

December 1, 1975

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

PRESENT: Mayor T. W. Constable, in the Chair
Alderman G. D. Ast
Alderman B. M. Gunn
Alderman D. A. Lawson (7:15 p.m.)
Alderman G. H. F. McLean
Alderman J. L. Mercier
Alderman V. V. Stusiak

ABSENT: Alderman A. H. Emmott
Alderman W. A. Lewarne

STAFF: Mr. M. J. Shelley, Municipal Manager
Mr. E. E. Olson, Municipal Engineer
Mr. A. L. Parr, Director of Planning
Mr. J. Hudson, Municipal Clerk
Mr. R. W. Watson, Deputy Municipal Clerk
Mr. J. Plesha, Administrative Assistant
to the Manager

M I N U T E S

The Minutes of the Council meeting held on November 24, 1975 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Minutes of the Council meeting held on November 24, 1975 be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N

The following wrote requesting an audience with Council:

- (a) Dominion Habitat Consulting Ltd.,
D.L. DeWitt
Re: Application for Conversion - Preliminary Plan Application #1679 -
2002 Springer Avenue.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"THAT the delegation be heard."

CARRIED UNANIMOUSLY

No delegation appeared before Council on this subject matter.

B Y - L A W S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT 'Burnaby Waterworks Regulation By-Law 1953, Amendment By-Law 1975' - No. 6720 be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT 'Burnaby Waterworks Regulation By-Law 1953, Amendment By-Law 1975' - No. 6720 be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"THAT:

'Burnaby Electrical By-Law 1974, Amendment By-Law No. 2, 1975'	- No. 6772
'Burnaby Building By-Law 1973, Amendment By-Law No. 2, 1975'	- No. 6773
'Burnaby Gas Fittings By-Law 1953, Amendment By-Law No. 2, 1975'	- No. 6774
'Burnaby Plumbing By-Law 1973, Amendment By-Law No. 3, 1975'	- No. 6775
'Burnaby Sewer Connection By-Law 1961, Amendment By-Law 1975'	- No. 6776
'Burnaby Lease Authorization By-Law No. 10, 1975'	- No. 6777

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

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 77, 1975 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Armenian Cultural Association B. C.
re Sublease of Parking Lot - 6025 McKay Avenue

A letter under date of November 21st, 1975 was received relating to the above noted subject and requesting Council approval to use the parking lot that is assigned to The Royal Bank Branch, McKay and Kingsway, 24 hours a day.

The Municipal Manager advised a ^{staff} report would be available at the regular December 8th meeting of Council.

- (b) Union of British Columbia Municipalities
re Report on Fire Fighting Services in British Columbia

A letter under date of November 6, 1975 was received enclosing a summary of recommendations proposed by Dr. H. L. Keenleyside in his report titled "The Fire Fighting Services in British Columbia" dated May 31, 1975.

It was stated a full report is now available from the Queen's Printer, Victoria. It was indicated the U.B.C.M. Executive would appreciate having comments from all U.B.C.M. members on the effects which the Report's recommendations might have on local government operations and finances.

The Municipal Manager advised a staff report would be available at the regular December 8th meeting of Council.

- (c) The H. A. Roberts Group Ltd.
re Rezoning Reference #54/75 - 5380 and
5460 Sperling Avenue

A letter under date of November 21, 1975 was received indicating they would be prepared to wait for the next Public Hearing in January, 1976 rather than proceed at the Public Hearing on December 16, 1975.

The Municipal Manager provided the following report of the Director of Planning:

"Appearing on the Council Agenda is a letter dated November 21, 1975 from Mr. F. Sojonky, Executive Vice-President of H. A. Roberts Group Ltd. relative to the Public Hearing that has been scheduled for December 16, 1975 for the referenced rezoning application.

In view of the circumstances mentioned by Mr. Sojonky and their request for a deferment of the Public Hearing date for this particular application, it is recommended that the Council confirm a change of date for the Public Hearing to Tuesday, January 20, 1976. The Planning Department anticipates having at least one additional rezoning application prepared for Public Hearing for that same date."

It was recommended that the Public Hearing date for Rezoning Reference #54/75 be deferred to January 20, 1976.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (d) Lulu Keating
re Proposed Fund Raising Walk Miles for
Millions - May 2nd or May 16, 1976

A letter under date of November 26, 1975 was received requesting Council authorization to hold a proposed Fund Raising Walk "Miles for Millions" for this Spring. The purpose of the walk is to raise funds for sixteen non-government organizations which are charitable institutions or development oriented.

The Municipal Manager advised a staff report would be available at the December 8th meeting of Council.

- (e) North Burnaby Social Credit
re Permission to Erect Election Signs on Municipal Property

A letter under date of November 27, 1975 was received requesting permission to erect election signs on municipal property for the forthcoming Provincial Election. It was indicated the signs were 4' x 8' and 1' x 2'. It was indicated they would remove all signs after the election and pledged to do so.

The Municipal Manager reported as follows:

December/1/1975

"Appearing on the Agenda for the December 1, 1975 meeting of Council are requests from L. A. Fingarson, H. Vonniesson and Bill Bowe requesting permission to allow political signs to be erected on Municipal property.

Schedule No. 1, Item No. 9 on page 12 of the Burnaby Sign By-law No 6163 sets forth the following requirement:

"Temporary signs pertaining to campaigns, drives or events of political, civic, philanthropic, educational or religious organizations, provided that the permission of the Council must be obtained to erect such signs upon or over public property and provided further that such signs shall be removed within 3 days after the event."

The Planning Department advises that it has no objection to the subject requests providing that the erection of signs is done in compliance with the applicable section of the Burnaby Sign By-law."

It was recommended that the requests from L. A. Fingarson, H. Vonniessen and Bill Bowe for permission to erect political signs on public property be approved subject to the condition that the signs shall be removed within 3 days after the Provincial election on December 11, 1975.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

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

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN STUSIAK:

"THAT the recommendation be amended to include all participants/^{active}in the Provincial election campaign and further that the reference to public property not include municipal park lands."

CARRIED

ALDERMAN GUNN -- OPPOSED

The vote was then taken on the original motion as moved by Alderman Mercier, seconded by Alderman Ast, as amended, and ~~same~~ was CARRIED UNANIMOUSLY.

(f) Burnaby-Willingdon New Democratic Party,
Assistant Sign Chairman
re Permission to place Election Signs on
Public Property

A letter under date of November 28, 1975 was received requesting permission to place election signs on public property in the District of Burnaby during the period of the present Provincial election campaign if it becomes necessary due to opposition parties using public property extensively.

It was indicated signs placed on public property would be removed within a few days following the completion of the campaign on December 11th. This subject matter was considered previously under Item 4(e) - Correspondence and Petitions.

(g) Burnaby-Edmonds Progressive Conservative Association
re Permission to put Signs on Municipal Property
for the Forthcoming Provincial Election

A letter under date of November 30th was received requesting permission to put signs on municipal property for the forthcoming Provincial Election on December 11, 1975.

This subject matter was considered previously under Item 4(e) - Correspondence and Petitions.

- (h) V. G. Taylor, Official Agent,
Dilbert Black, Candidate,
Progressive Conservative Party

A letter under date of December 1, 1975 was received requesting permission to erect temporary signs for the purpose of identifying the Progressive Conservative candidate in the forthcoming Provincial Election and agreeing to remove same in a specified time following the December 11th Election.

This subject matter was considered previously under Item 4(e) - Correspondence and Petitions.

- (i) Burnaby-Willington Liberal Association,
Jim Clark, Candidate,
Election Signs on Municipal Property

A memorandum dated December 1, 1975 from the Municipal Clerk advised that a verbal request had been received for permission to place election signs on municipal property.

This subject matter was considered previously under Item 4(e) - Correspondence and Petitions.

ENQUIRIES

Alderman Gunn

On a question of Alderman Gunn, Mayor Constable advised that the letter under date of November 24, 1975 received from the Minister of Municipal Affairs relating to a grant cheque in the amount of \$562,519.00 was the final payment for the year making up the total of \$769,000.00 as Provincial grants payable under the Natural Gas Revenue Sharing Act.

REPORTS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(a) Mayor Constable

Mayor Constable advised that the Union of British Columbia Municipalities was putting on a Seminar for newly elected officials, suggested that new Council members attend and recommended that the registration fee of \$40.00 be paid by the District of Burnaby.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN MERCIER:

"THAT the registration fee in the amount of \$40.00 be paid for the attendance of Alderman D. P. Drummond at the Newly Elected Officials Seminar to be held on Friday and Saturday, December 5th and 6th, 1975 at the Vancouver Airport Hyatt Hotel in Richmond, B. C."

CARRIED

OPPOSED -- ALDERMAN MCLEAN

Mayor Constable also advised that the Council resolution directed to the Greater Vancouver Regional District in relation to funding of a spay and neuter clinic had been received by them with no action to be taken.

(b) The Municipal Manager presented Report No. 77, 1975 on the matters listed following as Items (1) to (19), either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) Proposed Dates for Council Meetings Between
December 15, 1975 and January 12, 1976

The Municipal Manager reported as follows:

" Because the referral of correspondence and reports to Council can be expected to drop off significantly during the week of Christmas, and because a number of persons take vacation in conjunction with this holiday, it is appropriate to give consideration to the cancellation of the meeting of Council that is regularly scheduled to take place during this period of time (Council last year cancelled the meeting on December 23; in 1973 meetings were cancelled on December 24 and 31 because the dates coincided with Christmas Eve and New Year's Eve). Related to the suspension of regular meetings during Christmas, and sometimes New Year's, is the custom of not considering business matters at a statutory meeting of Council, which next year will be held on January 5. The procedure that has been followed during this moratorium has been to give the Mayor authority to call special meetings as may be required for the conduct of urgent or special business that may arise during this time.

It is suggested that Council consider the cancellation of the regular meeting of Council on December 22. The result of this action would be to have a regular meeting as now scheduled on December 29, a date which incidentally falls half way between the last meeting that would be held in December (on the 15th) and the first regular meeting in January (on the 12th). Because all business that arises during the latter half of the month can be dealt with on December 29, it is felt that there should be no need for any tentative special meeting dates this year, but the Agenda on December 29 will most likely be heavy and there may be some Supplementary Items on which we will need answers on that date.

If a meeting is required between December 29 and January 12, a notification will be released to all concerned advising that such a meeting will be held on Tuesday, January 6, the day following the statutory meeting. Although it is anticipated that no meeting will be required at that time, we want Council to be aware of the fact that the possibility exists.

Following are the dates on which Council would definitely convene for the purpose of conducting business during the period in question if the recommendation to cancel the December 22 meeting is adopted:

December 15
December 29
January 12."

It was recommended that a regular meeting of Council not be held on December 22, 1975.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED

OPPOSED -- ALDERMEN GUNN AND STUSIAK

(2) Royal Canadian Mounted Police Monthly Report

The Municipal Manager provided a report of the Royal Canadian Mounted Police, Burnaby Detachment, covering the policing of the Municipality for the month of October, 1975.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN STUSIAK:

"THAT the report of the Municipal Manager be received for information purposes."

CARRIED UNANIMOUSLY

(3) Trees on Jubilee Avenue

The Municipal Manager provided the following report of the Municipal Engineer:

" At the time of the enquiry the watermain construction was approximately a half a block north of Victory Street and progressing southward. The trees in question are located south of Victory Street and are situated approximately 14 feet west of the east property line. Although the original design showed the new watermain to be constructed on the 14 foot offset primarily because that is the standard offset used for watermains, we were readily able to revise the offset to 21 feet west of the east property line without incurring any additional expense. This was done and the watermain construction has now been substantially completed and no trees have been affected."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"THAT the report of the Municipal Manager be received for information purposes."

CARRIED UNANIMOUSLY

(4) Renewal of Contract for the Operation
of the Municipal Hall Cafeteria

The Municipal Manager provided the following report of the Purchasing Agent:

"On December 9, 1974 Council authorized the execution of a contract that permitted Mrs. Lavinia Mellesmoen to operate the Cafeteria in the Municipal Hall for a period of twelve months to expire December 31, 1975.

The terms of the expired and proposed contract are identical with the exception of the periods involved. The term of the new contract would be from January 1 to December 31, 1976.

The contract obligates the caterer to comply with the following basic requirements:

1. Operate a clean and sanitary cafeteria for employees of the Municipality, and for that purpose have license to occupy and use the premises that are set apart in the Municipal Hall for that purpose.
2. Provide and serve beverages, light refreshments and good quality meals at reasonable prices which shall be at all times subject to the approval of the Municipality.
3. Increase prices only by first obtaining the written approval of the Municipality.
4. Pay for all food and other materials used in the preparation of meals.
5. Employ and pay an adequate staff.
6. Provide and pay for all equipment in the Cafeteria except for the following which is provided without charge by the Municipality: kitchen space, one telephone, light and power and certain fixtures, equipment and furniture which are listed in a schedule that is attached to the agreement.

- " 7. Maintain all Municipally-owned equipment and be responsible for the replacement of all breakages and shortages.
8. Supply the Municipal Treasurer with an annual financial statement.
9. Be responsible for, indemnify and save harmless the Municipality from all claims and demands, loss, costs, damages, action, suits and other proceedings which are occasioned by or attributable to the execution or performance of the caterer.
10. Maintain such insurance or pay such assessments as will protect the caterer and the Municipality from claims under Worker's Compensation Acts, other claims for personal injuries including death and property damage which may arise from operations under the agreement.

In my opinion Mrs. Mellesmoen has provided a satisfactory service.

The Chief Public Health Inspector concurs with this recommendation."

Municipal Manager

The/ recommended that authority be granted to renew the Cafeteria Contract with Mrs. Mellesmoen for a further twelve month period to expire December 31, 1976.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

- (5) Application for Strata Title Approval on an Existing Duplex
Lot 292, D.L. 132, Plan 42275 -
6730 and 6732 Lochdale Street

The Municipal Manager provided the following report of the Director of Planning:

"SUBJECT: STRATA TITLE APPLICATION #29/75

- 1.1 Applicant: Mr. H. Manji,
6732 Lochdale Street,
Burnaby, B. C.
- 1.2 Legal: Lot 292, D.L. 132, Plan 42275
- 1.3 Address: 6730 & 6732 Lochdale Street.

The Planning Department is in receipt of an application for Strata Title Approval of an existing and occupied duplex at the subject address. Council approval is required since the building permit for construction was not issued on the basis of Strata Title use.

GENERAL OBSERVATIONS:

The subject property falls within a single and two family residential district (R4) in an area not proposed for alternative use. At the present time 6730 Lochdale Street is occupied by Mr. J. Lalji and 6732 Lochdale is occupied by Mr. H. Manji. Both occupants are prepared to purchase the subject units upon strata title registration.

All requisite Departmental approval has been given and the Planning Department would support the proposed Strata Titling providing that all requisite Guidelines for Duplex Condominiums and Conversions are fully satisfied."

The ^{Municipal Manager} recommended that the subject Strata Title be approved subject to the fulfillment of Section 6.1 through 6.7 of the Guidelines for Duplex/Condominiums and Conversions.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

ALDERMAN LAWSON ENTERED THE COUNCIL CHAMBER AT 7:15 P.M. AND TOOK HER PLACE AT THE COUNCIL TABLE.
(6) Subdivision Servicing Agreement
Subdivision Reference #145/74

The Municipal Manager provided the following report of the Approving Officer:

"The Planning Department reports that the subdivider has completed requirements leading to final approval of the above referenced subdivision. The following information is provided for inclusion in the servicing agreement.

Servicing Agreement
Section No.

Subdivider

Name: Trump Developments Ltd.

Address: 1037 West Broadway
Vancouver, B.C.

Legal Description of all properties within the subdivision

D.L. 85, Parcel G, Sketch 3298,
Parcel E, Sketch 3234,
Parcel 1, Plan 2101,
Lot 159, Plan 36284.

3. Description of Services to be installed by the subdivider

According to schedule attached (Note: this schedule is prepared by the Engineering Department based on the approved Engineering Design Drawings).

4. Completion Date

The 1st day of May, 1976

6. Contractor

Name: Arthon Construction Ltd.

Address: 3375 Norland Avenue
Burnaby, B.C.

Contract Price

Full Amount: \$28,950.00

8. Insurance

Copies of all insurance policies as required in the body of the servicing agreement are to be deposited with the Solicitor. (Note: these cover: Comprehensive General Liability, Subdivider's Contingency Liability, Completed Operations Liability, Contractual Liability, and Automobile Liability. The contractor's insurance policies are acceptable if he is doing the work for the subdivider).

9. Inspection Fee

4% of full contract price: \$1,098.00

10. Irrevocable Letter of Credit or Cash Bond posted with Municipality

\$28,950.00."

Municipal Manager

The / recommended that Council authorize the preparation and execution of the Servicing Agreement for Subdivision Reference No. 145/74.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(7) Marine Way Conditional Use Approval

The Municipal Manager provided the following report of the Director of Planning:

"The Municipal Council at its meeting of October 27, 1975 authorized the Planning Department to prepare the necessary supporting documents and to make application to the B. C. Land Commission for conditional use approval for the construction of those portions of the Marine Way alignment situated within the Agricultural Land Reserve.

The British Columbia Land Commission has reviewed our application and in a letter dated November 20, 1975 indicated its approval for the location of the Marine Way along its proposed alignment.

The Provincial Government has previously indicated that the construction of Marine Way is to be a Provincial responsibility and is expected to commence early in 1976. The Department of Highways were actively involved with the preparation of the detailed design drawings but apparently had temporarily suspended this aspect of the preparatory work pending receipt of a final decision by the Land Commission. In light of this conditional use approval, it would now be appropriate for Council to advise the Department of Highways of the Land Commission's decision and to request a revised estimate as to when in 1976 construction of the Marine Way facility will commence.

RECOMMENDATIONS

1. THAT the Department of Highways be advised that the British Columbia Land Commission has approved the proposed alignment and construction of the Marine Way facility extending from Boundary Road to the Queensborough Interchange area.
2. THAT the Department of Highways be provided with a copy of the letter from the B. C. Land Commission outlining its decision.

3. THAT the Department of Highways be requested to provide an updated estimate as to when in 1976 construction of the Marine Way facility will commence.
4. THAT The Honourable G. Lea, Minister of Highways, be sent a copy of this report item."

Municipal Manager

The / recommended that the Director of Planning's recommendations be adopted.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (8) Letter Dated November 21, 1975 from H. A. Roberts Group Ltd.
1198 West Pender Street, Vancouver
Proposed CD Housing Development at Sperling and Haszard
Rezoning Reference #54/75

This subject matter was considered previously under Item 4(c) - Correspondence and Petitions.

- (9) Proposed Closure and Sale of Road Allowances
Brachin Street and Alfred Avenue (Mill and Timber Products Ltd.)

The Municipal Manager provided the following report of the Land Agent:

"Mr. W. Gillis, of Mill and Timber Products Limited, has had discussions with the Planning Dept. for sometime now regarding acquiring the subject property and consolidating same with his present holding, Lot "A".

He recently made an offer to the Lands Dept. (Nov. 7/75) in the amount of \$45,896 for the property. On Nov. 14/75 we countered this offer with an asking price of \$49,131.74. He has agreed to this figure, and we report as follows.

The area involved, (see sketch attached), is peat to a depth of approximately 14 ft. Within the Brechin St. road allowance a storm ditch is located approximately 10 ft. from the North property line. Our Engineering Dept. requires that this be enclosed with pipe and a flood gate with outfall structure installed, at an estimated cost of \$28,000.

Comparative Sales

- | | | |
|---------------|---|--------------------|
| 1. July, 1975 | Lot 11 with Improvements
(House) | \$3.38 per sq. ft. |
| 2. July, 1975 | Industrial Sub. Div. Serviced
Byrne Rd. & Fraser River | \$2.29 per sq. ft. |
| 3. April 1974 | Lots 2, 3, and 4
8748-38-28 Greenall | \$2.93 per sq. ft. |

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Sale 3. is located adjacent to and north of the subject site, and was well filled. The land is firm. Using this sale as a base, we would estimate the subject property to have a market value calculated as follows -

Estimated price - April 1974	\$2.93
PLUS adjustment for time	<u>.32</u>
	\$3.25
LESS fill	<u>1.20</u>
Price for land - no easement	\$2.05
LESS 50%	<u>1.02</u>
Price for easement area:-	<u>\$1.03</u>

The above prices would return an amount of \$49,131.74, calculated as follows -

<u>Price</u> - Brechin St. easement area -	
5,633 sq. ft. @ \$1.03 =	\$ 5,801.99
Brechin St. area -	
19,150 sq. ft. @ \$2.05 =	39,257.50
Alfred Ave. area -	
15,645 sq. ft. @ \$2.05 =	<u>32,072.25</u>
	\$77,131.74
LESS estimated cost for installation of culvert & floodgate, etc.	<u>28,000.00</u>
SELLING PRICE -	<u>\$49,131.74."</u>

The Municipal Manager recommended:

- (1) THAT Council authorize the introduction of a road closing by-law for the subject redundant road allowance areas; and
- (2) THAT the subject redundant road allowances be sold to Mill and Timber Products Limited for \$49,131.74 subject to the following conditions:
 - a. Consolidation of the subject property with Lot "A", Ref. Plan 29261, Blk. 11, D.L. 161, Pl. 1742.
 - b. A 15 ft. easement be granted to The Corporation of Burnaby covering the culvert installation on Brechin Street.
 - c. An easement be granted to B. C. Hydro as may be required.
 - d. The areas to be sold to be verified by survey.
 - e. The cost of registration fees and survey to be borne by the purchaser.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(10) Proposed Closure of a Watercourse
Rezoning Reference #34/74

The Municipal Manager provided the following report of the Director of Planning
BACKGROUND

"The subject site is located within Area H of the 1969 Apartment Study and is proposed for high density multiple family use. When Council gave third reading to the rezoning proposal on August 5, 1975 one of the conditions was the dedication of a public park strip in the ravine area shown on the attached sketch. Traversing this area is a natural watercourse which is currently in an open unimproved condition. In conformance with Council's direction regarding such watercourses, the Planning Department notified the developer by letter of the following requirement:

"As a result of a recent Council directive all developments containing an open watercourse must be reported on. In the subject case, the Planning Department will be recommending that the watercourse be improved and left in an open condition."

CURRENT SITUATION

The Planning Department is in receipt of a recent report from the Environmental Health Department which states that:

"The water source of the creek is mainly from a high density development area and will contain pollutants normally found in 'typical storm drainage'."

"Typical storm drainage will contain petroleum products from the major parking lots, highways and roads, and other man made sources. This will be particularly evident in storm water when it rains after a dry spell. In addition substantial amounts of soaps, detergents, agricultural chemicals from residential activities. Accidental spills of a variety of products may also affect the water quality."

"Ground water sources may contain certain properties which will cause discoloration of a creek bed. Possible debris, dirt, algae growth will not improve the esthetic value of a stream."

"Typical storm water may also contain faecal coliforms from human and animal origin, i.e. defective septic tanks, cross connections, sewer surcharges, defective sewer, and a variety of animals."

"The above pollutants are just a few we can expect to be faced with in typical storm drainage."

"To redevelop a typical storm drainage creek through a housing development will give the complex children easy access to a questionable water source."

"In addition the developers, owner, occupiers of the development will expect this water to be maintained, esthetically attractive and safe. This we cannot guarantee."

"For these reasons we are unable to recommend the proposal to 'leave this creek open'."

The subject watercourse is currently enclosed from Lougheed north and Government Road south."

Municipal Manager

The / recommended that the subject watercourse be enclosed with the understanding that such enclosure will be made to the satisfaction and final approval of the Municipal Engineer.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"THAT the subject matter be tabled pending a Planning Department report on the proposed design from ^{the} subject area to the Brunette River."

CARRIED UNANIMOUSLY

(11) 'The B. C. Sports Federation Proposed Development
Within the Burnaby Lake Sports Complex

The Municipal Manager provided a report of the Director of Planning relating to the proposed development of a site located just west of Burnaby Lake on the northwest quadrant of Sprott Street and Kensington Avenue within the area covered by the 1965 Pacific Sports Centre Report.

It was indicated that "on June 23, 1969 Burnaby Council adopted a resolution to establish a policy for the gradual acquisition of undeveloped land within a defined area in Central Burnaby. This land is to be acquired for assembly purposes 'when it becomes available, for the purpose of indicating Council's intent in ensuring that both short and long-range plans for the Central Area of the Municipality will not be frustrated in advance of their development'. A large portion of the study area falls within this acquisition zone, and consequently the Municipality has considerable interest and control over the use of the land within this area for the benefit of the public.

Consistent with the above the B. C. Sports Federation is prepared to enter into a long term lease arrangement with the Municipality for the required land. Land acquisition would take place in three phases to accommodate the 3 phases of construction described in 3.0 of the report. These land areas are appropriate and may change slightly as development plans are advanced.

Phase 1	3.51 acres
Phase 2	4.71 acres
Phase 3	<u>10.02 acres</u>
TOTAL	18.24 acres.

The Rezoning of this phase 1 site for this proposal would require a suitable plan of development for all three phases of construction."

The Municipal Manager recommended:

- (1) THAT approval in principle be given to the proposed land use at this location.
- (2) THAT Council agree to lease the necessary land by phases and authorize the Land Agent to negotiate a suitable lease arrangement with a commitment on timing for all phases.
- (3) THAT Council authorize the Planning Department to initiate the rezoning process for the Phase 1 site.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MCLEAN:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

and Recreation

"THAT the subject matter be referred to the Burnaby Parks/Commission for review and comment."

CARRIED UNANIMOUSLY

- (12) Proposed Sale of Municipal Land at Beresford Street and Murrin Avenue
Lots 12, 13, 14 & 15, Blks. 42/39/1/3
D.L. 95N, Plan 2751
Rezoning Reference #32/75
-

The Municipal Manager provided reports of the Land Agent and Director of Planning on the proposed sale of municipal land that is required for consolidation purposes at Beresford Street and Murrin Avenue.

It was recommended:

1. THAT the subject Municipal land be sold for \$500,000 and subject to the following prerequisite conditions of rezoning as outlined in the Planning Department's report to Council dated July 21, 1975:
 - a) The submission of a suitable plan of development.
 - b) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the By-law.
 - c) The completion of the requisite Road Closing By-laws and abandonment of the redundant streets and lane
 - d) The acquisition of redundant street and lane allowances.
 - e) The consolidation of the net project site into one legal parcel, with the necessary dedication for the Wilma Street cul-de-sac.
 - f) The granting of any necessary easements.
 - g) The deposit of sufficient monies to cover the costs of all services necessary to serve the site to include the upgrading to full Municipal Standard of that portion of Wilma Street abutting southern property line.
 - h) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development.
 - i) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
 - j) The deposit of a per unit levy of \$980.00 per unit to go towards the acquisition and development of neighbourhood parks.
 - k) The maintenance of as many existing mature trees as possible on the site.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(13) Mud on Patterson Avenue Between
Imperial Street and Railway Tracks

The Municipal Manager provided the following report of the Municipal Engineer:

"At the October 14, 1975 Council meeting an enquiry was made regarding the above-captioned subject.

Since being notified by the Municipal Clerk of that enquiry, the Engineering Department has monitored the subject street for mud emanating from the construction sites along the street. During that period we have had the occasion to make two requests to construction firms for cleaning of the streets. Both requests were responded to promptly and cleanup was effected.

It has been the Engineering Department's experience that when these matters are brought to the attention of the construction firms we receive good cooperation.

At present the Engineering Department does not have sufficient staff to cover the comprehensive developments and commercial developments as often as we would like. Also at present we do not inspect residential construction.

It is the Engineering Department's intention to improve the situation with the addition of one additional Claims & Bylaw Inspector. This item has been included in the Engineering Department 1976 Provisional Budget."

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT the report of the Municipal Manager be received for information purposes."

CARRIED UNANIMOUSLY

(14) Letters Dated November 27, 1975 from the British Columbia
Social Credit Party and a Letter Dated November 28, 1975
from the New Democratic Party - Requests for Permission
to Erect Political Signs on Public Property

This subject matter was considered previously under Items 4(e) and 4(f) - Correspondence and Petitions.

(15) Letter Dated November 20, 1975 from Dominion Habitat Consulting
Ltd., 101-626 West Pender Street, Vancouver
Moratorium of Strata Titling of Existing
Apartment Accommodation at 2002 Sperling Avenue

The Municipal Manager provided the following report of the Director of Planning:

"Appearing on the Council agenda for December 1 is a letter from Mr. V. L. DeWitt representing Dominion Habitat Consulting Ltd. regarding an application for conversion of the subject apartment development to strata title units. Upon previous discussions with the Planning Department Mr. DeWitt was informed that his application could not proceed due to the present moratorium Council has imposed on Strata Title conversions. Mr. DeWitt has requested that this matter be brought forward to Council for further consideration and that he be given the opportunity to appear and submit further information and facts as may be required by the Mayor and Council.

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BACKGROUND INFORMATION:

On July 8, 1974 Council imposed a moratorium on all condominium conversions within the Municipality except for the conversion of duplexes. This action was taken primarily as a means of arresting the diminishing supply of rental accommodation that has taken place in Burnaby during the last two years. To date this moratorium has not been lifted.

On February 27, 1975 Mr. DeWitt made his initial proposal regarding conversion of the subject apartment development. At that time the Planning Department informed him that, as a result of Council's direction on this matter, the Planning Department could not process his request. On May 5, 1975 Mr. DeWitt appeared before Council regarding the subject moratorium and expressed his desire to be heard upon Council's review of the matter.

Prior to the implementation of the subject moratorium, the Planning Department had prepared a Report To Council assessing the status of strata title applications in terms of "conversions vs. new" residential units and concluded that approximately one fifth of those units approved were "conversions". As Council will realize from the rezoning reports it considers from time to time, the great majority of new apartment and townhouse projects since have been Strata Title developments, and additionally many new duplex buildings have been strata titled and sold on the market.

While the Planning Department has not thoroughly re-investigated the strata titling situation in general nor pursued the specific implications of converting the subject apartment building, the implications and concerns regarding the diminishing supply of rental accommodation expressed prior to the imposition of the moratorium still apply, and there has not been any major move in the private development sector toward increasing the supply of rental housing units."

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"THAT the report of the Municipal Manager be received for information purposes."

CARRIED UNANIMOUSLY

(16) Reduction in Work Force

The Municipal Manager provided a report wherein the specific action taken or to be taken as a result of Council direction of June 23, 1975 was reviewed as reported to Council on July 7th, 1975. The Municipal Manager also commented as follows:

"The plan to effect a saving by reducing the work force was subsequently implemented. Department and Sub Department Heads then proceeded to assess the impact of the reductions on services, and to determine the amount of saving that will actually be realized from the action taken.

As a result of the action taken, the total saving realized amounted to \$333,774."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT the report of the Municipal Manager be received for information purposes."

CARRIED UNANIMOUSLY

ALDERMAN LAWSON RETIRED FROM THE COUNCIL CHAMBER AT 7:35 P.M.

- (17) 1975 Recast Budget
1976 Provisional Budget

The Municipal Manager reported as follows:

"Attached for the members of Council only is the 1975 Recast Budget and 1976 Provisional Budget for the consideration of Council. It will be noted that specific recommendations have been included in the Letter of Transmittal.

It was recommended:

1. THAT the Recast Budget be received, approved, and the necessary bylaw be brought forward; and
2. THAT \$900,000 be allocated to the Corporation's reserve for capital works; and
3. THAT \$500,000 be allocated to the Corporation's reserve for vehicle and equipment replacements; and
4. THAT the 1976 Provisional Budget as presented be received, considered, and referred to the 1976 Council for further consideration; and
5. THAT the Municipal Manager be directed to further review all budgets, including those under the control of the Library Board and the Parks and Recreation Commission, and in consultation with the Department Heads and the Library Board and the Parks and Recreation Commission, make whatever adjustments necessary to effect economy, and to recommend the areas of service in which reductions may become necessary to bring the mill rate increase down to acceptable levels.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

Alderman Stusiak, as Council Liaison, Finance Department, over the past two years then presented several observations relative to municipal budgetting.

Alderman Stusiak also stated that in reviewing Department expectations in the Provincial Budget that he would be opposing the sums requested for the Fire Department and suggested a full staff committee be appointed to review the Fire Department operations as related to budget considerations.

(18) Public Information Brochures
for the Neighbourhood Improvement Programme

The Municipal Manager provided the following report of the Director of Planning:

"The purpose of the brochure is to inform residents of the Stride Ave. - Edmonds area of the Neighbourhood Improvement Programme (NIP).

The brochures are being distributed to all residents, business and public places within the general area. A total of 4,000 brochures are being produced.

In addition to the brochure distribution, discussions are being held with various organizations in the East Burnaby area including ratepayers, senior citizens, tenants, school and church groups.

At the four public meetings on December 8, 9, 16 and 18, the Neighbourhood Improvement Programme and the Residential Rehabilitation Assistance Programme will be explained to the area residents. The objectives will be to obtain public feedback on the programmes, the issues in the area and possible N.I.P. boundaries."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"THAT the report of the Municipal Manager be received for information purposes."

CARRIED UNANIMOUSLY

(19) Reopening of Firefighters' Agreement

The Municipal Manager provided the following report of the Personnel Director:

"Section 1 of the Union Agreement with the Burnaby Firefighters' Union reads as follows:

" 1. TERM OF AGREEMENT

This Agreement shall be for the term of one (1) year from and including the 1st day of January 1975 to and including the 31st day of December, 1975 and shall remain in full force and effect thereafter from year to year unless either party, within four (4) months immediately preceding the 31st day of December, 1975, or within four (4) months immediately preceding the 31st day of December in any subsequent year, gives to the other party written notice of its desire to terminate or amend such agreement. "

In past years the Firefighters' Union has usually been the first party to give notice of its desire to terminate or amend the Agreement.

There are certain local items for which it would be desirable that the Corporation's negotiating representatives and those of the Union have the opportunity to meet and discuss and possibly reach agreement to alleviate anticipated manpower shortages for 1976. Essentially this would amount to a rearrangement of the existing time-off provisions and practices of the Fire Department, particularly with respect to time-off in lieu of statutory holidays, so that the platoon strength of the department can be maintained without retaining surplus men on strength to take up occasional shortages or alternately calling in firemen on an overtime basis to take care of these shortages.

It is hoped that a satisfactory solution to some of these problems could be concluded before the end of the year, or as soon as possible thereafter, to resolve the problem."

The Municipal Manager recommended:

1. THAT Mr. R. Moffat, Deputy Director of the Greater Vancouver Regional District Labour Relations Department, and Mr. D. F. Hicks, Personnel Director, be appointed as the representatives of the Corporation for the purpose of negotiating the 1976 Union Agreement with the Burnaby Firefighters' Union; and
2. THAT the Corporation's negotiators be authorized to give notice to the Union pursuant to Section 1 of the Union Agreement of the Corporation's wish to amend the Union Agreement.

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

NEW BUSINESS

1. Mayor Constable advised that Alderman Emmott had intended to bring back this evening for reconsideration Item 12, Manager's Report No. 75, 1975 - Council Meeting November 24, 1975 - Compensation for Rights-of-Way, Gaglardi Way at which time Council had passed a motion that a letter go forward to the Deputy Minister of Highways in regard to compensation for these rights-of-way.

It was indicated that Alderman Emmott had telephoned on December 1, 1975 to advise that he would not be in attendance that evening but would like the opportunity to bring the subject matter back for reconsideration on December 8, 1975.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

"THAT Item 12, Manager's Report No. 75, 1975 - Council meeting November 24, 1975 - Compensation for Rights-of-Way, Gaglardi Way - and a subsequent Council resolution that a letter go forward to the Deputy Minister of Highways in regard to rights-of-way compensation be reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

"THAT the subject matter be tabled to the next regular meeting of Council."

CARRIED UNANIMOUSLY

2. Alderman McLean advised that he had been in receipt of complaints relating to the issuance of a business licence to "Pour Vous Inc." as considered under Item 14, Manager's Report No. 75, 1975 at the November 24, 1975 regular meeting of Council.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN GUNN:

"THAT the subject matter be reconsidered."

FOR -- ALDERMEN GUNN AND MCLEAN

CONTRARY -- MAYOR CONSTABLE, ALDERMEN AST,
MERCIER AND STUSIAK

MOTION DEFEATED

The Municipal Manager was requested to submit a report advising as to the issuance of a licence to "Pour Vous Inc."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY