

May 12, 1974

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby 2, B.C. on Monday, May 13, 1974 at 7.00 p.m.

PRESENT:

Mayor T.W. Constable  
Alderman G.D. Ast  
Alderman D.A. Lawson (7.03 p.m.)  
Alderman J.L. Mercier  
Alderman G.H.F. McLean  
Alderman A.H. Emmott  
Alderman V.V. Stusiak  
Alderman W.A. Lewarne

ABSENT:

Alderman B.M. Gunn

STAFF PRESENT:

Mr. M.J. Shelley, Municipal Manager  
Mr. A.L. Parr, Planning Director  
Mr. V. Kennedy, Deputy Municipal Engineer  
Mr. J. Hudson, Municipal Clerk  
Mr. E.A.J. Ward, Deputy Municipal Clerk  
Mr. J. Plesha, Administrative Assistant

The Public Hearing which was adjourned from the May 6th meeting relating to Burnaby Highway Exchange By-Law No. 6, 1974, then convened.

This By-Law relates to the closure of the Hewitt Street road allowance at Duthie Avenue under a Subdivision Reference No. 238/73.

No one appeared in connection with this By-Law.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the Hearing now adjourn."

CARRIED UNANIMOUSLY

ALDERMAN LAWSON ARRIVED AT THE MEETING.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN AST:

"That the Minutes of the Council meeting held on April 29, 1974 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

Mr. E.L. (Ted) Burnham of Royal City Realty Limited wrote to request an audience with Council in respect of a subdivision involving 296 South Hythe Avenue.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That Mr. Burnham be heard."

CARRIED UNANIMOUSLY

Mr. Burnham then spoke and made the following points:

- (a) He was representing the owners of the property concerned, Mr. and Mrs. McKenzie, who have applied to subdivide their property. Both of them are long time residents of the Municipality.
- (b) They feel compelled to sell some of their land because of its size and their inability to maintain the land.
- (c) The Approving Officer is prepared to approve a subdivision of the parcel into two lots with frontages of 52' and 72' respectively. They would be required, however, to move the house on the property to accommodate the new dimensions. One of the lots could be developed for single family purposes and the other for two family use.
- (d) There are lots with a frontage of 41' across the street and, since the Approving Officer has the authority to waive the provisions of the Subdivision Control By-Law insofar as frontages are concerned, it seemed reasonable that he could exercise this authority in the case of 457 because of the situation concerning

May/13/74

the frontages of other parcels in the immediate area. If the one lot (the 72' one) had a duplex built on it and a Strata Title arrangement was approved for that development, this would be tantamount to each half of the duplex having a frontage of 36'.

(f) The more logical solution would be to leave the home where it is (approximately in the middle of the lot) and subdivide land from each side. This would provide lots with frontages of 42', and two 41' lots, and all of them would be able to observe the required side and other yards prescribed by Municipal By-Laws.

(g) The Approving Officer had written a letter dated April 30, 1974 in which he suggested that possibly the parcel could be rezoned to R6.

*Mr. Stenson of the Planning Department, in response to a question, stated that strata titling of properties was considered to be a more efficient use of the land.*

# ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LEWARNE:

"That all of the below listed Original Communications be received and those items of the Municipal Manager's Report No. 37, 1974 which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

Mr. James. V. Borelli, Principal, Burnaby North Senior Secondary School, wrote to request permission on behalf of the students of the School, to participate in a Walkathon on May 22nd between 2.00 p.m. and 4.00 p.m. along a route outlined on an accompanying map.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN MERCIER:

"That permission be granted to conduct the activity mentioned at the time and along the route indicated, subject to the approvals of the Municipal Engineer and the Burnaby Detachment of the R.C.M.P."

CARRIED UNANIMOUSLY

Mr. J.S. Ewen, Principal, Alpha Secondary School, submitted a letter requesting permission to hold a Walkathon on May 26, 1974 between 10.00 a.m. and 2.00 p.m. along a route outlined on an accompanying map.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That permission be granted to conduct the activity mentioned at the time and along the route indicated, 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

Mr. J.A. Middleton, 12th of July Committee, Loyal Orange Association, Vancouver County L.O.L. No. 1, wrote to request permission to hold a parade on July 13th, 1974 commencing at 10.00 a.m. from the Gilmore Elementary School and following the route outlined in his submission.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That permission be granted to the Committee to conduct its activity at the time 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

Mrs. M. Hodges, Secretary, Norburn Soccer Club, wrote to request permission to hold Tag Days on September 27th and 28th plus December 6th and 7th, 1974.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

May/13/74

Mr. Willis Allsup submitted a letter requesting an opportunity to address Council at a closed session to appeal its decision to evict the tenants in the dwelling at 7072 Cariboo Road, who is his son Alan, for the reasons provided in his submission.

A letter from Mr. Curtis R. Allsup requesting that Council delay eviction proceedings against the tenants occupying 7072 Cariboo Road was circulated to the Members of Council.

*Municipal Manager stated that the Corporation received payment today from the Allsups for the rent on 7072 Cariboo Road for the month of May 1974.*

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That the Allsups be informed that Council is prepared to meet one or both of them at an open meeting on May 27, 1974."

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN LAWSON:

"That the previous Motion be amended by adding 'and that Council delay eviction proceedings in connection with the premises known as 7072 Cariboo Road until after hearing the Allsups on May 27th, 1974.'"

IN FAVOUR: ALDERMEN EMMOTT, LAWSON,  
MAYOR CONSTABLE AND MCLEAN

AGAINST: ALDERMEN STUSIAK, LEWARNE,  
MERCIER AND AST

MOTION NEGATIVED

A vote was then taken on the original Motion, <sup>it</sup> and/was carried with Aldermen Emmott and Ast against.

Mr. C.E. Davis, Municipal Clerk, the Corporation of the District of North Vancouver, wrote to advise that the Council of North Vancouver District endorsed a resolution from the Burnaby-Edmonds N.D.P. Constituency Association relating to the elimination of oil refineries on Burrard Inlet.

Rosse and Janet Dailly submitted a letter outlining a situation which occurred in their attempt to purchase a duplex at 1240-42 Augusta Avenue under the provisions of the Strata Plan Act and the problems which developed as a result of their efforts in that regard.

*Item #14 of the Municipal Manager's Report No. 37, 1974, which relates to the letter from Mr. & Mrs. Dailly, was brought forward for consideration at this time. The following is the substance of that report:*

(14) Lot 323, D.L. 135, Plan 42589 (1240-42 Augusta Avenue)  
STRATA PLAN APPLICATION NO. 9/74

It was recommended that a copy of the report at hand, which indicates chronologically the events that occurred in processing the application of Mr. & Mrs. Dailly to convert the subject premises under the Strata Plan Act, be sent to them.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

Mr. P.A. Scott, Executive Director, Century Park Museum Association, wrote to request that Council indicate its intentions with respect to plans for the future development of the area in which Heritage Village is located so that the Association can proceed with the implementation of its particular concept for the site it occupies.

*Item #12 of the Municipal Manager's Report No. 37, 1974, which relates to the letter from Mr. Scott, was brought forward for consideration at this time. The following is the substance of that report:*

(14) Heritage Village Master Development Plan

As a result of receiving the request from the Century Park Museum Association, it was recommended that a copy of its letter be referred to the Parks and Recreation Commission

for comment with respect to the master plan for the area itself, including its cost and the method and timing of financing the development proposed by the Association, and the sharing of fiscal responsibility in connection therewith.

It was also recommended that a copy of the report at hand be sent to the Century Park Museum Association.

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

CARRIED UNANIMOUSLY

#### ENQUIRIES

Alderman Lawson enquired as to who would move the utility poles of the B.C. Hydro and Power Authority which are presently located on the intended right-of-way for the Broadway-Como Lake connection.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:  
"That the Municipal Manager submit a report answering the questions just posed."

CARRIED UNANIMOUSLY

Alderman Lawson mentioned that she had received a letter from the Landlord and Tenant Advisory Bureau containing a list of meeting dates for various Commissions, Committees, etc. which the Bureau was endeavouring to have entered in the appropriate place in a daily newspaper.

She stated that the Bureau had not consulted the Information Burnaby Committee about the matter, which she contended was properly a function of the Committee.

It was understood that Mayor Constable would raise the issue concerning Alderman Lawson with the Landlord and Tenant Advisory Bureau to ensure that the proper course of action is followed in the future regarding the subject matter.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:  
"WHEREAS the first burning period in Spring is too early for burning because of the usual heavy precipitation; and

WHEREAS this causes a burden on the garbage trucks who are asked to take away pruning material that could not be burned;

THEREFORE BE IT RESOLVED that Council provide for outdoor burning during the last weekend in April and the first weekend in May each year."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

#### REPORTS

Advisory Planning Commission submitted a report recommending the following on the matters indicated:

##### (1) Public Meetings - Phase 1

That Council adopt the recommendations of the Planning Department in its report on this matter, except that the reassessment referred to under Recommendation 13 in that report not be construed as a deterrent to development within existing zoning.

##### (2) Point 6.7 of Guidelines for Duplexes, Condominiums and Conversions

That Council concur with the recommendation of the Planning Department in respect of this matter.

##### (3) Burnaby Transportation Study to 1985

That the recommendations of the Planning Department in its report on the above

May 13/74

matter be endorsed but the Commission be consulted prior to implementation of the actual routes referred to in the report.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"That consideration of all the items in the report of the Advisory Planning Commission be deferred until after Council deals with the Municipal Manager's Report later this evening."

CARRIED UNANIMOUSLY

Municipal Clerk submitted a Certificate of Sufficiency covering the 1974 Local Improvement Program, as follows:

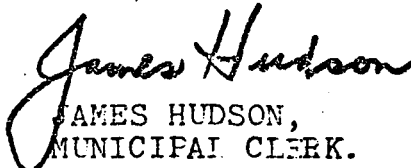
Section 589(1) of the Municipal Act provides, in part, as follows:

"589(1) - - unless within one month after the publication of the required notice a majority of the owners representing at least one half of the value of the parcels which are liable to be specially charged, petition the Council not to proceed with it, the work may be undertaken as a Local Improvement."

Petitions have been received against Local Improvement Projects numbered 74-004, 74-013, 74-020, and 74-021, on the attached schedule and are certified as sufficient as these petitions represent a majority of the owners on each project who, in turn, represent at least one half of the value of the parcels to be specially charged.

I hereby certify that sufficient petitions have NOT been received covering the remainder of the Local Improvement Projects detailed in the attached schedule.

Dated this 10th Day of May, 1974.

  
JAMES HUDSON,  
MUNICIPAL CLERK.

May 10, 1974

His Worship, the Mayor,  
and Members of Council.

Madam/Gentlemen:

Re: 1974 Local Improvement Program

In accordance with Section 589 of the Municipal Act, I wish to report that I have had published in a newspaper circulating in the Municipality, and have also served upon the owner's of property affected, Notice of Intention to construct, as a Local Improvement, the works as indicated, on the streets described below:

PROJECT NO.	DESCRIPTION OF WORK	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
	Pavement to a width of 28 feet with five foot curb sidewalks on both sides of:						
74-001	McKee Street from Roslyn Avenue to McPherson Avenue	16	9	1	\$164,880.00	\$82,440.00	\$ 10,200.00
74-002	Carson Street from Gilley Avenue to Buller Avenue	34	18	N11	307,090.00	153,545.00	N11
74-003	Patrick Street from Gilley Avenue to Buller Avenue	31	16	N11	268,815.00	134,407.50	N11
74-004	Portland Street from McKay Avenue to Sussex Avenue	25	13	13	282,535.00	141,267.50	145,195.00
74-005	Pradley Avenue from Portland Street to Carson Street	11	6	N11	123,055.00	66,527.50	N11
74-006	Neville Street from Dow Avenue to Gray Avenue	21	11	7	231,300.00	115,650.00	80,640.00
74-007	Portland Street east from McPherson Avenue to a point 50 feet east of E.P.L. of Lot C, Block 25, D.L. 159, Plan 10726.	24	13	5	237,300.00	118,650.00	47,560.00
74-008	Eleventh Avenue from Cumberland Street to Coquitlam Street	27	14	N11	258,875.00	129,437.50	N11

12/74

PROJECT NO.	DESCRIPTION OF WORK	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
	<u>Pavement to a width of 28 feet with five foot curb sidewalks on both sides of:</u>						
74-009	Buller Avenue from Keith Street to Irmin Street.	51	26	N11	\$490,100.00	\$245,050.00	N11
74-010	Graham Avenue from Sixth Street to Canada Way	32	17	2	332,610.00	166,305.00	\$ 24,010.00
	<u>Pavement to a width of 28 feet with five foot curb sidewalk on north side and curb only on south side of:</u>						
74-011	McKee Street from Roslyn Avenue to Royal Oak Avenue.	21	11	1	199,045.00	99,522.50	9,370.00
74-012	Carson Street from Bradley Avenue to Sussex Avenue	6	4	2	57,515.00	28,757.50	21,375.00
74-013	Winnifred Street from Bradley Avenue to Sussex Avenue	10	6	6	115,365.00	57,682.50	68,190.00
74-014	Portland Street from Royal Oak Avenue to McPherson Avenue	37	19	1	364,035.00	182,017.50	10,300.00
	<u>Pavement to a width of 28 feet with curbs only on both sides of:</u>						
74-015	Neville Street from Gray Avenue east to 10 feet west of E.P.L. Lot "A", S.D. 40/44, Block A, D.L.157, Plan 10442.	12	7	3	154,675.00	77,337.50	35,240.00
74-016	Neville Street from Nelson Avenue west to 15 feet west of E.P.L. Lots 1&2, S.D. 3, Block B, D.L.157, Plan 10253.	19	10	5	214,350.00	107,175.00	54,880.00

EX 12/74

(3)

PROJECT NO.	DESCRIPTION OF WORK	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
	<u>Pavement to width of 28 feet with curbs only on both sides of:</u>						
74-017	Carson Street from Buller Avenue west to 25 feet west of W.F.L. Lot 20, Block 11, D.L.159, Plan 2043	9	5	N11	\$ 88,205.00	\$44,102.50	N11
74-018	Patrick Street from Buller Avenue west to W.P.L. Lot "F", Block 8, D.L. 159, Plan 13791..	9	5	N11	83,480.00	41,740.00	N11
74-019	Ewart Street from McPherson Avenue east to E.F.L. Lot 24, Block 17, D.L. 159, Plan 13797	21	11	10	205,815.00	102,907.50	\$ 95,000.00
74-020	Carson Street from McPherson Avenue east to 22 feet west of E.F.L. Lot 20, Block 17, D.L. 159, Plan 13797	17	9	14	161,630.00	80,815.00	133,110.00
464	<u>Pavement to a width of 46 feet with six foot curb sidewalks on both sides of:</u>						
74-021	Sprott Street from Douglas Road to Highway 401.	33	17	21	330,035.00	165,017.50	193,180.00

*James Hudson*  
JAMES HUDSON  
MUNICIPAL CLERK



May 13/74

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LEWARNE:

"That the Certificate of Sufficiency of the Municipal Clerk be received and appropriate By-Laws be prepared to authorize the construction of the projects which survived the Initiative Program."

CARRIED

ALDERMAN MERCIER AGAINST PROJECTS 74-001  
to 74-010

Municipal Clerk submitted a Certificate of Sufficiency covering the construction and paving of the lane in the block bounded by Canberra Avenue, Empire Drive, Dundas Street and Triumph Street, as a Local Improvement, by the petition method.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN LAWSON:

"That the Certificate be received and the necessary Local Improvement Construction By-Law to authorize the work involved be prepared."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 37, 1974, on the matters listed below as Items (1) to (20), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Retention of Trees and Sale of Municipal Land in D.L. 86 (Stage 111)

It could be possible to advertise the lots in the above Stage for sale on June 7th and 8th, 1974, with bids returnable up to 5.00 p.m. on June 25, 1974 if the final survey of the subdivision is completed in the time presently indicated. This will allow for sufficient time to examine the Landscape Consultants Tree Retention Report.

The preservation of the trees will be enhanced if the Corporation explains to each purchaser of a lot the specific trees that are to be retained, including the reasons therefor, and the type of care they should be given.

Because prospective purchasers like to know where the boundaries of the lot(s) they desire are located, the survey of the property must be completed before they are offered for sale.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN AST:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(2) Burnaby Lake Rowing Course

It was recommended that Council authorize the engaging of Golder Brawner Associates to undertake a study and prepare a report recommending the most economical and best method of:

- (a) redredging the Burnaby Lake Rowing Course, including the method of disposing of dredged material;
- (b) implementing remedial measures to prevent a recurrence of the infilling problem

with the study, which is to include an evaluation of all environmental aspects of redredging and remedial measures, to be made at an estimated cost of \$6,000.00, the amount to be charged to Code 25-03-53 (Consultants).

It was also recommended that a copy of the report at hand be sent to the Parks and Recreation Commission, the Canada Summer Games Society, the City of New Westminster, and the Chairman of the Rowing Committee of the said Society.

*Alderman Emmott suggested that the City of St. Catherines in Ontario be contacted to determine how it handled the construction and maintenance of a rowing course that was built there a short time ago.*

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN AST:

"That the recommendations of the Manager be adopted."

CARRIED

- (3) Lot 53, Explanatory Plan 15045, Block 111, D.L. 122/3/4, Plan 16792  
(4533 Charles Street)

It was recommended that Council authorize the cancellation of the easement over the above described property that is referred to in the report.

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

CARRIED UNANIMOUSLY

(4) Signing Authority - Human Resources Cheques

In response to the question raised at the Council meeting on April 29, 1974 concerning the signaturees for Imprest Account No. 1 (Human Resources' cheques), only one official from the Human Resources Department signs such cheques because funds from that Account are disbursed according to need. Funds for the Account are deposited by cheques signed by the Mayor and Treasurer. Imprest Account No. 1 is one of the most active accounts used by the Municipality and, some years ago, the counter signature of a member of the Treasury Department was required but found to be time-consuming. As a consequence, the present system of accounting control was established.

*The decision of Council on the foregoing matter was made subsequently in the meeting.  
( See Page 14 for the decision in that regard.)*

(5) International Association of Assessing Officers

It was recommended that Council authorize the four employees in the Assessment Department mentioned in the report to attend a Technical Workshop in Statistical and Computer Applications in Seattle, Washington between July 15th and 19, 1974 inclusive.

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

CARRIED UNANIMOUSLY

(6) Land Exchange - D.L. 86  
SUBDIVISION REFERENCE NO. 237/73

Information explaining the reason for establishing the rate of \$1.30 per square foot for the land involved in the above exchange was provided herewith.

It was recommended that Council approve the exchange, which is shown on Sketch 2 accompanying the report, subject to the Corporation receiving compensation for the additional lands involved at the rate of \$1.30 per square foot, with the actual amount of compensation to be determined by survey.

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

CARRIED UNANIMOUSLY

(7) Lot 8, Block 8, D.L. 29, Plan 3035  
(7312-14 11th Avenue)  
STRATA PLAN APPLICATION NO. 14/74

It was recommended that Council not approve the above application, which is for Strata Title approval of an existing duplex on the property described, for the reasons provided in the report, and that the use of the property be brought into conformity with the Zoning By-Law.

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

CARRIED UNANIMOUSLY

- (8) Lot 35, Block 19, D.L. 74, Plan 2603  
(5301-11 Manor Street)  
STRATA PLAN APPLICATION NO. 8/74

It was recommended that Council approve the above Strata Plan application for the property described in caption, subject to the fulfillment of the conditions detailed under Sections 6.1, 6.2, 6.3, 6.4, 6.5 and 6.6 of the Duplex Condominium Guidelines that are set out in the report.

- (9) Lot 41 of Lot "A", Block 1, D.L. 205, Plan 4180  
(291-293 Fell Avenue)  
STRATA PLAN APPLICATION NO. 13/74

It was recommended that Council approve the above Strata Plan application for the property described in caption, subject to the fulfillment of the conditions detailed under Sections 6.1, 6.2, 6.3, 6.4, 6.5 and 6.6 of the Duplex Condominium Guidelines that are set out in the report.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LAWSON:

"That the recommendations of the Manager covering Items (8) and (9) above be adopted."

CARRIED UNANIMOUSLY

- (10) Lot 26, Block 1, D.L. 39, Plan 25083  
(4082-84 MacDonald Avenue)  
STRATA PLAN APPLICATION NO. 10/74

It was recommended that Council approve the above Strata Plan application for the property described in caption, subject to the fulfillment of the conditions detailed under Sections 6.1, 6.2, 6.3, 6.4, 6.5 and 6.6 of the Duplex Condominium Guidelines that are set out in the report.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

- (11) Lot 7, Block 13, D.L. 79, Plan 8632  
(4241 Ledger Avenue)  
REZONING REFERENCE NO. 40/73

It was recommended that Council reaffirm its approval in principle to rezone the above described property to Comprehensive Development District (CD) to permit a new applicant, Mohawk Oil Limited, to construct its corporate offices on the site, and authorize the Planning Department to work with the architect for the Company toward the preparation of a suitable plan of development for the site.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

- (12) Heritage Village Master Development Plan

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

- (13) Bicycles

It was recommended that the following actions be taken in respect of the matter of handling found bicycles:

- (a) That parking patrolmen continue to use motorcycles for the summer months, the mechanical condition of the machines permitting.
- (b) That two mini-cars be purchased in the autumn at a <sup>net</sup> estimated cost of \$4,100.00, which sum is available in the C.I.P. Budget.

-11-

- (c) That a bicycle storage area be constructed in the parking compound at the Municipal Hall at an estimated cost of \$2,800.00, the allocation for which will be made from the C.I.P. Contingency Account.
- (d) That the process of handling found bicycles be transferred from the R.C.M.P. to the Licence Department.
- (e) That found bicycles be picked up by the Engineering Department instead of by the R.C.M.P.
- (f) That found bicycles be turned over to the Purchasing Agent for sale by auction pursuant to Section 662 of the Municipal Act.

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

CARRIED UNANIMOUSLY

- (14) Lot 323, D.L. 135, Plan 42589  
 (1240-42 Augusta Avenue)  
STRATA PLAN APPLICATION NO. 9/74

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

- (15) Monthly Report of R.C.M.P.

A report of the R.C.M.P. covering the policing of the Municipality during the month of April, 1974 was submitted.

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

CARRIED UNANIMOUSLY

- (16) Trans Mountain Oil Pipeline Company

As a result of further considering the proposal of the Trans Mountain Oil Pipeline Company to discharge effluent from a ballast water treatment plant to Burrard Inlet, it was recommended that the Health Department register, in writing, an objection to the current proposal of the Company, as detailed in the report, pursuant to the Pollution Control Act and direct that it be recommended in the written objection that an increased discharge volume of 2,000,000 Imperial gallons per day be permitted, subject to a maximum discharge characteristic of 5 m.g./l oil and grease to meet the water quality objective for ballast water discharge set out in the Pollution Control Objectives for the Chemical and Petroleum Industries of British Columbia under date of March, 1974.

It was also recommended that the Health Department ask the party with whom it files the written objection that the Municipality be furnished with the results of the regular sampling and analysis of effluent quality, as explained in the report.

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

CARRIED UNANIMOUSLY

- (17) 2869, 2915, 2949, 3111, 3137, 3161 and 3187 North Road

It was recommended that Council authorize:

- (a) the sale, for removal, of the seven homes on the above properties by public tender;

- (b) the creation of five residential lots from the seven existing parcels, as shown on Sketch 3 accompanying the report, and the offering for sale of these five lots by public tender.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN MCLEAN:

"That the recommendations of the Manager be adopted."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN MCLEAN:

"That the previous motion be amended by altering the recommendation under (a) to read "either the sale, for removal, of the seven homes on the existing lots or, as an alternative, allowing the relocation of the seven existing homes on the five lots to be created, such sale to be also by public tender"."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion, as amended, and it was carried unanimously.

May/13/1974

(18) Engineering Services - Design and Inspection of Watermains

It was recommended that the Corporation enter into an Agreement for Engineering Services with Dayton & Knight Limited for Phase I of the works referred to in the report, with the fees for such services to be in accordance with "Outline of Services and Scale of Minimum Fees" published by the Association of Professional Engineers of B.C., to a maximum of \$10,000 plus disbursements.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(19) Bill 85 - Public Officials and Employees Disclosure Act

A copy of the above Bill was submitted herewith.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That the report be received."

CARRIED UNANIMOUSLY

*Alderman Stusiak made the following suggested changes to the Bill:*

- (a) *that Clause (ii) in the definition of "Disclosure Clerk" under Section 1 of the Bill be deleted;*
- (b) *that Clause (iii) under the same definition be amended to read "where a Municipal official or public employee files a written disclosure, the Provincial Secretary shall be the Disclosure Clerk;*
- (c) *that the words "but does not include a Judge of a Court" under Clause (iii) covering the definition of "Public employee" be deleted;*
- (d) *that the words "a sworn statement of the amount of shares held in each Corporation" be added after the words "accompanied by" under Clause 3 ;*
- (e) *that Clauses (c) and (d) of Section 3 be deleted;*
- (f) *that Clause 4(1) be deleted;*
- (g) *that Clause 4(2) be amended to read "no person shall have access to a written disclosure filed by a public employee, Municipal official or Provincial official";*
- (h) *that Section 8(3) be deleted therefrom and added as Section 9(3), the section reading "where a public employee is prosecuted under subsection 1, the Provincial Secretary, upon the request of the Court, shall send to the Court a written disclosure of the public employee";*
- (i) *that Section 9(2) be amended by adding before the words "public employee" the words "Provincial official, Municipal official, or";*
- (j) *that Section 10 be amended by changing the date mentioned therein to the 1st of July 1974.*

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the above proposals be submitted to the Attorney-General for consideration as to implementation when Bill No. 85 is next placed before the Legislative Assembly."

CARRIED

AGAINST - MAYOR CONSTABLE AND  
ALDERMAN AST

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MCLEAN:

"That the Attorney-General be requested to further amend Bill 85 to provide therein that its provisions also apply to every person who is a candidate for office in a

May/13/1974

*Provincial or Municipal election.*

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LEWARNE:

*"That the three Members of the Legislative Assembly representing Burnaby and the heads of the Progressive Conservatives, Liberals and Social Credit in B.C. be notified of the foregoing decisions of Council."*

IN FAVOUR - ALDERMEN MERCIER, LEWARNE,  
STUSIAK AND MCLEAN

AGAINST - MAYOR CONSTABLE, ALDERMEN  
EMMOTT, AST AND LAWSON

MOTION NEGATIVED

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN AST:

*"That the Union of British Columbia Municipalities be asked to use its Office to delay the implementation of Bill 85 and, in that regard, apprise all member Municipalities of the Burnaby Council's decision and ask for their support."*

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN STUSIAK:

*"That the three Members of the Legislative Assembly representing Burnaby be informed of the decision Council rendered this evening in respect of Bill 85."*

CARRIED UNANIMOUSLY

MAYOR CONSTABLE DECLARED A RECESS AT 9:30 P.M.

THE COMMITTEE RECONVENED AT 9:45 P.M.

(20) Municipal Information Service

Recommendations in connection with the matters listed in a report Council approved in principle on December 17, 1973 relating to the Information Burnaby Committee program were submitted herewith.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN LAWSON:

*"That the report of the Manager be referred to the Information Burnaby Committee for comment."*

CARRIED UNANIMOUSLY

(4) Signing Authority - Human Resources Cheques

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

*"That the recommendation of the Manager under Item 4 of his Report No. 37, 1974 be adopted."*

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN EMMOTT:

*"That the previous motion be amended by adding "and that the Municipal Manager determine, in consultation with the outside auditors, a maximum limit for which any one cheque could be prepared that would be considered reasonable."*

CARRIED UNANIMOUSLY

A vote was then taken on the original motion, as amended, and it was carried unanimously.

*A suggestion was made that perhaps cheques on Imprest Account No. 1, which is the subject of the previous resolution, could have printed on them words indicating the maximum amount for which any one cheque could be drawn.*

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

*"That the report of the Advisory Planning Commission that Council received earlier in the evening be lifted from the table."*

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LAWSON:

*"That Item 1 of the Commission's report be 471 led until the May 21st Council meeting."*

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"That the recommendation in Item 2 of the Commission's report be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That Item 3 of the Commission's report be tabled until a special meeting of Council to be arranged by the Mayor."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN AST:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY



May/13/1974

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That "BURNABY CAPITAL EXPENDITURE PROGRAMME BY-LAW 1974" 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 LAWSON, SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That "BURNABY CAPITAL EXPENDITURE PROGRAMME BY-LAW 1974" be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 6, 1974" be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY