

December 10, 1973

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, December 10, 1973 at 7:00 p.m.

PRESENT: Mayor T. W. Constable, in the Chair
Alderman M. M. Gordon
Alderman B. M. Gunn
Alderman D. A. Lawson
Alderman W. A. Lewarne
Alderman G. H. F. McLean
Alderman J. L. Mercier
Alderman V. V. Stusiak

ABSENT: Alderman E. L. Burnham

STAFF PRESENT: Mr. B. McCafferty, Acting Municipal Manager
Mr. E. E. Olson, Municipal Engineer
Mr. A. L. Parr, Planning Director
Mr. E. A. J. Ward, Deputy Municipal Clerk
Mr. J. Plesha, Administrative Assistant
Mr. B. Leche, Municipal Clerk's Assistant

A Public Hearing in connection with Burnaby Highway Exchange By-Law No. 2, 1973 was then held. This By-Law represents the second phase in a land exchange and development proposal involving Simpsons-Sears Limited.

Turner, Meakin & Co. Ltd. submitted a letter advising that its clients, South Burnaby Investments Limited, are in favour of the proposed By-Law.

(See Minutes of December 27th meeting for correction)

** Mr. Payne appeared on behalf of Simpsons-Sears Limited to explain in general terms the purpose of the By-Law to those in attendance.

The Hearing adjourned at 7:05 p.m.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That the Minutes of the Council meeting held on December 3, 1973 be adopted."

Alderman Gunn drew attention to the resolution on Page 3 of the December 3rd Minutes "that Council not make a decision on the expansion proposal of Chevron Canada Limited until some time after December 10, 1973 in order to allow for further input into the matter".

He indicated that his intention in making that motion was that Council hear delegations on the subject matter at the January 14, 1974 meeting and then make a decision on the Chevron expansion proposal after that.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That the above motion from the December 3rd Council meeting be amended to read "that Council not make a decision on the expansion proposal of Chevron Canada Limited until or after the January 14, 1974 Council meeting in order to allow for further input into the matter"."

CARRIED UNANIMOUSLY

Alderman Gunn also drew attention to the fact that the following motion which was passed at the December 3rd meeting "that the attention of the Minister of Municipal Affairs be drawn to a resolution Council passed on November 19, 1973, which was conveyed by letter to Premier Barrett, pertaining to the matter of ratepayers in Municipalities not being allowed to vote there on municipal matters unless they reside in that Municipality" was shown as being carried unanimously when he had voted against it.

Mayor Constable also mentioned that he had opposed that motion, although he was not certain whether he indicated that at the meeting.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That the motion recited above from the December 3rd meeting be amended by showing Mayor Constable and Alderman Gunn against it."

CARRIED UNANIMOUSLY

When Alderman Gunn asked whether the word "lot" in the motion shown at the bottom of Page 18 of the December 3rd meeting relating to taxi licences was correct, he was informed that the word had been used properly when considered in the complete text of the motion.

A vote was then taken on the original motion to adopt the Minutes of the December 3rd Council meeting, with the above two amendments, and it was carried unanimously.

DELEGATIONS

The following wrote requesting an audience with Council:

- (a) Mr. A. S. Gregson re Lane South from the S.P.L. of Block 82, D.L. 92, Plan 1146 to the N.P.L. of Lot 76, D.L. 92, Plan 1146 between Brantford Avenue and Empress Avenue;
- (b) Mr. W. B. Ronald re 4500, 4600, 4700 and 4800 Blocks Brentlawn Drive;
- (c) Burnaby Pollution Removal Association re Proposed Chevron Expansion Programme.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:

"That all of the delegations be heard."

CARRIED UNANIMOUSLY

(a) Mr. Gregson then spoke and distributed a copy of a plan showing the location of the subject lane allowance.

Mr. Gregson then provided Council with a history of the matter of establishing the lane, pointing out that the first dedication of land for the lane was in 1965 and then subsequently, either as a result of subdivision or acquisition directly by the Municipality or the School Board, the remainder of the allowance was acquired.

He stressed that, throughout all that time, it was always understood that the lane would be extended through to Stanley Street and it was not until this year that the Planning Department indicated this was not to be done. He pointed out that the fact the Approving Officer did not require the dedication of land for lane purposes when Block 82 lying immediately to the North of the existing lane allowance was subdivided is proof of that situation.

Mr. Gregson also stated that, after obtaining a petition for the local improvement construction and paving of the existing lane allowance, he had 8 of the owners involved sign the petition.

Mr. Gregson also advised that the Planning Department had informed him the School Board was opposed to the lane when this is not true.

Mr. Gregson also made reference to past reports Council has received on the subject matter.

He emphasized that the property owners concerned require rear access to their land and a lane would not only provide this but also enhance the value of the properties.

Mr. Gregson also mentioned that the Deputy Municipal Clerk should have processed the petition when it was submitted.

He also suggested that the land owned by the Corporation which abuts the lane should not be included in reckoning the sufficiency of the petition or, if it was, then the Corporation should vote in favour.

Mr. Gregson requested that Council authorize the construction of the subject lane allowance.

Mayor Constable pointed out that there were a number of other property owners concerned about the lane mentioned by Mr. Gregson who were in attendance and, because of a delay in the delivering of the letters to them asking that they indicate if they wished to address Council, should be heard this evening.

The following then spoke:

- (1) Mr. L. A. Harbor stated that he does not wish the lane because of problems which were being experienced on a lane nearby.
- (2) Mrs. R. P. Woodean, Jr., stated that she wished the lane constructed because there is no guarantee the land which is dedicated for lane purposes would remain with the trees on it. She added that, more than likely, the School buildings would be constructed immediately behind her property. She concluded by stating that, if it was not possible to have the lane built, then the abutting property owners should be given the land back.

Alderman Gurn enquired as to whether the School Board could build up to the property line abutting the lane allowance.

The Planning Director replied that the Board would need to comply with the requirements of the Zoning By-Law which, in the case at hand, would mean that there would need to be a rearyard of 30 feet and sideyards of 20 feet provided. He suggested that the Municipality should obtain plans of the expansion programme of the Board to determine its intentions precisely.

- (3) Mrs. E. G. Titterington stated that she sold the portion behind her property for lane purposes under protest because she understood from the Director, Veterans' Land Act, that the Municipality would expropriate the land if it could not be acquired by normal means.

She added that she did not receive advice of the action taken about the matter until she returned from the East. She also mentioned that it was understood she and the other property owners would get the land back if it was not developed for lane purposes.

Mrs. Titterington also pointed out that Mr. Gregson does not live on the property abutting the lane allowance.

- (4) Mr. R. W. Woodean, Sr. then spoke and advised that he was one of the first owners to sell the rear portion of his property to the School Board for lane purposes. He added that he later heard the lane was to be closed and, on checking with the Planning Department, was told that land to the North of the lane allowance would need to be dedicated for that purpose before the lane could be constructed. Mr. Woodean Sr. also mentioned that he was informed that, if Council decides to proceed with the construction of the lane, arrangements would be made to dedicate the necessary land from the park property that was part of Block 82 for lane purposes. He also indicated that he would not be opposed if the lane allowance was extended Southward.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That Items #1 and #28 of the Municipal Manager's Report No. 92, 1973, which relate to the subject of the submission from Mr. Gregson and the others, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the substance of those two reports:

- (1) Lane South from the South Property Line of Block 82, Plan 1813;
D.L. 92, Plan 1146 to the North Property Line of Lot 76, D.L. 92,
Plan 1146 between Brantford Avenue and Empress Avenue

The Planning Department has supplied Mr. Gregson with copies of correspondence between that Department and the School Board relative to the question of the subject lane.

Copies of these letters were also being provided to Council this evening.

- (28) Lane South from the South Property Line of Block 82, Plan 1813,
D.L. 92, Plan 1146 to the North Property Line of Lot 76, D.L. 92,
Plan 1146 between Brantford Avenue and Empress Avenue

The Parks and Recreation Commission heard Mr. Gregson at its meeting on November 21st when staff were requested to submit a report comparing the situation explained by Mr. Gregson with that which existed near Lyndhurst Park.

A report on this matter was presented to the Commission on December 5, 1973 at which time the Commission directed that Council be informed that, if the majority of the affected residents on Brantford Avenue desire the lane as a local improvement, then the facility should be developed. The Commission is prepared to dedicate 20 feet of the property on Stanley Street which was recently acquired for park purposes.

The Deputy Municipal Clerk also complied with the instructions of Council to write to all those owners whose properties abut the subject lane to advise that the subject matter was to be deliberated by Council on December 10, 1973.

A report of the Approving Officer answering the following questions was also being submitted this evening:

(a) Methods of Closing Lane Rights-of-Way

There are two ways of closing lanes; one by Plans Cancellation proceedings, which are under the control of the Land Registrar, (this method would probably be unacceptable in this particular lane because of the large number of different plans involved), and the other is under Section 508 of the Municipal Act. The final decision on whether or not the lane is to be cancelled under Section 508 is up to the Lieutenant-Governor in Council. As a rule the Provincial Government demands consents from each of the adjoining owners, but have at times waived the consents if the Municipality can show reasonable cause. Reasonable cause for refusing a consent has not been the lack of compensation. A lane cannot be closed without the consent of the abutting owners and there is no compensation for loss, as there has been no loss. It is not a majority of owners who must consent, but rather they all must consent. The property owners cannot apply for abandonment except for the aforementioned Plans Cancellation Act procedure and there certainly would be no compensation as the adjoining owners would receive half the lane allowance. All owners abutting the portion of the lane which is to be closed would have to apply under the Plans Cancellation Act, and the Municipality would need the consent of all the owners and there would be no compensation paid.

(b) What Monies Were Deposited In Trust For The Construction of The Lane?

A search of the Engineering Department's records has revealed that no money is on deposit for this lane construction.

(c) Who Owned The Land Which Was Dedicated For The Lane Right-of-Way Prior To Dedication?

The Land Agent's records show that the Corporation purchased four properties, one of which was subsequently transferred to the School Board. In the purchase of three of the properties, the land bought included the land which was dedicated for the lane right-of-way. The fourth did not and it could be said, therefore, that the owner dedicated the right-of-way. The balance of the property acquisition was undertaken by the School Board who use private agents to acquire land. Consequently, to determine who owned the land prior to dedication, would be quite involved.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GORDON:
"That the reports of the Manager be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:
"That a new petition for the construction and paving of the lane South from the S.P.L. of Block 82, D.L. 92, Plan 1146 to the N.P.L. of Lot 76, D.L. 92, Plan 1146 between Brantford Avenue and Empress Avenue, as a Local Improvement, be circulated to the affected property owners and Council reconsider the matter of constructing the lane after the views of each owner on the matter are known."

CARRIED UNANIMOUSLY

(b) Mr. Ronald then spoke and explained why the attempt by Council in June, 1971 to have the subject Blocks of Brentlawn Drive provided with pavement to a width of 28 feet and concrete curb sidewalks, as a Local Improvement, was defeated. He advised that regard that there was a misunderstanding in the interpretation of the improvement proposed along with misinformation that was circulated by some of the property owners concerned.

Mr. Ronald indicated that many of those who opposed the proposal have, after receiving the correct information, changed their minds and now wish the improvement.

Mr. Ronald concluded by requesting, on behalf of himself and a number of the property owners involved, that Council reinstate the original Local Improvement proposal for the 4500 to 4800 Blocks Brentlawn Drive.

He drew attention to the fact the petition he was presenting this evening was signed by 141 owners is an indication of a majority desire.

Item #25 of the Municipal Manager's Report No. 92, 1973, which relates to the subject of the presentation of Mr. Ronald, was brought forward for consideration at this time. The following is the substance of that report:

(25) 4500 to 4800 Blocks Brentlawn Drive

The petition opposing the work was narrowly defeated in 1971, it having been signed by 53.5% of the property owners. The petition Mr. Ronald had just presented is signed by 79% of the owners.

As a result of the work being defeated in 1971, a proposed storm drainage project for the street was cancelled. As such facilities are a prerequisite to street improvements, the storm drainage work must be re-established in the programme. Proposed 1974 storm drainage expenditures are at least tentatively committed so it could be 1975 before the Corporation could provide the storm drainage work on the subject Blocks of Brentlawn Drive unless funds resulting from savings on other projects could be provided or the work on this street is substituted for some other project.

It was recommended that:

- (1) the Engineering Department take under advisement the matter of providing storm drainage works on Brentlawn Drive, at the earliest opportunity, consistent with relative priorities of other projects and available funding;

- (11) the subject portion of Brentlawn Drive be reinitiated in a future Local Improvement Programme after the drainage facilities mentioned are provided;
- (111) the petitioners concerned be provided with a copy of the report at hand.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(c) Mr. H. F. Robinson of 4304 Eton Street then spoke on behalf of the Burnaby Pollution Removal Association and made the following points:

- (1) The Association was formed some years ago because of the concern of the people in the Northern part of Burnaby regarding the effect the oil refineries were having on the environment there.
- (2) These people are even more concerned now that Chevron wishes to expand its facilities, especially in view of the recommendation in the report the Council received from the Manager that the expansion programme be approved in principle.
- (3) A Public Meeting was held some two years ago at which many citizens expressed opposition to any expansion of oil refineries in the Northern part of Burnaby. A petition signed by many people was presented to Council at that time.
- (4) The Council should sponsor another meeting like that to obtain public reaction.
- (5) There is insufficient time between now and January 14th for those concerned about the matter to prepare a submission.
- (6) The expansion plan of Chevron will result in a Plant that will be worth more than its existing facilities.
- (7) In the past, Chevron has not complied with all the anti-pollution measures normally required of such an operation.
- (8) The Association was opposed to the expansion proposal and favours the idea of Chevron relocating its facilities to some other Municipality.
- (9) There are approximately 150 members of the Association and most of them know about the tour of the Chevron Plant that is available at any time.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN MCLEAN:

"That Council hold a meeting at the Burnaby Central Senior Secondary High School on Monday, January 14, 1974 commencing at 7:00 p.m. to receive representations in regard to the proposed expansion programme of Chevron Canada Limited and all individuals and groups interested in the matter be invited to attend to offer their opinions on the proposal; and further, Council allow cross-questioning at that meeting."

CARRIED UNANIMOUSLY

Mr. J. D. Whitehead wrote to suggest that the Brief dated June 11, 1973 from Chevron Canada Limited to Council in connection with the proposed Refinery Expansion Programme of the Company should have been submitted to Council around that time.

Mr. G. C. Lewis submitted a letter relating to the proposed Chevron Refinery Expansion Programme.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That the above two letters be received."

CARRIED UNANIMOUSLY

Alderman Gunn introduced a motion, which was not seconded, aimed at having every item of correspondence which is addressed to Council submitted to it as soon as received, unless there are instructions to the contrary, or at least being informed of the fact the submission has been received by the Administration.

He suggested that, if that policy existed, the submission from Chevron Canada Limited dated June 11th to which reference is made above would have been submitted to Council shortly after that date.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN STUSIAK:
"That Item #31 of the Municipal Manager's Report No. 92, 1973, which deals with the proposed Chevron Refinery Expansion Programme, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the substance of that report:

(31) Proposed Chevron Refinery Expansion Programme

The following information pertains to two aspects of the proposed Expansion Programme:

(a) Oil Spill Protection and Procedures

Explicit information has been requested from the Company concerning measures and practices designed to prevent oil spills from sources both on the land and from marine loading operations, and concerning contingency procedures and equipment or materials maintained to deal with possible emergencies. In view of the terrain and the susceptibility of adjacent Burrard Inlet waters to damage from such upsets, this information is felt to be a matter of grave concern and a high degree of protection to ensure against such tragedy must be observed.

The Company has responded to this request and its letter in that regard (dated December 5, 1973) was being furnished to Council this evening. As can be seen, the Company has expressed concern regarding the matter and has outlined the physical safeguards proposed as part of the expansion project together with procedures presently in effect and the contingency plans to deal with spills at the Refinery, including the Burrard Inlet Oil Spill Co-Operative Plan.

In summary, the surface run-off water in Areas #1 and #2, and hence any spilled oil or product, is impounded by a system of earthen berms and channels which divert the liquid to collection points. From here, the material is processed to a two-stage de-oiling system before being discharged to the Inlet. It will be noted under "Water Quality" in Chevron's letter there is elaboration on the process and the new equipment to be installed and a description of the proposed 30,000 barrel foreshore basin intended as a final point for removal of traces of oil in the discharge from Area #1 as well as the pipeline interceptor/holding pond/sensor system proposed to safeguard against damage from pipeline leaks in the Confederation Park area.

The Company has also made reference to the regulations which are complied with during transfer of oil products at the Company's wharf. It will be noted that the Company no longer operates coastal tankers but instead uses barges for marine transport, therefore there is no ballast water problem.

The Oil Spill Contingency Plans are also outlined in the letter from the Company and the attachment to it includes both Instruction #300 (Chevron Burnaby Refinery Oil Spill Contingency Plan) and Instruction #301 (Burrard Inlet Oil Spill Co-Operative). This information describes in detail the established procedures, the roles and responsibilities of specific refinery personnel in dealing with a spill situation, the materials and equipment kept on hand at the refinery, and the outside resources which are available.

It is evident that physical measures exist and are proposed to be improved in the Expansion Programme for preventing land-based spills from reaching tidewater, and that procedures have been established for dealing with emergency situations.

(b) Status of Local Environmental Control Regulations and Monitoring

Some explanatory notes on the present status of the air and water quality standards for petroleum refineries being prepared by the Provincial and Federal Governments are given for the information of Council.

The Pollution Control Branch of the Provincial Government has submitted to the Pollution Control Board, for adoption, what it expects to be the final draft of the Provincial Petroleum and Chemical Industry Objectives. This adoption is expected imminently. The Greater Vancouver Regional District is to be the permitting and enforcement authority and it is still expected that compliance with Level "B" standards will be required in the case of the Chevron Refinery. Under these proposed standards for air and water quality, the Company will be expected to conduct a monitoring programme using methods approved by the Pollution Control Branch, and to provide complete test data and flow measurements to the permitting authority on a regular periodic basis. The Branch maintains a staff of inspectors and equipment and is to verify the submitted data on a spot check basis to ensure continuing compliance with the terms of the permit as issued.

The Federal regulations concerning liquid effluents from refineries have now been established and published. These standards take the former regulations as they affect new industries, and guidelines as they are applied to existing plants. The Chevron Refinery will be expected to satisfy the latter and the Company has agreed in its submission to make provision in its expansion for treatment facilities in order that the refinery liquid effluent will meet senior Government requirements prior to the final discharge to Burrard Inlet if effluents are in fact discharged to that body of water. The Department of Environment will require periodic data reports to be submitted by the Company to verify compliance and this data will be checked periodically by Government monitoring at the plant.

At present, Federal regulations respecting air quality standards appear to be some time from completion and no definite information is available.

At the moment, there are indications that the Provincial controls concerning water quality will be generally more stringent than the Federal guidelines and hence will take precedence. Control will be effected through the permit system.

Concerning air quality standards, it is not known at this time whether the Provincial objectives in specific areas will be higher than the Bay Area Air Pollution Control District standards or the reverse. In any event, it will be recalled that Chevron is committed to meet the local or Bay Area standards whichever is more restrictive. In order to ensure that a suitable monitoring programme is carried out during a possible interim period, which might occur if the expanded plant (subject to approval), was to be "on-stream" prior to the monitoring services of the regulating agencies becoming operational, it was recommended that the Company be required to make provision for varying the cost of retaining a competent consultant to analyze and check data to ensure compliance. It is understood the B. C. Research Council, and at least one local engineering/analysis firm, are equipped and experienced to handle this type of commission.

It was recommended that:

- (a) A copy of the report at hand be sent to those individuals and organizations which have expressed an interest in the subject matter.
- (b) It be agreed that Chevron Canada Limited will pay any costs involved in the retention of a consultant to analyze and check monitor data to verify compliance with the appropriate standards during any interim period which might develop.

MAYOR CONSTABLE DECLARED A RECESS AT 8:55 P.M.

THE COUNCIL RECONVENED AT 9:15 P.M.

The following points were raised in Council during consideration of the proposed Chevron Refinery Expansion Programme.

** (See December 27th Council Minutes for corrections on these points)

- (1) Were the three agencies involved in the environmental aspects of the expansion programme consulted about the plans of Chevron?
- (2) If all of them are to monitor the operations of Chevron and are to be responsible in that regard, what action could be taken to rectify any problems which may occur?
- (3) Can the Municipality, in the event there is an oil spill or some other kind of upset at the Chevron Refinery, arbitrarily clean up the effluent and recover the costs thereof from the Company?
- (4) Is Chevron prepared to post a Performance Bond to guarantee the landscaping the Company indicates will be provided in its Programme?
- (5) The point in the report Council received about a disagreement on the tail gas plant should be clarified.
- (6) A record of previous upsets or spills at the Chevron Refinery, including the action taken as a result of them, should be provided.
- (7) Chevron cannot presently refine oil products of the required capacity at the present time inasmuch as there is a shortfall of some 24,000 barrels per day and, if the Company is not allowed to expand, there will be a shortage of refined products. In addition, public demand for these products is increasing at the rate of 5% per year. In view of both these situations, other oil refineries in the area may wish to expand their facilities.
- (8) According to Chevron, it cannot relocate its facilities, if it was required to do so, in any less than five years.
- (9) The Company also claims it cannot move too far away from its present location because a refinery must be where the market is. This should be corroborated.
- (10) The National Energy Board and the appropriate Department of the Provincial Government should be involved in the entire matter, and enquiries should be made of them in that regard.
- (11) The expansion programme of Chevron will basically produce a new plant so what does the Company propose to do with its present 24,000 barrels per day production plant?
- (12) A comparison between Levels "A" and "B" for pollution should be provided.
- (13) Federal Legislation and the San Francisco Bay Area Legislation relating to pollution should be considered.
- (14) The Municipality should monitor refinery pollution more than is recommended in the report Council received from the Manager. How can an independent group or the Municipality do this?
- (15) What is the total amount of taxes paid by all oil refineries in Burnaby?

Municipal Manager pointed out that the consultant referred to in his second recommendation would be hired by the Municipality and used until the Greater Vancouver Regional District implements the monitoring service.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That Item 29 of the Municipal Manager's Report No. 88, 1973, which Council received on November 26th, be referred to the meeting being held on January 14, 1974, to which reference was made earlier in the meeting."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That the first recommendation in Item 31 of the Municipal Manager's Report No. 92, 1973, be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That the second recommendation in Item 31 of the Municipal Manager's Report No. 92, 1973, be referred to the aforementioned January 14th meeting."

CARRIED UNANIMOUSLY

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:

"That all of the below listed original communications be received and those items of the Municipal Manager's Report No. 92, 1973, which relate thereto be brought forward at the appropriate times."

CARRIED UNANIMOUSLY

Mr. Henry A. Lawless, Correspondence Secretary, Office of the Prime Minister, submitted a letter relating to the George Derby Health and Occupational Centre.

Alderman Stusiak read a telegram that Mayor Constable had sent to the Prime Minister containing a request that the Federal Government return the George Derby Health and Occupational Centre lands to the Municipality.

He also read a letter the Derby Land Is Our Land Association sent to the Prime Minister containing the same request.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That the action taken by Mayor Constable in sending the communication read this evening by Alderman Stusiak concerning the George Derby Health and Occupational Centre be endorsed."

CARRIED UNANIMOUSLY

Mrs. Gladys Armstrong, Secretary-Treasurer, The Salvation Army Over Sixty Club, wrote to express appreciation for the grant Council made to the Club.

Mr. P. J. Larkin, City Clerk, City of New Westminster, wrote to advise that the communication dated November 22nd from Council relating to the connection of the Stormont Interchange of the Freeway with Tenth Avenue was referred by the Council of the City to the Administrator for consideration and report.

Premier David Barrett, wrote to advise that he has noted the Resolution embodied in the November 22nd communication from the Deputy Municipal Clerk pertaining to voters and will give the matter consideration.

Mr. John Reynolds, M.P. for Burnaby-Richmond-Delta, submitted a letter with which he forwarded a copy of a letter he received from the National Harbours Board advising that the representative of the Greater Vancouver Regional District on the Board is Mr. W. Henry Anderson.

Alderman Ginn enquired as to whether a reply had been received to a request of Council for information as to the present composition of the National Habrours Board.

When the Deputy Municipal Clerk indicated that no such response had been received, it was understood he would again write to the Board for an answer.

Mr. George E. Ross, submitted a letter suggesting that a By-Law be passed to prohibit trains from blowing whistles in the Municipality.

Mrs. D. M. Rush, submitted a copy of a letter addressed to the B. C. Hydro and Power Authority complaining of the noise from trains operated by the Authority at night in the Imperial Street area.

Item #6 of the Municipal Manager's Report No. 92, 1973, which relates to the letters from Mr. Ross and Mrs. Rush, was brought forward at this time. The following is the substance of that report:

(6) Noise from Train Whistles

The Municipal Engineer advises that a report on the subjects of the letters from Mr. Ross and Mrs. Rush will be completed in two or three weeks.

It was recommended that both Mr. Ross and Mrs. Rush be informed that the subjects of their letters are being investigated and that the findings will be reported to Council in the near future.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN MCLEAN:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

Mrs. I. Ervin submitted a letter suggesting that various changes be made in "Burnaby Dog Tax and Pound and Animal Regulation By-Law" and in the operating procedures of the Animal Pound.

Item #21 of the Municipal Manager's Report No. 92, 1973, which relates to the subject of the letter from Mrs. Ervin, was brought forward at this time. The following is the substance of that report:

(21) Burnaby Dog Tax and Pound and Animal Regulation By-Law
(Ervin)

The following was being provided in addition to that submitted to Council a few weeks ago on the suggestions of Mrs. Ervin:

The subject By-Law was passed in November, 1972 and, while it completely replaced the previous By-Law, the principal changes were the implementation of a leash law and an increased licence and impounding fee. The provisions concerning the Poundkeeper's responsibilities and authority remain basically the same.

Following the passage of the By-Law, a notice was mailed to every licenced dog owner in the Municipality advising of the new provisions. This information was repeated in advertisements placed in the three daily newspapers serving the Municipality.

Initial investigation of complaints in which the animal(s) is/are identified by the complainants involves direct contact, wherever possible, with the owner. The owner is verbally informed of the nature of the complaints, the requirements of the By-Law and a written warning notice is issued.

If a dog owner continues to allow his dog to be the cause of complaints, there is little to be gained by repeated warnings and the only alternatives available are impounding, if possible, or court action.

-13-

In 1952, a Pound By-Law was passed which prohibited all dogs from running at large and provided that a competent person must have charge of any dog while on a highway or public place. Since then, dog owners have been prosecuted for permitting their dogs to be at large. The current By-Law, with the requirement to maintain a dog on a leash while on a highway or public place, is superior to the previous By-Laws from the point of administration and enforcement, and is proving to be generally satisfactory.

The only way an appeal against a conviction or a sentence imposed is through the courts.

There is no authority in the By-Law which restricts the breed or temperament of a dog any person may choose to own. However, every dog owner must recognize the By-Law requirement to maintain a dog on a leash when on a highway or public place and accept the responsibility of ownership by ensuring that a dog or any pet is not a nuisance to the neighbours or the public at large. If a dog is licenced and under control, as required by the By-Law, it is very unlikely the Poundkeeper would have any occasion to enter upon the owner's property.

Dogs are impounded from private property only when the Poundkeeper has pursued them onto property other than that of the dog owners', and then only with the knowledge of the property owner.

It was recommended that:

- (a) the subject By-Law not be amended;
- (b) the operating procedures of the Poundkeeper not be revised;
- (c) Mrs. Inez Ervin and the dog's owner, Mr. Les Ervin, be urged to maintain their dog on a leash when it is off their property;
- (d) Mrs. Ervin be sent a copy of the report at hand.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

Mrs. Helen Cook submitted a letter relating to the matter of obtaining a building permit to replace the basement floor slab for her home at 5360 Meadedale Drive.

Item #32 of the Municipal Manager's Report No. 92, 1973, which relates to the subject of the letter from Mrs. Cook, was brought forward for consideration at this time. The following is the substance of that report:

(32) 5360 Meadedale Drive (Cook)

Mrs. Cook is claiming compensation for what she seriously believes was an oversight on the part of the inspection department of the Municipality after the basement floor collapsed. Liability has been denied by the Municipality.

As a result of Mrs. Cook requesting the advice of the Municipal Engineer on November 23, 1973 regarding opinions on the reason for the collapse, the Municipal Manager informed Mrs. Cook that this was not possible under the circumstances because she was holding the Municipality responsible for the damages.

On December 3, 1973, Mrs. Cook advised the Chief Building Inspector that she was proceeding with repairs and, should he wish to see the situation and inspect the site, he should do so on or before the latter part of the week of December 3rd. She was advised at the counter of the Chief Building Inspector when she delivered her letter on December 3rd that the Building Department did

not propose to issue a building permit for the maintenance repair work because of the practice of that Department to not issue permits for such work when it did not involve a structural component of a building. Mrs. Cook asked why she could not have a permit and the Chief Building Inspector checked with the Legal Department for advice and, on December 10, 1973, he informed her of the requirements for a building permit. There was no refusal on December 3rd, only a statement that it was not normal to issue a permit for such repair work. The reason for the one week delay in giving Mrs. Cook a reply was that Mr. Stirling, the Municipal Solicitor, was away from his Office at the time and Mr. Brough, a member of his Department, was not familiar with the matter.

The Building Department is now prepared to process the application for a permit.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GORDON:

"That the report of the Manager be tabled until later in the evening."

CARRIED UNANIMOUSLY

T A B L E D M A T T E R

The following matter was then lifted from the table:

Report of Advisory Planning Commission and Municipal Manager on the Eastern Burrard Inlet Development Concept

Alderman Lawson stated that she had spoken to the Chairman of the Advisory Planning Commission who claimed he had not seen the report of the Commission until Council received it. She added that the Chairman indicated the wording in the report was not as he understood it.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN LEWARNE:

"That the report of the Advisory Planning Commission be referred back to the Commission for clarification of its intentions."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:

"WHEREAS Directors of the Greater Vancouver Regional District must now be elected by a poll of municipal electors; and

WHEREAS Directors are elected for a two-year term, thus placing incumbents running in the alternate year from the G.V.R.D. election at a disadvantage; and

WHEREAS the cost of successfully running for one Office in each year is beyond the resources of most municipal candidates; and

WHEREAS, again in Burnaby, the inequities of electing G.V.R.D. Directors has been shown as exemplified by the candidate who led the Aldermanic poll not winning a G.V.R.D. Directorship;

THEREFORE BE IT RESOLVED that Burnaby Municipal Council communicate to the Minister of Municipal Affairs its displeasure with the current method of choosing G.V.R.D. Directors and that it strongly suggest that the previous system of appointing G.V.R.D. Directors was a superior selection method."

CARRIED

AGAINST -- MAYOR CONSTABLE AND ALDERMAN GUNN

E N Q U I R I E S

When Alderman Lawson enquired as to when Council could expect to receive the report on the Reifel Refuge proposal, the Planning Director stated that he would inform Alderman Lawson of the situation in that regard.

-15-

When Alderman Lewarne enquired as to whether the Municipality was embarking on any energy saving programmes, the Manager replied that he would inform Alderman Lewarne in that regard.

When Alderman Mercier asked about the procedure for cleaning ditches, the Municipal Engineer stated that works crews will clean ditches of everything but trees and, on the average, are able to clean every ditch in the Municipality about every 1½ years. He added that whenever a complaint is received about a clogged ditch, an investigation is made to determine its seriousness and, if action is considered necessary, then the ditch is cleaned.

When Alderman Gunn asked when the lights were to be installed at the Confederation Park Lawn Bowling Green, Alderman McLean replied that the lights have been ordered and would likely be installed next Spring.

When Alderman Gunn enquired as to when a report would be expected on the question of the Council Minutes being late, the Manager stated that he had thought this question had been answered at a previous Council meeting.

Alderman Gunn pointed out that the Minutes had been late 9 out of 22 times since last July.

The Manager indicated he would check the situation and submit a report on the matter.

Mayor Constable stated that he was going to recommend to Council at its next meeting a procedure for the members obtaining reports on various matters.

Alderman Gunn enquired as to why the general public was not invited to the opening of the Municipal Rink recently.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That the enquiry of Alderman Gunn be referred to the Parks and Recreation Commission for a report."

CARRIED UNANIMOUSLY

When Alderman Gunn enquired about the status of the rezoning proposal involving land at Halifax Street and Delta Avenue, the Planning Director stated that his Department was reviewing the road pattern in the area at the present time and hoped to have a report on both the road situation and the rezoning proposal shortly

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 92, 1973, on the matters listed below as Items (1) to (31), either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) Lane South from the South Property Line of Block 82, Plan 1813, D.L. 92, Plan 1146 to the North Property Line of Lot 76, D.L. 92, Plan 1146 between Brantford Avenue and Empress Avenue

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

- (28) Lane South from the South Property Line of Block 82, Plan 1813, D.L. 92, Plan 1146 to the North Property Line of Lot 76, D.L. 92, Plan 1146 between Brantford Avenue and Empress Avenue

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

- (2) Grassmere Street East of Sussex Avenue
SUBDIVISION REFERENCE NO. 40/73 RC NO. 19/73

Provision has been made in the above subdivision for a cul-de-sac that will close a portion of Grassmere Street.

-16-

The Planning Department is proposing that a portion of this redundant allowance be exchanged for inclusion with the development planned by the subdivision. The area to be exchanged is approximately 2,229 square feet which has been valued at \$1.00 per square foot.

The Planning Department recommends the exchange of the subject road allowances, subject to the following conditions:

- (a) That the Municipality be compensated to the extent of \$1.00 per square foot for the land involved.
- (b) That the subject road allowance be consolidated with property to the South in order to effect the subdivision shown on an attached Sketch #2.
- (c) That all legal and survey costs involved in the subdivision and highway exchange be borne by the applicant.
- (d) That an easement be granted in favour of the Corporation over the North 15 feet of the subject road allowance.

It was recommended that Council authorize the introduction of a Highway Exchange By-Law in accordance with the foregoing information.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That, because it is not considered that the value placed on the land which is the subject of the report of the Manager will give the Municipality a fair return, the Land Agent re-evaluate this price in the light of the market value of property in the area."

CARRIED UNANIMOUSLY

(3) Swangard Stadium

In addition to what has been reported before about the turf on the playing field at Swangard Stadium, the Parks and Recreation Commission, on December 5, 1973, received a report from its Administrator indicating that terms of reference have been prepared for a Consultant to examine the problem and that both the Commission and the Vancouver Board of Parks and Public Recreation has jointly determined that the study should be undertaken by Ripley, Klohn & Leonoff International Ltd., Soil Engineers, and Mr. T. M. Lord, Consulting Agronomist.

The Council was also being furnished this evening with a copy of a November 26, 1973 letter from the Central Park Committee to the President of the Canada Summer Games Society which advises on the matter of retaining a consortium of independent consultants and quotes a resolution of the Committee which expresses the Committee's opinion that the Committee and the Society both have a responsibility to rectify the situation at Swangard Stadium.

The report of the Consultants will be available by December 31, 1973 following which it will be possible for staff to respond to Council's request of October 22, 1973 for a report explaining the reason for drainage problems at the Swangard Stadium playing field.

As regards the request of Council of October 9, 1973 concerning the Central Park Committee bearing one-half of the cost of the \$10,000.00 extra expenditure for the correction of the drainage deficiency in the field, this matter has been tabled by the Committee until the report of the Consultants is received.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(4) Estimates

It was recommended that the Special Estimates of Work of the Municipal Engineer in the total amount of \$3,442.50 be approved.

-17-

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:
 "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(5) Tires and Tubes

It was recommended that Council accept the tender of General Tire Service in the amount of \$11,516.20 for the supply to the Corporation of new tires, tubes, retreads and repairs, as more particularly detailed in the report.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LEWARNE:
 "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(6) Noise from Train Whistles

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

(7) Alternate Truck Route to Gilley Avenue

The route in question is in reality a proposed link in the major street network and is not specifically intended as an alternative to Gilley Avenue.

Initially, the route was proposed to be located along the Westerly side of the 20th Avenue ravine and formed a Y-type junction with a proposed realignment of Gilley Avenue between McKee Street and Marine Drive. Subsequent park proposals and other land use considerations on both sides of the ravine indicated that the connecting link in the road pattern would be better located along the Eastern side of the ravine. This would also be more compatible with the existing industrial and potential industrial land use. The Council, in July 1970, established a policy to limit the spread of industrial land use in the Stride Avenue area to the upper slopes only. The boundary established was Mission Avenue extending ^{through} the ravine to approximately the B. C. Hydro and Power Authority Railway. The lower slopes of the Stride Avenue area were considered suitable and desirable for the future extension of the Burnaby South Slope residential area. Because the area below Mission Avenue contained some inherent topographic foundation servicing and access difficulties and was predominantly owned by the Corporation, little demand existed for residential development. A low priority was established to study the area in considerable detail with the objective of formulating an overall development concept.

This study has now been advanced in priority and is currently being continued, taking into account the need for, and ramifications of, a road linking Marine Drive and Edmonds Street.

Apart from the Stride Avenue Study, the Major Road Study will examine the travel demand in the corridor of the route East of the ravine to determine the peak period traffic need for the route by 1985. Moreover, recent discussions have been held between staff of the Municipality and Engineering Consultants for the Province on the impact that the future Annacis Island bridge crossing will have on Burnaby's existing street network.

As regards the suggestion that the subject road link be included in the Capital Improvement Programme, the Planning Department believes that the need for such a facility must be established in conjunction with, or as a result of, the above mentioned studies. When this has been satisfied, detailed engineering field information should be obtained in order to determine more closely the route location relative to the B. C. Hydro Railway and the ravine and privately owned land. Following the establishment of a suitable design standard, property acquisition requirements and costs would need to be determined as would construction costs.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
 "That the report of the Manager be received."

CARRIED UNANIMOUSLY

- (8) Lots 14 and 15, Block 11, D.L. 173, Plan 1034
 (6063 and 6093 Spur Road)
PRELIMINARY PLAN APPROVAL APPLICATION NO. 2508

It was recommended that Council authorize the issuance of the above P.P.A. for an outside storage yard on the captioned property.

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

CARRIED UNANIMOUSLY

- (9) (a) Kingsway-Waltham-Imperial-Gilley Area
 (Apartment Area "N")
 (b) Lot 8, Blocks 1 and 2, D.L. 97, Plan 3425
REZONING REFERENCE NO. 56/73

As a result of reviewing the above rezoning application as it relates to the captioned area, it was recommended that Council:

- (1) direct that rezoning proposals involving land in the area listed under (a) above be held in abeyance pending a final decision on the future use of the Windsor School Site;
- (2) direct that future development be in accordance with an approved guide plan for the area based upon one of the three alternative schemes detailed in the report, each of which is related to the ultimate disposition of the Windsor School Site;
- (3) reaffirm its approval of the recommendation in the Apartment Study for the future medium-density apartment development of the subject area and direct that consideration be given to a combination of apartment/commercial projects, on a comprehensive basis, on sites adjacent to Kingsway.

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

CARRIED UNANIMOUSLY

- (10) Lot "C", D.L. 138, Plan 12221
(7461 Aubrey Street)

The road from which a portion of the above described property is required is intended to meet the longer range objective of providing a high quality, minimum grade primary access route to the lower Southwest and upper Western slopes of Burnaby Mountain.

The established access location to the Burnaby Mountain Golf Course 400 feet North of Halifax Street, the Western boundary of the Golf Course and the proposed high school site immediately North of the Golf Course, reflect the Eastward shift involved in the Phillips Avenue alignment. This location also allows for municipally-held land.

The Eastward shift in the alignment of the route was so designed with long radius curves to provide good sight distance and desirable intersection approaches to Graystone Drive. Further, the aim was to obtain and preserve the future potential of the route Northward to the upper Western slope of Burnaby Mountain, which meets the important objective of gaining the earliest maximum elevation with a minimum grade across an adverse slope area.

The proposed realigned route through Lot "C" at Curtis Street connects with the construct/Burnwood Street and would be over 40 feet higher in elevation than the current Phillips Avenue at Curtis Street. Also, the realigned route would have a maximum grade of 7% compared with the existing Phillips Avenue average of 9% on a maximum ground slope of just under 12% South of Aubrey Street.

It has been concluded that, taking all factors into account, the location of the realigned Phillips Avenue offers the least grade and the least disruptive alignment.

It was recommended that:

- (a) Mrs. Brophy, who wrote to request a status with respect to the subject property, be advised that this Lot "C" is still required for road purposes and it is therefore not possible to provide written assurance that the property will not be required by the Municipality;
- (b) the Land Agent continue to negotiate for the acquisition of the property;
- (c) Mrs. Brophy be advised that the Municipality cannot prevent the owner of the property, Mr. Alexander, from selling his land on the open market.

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

CARRIED

AGAINST -- ALDERMAN MERCIER

(11) Subdivision Servicing Agreement
SUBDIVISION REFERENCE NO. 40/73

It was recommended that Council authorize the preparation and execution of a Subdivision Servicing Agreement for the captioned subdivision, particulars of which are as follows:

Name: Burnaby Housing Enterprises Ltd.
Address: 5416 Buckingham Drive,
Burnaby 1, B.C.

Legal Description of all properties within the subdivision:

Block 13, Plan 201, D.L.82, Group 1, N.W.D.

3 Description of Services to be installed by the subdivider:

According to Schedule attached
(Note: this schedule is prepared by the Engineering Department based on the approved Engineering Design Drawing #730549)

4 Completion date:

The First day of July, 1974

6 Contractor:

Name: Kan Holdings Ltd.,
Address: Suite 1, 4647 Kingsway,
Burnaby 1, B.C.

Contract Price:

Full Amount: \$ 76,285.50

8

Insurance:

Copies of all insurance policies as required in the body of the servicing agreement are in the Legal Department. (Note: these cover: Comprehensive General Liability, Subdivider's Contingency Liability, Completed Operations Liability, Contractual Liability and Automobile Liability. The contractor's insurance policies are acceptable if he is doing the work for the subdivider).

9

Inspection Fee:

4% of full contract price: \$3,051.42

10

Irrevocable Letter of Credit posted with Municipality

\$ 76,285.50

It was noted by Council in the attachment to the above report that it was indicated the creek involved was to be filled.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GORDON:

"That the report of the Manager be tabled until the December 17th meeting and the Municipal Engineer indicate then the scope of the filling of the creek involved."

CARRIED UNANIMOUSLY

(12) Lot 19, D.L. 166A, Plan 41494
(7481 Mandeville Avenue)
PRELIMINARY PLAN APPROVAL APPLICATION NO. 2467

It was recommended that Council authorize the issuance of the above P.P.A. for a warehouse on the captioned property.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(13) Monthly Report of Building Department

A report of the Chief Building Inspector covering the operations of his Department between November 5th and November 30, 1973 was being submitted herewith.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:
"That the report be received."

CARRIED UNANIMOUSLY

(14) Burnaby Automatic Vending Machine By-Law 1946

^{increase in}
The total/revenue from fees in 1973 if Council approves the rate changes recommended last week for automatic vending machines would be \$2,533.00.

It was recommended that Council adopt the rate structure for automatic vending machines detailed in the report Council received on December 3, 1973 (Item #12 of the Municipal Manager's Report No. 90, 1973) and authorize the preparation of an amendment to the captioned By-Law to reflect these new rates.

It was also recommended that automatic vending machine fees be reviewed annually.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(15) Lot "A" Except Reference Plan 29411, Block 11, D.L. 10, Plan 3320
(6750 Cariboo Road - Phippen)

The Greater Vancouver Regional District is reviewing its need for the captioned property.

Because the development of a park in the area has always been considered necessary, it was recommended that the owner of the property concerned, Mr. and Mrs. Phippen, be informed that their request that the Municipality purchase their parcel would be considered after the Greater Vancouver Regional District has informed the Municipality of the results of its review of the situation relating to their property, as has been requested by the Municipality.

It was also recommended that a copy of the report at hand plus Item #4 of the Municipal Manager's Report No. 90, 1973, be sent to the Parks and Recreation Commission.

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

CARRIED UNANIMOUSLY

(16) Still Creek Walkway

A further review has been made of the last two recommendations that were/in a report Council received on August 6th about the subject matter and, as a result, it was being recommended that:

- (a) Still Creek be retained as an open waterway in the area between Boundary Road and Burnaby Lake.
- (b) This policy be reviewed for that portion of the Still Creek Drainage Channel in the area between Madison Avenue and Boundary Road after the following studies are completed:
 - (1) the sampling and testing survey of the Still Creek Waterway;
 - (1i) the preservation and conservation of streams in the Municipality.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:
"That the first recommendation of the Manager be adopted."

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN LAWSON:
"That the previous Motion be amended by adding "that the Greater Vancouver Sewerage and Drainage District be advised of the recommendations in the report of the Manager and be asked to not enclose any portion of Still Creek between Boundary Road and Burnaby Lake because of the policy enunciated in the report"."

CARRIED UNANIMOUSLY

A vote was then taken on the original Motion, and it was Carried with Alderman Lawson against.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:
"That recommendation (b)(i) of the Manager be adopted."

CARRIED

AGAINST -- ALDERMAN LAWSON

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:
"That recommendation (b)(ii) of the Manager be adopted."

CARRIED

AGAINST -- ALDERMAN LAWSON

(17) Union Negotiations - Municipal Representatives

The Municipal Manager and the Personnel Director are Burnaby's staff representatives of the Bargaining Committee with the Union, which is composed of the Director on the Municipal Labour Relations Bureau and the Assistant Director of the Bureau plus two members from each of Vancouver, Richmond, North Vancouver City, North Vancouver District, North Vancouver Recreation Commission, North Shore Union Board of Health and the Municipality of Delta.

The Bargaining Committee has delegated the responsibility for actually conducting negotiations to a smaller Sub-Committee composed of the aforementioned Director of the M.L.R.B., the Senior Solicitor for the City of Vancouver, the Personnel Director for Burnaby and the Personnel Director for North Vancouver District.

The Unions are represented by a larger Bargaining Committee with two representatives from each of the six Union jurisdictions.

Matters of a local nature are handled, for Burnaby, by the Personnel Director acting on the authority of the Municipal Manager and supplemented by representation from the M.L.R.B.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(18) Cameron Street School and Bell Park

The matter of possibly establishing a school-park site on land between Cameron and Sullivan Streets to replace the present Cameron School and the Bell Park facilities has been reviewed and it has been concluded that the existing school and park sites should be retained.

It was recommended that Council concur with this conclusion.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:
"That the recommendation of the Manager be adopted."

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN MERCIER:
"That the previous Motion be amended by adding "that the Sullivan Heights Ratepayers Association, the Simon Fraser Hills Council, and anyone else interested in the subject matter of the above report be advised of Council's decision on the matter and be sent a copy of the report"."

CARRIED UNANIMOUSLY

A vote was then taken on the original Motion, and it was carried unanimously.

(19) Four Provincial Land Assembly Sites in Lake City East and at Government Street and Keswick Avenue

A meeting was held on October 31, 1973, between representatives of the Municipality and the B. C. Housing Management Commission to discuss some general aspects of the proposed development of the above sites.

A large sum of funds which had been allocated for housing purposes by C.M.H.C., for 1973, had not yet been sent and there was an expressed desire that these funds be designated by December 1, 1973, for housing development purposes. There would be approximately 1,000 housing units. In general, approximately 25% of the proposed units would be allocated to low income families with the intention of integrating these families throughout the projects, thereby avoiding any obvious visual differences between the low income and the typical market-oriented housing. At present, it has been suggested that low income families be subsidized.

The Planning Department was repeatedly assured that the quality of the development would be equal to, or better than, that of any private developer and that the quality of units for low income families would be indistinguishable from the rest of the housing developments. The position of the Planning Department is that approval of a residential development cannot be specifically given at this early stage other than outlining the community plans which have been adopted by Council as a guideline for the development of the subject sites.

Mr. Williams of the Department of Municipal Affairs stated that a grant may be appropriate in place of the payment of specific Municipal taxes of up to 15 mills. Confirmation of this situation has been requested of the Province.

The Engineering Department has provided preliminary estimates of the cost of servicing the sites.

The submission of requisite rezoning forms indicating the initiation of new rezonings for the sites or the continuation of existing rezoning applications

is expected in the near future.

As yet, no specific discussions have taken place on the planning and design of actual residential developments and thus no mutual agreements have been reached in this area.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GUNN:
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:
"That Council stipulate that the construction of the Broadway Extension to North Road be a prerequisite to the approval of the development of the subject sites because:

- (a) such construction has long been a desire of Council;
- (b) existing roads in the area are already being used to full capacity by traffic and would therefore be unable to cope with the added traffic that would be generated by the proposed development."

CARRIED

AGAINST -- ALDERMAN STUSIAK

It was mentioned at the meeting that Premier Barrett had announced publicly that the Provincial Government would be paying full Municipal taxes on lands the Government owns in municipalities in the Province.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:
"That the Minister of Municipal Affairs be informed that, in the light of the statement by Premier Barrett, the Council expects the Provincial Government to pay full Municipal taxes on all sites in Burnaby that are developed by the Government for public housing purposes."

CARRIED UNANIMOUSLY

(20) Water Skiing - Deer Lake

The Parks and Recreation Commission, on December 5th, received a report from its Administrator, as follows:

- (a) The use of one or two power boats would have the effect of adding a small amount of air to the water in Deer Lake because of the mixing effect of propeller action. On the other hand, this same activity could stir up vegetation and increase the rate of decomposition which would offset the effect of the additional oxygen. There would also be a minor polluting effect from oil, gasoline and exhaust emissions. The net effect would be inconsequential if only one or two boats were used occasionally.
- (b) The residents in the area were circularized to obtain their reaction to the use of the Lake for water skiing during the Summer Games and five of them were in favour of holding special water skiing events on Deer Lake while 11 were opposed. Nine indicated the Canada Summer Games water ski events caused them some inconvenience and seven stated it did not. Five did not reply at all.

A copy of a letter the Commission received from Mrs. G. T. Perry of 5137 Dale Avenue relating to the subject matter was being furnished to Council this evening. Her letter indicates that she is not in favour of having water skiing events on Deer Lake.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(21) Burnaby Dog Tax and Pound and Animal Regulation By-Law (Ervin)

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

(22) Eastern Burrard Inlet Development Concept

The Parks and Recreation Commission feels that the matter of stockpiling suitable fill material on the Barnet Park site has merit but it is premature to make a commitment as to the method by which it should be done.

It was therefore recommended that the suggestion to obtain an estimate on the cost involved in stockpiling such material be considered when the necessary technical information is at hand to permit development of such a programme.

(23) Eastern Burrard Inlet Development Concept

The Planning Director gave an illustrated presentation on the above concept to the Regional Parks Committee on November 28, 1973.

The members of the Committee felt:

- (a) It was a good plan.
- (b) The priorities of the G.V.R.D. are with land acquisition rather than development.
- (c) There is a heavy commitment to acquire lands within the current Regional plan.
- (d) This proposal could be added to the Regional Parks Plan in the future but, at the moment, the Regional District can only endorse the plan and give moral support to Municipal requests for financial assistance from other sources (eg. Greenbelt Funds).

A Resolution was passed at the meeting endorsing the plan, offering support for requests for financial assistance to other agencies and indicating that the proposal could, in the future, be included in Regional Park plans.

It was recommended that a copy of the report at hand be sent to the Parks and Recreation Commission for its information.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LEWARNE:

"That the recommendations of the Manager under Items (22) and (23) above be adopted."

CARRIED UNANIMOUSLY

(24) Natural Watercourse - Lots "A" and "B", D.L. 85, Plan 18317
SUBDIVISION REFERENCE NO. 70/72

The above watercourse is located east of Sperling Avenue and south of Buckingham Avenue. The applicant for the captioned Subdivision has requested tentative approval for it. One of the servicing requirements stipulated by the Municipal Engineer was the enclosure of a watercourse running through the property in a storm sewer. The applicant considered the matter of subdivision of the property and now favours one which will provide for larger lots that would be more in keeping with the estate atmosphere of the neighbourhood. He therefore felt it would be desirable to maintain the existing creek rather than enclose it in a large diameter pipe.

The Engineering Department now feels the watercourse should remain open and has suggested that it might be possible to relocate the creek and improve the banks.

On July 27, 1973, tentative approval of the Subdivision was granted with one of the servicing requirements being that the watercourse be improved and left in an open lined channel.

The applicant has complied with all of the conditions of the approval and is now seeking final approval.

It was recommended that Council endorse the position of the Approving Officer in requiring the improvement and lining of the watercourse in question maintaining it/an open condition.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the report of the Manager be referred back for an explanation and plans relating to the "lining" of the watercourse that is mentioned."

CARRIED UNANIMOUSLY

(25) 4500 to 4800 Blocks Brentlawn Drive

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

(26) Parking Meters - Apartment Areas

Parking meters are usually installed on streets in commercial areas where there is a shortage of available street parking and where it is desirable to have a fairly frequent turnover of those spaces that are available. The use of such meters, rather than signing, assists in the enforcement of the time limits of the parking as it indicates those vehicles which are in violation.

To use the same standard of control in apartment areas, the justification should first be established and whether metering is the best method. It is not a question of the parking impeding the free flow of traffic as that can only be corrected by a complete ban of parking. If the purpose is to force vehicles parked on the streets in apartment areas to seek off-street parking by imposing, by meters, a one hour or two hour limit during the night then it will be necessary to clear the street. This could be done by a "No Parking" regulation. It is questionable whether such a restriction in a fully developed apartment area with adequate street widths could be justified, at least to the apartment owners, without a valid reason such as street sweeping, snow removal, etc. If the ban is being suggested for those streets where there is apartment development on one side and single family homes on the other, then the Municipality would need to place the same ban on the single family side to prevent a relocation of parked vehicles.

No matter which method is adopted, there will be a need to enforce the law. At the present time, the Municipality has two parking patrolmen whose duty is to enforce all parking restrictions. As these two are engaged full time on a day shift basis, it would require an additional man or possibly two if the Municipality was to consider enforcing a night time limit on parking. The R.C.M.P. does not enforce time limit parking, only complete parking bans.

is
If the purpose/to force apartment dwellers to use their off-street parking facilities, one approach would be to post a two hour limit between, say, midnight and 6:00 a.m. The preferred approach would seem to be the one where the Municipality would be able to discourage off-street parking in apartment areas as well as to provide at least a partial ban on parking for reasons of having a clear street for sweeping, flushing and possible snow removal activities. These ends could probably be best achieved through the means of alternate-night parking bans on alternate sides of the street. To make an inventory of all streets that would be affected and to provide the most workable solution would take some time as the demands on the Traffic Division in the Engineering Department are extremely heavy.

It was recommended that parking meters not be installed on streets serving apartments at this time and that the subject of parking meters in general be reviewed.

Alderman Stusiak stated that he had a number of ideas which support the proposal to install parking meters in apartment areas that he would like to discuss with the Municipal Engineer.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That the subject of the report from the Manager be referred back to the Municipal Engineer for reconsideration in the expectation that Alderman Stusiak will inform the Engineer of his reasons why parking meters should be installed in apartment areas."

(27) Restrictive Covenant
SUBDIVISION REFERENCE NO. 40/73

It was recommended that Council authorize the preparation and execution of a restrictive covenant for the above Subdivision in accordance with the information provided in the report.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That the report of the Manager be tabled until the December 17th Council meeting for consideration in conjunction with a report the Municipal Manager will be submitting relating to the lining of the water course in the Subdivision in question."

CARRIED UNANIMOUSLY

(28) Lane South from the South Property Line of Block 82, Plan 1813, D.L. 92, Plan 1146 to the North Property Line of Lot 76, D.L. 92, Plan 1146 between Brantford Avenue and Empress Avenue

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

(29) Domtar Roofing Products Plant (8255 Wiggins Street)

Domtar Construction Materials Limited has applied to the Greater Vancouver Regional District for a permit relating to industrial air emissions.

The Regional District has informed the Medical Health Officer of the remedial and monitoring measures planned for the Domtar Plant. The Regional District has also indicated that it is anticipated that it will take seven months prior to the installation of the control equipment.

It was recommended that the Medical Health Officer be instructed to meet with the Regional District authorities to determine whether or not the control equipment proposed for the Domtar Asphalt Plant can become operational earlier than the presently scheduled date.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(30) Edmonds House

The finishing work for the above building involves:

1. Meeting room - For group meetings, dinners, carpet bowling, bingo, or other organized activities for large gatherings up to 200 persons.
- 2.) Storage room - For equipment used in Room 1.
- 3.) Storage room - For equipment used in Room 1.
4. Games room - For shuffleboard, billiards, darts, etc., and provision for preparation of coffee by Senior Citizens.
5. Storage room - For equipment used in Room 4.
6. Cloak room - With benches.
7. Elevator - To install equipment, provision for which was made in initial construction of the building.
8. Women's Lavatory - To finish and install fixtures (rough plumbing already installed).
9. Men's Lavatory - To finish and install fixtures (rough plumbing already installed).
10. Storage room - For large items of equipment needed on this floor (example: tables, chairs, etc.).
11. Elevator machinery room - For pump and controls for hydraulic elevator.
12. Corridor - To finish in conjunction with secondary means of egress from above rooms.

The total estimated costs of the work are \$107,007.00 which, after receiving the revenue anticipated from the 1973 C.I.P. allocation and an Elderly Citizens' Housing Aid Grant, leaves a balance of \$1,338.00.

It was recommended that:

- (a) The project detailed in the report be approved in principle.
- (b) The Municipal Treasurer make application for a grant in the amount of \$35,669.00 under the Elderly Citizens' Housing Aid Act.
- (c) The firm of Harrison and Kiss, Architects, who designed the Senior Citizens' Housing Project next door be engaged to prepare plans and specifications for the project.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:

"That the report of the Manager be referred to the Parks and Recreation Commission for comment."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

BY - L A W S

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"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. 23, 1973"."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #66/70

- (a) Lot 1 Sketch 12477, S.D. 5/6 Part, Blocks 1/4/6, D.L. 125, Plan 10378
- (b) Lot 1 Except Sketch 12477, S.D. 5E Part and 6, Blocks 1/4/6, D.L. 125, Plan 10378
- (c) Lot "A" Except Sketch 8843 and Except Sketch 4800, Block 5, D.L. 125, Plan 3347
- (d) Parcel 1 Explanatory Plan 8843, S.D. "A", Block 5, D.L. 125, Plan 3347

5145 Lougheed Highway; 2023, 2043 and 2081 Springer Avenue

FROM RESIDENTIAL DISTRICT TWO (R2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That the Committee now rise and report the By-Law complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 23, 1973" be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:
"That:

"BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2, 1973"
"BURNABY STREET LIGHTING FRONTAGE-TAX REPEAL BY-LAW 1973"
"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 11, 1964,
AMENDMENT BY-LAW NO. 1, 1973"
"BURNABY ROAD CLOSING BY-LAW NO. 11, 1973"

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:
"That "BURNABY COMPREHENSIVE LOAN AUTHORIZATION BY-LAW NO. 2, 1973" be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED

AGAINST -- ALDERMAN MERCIER

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

CARRIED UNANIMOUSLY