

APRIL 1, 1975

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, April 1, 1975, at 7:00 P.M.

PRESENT:

Mayor T. W. Constable, in the Chair
Alderman G. D. Ast
Alderman D. A. Lawson (7:05 P.M.)
Alderman W. A. Lewarne
Alderman J. L. Mercier
Alderman V. V. Stusiak

ABSENT:

Alderman A. H. Emmott
Alderman B. M. Gunn
Alderman G. H. F. McLean

STAFF:

Mr. B. McCafferty - Acting Municipal Manager
Mr. E. E. Olson - Municipal Engineer
Mr. A. L. Parr - Director of Planning
Mr. J. Hudson - Municipal Clerk
Mr. J. Plesha - Administrative Assistant to Manager
Mr. B. D. Leche - Municipal Clerk's Assistant

M I N U T E S

The Minutes of the Council Meeting held on March 24, 1975, came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"That the Minutes of the Council Meeting held on March 24, 1975, be now adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That Alderman Emmott be granted leave of absence from this meeting in order to attend a Parks Conference being held at Kelowna, B.C."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"That:

'Burnaby Pool Room Regulation By-Law 1975'

(#6616)

'Burnaby Budget Authorization By-Law 1974,
Amendment By-Law 1975'

(#6646)

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

CARRIED

ALDERMAN AST VOTED CONTRARY TO
BY-LAW NO. 6616.

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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 STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 23, 1975, which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Mr. R. A. Born, Deputy Municipal Clerk, The Corporation of the District of Maple Ridge, submitted a letter of challenge to the Mayor and Council of The Corporation of the District of Burnaby to compete against the Mayor and Council of the District of Maple Ridge in the Second Annual Raft Race down the Fraser River from Mission to Haney on Sunday, May 18, 1975. No action was taken on this correspondence.

Mr. Adrian Carrick, Executive Director, Canadian Cancer Society, British Columbia and Yukon Division, submitted a letter requesting Council's endorsement of the April Conquer Cancer Campaign. Mr. Carrick advised that the Society's volunteers will be canvassing during the week of April 14. The funds raised will be used to support cancer research, public education and help to needy cancer patients.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"That this Council endorse the April Conquer Cancer Campaign of the Canadian Cancer Society, British Columbia and Yukon Division, as requested."

CARRIED UNANIMOUSLY

Mr. G. P. Woodside, 6808 Burns Street, submitted a letter complaining of the fact that on Tuesday, March 18, 1975, he had placed five heavy duty plastic bags of garbage out for pick up by Municipal forces. Only two of the bags had been picked up and the other three had been left. Mr. Woodside noted that he preferred the plastic bags to the "two handled" barbage cans which are referred to in the Garbage By-Law. On complaining to the Municipal Engineer, Mr. Woodside had been informed that the garbage crews were working to the "Two handled can" rule but he could not get an explanation as to why the garbage crews had taken only two of the five plastic bags which had been left for pick-up.

Mr. Woodside suggested that the "Burnaby Refuse By-Law 1967" be amended in keeping with more modern techniques and better sanitary conditions.

Item 8, Municipal Manager's Report No. 23, 1975, was brought forward for consideration at this time. The following is the substance of that report:

"The current 'Burnaby Refuse By-Law 1967' makes provision for the types of receptacles to be used by customers of the refuse service and is fairly restrictive in this regard. During the current labour situation some fairly strict interpretations were placed by the Union on what would constitute suitable receptacles and as a result plastic bags and cardboard boxes were not picked up in a number of areas, in spite of the fact that it has been Corporation policy for a number of years to pick up virtually anything set out on collection day.

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The current problem has been resolved, at least for the time being, as a result of discussions with the Union Officials; they agreed and have the cooperation of their members to continue to pick up virtually all refuse at source according to customary practice.

With respect to the need of the revision of the by-law, there is no question of this. At the Council Meeting of 12 November, 1974 a number of points were put forth in Report No. 74, Item 21 wherein changes are required and warranted. One of the changes when the revised by-law is brought forth will certainly be to make allowance for picking up of plastic bags. The by-law will be revised and presented to Council as soon as discussions have been completed with Union Officials of Local 23."

It was recommended that a copy of this report be forwarded to Mr. G. P. Woodside.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Mr. J. McRee Elrod, Minister, Westminster Unitarian Church, wrote to endorse Council's stand on the sale of Municipal property on Marine Drive to a Moslem Group for a religious centre.

Mr. J. C. Rottluff, 8083 Gray Avenue, wrote to express adamant opposition to the sale of Municipal Land on Marine Drive to the Ismailia Community. Mr. Rottluff noted that a Public Meeting was being organized and that all members of Council would be receiving an invitation to attend this meeting to answer questions and to dispel many rumors and eliminate any fears about this project.

Mrs. Maggie Burtinshaw, 2187 West 44th Avenue, Vancouver, B.C. wrote to request Council's endorsement of a resolution which she had prepared on the subject of gun control.

Item 3, Municipal Manager's Report No. 23, 1975, was brought forward for consideration at this time. The following is the substance of that report:

"Appearing on the Agenda for the April 1, 1975, Council Meeting is a letter dated March 10, 1975 from Mrs. Burtinshaw, 2187 West 44th Avenue, together with a copy of Senator Cameron's Bill S-15, being an Act to amend the Criminal Code (control of weapons and firearms), and a resolution that she asks that this Municipality adopt with respect to gun legislation.

She also asks in her letter for any statistical information that we might have in our Municipality as related to homicides for adults and juveniles. The Officer-in-Charge, Burnaby Detachment, Royal Canadian Mounted Police, submits the following statistics on gun usage in homicides in Burnaby during the past four years:

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'1971 - Three homicides, only one involving a firearm. Victim was shot with a shotgun and subsequently burned.

1972 - No homicides.

1973 - No homicides.

1974 - Four homicides. In one, a female was shot with a .303 rifle, apparently as a result of a domestic dispute.

1975 - Two homicides to date. One involved shooting of a female with a handgun, apparently during a quarrel.

Each of these gun incidents related to adults with no known juvenile involvement.'

The Solicitor General of Canada has had the matter of gun legislation under review for some time, and the matter is still under review by this department. We certainly favour controlling legislation but no one seems to have come up with a practical control program. Some aspects of the resolution proposed by Mrs. Burtinshaw are not in our opinion practical, whereas some of the other aspects are practical control measures. We are, therefore, reluctant to recommend that the resolution be adopted in its present form. We are, however, recommending that the principle of much improved gun control be supported and from that point we can support her resolution 'in principle'. This is obviously a very complex problem and we are not competent to go into the matter in greater depth."

It was recommended that:

- (a) We do not feel that all of the control measures covered by the resolution of Mrs. Burtinshaw are practical, but we do support "in principle" the resolution proposed by Mrs. Burtinshaw;
- (b) A copy of this report be forwarded to Mrs. Burtinshaw.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

Mrs. Ann McMullan, 4155 Yale Street,
Mr. John Bradbury, 4118 Edinburgh Street,
Mr. Harold Rayner, 3950 Edinburgh Street,
all submitted letters concerning "Burnaby Highway Exchange By-Law No. 14, 1974", and the proposed buffer zone adjacent to the Chevron Canada Limited Refinery.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

"That the three foregoing items of correspondence be referred to the Special Meeting of Council to be held on April 8, 1975, to consider this subject."

CARRIED UNANIMOUSLY

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Mrs. K. C. Curry, Devil's Brigade Drum and Baton Corps, c/o 1930 London Street, New Westminster, B.C. wrote to request permission to hold a "Candy Drive" during the last week of April, 1975.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That permission be granted to the Devil's Brigade Drum and Baton Corps, to carry out a 'Candy Drive' in the Municipality during the last week of April, 1975."

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"That the permission granted in the foregoing motion be conditional on the Devil's Brigade and Drum Corps providing to the Mayor the number of Burnaby boys and/or girls that are members of the said Corps."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion as MOVED by Alderman Ast and SECONDED by Alderman Stusiak, and amended, and said motion was CARRIED UNANIMOUSLY.

ENQUIRIES

Alderman Lewarne inquired as to whether completion of landscaping requirements was a condition to the issuance of an Occupancy Permit on a commercial or industrial building. Alderman Lewarne noted that during a recent visit to the Insurance Corporation of British Columbia Claim Centre on Wayburne Drive he had noticed that no steps had been taken to landscape the grounds surrounding the Claims Centre and, in fact, nothing had been done to clean the grounds up following construction. Alderman Lewarne was of the opinion that the Insurance Corporation of British Columbia should be reminded of the necessity for completing the landscaping without delay.

The Director of Planning advised that completion of landscaping requirements was not normally a condition of occupancy and cited the problems in reference to winter occupancy when it could not be possible to carry landscaping requirements.

REPORTS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

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The Municipal Manager presented Report No. 23, 1975, on the matters listed below as Items (1) to (16) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Ornamental Street Lighting

It was recommended:

- (a) That for the year 1975 the owners' share of the cost of Local Improvement Street Lighting Projects be set at 50%;
- (b) That the rate per front foot for each of ten years be set at 55%;
- (c) That the minimum frontage taxable be set at 5 feet and the maximum at 66 feet;
- (d) That the list of projects detailed in Item 1, Municipal Manager's Report No. 23, 1975, be approved;
- (e) That the Municipal Clerk be instructed to initiate the works;
- (f) That "Burnaby Local Improvement Charges By-Law 1975, By-Law No. 6629" be amended to incorporate ornamental street lighting works at a rate of 55¢ per taxable front foot.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

(2) Business Tax Court of Revision

It was recommended that the Business Tax Court of Revision sit on Thursday, November 27, 1975, at 10 o'clock in the forenoon.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (3) Letter dated March 10, 1975, from Mrs. Maggie Burtinshaw, 2187 West 44th Avenue, Vancouver, B.C. -
Gun Legislation

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

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- (4) 1975 Local Improvement Street Program -
Project 74-022 - 28-Foot Pavement with Curbs on Both Sides
of Chaffey Avenue from Burke Street to Sardis Street

It was recommended that:

- (a) The authorization of January 27, 1975 for the initiation of the subject work as a Local Improvement be rescinded;
- (b) A work of 28-foot pavement with curbs on both sides of Chaffey Avenue from Burke Street to Sardis Street be initiated;
- (c) The Municipal Clerk be instructed to take the necessary steps to immediately initiate the work.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (5) Engineers Special Estimate

It was recommended that the Special Estimate of the Municipal Engineer in the total amount of \$2,500.00 to cover sundry extras to road work orders which have been closed in 1975 be approved.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

- (6) Building Department Report

The Municipal Manager presented the report of the Chief Building Inspector covering the operations of the Building Department for the period February 24, 1975, to March 21, 1975.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN LEWARNE:

"That the report of the Chief Building Inspector covering the period February 24, 1975, to March 21, 1975, be received."

CARRIED UNANIMOUSLY

- (7) Proposed Use of Property on Rumble Street for
a Dog Grooming School

It was recommended that:

- (a) No changes be made to the C2 (Community Commercial) District that would provide for the addition of trade schools or animal beauty parlours to this zoning category;

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- (b) The applicant be encouraged to seek a site within an existing C4 (Service Commercial) District for the location of the proposed dog grooming school;
- (c) A copy of this report be forwarded to Mr. T. R. Rootes.

MOVED ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED

AGAINST: ALDERMAN LEWARNE

- (8) Letter dated March 18, 1975, from Mr. G. P. Woodside,
6808 Burns Street - Burnaby Refuse By-Law

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

- (9) Letter dated March 12, 1975, from Mr. John H. Bradbury,
4118 Edinburgh Street -
Dumping of Material in Montrose Park

The points brought out by Mr. Bradbury were noted, our Engineering staff visited the site, investigated the complaint with our Superintendent, and we report as follows:

- (a) Mr. Bradbury was correct in his observation with regard to the truck and it was in fact from the Engineering Department.
- (b) Our sewer crew was not dumping the excavated material indiscriminately and not on the Park property, but on the road allowance. Only two small piles of material were dumped which have now been levelled out, totalling perhaps six or seven cubic yards; there is some broken asphalt, but no old pipe or splintered wood are in evidence.
- (c) The "No Dumping" sign was placed primarily because groups of automobile strippers were demolishing vehicles and dumping the left-over bodies. The Royal Canadian Mounted Police had difficulty apprehending these culprits because of poor access over the road allowance. They requested our Roads Foreman to dump and spread any surplus road material so that they could have access to block the escape of the gangs involved.
- (d) We appreciate Mr. Bradbury's concern and will take necessary steps to prevent indiscriminate dumping with special emphasis on deleterious material and refuse. We believe the area in question is currently in good enough condition generally for the Royal Canadian Mounted Police to gain access to the area and the Engineering Department has no intention of depositing further material in this area.

It was recommended that:

- (a) The "No Dumping" signs remain at both the Boundary Road and Gilmore Avenue ends of Montrose Street and that no further dumping of any type, including Municipal, be permitted;

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(b) A copy of this report be forwarded to Mr. John H. Bradbury.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(10) Douglas Road-Holdom Avenue Road Link

It was recommended that Council authorize the Municipal Engineer to obtain proposals from at least three consulting engineers, to report on foundation conditions, preliminary bridge and road designs, and accompanying costs for the proposed road link, generally from Douglas Road in the vicinity of the 401 Highway to Holdom Avenue in the vicinity of Goring Street.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

(11) Fill Operations - Burrard Inlet

It was recommended that:

- (a) The Planning Director be directed to act in liaison with the Port Authority regarding matters of land use arising out of Burrard Inlet reclamation projects;
- (b) The Municipal Engineer be directed to act in liaison with the Port Authority, following consideration of land use aspects by the Planning Department, on matters concerning the method, extent, and other physical aspects of the reclamation project itself;
- (c) The Engineering Department keep a constant watch in the appropriate newspapers for notices referring to filling operations near any of the Municipality's boundaries and insure that an immediate liaison is established with the Port Authority;
- (d) A copy of this report be forwarded to Mr. L. Carlisle, Port Engineer, and Mr. George Ross.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MERCIER:

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

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"That Item (a) of the foregoing motion be amended to provide for the Port Authority to advise The Corporation of the District of Burnaby of any applications for fill permits affecting Burrard Inlet."

CARRIED UNANIMOUSLY

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A vote was then taken on the original motion as MOVED by Alderman Lawson and SECONDED by Alderman Mercier "That the recommendations of the Municipal Manager be adopted, as amended, and said motion was CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

"That the Director of Planning report on the feasibility of the Municipality instituting a permit system for filling operations or whether this situation is adequately covered by 'Burnaby Soil Deposit By-Law 1971'."

CARRIED UNANIMOUSLY

(12) Deputy Municipal Clerk

It was recommended that Mr. Robert Walter Watson be appointed Deputy Municipal Clerk for The Corporation of the District of Burnaby effective Monday the Seventh day of April, 1975.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

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

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

"That further consideration of this matter be tabled to the 'In Camera' portion of this meeting later this evening."

CARRIED UNANIMOUSLY

(13) Rezoning Reference #4/74 -

Neighborhood Commercial (C1) to General Industrial (M2) -
2878 Douglas Road

It was recommended that:

Council approve of the following prerequisite conditions as pertaining to rezoning application reference #4/75:

- (a) The submission of a suitable plan of development incorporating the relevant comments outlined in the Director of Planning's Report of March 25, 1975;
- (b) The submission of an undertaking to remove all existing structures on the site within six months of the rezoning being effected but not prior to Third Reading of the By-Law.
- (c) The deposit of sufficient monies to cover the cost of providing a storm sewer to the site.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED

AGAINST: ALDERMAN STUSIAK

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(14) Conversion of Conventional Gas Stations to Self-Service Stations

Council, at its meeting of March 17, 1975, debated a motion "that staff be directed to study and report on the question of limiting any further conversion of service stations to self-service" and adopted the following resolution:

"That Council be advised of all applications received for the conversion of conventional service stations to self-serve type of facility."

The Director of Planning has submitted a report in some detail on an application received on March 6, 1975, to convert a gas station to self-service station. As all applications to convert would be handled through the Preliminary Plan Approval process, the Director of Planning is requesting direction of Council as to whether or not Council is interested in receiving reports, similar to the one in question, in future. The question is, with Council having defeated a motion to call for a report on self-service station, is it still necessary to report on any applications made for conversion. It may well be that when Council passed the motion on asking to be advised of all self-serve conversion applications, that it was intended to be an interim step only until the notice of motion in this respect had been dealt with.

It was recommended that the motion adopted by Council on March 17, 1975, regarding conversion of gas stations to self-serve stations be rescinded.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"That the foregoing motion be amended to read 'That the motion adopted by Council on March 17, 1975, regarding the reporting by Staff to Council of any applications for conversion of gas stations to self-serve stations be rescinded.'"

CARRIED

AGAINST: ALDERMAN AST

The vote was then taken on the original motion as MOVED by Alderman Lewarne and SECONDED by Alderman Mercier "That the recommendations of the Municipal Manager be adopted", as amended, and said motion was CARRIED with Alderman Ast voting contrary to the motion.

(15) Government Liquor Act and Regulations - General Licenced Premises - Army, Navy and Air Force Veterans in Canada Letter - Correspondence, March 24, 1975 Council Meeting

It was recommended that:

- (a) The proposed text amendments to the "Burnaby Zoning By-Law 1965", proposed in connection with Neighborhood Public Houses, be advanced to a Public Hearing on Tuesday, May 13, 1975, at 7:30 P.M. to be held in the Council Chamber;
- (b) The Planning Department be authorized to prepare a report for Council on the whole topic of General Licences for its consideration in approximately four weeks;

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(c) A copy of this report be forwarded to the Secretary-Manager of the Army, Navy, and Air Force Veterans in Canada, Unit 314.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(16) Burnaby Public Library Board -
Annual Report - 1974

The Municipal Manager presented the Annual Report for 1974 of the Burnaby Public Library Board.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN LEWARNE:

"That the Annual Report of the Burnaby Public Library Board for 1974 be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY