

March 12, 1973

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, March 12, 1973 at 7:00 p.m.

PRESENT: Mayor R. W. Prittie, in the Chair
Alderman W. A. Blair
Alderman W. R. Clark
Alderman T. W. Constable
Alderman J. D. Drummond
Alderman M. M. Gordon
Alderman D. A. Lawson
Alderman G. H. F. McLean
Alderman J. L. Mercier

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

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN GORDON:
"That the Minutes of the Council meeting held on March 5, 1973 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

DELEGATIONS

The following wrote requesting an audience with Council:

- (a) Mr. R. L. Ryan, Executive Director, Boys' Clubs of Vancouver re Request to Lease Lots 1 and 2, Block 4, D.L.127E%, Plan 1342;
- (b) Mr. L. Ramsey re Proposed Local Improvement on Brighton Avenue between Loughheed Highway and Winston Street;

John H. Haiste & Associates Ltd. also submitted a letter requesting an audience with Council on the question of the type of curb that is to be installed on the roads proposed to be created in the development of a 9.86 acre portion of Lot 1, D.L.'s 73/81, Plan 40648 for a variety of housing schemes, commonly known as Green Tree Village.

DEPUTY MUNICIPAL CLERK stated that he had been informed by a spokesman for John H. Haiste & Associates Ltd. that the Company wished to withdraw its request for an audience.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CONSTABLE:
"That the spokesman for the Boys' Clubs of Vancouver and Mr. Ramsey be heard."

CARRIED UNANIMOUSLY

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(a) Mr. R. W. Hole, President of the Boys' Clubs of Vancouver appeared and stated that the Clubs had existed for approximately 34 years and were proud of their accomplishments.

He reiterated the points which had been made in previous submissions on the question of leasing the property in question.

Mr. Hole also advised that the Boys' Clubs of Vancouver were endeavouring to raise \$300,000.00 with which to construct a facility on the property. He also pointed out that the Planning Department supports the leasing of the land.

Mr. Hole distributed a summary of questions and answers that he anticipated would arise in the minds of Council members.

In response to a question, Mr. Hole stated that some of the Boys' Clubs do have programmes for girls.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN BLAIR:

"That Item 13 of the Municipal Manager's Report No. 19, 1973, which deals with the subject of the submission from the Boys' Clubs of Vancouver, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the substance of that report from the Manager:

(13) Lots 1 and 2, Block 4, D.L. 127E½, Plan 1342
(Southeast corner of Howard Avenue and Hastings Street)
BOYS' CLUBS OF VANCOUVER

Mr. Hole, in a letter July 31, 1972 addressed to the Planning Director, explained that there is an apparent need for a Boys' Clubs facility in the Capitol Hill area and, at that time, requested that Council consider donating the subject property to the Clubs.

In a letter dated July 24, 1972 addressed to the Planning Director, Mr. K. Hansom of the Boys' Clubs elaborated on the type of services which have been offered in Burnaby by the Clubs.

A report was submitted by the Planning Department to Council on September 18, 1972. The Council subsequently directed that the land in question not be donated to the Clubs but that the entire matter be referred to the Parks and Recreation Commission for study and report as to whether the site should be leased and, if so, under what terms.

The Commission, at a meeting on March 7, 1973, adopted the following recommendations in regard to the matter:

- (1) That the report that was submitted to it be forwarded to Council.
- (2) That Council be advised that the proposal from the Boys' Clubs is one that deals primarily in a social service and, as such, should be approved or rejected by Council.
- (3) That Council also be advised the Commission feels there is a need in the community for a specialized service to deal with problems of youth and that this service should be available to all areas of Burnaby, with an adequate staff of trained personnel.

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- (4) That Council give consideration to the establishment of such a service in one of the municipal departments or agencies.

The report of the Commission makes no reference to alternate sites. Although the subject property would satisfy the Clubs' requirements, the fact the current market value of the land is approximately \$75,000.00 suggests that another site, perhaps on parkland adjacent to recreational facilities in the Kensington Park area, would be more appropriate. A site on parkland would be compatible with the type of leasing arrangements the Boys' Clubs of Vancouver have with the Vancouver Parks Board, it would parallel the type of leasing arrangement which is presently being proposed for the Burnaby Tennis Club, and would in all likelihood involve less cost to the municipality.

It was recommended that:

- (i) the Municipal Manager be directed to submit a report to Council on or before:

- (A) April 9, 1973 containing an evaluation of alternate sites which might be suitable for the purposes of the Boys' Clubs of Vancouver, including a firm recommendation in regard to leasing arrangements for the site(s);
- (B) April 30, 1973 on the need for a specialized service to deal with the problems of youth, as per Recommendations 3 and 4 of the Parks and Recreation Commission report;

- (ii) the Parks and Recreation Commission be advised accordingly.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That recommendation (i)(B) of the Manager be deleted from his report."

IN FAVOUR -- ALDERMEN MCLEAN AND MERCIER

AGAINST -- ALDERMEN BLAIR, CLARK,
CONSTABLE, DRUMMOND, GORDON
AND LAWSON

MOTION LOST

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN BLAIR:

"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(b) Mr. L. Ramsey then spoke and offered the following in support of a request of himself and other property owners on the West side of Brighton Avenue between Lougheed Highway and Winston Street that Council re-examine the Local Improvement proposal planned for the Avenue:

- (1) There is no need for a sidewalk because there is not very much pedestrian traffic and it is not reasonable to have a sidewalk end at major roads (Lougheed Highway and Winston Street).

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- (2) The municipality and the property owners concerned would be saved the additional cost of constructing a sidewalk.
- (3) Developing Brighton Avenue in the manner proposed at the present time will produce an increase in traffic that will also increase noise pollution and devalue property.
- (4) Because there will be no provision for left turning movements for traffic travelling North from Winston Street, those residing on the West side of Brighton Avenue will need to travel at least two additional miles in order to gain entry to their properties.
- (5) There is no need for the type of road that is planned (two-23-foot wide roadways separated by a 14-foot wide median).
- (6) Since the Woodward's site on the East side of Brighton Avenue will be allowed left turn access onto that property, it is discriminatory when the same opportunity will not be available to those on the West side. Any alterations to accommodate the Woodward's development should be off Winston Street between Brighton Avenue and Cariboo Road.

In response to questions, the Planning Director stated that:

- (i) it may be possible for Woodwards to obtain a local access road to Lougheed Highway if additional land could be acquired for that purpose;*
- (ii) the type of development planned for Brighton Avenue is the same as that which exists on Production Way, which is the extension of Brighton Avenue North of Lougheed Highway;*
- (iii) Brighton Avenue is designed in the manner indicated in order to attract traffic and discourage it from using streets West of Brighton Avenue in the residential area.*
- (iv) it may be possible that a frontage road could be provided for those on the West side of Brighton Avenue.*

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That work on the Local Improvement planned for Brighton Avenue between Lougheed Highway and Winston Street be suspended until a report is submitted indicating possible solutions to the problems which would be experienced by those residing on the West side of that Avenue in the event the work proceeds as currently planned; and further, the Planning Department produce the development plans of Woodwards when the subject matter is returned to Council."

CARRIED UNANIMOUSLY

Mrs. R. B. Raymer submitted a letter asking that Council not proceed with the Local Improvement work planned for Brighton Avenue between Lougheed Highway and Winston Street because a majority of the property owners on the Avenue signified their opposition to the proposal.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GORDON:

"That the letter from Mrs. Raymer be received and she be informed of the decision Council rendered this evening in regard to the subject of her submission."

CARRIED UNANIMOUSLY

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ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That all of the below listed original communications be received and those items of the Municipal Management ^{Report} which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

Mrs. Dorothy Lovestead, Secretary, South Burnaby Minor Lacrosse Association, wrote to request permission to hold a Tag Day on June 15th and 16, 1973.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN GORDON:

"That permission be granted to the Association to conduct its campaign on the dates indicated."

CARRIED UNANIMOUSLY

Mr. C. L. Gall, Federal Officer, Canadian Federation of Mayors and Municipalities, submitted a circular with which he forwarded a number of documents relating to the 1973 Budget Speech for the Federal Government. He particularly drew attention to the Notice of Ways and Means Motions relating to exemptions, for municipalities, from the payment of Federal sales tax on anti-pollution equipment.

Mr. C. S. J. McKelvey, Executive Director, Union of B. C. Municipalities, submitted a circular outlining the position being taken by the U.B.C.M. in regard to the submission of Briefs to a Public Inquiry into Municipal Type Waste Disposal on April 30, 1973.

The Executive Director also enclosed a Brief that has been prepared by the U.B.C.M. on the matter.

Mr. C. S. J. McKelvey, Executive Director, Union of B. C. Municipalities, forwarded a circular enclosing the position paper of the U.B.C.M. pertaining to Bill No. 42 (Land Commission Act) which was presented to the Minister of Municipal Affairs on March 1, 1973.

The Honourable Robert Williams, Minister of Lands, Forests and Water Resources forwarded a copy of a letter addressed to the Chairman of the North Fraser Harbour Commission:

- (a) expressing pleasure that the Commission is undertaking a study for the long-range development of the Harbour under its jurisdiction;
- (b) advising that staff of his Department will be in contact with the Commission in regard to the renewal of the head lease for the Harbour as it relates to the study.

The Honourable Norman Levi, Minister of Rehabilitation and Social Improvement, wrote to advise that the Provincial Government has made plans to establish a Drug Abuse Commission which will be charged with the task of providing treatment facilities for those addicted to drugs of all kinds.

Mr. J. A. Sadler, Assistant Deputy Minister, Department of Rehabilitation and Social Improvement, submitted a Serial Letter advising that the Minister of Rehabilitation and Social Improvement has authorized earnings exemptions and payments of opportunities allowances to persons in receipt of social allowances.

Mr. Sadler also submitted a Serial Letter advising that the Minister of Rehabilitation and Social Improvement has authorized earnings exemptions and payments of opportunities allowances to persons in receipt of Handicapped Persons Income Assistance.

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Mr. D. H. Little, Deputy City Clerk, City of Vancouver, forwarded a submission indicating that the City has paid an account of \$15,000.00 toward the cost of providing lighting in the Swangard Stadium.

Miss V. B. Smith submitted a copy of a letter addressed to the Principal of the Kensington Secondary School expressing concern regarding conditions on the playing fields at the School.

Item 10 of the Municipal Manager's Report No. 19, 1973, which deals with the subject of the letter from Miss Smith, was brought forward for consideration at this time. The following is the substance of that report:

(10) Kensington Secondary School

The playing field in question was built by the Parks and Recreation Commission on the School property under a joint arrangement with the School Board for the purpose of providing both agencies with grass fields.

These fields are experimental in that they are sand based "economy" fields constructed without an elaborate drainage system. They were built in this way to determine the feasibility of producing a significant increase in the number of grass playing fields without resorting to the very large expenditures required for the construction of conventional grass fields.

The field at the Kensington School was allowed to dry out last summer during the Civic Employees' Strike when no staff was available to irrigate it. Its recovery was satisfactory afterwards. The overuse to which Miss Smith refers is primarily the result of casual pedestrian traffic across the field. Reasonable care is being exercised by the School and Park agencies in allotting the field because of its newness and the fact that it is not yet properly established for maximum use.

The only sure control is complete fencing but this is not considered desirable on a public open space. The area is partially fenced and the closing of a gate opening at Curtis Street and Kensington Avenue should considerably relieve the problem. The School Board has been asked to effect this closure.

The complaint of Miss Smith regarding the chained garbage can in a corner of the field has been referred to the Chief Public Health Inspector, who will report to Council on the matter on March 19, 1973.

It was recommended that a copy of the report at hand be sent to both Miss Smith and the Principal of the Kensington Secondary School.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:

"That staff of the Parks and Recreation Commission enquire of the School Board as to whether the latter will relocate the entrance serving the Kensington Secondary School to the Westerly edge of the grasshockey playing field on the site."

CARRIED UNANIMOUSLY

Mr. D. Weber, General Manager, Dunhill Management, wrote to request that the proposed increase in water rates be phased in rather than applied all at once.

He pointed out that this arrangement would benefit condominium developments.

Item 16 of the Municipal Manager's Report No. 19, 1973, which deals with the subject of the letter from Dunhill Management, was brought forward for consideration at this time. The following is the substance of that report:

(16) Sewer Rates (Dunhill Management)

The letter from Dunhill Management must relate to the proposed increase in sewer rates instead of water rates.

The point Mr. Weber is making is that financing of the operations of condominium developments (Strata Title Corporations) is by budget on an annual basis and the addition of a sizeable extraordinary charge would require a special contribution from the owners in the Strata Title Corporation.

Any change Council may make in the sewer tax will not affect Strata Title Corporations. The owners of the separate Strata Title parcels are individually responsible for the payment of taxes.

If such developments were commercially owned complexes, there would be metered sewer charges. Because of the nature of a Strata Title Corporation, each lot is assessed a sewer parcel tax of \$3.00 or \$21.00, as the case may be, depending on whether or not the developer installed the sewer system. This, in turn, results in a free zone of 3,500 cubic feet per quarter in the meter rate scale which usually large enough to take care of metered sewer bills in Strata Title complexes.

In the case of one Dunhill Development Strata Title Corporation in Burnaby, the increase in sewer charges would be \$2.00 and the decrease in general taxation resulting therefrom would average \$8.03 per lot.

It was recommended that a copy of the foregoing report be sent to Dunhill Management.

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

CARRIED UNANIMOUSLY

T A B L E D I T E M S

The following matters were then lifted from the table:

- (a) Lot 113 Except Explanatory Plan 39721, Lot 114, D.L.'s 157 and 163, Plan 35239 (Appell) AND Block 12, D.L.'s 163 and 166, Plan 1050 (Kuypers) NELSON AVENUE EXTENSION SOUTH FROM MARINE DRIVE;

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN BLAIR:
"That the recommendation in Item 16 of the Municipal Manager's Report No. 17, 1973, which Council received on March 5th, be adopted."

CARRIED

AGAINST -- ALDERMAN DRUMMOND

(b) Sewer Financing

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DRUMMOND:

"That Item 13 of the Municipal Manager's Report No. 17, 1973, which deals with the subject of sewer financing, be retabled until the March 19th meeting."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GORDON:

"WHEREAS there would appear to be a duplication of staff and equipment relating to the Data Processing operations in the municipalities which are members of the Greater Vancouver Regional District;

AND WHEREAS there would appear to be considerable over-capacity in that field in many of the municipalities;

AND WHEREAS there would appear to be considerable cost savings in combining Data Processing operations;

NOW THEREFORE BE IT RESOLVED that the Greater Vancouver Regional District be asked to undertake a study to determine the feasibility of central Electronic Data Processing, either by way of establishing a service centre or using the facilities of established centres, or any other means."

CARRIED UNANIMOUSLY

MAYOR PRITTIE drew attention to a letter he had received from Mr. G. W. Carlisle, Director of Finance and Administration, Greater Vancouver Regional District, relating to the question of the Regional District increasing the levy for the Park function from .35 mills to .5 mills.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That Council go on record as supporting the retention of the .35 mill rate for the Regional Park function."

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN LAWSON:

"That the previous motion be tabled until the March 19th meeting in order to allow for the submission of information clarifying the reason for the increase proposed by the Greater Vancouver Regional District in the mill rate for the Park function."

IN FAVOUR -- ALDERMEN CONSTABLE, LAWSON,
MCLEAN

AGAINST -- ALDERMEN MERCIER, DRUMMOND,
GORDON, CLARK AND BLAIR

MOTION LOST

A vote was then taken on the first motion, and it was carried with Aldermen McLean and Constable against.

ENQUIRIES

When Alderman McLean asked whether the Federal Government/Provincial Government would be assuming any responsibility for over-expenditures in connection with the Canada Summer Games, Alderman Clark replied that the Provincial Government had contributed \$131,800.00 already and there was a possibility the Federal Government would contribute a like amount.

When Alderman McLean enquired about the curbs proposed to be built on streets in the Green Tree Village development, which was the subject of the letter from John H. Haiste & Associates Ltd., the Municipal Engineer stated that it was intended to adhere to the standards which have been prescribed by his Department for the curbs. He added that he was disturbed with the type of curb proposed by John H. Haiste & Associates Ltd. because experience in other municipalities where they have been installed indicate they are inferior in that they do not last and their upkeep is very costly.

When Alderman Lawson asked when the Contracts Committee would be meeting to, among other things, deal with the proposed restructuring of the administration in the Engineering Department, Alderman Drummond (as Chairman of the Committee) indicated that it would be fairly soon.

Alderman Lawson drew attention to a recent article in the newspapers concerning the cost of ambulance services being subsidized by Vancouver, Burnaby and New Westminster for the benefit of other Lower Mainland municipalities. Alderman Constable stated that the Ambulance Committee would be meeting very "shortly and would bear this matter in mind during its deliberations on the subject which has been assigned to it.

Alderman Lawson announced that the Branch Library in the Crest Shopping Centre was now open and that an official Open Day would be held next Saturday at 2:00 p.m. She added that the members of Council would be invited to this opening.

When Alderman Clark asked whether the streets in the Green Tree Village development were all privately owned, the Municipal Engineer said that some of them would be but the main roads would be under municipal jurisdiction.

As a result of Alderman Clark enquiring, it was understood by Council that the Planning Director would be submitting a report to Council either on March 19th or March 26th regarding the matter of rezoning the Beresford-Antrim-MacPherson Park-Royal Oak area, including the question of protecting residentially-developed properties in the area from the presence of industrial plants.

When Alderman Clark asked the Engineer when Council could expect a report on the matter raised by him at earlier Council meetings concerning the surface of Sperling Avenue South from Hastings Street, the Engineer replied that he was still awaiting a report from a testing firm before he could report on the situation.

R E P O R T S

MAYOR PRITTE submitted a report advising that, in accordance with Section 180 of the Municipal Act, he was returning for reconsideration the subject of Item 7 of the Municipal Manager's Report No. 17, 1973 involving Burnaby Local Improvement Construction By-Law No. 7, 1972, Repeal By-Law 1973.

He pointed out that it was evident, at the March 5th meeting when this report item was being considered, that the members of Council were confused with the real purpose of that item. He explained that Council was debating the merits of certain Local Improvements on Government Street, which it was realized later have been approved by Council, whereas the recommendation in Item 7 was to merely repeal the subject Construction By-Law because it is no longer necessary now that new work has been authorized.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CONSTABLE:
"That Burnaby Local Improvement Construction By-Law No. 7, 1972,
Repeal By-Law 1973 be given favourable consideration later in the
evening."

CARRIED

AGAINST -- ALDERMAN CLARK

MUNICIPAL HALL EXPANSION COMMITTEE submitted a report, as follows,
on the subject of providing additional facilities in the Municipal Hall
Complex:

- (a) Since Council appointed the Architectural Firm of Keith-King and Freschi on October 10, 1972 to provide architectural services in the design, preparation of working drawings and specifications, and supervision of the proposed Health and Social Services Building and also the question of advancing the concept for the ultimate development of the Municipal Centre Complex, the Architect has worked closely with municipal staff and the Special Committee in re-examining the concept for the future development of the entire governmental/cultural/recreational centre and in preparing preliminary plans and estimates for the first phase of the project.
- (b) Upon more detailed examination of the physical site of the Municipal Complex and the factors which should ideally give form to the ultimate development, the Architect recommended that most of the basic design ^{developed} criteria/for the initial concept be retained. He has, however, concluded in his study that the major expansion of municipal office facilities anticipated within the next ten years would more appropriately take the form of a low "dispersed grid" building form connecting the present Municipal Hall and Justice Building with the new Health and Social Services unit and with the future Library and Arts/Cultural facilities South of Gilpin Street rather than adopting the tower form that was suggested in the original concept.
- (c) The advantages in flexibility of creating additional space when and as required by extending the building horizontally, and the sympathetic relationship to the parklike setting of the Complex which this approach offers are important features of the concept. The Complex would actually be comprised of a network of low buildings and courts open to the sky, with glazed corridors and links combining with landscaped rooftop plazas to form the pedestrian circulation system.
- (d) The preliminary design for the first stage building, to be located essentially as proposed originally, is complete and reflects a careful analysis of the particular needs of the two Departments involved which are to occupy the building. The design, as presented, provides 23,993 square feet of net usable floor area on two levels, surmounting a level with space for 76 vehicles, of which 33 would lie beneath the building proper. The building is designed to use a simple structural system which would allow expansion in a variety of ways and is well suited to the dispersed grid development pattern.
- (e) A preliminary cost analysis indicates the building will cost in the neighbourhood of \$1,146,039.00, which includes necessary site improvements relating to the building.

Other amounts that should be added to this figure are:

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(i) Consultant's fee @ 8.0%	\$	91,683
(ii) Concept development fee		7,800
(iii) Furnishings allowance		24,000
(iv) Perimeter Road		10,000
(v) Project contingency sum		25,000
Grand Total	\$	1,304,522

(f) This figure of \$1,304,522.00 exceeds the original rough estimate which had been provided without benefit of detailed design. The increases are attributable mainly to increases in floor area to accommodate the actual space requirements of the two Departments by a slight increase in numbers of personnel, by the provision of slightly more parking, by the increase in engineering consultants' fees, and by the provision of an allowance for furnishings.

(g) Because the preliminary design prepared by Keith-King and Freschi is considered acceptable, it was recommended that Council endorse this view and approve the preliminary sketch plans that are being presented, and authorize the Architect to proceed with the preparation of working drawings and specifications for the building on this basis.

Alderman Mercier asked that information be supplied indicating the relationship between the areas of the Municipal Hall and their extensions over the past 25 years or so (including the staff sizes each time a change occurred) and the increases in the population in the municipality during that time.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:

"That the report of the Committee be received and be brought forward at an adjourned meeting of the Council to be held on Tuesday, March 13th at 4:00 p.m., with it being understood that the information being sought by Alderman Mercier will be provided then."

CARRIED UNANIMOUSLY

DEPUTY MUNICIPAL CLERK submitted a Certificate of Sufficiency covering the construction and paving of the lane between Manor Street and Dominion Street West from Esmond Avenue to the lane East of Boundary Road to a width of 14 feet and a depth of not more than 2 inches.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN CONSTABLE:

"That the Certificate be received and a Local Improvement Construction By-Law authorizing the work be prepared."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN GORDON:

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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 19, 1973, on the matters listed below as Items (1) to (16), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) 1972 Report of Personnel Department

A report of the Personnel Director covering the activities of his Department during 1972 was being submitted herewith.

Concern was expressed in Council about the variations in the number of days employees received sick pay from the Burnaby Municipal Benefit Society, as detailed under Paragraph 4.1 of the report from the Personnel Department.

It was understood by Council that the Personnel Director would supply further information explaining the reasons for this situation.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN GORDON:
"That the report of the Personnel Department be received."

CARRIED UNANIMOUSLY

(2) Lot 3, D.L. 1731 (Sechelt)

The above property, which is located in Sechelt, is owned by the Corporation, having been obtained in 1925.

The last time Council dealt with the question of selling the parcel was on November 6, 1972 when it directed that tenders for the purchase of the lot be initiated in March, 1973.

If Council is disposed toward the sale of the Lot, advertisements will be placed in the Vancouver Sun and two newspapers having circulations in the Sechelt area (the Peninsula Times and the Sunshine Coast News).

It was recommended that the property in question be offered for sale by public tender.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN DRUMMOND:
"That the matter of selling Lot 3, D.L. 1731 be tabled until the second Council meeting in February, 1974."

CARRIED

AGAINST -- ALDERMAN BLAIR

(3) Appeal to Assessment Appeal Board

The Court of Revision allowed appeals relating to the assessability of a special type of cash register which produces a computer tape. There is doubt whether this type of register is a fixture or a chattel, and thus assessable or non-assessable. At the present time, the guidelines produced by the Assessment Commissioner indicate such machinery is assessable.

The Court of Revision decided that the cash registers were not assessable.

Decisions of the Assessment Appeal Board set a precedent for the entire Province so it is felt that the decision of the Court of Revision should be appealed.

It was recommended that Council consent to the filing of appeals against the decisions of the Court of Revision regarding the assessability of the special type of cash register which produces a computer tape to which reference is made in the report.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:
"That the report of the Manager be tabled until the March 19th meeting and the Municipal Assessor indicate then the amount of tax revenue which would be collected in the event the type of cash register in question was to become assessable."

CARRIED

AGAINST -- ALDETMEN CONSTABLE AND MERCIER

(4) Pipe Crossing Agreement

It was recommended that Council authorize the execution of an agreement with the Canadian National Railways, which will permit the construction and maintenance of an 8 inch water connection at mile 3.17 of the Lulu Island Subdivision that is required for a fire service for Metro Shake and Shingle Company.

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

CARRIED UNANIMOUSLY

(5) Spaying Service

The following are comments which were received from two of four veterinary establishments licenced to conduct business in Burnaby regarding the matter of them participating in a programme whereby female dogs would be spayed at either no cost or at a low cost to the owners:

- (a) It is an incorrect assumption that the growing problems of dog control are due entirely to the fertility of the female.
- (b) Dog control is the direct responsibility of the dog owners.
- (c) Possibly the increase in the fine for retrieving an errant pet would produce fewer loose dogs.
- (d) The suggestion that veterinarians perform ovariohysterectomies at little or no cost is tantamount to a retail outlet giving its products away simply because someone desired them.
- (e) It is up to Council to prescribe the pet care laws which will benefit the majority of the community.
- (f) Council cannot rationally expect veterinarians to subsidize pet owners. Good medical care always cost money and that money should come from the proper source, in this case the owner of the pets requiring the care.
- (g) The problem does not lie solely with female dogs and the suggestion concerning spaying of them is not a sensible approach to the total problem.
- (h) Generally, more stringent control of licencing and enforcing the existing leash laws would seem to be more helpful.
- (i) If too many purchasers of female puppies are unaware of the problems caused by a female dog in heat, an educational campaign sponsored by the Licence Department, local humane groups and veterinarians might be of some benefit.
- (j) The Vancouver and affiliated S.P.C.A.'s require a deposit from people adopting female pets and are given a Certificate authorizing their veterinarian to bill the S.P.C.A. for the cost of an ovariohysterectomy. In many cases, the deposit does not cover the full cost and the programme is subsidized by the S.P.C.A. If Burnaby wishes to establish a similar programme, the Vancouver Academy of Veterinarian Medicine would be pleased to discuss the matter.

The two other veterinary establishments referred the suggestion of Council to the Vancouver Academy of Veterinarian Medicine.

The S.P.C.A. administers six municipal impounding facilities in the Lower Mainland, including Burnaby's. In all of these shelters, a \$25.00 deposit is required before a female dog can be adopted and the adoptee is given a Certificate authorizing a veterinarian to spay the animal and bill the Society. In many cases, it costs more than \$25.00 to spay an animal and this extra cost is borne by the S.P.C.A.

Last year, the Society had to subsidize spaying fees in the amount of \$3,000.00.

A similar arrangement could be made with the Academy to cover all female dogs but the extra costs would need to be borne by the municipality.

It was recommended that:

- (i) a subsidization programme that provides a free or low cost spaying service involving female dogs which are owned by residents of Burnaby not be supported by Council;
- (ii) a copy of the report at hand be sent to the Vancouver Academy of Veterinarian Medicine and the S.P.C.A.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN DRUMMOND:

"That the question of a low cost travelling spaying clinic for female dogs be referred to all municipalities who are members of the Greater Vancouver Regional District plus the S.P.C.A. for their views."

CARRIED

AGAINST -- ALDERMEN CLARK AND MERCIER

MAYOR PRITTIE DECLARED A RECESS AT 9:10 P.M.

THE COMMITTEE RECONVENED AT 9:25 P.M.

ALDERMAN BLAIR WAS ABSENT.

- (6) Lots 13 and 14, Block 9, D.L. 32, Plan 7662
PRELIMINARY PLAN APPROVAL APPLICATION NO. 2071

It was recommended that Council authorize the Planning Department to work with the applicant for the above P.P.A. and prospective developers of the remainder of the Block where the lots are located in an effort to include the gas bar proposed to be built on the subject Lots 13 and 14 as an integral component of the overall commercial complex referred to in the report.

It was also recommended that the subject P.P.A. be withheld for the proposal involving Lots 13 and 14 pending review and presentation to Council of development proposals for the remainder of the Block.

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

CARRIED UNANIMOUSLY

ALDERMAN BLAIR RETURNED TO THE MEETING.

(7) Lease - Burnaby Tennis Club (Lot 25, D.L. 79, Plan 26329)

The terms of the above lease, which would convey to the Burnaby Tennis Club the use of the property described in caption in caption for the construction of a Clubhouse, are essentially as follows:

- (a) The agreement is for 5 years commencing April 1, 1973.
- (b) Consideration would be in the amount of \$1.00 per annum, plus payment of annual taxes including local improvement taxes.
- (c) Permission to construct, at the Club's expense, those improvements to which the municipality gives its consent.
- (d) Construction of the Clubhouse to be undertaken in three stages, with work to commence only upon the written approval of the municipality.
- (e) The clubhouse and related improvements, including walks, fences, landscaping, etc., to be maintained in good order and repair, and in compliance with local health, safety, fire, zoning and building regulations.
- (f) The Club assumes responsibility for all construction, operating and maintenance costs.
- (g) Keeping the premises and all improvements insured under a comprehensive policy in a sum equal to the full insurable value of same, and to keep in force for the entire term appropriate liability insurance policies which shall not be for less than prescribed stipulated amounts.
- (h) The premises to be assigned or sublet only with municipal consent.
- (i) A binding obligation for members to observe all applicable laws, by-laws, and regulations, and at all times to obey all orders, directives and requests made by any municipal or other public authority.
- (j) No discrimination against any person by reason of race, colour, religion or origin.
- (k) The ownership of all structures and improvements would vest in the municipality upon expiration of the term of the lease.

Section 21 of the Municipal Act provides that park properties may be leased for a term of not more than 20 years with the assent of the owner-electors, or for a term of 5 years or less without the assent of the owner-electors. The Parks and Recreation Commission favours a 20 year term for the subject lease but this cannot be done. The Commission, on February 21, 1973, resolved that it is the intent of the Commission that the lease with the Burnaby Tennis Club be renewed at the end of the 5 year term up to a maximum of 20 years. If Council concurs, then a separate motion would be required favouring the granting to the Club on April 1, 1978 a 5 year lease, on April 1, 1983 a further 5 year lease and April 1, 1988 a further 5 year lease.

It was recommended that:

- (i) Council authorize the execution of the subject lease for a 5-year term;
- (ii) Council go on record as favouring the Corporation granting to the Burnaby Tennis Club further leases on the dates indicated above;
- (iii) a copy of the report at hand be sent to the Parks and Recreation Commission for endorsement.

MUNICIPAL MANAGER stated that he wished his report amended by deleting therefrom the following words:

"If Council concurs, then a separate motion would be required favouring the granting to the Club on April 1, 1978 a 5-year lease, on April 1, 1983 a 5-year lease, and on April 1, 1988 a 5-year lease."

The Manager also asked that the words in the second recommendation "go on record as favouring the Corporation" be replaced with "has no objection to the Commission passing a resolution favouring the".

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MCLEAN:

"That the amendments requested by the Manager be approved and his recommendations, as amended, be adopted."

CARRIED UNANIMOUSLY

(8) Estimates

It was recommended that the Municipal Engineer's Special Estimates of Work in the total amount \$74,500.00 be approved.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(9) Winter Clubs' Agreements

It was recommended that Council authorize the execution of agreements between the municipality and each of the McPherson Winter Club and the Burnaby Winter Club on the following terms:

(a) McPherson Winter Club

- (i) The agreement is for one year commencing January 1, 1973.
- (ii) The municipality is to pay the Club on March 1, 1973, \$3,460.20 for the calendar year 1972.
- (iii) Daily attendance records for all activities are to be submitted to the Corporation on February 15, 1973.
- (iv) A financial statement which indicates the Club's 1972 operational costs and the current position of capital indebtedness is to be submitted to the Corporation on February 15, 1973.
- (v) Club facilities are to be rented to the municipality for hockey purposes between January 1 and April 15, 1973, and between September 15 and December 31, 1973. The rental will be at the rate of \$25.00 per hour for up to 150 hours of prime time.

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(vi) Club facilities are to be rented to the municipality for skating instruction purposes between January 1 and April 15, 1973, and between September 15 and December 31, 1973. The rental will be at the rate of \$25.00 per hour for up to 130 hours of prime time.

(vii) Club facilities are to be rented to the municipality for lacrosse purposes between May 1 and June 30, 1973. The rental will be at the rate of \$10.00 per hour for such hours that may be required by the municipality, up to thirty hours per week.

(b) Burnaby Winter Club

(i) Same as (i) above.

(ii) The municipality is to pay the Winter Club on March 1, 1973, \$3,842.75 for the calendar year 1972.

(iii) Same as (iii) above.

(iv) Same as (iv) above.

(v) Same as (v) above, except that rental of prime time will be up to 100 hours.

(vi) Club facilities will not be rented for skating instruction purposes.

(vii) Same as (vii) above.

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

CARRIED UNANIMOUSLY

(10) Kensington Secondary School (Smith)

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

(11) Monthly Report of R.C.M.P.

A report of the R.C.M.P. covering the policing of the municipality during the month of February, 1973 was being submitted herewith.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN MERCIER:
"That the report be received."

CARRIED UNANIMOUSLY

(12) Walkway between Paulus Crescent and Cliff Avenue

The above walkway was created by subdivision in 1959 to provide a safe pedestrian route from the then developing residential area on Paulus Crescent and Golden and Adair Streets to Cliff Avenue, especially for the children attending the Sperling Avenue School.

Subsequent subdivisions have continued to increase the number of homes in the area and the need for the walkway has steadily increased.

In 1969, when the owners adjacent to the walkway complained of its misuse and asked that it be closed, a thorough investigation was made. As a result, the decision was rendered to retain the walkway and to discourage vehicular traffic by placing barriers at the entrances. This was done and it was further suggested that the owners could provide better protection for their properties by erecting fences.

Investigations which have been conducted since Mrs. R. McDonald of 2080 Cliff Avenue appeared before Council on February 26, 1973 to request that the walkway be closed confirm that the walkway continues to provide a necessary pedestrian access and should therefore not be closed.

The recent Northerly completion of Sherlock Avenue does not produce an acceptable alternative to the walkway.

The only difference in the walkway between what existed in 1969 and now are the barricades and considerable growth of the owners plantings. It was also noted that there was an absence of any effort by the property owners to fence their properties against trespass.

Because of the opposition of the property owners, a Local Improvement proposal for Paulus Crescent was defeated, which means the street will remain in an interim standard state.

The barricades at the ends of the walkway are constructed in such a way that allows bicycles to pass by.

According to the R.C.M.P., the walkway does not present any more problems than those normally encountered on streets and lanes.

It was recommended that the subject walkway be retained and that a copy of the report at hand be sent to Mrs. McDonald.

It was mentioned at the meeting that two boys on bicycles had been struck by motor vehicles while travelling on the subject walkway.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:
"That action on the subject of the report of the Manager be deferred until the R.C.M.P. advises whether the two accidents involving boys on bicycles actually occurred and whether they were on the walkway itself or on the lanes/streets nearby."

CARRIED UNANIMOUSLY

- (13) Lots 1 and 2, Block 4, D.L. 127E~~x~~, Plan 1342
(Southeast corner of Howard Avenue and Hastings Street)
BOYS' CLUBS OF VANCOUVER

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

- (14) 5090 Victory Street (Stebbe)
REFERENCE REZONING NO. 2/72

It was recommended that Council reaffirm its previous decision to limit the number of patients in the Rest Home at the above location to 16 for the reasons which were detailed in a report Council received on February 5, 1973.

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The Planning Department received three letters from residents of the area, one of which indicated acceptance of the original rezoning proposal and the other two expressed opposition to the proposed increase in the number of patients from 16 to 21 that Mr. D. A. Hogarth requested on behalf of the owner of the property.

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

CARRIED UNANIMOUSLY

(15) Burnaby Noise or Sound Abatement By-Law

The Staff Technical Committee, which was scheduled to present a report containing a review of the above By-Law by the end of February, 1973, will be submitting its report at the end of March, 1973.

The Council was, in an attachment, being provided with a copy of a submission entitled "A Survey of Community Noise By-Laws in Canada (1972)" that was prepared by World Soundscape Project by the Sonic Research Studio, Communications Studies, Simon Fraser University.

It is to be noted that the Survey indicates "of all the by-laws included in the Survey, it is found that Burnaby's is the most exemplary."

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

CARRIED UNANIMOUSLY

(16) Sewer Rates (Dunhill Management)

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

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN CLARK:
"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

B Y - L A W S

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:
"That "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 7, 1972, REPEAL BY-LAW 1973" be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED

AGAINST -- ALDERMAN CLARK

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:
"That the Committee now rise and report the By-Law complete."

CARRIED

AGAINST -- ALDERMAN CLARK

THE COUNCIL RECONVENED.

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

CARRIED

AGAINST -- ALDERMAN CLARK

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:
"That "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 7, 1972, REPEAL BY-LAW 1973" be now read three times."

CARRIED

AGAINST -- ALDERMAN CLARK

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:
"That:

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAWS NOS. 11
AND 12, 1973"
"BURNABY ROAD CLOSING BY-LAW NO. 3, 1973"
"BURNABY ROAD CLOSING BY-LAW NO. 2, 1973"
"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 2,
1973"

be now introduced and that Council resolve itself into a Committee of
the Whole to consider and report on the By-Laws."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND LEFT THE MEETING.

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CONSTABLE:
"That:

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAWS NOS. 11
AND 12, 1973"
"BURNABY ROAD CLOSING BY-LAW NO. 3, 1973"
"BURNABY ROAD CLOSING BY-LAW NO. 2, 1973"
"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 2, 1973"

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN LAWSON:
"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. 2, 1973"."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #60/72

Block 84 Except Explanatory Plan 33894, D.L. 40, Plan 29647

8335 Winston Street

FROM R1 TO M5

DEPUTY MUNICIPAL CLERK stated that the Planning Department has reported that the prerequisites established by Council are now nearing completion.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LAWSON:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 2, 1973" be now read three times."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1972 came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

Reference RZ #68/72

Lot "A", Except Parcel 1, Explanatory Plan 8955, and Lots "B" and "C", S.D. 1, Block "C", D.L. 94, Plan 5956

5253, 5215 and 5229 Kingsway

FROM C4 TO C2

DEPUTY MUNICIPAL CLERK stated that the Planning Department has reported that the remaining prerequisite related to this rezoning proposal; namely, the consolidation of the lots into one site, has been completed.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CONSTABLE:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1972" be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY