

November 13, 1973

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C., on Tuesday, November 13, 1973, at 7:00 p.m.

PRESENT: Mayor T. W. Constable, in the Chair  
Alderman E. L. Burnham  
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

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

D E L E G A T I O N

Mr. T. A. Tait, President, T and K Construction Limited, wrote to request an audience with Council in connection with his application for a permit for a vehicular crossing to his site at 1775 Douglas Road.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN LAWSON:  
"That Mr. Tait be heard."

CARRIED UNANIMOUSLY

Mr. Tait spoke and advised that he was aware the Municipal Manager had submitted a report (Item 8 of Report No. 84, 1973) indicating that the subject of the request for the vehicular crossing would be reported on to Council at its November 19, 1973, meeting.

*The Council deferred action on the matter of hearing Mr. Tait until the November 19th meeting.*

O R I G I N A L C O M M U N I C A T I O N S

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:  
"That all of the below listed Original Communications be received and those items of the Municipal Manager's Report No. 84, 1973, that relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

The Hon. David Barrett, Minister of Finance, wrote to advise that the questions Council raised in connection with Provincial Tax Exempt properties have been referred to the Minister of Municipal Affairs for attention.

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Mr. Ed Nelson, M.P. for Burnaby-Seymour, wrote to advise that he has written to the appropriate Federal and Provincial Ministers to convey his support for the position which has been taken by Council in regard to the George Derby Health and Occupational Centre lands.

Mrs. Margaret Boileau, Secretary, Concerned Burnaby Residents, submitted a letter in which she expressed congratulations on the action that is proposed to be taken by the Provincial Government in regard to the matter of relocating the Oakalla Prison Farm and establishing an alternate use for the land occupied by the facility.

Mr. J. E. Wilson, Clerk-Administrator, The Corporation of the Village of Cumberland, submitted a letter advising that the Council of Cumberland:

- (a) appreciates the concern and interest of Burnaby regarding rowdyism in parks;
- (b) has again requested the Attorney-General to implement the measures outlined in an October 30, 1973, letter from the Deputy Municipal Clerk to him in an attempt to combat the problem.

The Hon. James G. Lorimer, Minister of Municipal Affairs, wrote to express appreciation for the action taken by Council on October 22nd relative to the temporary transit terminal at Lougheed Mall.

Premier David Barrett also wrote to advise that he has forwarded a copy of an October 24th letter from the Deputy Municipal Clerk regarding temporary transit terminals at Lougheed Mall to the Minister of Municipal Affairs for attention.

Mrs. Fay Wilkinson, Treasurer, McPherson Pee Wee "A" Hockey Team, wrote to request permission to hold a Candy Sale at the Old Orchard Shopping Centre on December 1, 1973.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

"That permission be granted to the McPherson Pee Wee "A" Hockey Team to conduct its campaign at the time and in the location indicated."

CARRIED UNANIMOUSLY

Centre for Continuing Education, the University of British Columbia, submitted a circular advising of a Seminar relating to "The Permanent Mobile Home: An Alternative Form of Housing" that is being held at the Douglas College in New Westminster on November 24, 1973.

Mr. and Mrs. W. A. Moore, submitted a letter advising that they are opposed to a request of the Canadian Water Ski Association for permission to use Deer Lake for the 1974 Canadian National Water Ski Championships.

*Item #12 of the Municipal Manager's Report No. 84, 1973, which relates to the letter from Mr. and Mrs. Moore, was brought forward at this time. The following is the substance of that report:*

(12) Water Skiing - Deer Lake

The Parks and Recreation Commission, at its meeting on November 7th, resolved that the policy regarding motor boats on lakes in Burnaby be adhered to in a very positive manner.

It was recommended that the request of the B. C. Region of the Canadian Water Ski Association to use power boats on Deer Lake in connection with the 1974

Canadian National Water Ski Championships be denied.

The queries raised by Council regarding the effect power boats have on marine life and the reaction of those residing in the vicinity of Deer Lake to the water skiing events at the Canada Summer Games has been referred to staff of the Commission for study and comment.

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

CARRIED UNANIMOUSLY

Mr. D. Vass, submitted a letter requesting that he be allowed to have a 20-foot wide driveway instead of a 12-foot wide one.

*Mayor Constable submitted a copy of a letter he had sent Mr. Vass under date of October 4, 1973, advising that the action taken to give Mr. Vass a 12-foot wide sidewalk crossing was based on the following criteria:*

- (a) A 12-foot wide sidewalk crossing is minimum size.
- (b) A 14-foot wide crossing is maximum for a driveway serving a single parking area only when the existing driveway pavement or concrete is that wide.
- (c) A 20-foot wide crossing is the maximum for a driveway leading straight into a double width parking area.

*Mayor Constable also indicated that he had visited Mr. Vass' property and it appears a 20-foot wide driveway would be to partly serve what is an illegal parking space.*

*Item #26 of the Municipal Manager's Report No. 84, 1973, which relates to the letter from Mr. Vass, was brought forward at this time. The following is the substance of that report:*

(26) Driveway Crossing - 6645 Charles Street (Vass)

Mr. Vass also wrote to the Department of Municipal Affairs about the driveway matter and the reply sent to the Minister was almost identical to the contents of an attached report from the Municipal Engineer.

The Licence and Sanitation Departments will conduct investigations regarding the parking of large trucks in the area should that become necessary following completion of the driveway crossing in question.

The resident at 6605 Charles Street has a 20-foot wide crossing which leads to a double carport. The width is allowed because the reason is compatible with the policy.

Other crossings 20-feet wide are those that service parallel driveways from abutting properties.

It was recommended that the property at 6645 Charles Street be provided with a 12-foot wide single lane driveway crossing in accordance with Municipal policy.

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

CARRIED

AGAINST -- ALDERMAN LAWSON

Mrs. Dorothea Major and a number of others submitted a petition objecting to the proposed construction of concrete curbs and/or curbs and sidewalks in the 3700 block Hurst Street.

*Item #6 of the Municipal Manager's Report No. 84, 1973, which relates to the letter from Mrs. Major, was brought forward at this time. The following is the substance of that report.*

(6) Hurst Street from Boundary Road to Joffre Avenue

In view of the objections raised against the proposed project for the subject portion of Hurst Street, it was recommended that the work proposed be deleted from the 1974 Local Improvement Programme and that the petitioners be so advised.

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

CARRIED UNANIMOUSLY

Mrs. G. A. Taylor and others submitted a petition objecting to the proposed construction of concrete sidewalks and curbs in the 3700 block Dubois Street.

*Item #14 of the Municipal Manager's Report No. 84, 1973, which relates to the letter from Mrs. Taylor, was brought forward at this time. The following is the substance of that report.*

(14) Dubois Street from Boundary Road to Joffre Avenue

As regards the comments of the petitioners concerning surveyors designing the street in preparation for a Local Improvement, the cost of this is not wasted because, if the work is not approved, the design plan is "banked" whereas if the work is approved then the plan is used.

With regard to the flooding complaint about Central Park, the condition has been recently corrected by the installation of a culvert and a catch basin plus the construction of an interceptor ditch.

The matter of street lighting for the area is included in the Capital Improvement Programme for 1975.

In view of the fact 18 of the 19 property owners on the subject portion of Dubois Street have expressed an objection to the proposed Local Improvement, it was recommended that the portion of Dubois Street in question be excluded from the 1974 Local Improvement Programme and that the petitioners be sent a copy of the report at hand.

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

CARRIED UNANIMOUSLY

Mrs. Inez J. Ervin, submitted a letter in which she suggested a number of changes in the Burnaby Dog Tax and Pound and Animal Regulation By-Law.

*Item #9 of the Municipal Manager's Report No. 84, 1973, which relates to the letter from Mrs. Ervin, was brought forward at this time. The following is the substance of that report:*

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

The following was being submitted on the suggestions of Mrs. Ervin:

- (a) The Municipal Act does not provide authority to require the licencing of horses.
- (b) The right for the poundkeeper to enter upon any property is provided for in the By-Law and is to enable the poundkeeper to conduct investigations for a number of reasons.
- (c) The only hours of operation relative to the pound are those that set the minimum hours the Animal Shelter must remain open for service. The hours for patrol activity range from 6:00 a.m. to 10:00 p.m. depending on the time of year and the nature of the registered complaints. There is a 24-hour emergency arrangement and, if a dog attacked and injured a person at 2:00 a.m., then the complaint would be investigated thoroughly.
- (d) Staff of the Burnaby Animal Shelter are employees of the S.P.C.A. and are supplied with and wear uniforms which are clearly marked with shoulder patches. In addition, each poundkeeper has an adequate identification card and the vehicles are painted in large block letters "S.P.C.A."
- (e) The By-Law provides that no person shall rescue or attempt to rescue any dog or animal which has been seized or impounded, and further provides that no person shall interfere, obstruct or impede the poundkeeper in the execution of his duties. Such authority is essential if a poundkeeper is to retain custody of any dog which has been apprehended for being at large.

A dog is not considered to be at large when on its owners' property but if the dog has been running at large and the poundkeeper has followed it home, a violation of the By-Law has taken place. The first time this happens a warning notice is issued and if the owner does not cooperate, the only alternative is to proceed with legal action.

- (f) Fines are assessed at the time the case is dealt with by the Judge. The amount of the fines levied for similar offences have ranged from a suspended sentence to the \$150.00 assessed against Mr. Les Ervin. The average amount appears to be \$10.00 to \$25.00 and, on occasion, \$50.00. Based on the instruction to Mr. Ervin at the time of his second conviction, it was apparent the presiding Judge felt Mr. Ervin had chosen to ignore the By-Law and defied the Court's instructions.

During 1973, two persons were convicted for interfering with the poundkeeper, two for assaulting the poundkeeper, and one assault charge and one interfering charge are pending.

In view of the foregoing, it was recommended that:

- (a) the subject By-Law not be amended;
- (b) the poundkeepers' operating procedures not be revised;
- (c) Mrs. Ervin be sent a copy of the report at hand.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN GUNN:  
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

Mr. A. Dayton, President, Dayton Towing and Storage Limited, wrote to appeal a decision of the Planning Department requiring that he provide underground wiring to the building under construction at 5689 Byrne Road.

*Item #10 of the Municipal Manager's Report No. 84, 1973, which relates to the letter from Mr. Dayton, was brought forward at this time. The following is the substance of that report:*

(10) Underground Wiring - 5689 Byrne Road

On July 5, 1972, the Planning Department issued Preliminary Plan Approval for the construction of a new office/shop building on the subject property for use by the owner in his towing and storage business. This Approval was based on submitted drawings and was granted on the condition that electrical service to the new structure be provided underground. A notation to this effect was placed on the approved plans.

In an attempt to upgrade the standards in the Big Bend Area (where the subject property is located), Amendments have been made to the Zoning By-Law and tighter controls exercised in the handling of new development proposals since 1971. The Council has also adopted a blanket policy requiring the provision of underground electrical services to new buildings.

The permit referred to by Mr. Dayton dated March 22, 1973, was a general one for the construction of the building only and was based on the approved Preliminary Plan Approval but did not specifically include approval for electrical service to the building. This is covered by a separate permit. Application for such approval has not been made to date.

The provision of underground electrical connections was formalized by the passage of a By-Law on July 16, 1973.

It was recommended that Council confirm the decision of the Planning Department to require the provision of underground electrical service to the development at 5689 Byrne Road.

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

CARRIED UNANIMOUSLY

Mr. B. J. Boulton, submitted a letter suggesting that a system be introduced to allow non-resident property owners in the Municipality to vote at some location other than those assigned as Polling Stations.

*Item #23 of the Municipal Manager's Report No. 84, 1973, which relates to the letter from Mr. Boulton, was brought forward at this time. The following is the substance of that report:*

(23) Absentee Voting (Boulton)

The Solicitor advises that new Provincial Legislation, which is scheduled to become effective January 1, 1974, will allow persons to vote only within the Municipality in which they reside. In other words, persons such as Mr. Boulton who are not residents of, but own property in, Burnaby will not be allowed to vote in Burnaby.

As a result of this new Legislation, neither of Mr. Boulton's two suggestions regarding alternate ways of voting by absentee ballot can be seriously considered.

It was recommended that a copy of the report at hand be sent to Mr. Boulton and that he be advised to convey his thoughts on absentee voting to the Department of Municipal Affairs.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN BURNHAM:  
"That a copy of the report of the Manager be sent to Mr. Boulton; and further, a copy also be sent to the Department of Municipal Affairs along with a copy of Mr. Boulton's letter; and further, it be suggested to Mr. Boulton that if he

wishes to pursue his proposals he contact that Department."

CARRIED UNANIMOUSLY

*Alderman Mercier served a Notice that he proposed to introduce a Motion relating to the general subject of Mr. Boulton's letter.*

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN LAWSON:

"WHEREAS a tabling motion was passed at the Council meeting on November 5th on a motion "to limit chattels carried by taxis to 15 lbs., and no time limit was established on the length of time for the tabling;

I HEREBY MOVE that the motion just cited be returned to Council in two weeks for consideration."

CARRIED UNANIMOUSLY

ENQUIRIES

Alderman McLean enquired as to what the Corporation had done with monies which had been deposited over the past 12 to 15 years for the installation of sewers in the East Burnaby area.

The Municipal Engineer replied that the monies had been used for the purpose intended; namely, the installation of sewers.

Alderman McLean advised that he would inform the Engineer of the specific properties where monies had been deposited for sewers.

When Alderman McLean asked who was doing the surveying work on Sprott Street and on Douglas Road, the Engineer replied that the Municipality was doing this because of intended Local Improvements on the streets.

Alderman Lewarne enquired as to who the representative of Council was for the Local Initiatives Programme in the Burnaby-Richmond-Delta area.

Mayor Constable stated that he had named Aldermen Lawson and Gunn to serve on Committees dealing with Federal Local Initiatives Programmes, with Alderman Lawson to serve on the Committee for the Burnaby-Seymour Federal Constituency and Alderman Gunn to serve on the Committee concerned with the Burnaby-Richmond-Delta area.

A suggestion was made that a Council member should be appointed to serve on the Committee for the Burnaby-New Westminster Federal Constituency.

Both Aldermen Lawson and Gunn stated that they were not aware of their appointments.

Mayor Constable indicated he would take the matter under advisement with a view to clarifying the entire situation with respect to the Committees in question.

As a result of an enquiry by Alderman Lewarne, the Municipal Manager informed Council that he would be reporting shortly on the matter of documenting the transaction involving the transferring of the Oakalla property to the Municipality.

Alderman Lewarne suggested that the Municipality should require that fences around tennis courts should be of a height greater than the maximum six feet presently required.

It was understood that the Planning Director would submit a report to Council on this matter.

Alderman Mercier stated that the Municipal Engineer had written to the Department of Highways on July 4th regarding traffic congestion on Loughheed Highway. He added that it had been suggested the simplest solution to the problem would be altering the cycle on the signals on the Highway.

Alderman Mercier advised that the Department of Highways replied on July 14th indicating it would be studying the matter. He added that there is only three staff members in the Department which handle situations of this sort for the entire Province.

Alderman Mercier pointed out that the fastbusses would be of little use on Loughheed Highway if they were to be delayed by congestion on the Highway.

It was understood by Council that the Municipal Engineer would pursue the matter mentioned by Alderman Mercier with a view to expediting action on it.

Alderman Mercier drew attention to the fact that candidates elected to Municipal office must be sworn in no more than 40 days after their election. He pointed out that those elected on November 17, 1973, would not be sworn in until January 7, 1974, which was just about 40 days.

Municipal Manager replied that the Municipal Act had been amended by changing the "40 days" to "70 days".

Alderman Mercier served a Notice that he would be submitting a Motion aimed at altering the Legislation relating to the swearing in of candidates who are elected to Municipal office.

Alderman Mercier drew attention to the line-ups which were occurring at the Motor Vehicle Testing Station on Wayburne Drive caused by the City of Vancouver indicating that those without stickers could be given a ticket.

It was mentioned to Council that this situation has now been resolved.

When Alderman Mercier enquired as to the schedule of Council meetings between now and the end of the year, the Manager suggested that Council wait until the early part of December before determining the specific dates on which it would meet.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN LAWSON:

"That a notice be inserted in the newspapers advising the electorate of Burnaby about the opportunities open to disabled or infirm persons wishing to vote at the Election on November 17, 1973."

CARRIED UNANIMOUSLY

When Alderman Gunn enquired about the Traffic Flow Chart which was used at the meeting last Friday with representatives of the Provincial Government, the Municipal Engineer replied that he would provide each member of Council with a copy of the Chart.

Alderman Stusiak suggested that parking meters should be installed on streets serving apartments in an attempt to compel the occupants of apartments to use the off-street parking facilities.

He specifically suggested that such meters be installed in three areas on an experimental basis.

It was understood that the Municipal Manager would submit a report on this proposal.



When Alderman Gordon enquired as to when a report could be expected on youth problems, the Manager replied that he would have a report for Council next Monday evening.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"WHEREAS the Municipality of Burnaby has either an existing or planned arterial trail system; and

WHEREAS traffic on our road system is increasingly dangerous to cyclists, and

WHEREAS there is no provision for bicycle paths on either the existing or planned trail system or road system, and

WHEREAS the Burnaby Community organization "S.P.E.C." is promoting a bicycle trail system and this Council has been approached in the past by the bicycling enthusiasts to provide bicycle paths;

THEREFORE BE IT RESOLVED that provision for bicycle trails be made within the plan for the arterial trail system and, wherever possible, the road system, by the Planning Department, and that the final proposal be referred to the Parks and Recreation Commission."

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:

"That the above Motion be amended by adding the following:

AND FURTHER, that the Department of Highways be asked to offer its views on the foregoing matter at it relates to arterial highways in the Municipality."

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That the above Motion, as amended, be referred to the Parks and Recreation Commission for comment."

CARRIED

AGAINST -- ALDERMAN GUNN

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN BURNHAM:

"WHEREAS there are many citizens of the Municipality of Burnaby who are involved either directly or indirectly in court cases in the Justice Building; and

WHEREAS these court cases are often delayed or postponed until later in the day; and

WHEREAS the citizens involved often wait many hours in the Justice Building for a length of time not of their choice; and

WHEREAS there is no food or refreshments available to these citizens in the Justice Building; and

WHEREAS the only food or refreshments available in the Justice Building to these citizens is in the Municipal Hall; and

WHEREAS, while there is a public address system in the Justice Building, there is no public address system in the Municipal Hall Cafeteria in the event the timing of court cases has been rescheduled;

THEREFORE BE IT RESOLVED that consideration be given to the provision in the Justice Building for refreshments to be made available to the public."

*It was understood by Council that the Municipal Manager would report on various ways the matter of providing refreshments for the public in the Justice Building should be done, including an indication as to what other similar establishments*

do and whether a cart could be used to carry the refreshments. Another suggestion was that perhaps an area between the Justice Building and the West Building of the Municipal Hall could be provided, with cover, for the public desiring refreshments.

A vote was then taken on the Motion recited above and it was carried with Alderman McLean against.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report. No. 84, 1973, on the matters listed below as Items (1) to (26), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Road East of Sherlock Avenue and South of Kitchener Street

It was recommended that Council authorize the preparation of a By-Law to close the above road in order to enable its sale to the adjacent property owners for \$14,964.77, subject to the following conditions:

- (a) That a 15-foot easement on the north and east sides of the allowance be provided to the Corporation in order to protect the existing storm sewer therein.
- (b) That the sale be subject to consolidation with 13 feet of the parcel immediately lying to the south.
- (c) That all legal survey costs relating to the closure, consolidation and easements be borne by the applicant.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BURNHAM:

"That the Land Agent advise Council how he arrived at the value of \$14,964.77 for the parcel which is the subject of the report from the Manager."

CARRIED

AGAINST -- ALDERMEN GORDON AND LEWARNE

(2) Burnaby Tax Sale Lands Reserve Fund Expenditure By-Law 1973

It was recommended that the above By-Law, which will authorize an appropriation of \$633,510.85 to reimburse general revenue for the moneys expended on the following lands, be prepared:

<u>Address</u>	<u>Legal Description</u>	<u>Amount</u>
6057 Braemar	Lot H, D.L. 86, Plan 12226	\$ 1,333.24
4535 Canada Way	Lot 14, Blk. 7 of W 1/2 of E 1/2 of D.L. 70, Plan 1397	28,272.06
4539/43 Canada Way	Lots 12 & 13, Blk. 7, D.L. 70, Plan 1397	32,566.35
4549 Canada Way	Lot 21, Blk. 7, S Pt of E 1/2 of E 1/2 of D.L. 70, Plan 1775	33,106.72

4557 Canada Way	Lot 19, Pt of E 1/2 of E 1/2 of Blk. 7, D.L. 70, Plan 1775	30,251.62	
4569 Canada Way	Lot 16, Blk. 7 of E 1/2 of D.L. 70, Plan 1775	33,328.79	
4905 Canada Way	Lots 1A and N 1/2 of Lot 1, D.L. 80, Plan 792	1,299.22	
7434 Cariboo Rd.	Lot A, Blk. 24, D.L. 13, Plan 13733	111,257.19	
7516 Cariboo Rd.	Lot 17, Blk. 26, D.L. 13, Plan 3046	712.50	
6625 Deer Lake Dr.	Lot 1, D.L. 85, Plan 9815	9,440.89	
7923 Edmonds	Lot 4, Blks. 11 & 12, D.L. 28, Plan 6655	18,398.10	
7933 Edmonds	Lot 2, Blk. 13, D.L. 28, Plan 2756	10,187.80	
7943 Edmonds	Lot A, Blk. 14, D.L. 28, Plan 10439	18,949.56	
9015 Moose	Lot 33, Blk. 23, D.L. 13, Plan 3046	8,010.89	
Lot 16 - Norland	Lot 16, Blks. 12 & 13, D.L. 79, Plan 2298 (Property exchange)	561.00	
7055 Union	Lot 19, Blk. S, D.L. 207, Plan 4032	<u>63,356.32</u>	\$401,032.25

Development

D.L. 86 - servicing costs	\$ 174,854.58	
Keswick School Site - Corporation's share of servicing costs	43,191.81	
Public housing - Irmin/McPherson - servicing costs	6,350.11	
Subdivision 170/73, McDonald and Charles - Corporation's share of servicing costs	7,809.60	
Municipal Lot 16, Parker Street - servicing costs	<u>272.50</u>	<u>232,478.60</u>
		<u>\$633,510.85</u>

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

CARRIED UNANIMOUSLY

(3) December 24 and 31, 1973

In a quick canvass of several, but not all, of the Departments, it was found that a majority of the employees preferred to have November 12th off and work on December 24th rather than the reverse.

The President of the Civic Employees' Union also agreed to waive the seven days notice required to declare November 12th as the day off in lieu of December 11th on the basis that this would not prevent the Union from working on the generosity of Council with respect to December 24th regardless of the position taken by the Union on November 12th as the day off.

The Manager has made Council's position clear in respect of December 24th as a working day.

It was recommended that Municipal operations continue to function on December 24 and 31, 1973, as in recent years, until the normal closing time for the respective areas.

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

CARRIED

AGAINST -- ALDERMAN BURNHAM

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

A report of the R.C.M.P. covering the policing of the Municipality for the month of October, 1973, was being submitted this evening.

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

CARRIED UNANIMOUSLY

(5) Duplicating Equipment - Print Shop

It was recommended that Council:

- (a) Authorize the leasing of the A. B. Dick 1500 Copy System duplicating equipment described in the report for a period of six months commencing November 15, 1973.
- (b) Direct that provision be made in the Annual Budget for the purchase of the machine in the event of full satisfaction with the equipment on the expiration of the lease.

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

CARRIED UNANIMOUSLY

(6) Hurst Street from Boundary Road to Joffre Avenue

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

(7) Avondale Street from Boundary Road to Smith Avenue

Action on the matter of proceeding with the Local Improvement work for the above portion of Avondale Street was deferred until a decision was made regarding standards for Local Improvement projects.

The matter of constructing a Local Improvement on this portion of Avondale Street is being returned at this time because:

- (a) A recently received petition shown that a majority of the affected property owners favour pavement 28-feet wide with 5-foot wide concrete curb sidewalks on both sides of the street.
- (b) There is a good chance it is still physically possible to construct the works this year, subject to weather, if an immediate approval is given.
- (c) The report on the standards should become effective with the 1974 and subsequent Local Improvement Programmes.

The canvass which was made of the affected property owners did not include all of them because the person circulating the petition stopped after he received a majority of the owners' signatures.

It was recommended that Council reaffirm the standard of improvement proposed for Avondale Street from Boundary Road to Smith Avenue, which is pavement 28-foot wide with 5-foot wide concrete curb sidewalks on both sides, and that a copy of the report at hand be sent to all petitioners.

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

CARRIED

AGAINST -- ALDERMAN MERCIER

- (8) 1775 Douglas Road  
PRELIMINARY PLAN APPROVAL APPLICATION NO. 2401

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

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

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

- (10) Underground Wiring - 5689 Byrne Road

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

- (11) Lot 189, D.L. 175, Plan 41124 (8550 Roseberry Avenue)  
PRELIMINARY PLAN APPROVAL APPLICATION NO. 2316

It was recommended that Council authorize the issuance of Preliminary Plan Approval for the addition of two industrial structures for multi-tenant occupancy on the above property.

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

CARRIED UNANIMOUSLY

- (12) Water Skiing - Deer Lake

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

ALDERMAN BURNHAM LEFT THE MEETING.

- (13) Burnaby Comprehensive Loan Authorization By-Law No. 2, 1973

It was recommended that Council:

- (a) Have the above By-Law, which will permit the borrowing of \$2,910,000.00 for various purposes, prepared.
- (b) Direct that a Security Issuing By-Law in the same amount be prepared directly following the elapse of the time allowed for the quashing of the subject Loan Authorization By-Law.
- (c) Authorize the Municipal Treasurer to make application to the Greater Vancouver Regional District for financing, through the Municipal Financing Authority, of the \$2,910,000.00 at the sale of debentures of the Authority which will take place next Spring.

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

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GORDON:  
"That the third recommendation of the Manager not be accepted and  
the subject of it not be dealt with by Council until January 14, 1974."

IN FAVOUR -- ALDERMEN MERCIER AND GORDON

AGAINST -- ALDERMEN GUNN, LAWSON, LEWARNE  
MCLEAN AND STUSIAK

A vote was then taken on the original motion and it was carried with  
Alderman Mercier against.

(14) 3700 Block Dubois Street

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

(15) Proposed Additional Ice Rinks  
(Columbian Four Rinks Limited)

The Council has dealt with similar requests from the subject Company  
on several previous occasions. In review:

- (a) the proposal essentially is for 2½ acres of additional land for a new building (itself covering about 2.33 acres) based on the proposition that the total parking load generated may be satisfied by the present parking area. The perimeter of the existing site owned by the Company was determined with a view to preserving the space necessary at the north, east and west boundaries for contemplated future facilities. The northerly site boundary is designed to protect the potential for a major sports or assembly facility as the principal component of the developing sports complex in the only location where native soil conditions make such construction possible. The westerly site boundary was established at the most westerly location to permit creation of a future internal circulation and service road to serve the complex with an acceptable intersection condition at Spratt Street and the Freeway exit ramp. The easterly site boundary reflects the preservation of realistic site depth for properties fronting on Kensington Avenue while providing for a continuous north-south internal pedestrian concourse parallel to, but separated from, the heavily trafficked Kensington Avenue;
- (b) the extension of the present site by 2½ acres or more in any direction would clearly conflict with the physical constraints and infringe on the flexibility in planning development of adjacent land and critical internal circulation routes. The property to the east of the present site is considered to be particularly strategic in the overall complex in terms of centrality, exposure and proximity to major circulation routes and transit facilities. There is presently considerable interest in creating further sports and assembly facilities in the central area and a greatly increased demand for sites for very attractive future facilities is foreseen as Burnaby's population grows. There is no doubt that the present site east of the Four Rinks and proposed pedestrian concourse will be much in demand for high caliber, higher-intensity uses in the future;

- (c) It would be advisable to maintain the site for a future high-quality, more intensive use with as broad a public appeal as possible rather than committing it at this time for a single, rather specialized single purpose private use;
- (d) The parking requirements in the By-law are realistic and not excessive. On the basis of the information furnished by the Company, up to 200 cars were accommodated during a one week test period in the winter months with four ice surfaces operating without the proposed 750 feet spectator facility, which is not yet constructed. This figure compares favorably with the requirement of the By-law for 204 spaces based on gross floor area alone. The additional increment of 75 spaces for the proposed 750 seats yields the 279 spaces required by the design;
- (e) If there is any disparity between actual demand to be generated and by-law requirements, it is felt that the by-law's ratio of only one space per ten spectator seats is low. Consequently, there is reason to believe that the by-law's requirement for the completed facility is light rather than excessive. Moreover, performance has been evaluated only in the first season of operation. It is entirely possible that the degree of utilization may increase as time passes and the Complex becomes better known and patronized. Assuming a duplication of the present facilities without an increase in parking area, a deficit of of approximately 238 spaces would exist;
- (f) In view of the foregoing and the fact adjacent Municipal streets are constructed to an interim standard with open ditches and not well suited to curb parking for overflow vehicles, it has been concluded that no relaxation of the by-law parking requirements can be justified for the use intended;
- (g) The central area of Burnaby is presently well served by ice facilities . A further concentration of ice at the subject location would work to the detriment of other areas in the Municipality where the need for such facilities is readily available at the community level is presently unmet. Additional ice arena facilities should not be further concentrated but instead should be decentralized to maximize the recreational opportunities of Burnaby's citizens at the community level. A proposal for development of such a facility in the southern part of the Municipality should be encouraged and should receive careful consideration. Similarly, immediate future development of sports and recreation facilities in the Central Valley Complex ought to be as diversified as possible so as to provide for the satisfaction of a broad range of recreational interests and activities within the complex. The Columbian Four Rinks' principal interest in developing the additional facilities is predicated on economies of scale to be achieved in terms of equipment and administration costs and, as these financial advantages could not be realized by establishing a separate facility elsewhere in the Municipality, the Company has little interest in the latter course of action. The benefit

accruing to the developer by doubling the size of the present facility would be related primarily to profitability and it is considered that this does not offset the disadvantages to the community.

It was recommended that Council reaffirm its decision to not sell any additional land for the further development of additional ice facilities by Columbian Four Rinks Limited in the central area at this time and that both the Company and the Parks and Recreation Commission be provided with a copy of the report at hand.

ALDERMAN BURNHAM RETURNED TO THE MEETING.

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

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:  
"That further consideration of the request of Columbian Four Rinks Limited be tabled until such time as the established prerequisites for the Company's original development have been fulfilled: and further, it be suggested to the Company that it give consideration to the possibility of locating its planned additional facilities in the Riverway Sports Complex area south of Marine Drive."

CARRIED

AGAINST -- ALDERMAN MERCIER

MAYOR CONSTABLE DECLARED A RECESS AT 9:05 P.M.

THE COMMITTEE RECONVENED AT 9:25 P.M.

(16) Proposed Amendment to Subdivision Servicing Agreement

It was recommended that Council authorize an amendment to the standard Subdivision Servicing Agreement by adding the following to Clause 10 therein:

"The said certified cheque and the amount thereof or the said irrevocable letter of credit and the amount thereof shall be forfeited to the Corporation if the Contractor does not complete the Works by the date mentioned in paragraph 4 hereof."

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:  
"That action on the recommendation of the Manager be deferred until he produces the complete text of <sup>the</sup> paragraph in the Subdivision Servicing Agreement that is referred to in his report."

CARRIED UNANIMOUSLY

(17) Contract #8, 1973 - Ornamental Street Lighting  
(United Power Limited)

It was recommended that Council authorize an extension of the completion date in the above Contract from November 15, 1973 to November 30, 1973, including the performance bond and insurance matters relating thereto, without implementation of the \$100 per day liquidated damages clause therein, on the understanding that no further extension of time will be approved except for time lost because of impossible weather conditions or other factors that, in the opinion of the Municipal Engineer, are beyond the Contractor's control.

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

CARRIED UNANIMOUSLY

(18) Lot 9 $\frac{1}{2}$ , Block 39, D.L.'s 151/3, Plan 2884  
(6508 McKay Avenue)

Since the building at the above location is administered by the Parks and Recreation Commission, it is necessary to have the Commission authorize



the \$2,060 expenditure in repairing the building.

The Commission, on November 7, declined to authorize the expenditure and directed that the Manager discuss the matter of rental rate with the Land Agent and, in the meantime, the house be rented and minimum repairs be carried out.

Both the Land Agent and the Chief Building Inspector feel it is imperative that, for safety reasons, the building be rewired at least and that other minor work be done prior to rental of the building, which would cost an estimated \$700.

It was recommended that Council:

- (a) authorize the rewiring and other minor repairs to the dwelling on the property, estimated to cost \$700, alluded to in the report;
- (b) direct that the building be rented at the going rate (as per Municipal policy) after the repairs are made, until the land is required by the Parks and Recreation Commission.

It was also recommended that the Commission receive a copy of the report at hand and that it be requested to ratify the foregoing recommendation.

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

CARRIED UNANIMOUSLY

(19) Monthly Report of Building Department

A report of the Chief Building Inspector covering the operations of his Department between October 9th and November 2, 1973 was being submitted herewith.

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

CARRIED UNANIMOUSLY

(20) Rowdyism in Parks

The Parks and Recreation Commission, on November 7th, considered the matter of imposing a curfew on people in parks and concluded that this, though desirable, would be too difficult to enforce.

It was therefore recommended that:

- (a) a curfew to prevent persons from being in Burnaby's parks not be imposed at this time;
- (b) a copy of the report at hand be sent to the Parks and Recreation Commission, the Marlborough Home and School Association and other persons or groups who have corresponded with the Commission or Council regarding rowdyism in Burnaby's parks, the Council of Cumberland, the Attorney-General, the three Burnaby M.L.A.'s, the Burnaby Family Court Committee and the Juvenile Relations Officer for the Burnaby School Board.

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

CARRIED UNANIMOUSLY

**(21) Lane Between Allman and Stanley Streets**

It was recommended that Council authorize the construction of the above lane for \$16,000, as more particularly detailed in the report.

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

CARRIED UNANIMOUSLY

**(22) Hastings Street Re-development Project #1**

It was recommended that, in order to proceed with the above project, Council agree not to oppose the closure and incorporation of any redundant portion of streets or lanes in the blocks bounded by Hastings Street, Esmond Avenue, Pender Street and McDonald Avenue under the Plans Cancellation Act or by means of the Road Exchange Sections of the Municipal Act, provided the lands concerned are consolidated to create an improved site for the project and, if necessary, the lanes be relocated, all at no expense to the Municipality.

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

CARRIED UNANIMOUSLY

**(23) Voting (Boulton)**

(This item was dealt with previously in the meeting)

**(24) Community Recreation Facilities Fund Grants**

It was recommended that Council direct that the surplus funds resulting from the Municipality receiving grants under the above Act, as detailed in the report, be used in the manner indicated therein.

MOVED BY ALDERMAN GORDON; SECONDED BY ALDERMAN BURNHAM:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

**MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GUNN:**

"That the Minister of Finance for the Province be thanked for the grants that have been received by the Municipality under the Community Recreation Facilities Fund Act to assist with the construction of the recreation facilities mentioned in the above report."

CARRIED UNANIMOUSLY

**(25) Exemptions from Taxation**

There is now Federal legislation available which may make it possible for an operating cost subsidy program on such projects as the one at 5600 Inman Avenue, known as the Central Park Society, and another at 9210 Salish Court, known as the Society for the Christian Care of the Elderly. This means that the Municipality would be paid full taxes but that the Federal, Provincial and Municipal Governments and the governing Society would participate to varying degrees in the operating cost subsidy.

Discussions have been held with Mr. Norman Jones, who is involved in both projects, and he is prepared to discuss the subject and meet with the Federal and Provincial Officials to explore the possibility. However, he does not wish to compromise himself and eliminate the possibility of a tax exemption if something cannot be arranged. Council can consider both of the projects for grants next year if deliberations fail.

It was recommended that:

- (a) Council reaffirm the policy of providing exemptions for the land needed for the normal operation of the institution and for the buildings actually in use for the stated purpose of the organization;
- (b) the Manager explore the possibility of instituting an operating cost subsidy program, as noted in the report;
- (c) the projects at 6500 Inman Avenue and 9210 Salish Court be deleted from the Tax Exemption By-law and be reconsidered as prospects eligible for grants equal to taxes in 1974.

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

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:  
"That the third recommendation of the Manager be amended by deleting the word "prospects" and inserting in its place "projects which may be"."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion, as amended, and it was carried with Alderman Mercier against.

(26) Driveway

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

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN GORDON:  
"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:

"That:

- "BURNABY ADVANCED POLL BY-LAW 1973" (#6387)
- "BURNABY COMPREHENSIVE LOAN AUTHORIZATION BY-LAW NO. 2, 1973" (#6389)
- "BURNABY TAX SALE LANDS RESERVE FUND EXPENDITURE BY-LAW 1973" (#6390)

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 BURNHAM, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:

"That:

- "BURNABY ADVANCED POLL BY-LAW 1973"
- "BURNABY COMPREHENSIVE LOAN AUTHORIZATION BY-LAW NO. 2, 1973"
- "BURNABY TAX SALE LANDS RESERVE FUND EXPENDITURE BY-LAW 1973"

be now read three times."

CARRIED UNANIMOUSLY

ALDERMAN GORDON LEFT THE MEETING.

MOVED BY ALDERMAN BURNHAM, 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. 26, 1973"."

CARRIED

AGAINST -- ALDERMEN MCLEAN AND GUNN

This By-Law provides for the following proposed rezoning:

Reference RZ #33/73

Lots 5, 6, 7, 8 and 9, Block 85, D.L.'s 127/218, Plan 3953

5361, 5381 Hastings Street; 5470 Empire Drive; 5395 Hastings Street; 5360 Capitol Drive

FROM RESIDENTIAL DISTRICT FOUR (R4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

PLANNING DEPARTMENT reported that the prerequisites established by Council in connection with this rezoning proposal are now nearing completion.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:

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

CARRIED

AGAINST -- ALDERMEN MCLEAN AND GUNN

THE COUNCIL RECONVENED.

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

CARRIED .

AGAINST -- ALDERMEN MCLEAN AND GUNN

ALDERMAN GORDON RETURNED TO THE MEETING.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 26, 1973" be now read three times."

CARRIED

AGAINST -- ALDERMEN MCLEAN AND GUNN

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LEWARNE:  
"That "BURNABY BUDGET AUTHORIZATION BY-LAW 1973, AMENDMENT BY-LAW 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 LEWARNE:  
"That the Council now resolve itself into a Committee of the Whole "In Camera"."

CARRIED UNANIMOUSLY