

MARCH 10, 1975

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, March 10, 1975, at 7:00 P.M.

PRESENT:

- Mayor T. W. Constable, in the Chair
- Alderman G. D. Ast
- Alderman A. H. Emmott
- Alderman B. M. Gunn
- Alderman D. A. Lawson (7:10 P.M.)
- Alderman W. A. Lewarne
- Alderman G. H. F. McLean
- Alderman J. L. Mercier
- Alderman V. V. Stusiak

STAFF:

- Mr. M. J. Shelley, Municipal Manager
- Mr. E. E. Olson, Municipal Engineer
- Mr. A. L. Parr, Director of Planning
- Mr. B. D. Leche, Municipal Clerk's Assistant
- Mr. R. N. Drennan, Committee Clerk

MINUTES

The Minutes of the Council Meeting held on March 3, 1975, came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That the Minutes of the Council Meeting held on March 3, 1975, be now adopted."

CARRIED UNANIMOUSLY

DELEGATIONS

The following wrote requesting an audience with Council:

Mrs. M. J. Kolbus, 4840 Empire Drive, re Removal of Barricade at Delta Avenue and Oxford Street

Mrs. Kolbus was not in attendance at this Council Meeting.

BY - LAWS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"That:

*Burnaby Street and Traffic By-Law 1961,
Amendment By-Law No. 2, 1975' (#6633)

*Burnaby Local Improvement Charges By-Law 1975,
Amendment By-Law No. 1, 1975' (#6634)

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED

Alderman Gunn voted contrary to "Burnaby Street and Traffic By-Law 1961, Amendment By-Law No. 2, 1975" (#6633).

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED

Alderman Gunn voted contrary to "Burnaby Street and Traffic By-Law 1961, Amendment By-Law No. 2, 1975" (#6633).

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"That:

'Burnaby Street and Traffic By-Law 1961,
Amendment By-Law No. 2, 1975' (#6633)

'Burnaby Local Improvement Charges By-Law 1975,
Amendment By-Law No. 1, 1975' (#6634)

be now read three times."

CARRIED

Alderman Gunn voted contrary to "Burnaby Street and Traffic By-Law 1961, Amendment By-Law No. 2, 1975" (#6633).

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

"That Item 20, Municipal Manager's Report No. 17, 1975, be brought forward for consideration at this time. The following is the substance of that report:

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Appearing for Third Reading on the Agenda for the March 10, 1975 meeting of Council is By-Law No. 6616, Burnaby Pool Room Regulation By-Law 1975.

On February 24, 1975, Council during discussion of this matter suggested that it might be feasible to issue different licences to pool halls so that the hours of operation can be varied as may be required by circumstances, e.g., certain establishments to be licenced to operate on a 24-hour a day basis, and others to be restricted in the number of hours in which they can remain open. The Solicitor's opinion is that it is not possible to discriminate in licencing pool halls. By way of example, he advises that we have no authority to permit one pool hall to remain open for 24 hours and another to close between 12:00 midnight and 8:00 a.m. The licencing requirements in all instances must be the same.

With respect to the revocation of a licence, Section 458(3) of the Municipal Act provides that Council may revoke a licence for reasonable cause after giving notice to the licensee, and giving the licensee an opportunity to be heard. The Act does not define reasonable cause. However, in our Solicitor's opinion, any of the complaints made against the pool hall in question could constitute reasonable cause.

If Council wishes, there is no reason why Section 3(b) of By-Law No. 6616 should not be amended to reduce the age of 21 to 18 years.

During Council's deliberations of the proposed By-Law, statements have been made to the effect that the owners of the Jubilee Pool Hall have never been informed of the complaints which have been received by the R.C.M.P. in connection with this particular operation. The Superintendent, Officer-in-Charge, Burnaby Detachment, R.C.M.P., in this regard advises that -

"Complaints of damage, drugs and excessive noise originating from the area of the Pool Hall commenced in 1973 and continued into the next year. Around March 31, 1974, the Pool Hall was visited by the Health Department and later that day by Cst. Jacques of this Detachment. Cst. Jacques personally informed Mr. Hoult of complaints emanating from the residents of the Pool Hall locale. Mr. Hoult's position at the time was that this could not be attributed to the Pool Hall itself, and expressed displeasure at the Police likely having the Health Department inspect the premises.

On October 4, 1974, S/Sgt. Starek and Sgt. Fortems visited the Pool Hall and spoke to Alan Dobbs, Mr. Hoult's son-in-law. Mr. Dobbs was informed of complaints made against the Pool Hall remaining open all night. He felt that most of the disturbance could be attributed to youngsters during summer school recess. A seventeen-year age minimum was imposed by management, according to Mr. Dobbs."

The Health Department routinely inspects the Jubilee Pool Hall because it is in possession of a Health Permit which allows hot dogs, hamburgers, coffee and soft drinks to be sold on the premises. The premises were last inspected relative to food services on February 26, 1975, and were found to be satisfactory. The Department has not assessed the noise emissions level emanating from the establishment, but will check this factor during future night inspections.

It has been determined that the operating hours for the four pool halls in Burnaby are as follows:

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<u>Pool Hall</u>	<u>Opening</u>	<u>Closing</u>
1. Brentwood Lanes Ltd. 5502 Lougheed Highway	9:00 a.m.	Between 12:00 midnight and 12:30 a.m., depending on business, Sunday through Thursday. The closing time is 1:30 a.m. on Friday and Saturday.
2. Boomer Billiards 7870 Edmonds Street	10:30 a.m.	Between 12:00 midnight and 2:30 a.m., depending on business.
3. Robmark Billiards Ltd. 495 Sperling Avenue	10:00 a.m.	2:00 a.m.
4. Jubilee Billiards 1973 Ltd. 6733 Jubilee Avenue	This Pool Hall is open 24-hours a day.	

All of the preceding establishments are open 7 days a week.

Mr. Edward Hault, an owner of the Jubilee Pool Hall, advises that the operation grosses approximately \$80,000 per annum. Over the course of a year, about \$10,000 is earned between midnight and 2:00 a.m., and approximately \$25,000 between 2:00 and 10:00 a.m. (these amounts are earned between these hours over the course of entire year).

Vancouver, Surrey, New Westminster, Delta, Coquitlam, Richmond, Port Moody, West Vancouver and North Vancouver City and District have by-laws that regulate hours of operation for Pool Hall establishments. It appears that Jubilee is the only Pool Hall in the lower mainland that is operated on a 24-hour a day basis.

It was recommended that By-Law #6616 - "Burnaby Pool Room Regulation By-Law 1975" be amended as follows:

- (a) No operator shall open or keep open a pool room between the hours of 2:00 A.M. and 9:00 A.M. or permit any persons to be therein during said hours.
- (b) No operator shall leave a pool room in charge of a person under the age of 18 years.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That further consideration of By-Law #6616 - 'Burnaby Pool Room Regulation By-Law 1975' be tabled for two weeks and that Mr. E. S. Hault and his Solicitor be provided with copies of Item No. 1, Municipal Manager's 'In Camera' Report concerning this By-Law and that the Municipal Manager submit a report on the powers of Council, and the Chief Licence Inspector with regard to the revocation of business licences and the conditions governing such revocations."

CARRIED

AGAINST: ALDERMAN MERCIER.

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MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN STUSIAK:

"That 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 5, 1975' (#6620) 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 LEWARNE:

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. 17, 1975, which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Honourable Norman Levi, Minister of Human Resources, wrote to advise that he has, from time to time, held discussions with municipal officials in connection with both the costs and the administration of social welfare. There has never been any question but that changes should be made and during the past two years the Minister has devoted considerable time to examining the whole field.

The Minister advised that he expected to have further discussions with not only the officials of Burnaby but also with the officials of other municipalities in connection with the situation.

Item 21, Municipal Manager's Report No. 17, 1975, was brought forward for consideration at this time. The following is the substance of that report:

"On March 3, 1975, Council received a request from the District of Surrey to formally adopt and forward to the Minister of Human Resources, the three M.L.A.'s representing Burnaby and the Union of British Columbia Municipalities, a resolution pertaining to social welfare administration costs. Council tabled the resolution with the understanding that it is to be given further consideration when a reply is received from the Provincial Department of Human Resources on inquiries contained in Item 16, Municipal Manager's Report No. 3, 1975.

It was recommended that:

(a) the matter be lifted from the table;

(b) that the following resolution from The Corporation of the District of Surrey be adopted:

WHEREAS several municipalities throughout the Province are no longer responsible for the administration of Social Welfare in that this function has been taken over by the Provincial Government, Department of Human Resources, except to the extent of an administrative per capita levy of 60¢ per annum; and

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WHEREAS those municipalities who are still responsible for the administration of Social Welfare are incurring costs considerably in excess of those municipalities where the Province is responsible;

THEREFORE BE IT RESOLVED that this municipality hereby petitions the Provincial Government to equalize municipal welfare administration costs throughout the Province, either by increasing the per capita levy paid by those municipalities in areas where the Province is responsible for welfare administration, with payment to be made to those municipalities still responsible for administration of social welfare or by some other equitable means.

- (c) the adoption of the resolution be forwarded to The Honourable Mr. Norman Levi, the area M.L.A.'s, and the Union of British Columbia Municipalities;
- (d) a copy of this report and the letter dated February 27, 1975, from The Honourable Mr. Norman Levi be sent to Mr. D. J. Closkey, Municipal Manager of the District of Surrey;
- (e) that a copy of Item 6, Municipal Manager's Report No. 15, 1975, be forwarded to The Honourable Mr. Norman Levi. "

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

Mr. D. B. Nagle, Brentwood Lanes Ltd., wrote to advise that he would be absent from the Municipality at the time Council will reconsider By-Law No. 6616 - "Burnaby Pool Room Regulation By-Law 1975" and suggested that the By-Law be tabled until the first week in April. Mr. Nagle submitted the following suggestions for amendments to the proposed By-Law:

- (a) The age limit should be 16 years provided there is an adult (18) on duty at the time.
- (b) The hours of operation should be from 9:00 A.M. on one day to 2:00 A.M. on the following day, a total of 17 hours.

Mr. and Mrs. N. Feeney, 9980 Cameron Street, wrote to request that Council consider providing an additional point of egress from the Sullivan Heights Area onto North Road.

Item 6, Municipal Manager's Report No. 17, 1975, was brought forward for consideration at this time. The following is the substance of that report:

"The request of the Feeney's to open up a second access to North Road would then place the traffic pattern back to the situation just prior to our last barricade revision of February 10, 1975 when access to North Road could be gained from either Sullivan Street or Cameron Street.

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The statement that the four-way stop at Cameron and Bell was very dangerous would, in our opinion, only apply if motorists were not complying with the requirement to stop. From experience, we have found a four-way stop control intersection experiences the lowest number of vehicular conflicts per vehicle entries of any type of control method.

In a report to Council at its meeting of March 3, 1975 the traffic conditions on Noel Drive between Cameron Street and Beaverbrook Drive were covered. In short, we pointed out that the existing 28' curbed standard with parking allowed on both sides was the acceptable residential standard. However, the present traffic volumes on this section of Noel Drive, 5,000 vehicles per day, would normally justify the banning of parking to provide two free moving lanes. We did point out however, that to do so would be construed as recognizing Cameron, Noel, Beaverbrook as a commuter traffic route.

It was recommended that a copy of this report, together with a copy of Item 14, Municipal Manager's Report No. 15, 1975, under title "Traffic Conditions on Bell Avenue and Noel Drive", be forwarded to Mr. and Mrs. Feeney."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

Mr. Don Copan, Regional President, Boy Scouts of Canada, Burnaby Region, submitted a letter requesting permission to conduct a Scouting Trek in the Municipality on Sunday, April 13, 1975. Item 8, Municipal Manager's Report No. 17, 1975, was brought forward for consideration at this time. The following is the substance of that report:

"The Royal Canadian Mounted Police and the Engineering Department foresee no problem arising from the proposed trek and therefore approve the request as outlined in the correspondence from Mr. Copan.

It was recommended that Mr. Copan be advised that his permission to use those streets outlined in his correspondence for a Boy Scout's Trek on April 13, 1975, is approved, subject to the condition that organizers instruct participants to obey all rules governing pedestrian traffic while walking on public roads and that the rights of private property owners are to be respected by all concerned at all times."

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

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

The letter from Mr. Mark Rosenblatt and Mr. Robert Lauer, Robmark Billiards Ltd. concerning By-Law No. 6616 "Burnaby Pool Room Regulation By-Law 1975" tabled by Council on February 24, 1975, was not lifted from the table at this time.

E N Q U I R I E S

Alderman Gunn inquired as to the present status of the Greater Vancouver Regional District Report on Burrard Inlet.

Mayor Constable advised that he had expected to be able to report on this subject this evening but the promised material had not been delivered. His Worship assured Council that a report on this subject would be available for Council on March 17, 1975.

Alderman Gunn requested a progress report on negotiations being carried on with the Canadian National Railway with reference to Fraser River Park Land in the Big Bend Area.

The Director of Planning advised that meetings in this regard were in progress but that he expected that it would be several weeks before his Department was in a position to report to Council on this matter.

Alderman Gunn inquired as to the progress being made with regard to the road alignment in the Stride Avenue area.

The Director of Planning advised that his Department was still endeavouring to obtain information from the Department of Highways concerning the alignment of Marine Way over to Annacis Island. Work on this project was continuing at Municipal level and when the Department of Highways releases the required information it can then be correlated.

Alderman Mercier reminded the Municipal Manager that some time ago Council had referred a report from the Municipal Treasurer on taxes paid to the Municipality by businesses back for additional information which was not yet forthcoming.

Alderman Mercier noted that at approximately 5:00 P.M. this afternoon firetrucks were north bound on Sperling Avenue at the same time as a train was crossing the Burlington Northern tracks on Sperling Avenue. At approximately 6:00 P.M. the trucks were noted in the area of Bell Avenue and Lougheed Highway.

Alderman Mercier requested a report on the possible problems that a train utilizing the crossing at that particular time may have raised.

Alderman Ast served notice that he would be introducing the following motion at the Council Meeting on March 17, 1975:

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"WHEREAS many service station operators are being put out of business by the oil companies converting service stations to self-service; and,

WHEREAS the continuation of this practice can only result in monopoly control by the oil companies at the retail level to the detriment of the consumer;

THEREFORE BE IT RESOLVED that Staff be directed to bring forward a by-law to prohibit any further conversion of service stations to self service."

Alderman Lewarne inquired as to the future status of two municipal employees who have been employed at the Stride Avenue Disposal Site now that the site has been turned over to a civilian contractor to operate. Alderman Lewarne was concerned that the full seniority of these employees would be observed and action taken to protect their pay grades.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN GUNN:

"That the Municipal Manager submit a report to Council on the future status of the two municipal employees who were employed at the Stride Avenue Disposal Site."

CARRIED

AGAINST: MAYOR CONSTABLE, ALDERMAN
MERCIER.

Alderman Lewarne noted that the Legal Profession in Burnaby had organized a Burnaby Bar Association and he felt that a letter of congratulation should be forwarded to the President of the Burnaby Bar Association, Mr. Alan Lacroix.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"That a letter of congratulation be sent to Mr. Alan Lacroix, President of the newly formed Burnaby Bar Association."

CARRIED UNANIMOUSLY

Alderman Lawson noted that Council had received a copy of a letter addressed to the Burnaby Traffic Department concerning traffic problems on Hardwick Street and inquired if Council would be receiving a report on this matter.

Alderman McLean advised that this matter would be considered at the next meeting of the Traffic Safety Committee on March 18, 1975.

His Worship, The Mayor, welcomed the members of the 2nd Burnaby Mountain Scout Troop who were visiting Council this evening and expressed the wish that they would find their visit both informative and interesting.

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R E P O R T S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

The Grants Committee submitted a report in which it was recommended that grants in the amounts indicated be made to the organizations listed below for the reasons given:

1. Clef Society of Burnaby \$ 500.00

This organization has a program to assist and encourage young Burnaby musicians to further develop their talents. Scholarships are awarded each year to outstanding performers in instruments and voice. The total budget for 1974/75 is \$3,975.00, \$2,000.00 of the total being allocated for scholarships. Council in 1973, and again in 1974, approved \$500.00 in each year.

The Grants Committee recommended a grant of \$500.00 for 1975.

2. Burnaby Junior Chamber of Commerce \$2,500.00

For several years Council has supported financially the sponsorship by the Burnaby Junior Chamber of Commerce of the "Miss Burnaby Pageant" and the associated visits that Miss Burnaby and her Princesses make to various functions.

In 1973 the total grant amounted to \$4,571.59. This amount included the costs of transporting a float to other municipalities. In 1974 the total grant amounted to \$1,989.00 but did not cover attendance at all possible functions. It is your Committee's opinion that Council should, as the beginning of the year, give an indication of the amount of financial support the Burnaby Junior Chamber of Commerce are to get throughout the year. For this reason, the Committee is recommending grants up to, and not to exceed, \$2,500.00. If approved, it is to be understood that the Grants Committee would then be responsible for allocating amounts as required to assist the "Miss Burnaby" program.

3. B.C. Boys' Choir Association NIL

There are fifty boys between the ages of 7 and 23 in this Choir. They practice at St. Andrew's Wesley United Church in Vancouver. Approximately five of their members reside in Burnaby. They appear to be a very fine choir with great singing abilities. It is the considered opinion of the Grants Committee that we are already supporting many regional and cultural organizations and feel that we should not extend that support to this organization.

The Grants Committee would recommend that no grant be given.

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4. Burnaby North Senior Secondary School \$ 40.00

Council has approved a grant, for several years now, in the form of one-half page advertisement in the Burnaby North Senior Secondary School's Annual Year Book.

The Grants Committee would recommend a grant of \$40.00.

5. Greater Vancouver Helpful Neighbor Society \$1,000.00

The Burnaby Helpful Neighbor Free Store located at 3731 East Hastings Street provides free clothing, bedding and household effects for those in need. They also operate a training program for repairing small appliances and clothing alterations. The grant is generally to cover the cost of rent, heat and telephone. The grant received in 1973 was \$1,640.00, in 1974 \$1,000.00.

The Grants Committee would recommend a grant of \$1,000.00 for 1975.

6. Burnaby Girls' Hockey Association \$ 750.00

The Girls' Senior Hockey Teams have been invited to represent British Columbia at the Western Canada Tournament in 1975. Council, in the past, has assisted several teams from the Minor Hockey Association on similar trips. It would appear that this is the first time that a girls' team have had a similar opportunity. The total cost of the proposed trip is \$2,000.00. \$1,000.00 of this has already been raised by various fund raising functions.

The Grants Committee would recommend a grant of \$750.00.

7. Burnaby Division, United Community Services \$8,500.00

The amount of involvement in the Community of this organization is very extensive and diverse. A complete copy of the application form from this organization is being distributed to Council for their information. The grant for 1973 was \$7,800.00; for 1974, \$8,000.00.

The Grants Committee would recommend a grant for 1975 of \$8,500.00.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That Recommendation No. 1, aforementioned, be adopted."

CARRIED

AGAINST: ALDERMAN STUSIAK.

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MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That Recommendation No. 2, aforementioned, be adopted."

CARRIED

AGAINST: ALDERMAN STUSIAK

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN McLEAN:

"That Recommendation No. 3, aforementioned, be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That Recommendation No. 4, aforementioned, be adopted."

CARRIED

AGAINST: ALDERMAN LEWARNE

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That Recommendation No. 5, aforementioned, be adopted."

CARRIED

AGAINST: ALDERMEN MERCIER AND STUSIAK

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That Recommendation No. 6, aforementioned, be adopted."

CARRIED

AGAINST: ALDERMEN MERCIER AND STUSIAK

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That Recommendation No. 7, aforementioned, be adopted."

CARRIED UNANIMOUSLY

The Municipal Manager submitted Report No. 17, 1975, on the matters listed below as Items (1) to (21) either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) Retirement - Mr. Phillip Smith
Engineering Department

The Municipal Manager reported that Mr. Phillip Smith will be retiring from the Corporation on March 31, 1975, after nearly 23 years of service. His last day at work will be March 11, 1975. Mr. Smith commenced work with Burnaby on May 5, 1952 as a Labourer in the Engineering Department. In November, 1967, he became a Litter Collector, a position he has held ever since.

It was recommended that a letter of appreciation from Council be presented to Mr. Smith for his many years of loyal and dedicated service to the Municipality.

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MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(2) Retirement - Mr. Ernest A. Moss
Fire Department

The Municipal Manager reported that Mr. Ernest A. Moss will be retiring from the Corporation of Burnaby after over 32 years of service. His last day of work will be April 1, 1975. Mr. Moss commenced employment with the Municipality as a Firefighter on February 22, 1943. He was promoted to Fire Captain (Junior) December 21, 1952; Fire Captain (Senior) April 29, 1956; Captain on March 1, 1961, and Assistant Fire Chief on July 11, 1970, the position he holds at the present time.

It was recommended that a letter of appreciation from Council be extended to Mr. Moss for his many years of loyal and dedicated service to the Municipality.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(3) Retirement - Mr. Wendel Walyer
Fire Department

The Municipal Manager reported that Mr. Wendel Walyer will be retiring from employment with the Corporation on July 28, 1975, after over 34 years of service. His last day of work will be June 16, 1975. Mr. Walyer commenced working for Burnaby as a Firefighter on May 15, 1941. He was promoted to Fire Captain (Junior) on December 12, 1952; Fire Captain (Senior) on April 29, 1956; and Captain on March 1, 1961, the position he holds at the present time.

It was recommended that a letter of appreciation be extended to Mr. Walyer for his many years of loyal and dedicated service to the Municipality.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(4) Engineer's Special Estimates

It was recommended that the Special Estimates of the Municipal Engineer in the total amount of \$21,000.00 for projects as detailed in the report received be approved.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

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(5) Sidewalks on Bell Avenue

It was recommended that:

- (a) a 5-foot chip walk be constructed along the east side of Bell Avenue from Cameron Street to the existing concrete slab 160 feet south of Salish Court;
- (b) interim lease lighting be installed at the intersection of Bell Avenue and Salish Court;
- (c) provision be made in the 1975 Annual Budget for each work.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

**(6) Letter dated March 1, 1975 from Mr. and Mrs. N. Feeney,
9980 Martin Court, Burnaby -
Closure of Roads in Sullivan Heights**

This item was dealt with previously in the meeting as Item 4(c) under Correspondence and Petitions.

**(7) Application for Abatement of Percentage Additions -
Section 411 of the "Municipal Act"**

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

A. J. Code	Lot 4, Block 2, N 1/2	1974 penalties	\$32.12
7342 Willingdon Avenue	of SW 1/4 of D.L. 149,	1974 interest	14.94
Burnaby 1, B.C.	Plan 1373	1975 interest	4.75
			<u>\$51.81</u>

1975 abatements to date, including the above sum, total \$117.54.

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

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

**(8) Letter dated February 25, 1975, from Mr. Don Copan,
Boy Scouts of Canada - Burnaby Division -
Request to Conduct a Scouting Trek**

This item was dealt with previously in the meeting as Item 4(d) under Correspondence and Petitions.

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(9) Request to Purchase Municipal Property -
Lot 2, Except Parcel "A", Expl. Pl. 10015, Block 1E½,
D.L. 162, Plan 5452 - 4990 Marine Drive

On January 13, 1975, Council received a report on an offer to buy Municipal land on Marine Drive for consolidation with private lots and eventual development of a socio-religious cultural centre.

The Planning Department has no objections to the Land Agent's request for approval to negotiate the sale of the subject property at a price in keeping with the prevailing market value on the understanding that the three conditions of sale as adopted by Council on January 13, 1975 are met.

Under condition "b" as outlined in the Land Agent's report, it is stipulated that the sale should be subject to agreement to the subdivision and land use pattern as depicted on sketch "B" of the Planning Director's report, or other acceptable consolidation of properties in the area. In the Planning Director's opinion, this latter provision makes possible discussions with the Ismailia Community with respect to a possible land exchange in providing a development site for that group. The Ismailia Community currently owns the adjacent lot 42 at 4968 Marine Drive and is proposing to develop a socio-cultural facility for their members. There are, therefore, a number of benefits to the proposed subdivision pattern as shown on sketch B over the possible development of lot 42 on an independent basis. The primary benefit of this layout is the provision of only one access road to the P2 development area through the flanking residential strip. The Planning Department would, therefore, submit the additional request for authorization to negotiate possible land exchange alternatives with the owner of the adjacent lot 42 with a view to implementing the subdivision pattern for the area as proposed.

The price per square foot for the Municipally-owned land in question is as follows:

Tendered Price

\$193,200

Price Per Square Foot

\$0.67

Staff's Recommended
Minimum Price

\$300,000

Price Per Square Foot

\$1.04

It was recommended that:

1. the bid in the amount of \$193,200.00 be rejected;
2. the Land Agent be authorized to negotiate with representatives of the Ismailia Community, or their agents, with the understanding that:
 - (a) the land would be offered for sale at a price in keeping with the value as determined by the Land Agent and as outlined in his report;
 - (b) possible land exchange alternatives with a view to implementing the sub-division pattern for the area as proposed be considered.

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

CARRIED

AGAINST: ALDERMEN LEWARNE, McLEAN
AND MERCIER.

At this point in the meeting, a disturbance broke out in the Public Gallery and His Worship, The Mayor, declared a short recess to allow the participants to leave the Council Chamber.

(10) Burnaby Lake Development Concept

The Municipal Manager reported that he anticipated that a report on the Burnaby Lake Development Concept would be available for the consideration of Council in five to six weeks.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

(11) Appeal to the 1975 Assessment Court of Revision by Swedish Canadian Rest Home Association, Norwegian Old People's Home Association and Finnish Canadian Rest Home Association

On 18 November 1974, after considering Manager's Report No. 76, Item 20, Council:

- (a) refused tax exemption to three senior citizens' housing organizations, one of which was the Finnish Canadian Rest Home Association;
- (b) passed by-laws giving 80% exemption to three such organizations;
- (c) passed resolutions giving 80% exemption to lands in excess of the lands on which buildings are situated which are otherwise statutorily exempt pursuant to Section 327(1)(c) of the Municipal Act. There were five organizations involved, including the Swedish Canadian Rest Home Association and the Norwegian Old People's Home Association.

At the Court of Revision, the taxability of 20% of the property in excess of lands on which buildings actually stand was confirmed in the case of the Swedish and Norwegian organizations. However, with respect to the Finnish Canadian Rest Home properties, the Court ruled the "improvements are fully exempt and the land on which the buildings actually stand, plus 80% of their excess land."

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The Finnish Canadian Rest Home properties were placed on the taxable portion of the assessment roll because of a change in legislation which occurred in 1974.

Section 327(1)(i) of the Municipal Act originally read:

"Every building, including the land upon which the building actually stands, constructed or reconstructed with the assistance of aid granted and given by the Province subsequent to the first day of January, 1947, and owned and used exclusively by a non-profit corporation for the purpose of providing homes for elderly citizens, and also such area of the lands surrounding the building as may be determined by the Council."

In 1974, the following words were added:

"; but this clause does not apply to any building or lands in respect of which the grant by the Province is granted and given after the thirty-first day of March 1974."

Section 328(1) of the Municipal Act was amended to include Section (j) which reads:

"Land or improvements, or both land and improvements, or any part thereof in respect of which a grant has been made, after the thirty-first day of March, 1974, under the Elderly Citizens' Housing Aid Act."

The Assessor's information was that grants received by the Finnish Canadian Rest Home Association were not received until after 31 March 1974. This is confirmed in a written argument by the solicitor for the appellant.

Under the circumstances, the Court has exceeded its authority in overriding a statute of the Province on the one hand and on the other hand in taking on powers given only to the Council under Section 327(1)(i) of the Municipal Act.

Any appeal against the decision of the Court must be filed on or before 15 March 1975.

It was recommended that the decision of the 1975 Court of Revision be appealed to the Assessment Appeal Board of the Province of British Columbia.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

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

We have been advised in a letter dated November 25, 1974 from the Division Headquarters in Victoria that "The estimated per capita cost of operating and maintaining the force in 1974/75, based on the Municipal formula, is \$22,428.79. The municipalities will therefore be charged \$11,214.40 for each of the first five members under contract, and \$16,829.59 for the sixth and each additional member in 1975/76."

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The letter from the R.C.M.P. Headquarters also stated that the significant increases in per capita costs over last year's figure of \$19,266.57 are mainly attributable to the following reasons:

- (a) Pay increases authorized for members of the Force effective April 1, 1974.
- (b) Payment of overtime on actual basis as opposed to premium.
- (c) General inflationary pressure of the economy which has increased the cost of other goods and services.

It was recommended that the Royal Canadian Mounted Police be requested to increase the complement of the Burnaby Detachment by fourteen (14) positions for the fiscal year 1976/1977.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN STUSLAK:

SECONDED BY ALDERMAN MERCIER:

"That this report be referred to a Special Committee of the Council for report back to Council and that this Special Committee be designated by the Mayor and if the Mayor so desires, the Committee could consist of the whole Council."

CARRIED

AGAINST: ALDERMAN EMMOTT.

(13) 1975 Local Improvement Program

It was recommended that:

1. the works contained in Item 6, Municipal Manager's Report No. 5, 1975, for Joffre Avenue between Rumble Street and the lane north of Marine Drive be cancelled;
2. the following works be initiated:
 - (a) Two 23' pavements with curbs and gutters on both sides of each roadway, and a 16' median, grassed and planted with suitable trees, on Joffre Avenue between Rumble Street and Clinton Street;
 - (b) 28' pavement with curbs and gutters on both sides of Joffre Avenue between Clinton Street and lane north of Marine Drive.
3. "Burnaby Local Improvement Charges By-Law 1975", By-Law #6629, be amended to provide for the project listed in 2(a) above, more particularly described elsewhere in the C.I.P. Committee Chairman's report;
4. on adoption of the amending by-law, the new works be initiated.

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(14) Kincaid Street Diversion -
Burnaby General Hospital

The hospital expansion project coordinator, Mr. B. Scott, has advised the Corporation that the first phase of the expansion, namely the parking structure, will be completed and operational by 1 May, 1975. The only means of access and egress to the parking structure is via the Kincaid Street Diversion.

Initially the Diversion was proposed to be constructed to a full standard including a storm sewer, street lighting, and a sidewalk from Ingleton to the new main entrance of the parking structure. For this length and standard of construction we budgeted \$90,000 (Ref. Item 16, Manager's Report 59, 9 September, 1974).

However, in our current efforts to find ways to reduce the budget, we reviewed this project and concluded that we could reduce the standard of improvement without impairing the functional and basic aspect of providing access and egress to the hospital site.

In the reduced standard, we have eliminated completely the upgrading of the road between Ingleton and McDonald; we have eliminated ornamental street lighting and storm sewers for the entire length and we have reduced the roadway standard between McDonald and the new main entrance to the new parking structure to an interim standard consisting of a 20 foot wide strip pavement with gravel shoulders and drainage swales. This reduced standard is estimated to cost \$25,000, which amount has been included in the C.I.P. Budget as a replacement of the \$90,000 provision.

Mr. B. Scott has also indicated that the second phase of the expansion will provide approximately 16,000 cubic yards of excavated material which they would like to dispose of by placing it within the road allowance east of the new main entrance. This would benefit both parties, as considerable fill is necessary in the future construction of the road to the east and a soils report done by the developer indicates that the bulk of the material is suitable.

Prior to placing fill material, the area should be cleared of trees and undergrowth, which is estimated to cost approximately \$5,500. This item was not considered in the 1975 C.I.P. Budget as the availability of surplus spoil material was not at that time confirmed.

It was recommended that Council authorize an expenditure in the amount of \$30,500.00 to allow the Municipal Engineer to proceed with this project as soon as practicable.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

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(15) Proposed Amendments to Fee Schedules in the Building Department

The Chief Building Inspector advises that a review of his Department's Provisional Budget suggests several areas in which revenues should be increased to more realistically reflect the current costs involved in providing services.

The recommended increases, which are based on a forecast in the value of construction for 1975 over that experienced in 1974, are needed to improve the revenue position of the Department to the extent that the Department will be able to meet its target of 75% of expenses.

The general increase for the proposals as noted in this report is 8%.

It was recommended that the applicable amending by-laws be brought forward, with the fee increases to be effective April 1, 1975.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(16) Proposed Anti-Train Whistle By-Law

At the direction of Council we have been investigating, together with representatives of the Canadian Transport Commission and the Railways concerned, what the crossing protection requirements of various railway crossings would be in order that Council may introduce an anti-train whistle by-law.

The final conclusion of the investigation was that in order to have the Canadian Transport Commission agree to an anti-train whistle order to the railways using the Central Valley line, five existing crossings would require signalization. The five crossings are as follows:

<u>Location</u>	<u>Present Control</u>	<u>Estimated Cost</u>
1. Piper Avenue and Main Line	Stop Signs	\$ 50,365.00
2. Lake City Spur and Government	Cross Bucks	\$ 28,570.00
3. Lake City Spur and Production Way	Cross Bucks	\$ 39,517.00
4. Lake City Spur and Underhill	Cross Bucks	\$ 57,268.00
5. Lake City Spur and Lake City Way	Cross Bucks	\$ 39,515.00
		\$215,235.00

In addition to the above, there will be an annual maintenance charge of \$6,144.00 for the five signals.

Normally when a City or a Municipality applies for an anti-train whistle by-law the applicant is responsible for all costs of upgrading any deficiency in the existing crossing protection.

Hoping to save the Municipality the full cost of these installations, we wrote to the Canadian Transport Commission and made application for these signals based on present volumes of rail and highway traffic. If successful, and we were assessed a portion of the cost through the grade crossing fund, then the Municipalities share of the installation costs could be reduced from 100% to 12% and the yearly maintenance could be shared on a 50/50 split between the Municipality and the Railway.

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Signal Installation Costs	\$215,235.00
Municipal Share 12½%	\$ 27,904.37
Yearly Maintenance	\$ 6,144.00
Municipal Share 50%	\$ 3,077.00

We have now received written confirmation from the Canadian Transport Commission on two of the five crossings enquiring if we will accept 12½% of the installation costs and 50% of the annual maintenance costs. The two crossings are at Piper Avenue and Government Road. We are expecting replies in the near future regarding the other three crossings.

At this stage, we should advise that if the crossing protection requirements are met the Council may then apply for permission to introduce an anti-train whistle by-law that will cover the Central Valley line only. The cost sharing we have been able to obtain here would not apply to the B. C. Hydro Central Park line as the Grade Crossing Fund is a Federal Agency dealing with interprovincial railways. As there is no similar Provincial Agency any protection required along the Central Park Line will be a 100% municipal expense and judging from the average cost of these signals could run in the neighbourhood of \$600,000.00 for the 14 crossings requiring signalization.

In summing up, we would say that for an initial outlay of approximately \$28,000.00 and an annual maintenance fee of \$3,077.00 we will have all the Central Valley rail crossing protection to a standard that will be acceptable for an application for an anti-train whistle by-law.

It was recommended that:

- (a) Council approve the cost share formulae for the two confirmed signals;
- (b) Council approve in principle the same cost sharing formulae (12½% installation, 50/50 maintenance) for the three remaining signals.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED

AGAINST: MAYOR CONSTABLE, ALDERMEN
McLEAN AND MERCIER.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN EMMOTT:

"That the Provincial Government be approached to institute a grade crossing fund similar to that established by the Federal Government to provide assistance in the installation of crossing signalization on railways coming within the jurisdiction of the Provincial Government."

CARRIED UNANIMOUSLY

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(17) Public Meeting - Brentwood School

It was recommended that:

- (a) a Public Meeting to be held in the Brentwood Park Elementary School for the purpose of hearing representations on the proposed amendments to Community Plan No. 9 - Brentwood Apartment Study 1969, Area "D", be held on Wednesday the Second day of April, 1975, and commence at seven-thirty o'clock in the evening;
- (b) the area to be served with the Notice of Public Meeting and copy of Item 20, Municipal Manager's Report No. 15, 1975, be that shown by means of a broken line on the sketch attached to the report received.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN LEWARNE:

"That the date of the aforementioned Public Meeting be amended to read 'on Wednesday, the Ninth day of April, 1975 and commence at seven-thirty o'clock in the evening'."

CARRIED

AGAINST: ALDERMAN LAWSON

A vote was then taken on the original motion as MOVED by Alderman Stusiak and SECONDED by Alderman Ast "That the recommendations of the Municipal Manager be adopted" as amended and same was CARRIED UNANIMOUSLY.

**(18) Sub-Lease - MacMillan Bloedel Limited,
Water Lot 5870, Group 1, N.W.D.**

It was recommended that the sub-lease on Water Lot 5870 be renewed for one year to commence on February 26, 1975, subject to the rate and conditions noted in the body of the Land Agent's Report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

**(19) Tenders - Miscellaneous Metal Work -
Municipal Hall Renovations**

It was recommended that a Purchase Order be issued to the lowest bidder, Brenda Steel Limited, for the sum of \$23,920.00 for the supply and installation of miscellaneous metalwork for the Municipal Hall renovations.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

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(20) By-Law No. 6616 - "Burnaby Pool Room Regulation By-Law 1975"

This item was dealt with previously in the meeting as Item 3(c) under By-Laws.

(21) Letter dated February 27, 1975 from The Honourable Norman Levi, Minister of Human Resources

This item was dealt with previously in the meeting as Item 4(a) under Correspondence and Petitions.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"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 STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY