

November 12, 1974

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, November 12, 1974, at 7:00 P.M.

PRESENT:

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

STAFF PRESENT:

Mr. M. J. Shelley, Municipal Manager
Mr. E. E. Olson, Municipal Engineer
Mr. A. L. Parr, Planning Director
Mr. James Hudson, Municipal Clerk
Mr. J. Plesha, Administrative Assistant to Manager
Mr. B. D. Leche, Municipal Clerk's Assistant

M I N U T E S

The Minutes of the Council meeting held on November 4, 1974, were brought forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"That the Minutes of the Council meeting held on November 4, 1974, be now adopted."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That Burnaby Cab and Commercial Vehicles By-Law 1951, Amendment By-Law No. 2, 1974 (#6583) 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 LEWARNE:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That Burnaby Cab and Commercial Vehicles By-Law 1951, Amendment By-Law No. 2, 1974 (#6483) be now read three times."

CARRIED UNANIMOUSLY

Burnaby Zoning By-Law 1965, Amendment By-Law No. 35, 1974 (#6501) came forward for reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

Rezoning Reference #40/73
 Lot 7, Block 13, D.L. 79, Plan 8632
 4241 Ledger Avenue
 From Residential District (R4) to Comprehensive Development District (CD).

The Planning Department reported that the prerequisites which were established by Council in connection with this rezoning proposal have been satisfied.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LEWAPNE:

"That Burnaby Zoning By-Law 1965, Amendment By-Law No. 35, 1974, (#6501) be now reconsidered and finally adopted, signed by the Mayor and the Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LEWAPNE:

"That Burnaby Mobile Poll By-Law 1974 (#6569) be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

C O R R E S P O N D E N C E A N D P E T I T I O N S

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MERCIER:

"That all of the following listed items of correspondence and those items of the Municipal Manager's Report No. 74, 1974, which relate thereto, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Mrs. Hilary Knowles, Women's League Co-ordinator, B.C. Water Polo Association, submitted a letter requesting permission for the Canada Summer Games Water Polo Team to hold a Tag Day on Saturday, November 16, 1974, at the Lougheed Mall.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWAPNE:

"That permission be granted to the Canada Games Water Polo Team to hold a Tag Day on Saturday, November 16, 1974, as requested, subject to the approval of the Management of the Lougheed Mall."

CARRIED UNANIMOUSLY

Mrs. Cerri Richards, Mothers' March Co-ordinator, The Kinsmen Rehabilitation Foundation of British Columbia, wrote to request permission to hold the Annual Mothers' March throughout the Municipality during the period February 3 to 8, 1975.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWAPNE:

"That permission be granted to the Kinsmen Rehabilitation Foundation of British Columbia to conduct their Mothers' March campaign on the dates indicated."

CARRIED UNANIMOUSLY

Mr. & Mrs. F. W. Ferris, 305, 3901 Carrigan Court, submitted a letter advising of poor planning by the Municipal Engineering Department with regards to roads in the vicinity of their home at the beforenoted address.

Item 18, Municipal Manager's Report No. 74, 1974, was brought forward for consideration at this time. The following is the substance of that report:

Parking and Traffic on Public Streets

Mr. and Mrs. Ferris have complained of construction vehicles creating traffic obstructions on Horne Street. In response, the Engineering Department would outline the following information.

Carrigan Court has had the parking banned on both sides at the request of the Fire Department. The reason for this ban was that Carrigan Court is only 28' between curbs and vehicles parked on the street interfere with fire calls.

Keswick Avenue which is constructed to a 20' asphalt interim standard in a 66' right-of-way has had the parking banned on both sides from Government Road to Horne Street. Horne Street from Keswick Avenue east to the cul-de-sac at the rear of the complainant's property has been constructed to a 36' finished standard and has no parking restrictions posted, as such a width allows parking adjacent each curb and still permits the street to operate as a two way facility. The 36' width is the width normally used in apartment areas because of its parking potential.

On a visit to the area on Wednesday November 6, 1974 we found vehicles parked on both sides of Horne Street. At the same time we noted that the street was functioning as a two way facility in spite of being

covered in mud from the extensive construction of apartments and condominiums still in progress.

The extension of the pavement (26' in width) on the Horne Street alignment from the cul-de-sac to the complainant's apartment is the private access to the facilities and the parking noted on this access will have to be controlled by the owners.

Lougheed Estates - Phase II (See Sketch #1)

Mr. and Mrs. F. W. Ferris note that their building at 3901 Carrigan Court has no parking provided off Carrigan Court.

The project in question, Lougheed Estates - Phase II, is a 102 unit 3-storey apartment project composed of two L-shaped buildings surrounding a central open court with an underground parking garage which extends under both buildings and the central court. A parking ratio of 1.45 spaces per unit is provided for this condominium project. This apartment project is so designed to provide access to the underground parking garage and some on-surface visitor parking spaces off Horne Street. The connection of this project to Carrigan Court is essentially a 39 foot wide landscaped pedestrian corridor including a public pedestrian easement which connects Carrigan Court to Horne Street. In order to facilitate emergency fire truck access to the project in the most efficient manner, the postal address for the eastern L-shaped building in the project was designated off Carrigan Court. For information, a site inspection indicated that some of the underground parking spaces were at present being utilized for construction material storage.

In the adopted Community Plan Area "H", Keswick Street is to be eventually closed and Horne Street will be extended through in a westerly direction to the Government Street loop road (See Sketch # 2).

It was recommended that a copy of this report be sent to Mr. & Mrs. Ferris.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Municipal Manager be adopted.

CARRIED UNANIMOUSLY

Mr. J.W. McGill, 3717 Douglas Road, submitted a letter indicating annoyance as to the volume of truck traffic utilizing Douglas Road between Canada Way and the Douglas Road Overpass of the Trans Canada Highway. Mr. McGill requested Council to pose Douglas Road between the aforementioned points restricting trucks from 7:00 P.M. to 7:00 A.M.

Item 23, Municipal Manager's Report No. 74, 1974, was brought forward for consideration at this time. The following is the substance of that report;

Under our existing Truck Route By-law, Douglas Road from Canada Way to the Lougheed Highway is designated as a truck route. Spratt Street, however, from Douglas Road to the freeway is not a designated truck route and trucks in excess of 30,000 G.V.W. are not allowed under the By-law to use Spratt Street as a through route.

In Mr. McGill's submission he has stated that signs have been placed forbidding trucks on Spratt Street. While we do not place truck prohibitions on streets not designated as truck routes, we do on some major intersections along designated truck routes place truck route signing. This is the type of signing being referred to by Mr. McGill.

In regard to the question of an alternate truck route to replace Gilley Avenue it should be pointed out to Mr. McGill that Council's concern in this particular case is the grade of Gilley Avenue which runs as high as 13 + percent. The steepest grade encountered on Douglas Road is 6 percent.

The grade of Douglas Road in front of Mr. McGill's property, which is on the corner of Woodsworth and Douglas Road, is about one percent.

While it is understandable that anyone who lives on a truck route would prefer to have the trucks directed to some other street, it is necessary to designate

some streets as truck routes. In the case of Douglas Road it had been chosen not only because of its long history as a main route of commerce but also as the best facility presently available to designate as a truck route to bring trucks from the main Provincial highways into the trucking terminals situated in the Central Valley area. Consideration is being given to an alternate truck route along the Norland/Ardingly routing. However, to satisfy the complaints of residents along Laurel/Ardingly related to truck movements some relocation of this route is anticipated that will require land acquisition. When such a route is provided it will greatly reduce the number of truck trips now running on Douglas Road.

The request of Mr. McGill to have trucks banned from Douglas Road between 7 p.m. and 7 a.m. is felt to be impractical at this time because of the lack of alternate routes upon which to direct truck traffic during this period of the day.

It was recommended that:

- (a) Council authorized the Engineering Department to obtain further information on the number, type, origin, destination and time of operation of trucks using Douglas Road between Canada Way and the Douglas Road overpass of the Trans Canada Highway, and that a report be prepared summarizing the findings;

- (b) Council take no action at this time to declassify or alter Douglas Road as a truck route;
- (c) a copy of this report be sent to Mr. McGill.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LAWSON:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

Mrs. M. Brophy, 7271 Halifax Street, submitted a letter in connection with the proposed acquisition by the Municipality of Lot "C", D.L. 133, Plan 12221, 7461 Aubrey Street (Alexander). Mrs. Brophy noted that it was her client's wish to have this matter proceed to arbitration immediately.

Item 19, Municipal Manager's Report No. 74, 1974, was brought forward for consideration at this time. Following are the recommendations of that report:

- (a) That an expropriation By-Law be brought forward;
- (b) That negotiations for the acquisition of the property be continued.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN LAWSON:

"That the recommendations of the Municipal Manager be adopted."

During the ensuing discussion the following points were raised:

- (a) It is difficult to determine any marked difference between the Phillips Avenue alignment and that of the proposed road. The grades do not appear to be a problem.
- (b) The need for the proposed road has not been fully established. Additional information is required on where proposed road will finally link up with the existing road.
- (c) The Phillips Avenue alignment as indicated by the solid line on Sketch "E" attached to the report received would appear to be most appropriate route.
- (d) To best serve the area under consideration, the proposed road should be located further east than the alignment under consideration.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LEWAPNE:

"That this matter be referred back to the Director of Planning to consider the foregoing comments and to come up with an alternate scheme more likely to accommodate the needs of the area and the Municipality."

A vote was then taken on the referral motion and it was declared LOST.

A vote was then taken on the original motion as moved by Alderman Emmott and seconded by Alderman Lawson "That the recommendations of the Municipal Manager be adopted."

FOR: MAYOR CONSTABLE, ALDERMAN
LAWSON, EMMOTT, AST, GUNN

AGAINST: ALDERMAN MERCIER, STUSIAK,
LEWAPNE, MCLEAN

Mr. F.I. Morris, 9375 Cameron Street, submitted a letter concerning the acquisition of properties by the Municipality in connection with the construction of the Beaverbrook extension.

Item 12, Municipal Manager's Report No. 74, 1974, was brought forward for consideration at this time. The Municipal Manager presented a copy of a letter which he had written to Mr. Morris dated June 26, 1973, and stated that he could add nothing further on this whole subject at this time.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MERCIER:

"That the report of the Municipal Manager be received."

CARRIED UNANIMOUSLY

Mrs. Anita Morris, 9375 Cameron Street, President, Loughheed Town Community Association, submitted a letter concerning a report prepared by the Environmental Health Department and turned over to the Burnaby Planning Department in February, 1973, on Community Plan Area "H" and called on Council to make this report public. Council was advised that a Staff report on this subject would be available to Council for consideration on November 18, 1974

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN ENIOTT:

"That a request be made of the Loughheed Town Community Association for a list of officers and membership as of the Thirty-first day of October, 1974.

The motion was voted on and declared LOST.

Mr. D. Dautet, 3410 Bell Avenue, wrote concerning the provision of a Public Library Site at Cameron Street and Erickson Drive beside Cameron Park. Mr. Dautet was of the opinion that a Library was very urgently required in this area.

Item 16, Municipal Manager's Report No. 74, 1974, was brought forward forward for consideration at this time. Following is the substance of that report:

In the existing Community Plan Area "G" a library site has been designated in an area east of Reese Avenue. However until the proposed modifications to Community Plan Area "G" have been resolved in the near future, the exact site for the proposed library cannot be most appropriately determined. The Planning Department would co-ordinate the delineation of an appropriate library site with due consideration for public library needs (size of site), source of funds, and land acquisition ramifications. A detailed report will be submitted to Council for its consideration in the near future.

It was recommended that:

- (a) Council authorize the Planning Department to pursue the delineation of an appropriate public library site in Community Plan Area "G" in co-operation with the Burnaby Library Board on the understanding that a detailed report on the matter would be submitted to Council after the proposed modifications to Community Plan Area "G" have been resolved;

- (b) A copy of this report be sent to Mr. D. Dautet.

SEE MINUTES OF NOV. 18, 1974 FOR CORRECTION.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

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ENQUIRIES

Alderman Stusiak noted that at the present time there was no proper War Memorial in Burnaby to honour the citizens of the Municipality who gave their lives in the service of their Country in the two World Wars. Alderman Stusiak noted that 1975 would be the 30th anniversary of the end of World War II and suggested that a Committee be struck to investigate the possibilities of providing a suitable War Memorial for Burnaby.

Mayor Constable noted that he had had conversations with members of two local Branches of the Royal Canadian Legion in this respect.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"That a special Committee be struck with the selection of the Committee to be left to the discretion of the Mayor, to investigate the provision of a suitable War Memorial to honour the citizens of Burnaby who served in both World Wars and that consideration be given by this Committee to some type of indoor memorial.

CARRIED UNANIMOUSLY

Alderman Lewarne noted that election literature published by the Burnaby Civic Association was apparently in error. The literature in question indicated that home owners would be entitled to vote at the forthcoming Annual Election regardless of the latest amendments to the "Municipal Act".

Alderman Lewarne further noted that the Municipality of Surrey had recommended to the Minister of Municipal Affairs that anyone who has had the right to vote in the past should have voting rights on November 16, 1974.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN LAWSON:

"That this Council contact the Minister of Municipal Affairs to have the necessary special enabling legislation passed whereby all persons who have had the right to vote at past Municipal elections and have been on those lists of electors and are not on the present list of electors would have the right to vote at the Annual Municipal Elections to be held on Saturday, November 16, 1974."

CARRIED UNANIMOUSLY

Alderman Lawson noted that recent Greater Vancouver Regional District publicity indicated that a tour of oil refineries would be held for members and inquired if the Mayor had any further information on this subject.

Mayor Constable stated that he would provide the information requested.

Alderman Mercier requested information on the total land acquisition costs of the two routes under discussion for the Phillips Avenue Diversion.

Alderman Gunn inquired as to when the report regarding the buffer zone at the Chevron Refinery site would be available for consideration by Council.

The Director of Planning stated that this report should be available for the Council meeting on November 18, 1974.

REPORTS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

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The Municipal Clerk submitted a Certificate of Sufficiency covering the paving of the "L" Lane between McKee Street and Ewart Street west from Buller Avenue to McKee Street to a maximum width of 14 feet and to a depth of not more than two inches.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That the Clerk's Certificate of Sufficiency be received."

CARRIED UNANIMOUSLY

The Municipal Manager submitted Report No. 74, 1974, on the matters listed following as Items (1) to (23) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Street Light Installations

It was recommended that Council approve the installation of street lights at the following locations:

- (a) Cariboo Road - Cariboo Road at Erin Avenue intersection. This light is required to provide intersection lighting.
- (b) Braemar Avenue - 5900 Block. This light is required to provide illumination for a dead end street.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(2) Proposed Dates for Council Meetings Between December 16, 1974 and January 13, 1975

It was recommended that a regular meeting of the Council not be held on December 23, 1974.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(3) Health Department Quarterly Report

The Municipal Manager presented the Quarterly Report of the Medical Health Officer covering the activities of his Department for the months of July, August, and September, 1974.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN MERCIER:

"That the Quarterly Report of the Medical Health Officer for the months of July, August, and September, 1974, be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN LAWSON:

"That in view of the apparent rise in the incidence of venereal disease over the past months, the Medical Health Officer submit a report to Council on the incidence of such diseases with regard to age groups and the educational programmes, apart from school programmes, that are available to the younger age groups."

CARRIED UNANIMOUSLY

(4) Revisions to Subdivision Control By-Law 5953

BACKGROUND

Transit Bays:

Section 711 (1)(d) of the Municipal Act has been amended to include the construction of transit bays within the scope of works that can be required of the developer of a subdivision. Accordingly, since the current Subdivision Control Bylaw is patterned after Section 711 of the Municipal Act, an amendment to this Bylaw is recommended to include the provision of transit bays. It is, therefore, proposed that "transit bays" be inserted after "sidewalks" in Section 5(a) of Bylaw 5953 to read:

5. The subdivider shall

- (a) clear, drain and surface highways within the subdivision, including the construction of sidewalks, boulevards and transit bays to the standard prescribed in Schedule "A" of this Bylaw.

It is further proposed that Schedule "A" be amended by adding the following clause:

11. Transit bays

Transit bays shall be constructed on streets to the approval of the Municipal Engineer. The work shall comply with the current standard specifications of the Corporation for the work.

REVISIONS TO SUBDIVISION CONTROL BYLAW 5953

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Waterworks Construction:

Schedule "C" of the current Subdivision Control Bylaw is not clear on the intent of requiring developers to construct all water service connections whether they are to existing mains or to mains being installed by the developer as part of the subdivision. Attached to this report is a revised Schedule "C" which was prepared by the Engineering Department to more specifically delineate waterworks requirements in subdivisions. It is proposed that this schedule replace the existing Schedule "C".

It was recommended that:

- (a) Section 5 (a) of the Subdivision Control By-Law 5953 and Schedule "A" of that By-Law be amended as outlined in the Planning Director's report.
- (b) The existing Schedule "C" of the Subdivision Control By-Law 5953 be replaced with the revised Schedule "C" as attached to the Planning Director's report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUEN:

SECONDED BY ALDERMAN LAWSON:

"That the provision of Schedule "C" of the Subdivision Control By-Law 5953 pertaining to the clearing of boulevards be reexamined to ensure that there is no conflict between this regulation and the present policy of Council

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which provides for the preservation of mature trees and shrubs wherever possible."

CARRIED UNANIMOUSLY

- (5) Request for Strata Title Approval on a Duplex
Lot 342, D.L. 129, Plan 44733
5773/75 Falifax Street

It was recommended that the subject proposed Strata Title Application be approved by Council subject to the fulfillment of guidelines 6.1 to 6.7 inclusive in the Guidelines for Duplex Condominiums and Conversions and the completion of the building in full compliance with Burnaby By-Law regulations.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

- (6) District of Coquitlam's Proposed Traffic
By-Law to Designate Truck Routes

It was recommended that the District of Coquitlam be advised that its proposed By-Law to designate truck routes will not affect Burnaby's Truck Route By-Law or existing traffic patterns on Burnaby's street systems.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

- (7) Edmonds House and Senior Citizens FP2 Sites
Boundary Adjustments and Proposes Land Exchange
with the Provincial Government

BACKGROUND

Subsequent to the construction of the senior citizens high rise at Edmonds and Kingsway and prior to the construction of the senior citizens recreation centre in the same locality, a survey was conducted re-aligning the interior lot line between lots 194 and 193 to reflect existing and proposed foundation lines (see attached sketch). This survey was signed by the Approving Officer on August 25, 1972 but was never registered due to the lack of information with respect to encroachments.

EXISTING SITUATION

Ken Wong and Associates has recently confirmed that the survey plan prepared in 1972 does not create any foundation encroachments. The Provincial Government, who currently owns lot 193, has agreed to the land exchange involved in the boundary change and is prepared to execute any necessary deeds or plans to effect registration of this transaction and has agreed to grant to the Corporation any easements required to protect existing utilities. The Corporation's Engineering Department is currently determining whether any easements will be necessary.

In view of the above, it is proposed that the land exchange as described above be completed and registered to provide a basis for further survey work, with the registration of any necessary easements being subsequent to this.

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It was recommended that:

- (a) Council authorize the subject land exchange;
- (b) Council authorize the execution of the survey effecting the exchange.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(8) Tenders for a Lacrosse Box at Cariboo Hill School Park

It was recommended that the lowest tender from Bunio Developments Ltd. in the amount of \$30,250.00 for construction of a metal post lacrosse box at Cariboo Hill School Park be accepted.

MOVED BY ALDERMAN LAUSON:

SECONDED BY ALDERMAN AST:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(9) Preliminary Plan Approval #2904

Lots 1, 2, 3, 4, 17, 18, 19, and 20, D.L. 173,
Plan 1034 - 6010 Trapp Road

It was recommended that Council authorize approval of the proposed addition and site improvements on the subject Preliminary Plan Approval.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"That the recommendation of the Municipal Manager be adopted."

CARRIED

AGAINST: ALDERMAN GUINN

(10) Proposed Demolition of Municipal
Property - 6480 McKay Avenue

It was recommended that:

- (a) The dwelling on the subject property be demolished;
- (b) The present tenants be given 90 days notice to quit.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"That the recommendations of the Municipal Manager be adopted."

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

"That further consideration of this matter be tabled for one week for a report from the Chief Building Inspector on the costs of bringing the dwelling on the subject property to a minimum habitable standard and for a report as to how a tenant repair arrangement with an appropriate reduction in rent could be implemented.

CARRIED

AGAINST: ALDERMAN STUSIAK

(11) Truck Noise on Ulster Street - Letter from Mr. T. Johns
which appeared on the November 4, 1974, Council Agenda

Further to Mr. Johns' complaint regarding early morning noise, as caused by his neighbour, Mr. Leach, 7606 Ulster Street, moving his truck to overnight parking facilities, we would submit the following report.

As you will recall this problem was considered by Council during June and July 1974, with the resultant decision that Mr. Leach was to arrange for a satisfactory parking site outside the residential area. Arrangements for overnight parking at a local gasoline service station have been made and are being utilized. As this parking site is not available before 11:30 p.m., it has been Mr. Leach's practise to move his truck from the street in front of his residence before retiring for the night, which could be approximately 1:00 a.m. There have been specific occasions when Mr. Leach has moved his vehicle on returning from social engagements, which could have been up to approximately 3:30 a.m.

The Chief Public Health Inspector and the Senior Licence Inspector, upon interviewing Mrs. Johns, determined that the cause for complaint revolved around the time of vehicle removal. Mrs. Johns stated that a satisfactory solution of her problem would be the removal of the truck prior to 12 midnight.

The problem was discussed with Mr. and Mrs. Leach, who were of the opinion that they had complied with the requirements of the Burnaby Street and Traffic By-law 1961, as it relates to the parking of commercial vehicles over 8000 lbs. G.V.W., but upon discussion agreed that they would endeavour to remove the truck to its overnight parking area prior to 12 midnight.

As the foregoing solution seems to be satisfactory to the concerned parties, we would suggest that this matter be considered as concluded unless we are advised to the contrary.

It was recommended that:

- (a) Mr. & Mrs. Johns receive a copy of this report;
- (b) Mr. & Mrs. Johns contact the Licence or Health Departments in the event that the truck is not regularly moved prior to 12:00 midnight.
- (c) That Mr. & Mrs. Leach receive a copy of this report.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

- (12) Letter Dated November 5, 1974, from Mr. F. I. Morris,
9375 Cameron Street
Beaverbrook Extension

This item was dealt with previously in the meeting under Item 3(f) of Correspondence and Petitions.

- (13) Dwelling at 6478 Laurel Street
It was recommended that:

- (a) if the Century Park Museum Association concludes it wishes to move the dwelling from Laurel Street to Heritage Village and it has the necessary resources for such a move and establishment of the structure:
 - (1) the motion giving authorization to have the dwelling demolished be rescinded;
 - (2) authorization be given to have the dwelling moved from its present location on Laurel Street to the Heritage Village site;

- (3) a \$600.00 contribution be given to the Century Park Museum Association to help defray moving expenses;
- (4) the \$600.00 be charged to Lands-Building Demolition 13-04-57;

- (b) a copy of this report, together with a copy of Item 9, Report No. 72/74 be forwarded to the Century Park Museum Association and the Parks and Recreation Commission.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

- (14) Request for Extension of Contract with Pro Truf Ltd. -
Burnaby Lake Sports Complex - Irrigation Project

It was recommended that:

- (a) the subject contract be extended from October 30, 1974, to December 11, 1974, without implementation of the \$50.00 per day liquidated damages;
- (b) the Performance Bond, Labour and Material Payment Bond, and Insurance policies relating to the contract be extended accordingly.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

- (15) Proposed Childrens' Day Care Centre
Letter From Mrs. S. Leslie that Appeared on the
November 4, 1974, Council Agenda

The subject property is within an area zoned R4 Residential, a zoning category which permits, as a home occupation, the operation of a kindergarten or day nursery for not more than 5 children. In order to care for over 5 children, institutional district zoning -- Neighbourhood Institutional District (P1) or Community Institutional District (P5) -- would be required. As Mrs. Leslie has related in her letter, both the P1 and P5 zoning districts have minimum width requirements of 80 feet.

The Leslie property, having a width of only 61 feet, does not therefore qualify under this requirement. Moreover, the lot was created as a conforming single-family lot by subdivision in 1971; the exemption to lot area and width requirements contained in Section 6.11 of the Zoning Bylaw for properties created prior to the 1965 effective date of the Bylaw, does not therefore apply to this situation.

The Municipal Solicitor advises that, as the property does not observe the minimum width requirements for P1 or P5 zoning, and as no "legal non-conformity" exists, the property is not capable of experiencing rezoning to these categories.

By Council directive dated May 31, 1966, the Planning Department has been instructed to not advance for consideration any requests for rezoning on properties that have insufficient area or width for the intended use; accordingly, this request was not included among the applications upon which the Department reported in September of this year.

In summary, the subject property is not capable of being rezoned to an institutional category as it lacks the requisite lot width, but the present zoning does permit the care of not more than 5 children in a family day care situation in conjunction with the present residential dwelling.

It was recommended that:

- (a) the present zoning on the subject property be retained;
- (b) a copy of this report be sent to Mrs. S. Leslie.

MOVED BY ALDEPMAN STUSIAK:

SECONDED BY ALDEPMAN MERCIER:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

- (16) Letter dated November 5, 1974 from D. Dautet,
3410 Bell Avenue, Public Library Site in Community Plan Area "G"
This item was dealt with previously in the meeting as Item 3(h)
of Correspondence and Petitions.

- (17) Proposal to Obtain Primary Access to Property
Addressed at 7396 Barnet Highway via a Lane

It was recommended that Council authorize the Chief Building Inspector to grant permit for construction of a dwelling in conformance with the R2 Residential Zone on the condition that the owner provides a turn-around on public right-of-way to the approval of the Municipal Engineer, and should it be necessary to dedicate lands for this turn-around, this dedication be a condition of the issuance of the Building Permit.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"That the recommendations of the Municipal Manager be adopted."

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDEPMAN AST:

"That the Municipal Manager be directed to negotiate with the owner of the property the acquisition of a suitable access path through this property."

The Municipal Manager advised that negotiations with the owner of the property to this date have made it very clear that if the Municipality wishes to acquire an access path on the property, it will have to do so by purchasing and that the owner is not prepared to dedicate any land for this purpose. Expropriation proceedings would most likely be required. The owner, however, has agreed to the requirement that a turn-around be provided. The Manager pointed out that if the owner was to apply for a building permit the Municipality would have difficulty in refusing it.

Alderman Mercier, in light of the remarks of the Municipal Manager, withdrew his amending motion.

A vote was then taken on the original motion as moved by Alderman Mercier and seconded by Alderman Ast, "That the recommendations of the Municipal Manager be adopted," and it was CARRIED with Aldermen Stusiak, Gunn, and McLean AGAINST.

- (18) Letter dated November 1, 1974, from Mr. & Mrs. J.W. Ferris
305/3901 Carrigan Court, Traffic Conditions on Streets
Adjacent to Loucheed Estates - Phase II
This item was dealt with previously in the meeting as Item 3(c) of
Correspondence and Petitions.

- (19) Letter dated November 4, 1974, from Mrs. M. Brophy
7271 Halifax Street, Lot C, D.L. 138, Plan 12221 -
7461 Aubrey Street (Alexander)
This item was dealt with previously in the meeting as Item 3(e) of
Correspondence and Petitions.

- (20) Request for a Further Extension of Time to Allow Apartment Development to Take Place Under Zoning By-Law Standards Prevailing Prior to January 1, 1970, Letter from Mrs. E.I. Rogers that appeared on the November 4, 1974, Council Agenda

This request relates to previous actions taken by Council following the adoption of the recommendations of the Apartment Study '69 report on November 10, 1969 which included amendments that increased the minimum lot area and width requirements for development in the RM3 District. The effective date of the necessary amendment bylaw was established as January 1, 1970.

Due to these changes certain properties located in areas which had been previously zoned RM3 could no longer experience apartment development under the newly adopted standards. Because of this situation, the Planning Department examined all of the thirty-two affected properties in detail and recommended alternative possibilities for development in the report of January 30, 1970. Council on February 2, 1970, adopted the recommendation which permitted ten properties, having earlier apartment potential, to develop under the former 1965 Zoning Regulations by extending the effective date of the amended bylaw to January 1, 1972. During that period, Preliminary Plan Approval application was made and approval was later granted for one of the ten properties.

Subsequently, in October 1971, in response to a request from Mr. W. H. Lew Rogers, and a Planning Department recommendation, Council agreed to extend the effective date of the amending bylaw for the remaining nine properties to January 1, 1973.

In October 1972, a further request for a one-year extension of time was submitted by Mrs. Rogers. In order to allow a generous time period during which owners of the nine remaining properties might make arrangements for apartment development to take place under the previous bylaw standards, it was recommended that a final two-year extension to the effective date of the amending bylaw for these properties be given, to January 1, 1975. This recommendation (Item 12, Manager's Report No. 70, October 30, 1974) was adopted by Council, and the affected owners were so notified.

The present request from Mrs. Rogers is for a further one-year extension to January 1, 1976.

The Present Situation

Since the last extension was granted, only one additional development proposal has been received or approved for any of the nine properties involved. The remaining eight properties are listed below (Mrs. Rogers' lot is Item #5):

- (1) Lot 19, Block 29, D.L. 152, Plan 1292
- (2) Lot 21, Block 29, D.L. 152, Plan 1292
- (3) Lot 6, Block 39, D.L. 152, Plan 1292
- (4) Lot 3, Block 30, D.L. 152, Plan 1520
- (5) Lots 8 & 9, Sk. 9886, Blk. 30, D.L. 152, Plan 1520
- (6) Lot 31, Block 30, D.L. 152, Plan 1520
- (7) Lot 15, Block 31, D.L. 152, Plan 1209
- (8) Lot 16, Block 31, D.L. 152, Plan 1209

The present RM3 requirements include a minimum lot width of 100 feet and a minimum site area of 12,000 square feet (for a building 2 storeys or less in height). The eight remaining properties have widths (consolidated) ranging from 66 feet to 77 feet, and areas (consolidated) ranging from 7722 square feet to 12,177 square feet.

The subject property (see attached Sketch #1) has a width of 77 feet and an area of 8,508.5 square feet. Under the 1965 Bylaw standards, the property qualified for two-storey apartment development, or for two-family or single-family development. This potential will continue to exist until the stipulated date, January 1, 1975. However, experience in recent years indicates that construction of two-storey, small apartment buildings has not been attractive from an economic point of view.

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Following an amendment to the definition of "Dwelling, Row Housing" in November, 1972, the property also qualified for development of two row-housing units, which in effect amounts to duplex development but allows separate title ownership. Under the current RM3 zoning standards, which will come into effect for this property on January 1, the property may be developed for single-family, two-family, or two-unit row house purposes. Moreover, the present building may be renovated or converted to two-family use, subject to meeting all normal code and bylaw requirements.

As Council is aware, a report is presently being prepared on the subject of residential densities and neighbourhood compaction; it is possible that the conclusions of this study may have an effect on the ultimate use of smaller sites such as Mrs. Rogers', in appropriate areas. Moreover, the Greater Vancouver Regional District is at present conducting a study of means whereby more efficient and "livable" use of residential land may be obtained, and the results again may be relevant to the redevelopment of the subject land.

Conclusion

In view of the lengthy period of permissiveness that has been extended to the ten properties that had been in this situation initially (January 1, 1970 to January 1, 1975) and the fact that only two of the property owners have taken advantage of this provision, it is not felt that granting additional time periods for development below present environmental standards is the answer in this case. Moreover, in the light of studies presently under way, it is the opinion of the Planning Department that if development does not proceed as permitted prior to the present deadline, then either redevelopment for use at a lower density than apartment use should take place on this undersized site, or a more innovative answer to multiple family use, arising from the present studies, should be pursued.

It was recommended that the present request not be granted and that no further extensions beyond the adopted final date of January 1, 1975, be approved for the remaining eight properties.

MOVED BY ALDERMAN LEWIS:

SECONDED BY ALDERMAN LAWSON:

"That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(21) Burnaby Refuse Service

It was recommended that Burnaby Refuse By-Law 1967 be amended as soon as practicable to provide for the following changes.

1. Increase commercial and industry collection rates sufficiently to permit revenue to equal cost of service. This matter will be the subject of a more further detailed, report to Council prior to presenting the proposed By-Law amendment.
2. Amend the provision relating to three receptacles of refuse for household premises by eliminating reference to the number of receptacles.
3. Amend the Section of the By-Law permitting receptacles to be located 20 feet from a lane line to a requirement that the citizens place their receptacles at the edge but on the lane allowance.
4. Amend the Section of the By-Law providing for receptacles to be located at the rear line of a dwelling for front street pick-up to the provision that the citizens place their receptacles at the edge of the roadway in a directly convenient location for pick-up.

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5. That special pick-up service be continued as at present as a charge to General Budget, but that the question of deriving an offsetting direct source of revenue be the subject of continuing investigation.
6. The Corporation extend its service as a direct charge to the Annual Budget, to properties covered by the Co-operative Titles Act and the Strata Titles Corporation Act.
7. Provision be made for the cost of refuse service in Co-operatives and Condominiums in the 1975 Budget with tenders to be called for provision of such service to commence on March 1, 1975, as a target date.
8. The Corporation develop a format of tender call which is considered to be suitable to go to tender for provision of all or part of the required refuse service, which tenders probably would be in the form of proposals, at least initially independent of service to condominiums.
9. The Engineer meet with the representatives of C.U.P.E. Local 23 and the Labour Management Committee in order to provide a full discussion on the recommendations contained in this report and of the actions of Council with respect thereto.
10. Those persons and companies who have expressed an interest in refuse service to condominium properties in the recent past be provided with a copy of this report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"That all of the foregoing recommendations of the Municipal Manager be adopted."

It was agreed that Council would consider each recommendation individually.

Item 1 - Adopted.

Item 2 - Adopted.

Item 3 - MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

"That further consideration of this recommendation be tabled pending receipt of a report from the Municipal Engineer on the feasibility of allowing receptacles to be placed within the rear five feet of the property concerned rather than on the lane allowance."

CARRIED UNANIMOUSLY

Item 4 - Adopted.

Item 5 - MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

"That further consideration of this recommendation be tabled pending receipt of a report from the Municipal Engineer. It was noted that other Local Municipalities were employing compacting equipment to compact refuse prior to transportation to the disposal site. Such a system would drastically reduce the number of truck trips and man hours presently being utilized by refuse pick-up trucks making individual trips to the disposal site."

CARRIED

AGAINST: MAYOR CONSTABLE,
ALDERMEN STUSIAK, LEWARNE

Item 6 - MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN GUNN:

"That further consideration of this recommendation be tabled pending receipt of a report from the Municipal Engineer as to how many properties covered by the Strata Titles Corporation Act put out garbage cans and how many are containerized."

CARRIED UNANIMOUSLY

Item 7 - MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN GUNN:

"That further consideration of this recommendation be tabled as it relates directly to recommendation No. 6."

CARRIED UNANIMOUSLY

Item 8 - MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN LEWARNE:

"That further consideration of this item be tabled pending receipt of a report from the Municipal Engineer on the costs of Burnaby getting into a containerized pick-up for condominiums and apartment developments and it was not the intent to do the work for a tender call until Council is familiar with the cost of the Municipality going into that business itself."

CARRIED UNANIMOUSLY

Item 9 - MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN AST:

"That further consideration of this recommendation be tabled until such time as the information requested on the foregoing recommendations is available for consideration by Council."

Alderman McLean and Alderman Ast subsequently withdrew this tabling motion.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN GUNN:

"That recommendation No. 9 be adopted."

CARRIED UNANIMOUSLY

Item 10- MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN MERCIER:

"That further consideration of this recommendation be tabled pending a decision on what Council's action concerning Strata Title properties will be."

CARRIED UNANIMOUSLY

(22) Letter from Mr. H. Mazur which Appeared on the November 4, 1974,
Council Agenda, Inquiries Concerning Pollution and Recreation Facilities

A. Fly Ash in the Noel Drive Area

Mr. Mazur's complaint regarding the incidence of fly ash in the area is the responsibility of the Regional authorities. The Municipal Health Department forwarded the complaint to the Air Quality Division of the Greater Vancouver Regional District, and in an acknowledgement dated November 4, 1974 from Mr. F.R. Bunnell, Director, the Department was advised that the G.V.R.D. will be contacting Mr. Mazur.

B. Community Recreation Centres

In his correspondence Mr. Mazur asked if there are any plans in the near future for a recreation centre similar to the C.G. Brown Memorial Centre which is the Municipal Swimming Pool on Kensington Avenue. In this regard, the Parks and Recreation Administrator advises that "the Municipality is aware of the lack of opportunity for aquatic and other recreational activity in the area and is presently exploring ways and means of meeting this need. The Parks and Recreation staff are presently preparing a report which will detail the present facilities and programs available in the Lyndhurst-Cameron area and will relate the recreational needs of the area to the available opportunities."

Several meetings have been held recently involving school officials, recreation program staff, youth workers, social workers and interested citizens from the area to discuss and develop recommendations for increased recreational opportunities for the residents concerned. At the present time, a program is offered at Cameron Road School which includes children's dance, gymnastics, art, teen sports program and adult sports program and badminton. Planning for a major money by-law proposal for the period from 1976 to 1981 has been initiated which will consider the need for additional recreation facilities to be developed throughout the Municipality during this period. No funds are currently available for any major facility development. The feasibility of transporting residents from the Lyndhurst-Cameron area to existing facilities in the Burnaby Lake Sports Complex is being considered at this time. This matter and others will be considered in some detail in the previously referred to report, to be prepared within the next three weeks.

Funds in the amount of \$123,000 are presently available and will permit clearing and development of the Stoney Creek Parks site including a turf sports field, a baseball diamond and three tennis courts.

We will advise Mr. Mazur directly of future considerations regarding this entire matter as they are made. "

It was recommended that a copy of this report be forwarded to Mr. H. Mazur.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

- (23) Letter dated October 31, 1974, from Mr. J.W. McGill,
3717 Douglas Road, Truck Traffic On Douglas Road

This item was dealt with previously in the meeting as Item 3(d) under Correspondence and Petitions.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY