

November 5, 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, November 5, 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 G.H.F. McLean
Alderman J. L. Mercier (7:50)
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. J. Plesha, Administrative Assistant
Mr. B. Leche, Municipal Clerk's Assistant

MAYOR CONSTABLE drew attention to the presence of a number of members of the Fifth Burnaby Centre Cub Pack, with leaders and parents.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LEWARNE:

"That the Minutes of the Public Hearing held on October 29, 1973, and the Council meeting on the same date be adopted as written and confirmed."

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN GORDON:

"That the Motion to adopt a recommendation of the Manager in Item (15) of his Report to Council on October 29, 1973, be amended by showing Alderman Stusiak as being opposed."

CARRIED UNANIMOUSLY

A vote was then taken on the original Motion, as amended, and it was Carried Unanimously.

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That all of the below listed Original Communications be received and those items of the Municipal Manager's Report No. 83, 1973, which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

The Hon. James G. Lorimer, Minister of Municipal Affairs, wrote to advise that:

- (a) He feels there is some merit in a suggestion of Council that the Provincial Government enact regulations governing condominium developments so that there will be consistency in the application of guidelines for such developments.
- (b) He will discuss the matter with the Attorney-General because the latter is the one who has the primary responsibility for the Strata Titles Act which covers condominiums.

Secretary, Landlord and Tenants Advisory Bureau, wrote to advise that, though the Bureau does not maintain a record as to the percentage of complaints/enquiries received from landlords and tenants, he knows from personal experience that the ratio of landlord to tenant calls is about 1:5.

The Secretary of the Bureau also indicated that he had informed the Law Reform Commission of B. C. that the views in the Brief the Bureau submitted to the Commission on Landlord and Tenant matters reflected only the opinion of the Bureau and in no way were to be construed as representing the opinion of Council.

Mr. R. G. Barnes, Technical Advisor, Water Skiing, 1973 Canada Summer Games and President, B. C. Region, Canadian Water Ski Association, submitted a letter in which he expressed appreciation to Council for being allowed to use Deer Lake and the Cowan Centre area for water skiing during the Canada Summer Games last August.

Mr. Brian M. Hanson, General Manager, Vancouver Opera Association, wrote to forward a copy of the Financial Statements of the Association as at June 30, 1973.

It was understood that a copy of the document from the Vancouver Opera Association would be sent to the Grants and Publicity Committee.

Mr. Ed Nelson, M.P. for Burnaby-Seymour, forwarded a copy of a letter he sent to the Federal Minister of Transport expressing support for the position Council has taken to request that a Council member be included on local National Harbours Boards with voting powers.

Mr. John Reynolds, M.P. for Burnaby-Richmond-Delta, also forwarded a copy of a letter he sent to the Federal Minister of Transport asking for an early decision on the matter of including a Council member on local National Harbours Boards with voting powers.

Mr. Roger Charbonneau, Senior Administrative Officer, Office of the Minister of Transport, wrote to advise that the request of Council that a Council member be included on local National Harbours Boards with voting powers will be considered.

Mr. F. B. Ellam, Corporate Secretary, National Harbours Board, submitted a letter in which he explained the situation with respect to membership on local National Harbours Boards.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN STUSIAK:

"That all of the above four be thanked for the actions they have taken in connection with the subject of a Council member being included on local National Harbours Boards with voting powers and the National Harbours Board be asked to advise of the present composition of the Board; and further, Council reiterate its interest in having a member of Council serve on the Board, as was requested earlier."

CARRIED UNANIMOUSLY

Mr. Steve Slaney, Chairman, Kinsmen Club of North Burnaby, wrote to request permission to hold the Annual Apple Drive on the evening of November 23 and all day on November 24, 1973.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN BURNHAM:

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

CARRIED UNANIMOUSLY

Mr. Iain R. Flint, Senior Councillor, Car Rally Committee Chairman, Regal Chapter, Order of Demolay, wrote to request permission to hold a Car Rally on November 18, 1973, along a route outlined on an accompanying map.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:

"That permission be granted to the Order to conduct its activity on the date and along the route mentioned, subject to the approvals of the Municipal Engineer, the Burnaby Detachment of the R.C.M.P. and the Provincial Department of Highways."

CARRIED UNANIMOUSLY

Miss Patsy Craig, Mothers' March Co-Ordinator, L.M.Z. Unit, The Kinsmen Rehabilitation Foundation of British Columbia, submitted a letter requesting permission to conduct the Mothers' March Campaign in the southern part of the Municipality between February 4 and 9, 1974.

Mr. Don Herman, Mothers' March Chairman, The Kinsmen Club of North Burnaby, wrote to request permission to hold the Mothers' March Campaign in the northern part of the Municipality between February 4 and 9, 1974.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GUNN:

"That permission be granted to both the Kinsmen Rehabilitation Foundation of British Columbia and the Kinsmen Club of North Burnaby to conduct their campaigns at the time and in the areas indicated."

CARRIED UNANIMOUSLY

Mr. C. H. Kind wrote to indicate that he and other property owners adjacent to the public housing site at Moscrop Street and Smith Avenue are not prepared to pay for the paving of a lane that is proposed to be created there.

Item #20 of the Municipal Manager's Report No. 83, 1973, which relates to the letter from Mr. Kind, was brought forward at this time. The following is the substance of that report:

(20) Lane Allowance - Moscrop Street and Smith Avenue

The Planning Department has been in contact with the Housing Department of the Greater Vancouver Regional District to advise that the Planning Department would like to increase the width of the lane which is the subject of the letter from Mr. Kind, which is to be dedicated from the west boundary of Lot 193. This minor revision has been necessitated by the fact the abutting property owners are not prepared to dedicate land for a lane at this time. If they change their minds, the additional dedication from Lot 193 would facilitate lane development.

It was recommended that:

- (a) Council reaffirm the decision it rendered on September 24, 1973, to authorize the construction of the lane and that this be done on the

understanding adequate provision will be made for lane access to the Provincial Government land involved in the Assembly Scheme in the area and that construction of the lane would be contingent upon compliance with the following two conditions:

- (i) That the required dedications for lane purposes, as shown on the Sketch II accompanying the report, be obtained.
 - (ii) That the funds required for paving the lane be obtained after the affected owners petition Council for such work to be done as a Local Improvement.
- (b) A copy of the report at hand be sent to Mr. Kind and the other petitioners.

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

CARRIED UNANIMOUSLY

Mr. A. A. Turkington, Secretary, B. C. Juvenile Soccer Association, submitted a letter protesting against the work that was done at Swangard Stadium to level the playing field.

Item #23 of the Municipal Manager's Report No. 83, 1973, which relates to the letter from Mr. Turkington, was brought forward at this time. The following is the substance of that report:

(23) Swangard Stadium

The Parks and Recreation Commission has asked that a report be submitted to it on November 7th by its Administrator.

In the meantime, Dr. R. Goss, Consulting Agronomist, will examine the field at Swangard Stadium and advise of any corrective action that may be required.

It was recommended that the letter from the Juvenile Soccer Association be referred to the Parks and Recreation Commission for comment.

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

CARRIED UNANIMOUSLY

ALDERMAN MERCIER ARRIVED AT THE MEETING.

Mrs. D. Aimar wrote to suggest that the Municipality construct another indoor swimming pool either at Confederation Park or at some other location.

Item #10 of the Municipal Manager's Report No. 83, 1973, which relates to the letter from Mrs. Aimar, was brought forward at this time. The following is the substance of that report.

(10) Indoor Swimming Pool (Aimar)

The Capital Improvement Programme adopted by Council has in it an allowance for construction of an indoor pool at Confederation Park in 1977.

It was recommended that a copy of the report at hand be sent to Mrs. Aimar and that a copy of her letter, together with the report, be sent to the Parks and Recreation Commission for information.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That the recommendation of the Manager be adopted; and further, Mrs. Aimar be asked to inform those who signed the petition accompanying her letter of the situation explained in the report Council received this evening from the Manager."

CARRIED UNANIMOUSLY

Mr. R. E. Hunt, Secretary-Manager, Automotive Transport Association of B. C., submitted a letter in which he referred further to the question of taxis carrying chattels.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN MCLEAN:

"That the Burnaby Cab and Commercial Vehicle By-Law be amended to restrict the carrying of chattels by taxis to a weight ^{of} no more than 15 lbs."

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:

"That the previous Motion be tabled until representation can be made by the Automotive Transport Association of B. C. and by the taxi operators on the proposal embraced by the Motion."

CARRIED

AGAINST -- ALDERMAN GUNN

Mr. Oliver C. Doolan wrote to request that concrete sidewalks and curbs be constructed on Highlawn Drive between Beta Avenue and Midlawn Drive.

Item #24 of the Municipal Manager's Report No. 83, 1973, which relates to the letter from Mr. Doolan, was brought forward at this time. The following is the substance of that report.

(24) Highlawn Drive Between Beta Avenue and Midlawn Drive

A Local Improvement proposal was initiated in 1971 for Highlawn Drive between Midlawn Drive and Beta Avenue. It was defeated by a majority of the property owners affected. In examining the location of the objectors, it was found that only five of the 24 property owners in the block between Midlawn Drive and Beta Avenue were opposed to the work whereas 24 of the 32 property owners in the portion between Beta Avenue and Delta Avenue were opposed.

In view of the interest shown by Mr. Doolan and other property owners on Highlawn Drive between Beta Avenue and Midlawn Drive, it was recommended that Council authorize the initiating, as a Local Improvement, of a project involving the provision of pavement 28-foot wide with 5-foot wide concrete curb sidewalks on both sides of Highlawn Drive between Beta Avenue and Midlawn Drive sometime in 1974.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Manager be adopted."

CARRIED

AGAINST -- ALDERMAN MERCIER

Mr. S. D. Floyd, Vice President and General Manager, Columbian 4-Rinks Limited, submitted a letter and attachments to it relating to his request for approximately 2½ acres of land lying to the east of his present building for the purpose of constructing an additional four ice rinks.

MOVED BY ALDERMAN, STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"That the submission from Columbian 4-Rinks Limited be referred for consideration and report."

CARRIED UNANIMOUSLY

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

The following matters were then lifted from the table:

(a) Motion of Alderman Lawson re Polling Places for Advanced Poll

DEPUTY MUNICIPAL CLERK reported that Section 54 of the Municipal Act, in part, reads "the Advanced Poll shall be opened by the Returning Officer at the place specified in the By-Law....". He indicated he had spoken to the Municipal Solicitor who confirmed that the Advanced Poll could only be held at one place. Deputy Clerk stated that it would appear, if Council wishes to have more than one place for the Advanced Poll, it would be necessary to have/pertinent section of the Municipal Act amended by adding after the word "place" in Sub-Section 2 the words "or places".

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:

"That the Minister of Municipal Affairs be respectfully requested to arrange to amend Section 54(2) of the Municipal Act by adding after the word "place" therein the words "or places" so that a Council can have more than one place for the Advanced Poll."

CARRIED UNANIMOUSLY

(b) Items 2, 3 and 4 of the Grants and Publicity Committee Report which Council received on October 29, 1973

These items are:

- (2) a request of St. Alban's Youth Centre for \$1,000.00 so that Mr. Kevin Oxley can continue, at least until December 31st, to provide a Drop-In Centre for a large number of Burnaby's youth.

It was recommended that Council grant Mr. Oxley \$1,000.00.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

- (3) a request of Genesis Company Theatre for \$3,000.00 to assist in its operations.

It was recommended that the Theatre be given \$1,000.00 as an encouragement to continue its activities.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Committee be adopted."

IN FAVOUR -- MAYOR CONSTABLE, ALDERMEN MERCIER, GORDON AND MCLEAN

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

MOTION LOST

- (4) a request of the Burnaby Horsemen's Association for a grant in lieu of taxes.

The Committee advised it was not prepared to recommend this grant and that it concurred with the Parks and Recreation Commission on the matter, which was that a grant not be made because the requirement when the Association leased property for stabling purposes from the Municipality that the Association would pay the taxes on the land and the improvements thereon in accordance with the requirements of the Municipal Act was clearly understood by the Association.

Alderman Gordon stated that the Association has never paid taxes on the property and has, during the time it has leased the land, been given a grant in lieu of taxes.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That the application of the Burnaby Horsemen's Association for a grant in lieu of taxes be referred to the Parks and Recreation Commission for review in light of the information provided this evening by Alderman Gordon."

CARRIED UNANIMOUSLY

(c) 1973 Recast Budget

Action on this item was deferred until later in the evening. See Page 26 for the minute on this matter.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"WHEREAS Council approved the alterations to Swangard Stadium; and

WHEREAS Council was assured by our staff and consultants that "the drainage would in all likelihood be improved (certainly no worse);" and

WHEREAS Council did not accept submissions, arguments and advice offered by many concerned citizens and organizations opposing the levelling of the field; and

WHEREAS the level field has now proven to be far worse than one could imagine;

BE IT THEREFORE RESOLVED THAT: A Committee consisting of 3 Council members be appointed to:

- (a) investigate all matters pertaining to the levelling of the Swangard Stadium field;
- (b) investigate the necessity and costs of field restoration, including the advisability of a crowned turf field vs. a crowned artificial turf field;
- (c) determine whether there is any recourse open to the Corporation to recover costs spent unwisely through advice received from the consultants and the 1973 Canada Games Society."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GUNN:

"That the words in the above motion: 'A Committee consisting of 3 Council members be appointed to' be deleted and be replaced by 'A Committee consisting of 4 persons, 2 from the present Burnaby Council and 2 from the Vancouver Parks Board be established and, if Vancouver chooses to not appoint 2 members, then Burnaby proceed on its own, to:'."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That action on the above motion, as amended, be deferred until after Council receives:

- (i) the report from the Parks and Recreation Administrator relating to Swangard Stadium that was requested at the October 22nd Council meeting;
- (ii) the information pertaining to Dr. Goss' involvement that was sought at the October 29th Council meeting;
- (iii) the report from the Municipal Solicitor concerning the Municipality suing for alleged neglect in the reconstruction of the field at Swangard Stadium which was requested at the October 29th Council meeting."

CARRIED

AGAINST -- ALDERMEN GUNN, MERCIER
AND GORDON

ENQUIRIES

When Alderman Burnham enquired as to the reference in a Notice from the Greater Vancouver Regional District concerning the matter of establishing its Headquarters, Mayor Constable replied that he had suggested that the Regional District locate its office facilities in Burnaby.

Alderman Gunn served a Notice of Motion regarding the question of taxis delivering chattels.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That a letter be sent to the Minister of Municipal Affairs expressing Council's sincere thanks to him for expediting a decision on the matter of relocating the Oakalla Prison Farm and proposing an alternate use for the land involved; and further, he be respectfully requested to indicate:

- (a) the timing for the Programme planned for the relocation of Oakalla;
- (b) the precise limits of the Oakalla property that are proposed to be transferred to the Municipality."

CARRIED UNANIMOUSLY

Alderman Lawson suggested that the jog in the North leg of Burris Street at Canada Way has caused a hazardous condition because traffic accidents have occurred there which were apparently attributed to that situation.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That the situation at the Canada Way-Burris intersection outlined above be referred to the Traffic Safety Committee for consideration and report."

CARRIED UNANIMOUSLY

Alderman Stusiak drew attention to the statement made at the Public Hearing earlier this evening in connection with a rezoning proposal involving land in the Delta-Halifax area that a considerable amount of traffic used the streets in the area.

The Municipal Engineer was asked to have traffic counts made on all of the streets involved.

Alderman Mercier suggested that perhaps other means of notifying those concerned about rezoning proposals should be employed so that all involved would have ample opportunity to offer their views on such a proposal.

It was understood by Council that the Planning Department would indicate whether, and what, means should be used in that regard.

When Alderman Stusiak enquired about the Bill presently before the House in Victoria relating to an amendment to the Assessment Equalization Act, which accomplishes what Council was seeking a short time ago, the Manager replied that he would determine the status of this Bill.

MAYOR CONSTABLE DECLARED A RECESS AT 9:00 P.M.

THE COUNCIL RECONVENED AT 9:15 P.M.

ALDERMEN MCLEAN, LAWSON AND LEWARNE WERE ABSENT.

R E P O R T S

ELECTION PROCEDURES COMMITTEE submitted a report dealing with 8 items.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN GORDON:
"That each item be dealt with separately."

CARRIED UNANIMOUSLY

ALDERMEN LAWSON AND LEWARNE RETURNED TO THE MEETING.

The following are the 8 items in the report of the Committee:

(1) Election Signs

Points considered in connection with this matter were:

- (a) signs placed only on private property;
- (b) signs restricted from specific sites;
- (c) no additional restrictions.

It was recommended that there be no change in the present policy because it was felt any change would interfere with democratic freedom and possibly impede the success of independent candidates in being elected.

Alderman Mercier dissented with this opinion.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GUNN:
"That the recommendation of the Committee be adopted."

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:
"That independent candidates seeking election to Municipal Office be the only ones allowed to erect election signs."

IN FAVOUR -- ALDERMEN BURNHAM AND
MERCIER

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

MOTION LOST

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

(2) List of Electors

It was recommended that, because it was felt enumeration is not necessary, the Minister of Municipal Affairs be asked to arrange for an amendment to the Municipal Act to allow all electors to swear an affidavit at their respective polling places as to their qualifications to vote.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN GUNN:
"That the recommendation of the Committee be referred back to it for further consideration."

CARRIED UNANIMOUSLY

(3) Voting Machines (Vancouver)

It was ^{the} unanimous decision to inform the City of Vancouver that Burnaby would be interested in renting Vancouver's voting machines, depending upon price and subject to some of the comments made in reports Council received on the subject from then Alderman Clark (March 3, 1973) and the Burnaby Citizen's Association (February 5, 1973).

It was recommended that copies of these two reports be sent to the City for its information and that it be suggested to the City that Burnaby is not necessarily in complete agreement with the report but that it feels several important points included therein should be discussed.

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

CARRIED UNANIMOUSLY

(4) Non-Property Owners Voting on Money By-Laws

It was recommended that the Minister of Municipal Affairs be requested to amend the Municipal Act in order to allow non-property owners to vote on money by-laws.

It was drawn to the attention of Council that the Provincial Government is currently considering such an amendment.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:
"That in view of the situation just mentioned, Item (4) of the Committee's report be received."

CARRIED UNANIMOUSLY

(5) Terms of Office for Council Members

It was recommended that the present policy in regard to the above matter remain unchanged because:

- (a) it appears to be advantageous to have some continuity of experienced Council members;
- (b) of the difficulty for voters to choose candidates from the large numbers who would be seeking election in a bi-annual total Council election.

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

CARRIED

AGAINST -- ALDERMEN GUNN AND GORDON

(6) Civic Party Affiliations on Ballot

It was recommended that party affiliations not be listed on ballots because:

- (a) this procedure could be detrimental to independent candidates;
- (b) this could lead to Provincial/Federal political affiliations being shown;
- (c) there is no place for such political participation at the Municipal level.

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

CARRIED

AGAINST -- ALDERMAN GUNN

(7) Lots for Ballot Position

It was recommended that a procedure whereby lots be drawn for the position of candidates on ballots be implemented on a trial basis for the 1974 Municipal Election.

Alderman Lawson suggested that names of candidates be rotated on a ballot so that the order of the names of every candidate would appear at the top of some of the ballots. She explained that, for example, if 40,000 ballots were printed and there were 10 candidates for an Office, then the name of each candidate would appear at the top of 4,000 out of the 40,000 ballots which were used.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:
"That the recommendation of the Committee be referred back to it for consideration of the suggestion recited above."

CARRIED

AGAINST -- ALDERMAN MERCIER

(8) Election of Parks and Recreation Commission

It was recommended that there be no change at this time in the method employed for establishing a Parks and Recreation Commission.

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

IN FAVOUR -- ALDERMEN MERCIER, LAWSON,
STUSIAK AND LEWARNE

AGAINST -- MAYOR CONSTABLE, ALDERMEN
GUNN, BURNHAM AND GORDON

MOTION NEGATIVED

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:
"That the proposal in the report of the Committee be referred to the Parks and Recreation Commission for comment."

CARRIED

AGAINST -- ALDERMAN GUNN

TRAFFIC SAFETY COMMITTEE submitted reports on the matters listed below as Items (1) to (11) recommending the courses of action indicated for the reasons given:

(1) School Patrol Incentive Programme

It was recommended that Council authorize the Burnaby School Board to operate a School Patrol Incentive Programme Fund for the school year 1973/74.

(2) Parking and Speeding on Elwell Street

As a result of considering a complaint about speeding traffic on Elwell Street and the parking by apartment residents there in front of single family homes, it was recommended that no action be taken on these matters because, with respect to the first item:

- (a) the Municipality does not have the authority to designate sections of public highways for the sole use of select groups or individuals and, even if this authority did exist, the subject problem would not be resolved because those parking in front of the private residences actually reside on the same street elsewhere;

and with regard to the second item, the installation of speed bumps cannot be supported as a means of curbing speeding, for the following reasons:

- (1) The Municipal Solicitor advises that the Municipality could be held liable for any accidents or injuries attributed to speed bumps.
- (ii) A motorist could lose control of his vehicle if he struck a bump when travelling too fast.
- (iii) In the case of lanes, speed bumps there would need to be quite severe to curb speeds ranging between 25 and 30 m.p.h. and would consequently require those travelling at the legal speed limit of 15 m.p.h. to slow when crossing a bump.
- (iv) They hamper the use of emergency vehicles which would need to use those areas covered with speed bumps.
- (v) Because speed bumps would obviously annoy many motorists, they would need to be placed fairly close together to prevent speeding between them. If this was not done, there is apt to be more speeders afterwards. The distance between bumps should be not more than 125 feet.
- (vi) The installation of speed bumps is a penalty imposed on all drivers because of society's inability to handle those who abuse the privilege of driving a vehicle on a public street.

(3) Casewell Street

It was recommended that no action be taken on a complaint that a resident on Casewell Street was unable to park in front of his home due to the fact a bus zone was located there and a fire hydrant was directly across the street because:

- (a) this area would only be for visitors to the complainants inasmuch as he has a two car garage serviced from the lane at the rear of his property;
- (b) the relocation of the bus zone would only transfer the lack of convenient front street parking to an adjacent home.

(4) Speeding on Gordon Avenue

It was recommended that there be no reduction in the 30 m.p.h. speed limit on the above street for the reasons indicated in the report and that the matter of vehicles exceeding the limit be referred to the R.C.M.P. for enforcement.

(5) 10th Avenue and Holmes Street (St. Michael's School)

It was recommended that there be no deviation from the established policy of not marking 20 m.p.h. zones on streets having marked and supervised crosswalks, as requested by representatives of St. Michael's School for the captioned streets, for the reasons indicated in the report.

(6) Kingsway and Hall Avenue

It was recommended that no action be taken on a request for the installation of a controlled pedestrian crossing at the above intersection until a report is received from the Department of Highways on the matter.

- (7) (a) Royal Oak Avenue and Irving Street
 (b) Royal Oak Avenue and Arrow Street

It was recommended that no action be taken on complaints concerning:

- (i) cars parking at the intersection of Royal Oak Avenue and Irving Street causing a view obstruction for traffic travelling West on Irving Street toward Royal Oak Avenue;

- (ii) a crossing problem at Royal Oak Avenue and Arrow Street.

for the reasons provided in the report.

(8) 10th Avenue and Second Street

It was recommended that no action be taken on a request for a traffic signal at the above intersection for the reasons provided in the report.

(9) Parker Street and Delta Avenue

It was recommended that no action be taken on a request for a traffic signal at the above intersection, for the reasons provided in the report, but that a marked and patrolled crosswalk be installed there.

(10) Smith Avenue and Moscrop Street

It was recommended that no action be taken to install signs on Smith Avenue indicating "Intersection Ahead" or "Hidden Intersection Ahead" for the reasons provided in the report.

The Municipal Engineer was successful in having the owner of the property at the Southeast corner of the intersection remove about 30 feet of a cedar hedge there in order to improve sight distance.

The intersection will be kept under observation and, if the removal of the hedge does not resolve the accident problem then consideration will be given the matter of installing flashers.

(11) Speed Bumps

It was recommended that Council formally adopt of policy of being opposed to the installation of speed bumps on public rights-of-way in order that the Committee can advise those who request them of this situation without referring each item to the Council.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That all of the recommendations of the Committee except those pertaining to Items (2) and (11) be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN BURNHAM:

"That the matter of designating portions of public highways for the sole use of select groups or individuals be referred back to the Traffic Safety Committee for consideration of the question of having amendments made to the Municipal Act which would empower Municipalities to deal with the matter of resident parking."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:

"That the R.C.M.P. be asked to enforce the speed limit on Elwell Street."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GUNN:

"That the Municipal Engineer select three lanes in the Municipality where there has been a problem of vehicular traffic speeding so that Council can consider the matter of installing speed bumps there for a trial period of one year; and further, he indicate the locations of the three lanes and the costs of installing the speed bumps."

CARRIED

AGAINST -- MAYOR CONSTABLE, ALDERMEN BURNHAM AND LEWARNE

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 83, 1973, on the matters listed below as Items (1) to (25), either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) REZONING REFERENCE NO. 54/73
 (a) Lots 11 and 12, Blocks 9/10, D.L. 80N½, Plan 1831
 (b) Lot 13 Except Explanatory Plan 14745, Blocks 9/10, D.L. 80N½, Plan 1831

It was recommended that Council approve an application to rezone the above described properties to COMPREHENSIVE DEVELOPMENT DISTRICT (CD) for further consideration to permit the development of a senior citizens' housing project on the land and that the following be established as prerequisites to the rezoning being completed:

- (1) The submission of a suitable plan of development for the site.
- (2) The dedication of the necessary road rights-of-way along the Sunset Street and Godwin Avenue flankages referred to in the report.
- (3) The deposit of moneys to cover the cost of constructing all requisite services to the site, including ornamental street lighting, underground electrical and telephone wiring, sanitary and storm sewers, water, sidewalks, and roads.
- (4) The maintaining, beneath the Kincaid Street road allowance, ^{of} a 15' wide easement free of buildings and obstructions to protect an existing sanitary sewer.
- (5) The consolidation, with the subject properties at the earliest opportunity, of the small triangular parcel (presently described as the Westerly part of Lot 217) bounded by Canada Way, Kincaid Street and the extension of Godwin Avenue.
- (6) The placing, underground, of all electrical servicing (including electrical kiosks, wherever soil conditions permit), telephone and cable installations throughout the development.
- (7) The assumption by the applicant of all costs connected with the closure and consolidation of Kincaid Street.
- (8) The provisions of an undertaking to guarantee the removal of all existing structures on the site within six months of the rezoning being completed.

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

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

CARRIED UNANIMOUSLY

- (2) Easement - Lot 338 and 340, D.L. 129, Plan 27590

It was recommended that Council approve a reduction in the width of the easement over the above described properties from 15' to 10.5' by the elimination of the 1.5 foot wide easement on Lot 338 and the reduction of the 13.5 foot wide easement on Lot 340 to a 10.5 foot width.

It was also recommended that Council authorize the reregistration of the right-of-way plan for the amended easement, with the costs thereof to be charged to the owner of the two lots, Mr. James S. Dickson.

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

CARRIED UNANIMOUSLY

ALDERMAN MERCIER LEFT THE MEETING.

(3) Subdivision Servicing Agreement
SUBDIVISION REFERENCE NO. 173/73

The Engineer feels it would be highly desirable, if not essential, to require the construction of a lane South of and parallel to Gilpin Street, including the area East of the proposed North-South Road in the area.

The Planning Department, on the other hand, agrees that the lane pattern should be perpetuated West of the North-South Road but that the need for a lane East of that road is debatable.

It was recommended that a lane not be required in connection with this subdivision proposal because:

- (a) of the advanced stage of the subdivision;
- (b) 3 of the 5 lots involved have houses on them already, with 2 of them having access to Gilpin Street and the third to the North-South Road;
- (c) of the possibility Gilpin Street will become a residential street;
- (d) the drainage problem involved can be relieved by the construction of a ditch.

It was recommended that Council authorize the preparation and execution of the above Subdivision Servicing Agreement.

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

CARRIED UNANIMOUSLY

(4) Burnaby Local Improvement Financing By-Law No. 2, 1973

It was recommended that the above By-Law be prepared to permit the expenditure of \$1,527,985.00 currently in the Local Improvement Fund to temporarily finance the following works:

<u>By-law No.</u>	<u>Description</u>	<u>Loan Authorization By-law</u>
6231	14' Pavement - Lanes	\$ 4,800
6237	28' Pavement with 5' curb sidewalks both sides	909,500
6239	28' Pavement with curbs both sides and 4 1/2' sidewalk on south side	35,000
6240	28' Pavement with 5' curb sidewalks both sides	55,000
6241	28' Pavement with curbs both sides	4,500
6242	36' Pavement with 5' curb sidewalks both sides	12,000
6243	46' Pavement with 6' curb sidewalks both sides	112,000

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6244	36' Pavement with curbs both sides	16,500
6251	14' Pavement - Lanes	560
6257	14' Pavement - Lanes	3,000
6290	Public lighting	100,000
6295	14' Pavement - Lanes	735
6306	14' Pavement - Lanes	3,000
6307	14' Pavement - Lanes	770
6324	14' Pavement - Lanes	2,520
6326	28' Pavement with curbs	55,250
6327	28' Pavement with 5' curb sidewalk on north side and curb only on south side	75,000
6328	36' Pavement with curbs both sides	28,000
6329	60' Pavement with 6' curb sidewalk on west side and curb only on east side	107,200
6348	14' Pavement - Lanes	750
6351	14' Pavement - Lanes	1,900
		<u>\$ 1,527,985</u>

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

CARRIED UNANIMOUSLY

ALDERMAN MERCIER RETURNED TO THE MEETING.

(5) Armistice Day

Armistice Day falls on a Sunday this year.

The Agreements with the Civic Employee's Union provide that when a Statutory Holiday falls on a Saturday or a Sunday and neither of the Senior Governments proclaim an alternate public holiday, the Municipality shall make a decision on the matter and post a Notice at least one week in advance of the date of the holiday.

Neither of the Senior Governments made a Proclamation about the subject holiday as of November 2, 1973.

The day before Christmas falls on a Monday this year. If this day was designated in lieu of November 11th, it would provide employees with 5 days off between December 22nd and 26, 1973.

The Manager designated December 24th as a public holiday for Municipal employees pursuant to the Union Agreements. The advice was posted and the Union advised accordingly.

In the event a Senior Government should proclaim another day in lieu of November 11th, that day would become the civic holiday for Burnaby employees instead of December 24th. It is not anticipated that the Senior Governments will make such a Proclamation at this late date so that the Corporation will be able to proceed with observance of the holiday on December 24th, as planned.

It was recommended that Council ratify the action of the Municipal Manager to designate December 24, 1973 as a holiday for Civic Employees in lieu of November 11, 1973 pursuant to the Union Agreements, on the understanding that if a Senior Government should proclaim another day in lieu of November 11th, that day would become the civic holiday for Burnaby employees instead of December 24, 1973.

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

IN FAVOUR -- MAYOR CONSTABLE, ALDERMEN
GORDON, MERCIER AND
STUSIAK

AGAINST -- ALDERMEN LAWSON, LEWARNE,
BURNHAM AND GUNN

MOTION NEGATIVED

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That the subject of the report from the Manager be referred back to him to obtain the preference of the employees on whether they want Monday, November 12, 1973 in lieu of November 11, 1973, or December 24, 1973; and further, that the Manager be governed in accordance with the wishes of the employees."

CARRIED

AGAINST -- ALDERMEN BURNHAM AND
LEWARNE

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN BURNHAM:

"That the next meeting of Council be held on Tuesday, November 13, 1973 commencing at 7:00 p.m. rather than November 12, 1973 at 7:00 p.m."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That the meeting extend beyond the hour of 10:30 p.m."

CARRIED

AGAINST -- MAYOR CONSTABLE

(6) Lot 36, Block 19, D.L. 27, Plan 1077
(8077 - 16th Avenue)

In response to a question raised at the Council meeting on October 15th, there is no municipal purpose for the above property.

It was recommended that the property be offered for sale by public tender with the stipulation that the successful purchaser be required to demolish the structures on the parcel or bring them up to an acceptable standard.

It was also recommended that, in the future, purchasers of municipal property be given the option of demolishing substandard structures on such property or bringing them up to an acceptable standard except when unusual conditions require that the structures be demolished by the Municipality.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN LAWSON:

"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(7) Surplus Parks Capital Funds

It was recommended that:

- (a) a By-Law be prepared to amend Burnaby Loan Authorization By-Law No. 5, 1971 to authorize the balance in the account for the said By-Law of \$34,206.02 to be spent on the purchase of lands for parks purposes, as outlined in the current Parks Land Acquisition Programme;
- (b) a By-Law be prepared to amend Burnaby Loan Authorization By-Law No. 6, 1971 to authorize the balance in the account for the said By-Law of \$1,904.35 to be spent on the purchase of lands for parks purposes, as outlined in the current Parks Land Acquisition Programme;
- (c) the Municipal Treasurer be authorized to apply the balance of funds in Burnaby Security Issuing By-Law No. 1, 1972 to the Capital Works in Progress in Sewer Utility;

(d) the criteria used in the disposition of surpluses and deficits in capital projects detailed in the report be approved in principle.

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

CARRIED UNANIMOUSLY

(8) Financial Statements

A report from the Municipal Treasurer covering the financial operations of the Corporation between January 1st and October 7, 1973 was being submitted herewith.

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

CARRIED UNANIMOUSLY

(9) 1974 Business Tax Assessment Roll

The 1974 Business Tax Assessment Roll is now complete and Notices of Assessment have been mailed.

The total assessed rental value in the Roll is \$33,025,410.00, an increase of approximately 4.9 million dollars over 1973. Two point four million of this increase is attributable to the increase in rental values of existing properties while 2.5 million dollars is due to new construction.

There are 2,699 accounts in the Roll, an increase of 139 over 1973.

The amount of tax collectable, at a rate of 7½%, is \$2,476,905.00 subject to decisions of the Local Court of Revision.

The Local Court of Revision to consider appeals against the Business Tax Assessment Roll is scheduled to be held at 10:00 a.m. on November 22, 1973 in the Council Chambers.

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

CARRIED UNANIMOUSLY

(10) Indoor Swimming Pool (Aimar)

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

ALDERMAN LEWARNE LEFT THE MEETING.

(11) Municipal Hall - West Building

The following are the results, in accounting form, of the decisions rendered by Council with respect to the above Building:

Basic Low Bid:		\$1,445,000
ADD: Alternates	- Reflecting Ponds	\$ 6,500
	- Roof Planting Soil	4,000
	- Exterior Double Glazing	<u>18,057</u>
Sub Total:		<u>28,557</u>
		\$1,473,557

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LESS: Credits for Changes:

- Asphalt Paving	\$ 900	
- Millwork	2,597	
- General Contingency	10,000	
- Solar Film	2,412	
- Surplus Excav. Material	3,000	
- Job Sign	250	
- Architect's Office	250	
- Concrete in Place	1,900	
- Precast Concrete	2,100	
- P.C. Sum Masonry	2,000	
- General Contractor's Fee	500	
		<u>25,909</u>
Revised Accepted Bid:		<u>\$1,447,648</u>

The project budget will therefore become as follows:

Accepted Revised Bid	\$1,447,648
Consultant's Fee @ 8%	115,812
Concept Development Fee	7,800
Furnishings	30,000
Perimeter Road	10,000
Contingency	<u>25,000</u>
Total Project Budget	<u>\$1,636,260</u>

A tabulation of the tenders received for the construction of the building was being supplied to Council this evening.

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

CARRIED UNANIMOUSLY

(12) Estimates

It was recommended that the Municipal Engineer's Special Estimates of Work in the total amount of \$9,000.00 be approved.

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

CARRIED UNANIMOUSLY

(13) Telephone System - Justice Building and Fire Hall

It was recommended that Council authorize the conversion of the telephone system at the Justice Building and at the No. 1 Fire Hall to a Centrex and P.A.X. system, as detailed in the report.

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

CARRIED UNANIMOUSLY

- (14) (This item was withdrawn earlier by the Municipal Manager)
- (15) REZONING REFERENCE NO. 42/73
 (a) Lots 7 and 8, Blocks 23/24, D.L. 32, Plan 1444
 (b) Parcel "F", Explanatory Plan 9114, Block 24, D.L. 32, Plan 812
 (c) Parcel "G", Reference Plan 14141, Block 32, D.L. 152, Plan 783

It was recommended that Council approve for further consideration the rezoning of the above described properties to COMPREHENSIVE DEVELOPMENT DISTRICT (CD) and stipulate that the following prerequisites to the rezoning be established:

- (1) The submission of a suitable plan of development for the site.
- (2) The dedication of the necessary road rights-of-way along Marlborough Avenue referred to in the report.
- (3) The deposit of monies to cover the cost of constructing all requisite services to the site, including ornamental street lighting, sanitary and storm sewer, sidewalks, fire hydrants and a road.
- (4) The deposit of monies, to be held "In Trust" by the Municipality, to cover the cost of providing a landscaped pedestrian concourse for community use between Irving and Newton Streets on the Marlborough Avenue right-of-way, should Council agree to the road closure mentioned in the report.
- (5) The consolidation of the properties into one site.
- (6) The provision of an undertaking to guarantee removal of all existing structures on the site within six months of the rezoning being completed.

It was also recommended that the rezoning 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

ALDERMAN LEWARNE RETURNED TO THE MEETING.

- (16) Lot 102, D.L. 4, Plan 42528
 @202 Horne Street)
STRATA PLAN APPROVAL APPLICATION NO. 9/73

It was recommended that Council approve the above application, subject to the fulfillment of the following conditions:

- 4.1 The project must fulfill Council's established standards for curbs in condominium areas as follows:
 - a) Curbs and gutter and/or curb walks are to be required on all internal Strata Title streets, with standard drop sections where necessary to gain access to the adjoining parking areas.
 - b) An extruded concrete curb is to be provided on asphalt, to the specifications of the Engineering Department, for the perimeter of the Strata Title parking areas.

- 4.2 No parking should be allowed within any condominium driveway or designated fire lane.

This requirement is to be included in the Strata Corporation By-laws. Upon the advice of the Fire Department, the Burnaby parking control officer should be empowered to enforce this requirement.

- 4.3 A readily accessible resident representative of the Strate Corporation and the authorized Management Company is to be given authority to grant entry to the premises to the Municipal Departments of Building, Health, Assessment and Fire for emergency or inspection purposes.

This requirement is to be included in the Strata Corporation By-laws.

- 4.4 A fully acceptable authorized copy of the Strata Corporation By-laws shall be submitted to the Municipality before the Strata Plan is signed and sealed by the authorized Municipal Officers.
- 4.5 Each condominium purchaser must have received a complete prospectus of the project by the developer. The prospective buyer must acknowledge receipt of the prospectus in writing. The authorized applicant should sign the submitted prospectus attesting to its veracity as a factual information document. The prospective buyer should be informed by the applicant that the Municipality would not be liable for or be responsible for the enforcement of the detailed information contained in the prospectus.

The prospectus shall fully explain:

- a) Where the developer is arranging the financing. Particulars of the terms and conditions upon which it is intended to sell the proposed condominium units, together with a full disclosure of all financing or bonusing showing true interest, and if any particular forms of contract are to be used, these shall be attached to the prospectus.
- b) The taxation situation including the relationship of the home-owner grant.
- c) Details of proposed management contracts, monthly servicing costs and any other servicing costs, to be borne by the proposed future owner.
- d) Particulars of arrangements to govern the handling of deposits and other monies received between the time of purchase by the prospective owners and that period during which the developer has retained title.
- e) Particulars of all encumbrances both existing and proposed and the provisions made or to be made for their discharge.
- f) Any other financial arrangements, including joint use contract, if any, affecting the individual condominium owners.
- g) The unit entitlement.

- h) The Strata Corporation By-laws and the Strata Titles Act, including any amendments thereto.
- i) Limits of individual control over a condominium owner's particular unit.
- j) Enumeration of communal facilities and any details of ownership concerning these facilities including responsibility of owner to contribute to costs of replacement.
- k) Enumeration of existing utility services and utility service arrangements made or proposed to be made for the Strata Plan, including water, sewerage, electricity, gas and telephone service, and particulars of access, roads, parking, sidewalks, street lighting, garbage collection, fire protection, police protection, school facilities and public transportation.
Particulars of utility services to individual suites, including water, sewerage, electricity gas, telephone and cablevision services, as well as heating, including metering and payment therefor.
- l) Accurate sketch presentation outlining the relationship of a particular unit to other units and to adjacent common property.
- m) Accurate extent of the legal lot encompassing the particular Strata Corporation as outlined on the Strata Plan registered with the Land Registry.
- n) Details as to whether a caretaker's suite is to be provided as part of the common property.

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

CARRIED UNANIMOUSLY

(17) Lot 95, D.L. 4, Plan 38739
(9041 Eastlake Drive)

It was recommended that Council approve the development of the above described property as a temporary play area for the sum of \$5,000.00, such amount to be included in the 1974 Capital Improvement Programme.

It was also recommended that a copy of the report be sent to the Parks and Recreation Commission, the Lake City East Executive (Strata Corporation) and Dunhill Management.

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

CARRIED UNANIMOUSLY

(18) Coroner's Districts

The Lieutenant Governor in Council has now made an Order under Section 35 of the Coroner's Act creating the new Coroner's District and providing that the participating Municipalities shall share the cost of operating the New Westminster facilities on a caseload pro rata basis, with the new provisions to take effect November 1, 1973.

The Lieutenant Governor in Council has also made an additional Order providing for new schedules of fees under the Act.

The Manager was asked to determine the situation with respect to a request that was made of the Provincial Government by Council a short time ago concerning the Government assuming the full responsibilities for the costs of Coroner's services.

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

CARRIED UNANIMOUSLY

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

The Planning Department wrote to the owners abutting the above lane to obtain their reaction to the construction of that facility. Seven of the owners indicated they were in favour of the lane while five were opposed. A petition for the construction of such a facility, under the terms of the Municipal Act, must be signed by at least two-thirds in number, which means nine of the thirteen property owners involved in the case at hand would need to sign the petition.

The School Board is the largest single land owner abutting the lane. The Secretary-Treasurer of the Board has indicated that he has found that those school sites which do not have lanes or roadways around their periphery are safer, with less likelihood of the school being "invaded" by transients after dark. He anticipated that if there was a high density of traffic on the access road into Brantford School (which is the site the Board owns abutting the lane) this would precipitate special measures having to be taken to protect the elementary students. This situation has been interpreted to be a statement of opposition to the development of the lane.

The Board has advised that if a request is received from the Municipality for a granting of an easement on the access road, this would be approved subject to the necessary Order-in-Council.

The Secretary-Treasurer has also advised that the Board is prepared to extend its full co-operation and does not want to appear to be an arbiter over matters relating to the development of lanes, roads, etc.

The Planning Department was recommending that, as the necessary requirements for the construction of the lane have not been met, the necessary survey and dedication of land for lane not be required at this time.

There are two lots North of the lane described in caption which are under the control of the Parks and Recreation Commission and an intending subdivider on Stanley Street, part of whose land is to be acquired by the Municipality for parks purposes.

The Commission would need to take action on the matter before anything is done by Council.

It was recommended that the report at hand be tabled until a report is received from the Parks and Recreation Commission.

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

CARRIED UNANIMOUSLY

- (20) Lane Allowance - Moscrop Street and Smith Avenue

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

- (21) North Fraser Harbour Commissioners

The powers of the North Fraser Harbour Commissioners are set out in the Harbour Commissions Act, a copy of which was being supplied to Council this evening.

The Council asked that it be informed of the name of Burnaby's representative on the North Fraser Harbour Commissioners.

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

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

The improvements required to the above building that were mentioned in the report Council received on October 22nd would cost approximately \$2,060.00.

The Land Acquisition Programme for Maywood Park is complete and funds are included in the 1977 Capital Improvement Programme, with work scheduled to commence in 1977 and to include the demolition of the 14 dwellings now within the Maywood Park complex and physical development of the area into a neighbourhood park.

Spending \$2,060.00 to improve the dwelling is considered a poor investment so it was recommended that the building in question be demolished.

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

IN FAVOUR -- MAYOR CONSTABLE,
 ALDERMEN GORDON, LAWSON
 AND BURNHAM

AGAINST -- ALDERMEN MERCIER, LEWARNE,
 GUNN AND STUSIAK

MOTION NEGATIVED

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GUNN:

"That the dwelling on the property known as 6508 McKay Avenue be repaired in accordance with the standards mentioned in a report of the Chief Building Inspector dated October 29, 1973, which was supplied to Council this evening, and then rented on the basis that the dwelling be available when the property is required for park purposes."

CARRIED UNANIMOUSLY

(23) Swangard Stadium

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

(24) Highlawn Drive between Beta Avenue and Midlawn Drive

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

(25) Meeting with Minister of Highways

Reports were being supplied to Council this evening relating to:

- (a) immediate highway improvement needs related to regional routes;
- (b) a position paper regarding change from District to City Status

as background information in preparation for the meeting proposed to be held on November 9th with the Minister of Highways.

It was decided by Council that a "caucus" would be held on Thursday, November 8, 1973 at 4:00 p.m. in the Committee Room on the 4th Floor of the Municipal Hall to determine the position to be taken at the meeting the next day on the subjects of the report from the Manager this evening.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:
 "That the reports of the Manager be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:
 "That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1973" be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED

AGAINST -- ALDERMAN GUNN

This By-Law provides for the following proposed rezoning:

Reference RZ #25/73

lots 124 and 125, Block 48, D.L.'s 151/3, Plan 44869

6759 Willingdon Avenue and 6680 Patterson Avenue

FROM RESIDENTIAL DISTRICT FIVE (R5) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:
"That the Committee now rise and report progress on the By-Law."

CARRIED

AGAINST -- ALDERMAN GUNN

THE COUNCIL RECONVENED.

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

CARRIED

AGAINST -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1973" be now read two times."

CARRIED

AGAINST -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:
"That "BURNABY LOCAL IMPROVEMENT FINANCING BY-LAW NO. 2, 1973" be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:
"That "BURNABY LOCAL IMPROVEMENT FINANCING BY-LAW NO. 2, 1973" be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That:

- "BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT BY-LAW NO. 1, 1973"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1973"
- "BURNABY SECURITY ISSUING BY-LAW NO. 5, 1973"
- "BURNABY SECURITY ISSUING BY-LAW NO. 6, 1973"
- "BURNABY SECURITY ISSUING BY-LAW NO. 7, 1973"
- "BURNABY SECURITY ISSUING BY-LAW NO. 8, 1973"
- "BURNABY SECURITY ISSUING BY-LAW NO. 9, 1973"
- "BURNABY SECURITY ISSUING BY-LAW NO. 10, 1973"
- "BURNABY SECURITY ISSUING BY-LAW NO. 11, 1973"
- "BURNABY SECURITY ISSUING BY-LAW NO. 12, 1973"
- "BURNABY ROAD CLOSING BY-LAW NO. 9, 1973"
- "BURNABY EXPROPRIATION BY-LAW NO. 1, 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 GUNN:

"That the Council now resolve itself into a Committee of the Whole to consider the 1973 Recast Budget, which was referred to earlier in the minutes of this meeting."

CARRIED UNANIMOUSLY

A number of questions were asked concerning various accounts in the 1973 Recast Budget, and answers were supplied to these questions.

It was noted that the item "Traffic Control Devices - Maintenance and Operation" included overall maintenance costs for traffic control devices plus the cost of special signs which were used for the Canada Summer Games.

The Municipal Engineer was asked to provide Council with a breakdown between these two costs.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Manager ^{of Transmittal} in his letter/ relating to the 1973 Recast Budget be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY BUDGET AUTHORIZATION BY-LAW 1973, AMENDMENT BY-LAW 1973" be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:
"That "BURNABY BUDGET AUTHORIZATION BY-LAW 1973, AMENDMENT BY-LAW 1973" be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That provision be made for an 8% increase in the annual indemnities paid the members of Council, to be effective January 1, 1974."

CARRIED

AGAINST -- ALDERMEN GUNN, LEWARNE
AND GORDON

Alderman Gunn suggested that the Burnaby General Hospital Board should be invited to show Council pictures of, and explain, the Board's planned Expansion Programme.

The Council agreed and understood that Alderman Gunn would arrange for a delegation from the Board to attend a Council meeting in the near future.


MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:
"That the meeting now adjourn."

CARRIED UNANIMOUSLY

The meeting adjourned at 12:30 a.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK.

EW/mc/mb1