

August 19, 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, August 19, 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 (7:10 p.m.)
Alderman G. H. F. McLean
Alderman J. L. Mercier
Alderman V. V. Stusiak

STAFF PRESENT:

Mr. B. McCafferty, Acting Municipal Manager
Mr. E. E. Olson, Municipal Engineer
Mr. D. G. Stenson, Acting Planning Director
Mr. James Hudson, Municipal Clerk
Mr. J. Plesha, Administrative Assistant to the Manager
Mr. B. D. Leche, Municipal Clerk's Assistant

A Public Hearing was held to receive representation on Burnaby Highway Exchange By-Law No. 8, 1974, which involves the relocation of Roy Street as a part of Rezoning #55/73.

No one appeared in connection with Burnaby Highway Exchange By-Law No. 8, 1974.

The Minutes of the Council meeting held on August 6, 1974 and the Minutes of the Public Hearing held on August 6, 1974 were brought forward for adoption.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN STUSIAK:

"That the Minutes of the Council meeting of August 6, 1974 and the Minutes of the Public Hearing August 6, 1974 be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Miss S. W. Sanford, 6557 Elgin Avenue re Illegal Suite at 6557 Elgin Avenue;
- (b) Mr. D. P. Drummond, 3986 Trinity Street re Chevron Refinery Pollution Monitoring;
- (c) Mrs. J. E. North, 7356 Braeside Avenue re Primary Access to 7396 Barnet Road;
- (d) Mr. W. M. Vogel, President, Cloverdale Investments Ltd. re Rezoning Reference No. 66/73.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN LAWSON:

"That the delegations be heard."

CARRIED UNANIMOUSLY

Miss S. W. Sanford then addressed Council on the illegal suite which presently exists in her home at 6557 Elgin Avenue. She advised that her home had recently been inspected by the Building Department and she had been instructed to return the premises to normal duplex use not later than August 31, 1974. It was her understanding that there is a duplex conversion study now being compiled by the Planning Department which will be presented to Council in early September. Miss Sanford requested that a decision on whether the illegal suite in her residence should be removed be deferred until such time as the duplex conversion study is completed.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN AST:

"That Item #32, Municipal Manager's Report No. 55/74, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the substance of that report.

The existence of this third dwelling unit is in conflict with the Zoning By-Law as the property is within an R4 Residential (single and two-family zone) which does not permit the multiple-family use that has been created, and the suite as constructed, lacks the sufficient floor area to constitute a legal dwelling unit (i.e. less than 400 square feet, the minimum for a bachelor unit). The Planning Department is engaged in the study of residential densities and possible compaction, which involves an examination of duplex standards and regulations. As indicated previously, a report on this subject will be presented to Council in early September for its consideration.

It was recommended that Council endorse the position of the Chief Building Inspector in requiring the premises to be brought into conformity with the By-Laws by August 31, 1974.

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

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:
"That this matter be tabled until such time as the study of residential densities and possible compaction presently being conducted by the Planning Department has been completed and considered by Council."

CARRIED UNANIMOUSLY

Mr. Douglas P. Drummond, 3986 Trinity Street then addressed Council on the subject of the Chevron Refinery. Mr. Drummond presented a log of alleged refinery upsets and emissions which he had maintained during the months of April to August, 1974. He stated that the log had been initiated in his capacity as a private citizen and was an attempt to provide Council with factual information on the operation of the refinery.

Mr. Drummond suggested to Council that a professional survey, similar to that undertaken by himself, be authorized by Council to provide a complete day-to-day history of refinery upsets and emissions. This information could then be used as the basis for future decisions of Council with respect to the Chevron Refinery.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GUNN:
"That Mr. Drummond's correspondence be referred to Chevron Canada Limited to allow that Company to answer Mr. Drummond's allegations. On receipt of Chevron Canada's reply Council would be in a better position to make a decision in this respect."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN AST:
"That Council refer Mr. Drummond's submission to the Air Quality Control Branch of the Greater Vancouver Regional District for comment on these upsets as described in the submission received and request the G.V.R.D. to carry out a continuous monitoring programme for a period of three months for comparison purposes with Mr. Drummond's report and to delay a decision on the Pollution Control Permit until these observations are completed."

IN FAVOUR -- MAYOR CONSTABLE,
ALDERMEN GUNN AND AST

AGAINST -- ALDERMEN LAWSON,
LEWARNE, MERCIER, STUSIAK
MCLEAN AND EMMOTT

MOTION LOST

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN MERCIER:
"That, in order to provide the Municipality with more concise information with which to consider problems with the refineries already located in Burnaby, the Provincial Government be requested to supply definite information on the Government's plans to provide additional oil refining facilities in British Columbia and the probable location of any such planned facilities."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That the Provincial Government be requested to advise that if oil tankers bringing Alaska crude to the State of Washington are permitted to enter the Port of Vancouver to discharge their cargoes for onward transmission via pipeline, as has been indicated in recent articles in the local press, where the point of unloading would be located."

CARRIED UNANIMOUSLY

Mr. G. Young, 7352 Barnet Road, spokesman for residents of the 7300 blocks Barnet Road and Braeside Avenue, spoke in opposition to the proposal that the principal access to the property at 7396 Barnet Road be via the lane for the reasons set out in his written submission.

The alternative to the granting of access to this property via the lane, as stated in the petition and which has been recommended by the Planning Department on two separate occasions, is the purchase of this property by the Corporation as park land. As Burnaby already holds a large amount of park properties, both above the 500-foot level and below Barnet Highway, it would seem logical that the acquisition of this strip could tie these properties together completing the linear concept of park development.

Mr. Verne Johnson, Sales Representative, Block Bros. Realty Ltd., spoke on behalf of the developer and owner of the property at 7396 Barnet Road. He stated that the owner shares the Municipality's interest in the proper land use and was convinced that the proper development of this particular piece of property would be single-family use.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:

"That Item #29, Municipal Manager's Report No. 55/74, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

It was recommended that inasmuch as the Corporation has granted access via developed municipal lanes in the past to properties to which, because of unusual and difficult topographical limitations, cannot receive access from their legal street frontage; the Council authorize the Chief Building Inspector to grant a permit for construction of a dwelling in conformance with the R2 Residential zone on the condition that the owner provide a turn-around on public right-of-way to the approval of the Municipal Engineer. Should it be necessary to dedicate lands for this turn-around, this dedication would be a condition of the issuance of the building permit.

Should Council conclude that access to the subject parcel via the lane only, is not sufficient, then an alternative would be to include this property within the area designated for the Burnaby Mountain Conservation Area, and as such, the acquisition by Burnaby would be included in the report to Council which is to provide the estimated cost of acquiring private lands.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN AST:

"That further consideration of this matter be tabled to permit:

- (a) the Parks and Recreation Commission to express an opinion on the advisability of acquiring this property for parks purposes and to review park acquisition priorities to determine if such acquisition could be incorporated into the parks programme in the near future;
- (b) The Planning Director, in conjunction with the Municipal Solicitor, to review the situation to determine legal means of permanently reserving the subject property/^{to}single-family dwelling use and to govern the location of the proposed structure on the property to preclude any possible future subdivision."

CARRIED UNANIMOUSLY

Mr. W. M. Vogel, President, Cloverdale Investments Ltd., then addressed Council in connection with Rezoning Reference No. 66/73. He noted that he had previously appeared before Council in this connection and was instructed to negotiate with the Planning Department and to submit more details of his plan so Council could

consider how his proposal would fit with the future development objectives, considering comprehensive and residential.

He stated that he had great difficulty in receiving information and replies as promised by the Planning Department and this, to a large extent, is the cause for delay in complying. He now submitted preliminary drawings which he felt should be considered. These drawings show the development of 7,320 square feet of ground floor commercial, rentable basement of the same area, and roof-top parking to accommodate a minimum of twenty cars. It was proposed to build the structure of high quality poured concrete and designed so it could be expanded to a mall-type commercial development. The sketch submitted shows the development plus future commercial and the proposed 180 suite high-rise tower, the closing of Barker Street, and the lane, that he felt was commensurate with the Planning Department's objective for this block.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LEWARNE:

"That Item 33, Municipal Manager's Report No. 55/74, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

It was recommended that:

- (a) the present proposal submitted August 13, 1974 not be accepted as it fails to achieve the objectives earlier defined or to conform to either Community Plan guidelines or Zoning By-Law requirements;
- (b) the earlier decision not to approve of separate commercial development of Lot 27 in isolation from the rest of the designated area be reaffirmed;
- (c) the applicant be invited to secure the assistance of a consultant with appropriate training and experience in urban planning and design to prepare a suitable overall scheme in which the initial commercial space would be wholly integrated, if he wishes to have the matter further considered by Council.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That further consideration of this matter be tabled pending receipt of a report from the Manager with the complete history of this rezoning application and the alleged lack of communication between the Planning Department and the appellant."

CARRIED UNANIMOUSLY

MAYOR CONSTABLE DECLARED A RECESS AT 9:40 P.M.

THE COUNCIL RECONVENED AT 9:55 P.M. WITH ALL MEMBERS IN ATTENDANCE.

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That all of the following listed original communications be received and those items of the Municipal Manager's Report No. 55, 1974 which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

Mr. A. C. Durkin, Secretary-Treasurer, School District No. 41 wrote to advise that the Burnaby School Board reaffirm that the Board is satisfied with the previous recommendation of the Planning Department not to move the Cameron School.

Item #11, Municipal Manager's Report No. 55/74, was brought forward for consideration at this time.

of
It was recommended that the correspondence and reports/the School Board, Advisory Planning Commission, and the Parks and Recreation Commission, be tabled until such time that a report is received from the Traffic Safety Committee.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

Mr. Allan J. Davison and Mr. Gary J. Norgard, Directors of Burnaby S.P.E.C., submitted a letter outlining their views on the Public Meetings, Phase One Study.

Item #26, Municipal Manager's Report No. 55/74, was brought forward for consideration at this time.

The following is the substance of that report.

The Planning Department favours continuing input from citizens and citizens' groups concerning the present and future development of the Municipality and as such welcomes the submission from Burnaby S.P.E.C. However in reviewing the correspondence, it is apparent that mutual benefit would be derived from a further dialogue between Burnaby S.P.E.C. and the Planning Department to discuss in detail the issues raised by that organization in their submission on the Public Meetings, Phase One document. It is felt that further dialogue on these concerns would prove far more beneficial to the continual policy refinement process than a series of written exchanges which are more restrictive than are open-ended and direct discussions. It is, therefore, the intention of the Planning Department to arrange a further meeting with Burnaby S.P.E.C. to discuss the concerns in their correspondence as well as other related matters.

It was recommended that a copy of this report be sent to the Burnaby S.P.E.C. organization.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That as the correspondence received cannot be positively identified as originating with Burnaby S.P.E.C. or is there any indication that the views expressed are those of the Society, that this matter be referred back to Burnaby S.P.E.C. for confirmation that the letter actually expresses the views of that Society."

CARRIED UNANIMOUSLY

Mr. B. Hoglie, President, Burnaby Junior Chamber of Commerce, wrote with regard to the Miss Burnaby Pageant and related activities, specifically, the representation of Miss Burnaby and her Princess at the Williams Lake Rodeo.

The Burnaby Jaycees were recently advised that the Burnaby Municipal Council had rejected their proposed request for financial sponsorship relating to this venture. This recent development places their organization in an extremely difficult position for two reasons:

- (a) They are unable to plan any further activities for Miss Burnaby and her Princess, as there is now a question of financial sponsorship from the Municipality.
- (b) The Burnaby Jaycees did in fact escort Miss Burnaby and her Princess to Williams Lake and funding, by necessity, was provided from their general operating capital.

The continuation of the Miss Burnaby Pageant and related activities, at this point, is solely dependant upon financial support from the Municipality of Burnaby and it was requested that the Burnaby Jaycees be advised as to the degree of support that can be anticipated in the future.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:

"That this matter be referred to the Grants Committee for consideration and report."

CARRIED UNANIMOUSLY

It was suggested that this report include in account the money already expended by Council in support of the Miss Burnaby Pageant.

The North Fraser Harbour Commissioners submitted a letter recommending that consideration be given to temporarily deferring the appointment of a Municipal Representative to the Harbour Commissioners so that Commissioner Fraser can continue to act in this capacity until such time as the matters under consideration by Council respecting the Harbour Commissioner's election to come under the provisions of the Harbour Commission Act - 1964 are resolved.

Mayor Constable advised that the meeting between the North Fraser Harbour Commissioners, the Municipalities of Burnaby and Richmond, and the City of Vancouver, to discuss the incorporation of the North Fraser Harbour Commissioners under the Harbours Commission Act - 1964 had been arranged for Thursday, August 22, 1974.

The Columbian wrote to draw the attention of Council to The Columbian's 1974 Trade & Industry Edition which will afford the Corporation of the Municipality of Burnaby an excellent medium of special communication and public relations.

The Trade & Industry Edition will be published on September 24, 1974.

It was suggested that Council take a one page advertisement in the 1974 Trade & Industry Edition of The Columbian at a cost of \$1,011.36.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN AST:

"That this matter be referred to the Grants Committee for consideration and report."

CARRIED UNANIMOUSLY

Mr. S. S. Dhindsa, 5505 Georiga Street, wrote requesting that Council authorize a driveway crossing to provide access to the existing driveway at the above address.

Item #12, Municipal Manager's Report No. 55/74, was brought forward for consideration at this time.

It was recommended that:

(a) the vehicle crossing to serve the existing illegal side yard parking at 5505 Georgia Street be denied;

(b) Mr. S. D. Dhindsa be sent a copy of this report.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

Mrs. Theresa Leeman, 3526 Smith Avenue, wrote to complain of noise problems emanating from the Cascades Drive-In Theatre on Canada Way.

Item #31, Municipal Manager's Report No. 55/74, was brought forward for consideration at this time.

The following is the substance of that report.

The subject of noise emission has been discussed with Mr. D. S. Soutar, Theatre Manager, who stated that he would direct his immediate attention to the incidence of noise emission emanating from his property and will take whatever action is necessary in further control. His willingness to take positive action in this regard is indicated, for example, by his intention to obtain a visual message which when projected onto the screen will serve as a reminder to patrons that unnecessary honking of horns is a serious disturbance to residents in the surrounding area.

As this is the first complaint received by the Health Department of a noise problem from these premises, there is no background information on the noise level emission as stated by Mrs. Leeman. We will, however, conduct a night survey of monitoring the noise level, and if this level of noise emission contravenes the Burnaby Noise or Sound Abatement By-Law 1972 appropriate action will be taken.

It was recommended that a copy of this report be sent to Mrs. Theresa Leeman and Mr. D. S. Soutar.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

The Anglia-Norco Bicycle Club wrote to request permission to organize three bicycle races at Lake City Industrial Park on Sunday, September 8, 1974 between the hours of 10:00 a.m. and 3:00 p.m. A map of the course which has been successfully used in the past was enclosed for the information of Council. All corners and stop signs will be fully marshalled.

Item #9, Municipal Manager's Report No. 55/74, was brought forward for consideration at this time.

The following is the substance of that report.

As this Club has conducted similar races on these same streets without any problems, we can see no reason not to grant this most recent request. We will, of course, expect the Anglia-Norco Club to marshall all intersections and to provide adequate notification to the motoring public that a race is in progress.

It was recommended that the Anglia-Norco Bicycle Club be granted permission to conduct a cycle race as requested on Sunday, September 8, 1974.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

ENQUIRIES

Alderman Mercier enquired as to whether the question of defoliation in Central Park in connection with the water reservoirs had been before Council.

Mayor Constable advised that this matter had been before Council for information purposes. This construction came under the jurisdiction of the Provincial Government, the Central Park Committee and the Greater Vancouver Regional District.

A lengthy discussion ensued, participated in by Alderman Stusiak, Alderman McLean, Alderman Emmott and Mayor Constable, in reference to recent press releases concerning the leasing of Burnaby Lake lands from the Provincial Government and requirements contained in that lease that all improvements be removed at the completion of the lease term.

Alderman Gunn enquired on the progress being made on the Burrard Inlet Park Study.

Alderman Stusiak advised that the terms of reference for the hiring of consultants was now under consideration by the Planning Department and the Parks and Recreation Commission and that this matter would be considered at the next meeting of the Parks and Recreation Commission.

Alderman Gunn enquired as to whether the Municipality would sponsor a publicity campaign to draw attention of the electors that the List of Electors would close on September 3, 1974.

reported

Mayor Constable/that the Greater Vancouver Regional District was sponsoring a campaign in this respect.

Alderman Gunn stated that he would introduce a Notice of Motion at the next meeting of Council to authorize the setting up of mobile polls at the forthcoming Municipal Election on November 16, 1974.

advised

The Municipal Clerk/that authority was already contained in the Municipal Act for the setting of mobile polls at Municipal Elections and that preliminary work in this respect is already underway by his Office.

NOTICE OF MOTION

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That:

"WHEREAS the Condominium Guidelines for Residential units in Burnaby are governed by zoning regulations as per "Burnaby Zoning By-Law 1965"; and

WHEREAS the Condominium Guidelines differ from the "Burnaby Zoning By-Law 1965" by different requirements in parking and by establishing minimum floor area sizes for residential units;

THEREFORE BE IT RESOLVED that "Burnaby Zoning By-Law 1965" be amended to have the same parking requirements and minimum floor area sizes for residential units as set out in the Burnaby Condominium Guidelines."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LAWSON:

"That further consideration of Alderman Stusiak's motion be tabled until such time as the Planning Department submits a report on this subject."

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MAYOR T. W. CONSTABLE submitted a report recommending that Alderman A. H. Emmott be appointed Acting-Mayor for the months of September and October, 1974.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That the recommendation of the Mayor be adopted."

CARRIED UNANIMOUSLY

THE ADVISORY PLANNING COMMISSION submitted a report on Community Plan "G", and Community Plan 11, and the Stride Avenue Development Plan.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That the report of the Advisory Planning Commission be received and that that portion of the report dealing with Community Plan "G" be tabled until such time as a report is received on this subject from the Traffic Safety Committee."

CARRIED UNANIMOUSLY

GRANTS AND PUBLICITY COMMITTEE submitted a report recommending the following with respect to the applications for grants indicated as follows:

- (a) British Columbia Borstal Association - \$1,500.00
- (b) Vancouver Neurological Centre - \$3,000.00
- (c) Crisis Intervention and Suicide Prevention Centre for Greater Vancouver - Nil
- (d) Canadian Paraplegic Association - B. C. Division - \$1,500.00
- (e) Canadian Diabetic Association - Nil
- (f) Probation Resources (P.U.R.P.O.S.E.) - \$2,500.00
- (g) Canadian Region Conference of the International Personnel Management Association - Nil
- (h) Burnaby Safety Council - \$800.00
- (i) Wesburn Kejacs Soccer Team - \$750.00

(j) Pacific Coast College Health Association - Nil

(k) Burnaby South Information Centre - \$1,350.00

(l) Burnaby North Information Centre - \$792.00

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:

"That the recommendation of the Committee concerning item (a) be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:

"That the recommendation of the Committee with respect to item (b) be adopted."

CARRIED

CONTRARY -- ALDERMEN STUSIAK
AND MERCIER

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN LEWARNE:

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

CARRIED

CONTRARY -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That Council petition the Provincial Government with a view to have The Vancouver Neurological Centre, and other similar organizations, financed through the British Columbia Health Plan."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Committee with respect to item (c) be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN AST:

"That the recommendation of the Committee with respect to item (d) be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That the recommendation of the Committee with respect to item (e) be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That the recommendation of Committee with respect to item (f) be adopted."

CARRIED

CONTRARY -- ALDERMAN MERCIER

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Committee with respect to items (g) and (j) be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN AST:

"That the recommendation of the Committee with respect to item (h) be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN LEWARNE:

"That the recommendation of the Committee with respect to item (i) be adopted."

CARRIED

CONTRARY -- ALDERMAN STUSIAK

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN LAWSON:

"That the recommendation of the Committee with respect to items (k) and (l) be adopted."

CARRIED

CONTRARY -- ALDERMAN MERCIER

THE CAB LICENCE STUDY COMMITTEE submitted a report in which it was recommended that the Burnaby Cab and Commercial Vehicle By-Law be amended as follows:

- (a) That a taxi service broker not be required to be the licensee of a taxi cab.
- (b) That a taxi service broker or any agency providing dispatching services shall not unreasonably refuse such service to any licensee of a taxi cab.

It was further recommended that the operators of agencies supplying dispatching services and licensees of taxi cabs be urged to enter into a written contract containing all of the conditions applicable to their arrangement.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:

"That the report of the Cab Licence Study Committee be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN STUSIAK:

"That the Minister of Municipal Affairs be requested to advise the present status of Burnaby's request for an amendment to the Municipal Act which would permit the sale of cab licences by public tender."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 55, 1974, on the matters listed below as Items (1) to (33), either providing the information shown or recommending the courses of action indicated for the reasons given.

- (1) Justice Building, Court Level
Sale of Municipal Office Furnishings and Equipment, Prosecutors' Library, and Forms to the Provincial Government

It was recommended that Council approve the sale of the subject items to the Provincial Government for the following amounts:

1. Office Furnishings and Equipment.....	\$22,706.53
2. Prosecutors' Library.....	3,618.50
3. Forms.....	663.00
TOTAL	<u>\$26,988.03</u>

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:

"That Council receive a report indicating the square foot rental rate paid by the Provincial Government for the use of the Court floor of the Justice Building."

CARRIED UNANIMOUSLY

- (2) Noise or Sound Abatement By-Law
 - 1. Monitoring at Property Line
 - 2. Elevation of Monitoring

The Burnaby Noise or Sound Abatement By-Law states that noise emission measurements shall be taken from "any point on the property line or with property line of the real property". There are two reasons for this location of measurement.

- (a) Noise or sound should be controlled from each individual operation and within the confines of the pertinent property.
- (b) Many properties do not have legal survey stakes and it is difficult, if not impossible, to ascertain as to whether the measurements were taken at the property line. The twenty foot allowance permits the measurement to be taken without the necessity of legal survey.

ELEVATION OF MONITORING

Schedule A of the Burnaby Noise or Sound Abatement By-Law sets forth the method and manner which noise emission measurements shall be performed. Section 4 of Schedule A reads as follows:

"Noise or sound measurements should, in general be made at a height of approximately three (3) feet and a distance of 10 feet from any wall, buildings, or other reflecting structures with the microphone appropriately oriented."

The reasons for this method are as follows:

- (a) Although some latitude is provided with respect to noise measurement procedure, there is a legal necessity for uniform approaches.
- (b) The height of approximately three feet ascertains most noise emission sources at property lines.
- (c) A difference in elevation of monitoring would incorporate a complexity into the By-Law that could cause great difficulty in enforcement procedures.
- (d) In Section 4 the words "in general" permit a flexibility in the elevation location of noise monitoring. We have, on certain occasions and with good reason, changed our height of monitoring.

It was recommended that no changes be made in the By-Law at this time.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

(3) 1974 C.U.P.E. Joint Negotiations - Residual Items

It was recommended that Council approve the recommendations proposed for settling the 1974 C.U.P.E. residual items by ratifying the Memorandum of Agreement including the Burnaby rider dated August 2, 1974 and that authority be given to execute the necessary Amendment to the Agreement.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(4) Winter Clubs' Agreements

It was recommended that the McPherson Winter Club and Burnaby Winter Club Agreements as more particularly detailed in the report submitted be executed on behalf of the Municipality.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(5) Application for Abatement of Percentage Additions
Section 411 of the Municipal Act

An application for abatement of percentage additions pursuant to Section 411 of the Municipal Act has ^{been} made for the following property:

Mary E. Gaskill	Lot 19, Block 9, D.L. 121	1973 penalties &	
4171 Pender Street	Plan 1054	interest	\$ 27.12
Burnaby 2, B. C.			

It was recommended that the above abatement be approved by Council.

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

CARRIED UNANIMOUSLY

(6) Equestrian Centre - Riding Rings

It was recommended that the boundaries of the present 20-acre Equestrian Centre be shifted to the west by adding an area 250' x 400' on Avalon Avenue and subtracting a similar square foot area from the southeast corner of the present site and that the lease be amended and executed accordingly.

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

CARRIED UNANIMOUSLY

(7) Manpower Requirements for One New Aerial Truck

The date of delivery of the new Aerial truck has been updated from November 1, 1974 to late September 1974.

We included 16 men to start November 1st in our 1974 Provisional Budget to man this vehicle. Past experience had shown that this Company had not met the delivery date as specified, so the 16 men were cut out of the Budget to be included in the 1975 Budget. Due to new management taking over the Company, the delivery has been updated and the manpower is now required by October 1, 1974.

It was reported to Council on July 22, 1974 that Municipal subsidies for ambulance service would ^{be} discontinued effective July 1, 1974 because the responsibility for such services was assumed by the Provincial Government. It was estimated at that time that the related savings to the Municipality in 1974 would be approximately \$63,250.00. The Treasurer advised that this saving could be used to offset the approximately \$40,000.00 that would be required to hire, train and equip the sixteen persons who are required for the operation of the subject truck and recommends accordingly.

It was recommended that authority be given to hire sixteen employees as required for the operation of the new aerial truck and that an unused portion of the Ambulance Account be reallocated in the Recast Budget to offset the approximately \$40,000.00 that will be required to hire, train and equip the sixteen new employees.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That further consideration of this matter be tabled for two weeks pending a detailed submission to justify the hiring of that many new employees. Information was also requested as to where these employees would be accommodated and employed."

CARRIED UNANIMOUSLY

(8) Stride Avenue Refuse Dump

A current status on the collection of refuse from residents in Burnaby is contained in the following report from the Municipal Engineer.

"Stride Avenue refuse disposal area was closed to the public on August 1, 1973.

At the same time, we adopted a policy of picking up all refuse from residences throughout the Municipality, except for large, unwieldy items and quantities of material from demolition, new construction, major renovations and landscaping projects.

The operation appears to be working exceptionally well and has certainly been very well received by taxpayers generally.

Our estimate of three extra trucks required to pick up the additional refuse has proven out. At the present time, except for the week following a holiday, we are able to make special pick-ups within a day of a request. This does not apply to pick-up of stones or rocks for which we have to use a dump truck and loader from the Roads Division which requires more time to organize into the regular routine.

The problem of refuse dumped indiscriminately along roads into ravines etc. seems to be less than it was prior to implementing the new policy.

We have established an extra work order number, to be closed out to the garbage collection work order, in order to ascertain the actual cost of special pick-ups. From January 1 to August 4, 1974, we have spent \$87,298 on special pick-ups. (This service is provided to residents free of charge.)"

Staff at this time is preparing a comprehensive study on the entire policy of Municipal refuse collection services including the extension of such services to strata title developments. It is anticipated that this report will be referred to Council for consideration in the latter part of September.

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

CARRIED UNANIMOUSLY

- (9) Letter dated July 9, 1974 from E. Gregg
Anglia-Norco Bicycle Club

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

- (10) Strata Title Approval Application No. 30/74
Lot 105, Block 85, D.L. 127, Plan 46737
5450 Empire Drive

It was recommended that Council grant tentative approval to the strata titling of the subject project, Final Approval (i.e., signature of the survey strata plans by the Municipal Mayor and Clerk) to be granted upon the satisfaction by the applicant of the following prerequisite conditions.

- (a) The fulfillment of guidelines 2.1.1.b, 2.1.2, 2.1.4, 2.1.5, 2.1.6, 2.1.8, 3.1.3, 3.1.5, 3.1.7 of the Guidelines for Residential Condominiums and Conversions.
- (b) The fulfillment of all requirements of the Chief Fire Prevention Officer and the Chief Building Inspector.
- (c) The completion of RZ #25/74 and all requisite construction to the satisfaction of the Municipality.
- (d) The submission of a letter of undertaking that the building will remain vacant until after registration of the strata plans.

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

CARRIED UNANIMOUSLY

(11) Community Plan Area "G"

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

(12) Letter dated July 29, 1974 from Mr. Satwant S. Dhindsa
Sidewalk Crossing to Property at 5505 Georgia Street

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

(13) R.C.M.P. Monthly Report

The Municipal Manager presented the R.C.M.P. Monthly Report for the month of July, 1974.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN LAWSON:

"That the R.C.M.P. Monthly Report for the month of July, 1974 be received."

CARRIED UNANIMOUSLY

Alderman Lawson gave notice that she would be introducing a motion concerning the actions of irresponsible drivers particularly on the Freeway which affects Burnaby and other Municipalities.

(14) Proposed Development and Sale of Municipal Lands as Residential Lots
Subdivision Reference No. 63/74

BACKGROUND

On August 6, 1974, Council tabled for two weeks a report on the above subject, pending receipt of additional information on the question of the road connection between Nelson Avenue and Wayburne Drive.

SUPPORT INFORMATION

The proposed road connection is embodied in the "Deer Lake Development Concept" which was adopted in principle by Council on January 28, 1974. This report showed the Wayburne extension diagrammatically on Figure 6 and stated that the extension was mentioned as a possible future road alignment. However it was stated that, in view of the Major Roads Study, this alignment may be subject to change, and consequently the Deer Lake Development Concept should exhibit sufficient flexibility to accommodate this uncertainty.

It should be noted that the major existing road is Royal Oak Avenue which has steep grades and bisects the area designated for development as a golf course. Because of this steep grade, it is not advisable to use Royal Oak for access or egress to the proposed park development.

The report entitled "Burnaby Transportation Study to 1985" which was adopted in principle by Council on June 11, 1974 designates the proposed Wayburne Drive extension as a secondary traffic route which is a Municipal responsibility.

SUMMARY

The Council has approved in principle the reports entitled "Deer Lake Development Concept" and "Burnaby Transportation Study to 1985", both of which propose development of the road connection between Wayburne Drive and Nelson Avenue.

It was recommended that authority be given to undertake the preliminary survey and design work leading to the installation of services and the sale of the subject residential lots with the initial work to include the preliminary design and survey of the link between Nelson Avenue and Wayburne Drive, including an estimate of the cost of same.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(15) Fertilizer for Topsoil

On August 6, 1974, Council received a report regarding topsoil supplied and distributed under Contract #15, 1973. Council requested a further report outlining costs involved if the topsoiled boulevards were to be fertilized.

The cost to fertilize all the boulevards covered by topsoil under Contract #15, 1973 would be as follows:

Materials (fertilizer)	\$1,000.00
Labour and Equipment	\$1,000.00

While the dollar value of this work may not be significantly large in terms of the overall local improvement costs we would take this opportunity to point out some of the practicalities related to such work. In accordance with the Corporation policy most property owners have financed their own fertilizing and seeding and have satisfactory lawns. In order to implement a fertilizing program at this stage, we would have to be selective in our choice of boulevards which would, of course, result in an inconsistency of treatment to taxpayers (this statement applies to local improvements that have already been/ completed).

The acts of fertilizing, seeding and watering should be considered synonymous in terms of time of operation. In other words, to fertilize a seeded boulevard at this stage without immediate watering would in effect be detrimental rather than beneficial to a lawn due to the burning effect of the Nitrogen in the fertilizer as we would have no control over the boulevard watering.

In terms of future local improvement works it would be physically possible to fertilize the topsoil supplied, however, this too has its impracticalities. Fertilizer could be added either at the screening stage or after the soil is spread, however, the time lapse between topsoil distribution and actual grass seeding is often significant.

If the topsoil was, say, spread in November/December then the boulevard should not be seeded until April/May by which time rain would have leached or washed out the beneficial effect of the fertilizer.

Property owners receiving current local improvement works are being advised by form letter of the need to seed, fertilize and water their boulevards after completion of the topsoil operation.

It was recommended that Council reaffirm the policy whereby respective property owners are expected to provide and apply seed, fertilizer and water to topsoiled boulevards following completion of a Local Improvement Programme in their area.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

(16) Engineer's Special Estimates

It was recommended that Council approve the Special Estimates of Work of the Municipal Engineer in the total amount of \$4,000.00.as detailed in the report.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

(17) Domtar Roofing Products Plant
8255 Wiggins Street, Burnaby

At the meeting of Council on August 27, 1973, an inquiry was made about noxious odours that were discharged by the Domtar Roofing Products Plant which is located in the Big Bend Area at 8255 Wiggins Street.

The Chief Public Health Inspector on September 4, 1973, advised Council that the Air Quality Division of the Greater Vancouver Regional District was conducting an extensive study of emissions from the subject plant, and that a report of the Division's findings would be referred to Council in the future.

On December 10, 1973, Council was advised that the company had submitted an application for a permit under the Pollution Control Act 1967 (Emissions) to the Director, Pollution Control, Greater Vancouver Regional District. Council on that date also received a letter from the G.V.R.D. advising that the company had made a commitment to implement, within seven months from the placement of an order for necessary equipment, a system that would effectively measure and control emissions. Council subsequently instructed the Medical Health Officer to determine if the control equipment could possibly become operational earlier than the scheduled date.

The Medical Health Officer subsequently conferred with the Regional District who advised that "it is not possible for the control equipment to become operational earlier than the scheduled date, i.e., August, 1974".

A further inquiry on the current status of the required installation of emission control devices was made at the August 6, 1974 meeting of Council. In this regard, we have been advised by the Air Quality Division of the Greater Vancouver Regional District that the company applied to Regional authorities and received an extension of the installation date from August 1 to October 15, 1974. The official testing of emissions, after equipment installation, will be carried out from November 15 to November 30, 1974.

The request for extension of the installation date was valid by reason of the fact that the company was forced, by rising fuel costs, to embark on a more extensive installation in order to serve the original purpose of emission control and at the same time gain heat recovery.

A further report on this matter will be submitted to Council during the latter part of October.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

It was suggested that arrangements be made with the G.V.R.D. to keep Council informed when deadline dates for the installation of emission control devices are extended.

(18) Proposed Sale of Municipal Property
Lot 11E½, Block 26, D.L. 121, Plan 1054
4252 Union Street

It was recommended that the subject property be sold to Mr. Francesco Rizzardo for \$6,000.00 subject to the conditions noted:

- (a) The retention of a 5-foot easement on the west side of the subject lot.
- (b) The consolidation with Lot 12.
- (c) The survey and legal costs to be borne by the purchaser.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN AST:

"That the Municipal Manager be directed to submit a report on a similar situation existing on Percival Street adjacent to Monarch Avenue. Mr. G. Norberg is the property owner concerned."

CARRIED UNANIMOUSLY

(19) Truck Traffic on Ardingly Avenue and Laurel Street

In order of presentation, following the reports of the Technical Sub-Committee, Noise or Sound Abatement, and of the Planning Director with respect to the subject matter.

A report of the Technical Sub-Committee, Noise or Sound Abatement, follows:

In response to the petition as submitted by Mrs. Aileen Randall, 3430 Ardingly Avenue, Burnaby, in relation to the above-noted subject, we would report as follows.

Two preliminary noise surveys have been conducted in this area to establish the extent of the problem, its cause and the corrective action to be taken.

The first survey was conducted in the 6200 block Laurel Street about 300' east of Norland Avenue on Tuesday, July 30th, 1974, between 10:30 A.M. and 11:45 A.M. The second survey was conducted at the same location on Tuesday, August 13th, 1974, between 2:15 P.M. and 3:00 P.M.

The findings were:

Number of Vehicles Monitored - 126 (trucks 101, passenger vehicles 25)

Ambient or background noise level - 55-65 dBA

Minimum vehicular noise level recorded - 70 dBA (passenger vehicles)
 76 dBA (trucks)

Maximum vehicular noise level recorded - 86 dBA (passenger vehicles)
 95 dBA (trucks)

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Under the Burnaby Noise or Sound Abatement By-law 1972, #6052, the maximum noise emissions permitted in a 30 M.P.H. zone are as follows:

6000 lbs. or less (licenced gross weight) - 80 dBA

In excess of 6000 lbs. (licenced gross weight) - 88 dBA

While we would support the petitioner's suggestion of re-routing the trucks, we realize that such an undertaking will involve time. It is, therefore, our intention to commence an immediate enforcement programme under the provisions of the Burnaby Noise or Sound Abatement By-law 1972, #6052, at which time all offenders will be charged.

The Planning Department believes the extension of Norland Avenue as outlined in the report under consideration would provide a desirable alignment which could be retained for future use in order to achieve the ultimate development potential of the proposed recreational area. In the interim period, however, development of this facility to ultimate standard between Sprott Street and Douglas Road could well serve industrial traffic and could even hasten the removal of the "truck route" designation on Douglas Road through the residential area south of the Freeway.

It was recommended that:

- (a) Council endorse the concept of extending Norland Avenue on the new alignment to Sprott Street as suggested by the residents;
- (b) Council authorize the Engineering Department to examine the feasibility of upgrading the current level of roadway illumination and provide walking facilities in the form of "chipwalks" through the residential area, taking cognizance of the industrial traffic use of the streets in the residential area;
- (c) Council authorize the Engineering Department to undertake field studies to obtain sufficient information as is necessary on the Norland extension alignment in order to prepare a preliminary design on such a route for C.I.P. costing purposes;
- (d) Council endorse the current C.I.P. schedule for proposed property acquisition along the developed part of Norland Avenue in 1977, followed by construction of the entire route between Douglas Road and Sprott Street in 1978.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:

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

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GUNN:

"That further consideration of this subject be tabled two weeks pending a report on a suggestion by Alderman Ast that consideration be given to incorporating the proposed extension of Norland Avenue with the existing Freeway system."

CARRIED UNANIMOUSLY

(20) Request for Extension of Completion Date

Contract #29 - Construction of a Sports Field at Swangard Stadium

It was recommended that the contract completion date for the construction of the Swangard Stadium Field be extended for a further fifteen days from August 14, 1974 to September 4, 1974 without implementation of the \$50.00 per day liquidated damages and subject to the extension of the Performance Bond.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(21) Senior Citizens' Apartment
 Newton Street/Marlborough Avenue
Rezoning No. 40/74

It was recommended that:

- (a) Council authorize the introduction of the appropriate By-Law to close the lane according to the terms outlined in Section 3.0 of the report received, contingent upon the granting by Council of First and Second Reading of the subject Zoning By-Law;
- (b) Council receive the report of the Planning Department and direct that a Zoning By-Law be prepared and that the rezoning be advanced to a Public Hearing on September 16, 1974 and that the following be established as prerequisites to the rezoning:
 - (i) The submission of a suitable plan of development.
 - (ii) The deposit of sufficient funds to guarantee the development of all municipal services necessary to serve the site.
 - (iii) All electrical servicing, telephone, and cable installations be placed underground throughout the development.
 - (iv) Agreement to the payment of full municipal taxes on the subject senior citizens' project.
 - (v) The completion of the required lane closure.
 - (vi) The removal of all existing buildings within six months of the completion of the rezoning but not prior to the the Third Reading of the requisite By-Law.
 - (vii) The submission of a subdivision plan consolidating the net site into one parcel.
 - (viii) The dedication of any road rights-of-way deemed requisite.
 - (ix) The granting of any necessary easements.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN EMMOTT:

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

CARRIED

CONTRARY -- ALDERMAN MERCIER

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LEWARNE:

"That the Public Hearing to hear representations on Rezoning Reference #40/74 be held on Monday, September 23, 1974 at 6:30 p.m."

CARRIED UNANIMOUSLY

(22) Lane Exchange - Subdivision Reference No. 123/74

The Approving Officer granted tentative approval of subdivision for the subject lands on July 16, 1974. One of the conditions of that approval was that a lane exchange be consummated involving the redundant 30-foot north/south lane right-of-way and the proposed 20-foot east/west right-of-way.

The Municipal Land Agent has estimated the value of the redundant 30-foot lane allowance at \$12,916.00. The developer has agreed in writing to provide compensation to the Corporation of Burnaby in the amount of \$12,916.00 and to assume all legal and servicing costs associated with the exchange and the subdivision.

It was recommended that Council authorize the introduction of a Road Exchange By-Law as described in the report of the Approving Officer and that the road exchange be conditional upon the developer providing compensation to The Corporation of Burnaby in the amount of \$12,916.00 and the developer's agreement to assume all legal and servicing costs associated with the exchange and subdivision.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(23) Strata Title Application No. 29/74
Lot 93, D.L. 30, Plan 37093
7425 Eighteenth Avenue

It was recommended that Council grant tentative approval to the subject application subject to the fulfillment of the following as prerequisites to signature of the strata plans by the Mayor and Clerk (i.e. final approval):

- (a) The fulfillment in full (including completion of the necessary construction) of Sections 3.1.1, 3.1.2, 3.1.3, 3.1.5 and 3.1.7 of the Guidelines for Residential Condominiums and Conversions (which includes the requirement for adequate condominium parking).
- (b) The fulfillment of Section 3.1.6 of the Guidelines for Residential Condominiums and Conversions via the submission of a written undertaking by the developer to comply in full with the provisions for relocating existing tenants who do not wish to purchase their units and the submission of documents as delineated in Tenant Provision "g" of the said Tenant Provisions.
- (c) The fulfillment of Section 3.1.8 of the Guidelines for Residential Condominiums and Conversions via the completion by the developer of any and all changes required by the Chief Public Health Inspector and the Chief Building Inspector.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED

CONTRARY -- MAYOR CONSTABLE,
ALDERMEN MCLEAN AND GUNN

(24) Rezoning Reference No. 29/74
Lot 11S $\frac{1}{2}$, Block 10, D.L. 173, Plan 1034
6483 Trapp Avenue

On August 6, 1974 Council tabled a report on Rezoning Reference #29/74 pending receipt of additional information.

It was recommended that:

- (a) Council lift Rezoning Reference #29/74 from the table and bring it forward for reconsideration at this time;
- (b) the recommendation of the Planning Department report of July 22, 1974 be adopted; i.e. that Council not favourably consider the application for rezoning and that Council confirm the A2 designation of the property and surrounding area as per the Big Bend Development Plan.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That Rezoning Reference #29/74 be lifted from the table and reconsidered at this time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN MCLEAN:

"That the recommendations of the Manager be adopted."

FOR -- ALDERMAN MERCIER

CONTRARY -- MAYOR CONSTABLE,
ALDERMEN LAWSON, LEWARNE, STUSIAK,
EMOTT, AST, GUNN AND MCLEAN

MOTION DEFEATED

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN LEWARNE:
 "That Rezoning Reference #29/74 go forward to a Public Hearing."

CARRIED

CONTRARY -- ALDERMAN MERCIER

(25) Rezoning Reference No. 24/74
 Lot "A", Block 22, D.L. 151/3, Plan 5822
6595 Bonsor Avenue

On August 6, 1974 Council placed the subject rezoning (from Community Commercial District (C2) to Comprehensive Development District (CD) in order to accommodate a proposed mixed-use residential/commercial complex) before a Public Hearing. At that time written and verbal comments were made in reference to the blockage of sun and views of residents of the adjacent apartment tower if the proposed subject building is constructed.

In reference to this matter, Council directed the Planning Department to obtain information as to the extent of blockage for consideration at the time the zoning by-law was placed on Council's Agenda for readings. The report submitted included diagrams showing the sight lines from the existing apartment building to the proposed structure.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:
 "That a copy of this report be forwarded to the caretaker of the existing apartment tower at 6555 Bonsor Avenue for the information of his tenants."

CARRIED UNANIMOUSLY

(26) Letter dated July 8, 1974 and Received August 13, 1974
 From the Directors of Burnaby S.P.E.C.
Public Meeting, Phase One

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

(27) Marshend Sewage Pumping Station

It was recommended:

- (a) that approval in principle be granted for the development of the Marshend Sewage Pumping Station on the site as represented on Figure 1 attached to the report received;
- (b) that the Greater Vancouver Sewerage and Drainage District be requested to reconvey the ownership of Blocks 135, 136, 137 and 176 of D.L. 165 to the Municipality of Burnaby in fulfillment of the original terms of conveyance as outlined in the letter from the Municipal Clerk to the Greater Vancouver Sewerage and Drainage District dated November 16, 1961;
- (c) that following agreement by the District to reconvey the above noted parcels, the Municipality convey ownership of the proposed Marshend Pumping Station site to the Greater Vancouver Sewerage and Drainage District for a consideration of \$1.00 subject to final approval of the exact site dimensions and the submission and approval of a suitable plan of development for the pumping station facility itself.

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

CARRIED UNANIMOUSLY

- (28) Request for Strata Title Approval on an Existing Duplex
 Lot 257, D.L. 92, Plan 33518
6670/72 Stanley Street

It was recommended that the requested strata titling of the subject duplex be granted tentative approval by the Council subject to the fulfillment in full of the following as prerequisites to the signature by the Municipal Mayor and Clerk (i.e., final approval):

- (a) The submission of a letter of undertaking that the owner/developer will comply in full with Section 20, Clause (1), (2) and (3) of Bill #105, 1974, the new and pending Landlord and Tenant Act and that the owner/developer will make these provisions known to the tenant at the time notice to vacate is given.
- (b) The fulfillment in full of guidelines 6.1, 6.2, 6.3, 6.4 and 6.5 as outlined in the Duplex Condominium Guidelines.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

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

CARRIED

CONTRARY -- ALDERMAN GUNN

- (29) Letter dated August 14, 1974 from Mrs. Olive G. North, 7356 Braeside Drive
Access to Property Addressed at 7396 Barnet Highway Via a Lane

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

- (30) Municipal Lot Sale
 Lots 280, 284, 285, 288, 289, 291, 296, 297 and 301, D.L.'s 86/91,
 Plan 46431
 Lots 321 to 323 inclusive, D.L. 91, Plan 46432
Lots 302 to 318 inclusive, D.L.'s 86/91

It was recommended that:

- (a) the highest bidder for each of the 18 lots as more particularly detailed in the report received be accepted;
- (b) the Land Agent be authorized to negotiate the sale of the 11 lots on which no bids were made, at a price of not less than \$40,000.00 per lot, with the exception of Lot 323 which would be sold for no less than \$38,000.00;
- (c) unsuccessful bidders be given an opportunity to purchase the lots on which bids have not been received in order of the amount of their original bid, prior to commencement of negotiations with other prospective purchasers.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That the highest bidder for each of the 18 lots enumerated in the report received be accepted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That the balance of the lots be reoffered for sale by public tender and that an upset price of \$40,000.00 be established on each parcel with the exception of Lot 323 which is to carry an upset price of \$38,000.00."

CARRIED

CONTRARY -- ALDERMAN STUSIAK

- (31) Letter dated July 29, 1974 from Mrs. Theresa Leeman
3526 Smith Avenue, Burnaby
Noise from the Cascade Drive-In Theatre

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

- (32) Letter dated August 12, 1974 from Miss Sarah W. Sanford
6557 Elgin Avenue, Burnaby
Illegal Suite

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

- (33) Letter dated August 13, 1974 from Mr. W. M. Vogel
Cloverdale Investments Ltd.
6950 King George Highway, Surrey
Rezoning Reference No. 66/73

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

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 46, 1974 (#6522) be now introduced and that Council do now resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following rezoning:

Reference RZ #24/74

Lot "A", Block 22, D.L.'s 151/3, Plan 5822

(6595 Bonsor Avenue -- Located at the Northeast corner of Beresford Street and Bonsor Avenue)

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

CARRIED

CONTRARY -- ALDERMEN GUNN,
MCLEAN AND LAWSON

THE COUNCIL RECONVENED.

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

CARRIED

CONTRARY -- ALDERMEN GUNN,
MCLEAN AND LAWSON

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 46, 1974" (#6522) be now read two times."

CARRIED

CONTRARY -- ALDERMEN GUNN,
MCLEAN AND LAWSON

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That:

"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 2, 1974" (#6534)

"BURNABY PROCEDURE BY-LAW 1971, AMENDMENT BY-LAW 1974" (#6535)

be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Laws."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the Committee now rise and report the By-Laws 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 MERCIER:

"That:

"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 2, 1974" (#6534)

"BURNABY PROCEDURE BY-LAW 1971, AMENDMENT BY-LAW 1974" (#6535)

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the Council do now resolve into a Committee of the Whole to consider and report on:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 32, 1973" (#6343)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 25, 1974" (#6478)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1974" (#6503)"

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 32, 1973" provides for the following proposed rezoning:

Reference RZ #34/73

Lots 12 and 13 Except Reference Plan 37631, Block 6, D.L. 119, Plan 2855

4461 Sumas Street

FROM MANUFACTURING DISTRICT (M1) TO PARKING DISTRICT (P8)

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 25, 1974" provides for the following proposed rezoning:

Reference RZ #1/74

Lots 6, 7 and 8 Except the South 15 feet and the North 20 feet, Block "P",
D.L. 127W3/4, Plan 1254

5344, 5346, 5348, 5350, 5354 and 5362 Hastings Street

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

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1974" provides for the following rezoning proposal:

Reference RZ #74/73

Lots 13 to 16 inclusive, Block 8, D.L.'s 151/3, Plan 2155

4256, 4280 and 4292 Kingsway

FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM5) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

PLANNING DEPARTMENT reported that the prerequisites established by Council in connection with this rezoning proposal have been satisfied.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the Committee now rise and report the By-Laws 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 MERCIER, SECONDED BY ALDERMAN STUSIAK:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 32, 1973" (#6343)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 25, 1974" (#6478)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1974" (#6503)

be now read a third time."

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 7, 1974" (#6438) came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

Reference RZ #75/73

Lot 20, Block 7, D.L. 70W $\frac{1}{2}$ of E $\frac{1}{2}$, Plan 1397

4511 Canada Way

FROM RESIDENTIAL DISTRICT (R5) TO MANUFACTURING DISTRICT (M1)

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 STUSIAK:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 7, 1974" (#6438) be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1974"	(#6444)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1974"	(#6500)
"BURNABY HIGHWAY EXCHANGE BY-LAW NO. 8, 1974"	(#6524)
"BURNABY LOCAL IMPROVEMENT CHARGES BY-LAW 1974, AMENDMENT BY-LAW NO. 1, 1974"	(#6532)
"BURNABY ROAD CLOSING BY-LAW NO. 6, 1974"	(#6533)

be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY