

September 3, 1974

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby 2, B.C. on Tuesday, September 3, 1974 at 7:08 p.m.

PRESENT:

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

STAFF PRESENT:

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

The Minutes of the Council Meeting held on August 19, 1974 and the Public Hearing on August 20, 1974, came forward for adoption.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN AST:
"That the Minutes of both meetings be adopted."

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN AST:
"That the Minutes of the Council meeting held on August 19, 1974 be amended by showing that Alderman Gunn was not opposed to the resolution on page 15, under Item 14; and further, the minutes of the Public Hearing held on August 20, 1974 be amended by adding the following, to that shown on page 2 which was attributed to Mr. J. Jankola:

When Mr. Jankola began to make a satirical presentation about High-Rise Developments in general, Mayor Constable asked that Mr. Jankola address himself to the application at hand. Mr. Jankola then departed from the lectern.

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Mr. Hugh Matthews, of Mann & Wright, Barrister & Solicitor
Re: Proposed Amendment to Burnaby Cab and Commercial Vehicle By-law.
- (b) Mr. Fraser Wilson of Commonwealth Displays Ltd.
Re: Use of 5234 Irmin Street.

MOVED BY ALDERMAN AST, SECONDED BY ALDERMAN LEWARNE:
"That the delegations be heard."

CARRIED UNANIMOUSLY

Mr. Hugh Matthews, then spoke and made the following points:

1. He was acting on behalf of Bonny's Taxi(1971) Limited, which Company was concerned about the Proposed Amendment to the Burnaby Cab and Commercial Vehicle By-law relating to Taxi Service Brokers and Taxi Dispatching Services.
2. It would be grossly unfair to require that a Taxi Service broker or anyone providing Taxi Dispatching Services do so, without unreasonably refusing, to any licensee of a taxi cab.

3. Bonny's Taxi has extended a considerable sum of money over the years in establishing good will and it is not fair that the Company should be required to share this reputation with others who would benefit from the efforts of the Company without having incurred any of the risks.
4. Taxi operations should be conducted on a similar basis to other businesses who can carry on without undue restrictions or regulations.
5. Who is to determine when a request for taxi dispatching services is "unreasonably refused". It is possible that litigation could follow in the event that there was some dispute as to whether a request for such services was unreasonably refused.
6. Those who indicated earlier that they favoured the proposal under consideration represent a very small fraction of all those holding taxi licenses.
7. There are no other regulations similar to the one in dispute in any other Municipality in the area.
8. Problems would likely occur if Taxi license holders used the dispatching services of other a taxi company and a cartage company at the same time, in that the schedules of both would likely be upset.
9. In view of the above points, the Council was being asked to reconsider the proposed amendment.

As a result of a discussion, it was drawn to the attention of the Council that the matter at hand was precipitated by a request of Mr. Fisher who had been denied taxi dispatching services by Bonny's Taxi Ltd. Mr. Matthews stated that the services have since been reinstated by the Company. A point was made that refusing a driver dispatching services is the only method available to a Taxi Company to remedy a problem, financial or otherwise, that may exist between the Company and a Driver.

As a result of being asked, the Municipal Manager replied that there was nothing on file to indicate that Bonny's Taxi Ltd. had reinstated Mr. Fisher.

Mr. Fraser Wilson, then spoke and presented a Brief dated September 3, 1974 containing the following points:

1. Has been located in the present location at 3799 Kingsway for nearly eight years.
2. Carries out sign and screen process work for some of the largest firms on the Lower Mainland as well for local merchants.
3. On Tuesday, August 20, 1974 a press notice appeared in reference to the proposed British Columbia Telephone development.
4. Began to look for a new location and found an ideal place at 5234 Irmin Street and began negotiations with the agent for the Sandor Land Company Limited.
5. On calling the municipal zoning office was told that the property is zoned C2 and that a C4 is required for his business.
6. On Thursday, August 29th was served notice to vacate by September 30, 1974.
7. Imperative that he relocates immediately and feels there is a moral obligation on the part of Burnaby to see that they are not driven out of the business and requests assistance at this very moment.
8. Respectfully requested Council give approval to the relocation with licence to carry on a normal business.

In response to a question, Mr. Wilson advised that he does not make use of motor-driven equipment.

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN STUSIAK:

"THAT the Council give the necessary permission to the applicant for the use of the premises at 5234 Irmin Street on the grounds that the proposed use is not incompatible with the zoning of the property."

Further discussion took place, following which it was:

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN MCLEAN:

"THAT the subject matter be tabled for one week."

CARRIED

CONTRARY: ALDERMEN EMMOTT AND GUNN

Further discussion then ensued in reference to a possible appeal to the Board of Variance and a question was raised as to whether the said Board has the authority to deal with this particular item, following which it was:

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN MCLEAN:

"THAT a report be received from the Municipal Solicitor in reference to the parameters of the Board of Variance authority."

CARRIED

CONTRARY: ALDERMEN EMMOTT, LEWARNE AND STUSIAK

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

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN MCLEAN:

"THAT all of the below listed original communications be received and those items of the Municipal Manager's Report No. 57, 1974, which relate thereto, be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

Council then gave consideration to correspondence from Mr. B. E. Marr, Associate Deputy Minister, Department of Lands, Forests, and Water Resources dated August 13, 1974 in reference to the application of Burnaby for a dyking project under the Fraser River Flood Control Program with Mr. Marr advising therein that the Senior Governments now consider that public funds may be used for approved dyke improvement programs but do not consider that assistance should be provided for annual operation and maintenance and that construction under the program is such that annual maintenance should be minimal for many years. A discussion then ensued during the course of which correspondence was to go to Mr. Marr enquiring as to when the present program ends and His Worship, The Mayor was to contact the appropriate Provincial Government Minister.

From the Union of British Columbia Municipalities dated August 15, 1974 in reference to a Brief on Property Taxation to the Select Standing Committee on Municipal Matters and advising therein that if any Municipal Councils or Regional District Boards wish to advise the U.B.C.M. Executive of particulars points or aspects of property taxation which they wish to be considered by the Executive for inclusion in a formal brief, it would be useful if such could be forwarded to the U.B.C.M. Office as soon as possible.

Item #24 of the Municipal Manager's Report No. 57, 1974, which relates to the correspondence from the U.B.C.M. was brought forward for consideration at this time. The following is the substance of that report:

1. A system of variable mill rates, that is to say, one rate on residential properties, another on commercial properties and possibly a third on industrial properties.
2. If this change is made, the present system of abating business licence fees against business taxes would be discontinued.
3. A variation of the foregoing is to give residential properties a basic exemption.
4. At present, in unorganized territories taxation for general purposes is ten mills on the assessed value of land and 75% of improvements (school assessments).
5. The Municipal Act currently permit municipalities to bill and collect taxes more frequently than once a year.
6. Coincidentally with item 5, Provincial Home-Owner Grant regulations should make it clear that in municipalities employing an installment collection system for taxes, all or part of the Provincial Home-Owner Grant should be collectible early in the year to coincide with tax collections.
7. Currently, municipalities are paid Provincial grants in lieu of taxes equivalent to 15 mills on school assessments approved by the Province on Provincially owned properties used for some purpose other than education or commerce, and nothing on vacant lands. The 15 mills contrasts with Federal Government regulations which provide that a grant in lieu of taxes is payable on all Federally owned property, including vacant lands.
8. School properties are by law tax exempt.
9. Currently, commercial enterprises located on university property pay business taxes and utility rates only.
10. B. C. Hydro is required to pay full school taxes, full hospital taxes except on machinery assessments, and local improvement rates and make a grant in lieu of taxes equivalent to the mill rate of the year prior applied to the general purposes assessment of the year prior, plus 1% of their gross revenues of the second preceding year.
11. Special rates of assessments apply to pole lines, cables, towers and wires of a telegraph company; the trackage of a tramway company; the tracks, including structures except for certain buildings as defined in the Municipal Act, of a railway company; and pipe lines of a pipe line company.
12. Section 333 of the Municipal Act provides for transmission facilities of public utilities to be exempt from general purposes taxation and that the utility companies pay in lieu of business licence fees, business taxes and general purposes taxes, a tax calculated at the rate of 1% of gross rentals received by the enterprise in the second preceding year.
13. Machinery assessments are taxable for school and hospital purposes. They are exempt from taxation for general purposes, notwithstanding the fact that the facilities themselves receive little benefit from the schools.

14. The whole matter of statutory and permissive tax exemptions should be studied.

The Municipal Manager recommended that a copy of the report submitted to Council be forwarded to the Union of British Columbia Municipalities for consideration.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Manager be adopted."

During the ensuing discussion, Alderman Mercier suggested the deletion of Item 3 but was unable to obtain a seconder to his proposed motion.

Alderman Gunn advised that industrial properties should have their machinery assessed on a replacement basis.

Alderman Lewarne advised that in reference to Item 1 where the landlord is paying all the taxes there is no way that the landlord can recapture the taxes and the meeting was in concurrence to adding this consideration as a footnote to Item 1. The motion to adopt ^{the} recommendation of the Manager was voted on and CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN GUNN:

"THAT the Municipal Assessor be asked for a report on how he determines market values for assessment purposes on major industrial installations."

CARRIED UNANIMOUSLY

From Mr. R. C. MacWilliams, Assistant Manager-Administration, The Royal Bank of Canada dated August 19, 1974 advising therein as to expiration of their lease on June 30, 1975 of Lots 4 and 5, Block 13, D.L. 153, Plan 2236 except that part of Lot 4 shown on Plan 5072 and requesting advice as to when they may enter into negotiations.

Item #9 of the Municipal Manager's Report No. 57, 1974, which relates to the subject of the letter from Mr. MacWilliams, was brought forward for consideration at this time. The following is the substance of that report:

(9) Letter dated August 19, 1974 from Mr. R. C. MacWilliams
The Royal Bank of Canada

The lessee should be advised that if the Bank wishes to renew this lease, notice should be given not later than 6 months before the expiration of the existing term, and that the notice may be given by sending a letter by registered mail to the lessor at 4949 Canada Way, Burnaby 2, B. C., V5G 1M2.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

"THAT the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

From Norman Howard, President, Western Swap-Meet Ltd. dated August 15, 1974 advising therein that since receiving the copy of the Planner's report dated August 1, 1974, he has once again checked out the cost to provide for a farmers' market what is now available without the necessity of spending 1¢ and that the cost would be somewhere between \$800,000 and \$1,000,000. This cost would include 10 acres of raw land, preparation for fill, providing fill, drainage, lighting, roads, blacktop, washrooms and snackbar, as well as other incidental costs. All this cost with no evidence that consumers will turn out in such numbers as they do now at our present location.

Item #15 of the Municipal Manager's Report No. 57, 1974, which relates to the subject of the letter from Mr. Howard, was brought forward for consideration at this time. The following is the substance of that report:

(15) Letter Dated August 15, 1974 from Mr. Norman Howard
Western Swap Meet Ltd.

In considering the points raised in Mr. Howard's most recent letter, staff can appreciate the economic advantages to the applicant of having a farmer's market temporarily situated at the Lougheed Drive-In Theatre site. However, the point is that the establishment of such a use at this location, even on a temporary basis, is incompatible with the development objectives for the immediate area and is not permitted on the basis of the existing zoning. Provision for this use within the Municipality has been made on the basis of the A1 (Agricultural) zoning designation.

The Municipal Manager recommended that consideration not be given to the temporary establishment of a farmer's market at the Lougheed Drive-In Theatre site.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MCLEAN:

"THAT the recommendation of the Manager be adopted."

A discussion ensued, during which Alderman Gunn advised that the staff has missed the essence of what the gentleman is trying to say, that is, that the community wants a farmer's market with ease to get to and perhaps the necessary amendments should be carried ^{out} to the Zoning By-Law and that he would like to try the proposal for the suggested two years.

Alderman Mercier was of the opinion that he found the report from the Planner's Office equally obnoxious and felt it would be an ideal time to try and foster this idea within the Municipality and that the report should not be supported.

The motion to adopt the recommendation of the Manager was then voted on and CARRIED. Aldermen Gunn and Mercier voted CONTRARY.

From Rhys Hull dated August 22, 1974 advising therein that he has received a copy of the Burnaby Arts and Council Minutes of a Special Meeting held to discuss autonomy for Century Park and within the Minutes it is suggested that the Arts Council seek more appointees to the Parks Commission and further along in the Minutes they call for suggestions for these appointees to be put to Mayor Constable and that as the past Chairman of the Parks and Recreation Commission, he finds that this suggestion completely abhorrent.

A discussion ensued following which it was:

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN MERCIER:

"THAT this subject matter be tabled until a request is received seeking more appointees to the Parks Commission from the Arts Council and same comes to the Council."

CARRIED UNANIMOUSLY

Mr. John Wesley, 6175 Portland Street, dated August 21, 1974 and requesting information on the future scheduling of street improvements in the 6100 Block of Portland Street.

Item #8 of the Municipal Manager's Report No. 57, 1974, which relates to the subject of the letter from Mr. Wesley, was brought forward for consideration at this time. The following is the substance of that report:

(8) Letter dated August 21, 1974 from Mr. John Wesley, 6175 Portland Street, Burnaby, B. C.

The report notes the street is not included in the work that has been scheduled through 1976, and also, the lack of scheduled^{works}/beyond 1976 precludes a firm determination at this time as to when the work in question will be done. Mr. Wesley's request will, however, be added to the tentative schedule of works for 1977.

The Municipal Manager recommended that Council reaffirm the schedule of works which determines the rate at which local improvement projects are to proceed during the years 1974, 1975, 1976; and; that Mr. John Wesley be sent a copy of the Manager's report.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Manager be adopted."

During the discussion that ensued, the Municipal Engineer, in response to a question, advised that we ^{to have} have some assessment of priority and what Mr. Wesley wants is a finished street and that same will not receive storm sewers until 1976 and that all requests are accepted and put on a list and this is so explained to the petitioners. The Municipal Engineer was requested to take under advisement the desirability of initiating as a work of local improvement Clinton Street between Royal Oak Avenue and Gilley Avenue."

The motion to adopt the recommendation of the Manager was then voted on and CARRIED UNANIMOUSLY.

From Mrs. Theresa Leeman, dated August 24, 1974 in reference to the control of the Cascade Drive-In Theatre noise and extending appreciation for acting so promptly on her recent complaint in reference to Cascade Drive-In Theatre noise.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"THAT the correspondence from Mrs. Leeman be received a copy of same go forward to the Manager of the Cascade Drive-In Theatre."

CARRIED UNANIMOUSLY

From Mr. Paul Seifner, Acco Holdings Ltd., dated August 26, 1974 and requesting that he be allowed to defer further the landscaping, screening, curbing and paving of the areas in the vicinity of his intended project which is a substantial addition to the present building within the next 6 months.

Item #21 of the Municipal Manager's Report No. 57, 1974, which relates to the subject of the letter from Mr. Seifner, was brought forward for consideration at this time. The following is the substance of that report:

(21) Letter dated August 26, 1974 from Mr. Paul Seifner, Acco Holdings Ltd.

Appearing on the Agenda for the September 3, 1974 meeting of Council, is a request from Mr. Paul Seifner for an extension of time to complete a development on Hastings Street.

The Municipal Manager recommended that the request for an extension of time be denied.

In response to a question, the Director of Planning advised that this is now the appropriate time for some of the landscaping planting to be carried out.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"THAT Mr. Paul Seifner, Acco Holdings Ltd., be requested to proceed with the Hastings Street screening immediately and that the required blacktopping be initiated within a period of six months and that a bond be posted to ensure

the completion of same."

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN GUNN:

"THAT the subject matter be tabled for a period of one week to give the Director of Planning an opportunity to become conversant with the proposed motion."

CARRIED UNANIMOUSLY

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

From the Secretary, Burnaby Society for Pollution and Environmental Control dated August 23, 1974 advising therein that the correspondence previously received from Allan J. Davison and Gary J. Norgard dated July 8th and in reference to Public Meetings - Phase One was indeed written on behalf of Burnaby S.P.E.C. and does indeed reflect the opinions of the said Society and the co-signers of the letter are authorized to act on behalf of the Society.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

"THAT the correspondence dated July 8th from the Burnaby Society for Pollution and Environmental Control in reference to Public Meetings - Phase One noting therein that the Burnaby Council has adopted the March 1974 report of the Burnaby Planning Department - Public Meetings - Phase One, advising that they have read the report very carefully and do not find the report entirely reassuring and that they are chiefly concerned with the evasion of urgent and important issues and advising as to their various concerns be lifted from the table."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

"THAT the correspondence dated July 8th and August 23, 1974 from the Burnaby Society for Pollution and Environmental Control in reference to Public Meetings - Phase One be received and no further action be taken."

CARRIED UNANIMOUSLY

At 8:55 p.m. the meeting recessed.

At 9:15 p.m. the meeting reconvened with all members of Council in attendance.

E N Q U I R I E S

Alderman Stusiak made reference to a two-page ad which had appeared in the local news media in connection with light rapid transit from the Minister of Municipal Affairs and suggested that a letter go forward from the Council to the said Minister asking him to not be so quick with publicity until the Council has had an opportunity to be made aware of same.

Alderman Mercier voiced the opinion that there was a lack of planning and the proposal to not underground the downtown portion first of the light rapid transit was lacking in foresight.

Alderman Gunn enquired as to the matter of when the lease expires for the Bestwood Plant and that there was ^{the} matter of air pollution. The Manager advised the lease expires fairly imminent and the Company has been so advised with His Worship The Mayor reporting that in the near future Bestwood will request an extension of their lease at which time Council then can deal with the matter of an extension of same and air pollution.

Alderman Gunn spoke in reference to citizen complaints to do with air pollution in the Greater Vancouver Regional District. They really receive very little from Burnaby in that all the complaints go into the Health Department and it would be of some statistical benefit to the Region as a whole to see that a summary of complaints is forwarded on to them so they get a picture of what is happening in the Region as a whole. His Worship The Mayor was of the opinion that this should be appearing as a Notice of Motion raising this particular item.

Alderman Gunn then enquired of the Planning Department as to their timetable for the Housing Committee report in reference to assistance for low rental housing. The Director of Planning reported that same was presently being worked on but that he had been away three weeks and did not know the status of that particular item.

Alderman Lewarne enquired as to a matter of super tankers entering Vancouver harbour and His Worship The Mayor advised that he had been to Victoria last Monday but was not able to contact the Minister concerned.

Alderman Lewarne advised that election time was drawing near and various candidates will be filing nomination papers and that he was concerned about the part of the nomination papers that gives the occupation. Alderman Lewarne advised that last year Mayor Constable had shown his occupation as Mayor and that he, Alderman Lewarne did not think at that time that Mayor Constable was Mayor by occupation. Alderman Lewarne was of the opinion that it should be clearly defined by this Council how the nominations should be drawn out and felt that the Solicitor's opinion should come forward. Further discussion ensued participated in by His Worship The Mayor and the Municipal Manager following which it was:

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"THAT we seek the advice of the Returning Officer on the question of occupation."

CARRIED

CONTRARY: ALDERMAN GUNN

Alderman Lawson advised that she had received a complaint that Goodwin-Johnson were filling again and the Municipal Engineer reported that this work was in connection with a domestic water main with the Municipal Engineer being requested to bring in a report as to whether the appropriate authority is by municipal by-law in connection with Burrard Inlet or the National Harbours Board or the Port of Vancouver Authority.

Alderman Mercier requested a breakdown of services provided and the related costs of each part of the waste disposal operation from the Municipal Engineer and the cost of special pickups.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN MCLEAN:

"THAT the Municipal Engineer bring down a report showing therein a breakdown of services provided and related costs of each part of the waste disposal operation and the cost of special pickups."

CARRIED UNANIMOUSLY

Alderman Gunn advised that Goodwin-Johnson apparently do as they want and he would like to have the relevant authority defined.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

R E P O R T S

Alderman D. A. Lawson as Chairman and Aldermen B. M. Gunn and G.H.F. McLean as Members, submitted a report to the Municipal Council dated August 30, 1974 advising therein that the "Special Committee re Public Officials and Employees Disclosure Act" met to consider Bill No. 85 - "Public Officials and Employees Disclosure Act" as it applied to the employees of The Corporation of the District of Burnaby.

It is therefore recommended that:

1. Certain designated employees shall file a written disclosure;
2. Those employees shall be:

Municipal Manager
Executive Assistant to Municipal Manager
Municipal Treasurer
Municipal Planner
Assistant Municipal Planner - Long Range Planning
Assistant Municipal Planner - Current Planning
Municipal Engineer
Municipal Clerk
Deputy Municipal Clerk
Land Agent

Note:

This report is the result of a majority decision of the Committee, and not concurredⁱⁿ by Alderman Lawson.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN MCLEAN:

"THAT the recommendation of the Special Committee re Public Officials and Employees Disclosure Act be adopted."

A discussion ensued during which various comments were made that you cannot legislate honesty; certain employees of the Corporation would be subject to veiled accusations and inuendos, nothing^{is} served in having the employee disclosures carried out; ^{and} support the recommendation as it is not a class act, feel that it is a good act/^{and} going to support the motion; and that there is a possibility that if employees must disclose then they will seek employment elsewhere.

The motion was then voted on and CARRIED. Mayor Constable, Aldermen Ast, Emmott, Gunn and McLean voting in the AFFIRMATIVE and Aldermen Lawson, Lewarne, Mercier and Stusiak voting to the CONTRARY.

The Traffic Safety Committee submitted a report dated August 30, 1974 on the matters listed therein as Items (1) to (7) inclusive and recommending various courses of action.

(1) Crosswalk - Hastings Street and Stratford Avenue

The Traffic Safety Committee recommended that no further action be taken on this subject.

(2) North Side of Cameron Street from School Zone to Noel Drive

The Council on July 8, 1974 referred to the Traffic Safety Committee a petition received from a number of residents of Sullivan Heights which requested that parking be prohibited on the north side of Cameron Street from School Zone to Noel Drive.

The Traffic Safety Committee recommended that no action be taken on the subject request.

(3) Traffic, 16th Street - Edmonds Street to Stride Avenue

At the June 18, 1974 meeting of the Traffic Safety Committee, a request was received from a number of residents of 18th Avenue, that 16th Street be a collector or through route.

The Traffic Safety Committee recommended that 16th Street between Stride Avenue and Edmonds Street be assigned a right-of-way at 16th, 17th, and 18th Avenue by means of stop signs. The Traffic Safety Committee also recommended that the present planned status of 16th Street as minor residential be upgraded to a residential collector standard.

The Traffic Safety Committee also recommended that the Royal Canadian Mounted Police enforce the speed limit along the route after erection of the stop signs on the cross streets and that spot speed checks be made on a regular basis.

(4) Halifax Street and Phillips Avenue - Parking Restrictions

The Municipal Engineer submitted the following comments to the Traffic Safety Committee:

"The request for parking restrictions in the 7300 block Halifax Street requested by the Fire Chief and later by Alderman Gunn has now been resolved temporarily."

The Traffic Safety Committee recommended that no further action be taken on this subject.

(5) Gamma Avenue and Pender Street

The Municipal Engineer submitted a report to the Traffic Safety Committee advising that the Engineering Office has received a petition which requests that the Municipality install stop signs at the intersection of Gamma Avenue and Pender Street to resolve the high accident rate and the speed of traffic.

The Traffic Safety Committee recommended that the two intersections on Pender Street at Beta and at Gamma Avenue both be controlled by stop signs giving the right-of-way to Pender Street.

(6) School Patrol Incentive Program

The Traffic Safety Committee is again recommending that a grant in the sum of \$2,000.00 be authorized to operate an incentive program for school patrol activities in the Municipality for the school year 1974 - 1975.

(7) Western Canada Traffic and Parking Association Conference

The Traffic Safety Committee has recommended that Council authorize two members of the said Committee to attend the Western Canada Traffic and Parking Association Conference to be held in Winnipeg on or about October 27th and 28, 1974.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT the recommendations of the Traffic Safety Committee be adopted."

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN LEWARNE:

"THAT with reference to Item (2) of the recommendations from the Traffic Safety Committee, namely, the petition received from a number of residents of Sullivan Heights requesting that parking be prohibited on the north side of Cameron Street from School Zone to Noel Drive that the apartment owners concerned be notified in reference to this subject matter and the decision in connection therewith and that they be requested to post suitable notices on their bulletin boards advising their tenants accordingly."

The amendment to the original motion was voted on and CARRIED UNANIMOUSLY and the original motion, as amended, was^{then} voted on and CARRIED UNANIMOUSLY.

Alderman Mercier enquired in reference to the situation when proceeding south on Willingdon Avenue and the two lanes on the Willingdon Overpass over the Trans Canada Highway reduce down to one lane where the traffic lane from the highway enters onto Willingdon Avenue. This subject matter was referred to the Traffic Safety Committee for a report thereon to the Municipal Council.

From the Municipal Clerk dated August 26, 1974 being a Certificate of Sufficiency and certifying that the petition of Mr. D. Bubnitz and others requesting the paving of the "L" lane between Watling Street and Irmin Street east from Nelson Avenue to Irmin Street to a width of 14 feet and to a depth of not more than two inches, lodged with him on August 26, 1974 is sufficient.

MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN LAWSON:

"THAT the Certificate of Sufficiency dated August 26, 1974 from the Municipal Clerk be received."

CARRIED UNANIMOUSLY

From the Municipal Clerk dated August 26, 1974 being a Certificate of Sufficiency and certifying therein that the petition of Mr. E. G. Kopp and others requesting the paving of the lane between Booth Avenue and Elsom Avenue south from Grassmere Street to the South Property Line of Lot 153, D.L. 33, Plan 27302 to a maximum width of 14 feet ^{and} to a depth of not more than 2 inches, lodged with him on August 26, 1974 is sufficient.

MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN LAWSON:

"THAT the Certificate of Sufficiency dated August 26, 1974 from the Municipal Clerk be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

"THAT the Municipal Manager and the Municipal Clerk be authorized to attend the 1974 Union of British Columbia Municipalities Convention to be held in the City of Vernon on September 17, 18, 19 and 20, 1974."

CARRIED UNANIMOUSLY

The Municipal Manager submitted Report No. 57, 1974 on the matters listed following as Items(1) to (26), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Medical Health Quarterly Report

The Municipal Manager advised that the report of the Medical Health Officer covering the activities of his Department for the months of April, May and June, 1974, is submitted for the information ^{of} Council.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

"THAT the report of the Medical Health Officer for the months of April, May and June, 1974 be received."

CARRIED UNANIMOUSLY

(2) Building Department Report

The Municipal Manager advised that the report of the Chief Building Inspector covering the operations of his Department from July 15 to August 9, 1974 is submitted for the information of Council.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT the report of the Chief Building Inspector from July 15 to August 9, 1974 be received."

CARRIED UNANIMOUSLY

(3) Driveway Access to 4808 Neville Street

The Municipal Manager reported that on August 6, 1974 Council received a letter from Mr. and Mrs. Lothar Tschunko regarding their desire to retain access to an illegal parking area in the front yard of their property at 4808 Neville Street. The retention was justified on the basis that the front yard driveway existed when they purchased the property in 1971, advanced age, health impediments and on the fact that the double carport at the rear of the property is owned by their son. A report from the staff advised that the parking area is in violation of Section 800.6 of the Zoning By-Law, and that access to the area in question should be denied accordingly.

The Municipal Solicitor advises that Section 702(1)(b) of the "Municipal Act" which regulates the use of land, does not contain any power to make exceptions or to discriminate in any way.

The Municipal Manager recommended that the health or other personal inconvenience of an individual not be considered a justification for relaxation of Municipal By-Laws and that a vehicle crossing to service the subject existing front yard parking area now in violation of Section 800.6 of the Burnaby Zoning By-Law 1965 be denied; and that Mr. and Mrs. Lothar Tschunko be sent a copy of the said report.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MCLEAN:

"THAT the recommendations of the Manager be adopted."

CARRIED

CONTRARY: ALDERMEN GUNN, MERCIER AND STUSIAK

(4) Truck Traffic on Ardingley Avenue and Laurel Street

The Manager reported that on August 19, 1974 Council tabled for two weeks a staff report on truck traffic on Ardingley Avenue and Laurel Street in order that further information could be provided on the possibility of integrating the proposed extension of Norland Avenue to Sprott Street with the Freeway and that the Provincial Department of Highways has been requested to provide its views on the matter and a further report will be submitted to Council when this information is received.

The Municipal Manager recommended that Mrs. Aileen Randall be advised that Council will give further consideration to this matter when information that has been requested is received from the Department of Highways.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LAWSON:

"THAT the recommendation of the Manager be adopted."

Alderman Lawson enquired in reference to a matter of noise readings at night and the matter of those in violation of the Noise or Sound Abatement By-Law not being charged.

The Municipal Manager was requested to follow through with the subject matter.

The motion was then voted and CARRIED UNANIMOUSLY.

(5) Community Plan Area #11

The Municipal Manager reported that on July 8, 1974 Council referred the subject Community Plan to the Advisory Planning Commission for consideration and comment. On August 19, 1974, the Commission reported that it endorsed the Plan as submitted. Council then tabled the Plan for two weeks with the understanding that the Plan when resubmitted would contain reference to the Commission's endorsement. The Commission's endorsement has been included as the second paragraph under the heading "Introduction" on page 1 and Council is requested to destroy the first page of the Plan that was received in July and replace it with the copy that they have now received.

The Municipal Manager recommended that Council adopt the development concept as outlined for the Community Plan area; and that Council endorse the detailed development recommendations as discussed in the Director of Planning's report, as delineated in the Community Plan, and as noted in Appendix I.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

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

Alderman Ast enquired as to the western segment being dedicated for parking use and suggested that same may be desirable for a firemen training area as there is traffic on three sides and it is not appealing for park purposes and it is adjacent to the fire hall.

The Director of Planning advised that he had taken that same was not suitable for training area based on previous information.

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN AST:

"THAT the subject matter be tabled for a period of one week in order that the Fire Chief may report thereon."

The motion was then voted on and LOST with ALDERMAN AST AND GUNN voting in FAVOUR and MAYOR CONSTABLE, ALDERMEN EMMOTT, LAWSON, LEWARNE, MCLEAN, MERCIER AND STUSIAK voting CONTRARY to the motion.

The original motion to adopt the recommendations of the Municipal Manager was then voted on and CARRIED. ALDERMAN AST voted CONTRARY to the motion.

- (6) Proposed Sale of Three Feet of Municipal Property
for Consolidation with Lot 9, Block 4, D.L. 80, Plan 1849
4277 Atlee Avenue

The Municipal Manager recommended that the subject three feet of municipal property be sold for \$1,500.00 subject to the condition that it is to be consolidated with Lot 9.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

- (7) Local Improvement Broadway from Holdom Avenue to Kensington Avenue

The Municipal Manager recommended that the cost report from the Municipal Treasurer in accordance with Section 601 of the Municipal Act be received and that a Construction By-Law be brought forward.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

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

CARRIED

CONTRARY: ALDERMAN STUSIAK

- (8) Letter dated August 21, 1974 from Mr. John Wesley
6175 Portland Street, Burnaby, B. C. - Street Improvements on Portland
Street

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

- (9) Letter dated August 19, 1974 from Mr. R. C. MacWilliams,
The Royal Bank of Canada - Renewal of Lease for Lots 4 and 5, Block 14,
D.L. 153, Group 1, Plan 2236 Except Part of Lot 4, Subdivided by Plan 5072
- 6025 McKay Avenue

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

- (10) Contract Strength for the Burnaby Detachment of the Royal Canadian Mounted Police

The Municipal Manager reported that Superintendent W. G. Lambert, Officer-in-Charge, Burnaby Detachment, R.C.M.P. requested approval to increase the strength of the local police force from 184 to 187 for the fiscal year 1975/76 and that Division Headquarters in Victoria advise that the per capita cost of operating and maintaining the force in 1973/74 based on the municipal formula was \$19,266.51 and that the Municipalities will therefore be charged \$9,633.26 for each of the first five members under contract and \$14,449.88 for the sixth and each additional member in 1974/75.

The Municipal Manager recommended that approval be given to increase the R.C.M.P. complement by three positions for the fiscal year 1975/76.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

In response to a question, the Municipal Manager advised that the Officer-in-Charge of Burnaby Detachment, R.C.M.P. would like five additional members but can obtain only three from the Royal Canadian Mounted Police.

- (11) Municipal Superannuation - Mr. Ernest James Mortimer

The Municipal Manager reported that a request had been received from the Personnel Director for approval to Mr. E. J. Mortimer included in the Municipal Superannuation Plan as the Municipal Superannuation Act requires the employer's approval for inclusion of employees who are over 50 years of age and that Mr. Mortimer commenced employment July 16, 1973 as an Electrical Inspector and that he was 52 years of age.

The Municipal Manager recommended that the following resolution be passed by Council:

"Resolve that Ernest James Mortimer be included as an employee under the provisions of Section 3(2)(a) of the Municipal Superannuation Act."

MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN STUSIAK:

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

In response to a question, the Manager advised that it was a Statutory requirement that if an employee was over the age of 50 years then his application for enrollment in the Municipal Superannuation Act had to come before the Municipal Council for consideration.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN LEWARNE:

"THAT the application of Ernest James Mortimer for inclusion as an employee under the provisions of Section 3(2)(a) of the Municipal Act be tabled."

IN FAVOUR: ALDERMAN MERCIER

CONTRARY: MAYOR CONSTABLE, ALDERMEN AST, EMMOTT, GUNN, LAWSON, LEWARNE, MCLEAN AND STUSIAK

MOTION LOST

The original motion for adoption of the Manager's recommendation was then voted on and CARRIED UNANIMOUSLY.

(12) Engineer's Special Estimate

The Municipal Manager advised that the Municipal Engineer's report covering special estimate of work in the amount of \$23,000.00 in connection with the construction of 36-foot pavement with 5-foot curbswalks both sides of Laurel Street from Smith Avenue east to and including cul-de-sac was submitted for the approval of Council.

The Municipal Manager recommended that the estimate be approved as submitted.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

(13) Manpower Requirements for One New Aerial Truck

The Municipal Manager reported that on August 19, 1974 Council received a request for authority to hire sixteen persons to man a new aerial truck which is expected in late September and that the matter was tabled pending the submission of further information from the Fire Chief which report is now submitted and wherein the Fire Chief strongly urges approval for the hiring of the sixteen men required to staff this new unit which will be delivered sometime toward the end of September and that after completion of such screening and selection of suitable candidates, a minimum of one month's basic training is still required for these people before this aerial may be placed in service and that under present circumstances, if approval is immediately forthcoming, at least three months will elapse before this unit will be in service.

The Municipal Manager 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 LEWARNE:

SECONDED BY ALDERMAN LAWSON:

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

A discussion ensued during which it was pointed out that the hall where this new aerial truck will be housed is not used much and ^{not yet} that most of the large buildings in the area which this hall services have / been occupied and that the bulk of the buildings have a 3-hour fire rating and that the Fire Chief will have to take a look at the staff and how the allocation of staff could be better handled and that concern was voiced ^{that} in reference to the hiring of an additional sixteen men and an opinion voiced / a full study should be firstly carried out.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

"THAT this subject matter be tabled pending a Committee being appointed by the Mayor to report back thereon to the Council."

CARRIED

CONTRARY: ALDERMAN LEWARNE

(14) Senior Citizens' High-Rise

Kingsway-Edmonds Provincial Land Assembly,
Rezoning Reference No. 20/74

The Municipal Manager submitted a report from the Director of Planning regarding payment of taxes on the subject proposed development, and recommended that the following prerequisite be added to the subject rezoning proposal (RZ #20/74):

"The payment of full municipal taxes on the subject Senior Citizens' project."

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

- (15) Letter dated August 15, 1974 from Mr. Norman Howard
Western Swap Meet Ltd. - Proposal for a Farmers' Market at the
Lougheed Drive-In Theatre

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

- (16) Edmonds House - Completion of the Lower Floor

The Municipal Manager reported through the Chief Building Inspector that tenders may now be called for the proposed completion of the lower floor of Edmonds House and that on August 7, 1974 the Parks and Recreation Commission Approved plans for the work, subject to an assurance from staff ^{that an} adequate sound system, a telephone extension and zone heat control are installed on the lower floor; Moved that Council call for tenders, subject to a confirmation of estimates being made before the actual tender advertisement is placed, and should confirmation indicate a marked discrepancy between budget and current costs, modification of finishes to be undertaken before calling tenders to avoid a budget over-run.

The Municipal Manager recommended that Council authorize a call for tenders in accordance with the timetable and estimates as noted in the Chief Building Inspector's report; and that Council authorize the execution of a Client/Architect agreement with Robert F. Harrison/Zolton S. Kiss, Associated Architects, 955 Richards Street, Vancouver, B. C.; and that a copy of this report be sent to the Parks and Recreation Commission for information.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

- (17) Request for Strata Title Approval on an Existing Duplex
Lot 30, Block 21, D.L. 74, Plan 2603 - 4917/19 Dominion Street

The Municipal Manager submitted a report from the Director of Planning regarding a request for strata title approval on an existing duplex at 4917/19 Dominion Street and recommended that the subject proposed strata title be approved by Council subject to the fulfillment of Section 6.1 through 6.6 inclusive, of the Duplex Condominium Guidelines.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(18) Rezoning Reference No. 66/73
Cloverdale Investments Ltd.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"THAT Messrs. W. M. and R. H. Vogel be heard in connection with this subject matter."

CARRIED UNANIMOUSLY

Mr. W. M. Vogel advised that there appears to be misinterpretation between the Planning Department and Messrs. W. M. and R. H. Vogel. Mr. W. M. Vogel then read a resolution from the December 17, 1973 meeting and advised he felt that Council had given tacit approval to commercial development on their property.

Mr. R. H. Vogel advised that their telephone calls to the Planning Department had not been returned and felt that they had to write to the Council in order to get through and that their letter on January 17, 1974 had not been replied to.

A lengthy discussion then ensued, participated in by Messrs. R. H. and W. M. Vogel and various members of the Council and the Director of Planning, during which, concern was voiced in reference to the communication system within the Planning Department ^{following} which the Municipal Clerk, as directed, read the letter from Mr. R. H. Vogel of August 22, 1974 addressed to the Municipal Manager.

In response to a question, Mr. W. M. Vogel advised that the improvements proposed to be erected would have a value of \$300,000.00 and that the land if developed upon would have a value of \$150,000.00.

The meeting was advised that Messrs. ^{W. M. and R. H.} Vogel had held the property for some 15 years and the original objection to development thereon was that the site was for a right-of-way purpose.

The meeting was advised that the first 10 years development had been frustrated by financing and the last five years by the Municipal Council.

During further discussion that ensued, it was indicated it was an understanding that Cloverdale bring forward a plan for the whole development so they can proceed and that this is a conflict between the Community Plan and a citizen and because of current market values they cannot comply. There is a matter of a 16-foot dedication on Kingsway plus an overpass and that there is a preference to have the Community Plan tested under municipal funds.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"Investigate through the staff the possible acquisition of this property."

Further discussion then ensued, participated in by members of the Council and the Director of Planning, during which the said Director advised that the Vogels are being asked to have professional persons prepare a concept plan as to how Site 2 could develop and that the estimated cost for this plan would be up to \$5,000.00.

In response to a question, Mr. R. H. Vogel advised that the adjoining church were not interested in buying, selling or developing this site.

The motion was then voted on and CARRIED with ALDERMAN GUNN and MERCIER voting CONTRARY.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN MCLEAN:

"THAT the Municipal Clerk check with the Municipal Legal Department to ascertain if there is not a way of securing the future use of the property for municipal desires if there is a building on it."

CARRIED

CONTRARY: ALDERMAN GUNN AND LEWARNE

Alderman Lawson then addressed the meeting in reference to the complaints received in connection with communication in the Planning Department and advised that they receive many calls and that there should be someone in the Department to say when the Director of Planning will return calls, etc., and advised as to her own experience in waiting for calls to be returned from the Planning Department.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MERCIER:

"THAT the communication system within the Planning Department be reviewed and a report be submitted to Council in connection therewith."

CARRIED UNANIMOUSLY

(19) By-Law No. 6523 - An Amendment to By-Law No. 5096

"Burnaby Fire Prevention By-Law 1968" being Permit Fees for the Installation and Inspection of Flammable Liquid Storage Tanks and Pumps, and Compressed Gas Systems

The Municipal Manager recommended that By-Law No. 6523 being a By-Law to amend By-Law No. 5096, being the "Burnaby Fire Prevention By-Law 1968" be brought forward.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(20) Proposed Revisions to By-Law with Reference to Minimum

Parking Requirements for Senior Citizens' Housing Developments

The Municipal Manager submitted a report from the Director of Planning regarding parking requirements for Senior Citizens' housing developments and recommended that Council authorize the Planning Department to conduct research and analysis of parking demands both present and projected for Senior Citizens' housing within Burnaby; and that Council be given a second report on parking for Senior Citizens' housing developments which will contain specific recommendations for minimum parking standards for this use within the Municipality; and that Council approve of the course of action as set out under Section 4.0 of the Director of Planning's report which is to do with the legality of amending the present by-law.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(21) Letter dated August 26, 1974 from Mr. Paul Seifner,
Acco Holdings Ltd. - 5550 Hastings Street

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

(22) By-Law No. 6525 - "Burnaby Municipal Hall Parking Regulation By-Law 1974"

The Municipal Manager reported that the Council, at its meeting of June 10, 1974, received a report being Item #44 of Report No. 43 and approved the recommendation that a by-law to control vehicle parking on the Municipal Hall grounds be prepared and brought forward for consideration.

The Manager further reported that the proposed by-law, as prepared by the Municipal Solicitor, meets with the approval of the Chief Building Inspector, the Municipal Engineer, and the Purchasing Agent.

The Municipal Manager recommended that By-Law No. 6525 being "Burnaby Municipal Hall Parking Regulation By-Law 1974" be brought forward.

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(23) British Columbia Assessment Authority

The Municipal Manager reported that a letter dated August 26, 1974 addressed to all assessment personnel in the Province of British Columbia is the only information of any consequence regarding the impending change in administration received to date from the British Columbia Assessment Authority and that it appears from this correspondence that as of October 1, 1974 all personnel in the Municipal Assessment Department will become members of the British Columbia Assessment Authority.

The Municipal Manager recommended that the British Columbia Assessment Authority be requested to clarify the meaning of the last sentence of the letter in relation to comments contained within his said report. The last sentence reads: "He has also instructed me to inform you that Designation Day for the assessment function, province-wide, shall be October 1, 1974. Acceptance of designation shall be voluntary."

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN EMMOTT:

"THAT this subject matter be tabled until the next regular meeting of Council on September 9, 1974."

CARRIED UNANIMOUSLY

(24) Letter dated August 15, 1974 from the U.B.C.M.
Brief on Property Taxation to the Select Standing Committee on Municipal Matters

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

(25) Pick-Up Trucks

The Council considered a report from the Municipal Engineer regarding requirements for two pick-up trucks stating that the request to have the foreman of the paint shop issued a municipal vehicle for use in his work is justified on the basis that he averages about 300 miles per month on job related assignments and that the other truck is required to support the work that is performed by the cement crew and that the crew's complement has increased over a period of time and as a result an assistant foreman's position was recently established and the truck that has been requested would be assigned to this employee.

The Municipal Manager recommended that two 1974 model Ford Courier trucks be purchased from Rod McCallum Mercury Sales Ltd. for the total sum of \$7,169.82, price to include applicable taxes and delivery charges.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

Alderman Lewarne enquired as to the matter of mileage and the volume of concrete in connection with the report request.

The motion was then voted on and CARRIED, ALDERMAN LEWARNE voted to the CONTRARY.

(26) (Supplementary)

Financial Assistance under the Greenbelt Fund - Acquisition of Kapoor Holdings and Acquisition of Fraser River Park Strip

A report dated September 3, 1974 from the Director of Planning advised that Mr. W. T. Lane, Chairman, B. C. Land Commission, advised the Acting Municipal Manager by letter dated August 30, 1974 that the Commission is in agreement to the purchase of a half interest in the 21.13 acres of land and waterlot shown on Sketch C for an amount not to exceed \$620,000.00. The title would be held on a tenants-in-common basis between Her Majesty The Queen in Right of the Province of British Columbia and The Corporation of the District of Burnaby. Mr. Lane advised that he has forwarded this recommendation to the Environment and Land Use Committee for its consideration and final decision and that ^{he} Mr. Lane, has asked that this recommendation be considered by Council as soon as possible prior to a decision being finalized by the Environment and Land Use Committee.

The Municipal Manager recommended that Her Majesty The Queen on behalf of the British Columbia Land Commission be given a 50% interest in the form of tenancy-in-common in the 21.13 acre portion of the Kapoor Holdings as shown on an attached Sketch C and Lot 21, D.L. 166A, Plan 45841 along the Fraser River foreshore as shown on an attached Sketch B for the sum of \$800,000.00 subject to the development of the mutually acceptable management agreement covering both parties.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

His Worship, The Mayor, advised that the Council had received a lawn bowling challenge for Friday, September 13, 1974 and that His Worship will advise the parties concerned of the acceptance of this challenge.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN LAWSON:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 21, 1974" (#6466) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #73/73

- (a) Lots 6 and 7, Block 26, D.L. 95, Plan 9019
- (b) Lots "A" and "B", Block 26, D.L. 95, Plan 9592

7249, 7259, 7267 and 7271 Acorn Avenue

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

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 21, 1974" (#6466) be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN LAWSON:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 47, 1974" (#6526) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #32/74

- (a) Lot 1, Blocks 17/50, D.L.'s 35/151, Plan 799
(3705 Kingsway)
- (b) Lots 2 and 3, Blocks 17/50, D.L.'s 35/151, Plan 799
(3735 Kingsway)
- (c) Lot "P", D.L.'s 35/151, Plan 19539
(3743 Kingsway)
- (d) Lot "Q", D.L.'s 35/151, Plan 19539
(3769 Kingsway)
- (e) Parcel "A", Explanatory Plan 7056 Except Part on By-Law 31505,
S.D. 7, Blocks 17/50, D.L.'s 35/151, Plan 799
(3777 Kingsway)
- (f) Lot 7 Except Parcel "A", Explanatory Plan 7056, and Except
Part on Plan with By-Law 31505, Blocks 17/50, D.L.'s 35/151, Plan 799
(3781 Kingsway)
- (g) Parcel "B", Reference Plan 5469, S.D. 8, Blocks 17/50, D.L.'s 35/151,
Plan 799
(3789 Kingsway)
- (h) Parcel "A", Reference Plan 5450, S.D. 8, Blocks 17/50, D.L.'s 35/151,
Plan 799
(3795 Kingsway)

- (i) Approximately the Easterly 1/3 of Lot "O", Block 15,
D.L.'s 35/151, Plan 19539
(5450 Boundary Road)
- (j) Approximately the Easterly 1/2 of Lots 1 and 2, Block 16, D.L. 35, Plan 5289
(5610 and 5620 Boundary Road)
- (k) Approximately the Easterly 1/3 of Lots 2, 3 and 4, Block 15, D.L. 35, Plan 2453
(5530, 5540 and 5570 Boundary Road)

FROM RESIDENTIAL DISTRICT (R5), SERVICE COMMERCIAL DISTRICT (C4) AND
DRIVE-IN RESTAURANT DISTRICT (C7) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Alderman Stusiak advised that he would like to see more research data in reference to off street parking for employees as the abutting streets could be loaded.

A discussion ensued in reference to off street car parking and it was the concensus of opinion of the Council that the Municipality must have a strong legal contract with B. C. Telephone Company in reference to off street parking.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 47, 1974" (#6526) be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN LAWSON:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 51, 1974" (#6530) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED

AGAINST -- ALDERMAN MCLEAN

This By-Law provides for the following proposed rezoning:

Reference RZ #20/74

Southern Portion of Lot 192, D.L. 95, Plan 37840

7252 Kingsway

FROM ADMINISTRATION AND ASSEMBLY DISTRICT (P2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

AGAINST -- ALDERMAN MCLEAN

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

AGAINST -- ALDERMAN MCLEAN

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 51, 1974" (#6530) be now read two times."

CARRIED

AGAINST -- ALDERMAN MCLEAN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 52, 1974" (#6531) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #33/74

- (a) D.L. 100 Except 360' x 662', Plans 744 and 3065
(1861 North Road)
- (b) Part 360' x 662', D.L. 100S $\frac{1}{2}$, Plan 3065
(2021 North Road)

FROM: SMALL HOLDINGS DISTRICT (A2) TO RESIDENTIAL DISTRICT TWO (R2)

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 52, 1974" (#6531) be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 48, 1974" (#6527) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED

AGAINST -- ALDERMAN LEWARNE

This By-Law provides for the following proposed rezoning:

Reference RZ #31/74

- (a) Block 24, D.L. 1, Plan 4231
(7351 North Road)
- (b) Lot 22 Except Part on Plan 24399, D.L. 1, Plan 3043
(7281 North Road)
- (c) Lot 3, D. L. 1, Plan 24399
(9424 Trans Canada Highway)
- (d) Lot 6 Part Southwest of Freeway, Block 23, D.L. 1, Plan 4231
(9412 Trans Canada Highway)
- (e) Lot 5 Part Southwest of Freeway, Block 23, D.L. 1, Plan 4231
(9388 Trans Canada Highway)
- (f) Part of Lot 2, D.L. 1, Plan 24399
(9354 Trans Canada Highway)
- (g) A Portion of Block 21 Except Part on Plan 24399, D.L. 13, Plan 3046
(9286 Trans Canada Highway)

FROM NEIGHBOURHOOD COMMERCIAL DISTRICT (C1) AND GENERAL INDUSTRIAL DISTRICT (M2) TO SMALL HOLDINGS DISTRICT (A2)

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

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

A discussion then ensued in reference to the Legal Department looking into the matter of whether the Railway Act supersedes the Municipal Act.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MCLEAN:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 48, 1974" (#6527) be tabled for a report on the comments of the various members of Council with regard to the various uses.

CARRIED

ALDERMAN LAWSON VOTING CONTRARY TO
TO MOTION

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 50, 1974" (#6529)

"BURNABY HIGHWAY EXCHANGE BY-LAW NO. 9, 1974" (#6539)

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

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 50, 1974 provides for the following proposed rezoning:

Reference RZ #41/74

Lot "A", S.D. 1, Block 3, D.L. 120, Plan 13545

1680 Gilmore Avenue

FROM MANUFACTURING DISTRICT (M1) TO LIGHT INDUSTRIAL DISTRICT (M5)

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 50, 1974" (#6529)

"BURNABY HIGHWAY EXCHANGE BY-LAW NO. 9, 1974" (#6539)

be now read three times."

CARRIED

ALDERMAN LAWSON VOTED CONTRARY TO
THE MOTION RELATIVE TO BY-LAW NO. 6529.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MCLEAN:

"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. 13, 1973" (#6270)."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #35/71

- (i) Lot 9 except Explanatory Plan 11295, Block 2, D.L.'s 44/78, Plan 3049
- (ii) Parcel "C", Explanatory Plan 9256 except Explanatory Plan 11295, S.D.'s 7/8, Block 2, D.L.'s 44/78, Plan 3049

2756 Ellerslie Avenue and 6917 Lougheed Highway

FROM SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #86/71

Lot 2, S.D. "C", Block 1, D.L.'s 78/131, Plan 8696
2605 Ellerslie Avenue

FROM SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

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

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1973" (#6270) be now read a third time."

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 11, 1974" came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

Reference RZ #76/73

Lots 3 and 4, Block 15, D.L. 153, Plan 1109
4590 Kingsway

FROM DRIVE-IN RESTAURANT DISTRICT (C7) TO GENERAL COMMERCIAL DISTRICT (C3)

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 GUNN:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 11, 1974" (#6442) be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1974" (#6482) came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

Reference RZ #19B/73

A 14.9 acre portion of Lot 1, D.L.'s 73/81, Plan 40648
Located in the area bounded by Woodsworth Street, Wayburne Drive and the Forest Lawn Memorial Cemetery.

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 GUNN:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1974" (#6482) be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED

AGAINST -- ALDERMEN MCLFAN AND
MERCIER

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1974" (#6503) came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

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 GUNN:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1974" (#6503) be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED

AGAINST -- ALDERMAN MCLEAN

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1974" (#6510) came forward for Reconsideration and Final Adoption. This By-Law provides for a change in the development plan involving:

Reference RZ #57B/71

Remainder of Lot 295 Explanatory Plan 42805, D.L. 56, Plan 41353

8950 Centaurus Circle

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 GUNN:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1974" (#6510) be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GUNN:

"That:

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

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

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY