

October 29, 1973

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, October 29, 1973 at 7:40 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 V. V. Stusiak
Alderman J. L. Mercier (7:50 P.M.)
Alderman G.H. F. McLean

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. D. Leche, Municipal Clerk's Assistant

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:

"That the Minutes of the Council meetings held on October 1st, 9th, 15th and 22, 1973 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Mr. Reginald G. Barnes, President, B. C. Region, Canadian Water Ski Association - re Water Skiing on Deer Lake
- (b) Mr. Carl Walters, President, Cedar Realty Limited - re Proposed rezoning of the area bounded by Boundary Road, Grandview Highway, and Highway 401 (RZ #67/72).

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN STUSIAK:

"That the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Barnes then spoke and presented a Brief in which he made the following points in support of a request of the Canadian Water Ski Association (B. C. Region) to use Deer Lake for a regional, national or international tournament:

- (1) The B.C. Region of the Association would be the host in the event of National Water Skiing Championships being held at Deer Lake.
- (2) The B. C. Region of the Association is comprised of approximately 1,400 members throughout the Province. Its purpose is to develop the sport of water skiing at all levels and to promote safety in boating and water sports. It also sanctions water ski tournaments throughout the Province for the benefit of competitively-minded skiers. This past season the B. C. Region solely sponsored a travelling water ski school at which water skiing and water safety were taught. There was no charge for this service. Approximately 900 person were taught to ski during the 1973 summer season.

- (3) Letters, copies of which were being supplied to Council this evening, have been received from skiers across Canada who had the good fortune to attend the 1973 Canada Summer Games water skiing events. All of the writers of those letters speak well of the Games and Burnaby in particular.
- (4) The success of the water skiing events at the Games has in no way affected the environment of Deer Lake. Scientific proof is available regarding the effect boats had on the ecology of the Lake. In that regard, all reports indicate there was no adverse affect whatsoever.
- (5) So far as is known, no protests or complaints were received from those residing on the periphery of Deer Lake as a result of the water skiing tournament. Rather, many of the residents welcomed the competitors by displaying large banners from their homes.
- (6) The Canadian National Water Ski Championships is not a commercial venture. There is no charge to spectators. Many local businesses will benefit from the Canadian Championships being held at Deer Lake.
- (7) It is hoped to reactivate the Committee which was so successful in planning and operating the Canada Summer Games Water Ski Tournament and to use the same judges and officials who were involved in the tournament.
- (8) There would be no cost at all to the Municipality in having the tournament in question, and the Lake and surrounding areas would be left in exactly the same condition as before the water skiing event. During the days of competition, there would be a complete and fully trained safety patrol system. The same boats which were used in the Summer Games Tournament would be the only ones used for the tournament. There would also be full national television coverage of the National Championship Tournament.
- (9) The specific request is to use Deer Lake for one week only. The request would not be made if the Association was not positive its sport would do no harm. In fact, it may benefit the ecology of Deer Lake.
- (10) It is not intended to ask for the use of Deer Lake except for the performance of exceptional events such as the Canadian National Championships.
- (11) Those who have written to the Association are:
 - Mr. R. Gary Skeats, President, Saskatchewan Water Ski Association.
 - Cam McArthur
 - Mr. Rich Cairns, President, Ontario Region, Canadian Water Ski Association
 - Mr. Kirk Blok-Anderson, President, New Brunswick Region, Canadian Water Ski Association
 - Mrs. Janice Sullivan, President, Nova Scotia Water Ski Association.

October 29, 1973

Alderman Mercier arrived at the meeting during the presentation by Mr. Barnes.

In response to a question, Mr. Barnes stated that the water area at the east end of Burrard Inlet in Burnaby would not be suitable for water skiing because the water is unstable in that it is subject to tidal effects.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That the submission from the B. C. Region of the Canadian Water Ski Association be referred to the Parks and Recreation Commission; and further, the Commission:

- (a) comment on the effect power boats operating on Deer Lake producing oxygen in the water has on marine life there;
- (b) indicate the reaction of those residing in the vicinity of Deer Lake to the use of the lake for water skiing during the Canada Summer Games."

CARRIED UNANIMOUSLY

(b) Mr. Walters then spoke and made the following points in his submission:

- (1) Attempts to rezone the property to a Commercial category have been made since 1969.
- (2) The owners of the properties concerned will not sell their land for a lesser sum than what is considered to be market value.
- (3) The current proposal to rezone the properties to M5 has effectively "frozen" the area because no one wishes to develop land in the area for that purpose; rather, interest has been shown in developing a motor hotel, which is a commercial use, on the land.
- (4) On August 13, 1973, the Council asked for details of a specific development proposal for the area. In that regard, architects plans have been prepared and filed with the Municipality for the motor hotel development mentioned earlier. These plans are only preliminary and are intended to serve as a base for dialogue between the applicant and the Municipality.
- (5) The applicant is prepared to satisfy any reasonable prerequisite Council may establish for zoning of the area.
- (6) The Provincial Department of Highways was sent a copy of the plan and indicated that it had no objection to a Motor Hotel complex in the area.
- (7) Passenger car traffic in the area would be preferable to truck traffic. The latter traffic is the type that could be expected if the area was developed industrially.
- (8) The Motor Hotel Complex, as designed, will not produce any pedestrian-oriented problem.
- (9) In many other countries in the world, motor hotels are located on major roads.
- (10) The various industrial uses in Vancouver along Grandview Highway were constructed on vacant land but the subject area is occupied by homes at the present time and would be therefore more difficult to redevelop for some industrial use.

- (11) The plan of the area in which the Motor Hotel development is proposed includes all parcels there so that there would be no remnants. In particular, there are twenty-one parcels, excluding those owned by the Department of Highways but including two Municipal lots.
- (12) There would be three means of access to the area. Esmond Avenue would either be closed or made a one-way street. The lane there would also be for one-way traffic.
- (13) There is only approximately 60 feet between the Freeway and the present Sheraton Villa development.
- (14) It is intended to consolidate the area concerned and resubdivide it into large parcels.
- (15) There is no objection to the prerequisites indicated in the report Council received from the Planning Department on the rezoning of the area.
- (16) It is proposed to provide a local access road for westbound traffic adjacent to the present Grandview Highway.
- (17) No beer parlour is proposed to be provided in the development plan.
- (18) The intention is to not develop the road system so as to add traffic to the Freeway.
- (19) All the property owners in the area were "boxed in" as a result of the realignment of roads when the Freeway was built. All of these people were in that area before.
- (20) All the properties concerned, except for the Municipal lots and the Department of Highways properties and one private parcel, had been purchased on an interim basis.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That the tabled item shown on the Agenda this evening "Rezoning Reference #67/72 (area bounded by Boundary Road, Grandview Highway and Highway 401)", be brought forward and lifted for consideration at this time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That Council advance to a Public Hearing, to be held on Tuesday, November 20, 1973 commencing at 7:30 P.M., the proposed rezoning of the area bounded by Boundary Road, Grandview Highway and Highway 401 to Comprehensive Development District (CD) for development under the C4 regulations of the Zoning By-law."

CARRIED UNANIMOUSLY

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That all of the below listed original communications be received and those items of the Municipal Manager's Report which relate thereto be brought forward for consideration at the appropriate time s."

CARRIED UNANIMOUSLY

Mr. Stuart Leggatt, M. P. for New Westminster, submitted a letter indicating that he:

- (a) agreed with the position Council has taken in asking that the Federal Government arrange for the introduction of legislation which would require that a Member of a Municipal Council be included on local National Harbours Boards with power to vote;

October 29, 1973

- (b) has written to the Minister of Transport about the matter in the hope that there might be a considerable change in the way the management and the planning of harbours are organized.

Mr. R. A. Hankin, Senior Planner, Greater Vancouver Regional District, submitted a circular with attachments relating to agriculturally-zoned land outside the Department of Agriculture's proposed agricultural reserve.

Mr. J. S. Alsbury, Chairman, the North Fraser Harbour Commissioners, submitted a copy of the financial statement of the Commission for the year ended December 31, 1972.

The Municipal Manager was asked, as the result of an inquiry, to provide Council with an indication of the legal status of the North Fraser Harbour Commissioners.

Mrs. E. M. Scott wrote to express appreciation for the action which was taken to place, in Heritage Village, a picture of the water fountain that was at the former Municipal Hall on Kingsway.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That a copy of the letter from Mrs. Scott be sent to Heritage Village and to the Burnaby Civic Employees Union, the latter being the body responsible for having the fountain installed many years ago."

CARRIED UNANIMOUSLY

Mr. A. C. Kelly, Chairman, Greater Vancouver Regional District, forwarded a copy of a letter he had received from the Mayor of Longueuil, Quebec requesting information on twinning between Municipalities.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That the Deputy Municipal Clerk inform Mayor Robidas of Longueuil, Quebec of the arrangement Burnaby has with its sister city, Kushiro, Hokkaido, Japan."

CARRIED UNANIMOUSLY

Mr. Orest Moysiuk, President, Burnaby S.P.E.C., wrote to commend the Council, the Parks and Recreation Commission and the Planning Department for endorsing a plan that provides for the development of an integrated Marine Park System along the eastern portion of Burrard Inlet in Burnaby.

He also indicated that Burnaby S.P.E.C. would like to see an immediate start on the development of a public beach at Burnet.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:

"That the submission from Burnaby S.P.E.C. be referred for consideration and report, with particular comment on Points 1 and 3 in the letter, which involve the use of clean fill in land reclamation and the "rapidly flushed water region" of Burrard Inlet."

CARRIED UNANIMOUSLY

Mr. R. H. Blackwood, Clerk-Administrator, City of Port Moody, wrote to ask that Council endorse a resolution of the Port Moody Council requesting the Provincial Government to immediately widen Burnet Highway to four lanes between St. Johns Street in Port Moody and Hastings Street in Burnaby.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That Council defer a decision on the request of Port Moody until after:

- (a) a meeting of Council is held with the Minister of Highways next month on a number of subjects concerning Burnaby;
- (b) a report Council expects to receive before the end of the year on the Major Roads Study is considered."

CARRIED

AGAINST -- ALDERMAN BURNHAM

October 29, 1973

Mrs. Claire Pratt, Corresponding Secretary, Marlborough Home and School Association, submitted a letter expressing concern regarding rowdyism in parks and suggesting that a curfew be imposed on people in an attempt to minimize the problem.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:

"That the Marlborough Home and School Association be advised of the decision Council rendered on October 22nd in connection with the subject of rowdyism in parks; and further, a copy of the letter which is sent to the Association be forwarded to the Parks and Recreation Commission and the Family Court Committee."

CARRIED UNANIMOUSLY

Mr. G. W. Laphorne, Secretary, Burnaby Driver Owners Association, submitted a letter in which he provided reasons why the Association is opposed to a proposed increase in the taxi license fee from \$40.00 per annum to \$80.00 per annum.

It was understood by Council that the Deputy Municipal Clerk would inform the Burnaby Driver Owners Association of the decision Council rendered on October 22nd in connection with the subject of the letter from the Association.

Mr. W. C. Downs wrote about the matter of constructing sidewalks on Victory Street from Boundary Road to Joffre Avenue.

Item #17 of the Municipal Manager's Report No. 81, 1973, which relates to the letter from Mr. Downs, was brought forward at this time. The following is the substance of that report:

(17) Victory Street from Boundary Road to Joffre Avenue

Municipal Manager stated that he wished to revise his report.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That the report of the Manager be referred back to him for rewriting; and further, he indicate in his next report the situation with respect to charges that can or cannot be levied against property on the subject portion of Victory Street which is owned by the Cemetery Company."

CARRIED UNANIMOUSLY

Mr. E. J. Byron submitted a letter in which he expressed opposition to a proposed subdivision of land on the east side of Sperling Avenue between Buckingham Avenue and Hazzard Street.

Item #12 of the Municipal Manager's Report No. 81, 1973, which relates to the letter from Mr. Byron, was brought forward at this time. The following is the substance of that report:

(12) East Side of Sperling Avenue between Buckingham Avenue and Hazzard Street

Mr. Byron is one of the owners affected by a proposed subdivision in the area. Because of that, matters such as those described in his letter would be discussed with staff from the Planning Department.

A sketch illustrating the subdivision proposal for the area was being provided for Council this evening.

The design criteria used in the formulation of this plan were:

- (a) the configuration of the area being subdivided. In that regard, the topography of the site is such that certain lands are not suitable for residential development. It is possible that these lands may be acquired for park purposes in the future.

October 29, 1973

- (b) the preservation of the existing natural watercourse. It is felt the watercourse should be left in a natural state and, toward this end, the plan makes provision of the dedication of a park strip bordering the creek bed. The short cul-de-sac north of the park strip was located so as to restrict public access to the area of the creek and the park.
- (c) Restricting access to Haszard Street rather than permitting access from Sperling Avenue. It was felt with the location of Deer Lake Park across Sperling Avenue, it would be best to not allow vehicular access from Sperling Avenue. If that was done, an obvious conflict would arise with respect to parking and traffic circulation. Provision has, however, been made for emergency access from Sperling Avenue.

It was recommended that Mr. Byron be invited to discuss the subdivision proposal for the area with staff of the Planning Department.

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

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:
"That the report of the Manager be amended by inserting the word "vehicular" between "restrict" and "public" near the end of Point (b) in the report."

CARRIED UNANIMOUSLY

A vote was then taken on the Original Motion, as amended, and it was carried unanimously.

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

The COUNCIL RECONVENED AT 9:30 P.M.

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

The following matters were then lifted from the table:

- (a) Proposed Rezoning of:
REZONING REFERENCE NO. 58/73
(1)-Part of Lot "A", D.L. 138, Plan 1256

-Part of Plan 3072 except Plans 4484 and 3234, D.L. 135

REZONING REFERENCE #58/73

Mr. W. E. Ireland of Owen, Bird, Barristers and Solicitors, submitted a letter suggesting that any consultation with the general public on a development proposal for the above described properties would be premature at this time because the plan of development is only in its preliminary stages.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:
"That the letter from Mr. Ireland be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LAWSON:
"That the subject at hand be lifted from the table."

CARRIED UNANIMOUSLY

The Planning Department was asked to submit a report on the question of whether the watercourses in the area described above should be preserved.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN STUSIAK:
"That the recommendation in Item 19 of the Municipal Manager's Report No. 79, 1973 relating to the rezoning of the above described properties, which Council received on October 22nd, be adopted."

CARRIED

AGAINST -- Mayor Constable, Aldermen Gunn
and Alderman Gordon

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN LEWARNE:
"WHEREAS Burnaby Advanced Poll By-Law 1969 provides that Advanced Polls for Municipal Elections shall be held at the Municipal Hall between 9:00 a.m. and 5:00 p.m.; and

WHEREAS it is deemed to be in the public interest to extend these opening hours so as to permit voters longer hours in which to cast their ballots at the Advanced Poll;

NOW THEREFORE BE IT RESOLVED: That the aforementioned By-Law be amended by changing "9:00 in the forenoon and 5:00 in the afternoon" to "8:00 in the forenoon and 8:00 in the afternoon".

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:
"WHEREAS the patients at Burnaby General Hospital find it either difficult or impossible to go to the Polls to vote; and

WHEREAS the Burnaby Advanced Poll By-Law requires that the Advanced Poll be held at the Municipal Hall; and

WHEREAS it would be more convenient to patients in the Burnaby General Hospital if that building could be used as a place for the Advanced Poll;

THEREFORE BE IT RESOLVED THAT: Advanced Polls be held at both the Municipal Hall and the Burnaby General Hospital."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN MCLEAN:
"That the previous motion be tabled until the November 5th meeting in order to permit the members of Council an opportunity to determine which other places besides the Municipal Hall and the Burnaby General Hospital could be used for the Advanced Poll. "

CARRIED UNANIMOUSLY

ENQUIRIES

Alderman Gordon stated that he would no longer serve as Council's representative on the Fraser Valley Mosquito Control Board, effective this evening, until the legal status of the Board is determined because it has been indicated thus far that the Board is not legally constituted and therefore its members could be held personally liable for any debts or otherwise of the Board.

When Alderman Burnham suggested that the chairs in the Council Chambers be wired in such a way as to permit persons who are hard of hearing with the means to hear better, the Municipal Manager stated that he was in the process of examining the acoustics in the Council Chambers.

Alderman Gordon served a Notice that he proposed to introduce a Motion to Council that a report be obtained, separate from the one expected from the Parks and Recreation Commission, on the flooding problem which has occurred recently at Swangard Stadium.

Alderman McLean provided a verbal report on the Tri-Level Conference of the Canadian Federation of Mayors and Municipalities last Monday in Edmonton, as follows:

- (a) The Honourable Ron Basford had indicated that the General Railway Grade Crossing Fund could be used to relieve Municipalities from costs of relocating railways which bisect the Municipality. It was added that the Federal Government is prepared to make fundamental changes in the Railway Act to facilitate the financing of such railway relocations. In Burnaby's case, the track which runs along the area of Burrard Inlet could be one that is relocated.
- (b) A task force has been created, consisting of Provincial Ministers of Finance and others, to consider all financial situations relating to the various levels of government and the sharing in revenues derived by each in a different manner than is presently employed. The Minister of Finance for Ontario has commented that he is prepared to share Ontario's wealth with the municipalities in that Province. British Columbia's Minister did not indicate the same intention.
- (c) There will be a formal presentation to the Minister of Urban Affairs, Mr. Basford, about the subject in due course.

It was understood by Council, as a result of a suggestion by Alderman Mercier, that the Legal Department would submit a report indicating whether the Municipality has any grounds for suing for what appears to be neglect, in terms of drainage, in the reconstruction of the playing field at Swangard Stadium earlier this year.

Alderman Lawson suggested that a report be submitted indicating the extent Dr. Goss was used as a consultant in connection with the leveling work to the playing field at Swangard Stadium.

The Council asked, as a result of a question by Alderman Lawson, the Municipal Manager to indicate when a report could be expected containing a response from the Reifel Wildlife Refuge on the matter of establishing such a refuge on Burnaby Lake.

Alderman Mercier left the meeting.

When Alderman Lewarne suggested that the Land Bank Fund be used for the Land Assembly scheme the Municipality has in mind for the Cariboo Road area, the Manager stated that the Municipality is presently using currently available funds from its revolving Land Development Fund.

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

CARRIED UNANIMOUSLY

R E P O R T S

Mayor Constable submitted a report recommending that Alderman McLean be appointed Acting Mayor for the months of November and December, 1973.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:
"That the recommendation of the Mayor be adopted."

CARRIED UNANIMOUSLY

Grants and Publicity Committee submitted a report recommending that:

- (1) a grant not be made to the B.C. Juvenile Soccer Association because the Association is not specifically a Burnaby group;
- (2) a grant in the amount of \$1,000 be made to the St. Alban's Youth Centre.

2. (Cont'd)

Departments and community organizations involved in youth problems should submit reports on the advisability of giving the St. Alban's Youth Centre a grant to cover its activities in 1974.

3. A grant in the amount of \$1,000 to the Genesis Company Theatre.
4. A grant not be made to the Burnaby Horsemen's Association, in lieu of taxes, because the Association clearly understood its obligations insofar as taxes on the property it leases from the Corporation are concerned.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GORDON:

"That the first recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GUNN:

"That Items 2, 3 and 4 in the report of the Grants and Publicity Committee be tabled until the November 5th Council meeting."

CARRIED UNANIMOUSLY

ALDERMAN MERCIER RETURNED TO THE MEETING.

Mayor Constable and Alderman Stusiak submitted a report to which was attached a copy of a Brief that was presented to the Minister of Veteran's Affairs, the Honourable Daniel MacDonald, in Ottawa on the question of the George Derby Health and Occupational Lands reverting to Municipal ownership.

The Brief is a record of inter-departmental memoranda and communications between the Department of Veteran's Affairs and Burnaby since the time the land was expropriated by the Federal Government in the mid-1940's.

The Committee also mentioned that its members had made a lengthy verbal presentation.

Mayor Constable and Alderman Stusiak advised that the Minister commented that:

- (a) negotiations were being held with the Provincial Government on the subject matter;
- (b) there are certain procedures to follow by Departments of the Government who have surplus land they wish to dispose of;
- (c) serious consideration will be given the total presentation and a reply could be expected at an early date.

They also mentioned that, while in Ottawa, they met with the Honourable Jack Davis, Minister of Environment, to acquaint him with the feelings about the George Derby Land and to discuss problems related to the Burrard Inlet Water Lot leases.

They added that meetings were also held with the three Members of Parliament representing Burnaby, Mr. S. Leggatt, Mr. E. Nelson and Mr. J. Reynolds, to acquaint them with the situation in respect to the George Derby lands.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GORDON:

"That the report of Mayor Constable and Alderman Stusiak be received."

CARRIED UNANIMOUSLY

October 29, 1973

MUNICIPAL MANAGER submitted Report No. 81, 1973, on the matters listed below as Items (1) to (18), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Barnet Highway

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

(2) Street Light

It was recommended that Council authorize the installation of a 300 watt mercury vapour street light at the end of Lozells Avenue north of Curtis Street.

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

CARRIED UNANIMOUSLY

An inquiry was made as to when a report on underground wiring would be available.

The Municipal Engineer stated that he would provide Council with an answer to this question.

(3) Monthly Report of Health Department

A report of the Medical Health Officer covering the activities of his Department for the month of September 1973 was being submitted herewith.

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

CARRIED UNANIMOUSLY

It was noted in the report of the Medical Health Officer that the total enrollment in Burnaby Schools, both Board and Non-board, had decreased 888 from last year at this time.

Alderman Stusiak suggested that a graph showing population trends in the Burnaby schools over the past few years and a comparison in the school population in neighbouring municipalities could be of interest and should be provided to Council.

It was understood that arrangements would be made to provide the graph mentioned.

(4) Lot 12, Block 9, D.L. 173, Plan 1034 (6077 Trapp Road)
PRELIMINARY PLAN APPROVAL APPLICATION NO. 2408

It was recommended that Council authorize the issuance of the above Preliminary Plan Approval, which is for the addition of another building (18' 8" by 28' 4") on the property indicated in caption.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LAWSON:
"That the meeting extend beyond the hour of 10:30 p.m."

CARRIED UNANIMOUSLY

(5) Lot 90, D.L. 4, Plan 37535 (9230 Lougheed Highway)
REZONING REFERENCE #46B/73

It was recommended that Council approve the development proposal detailed in the report, in principle, relating to the above described property and stipulate that a suitable plan of development be provided as a prerequisite to the passage of the amendment to the Zoning By-Law required to formalize the change in the comprehensive development plan involved.

October 29, 1973

It was also recommended that the proposal be advanced to a Public Hearing to be held on November 20, 1973.

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

CARRIED UNANIMOUSLY

(6) Subdivision Servicing Agreement
SUBDIVISION REFERENCE #105/73

A sketch showing the location of the property covered by the above subdivision was being provided this evening.

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

Subdivider:

Name: Block Bros. Contractors Limited.

Address: 654 Burrard Street, Vancouver, B.C.

Legal Description of all properties within the subdivision:

Subdivision Plan of Lot "A" of Blocks 31 and 32 of Lot 33, Group One, New Westminster District, Plan 4122

3 Description of Services to be installed by the subdivider

According to Schedule "A"

(Note: this schedule is prepared by the Engineering Department based on the approved Engineering Design Drawings #730552).

4 Completion date:

The 30th day of November, 1973

6 Contractor:

Name: The Jamieson Construction Co. Ltd.

Address: 997 Marine Drive, North Vancouver, B.C.

Contract Price:

Full Amount: \$10,550.00

8 Insurance:

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

9 Inspection Fee:

4% of full contract price: \$422.00

10 Irrevocable Letter of Credit or Cash Bond posted with Municipality

\$ 10,550.00

October 29, 1973

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

CARRIED UNANIMOUSLY

(7) Subdivision Servicing Agreement
SUBDIVISION REFERENCE #184/72

A sketch showing the location of the property covered by the above subdivision was being provided this evening.

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

Subdivider: S.F.U. Developments Ltd.,

Name: Wenaus & Kidd Enterprises Ltd.,
3851 East Hastings Street,
Burnaby 2, B.C.

Legal Description of all properties within the subdivision:

D.L.135, Lots 221 and 222, Plan 32215

3

Description of Services to be installed by the subdivider:

According to Schedule "A"
(Note: this schedule is prepared by the
Engineering Department based on the approved
Engineering Design Drawing #730550)

4

Completion date:

The 30th day of December, 1973

6

Contractor:

Name: Harvey Construction Ltd.

Address: 7050 Greenwood Street,
Burnaby 2, B.C.

Contract Price:

Full Amount: \$ 10,100.00

8

Insurance:

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

9

Inspection Fee:

4% of full contract price: \$ 460.00

10

Irrevocable Letter of Credit posted with Municipality

\$ 12,500 (an amount in excess of the contract)

October 29, 1973

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

CARRIED UNANIMOUSLY

(8) Contract #16, 1973 (Capital City Construction Company Limited)

It was recommended that Council authorize an extension of the completion date in the above contract from October 31, 1973 to November 30, 1973, and 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 STUSIAK, SECONDED BY ALDERMAN GUNN:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(9) Control #7, 1973 - Local Improvement Programme Part "B", Stage II, Part II (Castle Concrete Limited)

It was recommended that Council authorize an extension of the completion date in the above contract from October 31, 1973 to December 15, 1973, and 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 STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(10) REZONING REFERENCE NO. 31/73

- (a) Lot "A" Except East 569.25 feet, Block 11, D.L. 70, Plan 9892
- (b) Lot 10W½ Except Part on Plan 26625, D.L. 70, Plan 3216
- (c) Lot 10E½ of the West half of D.L. 70E, Plan 3216

It was recommended that Council approve in principle the development proposal for the above described properties outlined in the report, and the rezoning of the site to Comprehensive Development District (CD), and that the following prerequisites be established to the rezoning:

- (a) The submission of a suitable plan of development for the site;
- (b) The deposit of sufficient monies to cover the cost of constructing all requisite services to the site.
- (c) The placing underground of all electrical servicing (including electrical kiosks, wherever soil conditions permit), telephone, and cable installations throughout the development.
- (d) The consent of the Department of Highways being obtained for the permanent use of the leased portion of the Remainder of Lot 10E½, D.L. 70W½, Plan 3216 mentioned in the report for parking purposes by the owner of the subject parcels.

It was also recommended that the rezoning proposal be advanced to a Public Hearing to be held on November 20, 1973.

October 29, 1973

It was noted by Council from the sketch accompanying the report that Parcel "D" on the south side of Dominion Street is not included in the development proposal. It was felt that the inclusion of this parcel would make for a better overall development.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:

"That the applicant for the rezoning proposal which is the subject of the Manager's Report be urged to endeavour to acquire Parcel "D" on the south side of Dominion Street for development in conjunction with the other properties and, if he is not successful in that regard, then Council be prepared to review its suggestion."

CARRIED

AGAINST -- Mayor Constable, Aldermen
Burnham, Gordon

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:

"That the recommendations in the report of the Manager be adopted."

CARRIED

AGAINST -- Alderman Gunn

(11) Block I, D.L. 155B, Plan 1248
REZONING REFERENCE #61/73

The proposed rezoning of the above described property to General Industrial District (M2) was the subject of a Public Hearing on October 10, 1973. A representative of the owners of the property expressed opposition to the proposed rezoning because he felt it would lower the market value of the land.

The amendment to the Zoning By-law covering the rezoning was presented to Council for three readings on October 15, 1973. Action on the By-law was deferred because it was indicated the owner or his representative would be communicating with the Planning Department about the matter.

Since that date, the Planning Department has not been contacted by either the owner or anyone else representing him.

The following are the reasons for advancing the rezoning proposal:

- (a) the property lies within an area designated as the "Byrne Road Industrial Enclave" in the Big Bend Area. This area was the subject of an intensive study that was commenced in 1970, the conclusions of which were endorsed by Council;
- (b) Stage I of the implementation of the study's conclusions included the rezoning of certain properties to a category considered more compatible with Big Bend Area objectives than the M3 category. The objective was to halt the progressive increase in low amenity activities in the area and to promote an upgrading of the conditions and the type of activities in the area. Initially, this Stage I rezoning was to be area - wide, encompassing all properties on Byrne Road south of Marine Drive and north of the B.C. Hydro and Power Authority right-of-way. The rezoning was to be to the M2 category to achieve the upgrading of development standards and a more positive control on more suitable industrial uses which Council had determined to be a high priority Municipal goal.
- (c) Prior to final adoption of the rezoning, the Council determined that it did not desire to place those currently developed industrial facilities in a non-conforming position and therefore directed that these properties be excluded from the rezoning and that their M3 zoning status be maintained. The Council did, however, direct that future expansion of these existing developments be required to conform to the newly defined standard.

October 29, 1973

- (d) It was on this basis that the amendment to the Zoning By-law implementing the first stage of the Big Bend rezonings was passed on December 13, 1972. Among those properties in M3 industrial use which were exempt from area-wide rezoning was the subject property. The site was, at that time, occupied by Streiling Lumber Industries Limited.
- (e) Earlier this year, the facilities on the property were destroyed by fire and it was understood the owner did not intend to rebuild them.
- (f) The current rezoning proposal has been initiated by the Planning Department to ensure that Council's adopted goal for the area (a higher quality of industrial development) will be reflected in the industrial use for which the property is redeveloped. This action will ensure for Council that any new use to be established on the site will conform to the desired standards now in effect on other undeveloped properties in the enclave without compromising Council's position with respect to creating non-conformity of existing continuing uses.

It was recommended that the amendment to the Zoning By-law covering the rezoning of the subject property to M2 be advanced for readings.

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

CARRIED UNANIMOUSLY

(12) East Side of Sperling Avenue Between Buckingham Avenue and Haszard Street

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

(13) Burnaby Fire Prevention By-Law 1968, Amendment By-Law No. 1, 1973

It was recommended that the above By-Law, which regulates fire protection and fire fighting capabilities of refinery operations, be favourably considered by Council.

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

CARRIED UNANIMOUSLY

(14) Lot 101, D.L. 30, Plan 34813 (7180 Linden Avenue)
STRATA PLAN APPROVAL APPLICATION #8/73

It was recommended that Council approve:

- (a) the above Strata Plan Application, subject to the satisfaction to the prerequisites detailed as Points 4.2.1, 4.2.2, 4.2.3 and 4.2.4 in the report;
- (b) the four general proposals, as broad operational guidelines for transitional condominium projects, detailed as Points 4.1.1, 4.1.2, 4.1.3 and 4.1.4 in the report.

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

CARRIED UNANIMOUSLY

(15) Dump Trucks - Contract #17, 1973

It was recommended that Council accept the tender of H. Selfert Trucking Limited in the amount of \$72,942.50 for the supply, rental and operation of single and tandem axle trucks to and for the Corporation, with final payment to be based on the actual useage and unit prices tendered.

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

CARRIED
AGAINST -- ALDERMAN STUSIAK

(16) Municipal Hall - West Building

The lowest bid for the construction of the above building was higher than the amount which was anticipated, with the result a review was made. Particulars of the situation in that regard are as follows:

- (a) the basic low bid, which was submitted by Project Construction, was \$1,445,000.00. The ultimate prices called for in the tender increased the basic bid to \$1,473,557.00, the items being:
 - reflecting ponds - \$6,500.00
 - roof planting soil - \$4,000.00
 - exterior double glazing - \$18,057.00
- (b) the comparable pre-tender estimates for the project, with the above three items, was \$1,234,143.00.00
- (c) the changes which were made, that represent deductions in the gross figure of the low tender, in order to arrive at a sum approximating the amounts originally expected were:
 - (i) install T-bar ceiling in place of the arrangement which was originally specified - \$41,316.00
 - (ii) a variation in the low velocity system by lowering the corbels supporting the girders - \$24,700.00
 - (iii) removal of ceramic tile from the walls in the bathrooms and substituting painting therefor - \$5,070.00
 - (iv) removal of four-lamp surface fixtures and certain other savings in wiring and subservices, and a reduction in the capacity - \$35,000.00
 - (v) changing the specifications to 2" of asphalt rather than 3" - \$900.00
 - (vi) using particle board instead of plywood, the Nikolai Simplex System, a reduction in the plastic laminate and the substitution of such laminate with melamine on the laboratory counters - \$2,597.00
 - (vii) the deletion of 4' x 4' and 2' x 2' pre-cast pavers and copings and the substitution of 4' x 4' exposed aggregate cast-in-place concrete with tile - \$10,000.00
 - (viii) a reduction in the contingency to \$10,000.00
 - (ix) the deletion of the supply and installation of solar control film for the interior surface of the sloped lights of the glazed corridors along the two floors on the east side of the building - \$2,412.00
 - (x) arranging for surplus excavation material to be disposed of on site by the creation of a berm in close proximity to the building - \$3,000.00
 - (xi) the reduction of the prime cost sum for internal signage - \$1,500.00

October 29, 1973

- (xii) The deletion of a specially prepared and painted "Job" sign - \$250.00
- (xiii) The deletion of the office for the architect, who will now share space in the General Contractor's Site Office - \$250.00
- (xiv) The reduction in poured-in-place concrete for the footings and other wet concrete to be brought on the job - \$1,900.00
- (xv) A reduction in reinforcing steel used in the design of pre-cast elements - \$2,100.00
- (xvi) A change in the prime cost sum for masonry - \$2,000.00
- (xvii) A revision of the General Contractor's fee - \$3,005.00

TOTAL\$146,000.00

October/29/1973

It was recommended that a Contract be awarded to Project Construction in the amount of \$1,299,000 plus \$6,500.00 for the inclusion of reflecting pools on the main plaza, and that a third addenda be issued by the architect to cover the revised bid and to form part of the Contract itself.

The Chief Building Inspector, Mr. M. J. Jones, Mr. Fensom of the Firm of Keith-King, Freschi, and a representative of Project Construction were present and answered a number of questions pertaining to the matter at hand.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That the deduction of \$900.00 detailed under (v) above be approved."

CARRIED

AGAINST -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That the deduction of \$2,597.00 detailed under (vi) above be approved."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:

"That the deduction of \$10,000.00 detailed under (vii) above be approved."

CARRIED

AGAINST -- ALDERMAN GORDON

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:

"That the deduction of \$10,000.00 detailed under (viii) above be approved."

CARRIED

AGAINST -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That the deduction of \$2,412.00 detailed under (ix) above be approved."

CARRIED

AGAINST -- ALDERMAN BURNHAM
AND MERCIER

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN LAWSON:

"That the deduction of \$3,000.00 detailed under (x) above be approved."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN BURNHAM:

"That the sum of \$1,500.00 which has been provided for internal signage, as mentioned under Item (xi) above, remain in the Contract for the Project."

CARRIED

AGAINST -- ALDERMEN GORDON
AND STUSIAK

October/29/1973

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:

"That the deduction of \$250.00 detailed under (xii) above be approved."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:

"That the deduction of \$250.00 detailed under (xiii) above be approved."

CARRIED

AGAINST -- ALDERMEN GORDON
AND GUNN

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That the deduction of \$1,900.00 detailed under (xiv) and the deduction of \$2,100.00 detailed under (xv) above be approved."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:

"That the deduction of \$2,000.00 detailed under (xvi) above be approved."

CARRIED

AGAINST -- ALDERMEN GUNN
AND LEWARNE

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:

"That the General Contractor's fee, as mentioned under Item (xvii) above, be reduced by \$500.00."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:

"That Council award the Contract for the construction of the Municipal Hall - West Building for the sum of \$1,447,648.00 to Project Construction, such sum to be arrived at in the following manner:

BASIC TENDER	\$1,445,000.00
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ADD:

Reflecting Ponds	\$ 6,500.00	
Roof Planting Soil	4,000.00	
Exterior Double Glazing	<u>18,057.00</u>	28,557.00
		<u>\$1,473,557.00</u>

DEDUCT:

Asphalt Paving	\$ 900.00	
Millwork	2,597.00	
General Contingency	10,000.00	
Solar Film	2,412.00	
Surplus Excavating Material	3,000.00	
Job Sign	250.00	
Architect's Office	250.00	
Concrete in Place	1,900.00	
Pre Cast Concrete	2,100.00	
P. C. Sum Masonry	2,000.00	
General Contractors Fee	<u>500.00</u>	25,909.00
		<u><u>\$1,447,648.00</u></u>

CARRIED

AGAINST -- ALDERMAN GORDON

(17) Victory Street from Boundary Road to Joffre Avenue

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

(18) 1973 Recast Budget

A copy of the above document was being distributed to the members of Council this evening.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MCLEAN:

"That the subject of the Manager's Report be tabled until the November 5th meeting."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"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 ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1973" be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #61/73

Block 1, D.L. 155B, Plan 1248

5300 Byrne Road

FROM HEAVY INDUSTRIAL DISTRICT (M3) TO GENERAL INDUSTRIAL DISTRICT (M2)

Item #11 of Report No. 81 of the Municipal Manager, which relates to this rezoning proposal, was brought forward for consideration.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:

"That the Committee now rise and report the By-Law 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 ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1973" be now read three times."

CARRIED UNANIMOUSLY

October/29/1973

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:
"That:

"BURNABY EXPROPRIATION BY-LAW NO. 1, 1973"
"BURNABY ROAD CLOSING BY-LAW NO. 9, 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 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 EXPROPRIATION BY-LAW NO. 1, 1973"
"BURNABY ROAD CLOSING BY-LAW NO. 9, 1973"

be now read three times."

CARRIED UNANIMOUSLY

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. 37, 1973"."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #37/73

Lot 52, D.L. 127, Plan 27911

516 Howard Avenue

FROM RESIDENTIAL DISTRICT FOUR (R4) TO COMMUNITY COMMERCIAL DISTRICT (C2)

PLANNING DEPARTMENT reported that the prerequisites established by Council have been virtually completed.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:
"That the Committee now rise and report the By-Law 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 ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1973" be now read three times."

CARRIED UNANIMOUSLY