itself into a Committee of the Whole "In Camera"."

CARRIED UNANIMOUSLY