

MAY 12, 1975

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Monday, May 12, 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
Alderman W. A. Lewarne (7:18 P.M.)
Alderman G. H. F. McLean
Alderman V. V. Stusiak

ABSENT:

Alderman J. L. Mercier

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. J. Plesha, Administrative Assistant to Manager
Mr. B. D. Leche, Municipal Clerk's Assistant

M I N U T E S

The Minutes of the Council Meeting held on May 5, 1975, came forward for adoption.

Alderman Gunn noted that on Page 9 of the Minutes of the Council Meeting held on May 5, 1975, both he and Mayor Constable were shown as voting in favour of reconsideration and final adoption of "Burnaby Highway Exchange By-Law No. 14, 1974" (#6603) when, in fact, they had both voted contrary to this By-Law.

Alderman Lawson noted that on Page 30 of the Minutes of the Council Meeting held on May 5, 1975, the motion as MOVED by Alderman Gunn and SECONDED by Alderman Mercier concerning the proposed Douglas Road-Holdom Avenue Road Link was not complete. This motion should read as follows:

"That the Director of Planning include consideration to allowing a right turn when going east from the Lougheed Highway onto Douglas Road as part of the proposed Douglas Road-Holdom Avenue Road Link."

'CARRIED UNANIMOUSLY'

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That the Minutes of the Council Meeting held on May 5, 1975, as amended, be now adopted."

CARRIED UNANIMOUSLY

P R O C L A M A T I O N

His Worship, Mayor Constable, proclaimed Saturday, May 17, 1975, as "Norway Day in Burnaby".

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DELEGATIONS

The following wrote requesting an audience with Council.

- (a) Mr. M. Corak, re Complaints concerning Curtis Lumber Co. Ltd.
- (b) Mr. Brian G. Kask, President, Curtis Lumber Co. Ltd. -
Answers to Mr. Corak's statements of violations of By-Laws.
- (c) Mr. E. C. Underwood, re Mr. Corak's statements regarding Curtis Lumber Co. Ltd.
- (d) Mr. C. A. C. Venning, re 1975 Local Improvement Program -
Sidewalks on Brantford Avenue.
- (e) Mr. A. L. Andrews, Berkeley Homes Ltd., re Redevelopment of the
North-East Corner of Loughheed Highway and Bainbridge Avenue.
- (f) Mr. J. A. Kask, Kask Bros. Ready Mixed Concrete Ltd., re Conveyor
from Leased Water Lot to 7500 Barnet Highway.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That the delegations be heard."

CARRIED UNANIMOUSLY

Mr. M. Corak then listed the complaints he had against Curtis Lumber Co. Ltd. and pointed out some of the Burnaby Zoning By-Law conditions with which Curtis Lumber Co. Ltd. is not abiding:

- 1. 6.13 - Vision clearance at intersection is obstructed by lumber stored in the front yard.
- 2. 6.15 - Front and side yards which abut the residential district are not suitably landscaped or properly maintained.

The front yard is used as a storage yard and the height of the stored lumber exceeds 15 feet.

The storage yard is not screened or landscaped.

The rear yard is not fenced, screened or landscaped.

The side yard is not screened and landscaped.

- 3. In the rear, an R5 lot is being used for lumber storage and other building material.
- 4. 6.17 - Trucks and loaders are operating from Curtis Street and Sperling Avenue every morning causing traffic jams during morning rush hour. This again happens in the evening. Since Curtis Street is very busy due to University traffic there are jams throughout the day.

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5. Trucks and loaders and workers are operating in the yard seven days a week, thus including Sundays. They start as early as 7:00 A.M. thus disturbing the residents even on Sundays.
6. Rats have become a frequent occurrence.
7. The Lumber Yard is on Mr. Corak's property.

Mr. Brian G. Kask, President, Curtis Lumber Co. Ltd. then replied to Mr. Corak's complaints as follows:

1. There is no lumber stored within 30 feet of the corner along Curtis Street and none within 40 feet along Sperling Avenue.
2. Last year trees were planted along both Curtis Street and Sperling Avenue to make a more pleasing appearance.
3. Curtis Lumber Co. Ltd., at the request of the Chief Licence Inspector, has agreed to remove the material presently stored on the R5 zoned lot and the majority of the material has already been moved.
4. Trucks must use streets in every business to enter and leave premises. As traffic is heavy at certain times of the day, care is taken to get trucks in and out as quickly as possible.
5. Company business hours are 7:00 A.M. to 5:30 P.M. daily and 8:00 P.M. to 4:00 P.M. on Saturdays. No complaints have been received for disturbing residents and business has never been conducted on Sundays.
6. No one has seen rats on the Company property. Mr. Kask noted that Mr. Corak continues to dump grass clippings and other rubbish on Company property.
7. With reference to Mr. Corak's statement that the lumber company is on his property, Mr. Kask noted that the lot on which Mr. Corak's house is built was purchased from him approximately nine years ago. At that time the fence was in the same position as it is today. The fence was constructed about 15 years ago to replace a fence which was in the same spot for 15 years before that.

Mr. E. C. Underwood, 1010 Sperling Avenue, then addressed Council and stated that he had no objections to manner in which Curtis Lumber Co. Ltd. carried on their business and that he was completely satisfied with the current situation.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That Item 21, Municipal Manager's Report No. 35, 1975, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY.

The following is the substance of that report:

"Attached are reports on this matter from the Planning, Licence, Engineering, Police and Health Departments. In addition, the Fire Chief advises that his Department inspected the property and did not find any evidence of an existing hazard. The Fire Chief also points out that under 'Burnaby Fire Prevention By-Law No. 5096', Section 2.3.4.1(2), 'Lumber shall be piled with due regard to the stability of piles and in no case shall the height

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of a stickered pile (open for air drying) exceed 20 feet.'

Although the reports contain considerable information on the specific complaints that have been referred to Council, it would be appropriate to emphasize that those pertaining to the Zoning By-Law are not subject to existing regulations because the property is legally non-conforming. Following is the section of the Municipal Act which provides municipalities with direction regarding such non-conformance:

'705(2) A lawful use of premises existing at the time of the adoption of a zoning by-law, although such use does not conform to the provisions of the By-Law, may be continued; but if such non-conforming use is discontinued for a period of thirty days, any future use of those premises shall, subject to the provisions of this Section, be in conformity with the provisions of the zoning by-law.' "

It was recommended that a copy of this report be sent to each of the correspondents.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY.

Mrs. D. I. Lambert, 6036 Brantford Avenue, speaking on behalf of Mr. C. A. C. Venning, then addressed Council on the subject of the Local Improvement project initiated on Brantford Avenue from Imperial Street to Oakland Street. Mrs. Lambert requested that Council consider re-initiating this project for inclusion in the 1975 Local Improvement Program.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

"That Item 20, Municipal Manager's Report No. 35, 1975, be brought forward for consideration at this time."

The following is the substance of that report:

"Appearing on the Agenda for the May 5, 1975 meeting of Council was a request from Mr. C. A. C. Venning for reinitiation of a Local Improvement on Brantford Avenue. Council, at the Manager's request, tabled a report on this matter (Item 25, Report No. 33), and Mr. Venning upon being so advised decided to defer his appearance as a delegation for one week. We also at this time have on the Agenda for the May 12, 1975 meeting of Council letters from Mrs. E. Titterington and Mrs. A. S. Gregson who are opposed to the re-initiation of the work.

Item 25, Report No. 33, recommended that the work be reinitiated, but we now find that this recommendation should be withdrawn as Section 592(1) of the Municipal Act provides that the Clerk shall determine the sufficiency of a petition and his certificate once given is final and conclusive. Regardless of the petitions, the dates on which they were received, their form or their intent, the fact is that the Municipal Clerk did issue his certificate. In this case, he certified that a sufficient petition had been presented against the work. It appears that courts have ruled that even when the Clerk has made a mistake in law (and we are not suggesting that an error was made in this case), his certificate is still final and conclusive. Therefore, it seems clear that this particular local improvement work has been defeated.

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Further, Section 590 of the Municipal Act provides that Council may not initiate the same local improvement work on the initiative plan if the work has been defeated by a sufficient petition within one year after the presentation of the petition. It is clear, therefore, that this work having been defeated, Council may not reinstitute it until one year has elapsed.

At this point, one of two alternatives could be exercised:

1. The affected property owners can petition for the work and if a two-thirds majority is obtained, inclusion of the work into the 1975 General Local Improvement contract can proceed expeditiously. If this approach were followed, the petition would have to be presented to the Clerk no later than May 20. Mr. Venning has been advised of this deadline, but he feels that it is not possible to obtain the necessary two-thirds majority.
2. Because the work was defeated on the initiative basis, it cannot be reinitiated by Council for a period of one year unless the scope of the work is changed. This could be accomplished by having the scope changed from Imperial Street to Strawson Street rather than from Imperial Street to Oakland Street as defeated. This, of course, is a more time consuming procedure which even if successful would not allow for construction to proceed in connection with the 1975 General Local Improvement contract. If approved, the revised description of the work would be 28' pavement with 5' curb walks on both sides of Brantford Avenue from Imperial Street to Strawson Street. The length would be approximately 3,430 feet. The estimated cost of the work is \$171,500.

Circumstances relating to this local improvement strongly suggest that it will not be possible to obtain a two-thirds majority. Even if the second alternate is exercised and approved by a simple majority of the property owners, it is not likely that the work could be undertaken and completed this year."

It was recommended that:

1. Item 25, Municipal Manager's Report No. 33, 1975, be lifted from the table;
2. The recommendations contained therein be withdrawn;
3. The work as amended with the revised limits be initiated in 1976;
4. A copy of this report and Item 25, Municipal Manager's Report No. 33, 1975, be sent to all petitioners.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"That Recommendations No. 2 and No. 4, aforementioned, be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

"That the identical works proposed to be constructed on Brantford Avenue from Imperial Street to Oakland Street, i.e., 28-foot pavement with 5-foot curb sidewalks on both sides, be initiated in the 1976 Local Improvement Program."

CARRIED UNANIMOUSLY

Mr. Brian Prentice, speaking on behalf of Mr. A. L. Andrews, Berkeley Homes Ltd., advised Council that due to reasons beyond the Company's control, the brief that was being prepared on the subject of development of the North-East Corner of Loughheed Highway and Bainbridge Avenue, was not available this evening. Mr. Prentice asked Council's indulgence in this matter and requested that he be afforded another opportunity to address Council on this subject in two weeks' time.

It was agreed that Mr. Prentice would again address Council on this subject on May 26, 1975.

Mr. David M. Herd speaking on behalf of Kask Bros. Ready Mixed Concrete Ltd. requested Council permission to proceed with the construction of an underground conveyor system from the leased water lot currently under control of that company to 7500 Barnet Highway.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN LEWARNE:

"That Council grant permission to Kask Bros. Ready Mixed Concrete Ltd. to construct an underground conveyor system from their leased water lot to 7500 Barnet Highway subject to any legal impediments and the submission of a suitable plan of development and that the necessary rezoning procedures be initiated."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

"That this matter be referred to the Director of Planning and the Parks and Recreation Commission for review and comment and that a further report on this subject be available for consideration by Council on May 26, 1975."

CARRIED

AGAINST: ALDERMAN EMMOTT.

B Y - L A W S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 7, 1975' (#6622) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

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This By-Law provides for the following proposed rezoning:

Rezoning Reference #1/75

Lot 3, Ex. Pl. Plan 6177 and Except Parcel "C", Ref. Plan 10610 and Ex. Pt. on Plan with By-Law 30078, D.L. 97, Plan 824.

6077 Kingsway.

From Comprehensive Development District (CD)
To Amendment to Existing Comprehensive Development District (CD)

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED

AGAINST: ALDERMAN McLEAN.

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED

AGAINST: ALDERMAN McLEAN.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 7, 1975' (#6622) be now read two times."

CARRIED

AGAINST: ALDERMAN McLEAN.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 12, 1975' (#6641) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Rezoning Reference #5/75

Lots 7, 8, 9 and 10, Block 7, D.L. 121, Plan 1054

4224 and 4228 Albert Street.

From Residential District (R5)
To Parking District (P8)

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN LAWSON:

"That Item 18, Municipal Manager's Report No. 35, 1975 be brought forward."

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CARRIED UNANIMOUSLY

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It was recommended that:

1. Rezoning Reference #5/75 be advanced for further consideration and specifically for First and Second Readings, with Final Adoption to be conditional upon completion of the 6 prerequisite conditions set out in the initial rezoning report dated March 17, 1975; and
2. In addition, the applicant be asked to acknowledge in writing his understanding that the land use which is to be permitted under the proposed zoning is considered interim in nature, and that the zoning is subject to review and amendment by the Council at any time in accordance with the development objectives of the Community Plan.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

"That in order that the culmination of the Community Plan for this area not be frustrated that the Land Agent be authorized to negotiate the purchase of this property."

CARRIED

AGAINST: ALDERMEN GUNN, LEWARNE
AND McLEAN.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

"That the Committee now rise and report."

CARRIED

AGAINST: ALDERMEN GUNN, LEWARNE
AND McLEAN.

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED

AGAINST: ALDERMAN GUNN, LEWARNE
AND McLEAN.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"That:

- | | |
|--|---------|
| 'Burnaby Parks Reservation By-Law 1975' | (#6654) |
| 'Burnaby Road Acquisition and Dedicacion By-Law No. 2, 1972, Repeal By-Law 1975' | (#6669) |
| 'Burnaby Road Acquisition and Dedicacion By-Law No. 3, 1975' | (#6670) |
| 'Burnaby Local Improvement Construction By-Law No. 8, 1975' | (#6671) |
| 'Burnaby Highway Exchange By-Law No. 1, 1975' | (#6672) |

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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 GUNN:

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

CARRIED

ALDERMAN LEWARNE VOTED CONTRARY
TO BY-LAW #6670.

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

CARRIED

ALDERMAN LEWARNE VOTED CONTRARY
TO BY-LAW #6670.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"That:

- 'Burnaby Parks Reservation By-Law 1975' (#6654)
- 'Burnaby Road Acquisition and Dedication By-Law No. 2, 1972, Repeal By-Law 1975' (#6669)
- 'Burnaby Road Acquisition and Dedication By-Law No. 3, 1975' (#6670)
- 'Burnaby Local Improvement Construction By-Law No. 8, 1975' (#6671)
- 'Burnaby Highway Exchange By-Law No. 1, 1975' (#6672)

be now read three times."

CARRIED

ALDERMAN LEWARNE VOTED CONTRARY
TO BY-LAW #6670.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN LEWARNE:

"That:

- 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 20, 1975' (#6656)
- 'Burnaby Local Improvement Construction By-Law No. 2, 1975' (#6661)
- 'Burnaby Local Improvement Construction By-Law No. 3, 1975' (#6662)
- 'Burnaby Local Improvement Construction By-Law No. 4, 1975' (#6663)
- 'Burnaby Local Improvement Construction By-Law No. 5, 1975' (#6664)
- 'Burnaby Local Improvement; Construction By-Law No. 6, 1975' (#6665)

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'Burnaby Local Improvement Construction By-Law No. 7, 1975' (#6666)

be now reconsidered and finally adopted, signed by the Mayor and Clerk and 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 LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"That all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 35, 1975, which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Mr. and Mrs. D. E. Lennard, 9564 David Drive, submitted a letter dated April 28, 1975, expressing their approval and appreciation of the present North Road closures in Sullivan Heights.

Mr. and Mrs. Lennard were of the opinion that the very minor inconvenience caused by the blockades is more than offset by the resultant quiet and safety on our residential streets.

Mr. R. L. Foster, 6498 Buchanan Street, submitted a letter dated April 27, 1975, protesting the present Municipal policy whereby citizens are permitted to dispose of garden refuse by outdoor burning on two week-ends in the spring and two week-ends in the fall.

Mr. M. J. Endelman, 4165 Cherrywood Crescent, in a letter dated May 2, 1975, also submitted a letter objecting to the present policy regarding the outdoor burning of garden refuse in the Municipality.

Council was advised that a staff report on the subject of outdoor burning would be available for consideration on May 20, 1975.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"That as the present policy concerning outdoor burning in the Municipality is satisfactory in all respects staff be advised that no further report is necessary."

FOR: MAYOR CONSTABLE, ALDERMEN
LEWARNE, McLEAN AND STUSIAK.

AGAINST: ALDERMEN AST, EMMOTT,
GUNN AND LAWSON.

The votes being equal for and against the question, the question was declared negatived and the motion was LOST.

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Mr. B. D. Downie, President, Burnaby Teachers' Association, in a letter dated May 1, 1975, wrote to advise that the following motions had been passed by the Executive of that organization:

1. "That the Executive Council of the Burnaby Teachers' Association supports the stand of Burnaby Council regarding the rights of any group of citizens to purchase and develop property in Burnaby."
2. "That the Executive Council express its deep concern regarding any form of prejudice and especially its effect on students' attitudes to one another in our schools, our community and our nation."

Mr. Peter Tkack, 7941 Nelson Avenue, in an undated letter requested the answer to specific questions concerning the proposed sale of Municipal Land on Marine Drive to the Ismailia Community.

Mr. Donald L. Norman, 7938 Nelson Avenue, in a letter dated May 7, 1975, requested that Council reconsider the motion which was before Council on May 5, 1975, to purchase the property presently owned by the Ismailia Society for consolidation with the Municipally owned 6.6 acre parcel immediately adjacent. Mr. Norman was of the opinion that the consolidated parcel should then be used for the development of an Ice Skating arena and community centre.

Mrs. B. Norman, 7938 Nelson Avenue, in a letter dated May 7, 1975, wrote to express her objections to the proposed building of a mosque in the P2 zoned area on Marine Drive. Mrs. Norman was of the opinion that Council was indeed overlooking the wishes of the majority in allowing a place of worship for one ethnic group to be in excess of any other place of worship in the area.

Mr. Laurie Taylor, President, Burnaby Kawasaki Retail Ltd., submitted a letter dated May 2, 1975, requesting that motorcycle dealers in Burnaby be exempt from the provisions of the 'Burnaby Shops Closing By-Law, 1958', for the following reasons:

1. Motorcycles are not only a recreational vehicle but also for many customers they are their only means of transportation. Therefore, the motorcycle dealers are in competition with automobile dealers and yet the automobile dealers are exempt from the Shops Closing By-Law.
2. The motorcycle business is extremely seasonal which means dealerships must compact a year's business into a span of approximately four good selling months.
3. Many of our customers can only do their shopping after normal office hours and we are at present in a position to offer total service for these people.

Item 12, Municipal Manager's Report No. 35, 1975, was brought forward for consideration at this time. The following is the substance of that report:

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"On May 5, 1975, Council received a request from Allied Motorcycle Ltd., 6360 Kingsway, to exempt the sale of motorcycles from provisions of the Burnaby Shops Closing By-Law.

The By-Law provides that all classes of shops shall be closed for the serving of customers by 6:00 p.m. on Monday, Tuesday, Wednesday and Saturday, and by 9:00 p.m. on Thursday and Friday of each week, excluding the month of December, when all shops are exempt from regular closing hours.

For the convenience and well-being of the residents of the Municipality, Council may completely exempt defined classes of shops from the closing hours set out in the By-Law.

The Municipal Solicitor advises that we may define motorcycle shops and amend the By-Law to exempt them from the regular closing hours.

The Municipality of Surrey does not regulate the hours of shops.

The City of Vancouver is the only neighbouring area that regulates the hours of shops. A city official advises that motorcycle shops are exempt from regular closing hours.

We have surveyed the six motorcycle shops operating in the Municipality and determined that three operators support the requested exemption and three operators oppose unregulated hours of business.

Lacking the support of a majority of the motorcycle sales shop operators, it is recommended the requested exemption be denied."

It was recommended that:

1. The request to amend the Burnaby Shops Closing By-Law to exempt motorcycle sales from regular closing hours be denied;
2. A copy of this report be forwarded to each of the six motorcycle shop operators in Burnaby.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED

AGAINST: ALDERMAN STUSIAK.

Mr. Michael Morawski, Executive Director, Citizen's Development Fund, submitted a letter dated May 5, 1975, advising that their organization would be more than delighted to personally provide Council with information concerning problems resulting from the creation of high density complexes. However, Mr. Morawski suggested that the matter could better be covered by a professional who could give a clear and coherent account of the situation. It was suggested by Mr. Morawski that Council contact Mr. Gerry Langtry, a self-employed researcher in these areas who has just completed an exhaustive study of a well known high density area in the Lower Mainland.

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Mr. and Mrs. R. Douglas and Mr. and Mrs. V. J. Simon, 8325 and 8375 Joffre Avenue, submitted a joint letter dated May 4, 1975, requesting that Council not proceed with Local Improvement Project 74-062 "36-foot pavement with curbs on both sides of Joffre Avenue from Lane North of Marine Drive to Marine Drive". It was pointed out that a petition against the works submitted by Mr. and Mrs. Simon had apparently not been received by the Municipal Clerk and had possibly been lost in the mail.

Item 23, Municipal Manager's Report No. 35, 1975, was brought forward for consideration at this time. The following is the substance of that report:

"With reference to the correspondence dated May 4, 1975 received from Mr. and Mrs. Robert Douglas, 8325 Joffre Avenue and from Mr. and Mrs. V. J. Simon, 8375 Joffre Avenue we would advise that the relevant notices of intention were mailed on Tuesday, March 4, 1975 to the owners of the three properties involved namely, 3807 Marine Drive, 8325 Joffre Avenue and 8375 Joffre Avenue.

At the time of deadline for submission of petitions against the undertaking of the work - which the Municipal Solicitor has established as Monday, April 7, 1975 - we had received one petition, that of Mr. and Mrs. Robert Douglas dated March 31, 1975 and received by the Clerk's Department on Wednesday, April 2 at 10:30 a.m.

Prior to this on Tuesday, March 11, 1975, we had received an earlier letter from Mr. Douglas which requested answers in reference to questions raised as to how the estimated owners share was arrived at, principles and calculations that would allow Mr. Douglas to estimate the amount applicable to his property, etc. This correspondence was referred to the Municipal Treasurer for reply.

We received on Wednesday, April 30 a letter from Mr. Simon advising - 'This is my second letter to you regarding the proposed road work to be done in front of my property at 8375 Joffre Avenue, Burnaby. I do not see at this time that enlarging the roadway and putting in curbing is of any advantage to my property particularly in view of the high cost of said work. The street is like a speedway up and down the hill as it is. This will only aggravate the situation now to bring more traffic to our street. With this in mind I would veto the proposal.'

We acknowledged the correspondence from Mr. Simon on the day of receipt and advised him that his previous letter had not been received by this office and that our records indicate that insufficient petitions were received to defeat the proposed local improvement work therefore the work will be undertaken within the next few months.

The report from the Municipal Clerk to the Council Meeting of April 21, 1975 advised:

Number of owners	- 3
51% required to defeat project	- 2
Number of objections	- 1
Total assessed value of land	- \$27,585.
50% required	- \$13,792.
Total petitioners assessment	- \$8,865.

It is noted that By-Law No. 6665 cited as 'Burnaby Local Improvement Construction By-Law No. 6, 1975' which authorizes the construction of certain local improvement works on the initiative plan received first three readings at the regular meeting held on May 5, 1975 and is listed

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on the Agenda of the May 12 meeting for reconsideration and final adoption. The proposed work on Joffre Avenue appears as Section 2(c) in By-Law No. 6665."

It was recommended that:

1. The Local Improvement Project described as 74-062 - "36-foot pavement with 5-foot curb sidewalks on both sides of Joffre Avenue from Lane North of Marine Drive to Marine Drive", be proceeded with;
2. A copy of this report be forwarded to Mr. and Mrs. Robert Douglas, 8325 Joffre Avenue, and Mr. and Mrs. V. J. Simon, 8375 Joffre Avenue.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Mr. and Mrs. J. Henderson, 3715 Portland Street, and other, submitted a petition requesting the construction as a Local Improvement "28-foot pavement with curbs only on both sides of Portland Street from Boundary Road to Joffre Avenue".

This item was dealt with previously in the meeting as Item 3(f) under By-Laws (#6671). The Municipal Clerk's Certificate of Sufficiency will be considered later this evening under Reports - Item 8(a).

Mr. A. S. Gregson, 6376 Burns Street, submitted a letter dated May 7, 1975, in which he suggested that Council take no further action on Local Improvement Project 74-025 "28-foot pavement with 5-foot curb sidewalks on both sides of Brantford Avenue from Imperial Street to Oakland Street", until the one year period required by the Municipal Act has expired.

This item was also dealt with previously in the meeting as Item 4(d) under Delegations.

Mrs. E. Titterington, 6358 Brantford Avenue, submitted a letter dated May 6, 1975, concerning conflicting petitions that had been received by the Municipal Clerk concerning Local Improvement Project 74-025 - "28-foot pavement with 5-foot curb sidewalks on both sides of Brantford Avenue from Imperial Street to Oakland Street".

Mrs. Eileen Fletcher, Secretary, North Slope Ratepayers' Association, submitted a letter dated May 6, 1975, advising that at an Executive Meeting of the Association on May 2, 1975, a motion was passed that a letter be written to Council to elaborate on the map presented to Council on April 28 by the Association's Brief Committee, in that the area coloured reddish-purple and designated "Buffer Zone" in the Code - Phase 2, is only to indicate those portions of land within the 100-foot of scenic alignment.

It is in no way to be construed that the North Slope Ratepayers' Association advocates the purchase of this land and the removal of the houses thereon. We wish to emphasize our complete opposition to any additional purchase of homes for the purpose of destruction of same.

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Mr. Frank Babish, 35 Canberra Avenue, submitted a letter dated May 7, 1975, concerning the provision of an adequate buffer strip to protect abutting residential properties in the event of a major fire on the Chevron Canada Ltd. Refinery premises. Council was advised that a staff report on this subject would be available for consideration on May 20, 1975, and further consideration of the subject was deferred until that date.

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

"That Item 12, Municipal Manager's Report No. 27, 1975, 'Preliminary Report Towards the Development of a Community Plan 'Burnaby 200' - Gaglardi Way/Broadway/Underhill Avenue' tabled April 14, 1975, pending a report from the Advisory Planning Commission, be now lifted from the table."

CARRIED UNANIMOUSLY

The following are the recommendations of that report:

1. That Council approve, in principle, the basic intent in the establishment of a residential community on the subject site and authorize the Planning Department to continue to work with the potential developers of the subject site towards the development of a suitable Community Plan according to the terms outlined in this preliminary Community Plan report; and
2. That Council direct the Land Agent to prepare an estimate of the value of the properties involved in the proposed land exchange as outlined in Section 7.0 of the Director of Planning's report and to subsequently commence negotiations to effect the proposed exchange subject to Council's final approval; and
3. That Council authorize the preparation of a report for submission to the Provincial Government requesting compensation on a market value basis for the 21.3 acres of Municipal land acquired without payment for the Gaglardi Way alignment in May of 1965; and
4. That Council authorize the Planning Department to make formal contact with the Greater Vancouver Water District, the Burnaby School Board Officials and the Parks and Recreation Department with reference to the development of the subject Community Plan.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

"That Recommendation #1, aforementioned, be adopted."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That Recommendation #1, aforementioned, be amended as follows:

'That Council approve, in principle, the basic intent in the establishment of a residential community on the subject site and authorize the Planning Department to continue to work with the potential developers of the subject site towards the development of a suitable community plan.'"

CARRIED

AGAINST: ALDERMEN EMMOTT AND GUNN.

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A vote was then taken on the original motion as MOVED by Alderman Gunn and SECONDED by Alderman Ast "That Recommendation #1, aforementioned, be adopted", as amended and same was CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That Recommendations #2 and #3, aforementioned, be referred to a special meeting of Council sitting as a Committee of the Whole 'In Camera' to meet with the Provincial Government or Dunhill Development Ltd. to attempt to resolve what probably will be the significant factor in this whole proposal."

CARRIED

AGAINST: ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That Recommendation #4, aforementioned, be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"That the following recommendation of the Advisory Planning Commission be tabled pending receipt of a report back in reference to foregoing recommendations numbered 2 and 3 and that same be considered by Council 'In Camera':

'That Council keep pace with urban development in maintaining the necessary level of facilities, (cultural, recreational, fire and police protection) in the north-eastern section of Burnaby bounded by Sperling Avenue, North Road and Lougheed Highway northward."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"That Item 19, Municipal Manager's Report No.33, 1975, concerning the Broadway Extension from North Road to Gaglardi Way, tabled May 5, 1975, be now lifted from the table."

CARRIED UNANIMOUSLY

The following are the recommendations of that report:

1. That Council approve the proposal as outlined in Section 2.0 of the Director of Planning's report as fulfilling the rezoning prerequisite (Rezoning #55/74) of a suitable general operational agreement for the provision of the Broadway Extension from North Road to Gaglardi Way; and
2. That the Engineering Department be authorized to call tenders for and administer the construction of the proposed link based on suitable engineering design drawings submitted by the Department of Highways and on the understanding that the Department of Highways will reimburse the Municipality for the amount actually paid to the contractor plus engineering and administration costs incurred by the Municipality in administering such a contract; and
3. That a copy of this report be sent to the District of Coquitlam and the Sullivan Heights Ratepayers' Association.

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MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN McLEAN:

"That further consideration of the subject matter be tabled for a further period of one week."

CARRIED UNANIMOUSLY

ENQUIRIES

Alderman McLean suggested that it would be advantageous for Council to be in possession of up-to-date traffic counts on Marine Drive from Boundary Road to the New Westminster boundary.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN LAWSON:

"That the Municipal Engineer be directed to provide up-to-date traffic counts for all types of traffic on Marine Drive from Boundary Road to the New Westminster boundary."

CARRIED UNANIMOUSLY

Alderman Lewarne noted that in the lane adjacent to the Sussex Street School speed bumps had been installed which were of a very severe type and suggested the Municipal Engineer investigate this matter.

Alderman Stusiak stated that he would be introducing a Notice of Motion which in general and more specific terms will state that in the Kingsway Metro Town and the Burnaby Town Centres that there should be an impost charged against those commercial units that will be developing, towards the acquisition and supply of open spaces, plazas, etc. for the benefit of the people in the newly designated Town Centres.

Alderman McLean stated that it was his opinion that Council should be in possession of an Engineering Study concerning the completion of the Stormont Interchange between the Freeway and Lougheed Highway and the land around same in order that Council may be aware of the problems being faced by the Provincial Department of Highways in the completion of this road link.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN STUSIAK:

"That His Worship, Mayor Constable, arrange with the Provincial Department of Highways for Council to be provided with an Engineering Report on the land around the Stormont Interchange."

CARRIED UNANIMOUSLY

REPORTS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

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The Municipal Clerk submitted a Certificate of Sufficiency on a petition received from J. and M. I. Henderson, and others, requesting the construction, as a Local Improvement, of 28-foot pavement with curbs only on both sides of Portland Street from Boundary Road to Joffre Avenue.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN GUNN:

"That the Municipal Clerk's Certificate of Sufficiency be received."

CARRIED UNANIMOUSLY

The meeting recessed at 8:55 P.M.

The meeting reconvened at 9:05 P.M. with Alderman Mercier not in attendance.

The Municipal Manager presented Report No. 35, 1975, on the matters listed following as Items (1) to (29) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Municipal Hall Renovations -
Construction Schedule dated May 1, 1975

The Municipal Manager submitted a revised Construction Schedule for the Municipal Hall Renovations dated May 1, 1975.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(2) Medical Health Quarterly Report

The Municipal Manager submitted the Quarterly Report of the Medical Health Officer covering the activities of his Department for the months of January, February and March, 1975.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN STUSIAK:

"That the Quarterly Report of the Medical Health Officer be received."

CARRIED UNANIMOUSLY

(3) Treatment of Boulevard at 5337 Portland Street

Council, sitting as a Court of Revision on May 1, 1975, received an enquiry from Mr. Rennie, 5337 Portland Street regarding the proposed treatment of his boulevard following the installation of improvements under the 1974 Local Improvement Program.

The design elevation of the curbwalk was approximately 18 inches to 2 feet lower than the existing boulevard abutting 5337 Portland Street. Department personnel met Mr. & Mrs. Rennie on site and it was mutually agreed that a small retaining wall would be the best and most economical solution to the problem.

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MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

(4) Concession at the Centennial Pavilion, Burnaby Mountain

S.G.A. Restaurants Mountain Limited has advised us in writing that a concession will be in operation at the Centennial Pavilion on or about June 1, 1975.

The facility will be located on the sundeck which is on the side of the Pavilion that faces the Inlet. Concessionary services will feature beverages and light refreshments that will be sold over-the-counter. The design does not call for the provision of tables or seats. Although hours of operation are not yet finalized, it is tentatively planned to have the concession open during the summer on weekday afternoons and for longer periods on weekends; the hours will probably be reduced to weekends only during the early fall.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"That the Parks and Recreation Commission be requested to submit a report on the question of the opening of the concession at the Centennial Pavilion.

CARRIED UNANIMOUSLY

(5) Lease of Municipal Land to Fred and John Ronald Sheremeta -
Portion of Lot 15 lying to the West of Marshland Avenue, South
of B.C. Hydro and Power Authority Railway, D.L. 155C

On April 1, 1970, the Municipality entered into a lease for the subject property with Fred Sheremeta and John Ronald Sheremeta which said lease was registered in the Land Registry Office, New Westminster, under #G 34076. The lease was then assigned by agreement dated January 7, 1971 to Consumer Pallet Limited, which assignment was registered in the Land Registry Office under #G 34077. Consumer Pallet Limited now desires to assign their interest to the Industrial Development Bank as security for a mortgage. The Municipal Solicitor has no objections to this proposal and requests the approval of Council so that the Consent of Lessor can be executed accordingly. Our rights would not be affected in any way by approving of this assignment.

It was recommended that the Municipality's signing officers be authorized to sign to subject Consent of Lessor.

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MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

- (6) Local Improvement Project on Hardwick Street -
Letter from Mr. W. J. Booth that Appeared on the Council
Agenda for the May 5, 1975, Meeting of Council

It was recommended that:

1. Hardwick Street remain in the 1977 Local Improvement Program and be presented to the abutting owners as a Local Improvement Council initiative;
2. Mr. W. J. Booth be informed of Council's decision in this regard and be sent a copy of this report.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (7) "SWIM '75" Program

It was recommended that the Mayor make personal representation to the Minister of Labour to discuss the Student Temporary Employment Program and the need to make it available to Municipalities, rather than just Regional Districts.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (8) Teen-Age Activity in the Vicinity of Charles Rummel Community Centre and Claim for Damages to a Car -
Letter from Mrs. Shirley Hart that Appeared on the Agenda for
the May 5, 1975, Meeting of Council

It was recommended that:

1. The claim for \$25.00 as submitted for damages to the correspondent's car be denied;
2. A copy of this report be sent to the Youth Services Committee for any follow-up action that may be considered appropriate;
3. A copy of this report be sent to Mrs. Hart.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

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(9) Construction and Paving of Lane Between Elsom Avenue and Booth Avenue

Council, sitting as a Court of Revision, received an appeal against Local Improvement charges relative to the paving of the subject lane from Jenny Kushner of 5150 Elsom and Mrs. Margaret C. Visser of 5122 Elsom. This appeal was inserted in the Court calendar as Appeals #4 and #5 respectively.

The Court denied the Appeals and directed the Engineer to examine the condition of the lane as outlined by the two ladies and report to Council what could be done or whether anything should be done.

The ladies enumerated several reasons for objecting to the assessment.

1. The lane was built and paved to accommodate the people on Booth.
2. The appellants have no access to the lane.
3. The appellants' fences are falling down because of lane construction.
4. A ditch was dug in conjunction with the lane construction.

The lane was constructed in 1964 to a gravel standard as a condition of subdivision on Booth Avenue. The paving was carried out in 1974 as a result of a petition from abutting owners on Elsom Avenue and Booth Avenue. The notice of assessment for the costs of the paving - \$17.00 per year for five years - was given the abutting owners in 1975 for May 1st Court of Revision.

The properties on Elsom Avenue are slightly above the lane and the properties on Booth are very much below the lane. The properties on Elsom can have access to the lane by removing fences, doing a minimal amount of grading and making application to the Corporation for a crossing. The ditch is required to intercept runoff from the Elsom Avenue properties. It is not good engineering practice to run drainage across pavement if it can be intercepted. The ditch is flowing but does contain some debris that appears indigenous to the Elsom Avenue properties. The fences that are falling down are old and do not appear to have been harmed by the lane paving or construction. An Engineering order has been issued to clean the ditch.

It was recommended that:

1. Nothing further than ditch cleaning be carried out by the Engineering Department;
2. The appellants be informed if they wish access to the lane that they may have access by making application for a crossing and paying the appropriate charges;
3. A copy of this report be forwarded to the appellants.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

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(10) Contract #7511 -
Storm Drainage 1974, Part V - By-Law 6487

It was recommended that:

1. The lowest tender from Conrock Construction Ltd. in the amount of \$218,023.50 be accepted;
2. Final payment be based on the actual quantities and the unit prices tendered.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

(11) Engineer's Special Estimates

It was recommended that the Special Estimates of the Municipal Engineer in the total amount of \$189,400.00 covering installation of Storm Sewers on Municipal Streets be approved."

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(12) Motorcycle Sales - Shops Closing By-Law

Letter Dated May 2, 1975 from Mr. Laurie Taylor, Burnaby
Kawasaki Retail Sales Ltd. and Letter from Mr. G. F. Eyre,
Allied Motorcycle Ltd., that appeared on the Agenda for the
May 5, 1975, Meeting of Council

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

(13) Engineering Services for a Preliminary Study of the Douglas
Road-Holdom Avenue Road Link

It was recommended that the Corporation enter into an Engineering Agreement with N. D. Lea and Associates Ltd. to carry out the Engineering Services as outlined in the terms of reference, with payment to be in accordance with "Outline of Services and Scale of Minimum Fees" of the Association of Professional Engineers of British Columbia dated September 5, 1973 (Scale I payroll plus 100%) and estimated to be \$15,500.00 plus disbursements.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN GUNN:

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

CARRIED

AGAINST: ALDERMAN LEWARNE.

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MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"That the terms of reference of the aforementioned Engineering Study be amended to provide for the consultants to provide cost estimates of initially providing a two-lane facility as compared to a four-lane facility with the possibility of enlarging the project from a two to four-lane facility at a later date."

CARRIED UNANIMOUSLY

(14) Vending Machine Contract

It was recommended that authorization be given to execute a two-year contract from May 16, 1975 with Vancouver Enterprises Ltd. on the basis of the commissions as outlined in the report of the Parks and Recreation Administrator's report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED

AGAINST: ALDERMAN LEWARNE.

(15) Conferences for the Parks and Recreation Commission

It was recommended that members of the Parks and Recreation Commission be appointed as delegates of Council for the purpose of attending conferences as provided in the 1975 Annual Budget.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(16) Sale Signs on Municipal Property

On April 28, 1975, Council inquired about the adequacy of the signs that are used to call attention to the sale of Municipal properties, and also, the practice whereby Municipal properties are advertised under a specific section of local newspapers. With respect to the latter inquiry, Council suggested that it might be advisable to place a small ad in the Legal Section to indicate that Municipal property is being advertised for sale in another section of the newspaper. Following is a report from the Land Agent regarding these matters:

" ... the sign advertising land for sale which is used by this Dept. at the present time is 12" x 16" with the main lettering on the sign being 3" high. The colours are red on white. The sign is made of heavy cardboard and is manufactured in the Municipal Paint Shop at minimal cost.

The reason for using this particular type of sign is owing to the high mortality rate of any type of sign placed on vacant property and left unattended. Experience has shown in the past that in order to maintain a for sale sign on a property for any length of time it requires periodical inspection and often times replacement. I think it is evident if we went to a larger and more expensive sign the problem would be as

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great, if not greater, and the resulting costs would multiply. It would be possible to make the same sign slightly larger and still keep the costs within reason. However, if it is felt desirable to go to a large painted plywood sign I would point out there is nothing in this year's budget to cover the additional cost. As soon as the present supply of signs is used we will design a larger sign using the same material.

I am still of the opinion that the classified ads provide the widest and cheapest coverage for advertising municipally owned properties for sale. In future all ads will be placed by category. For example, residential lots will be under home building lots while commercial and other properties will be advertised in the appropriate section. In previous years land sales were advertised in the legal section and it was felt the results did not suitably meet the need and for this reason it was decided to change to the classified section. More people are now aware of this practice and the complaints received from not advertising in the legal section have been minimal. I can only recall one such complaint in the last two years."

It should be noted that there are sufficient funds in the budget to make larger signs from heavy cardboard material. We would require authorization to use the Contingency Account if it were decided to use plywood for this purpose.

A sample of the type of sale sign that we are now using will be available for viewing at the meeting of Council on Monday evening.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

- (17) Local Improvement Project on Brentlawn Drive -
Letter from Mr. W. B. Ronald that Appeared on the
Agenda for the May 5, 1975, Meeting of Council

It was recommended that:

1. The Brentlawn project retain its present place and priority in the 1977 Local Improvement Program;
2. Mr. W. B. Ronald be informed of Council's decision and be sent a copy of this report.

All members of Council voted AGAINST the motion and the motion was declared LOST.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"That a Local Improvement Project of 28-foot pavement with 5-foot curb sidewalks on both sides be initiated immediately on Brentwood Drive."

CARRIED UNANIMOUSLY

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- (18) Rezoning Reference #5/75 -
4224 and 4228 Albert Street -
From Residential District (R5) to Parking District (P8)

This item was dealt with previously in the meeting as Item 3(b) -
By-Law #6641.

(19) Street Light Installations

It was recommended that Council approve the installation of two only
300 watt mercury vapour Hydro lease lights on Irmin Street between Buller
Avenue and McPherson Avenue to improve mid-block lighting. The 700-foot
interval warrant is met.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (20) Local Improvement Project on Brantford Avenue
(a) Letter from Mr. C. A. C. Venning that Appeared on the
Agenda for the May 5, 1975, Meeting of Council;
(b) Letter dated May 6, 1975, from Mrs. E. Titterington;
(c) Letter dated May 7, 1975, from Mrs. A. S. Gregson

This item was dealt with previously in the meeting as Item 2(d) under
Delegations.

- (21) Curtis Lumber Co. Ltd. -
(a) Letter from Mr. M. Corak that appeared on the Agenda
for the May 5, 1975, Meeting of Council;
(b) Undated letter from Mr. Edward C. Underwood,
1010 Sperling Avenue;
(c) Letter from Mr. Brian G. Kask dated May 7, 1975

This item was dealt with previously in the meeting as Item 2(a) under
Delegations.

- (22) Letter Dated May 7, 1975, from Mr. A. L. Andrews, 575 Richards Street,
Vancouver, B.C. - Rezoning Reference #48/70 - North-East Corner
Lougheed Highway and Bainbridge Avenue

It was recommended that Council refer the inquiry of Mr. A. L. Andrews to
the Planning Department for reply and discussion within the context of the
adopted Apartment Study Area "F" and other relevant Municipal planning
criteria, including possible acquisition of the subject property under
Section 42 of the National Housing Act.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN LAWSON:

"That the subject matter be tabled for two weeks at which time Council
will be receiving further representation from Mr. A. L. Andrews."

CARRIED UNANIMOUSLY

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- (23) Letter Dated May 4, 1975, from R. and G. F. Douglas and V. J. and D. M. Simon - Local Improvement #74-062 - Joffre Avenue from Lane North of Marine Drive to Marine Drive - 36' Pavement With Curbs on Both Sides
-

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

- (24) Proposed Sale of Municipal Land to Intercon Management Ltd. - Lots 4 N $\frac{1}{2}$, Lot 3 and Lot 2, S31.69 feet, D.L. 161, Plan 1742 and Portion of a Lane
-

It was recommended that:

The subject lots be sold to Intercon Development Ltd. for \$2.51 per square foot subject to the following conditions:

- (a) consolidation into one site of all the properties to be owned by the firm in this location;
- (b) submission of all survey plans required for the completion of the land sale and consolidation.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

"That the subject matter be tabled pending receipt of a report from the Municipal Manager on the rationale for the establishment of the \$2.51 per square foot rate as an equitable selling price for the subject property."

CARRIED UNANIMOUSLY

- (25) Land Exchange and Development Agreement -
D.L.'s 15 and 100 -
Subdivision Reference #131/74 - Community Builders Ltd.

The Municipal Manager presented a report from the Land Agent concerning the subject Land Exchange and Development Agreement. The text of that report follows:

" S.D. Ref. #131/74 - D.L. 15 and 100, Broadway & North Road

COMPARISON OF DIRECT SALE AND PARTICIPATION

DIRECT SALE OF MUNICIPAL LAND

Sale Price: \$127,090.

Value of \$127,090. used for estimated time of construction @ 9% interest per annum

\$138,528.00

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LAND EXCHANGE AND PARTICIPATION

Market value of 9 serviced lots \$270,000.00

Direct Costs:

Land	\$127,090.00
Servicing	79,417.74
Inspection Charges	3,176.68
Overhead - 13% of \$79,417.74	10,324.30

Indirect Costs:

Land - 9 months construction time @ 9% per annum	8,674.00
- 9 months inspection fees @ 9% per annum	217.00
- 6 months servicing costs @ 9% per annum	3,573.80
- legal	1,800.00
- advertising & promotions	250.00
	<u>\$234,523.52</u>

Holding costs on fully serviced lots
having a capital investment of
\$234,523.52 for a period of 3 months
for sales and administration 5,218.61

TOTAL COST TO MUNICIPALITY \$239,742.00

PROFIT TO MUNICIPALITY \$ 30,258.00

Additional Costs a Private Developer would be subject to:-

Real Estate Sales Commission - 5% of \$270,000.	\$13,500.00
Builders Profit - 15% of \$270,000.	<u>40,500.00</u>
	\$54,000.00

This is \$23,742. less than would be reasonably expected by a developer.

Direct sale - interest on capital	\$11,438.
By participation anticipated profit	30,258. or 11% of gross
Difference in favour of participation	\$18,820.

Council must relate to our sequence of negotiations and our decisions
as of that time.

Our original appraisal of the 25th July, 1974 took into consideration
the value of plottage increment to the developer. This amounted to two
additional lots, making his purchase a viable proposition at \$127,090.

On March 20th of this year we submitted a report explaining our reasons
for making a recommendation to sell the municipal land for \$127,090.
Please note: Had Community Builders insisted on a proportionate dedi-
cation of comparable area for the Stoney Creek improvements we would
only have 8 lots. We considered this factor and made our recommendations
accordingly. Fortunately Community Builders failed to make this request
and we have come out ahead by one lot, value \$30,000. less servicing
costs of approximately \$11,180 leaving a residual to land of \$18,820.

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CONCLUSION

As a result of Community Builders not requiring a proportionate dedication for the Stoney Creek improvements the Municipality gained one lot.

It is the realization of the extra profit on one lot that makes our participation more desirable. Without that extra lot we would have to recommend a cash sale."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(26) Bicycle Sunday

It was recommended that the proposed "Bicycle Sunday" in Burnaby on June 15, 1975, be approved subject to the condition that the sponsors clearly mark the route with signs, as outlined in the report of the Parks and Recreation Administrator.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(27) Implementing Municipal Complex Site Development Plan

It was recommended that:

1. Council authorize the retention of Bruno Freschi and Don Vaughan to complete the architectural and landscape design work respectively as shown on the Implementation Schedule;
2. Council assign responsibility to the Consultants and the Planning Department as set out under Section 1.3 of the Director of Planning's Report.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

(28) 1974 Treasurer's Financial Report and Auditors' Report

The Municipal Manager presented the Municipal Treasurer's Financial Report and Auditors' Report for the year ended December 31, 1974.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That the Municipal Treasurer's Financial Report and the Auditors' Report for the year ended December 31, 1974, be received."

CARRIED UNANIMOUSLY

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(29) Major Road Study Program for 1975 Money By-Law Introduction

The Municipal Manager submitted a report from the Director of Planning to provide greater clarification for Council on the methods used in the comparative evaluation and selection of the route priorities for the 1985 conceptual road network.

It was recommended that this supplemental report be considered by Council as an information report to be attached to Item 16, Municipal Manager's Report No. 33, 1975.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY