

December 15, 1975

A regular meeting of the Municipal Council was held in the Council Chamber, Burnaby Municipal Hall, 4949 Canada Way, Burnaby, B. C. on Monday, December 15, 1975 commencing 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
Alderman J. L. Mercier
Alderman G. H. F. McLean
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. J. Hudson, Municipal Clerk
Mr. R. W. Watson, Deputy Municipal Clerk
Mr. J. Plesha, Administrative Assistant
to the Manager

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

Mayor Constable introduced Mr. Bob Dyer, Regional Co-Ordinator of the Burnaby Boy Scouts Association who in turn introduced Scouts Keith Chang, Fred Leonard, Ron Leonard and Bruce Insley, to the assembled guests.

Mayor Constable then presented the Chief Scout Award to each Scout. It was indicated the award was equivalent to the Queen-Scout Award and included 50 hours of voluntary service in the community.

P R O V I N C I A L E L E C T I O N

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT congratulations go out to the two newly elected members representing Burnaby Ridings in the Provincial Legislature, namely, Ray Loewen - Burnaby-Edmonds and Elmwood Veitch - Burnaby-Willington."

CARRIED UNANIMOUSLY

M I N U T E S

The Minutes of the Council meeting held on December 8, 1975 came forward for adoption.

Alderman Gunn

It was noted the resolution on Tabled Matters Item (b) - "Compensation for Rights-of-Way - Gagliardi Way" on Page 8, was passed UNANIMOUSLY relating to the lifting from the table and should indicate CARRIED with Alderman Emmott OPPOSED for the resolution to forward the letter in question to the Deputy Minister of Highways.

MOVED BY ALDERMAN AST: "That the Minutes of the Council meeting held on December 8, 1975

SECONDED BY ALDERMAN GUNN: D E L E G A T I O N be now adopted."

The following wrote requesting an audience with Council: CARRIED UNANIMOUSLY

(a) Mr. Kenneth Rosengren

Re Townhouse Condominiums - 2000 Block Springer Avenue.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MCLEAN:

"THAT the Delegation be heard."

CARRIED UNANIMOUSLY

Mr. Robert MacFarlane appeared before Council to discuss the contents of the following letter dated December 9, 1975:

"At the Council meeting of Monday, December 8th, 1975 our application to Strata Title our 27 townhouse Condominiums at 2000 Springer Avenue, Burnaby, was presented by an agent Mr. V. Hewitt of Dominion Habitat Ltd.

The facts were not presented and we respectfully request that you hear our

December/15/1975

-2-

application again at which time myself, Kenneth Rosengren and my partner Robert MacFarlane will attend the meeting. Mr. MacFarlane would have attended the meeting December 8th, 1975 (he is spokesman for our company) but he had an unfortunate accident and was unable to walk.

I will attempt to state our position for your consideration. I am a market builder and have been licenced in Burnaby for 25 years, during which time I have built many homes and small apartments which were by contract or sold on completion. I have never built for the purpose of rental, except in this instance when mortgage funds for sales were not available, which forced me into a rental position or I was to face possible bankruptcy.

In 1969 we built 54 condominiums at Broadway and Holdom Avenue and sold them all. In 1971 we built 24 condominiums in the 5500 Block Broadway and sold them all. We then purchased the property at Springer Avenue and Lougheed Highway the property now in question. This property was rezoned for condominiums and the buildings were so designed and The Corporation of Burnaby approved and granted us a permit for 27 condominiums. We built them according to plan, which included individual wiring, heating, plumbing, firewall separation between each unit, underground wiring, separate addresses, etc.

1972 was a year of strikes, lock-outs, materials were high priced and good tradesmen were hard to find although we were a full union shop we were unable to complete these townhouses until November, 1972. Conventional mortgages for condominiums at this time of the year were unavailable, the indication being money should be free in the spring but no company would commit themselves, in the meantime our short term builders mortgage was running at 16% and was due. We were able to locate a blanket first mortgage in the amount of \$450,000.00, which did not cover our cost of construction. Our short term lender converted his loan for another year providing we had income to cover the interest, the only solution was to rent out the townhouses, which we did and had them fully occupied by March 1973. The accounts were still unpaid, so we borrowed funds from friends and relatives to cover our costs, as interest up to date had to be paid in order to procure these loans. By now we were faced with \$12,500.00 in property taxes, management fees and maintenance. We selected tenants who could be future purchasers, as our plan was to strata title and then sell as they became vacant sometime in 1974, 1975 and 1976, but we were informed of the moratorium in 1974, which we believed to be temporary. In May of 1975 we presented our case to the council with no results, and were unable to present again until now.

If we are allowed to sell our townhouses we will still follow our plan and only sell as they become vacant at the tenants choice over the next couple of years.

I have recently been in touch with the Building Department and they are quite willing to co-operate with advice to help us obtain our final inspections and permits.

In closing I wish to say that this is an extreme situation with high interest rates and short term loans due and becoming due and I feel that considering our occupation and livelihood is being affected our application should be given some consideration, and not thought of as a rental project but as 27 homes for sale. Plans, permits, finance were all approved and arranged for market homes not for a rental project."

Mr. MacFarlane referred to the fourth paragraph in the letter and indicated that their building plans that they built under where stamped approved by Burnaby and the building permit when it was issued states right on it 27 condominium units. Now the reasons that we have a problem that we normally would not have is because of an amendment in the Strata Titles Act. In approximately March 1973, prior to the Act being amended we unfortunately rented out some of the units while we were waiting for the approvals under the new legislation and while waiting for some proper financing for the units. I think it unfortunate that we approached it in the manner that we did. We approached it as if it were a conversion from rental accommodation when in fact the units were originally constructed as condominium units. We are on record as seeking a conversion from you but I really think that is an error. We do not need approval for a conversion. We are condominium right from the start. We are asking of you tonight a confirmation of the original approval we already have as a condominium.

It was indicated that his partner Mr. Rosengren had built many homes in Burnaby throughout the years and there were several other projects of townhouses previously built on a condominium basis and that they had no interest or did not have the funds to build for rental purposes.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN MERCIER:

"THAT the necessary permission be granted to confirm the creation of 27 townhouse condominiums on the site subject to the buildings meeting the guidelines of the requirements of the Planning Department as they apply to condominiums and that there would be sufficient guarantee that the requirements of the Building Department be met."

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LAWSON:

"THAT the subject matter be tabled for two weeks pending a Planning Department report on the subject matter particularly as it refers to confirmation of condominium guidelines being followed."

CARRIED UNANIMOUSLY

It was requested that the Clerk provide an extract of the Minutes of the Council meeting relating to the implementation of the conversion moratorium.

B Y - L A W S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"THAT 'Burnaby Road Closing By-Law No. 9, 1975' - No. 6787 be now introduced and that the Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT 'Burnaby Road Closing By-Law No. 9, 1975' - No. 6787 be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

"THAT:

'Burnaby Comprehensive Loan Authorization By-Law No. 1, 1973, Amendment By-Law 1975'	-	No. 6716
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 50, 1975'	-	No. 6737
'Burnaby Budget Authorization By-Law 1975, Amendment By-Law 1975'	-	No. 6784
'Burnaby Sewer Connection By-Law 1961, Amendment By-Law No. 2, 1975'	-	No. 6785
'Burnaby Commercial Vehicle Licensing By-Law 1962, Amendment By-Law 1975'	-	No. 6786

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

1278 CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 81, 1975 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Burnaby Fire Fighters' Association, Local 323
re Reopening of Collective Agreement

A letter ^{date} under/of December 5, 1975 was received informing the Municipal Council that the Union desires to open its present 1975 Collective Agreement with the Corporation so that they can negotiate the terms of the 1976 Collective Agreement.

- (b) The Corporation of Delta
re Serious Concern over Large Percentage
Increases within Greater Vancouver Regional
District Provisional Budget

A letter under date of December 4, 1975 was received expressing concern over the large percentage increases within the Greater Vancouver Regional District Provisional Budget and in light of financial restraints imposed by senior governments and their guidelines to remain within a ten percent increase, it was suggested the high percentage increases within the Regional District's Provisional Budget do not appear realistic.

As a member municipality of the Greater Vancouver Regional District it was requested that the Municipal Council request the Directors of the Regional District to endeavour to produce a Budget that was within a ten percent increase over the 1975 Budget.

The Municipal Manager presented a report of the Municipal Treasurer reviewing the estimated revenues and expenditures of the Regional District. It was indicated that the exact cost of this Budget to Burnaby will not be known until property assessment information becomes available in April of next year. However, from information supplied by District Officials your Treasurer included in the Provisional Budget for 1976 the sum of \$573,786.00 using 1975 assessments in the calculation. The Budget on hand confirms the accuracy of this figure. It is \$130,369.00 or 29.4% greater than 1975.

It was further indicated that we ourselves may find it difficult, if not impossible, to keep Burnaby's increase in the tax levy within a ten percent increase over 1975, even though every effort is being made to stay within the Federal Guidelines, I am unable to recommend that Council support Delta's request as it is written; however, a 35% increase in the District's Budget without any explanation should not be accepted without challenge.

It was recommended:

1. THAT Council request the Greater Vancouver Regional District to reconsider its budget in light of Federal Wage & Price Guidelines; and
2. THAT Council ask for an explanation for the startling increases in some sections of the District's budget; and
3. THAT a copy of this report be sent to the Corporation of Delta.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT Recommendation No. 1 be tabled."

CARRIED

OPPOSED -- ALDERMEN GUNN, LEWARNE,
MERCIER AND STUSIAK

December/15/1975

-5-

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

"THAT Recommendations No. 2 and 3 of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

(c) Bonny's Taxi (1971) Ltd., R. D. Lacheur
re Application for 9 Taxi Licences

A letter under date of December 8, 1975 was received making formal application for 9 taxi licences now available in the Municipality of Burnaby.

There were a number of factors that indicated the necessity of the issuance of new taxi licences. Due to the rapid increase in the residential population and commercial growth in the Municipality of Burnaby, it was indicated they were falling further behind in customer service. It was also impossible to have all 45 taxis on the road at one time due to accidents, mechanical brake downs and other problems causing a taxi vehicle to be inoperable. It was also indicated that the general increase in traffic congestion throughout Burnaby is causing the 45 taxis now in service to be delayed in servicing the waiting customers.

The Municipal Manager advised that a staff report would be available at the December 29th meeting of Council.

(d) The Canadian Arthritis and Rheumatism
Society, B. C. Division
re 1975 Grant

A letter under date of December 4, 1975 was received acknowledging receipt of a Municipal grant in the amount of \$2,500.00. It was indicated that it is particularly acceptable this year as it has been a difficult one financially for the Society and indicating on behalf of their patients their grateful thanks to the Municipal Council.

(e) Minister of Municipal Affairs
re Sewerage Facilities Assistance
Act Grant Payments

A letter under date of November 13, 1975 was received indicating that the Sewerage Facilities Assistance Act Grant payment had been established to be paid in two installments rather than monthly with the attendant higher administrative costs.

It was stated that the payment of the Grant in two installments was considered the most practical from an administrative point of view.

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

"Appearing on the agenda for 15 December 1975 is a letter from the Honourable James G. Lorimer, Minister of Municipal Affairs, Province of B.C., in reply to Council's request that the final installment of the Sewerage Facilities Assistance Act grant be paid as soon as possible. The Minister states that payment of the grant in two installments was considered the most practical from an administrative point of view.

With due respect, the two installments were \$90,993 forwarded on 10 August 1975 and \$558,324 to be forwarded in January 1976. If two installments are the most practical from an administrative point of view, the grant would be much more advantageous to the municipalities if it were paid in two equal installments (\$324,698.50 each in the case of Burnaby) and if the second installment could be forwarded to the municipalities prior to the end of the fiscal year.

The first installment was not an advance in the normal sense. An advance is a sum of money that is payable on an estimate. In the case in point, the sums due the municipalities were precisely known on the date the first installment was made. Therefore, any payments made, as the Minister has stated, would be installments."

It was recommended:

1. THAT the Minister of Municipal Affairs be asked to consider making payment of future Sewerage Facilities Assistance Act grants in two equal installments, one as soon as the amount due the municipalities becomes known and the balance during the month of December in the same year; or alternatively, to consider making a payment based on 50% of the grant in the year prior during April of each year, to be followed in December of the same year by a final installment made up of the difference between the actual grant due and the sum advanced in April.

MOWED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- (f) Mrs. Velma I. Rukus
re Erosion of Ravine between
Kaymar Drive and Patterson Avenue

A letter under date of December 11, 1975 was received indicating the back of their property joins to the above noted Ravine. When they first bought this property the creek, which runs at the bottom, was such, that is, a creek. Now in winter with the storm sewer pipes draining into this Ravine, it is a very swift moving river. We have seen it at times 20' wide or maybe more.

Throughout the years the water has eaten away the creek bed, which has in turn let the sides of the bank slide into it. At one time this was park land the creek was destroying. Now we have lost at least 20' off our property. My neighbours are also losing property.

The Municipal Manager advised that a staff report would be available at the December 29th meeting of Council.

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

- (a) Engineering Services for the Design of the Nelson/Wayburne Diversion

The Municipal Manager provided a report of the Director of Planning indicating the reasons for the choice of Nelson Avenue as the Wayburne Street link rather than using Royal Oak Avenue.

It was indicated that following Council's request for a report on Major Roads the Planning Department with the assistance of a Transportation Consultant completed a Transportation Study for Burnaby in 1974. The resulting Report entitled 'Burnaby Transportation Study to 1985' was endorsed by the Advisory Planning Commission and forwarded to Council. On June 11, 1974 Council unanimately adopted the policy recommendations contained in the report and the conceptual road network proposed within that framework of policy recommendations. Nelson Avenue formed an integral part of the conceptual road network.

It was recommended:

1. THAT Item 11, Report No. 73, November 17, 1975 be lifted from the table; and
2. THAT Council confirm the Nelson Avenue alignment; and
3. THAT the Corporation enter into an Engineering Agreement for the design of the Nelson/Wayburne Diversion as outlined in the Engineer's letter dated October 28, 1975 with Hunter, Laird Engineering Ltd., with the fee for these services to be in accordance with Section IV, Scale 1 (payroll cost plus 125%), of the "Outline of Services and Scale of Minimum Fees to be Charged for General Engineering Projects" published by the Association of Professional Engineers of B.C. dated September 5, 1973 to an upset of \$6,400. plus disbursements.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"THAT Item 11, Manager's Report No. 73, November 17, 1975 be lifted from the table."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LEWARNE:

"THAT the subject matter be tabled pending further discussions with the Department of Highways in regard to more local access from the proposed Marine Way."

FOR -- ALDERMEN LEWARNE AND MCLEAN

OPPOSED - MAYOR CONSTABLE, ALDERMEN AST,
EMMOTT, GUNN, LAWSON, MERCIER
AND STUSIAK

MOTION DEFEATED

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

"THAT Recommendations Nos. 2 and 3 of the Municipal Manager be adopted."

CARRIED

OPPOSED -- ALDERMEN LEWARNE, MERCIER
AND MCLEAN

E N Q U I R I E S

Alderman Ast

On a question of Alderman Ast, the Municipal Manager advised that a report would be forthcoming on the question of a recent fire at the Standard Oil and the question of the odour in the area.

Alderman Stusiak

On a question of Alderman Stusiak, Mayor Constable advised that the Minister of Municipal Affairs had signed the plans for the subdivision of the portion of the Oakalla lands to be in the control of the Municipality of Burnaby.

On a further question of Alderman Stusiak, Mayor Constable advised that in relation to the Stormont Interchange and the Marine Way alignment construction and other highway matters a sit down discussion should be held early in 1976.

Alderman Gunn

On a question of Alderman Gunn, it was agreed the Greater Vancouver Regional District staff be requested to report on the subject of air pollution relating to the recent Standard Oil fire. Alderman Gunn indicated that on discussions with the Greater Vancouver Regional District monitoring staff it was requested that all municipal complaints relating to air pollution problems be forwarded to them.

Alderman McLean

On a question of Alderman McLean, the Municipal Engineer advised that certain residential streets that go downhill and have no lower outlet were snowploughed.

On a further question of Alderman McLean, the Municipal Engineer indicated that the Burnaby Hospital Board had requested that Kincaid Street be kept open to the Hospital in preference to Sunset Street.

December/15/1975

-8-

Alderman Ast

On a question of Alderman Ast, it was agreed the telephone number for the Pollution Control Officer for the G.V.R.D. be provided to the Municipal Council members.

Alderman Lewarne

On a question of Alderman Lewarne, the Municipal Engineer advised that the Department of Highways have their own policy on snowploughing of the several arterials in the community and basically it was a type of ploughing and sanding operation and did not include snow removal or clearing of sidewalks.

Alderman Lewarne suggested that the Motor Vehicle Act be amended, to provide for a \$35.00/^{fine}for driving/^{with}summer tires / ^{during}those periods of time when/^{the Motor Vehicle}Act allows studded tires to be worn in the winter months.

NOTICE OF MOTION

Alderman D. A. Lawson
re Art Objects

MOVED BY ALDERMAN LAWSON:

"THAT the Planning Department investigate the possibility of a By-Law to ensure the introduction of Art Objects in:

1. Public buildings;
2. All other major buildings or developments whether residential, commercial or industrial

by way of a percentage of the cost of the building devoted to the art object."

The Municipal Manager reported as follows:

"Appearing on the Agenda for the December 15, 1975 meeting of Council is a Notice of Motion on the possibility of enacting a By-law to ensure the introduction of art objects in certain buildings.

The Municipal Solicitor advises that there is no legislation at the present time which would permit the Municipality to require owners of buildings to provide art objects by a percentage impost on the cost of the buildings."

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT the Municipal Solicitor be requested to advise on the most appropriate method to seek out the intention of the motion."

FOR -- ALDERMEN GUNN AND LAWSON

OPPOSED - MAYOR CONSTABLE, ALDERMEN AST,
EMMOTT, LEWARNE, MCFEAN, MERCIER
AND STUSIAK

MOTION DEFEATED

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

"THAT the Municipal Solicitor be asked to report on his reasons for stating that if something is not provided for in the Municipal Act the Municipality cannot proceed with the subject."

FOR -- ALDERMEN AST, GUNN AND LAWSON

OPPOSED - MAYOR CONSTABLE, ALDERMEN
EMMOTT, LEWARNE, MCFEAN,
MERCIER AND STUSIAK

MOTION DEFEATED

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MCFEAN:

"THAT the Planning Department be requested to investigate ways and means of implementing a policy relating to the introduction of art objects in public buildings and all other major buildings or developments whether residential, commercial or industrial."

FOR -- ALDERMEN AST, EMMOTT, GUNN
LAWSON, MCFEAN AND STUSIAK

OPPOSED -- ALDERMEN LEWARNE AND MERCIER

MOTION CARRIED

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

(a) Exempt Staff Council Committee

The Exempt Staff Council Committee reported as follows:

"On June 23, 1975 Council passed the following motion:

- "1. That the senior exempt staff from Pay Grade 31 and above be given the same settlement as the Inside Workers for the year 1975 and 1976; and
2. The Greater Vancouver Regional District Labour Relations Department be asked to undertake an overall review of our exempt staff positions with any adjustments upwards or downwards to be made effective from January 1, 1976, providing that no staff member would receive a lower salary than he will have received in 1975."

The Exempt Staff Committee of Council met on December 1, 1975 to consider the report of the G.V.R.D. Labour Relations Department on Exempt Staff Compensation in Burnaby. Appearing before the Committee were:

Graham Leslie - Director, G.V.R.D. Labour Relations Department
David S. Dick - Classification Officer, G.V.R.D. Labour Relations Dept.
Richard Hamilton - Hay Associates Canada Ltd.
Edward Barrett - Hay Associates Canada Ltd.

After a brief presentation on the methods used to evaluate positions and relate them to industry compensation practices and a thorough discussion of the recommendations before the Committee, it was unanimously agreed to present the following recommendations to Council for your approval:

It was recommended:

1. That Council approve the recommendations contained in the "Report on Exempt Staff Compensation in Burnaby".
2. That Council amend the motion passed on June 23, 1975, as referred to in the body of this report, by deleting from paragraph 1 the words "and 1976" and approve the "1976 Salary Increase Budget" (attached) as recommended by the G.V.R.D. Labour Relations Department and the Manager; provided that all Exempt staff shall receive benefits other than the general salary increase as provided in the settlement with the Inside Workers.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT the recommendations of the Exempt Staff Council Committee be adopted."

CARRIED UNANIMOUSLY

(b) The Municipal Manager presented Report No. 81, 1975 on the matters listed following as Items (1) to (24) either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) Letter from E. F. Rath that Appeared on the Agenda for the December 1, 1975 Meeting of Council (Item 4e)
Lougheed Estates - Phase II
Community Plan Area "H"

The Municipal Manager reported as follows:

"Appearing on last week's Agenda was a letter from E. F. Rath that contained a number of inquiries concerning the subject strata title development.

With respect to the first item in the correspondent's letter, sketch #2 of the Planner's report shows the street system in the area including supplementary access routes for fire vehicles. There is only one major access to the development from Horne, as noted in the correspondence, but this situation is not uncommon in that a basic planning consideration is to minimize through traffic as much as possible when a hierarchy of roads is established for high density residential areas. Furthermore, it has been found beneficial to have such areas served by short, localized cul-de-sacs which feed into a collector road system. These concepts have been included in the overall community plan for the area in question.

It should also be pointed out that when major residential community plans are considered by the Municipality, co-ordination is carried out by Planning with various Municipal Departments including the Fire Department. In addition, individual rezoning applications and preliminary plan approval applications are submitted to the Fire and other applicable Departments for concurrence as a standard procedure.

In Item 2, a reference is made to garbage pick-up. As the result of a decision that was made by Council on November 3, 1975, the Municipality now has an interim solution regarding refuse services for co-operatives and strata title properties (Item 22, Report No. 70). The Engineering Department has distributed informational letters on this matter to all affected Strata Title Councils. It would appear that such information has not been conveyed to E. F. Rath by his Council as of this point in time, it is recommended that a copy of the applicable report and letter be sent to the correspondent."

It was recommended: that the following be sent to E. F. Rath and the Lougheed Estates Phase II Strata Council:

- a. A copy of this report, and
- b. A copy of Item 22, Report No. 70, November 3, 1975 which pertains to garbage pick-up and the applicable letter that was delivered to the Lougheed Estates Strata Council.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(2) Extension of Lease - Lower Mainland St. Leonard's Society

The Municipal Manager reported as follows:

"Attached is a copy of a letter dated September 16, 1975 from Oliver, Waldock & Richardson requesting renewal of the subject annual lease which involves Municipal property at 6375 Roberts Street.

The original lease was executed on September 1, 1967. It was for a 3-year term, with provision for subsequent 1-year extensions subject to the approval of Council. It has been extended since 1970 in 1-year terms. The previous lease expired on September 1, 1975.

The annual rental is \$1.00 payable in advance of the first day of September. The Lessee covenants to pay taxes, keep the house in good repair, pay utilities, etc. The Society also agrees to indemnify and save harmless the Municipality from and against all claims brought in any manner based upon the execution of the lease or any consequence thereof.

Up until 1975, the St. Leonard's Society received grants in lieu of taxes or tax exemption, as the case may be, on its property at 5757 Willingdon Avenue and the property leased from the Municipality at 6375 Roberts Street. On September 29, 1975 (Manager's Report No. 61, Item 11), tax exemptions were denied the Society by Council for application to the year 1976 because this organization, and a number of others like it, is supported by the Province of B.C.

Subsequent to the receipt of Oliver, Waldock & Richardson's letter referred to above, the Society was informed of Council's decision of September 29, 1975. Oliver, Waldock & Richardson acknowledged this information. If the Society runs into difficulty in securing adequate funding from the Province, Council may, at a later date, be faced with a request for a grant. It will be some time before this becomes known.

The Land Agent has no objections to renewal of the lease subject to the same terms and conditions as applied in the previous lease. The Human Resources Administrator advises that:

"This home has been operating as a short-term placement resource for juveniles between the ages of 13 to 16. Basically, this home functions as a receiving and assessment facility and allows time for further planning based upon the needs of the children. This home has also been very useful as an emergency placement resource. St. Leonard's Society Roberts Street home is providing a valuable service in our community and we are recommending renewal of the lease rental."

An inspection by the Fire, Building and Health Departments has disclosed that the premises are at this time in contravention of Municipal by-laws. However, the Society is proceeding to make the necessary repairs at its own expense as required by Section 2 of the lease agreement (the Society is requesting the Provincial Government to pay for the cost of repairs, which incidentally, will be approximately \$4,000.00).

The Director of Planning advises that the subject property will eventually be required for assembly purposes because it is located in an area that is designated for Administrative-Assembly District development."

It was recommended:

1. THAT approval be given to renewal of the subject lease for one year on the same terms and conditions as were written into the previous lease agreement, subject to the condition that St. Leonard's Society undertakes to have the premises repaired and thereby brought into compliance with all applicable Municipal by-laws; and
2. THAT the request for a grant equal to taxes be denied.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

(3) Tenders for Supply and Delivery of Trucks

The Municipal Manager provided a report of the Purchasing Agent wherein he recommended as follows:

"THAT the tenders submitted by Pacific GMC Ltd. for the supply of the following trucks be accepted:

- (a) One - 1976 GMC Model CE51203 two ton cab and chassis for the sum of \$7,143.15 including all applicable taxes.
- (b) Two - 1976 GMC Model TC20903, 3/4 ton pick-up trucks for the sum of \$9,828.00 including all applicable taxes.
- (c) Three - 1976 GMC Model TC30963 single axle cab and chassis - crew cab trucks for the sum of \$18,027.45 including all applicable taxes.

THAT the tenders submitted by Fogg Motors Ltd. for the supply of the following trucks be accepted:

- (a) One - 1976 Ford Model F350 truck c/w gravel box for the sum of \$8,840.49 including all applicable taxes.
- (b) One - 1976 Ford Model C600 cab and chassis for the sum of \$9,945.70 including all applicable taxes."

It was recommended that the Purchasing Agent's recommendations be adopted.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(4) Noise from Car Rallies on the B.C.I.T. Parking Lot

The Municipal Manager reported as follows:

"On September 29, 1975, Council was advised that the Health Department was investigating a complaint from Mr. S. D. McLarty regarding the emissions of noise from car rallies that were being conducted on the B.C.I.T. parking lot. Council during discussion of the matter requested information on what action the Municipality could take with respect to enforcement under the Burnaby Noise or Sound Abatement By-law in view of the fact that the land involved is owned by the Provincial Government.

The Municipal Solicitor advises that the subject By-law does apply to Provincial Government owned lands. Furthermore, the By-law provides for the prosecution of persons who allow their land to be used contrary to the By-law, and it doesn't make any difference whether that person is the Crown Provincial or not (Section 13 of the Interpretation Act provides that unless otherwise specifically provided, every Act, and every enactment made thereunder, is binding on Her Majesty, and the Burnaby By-law is such an enactment).

We have, incidentally, been advised by the Student Activities Chairman at B.C.I.T. that the Motor Transport Club of B.C.I.T. has ceased its car rally activities at the institution."

It was recommended that a copy of this report be sent to Mr. S. D. McLarty, 4701 Cedar Glen Place, Burnaby, B. C.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(5) Subdivision Reference #85/75 - Watercourse Treatment

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

"The subject property is located on the east side of Sperling Avenue south of Buckingham and has an existing watercourse running through it as shown on the sketch. In line with Council policy, when tentative approval was granted to the proposed subdivision, the applicant was required to design improvements to the creek retaining it in an open condition. Final design drawings and bonding have been received from the developer providing for channel lining of the watercourse."

It was recommended that Council approve the retention of the subject watercourse in an open condition in a lined channel as per the adopted standard.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(6) Burnaby Joint Refuse Committee
Status Report No. 4

The Municipal Manager provided the following report of the Joint Refuse Committee:

"On October 14, 1975, Council received the first report from the Burnaby Joint Refuse Committee which essentially contained the Committee's objectives and the related framework within which the Committee would conduct its study. Two subsequent reports on the extension of expanding collection of refuse to cover co-operatives and strata title properties were received on October 27 and November 3. The following is a further status report on conclusions that have been reached by the Committee to date:

1. Agreement on Existing Costs - Collection and Disposal of Refuse

The Committee unanimously agreed on the existing costs that are borne by the Corporation for the collection and disposal of refuse. The figures, calculated and expressed in terms of cost per each domestic living unit per annum, are:

Direct collection cost	\$ 23.83
15% overhead allowance	<u>3.57</u>
	27.40
 Disposal	 \$ 3.61

The figures are based on an annual cost and conditions of operations as of November 1, 1975.

Anyone wishing to review the criteria and approach that was used to calculate any of the above figures may do so by contacting a member of the Committee or the Engineering Department.

2. Overhead

Considerable time was spent by the Committee on the question of how the charge for overhead should be determined. Although such a charge does not lend itself to a readily available method of measurement because of the difficulty involved in attempting to identify what proportion of the total resources, such as common use of space and personnel support, should be allocated as overhead to refuse services, it was unanimously agreed that the 15% that is being used at this time is a reasonable charge for the recovery of all non-direct costs, and that it should therefore continue to be used subject to an annual review by the Treasurer and Engineer. This agreement was reached on the understanding that this same figure is to be used as a basis for any future comparisons that may be made on costs.

3. Retention of Auditors to Substantiate Cost Information

Touche Ross and Company, external auditors who perform accounting services for the Municipality, will be formally requested to verify the Committee's data on costs, and also, to offer any other comments that might be appropriate in this regard. Terms of reference are being prepared at this time.

4. Special Pick-Up

The Committee made an effort to determine if the discontinuation of special pick-up caused any problems to the residents of the community. This was done by means of a survey which included a) a review of 57 letters that C.U.P.E. had received from residents on refuse collection and b) a random survey in which persons who had made specific reference to special pick-ups in their correspondence were called on the telephone. Only one of the persons contacted said that a serious inconvenience resulted from the decision to discontinue special pick-ups.

Work crews who collect refuse and the administrative staff in the Engineering Department advise that they are not receiving any complaints about the lack of special pick-ups at this time.

The Committee's evaluation of the matter resulted in a conclusion that public acceptance of the change in policy regarding special pick-ups has on the whole been very good. It is the Committee's opinion that residents have generally adapted to the change by breaking down bulk items into small units which can then be properly secured for regular pick-up by crews on normally scheduled routes.

It should be noted that the Municipality is accommodating the special needs of persons who, because of age or physical condition, are not able to carry garbage cans to the property line. When the need for such assistance is called to the attention of works crews, they will go onto private property for the purpose of picking up and returning the cans.

5. Extension of Services to Strata Title Developments

On November 3, 1975, Council adopted recommendations pertaining to the extension of refuse collection services to strata title developments on an interim basis (to be effective from October 28, 1975 to January 31, 1976). Letters of notification were subsequently hand delivered to all affected Strata Title Councils. Implementation of the recommendations is proceeding on schedule and in a manner that suggests acceptance by the parties involved.

It is anticipated that the next status report will be available for Council's consideration at the meeting of January 26, 1976.

The committee's next major consideration will be on ways in which the refuse collection system can be made less costly and more efficient. The committee will then be in a position to provide Council with estimated costs that are based on improved services, i.e., direct costs calculated on an improved system that provides optimum service to the public (as opposed to existing direct costs that are dealt with in other sections of this report). "

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (7) Letter Dated December 4, 1975 from The Corporation of Delta G.V.R.D. 1976 Provisional Budget

The subject matter was considered previously under Item 4(b) - Correspondence and Petitions.

- (8) Letter from the City of Vancouver that Appeared on the Agenda for the December 1, 1975 Meeting of Council (Item 4b) City of Vancouver's Fire Boat

The Municipal Manager reported as follows:

"Appearing on last week's Agenda was a letter from the City of Vancouver advising that the services as provided by the City's Fire Boat will be discontinued on November 18, 1977.

On October 18, 1971, Council decided to not participate in the sharing of costs for the operation of a Fire Boat service in the Burrard Inlet. The action that was taken by Council at that time is summarized in the report dated February 21, 1972. This report also contains a summary of the replies that were received from owners of industrial property on the Inlet in Burnaby who were asked what affect Council's decision would have on their respective operations.

The Fire Chief has reviewed this matter and advises as follows:

"In the past, Burnaby has only had to call for Fire Boat assistance in one instance. However, this is not to say we may not have need for such equipment in the future.

In 1971, Vancouver asked the other municipalities bounded on Burrard Inlet to contribute to the cost of Fire Boat operations, the assessment was based on the assessed value of water front properties, and in the case of Burnaby amounted to a yearly assessment of \$16,565. This request was turned down by Council at meeting of October 18th, 1971."

The Fire Chief is of the opinion that it would be advisable to have one Fire Boat on call for situations involving fires aboard ships that are at anchor in the Inlet, or fires aboard ships that have been cut adrift. Such emergencies are beyond the fire fighting capabilities of the Burnaby Fire Department, and in all likelihood, beyond the capabilities of fire departments in neighbouring municipalities as well. Our Solicitor points out, however, that responsibility for combatting such fires properly comes under the jurisdiction of the National Harbours Board.

The Fire Chief is satisfied that land based fire fighting equipment is adequate for the protection of waterfront property along the Inlet. Of further significance to us in this evaluation is the fact that considerable time is required for a Fire Boat to travel from Vancouver to the scene of a fire in our community.

In view of the fact that Burnaby has no need for a Fire Boat as all fires occurring along the shoreline can be fought with land based equipment, it is recommended that we do not contribute to the operation of a Fire Boat. It would be appropriate, however, to recommend that the National Harbours Board provide funding to ensure that a Fire Boat is available in the Harbour and Inlet for fires on board ships. Such funding would be consistent with the Board's jurisdictional responsibility, and also, with the fact that fees are received by the Harbour Board for anchorage and docking privileges when ships are moored in the area.

It should also be pointed out that to the best of our knowledge, the City of Vancouver is planning to deactivate its Fire Boat, and that upon such deactivation, there will be no Fire Boat available for service anywhere in the Lower Mainland."

It was recommended:

1. THAT Council resolve to not participate in any cost-sharing arrangement pertaining to the operation and maintenance of a Fire Boat; and
2. THAT the National Harbours Board be requested to provide funding for one Fire Boat or to provide a Fire Boat to become operational coincident with the discontinuance of Vancouver's Fire Boat in November, 1977; and
3. THAT a copy of this report be sent to the following municipalities with a request to support the adoption of Recommendation No. 2:

City of Vancouver
District of North Vancouver

City of North Vancouver
City of Port Moody

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(9) 1976 Local Improvement Programme

The Municipal Manager provided a report of the Municipal Treasurer that included the following recommendations:

- "1. THAT the above report on the results of the questionnaire be received; and
2. THAT the questionnaire be dropped from the local improvement process; and
3. THAT the proposed program of works, attached, be approved for initiation; and
4. THAT the system of frontage tax rules outlined on pages 4, 5 and 6 hereof be adopted; and
5. THAT the Corporation continue to bear approximately 50% of the gross cost of constructing sidewalks, curbing and pavement to widths of 28 feet plus that portion of the cost of constructing streets of widths greater than 28' attributable to the excess street widths; and
6. THAT future programs be comprised of works recommended by the Planning and Engineering Departments as being in the public interest plus works for which a petition signed by the owners of at least ten affected parcels or 51% of the number of parcels, whichever is the lesser, received by 30 June each year; and
7. THAT the 1977 program be submitted to Council by 1 September 1976; and
8. THAT Burnaby Local Improvement Charges By-law 1975, By-law No. 6629, be repealed and the following be enacted to indicate:
 - (i) where a parcel of land is situated at the junction or intersection of highways and the work or service is provided on or along more than one side of the parcel, the taxable foot-frontage shall be the actual foot-frontage of the shortest of the two frontages plus 25% of the actual frontage of the longer of the two frontages;
 - (ii) where a parcel of land is situated at the junction or intersection of highways and the work is provided on or along the longer of the two frontages of the parcel, the taxable foot-frontage shall be the actual foot-frontage of the shortest of the two frontages;
 - (iii) where a similar work or service payable by special charges has previously been provided on or along one side of a parcel, the taxable foot-frontage shall be 25% of the actual frontage of the longer of the two frontages;
 - (iv) where the frontage of a parcel of land abutting the works is less than five feet, the taxable frontage shall be established at five feet."

-18-

and rates as follows:

- | | |
|---|---------|
| 1) 28' pavement and curb one side: | |
| pavement side | \$ 1.90 |
| curb side | 2.26 |
| 2) 28' pavement and curbs both sides | 2.26 |
| 3) 28' pavement and curb one side and
5' curbside other side: | |
| curb side | 2.26 |
| 5' curbside side | 2.53 |
| 4) 28' pavement and 5' curbsides both sides | 2.53 |
| 5) 36' pavement and curbs both sides | 2.26 |
| 6) 36' pavement and 5' curbsides both sides | 2.53 |
| 7) 28' pavement, curb one side, 4.5'
abutting walk other side: | |
| curb side | 2.26 |
| 5' curbside side | 2.53 |
| 8) 36' pavement, curb one side,
5' curbside other side: | |
| curb side | 2.26 |
| 5' curbside side | 2.53 |
| 9) 46' pavement, 6' curbsides both sides: | |
| curb side | 2.26 |
| 6' curbside side | 2.53 |
| 10) 4' separated sidewalks | 1.41 |

and,

9. THAT, in the event owners petition against a work and indicate that the reason for the petition is because they want some other work, the petitioners be supplied with a petition drawn pursuant to Section 591 of the Municipal Act, conditional that the alternate work be approved by the Planning and Engineering Departments, and that on prompt receipt of a sufficient petition the works proceed."

It was recommended that the Committee's recommendations be adopted.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

THE MEETING RECESSED AT 9:10 P.M.

THE MEETING RECONVENED AT 9:25 P.M. WITH ALL MEMBERS OF COUNCIL IN ATTENDANCE.

(9)(a) Engineering Services for the 1976 Local Improvement Program

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

"Subsequent to the C.I.P. Committee's finalization of the 1976 L.I.P. for streets, it was found that a number of the projects have not been designed because they were late additions to the program.

I have, therefore, by way of my letters and terms of reference dated November 13 & 21, 1975 invited proposals from four reputable consulting firms.

All of the consultants contacted have submitted proposals based on the Corporation's terms of reference and standards. Therefore, on the basis that each consultant has proposed to complete the work in accordance with our standards and deadline the one remaining aspect of comparison is the cost of the work to the Corporation. In this respect the firm of McElhanney Surveying & Engineering Ltd. has proposed to complete the requisite work for a fee of \$10,650. exclusive of disbursements. This is approximately 2% of the estimated cost of the listed projects. By comparison the other three firms have proposed the following fees:

Web Engineering Ltd.	\$ 11,950.
Vector Engineering Services Ltd.	\$ 17,950.
Hunter, Laird Engineering Ltd.	\$ 21,500.

Each of these proposed fees also excludes disbursements."

It was recommended:

1. THAT the Corporation enter into an Engineering Agreement with McElhanney Surveying & Engineering Ltd. for the design of various additional projects in the 1976 L.I.P. Street Program as outlined in the Engineer's letters dated November 13 and 21, 1975, with the understanding that the fee for these services are to be in accordance with Section IV, Scale 1 (payroll cost plus 125%), of the "Outline of Services and Scale of Minimum Fees to be Charged for General Engineering Projects" published by the Association of Professional Engineers of B.C. dated September 5, 1975 to an upset of \$10,650 plus disbursements.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (10) Condominium Townhouses/Maisonettes
 Rochester/North Road - Community Plan Area "H"
 Rezoning Reference #17/75
From Small Holdings (A2) to Comprehensive Development (CD)

The Municipal Manager provided a report of the Director of Planning which included the following recommendations:

- 6.1 Council authorize the introduction of a Road Exchange Bylaw according to the terms outlined in Section 4.0 of this report, contingent upon the granting by Council of First and Second Reading of the subject Rezoning Bylaw.
- 6.2 Council receive the report of the Planning Department and request that a rezoning bylaw be prepared and that the rezoning be advanced to a Public Hearing on January 20, 1976 and that the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The completion of the requisite Road Exchange Bylaw and Land Exchange (Section 4.0).
 - c) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw.

- d) The consolidation of the net project site into one legal parcel.
- e) The granting of any necessary easements.
- f) The deposit of sufficient monies to cover the costs of all services necessary to serve the site including monies to guarantee suitable landscaping within the park strip.
- g) The installation of all electrical, telephone, and cable servicing, and all other wiring underground throughout the development and from the point of existing services.
- h) The dedication of any rights-of-way deemed requisite.
- i) The deposit of a per unit levy to go towards the cost of construction of the pedestrian underpass of Lougheed Highway and the acquisition of the Keswick/Government Park/School site as outlined in the report.
- j) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
- k) The dedication of a 66' wide public park strip to the south of the site and the construction of a concrete walk to the municipal standard between the Relocated Rochester Road and the western limit of the 150' wide park strip.
- l) The retention of as many existing mature trees as possible on the site.
- m) The retention of the existing watercourse over the subject site in an open condition in accordance with municipal standards.
- n) The approval of the Department of Highways to the subject rezoning application.

It was recommended that the Director of Planning's recommendations be adopted.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

It was requested that the Director of Planning provide a report to Council on the existing policy in regard to open watercourses.

(11) Major Recreational Facility - Swimming Pool
Burnaby 200 and East-Central Sector
(Lougheed Town Centre)

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

"The purpose of this report is to inform Council of a possible alternative proposal to the provision of a single major covered swimming pool facility within the Burnaby 200 Community Plan area.

1.0 Rezoning #45/75 - Burnaby 200 - Phase I

This rezoning proposal is being submitted to a Public Hearing on December 16, 1975. As part of the suitable plan of development, a neighbourhood indoor pool facility (30' x 60' minimum pool) will be provided by the developer as part of the community area centre (daycare, meeting room, convenience commercial, residential) outlined in the adopted Community Plan.

This larger pool facility is the preferred solution as opposed to two smaller covered pool facilities contemplated at one time for the Burnaby 200 area. The proposed pool facility will be constructed, owned, and maintained by the developer/applicant. However, it is expected that the neighbourhood pool facility will be constructed to a quality standard suitable to serve the ultimate approximate population of 5,000 residents within the Burnaby 200 Community Plan Area. The Parks and Recreation Department will be requested to provide professional advice on the appropriate quality standards for the pool facility. For information, the developer's preliminary estimate of the cost of this facility is \$240,000. The option is also left open for the Parks and Recreation Department to provide specific enrichment programmes from time to time utilizing the Burnaby 200 Swimming Pool/Recreational Facility.

2.0 Lougheed Community Recreational Facility

An alternative suggestion has been discussed from a preliminary point of view at a meeting of the Parks and Recreation Commission on December 2, 1975. The point was raised that a larger community size publically operated pool/recreational facility designed to serve the ultimate 25,000 residents of this eastern sector of the Municipality (Burnaby 200, Lake City East, Lyndhurst, Areas "G" and "H") and located in a central, easily accessible location, may be of benefit to a larger population and more efficient in its use by residents than a smaller neighbourhood covered pool designed to serve the residents of Burnaby 200 alone.

The developer of Burnaby 200 is agreeable to the suggestion that the \$240,000 ear-marked for the construction of the covered pool facility in the Burnaby 200 Community Plan, be put towards the cost of a larger community scale recreational facility (covered swimming pool, ice rink, etc. - depending upon the determined community needs) within the larger 25,000 ultimate population east of the Lougheed community area. The Planning Department is in receipt of this commitment by the developer in writing.

It is expected that the cost of any community scale recreational facility will be substantially more than the \$240,000 to be deposited by the developer of Burnaby 200. It was indicated that substantial recreational grants may be available from a provincial source.

However, further discussions and analysis is required before it can be ascertained whether this alternative approach is ultimately feasible. Matters to be resolved include the determination of an appropriate central site, the possible need to acquire a site, the determination of the first priority recreational needs of this community area, and the availability of sufficient funds to construct a community-scale recreational facility and to acquire the designated site.

If further discussion and analysis results in a feasible solution to the establishment of a community scale recreational facility, a detailed report will be submitted to Council for its consideration and approval. If necessary, the determined prerequisite for Rezoning #45/75 for the establishment of a neighbourhood scale covered pool in Burnaby 200 could be modified by Council at that time in accordance with due rezoning procedures."

It was recommended that a copy of this report be sent to the Parks and Recreation Commission.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(12) Notice of Motion
Art Objects in Buildings

This subject matter was considered previously under Item 7 - Notice of Motion.

(13) Rezoning Reference #30/74
Condominium Townhouses
Kitchener Street/Augusta Avenue
From Residential (R4) to Comprehensive Development (CD)

The Municipal Manager provided a report of the Director of Planning including the following recommendations:

- " 6.1 Council authorize the introduction of a Road Exchange Bylaw and a Road Closing Bylaw for a portion of Kitchener Street, according to the terms outlined in Section 3.0 of this report, contingent upon the granting by Council of First and Second Reading of the subject Rezoning Bylaw.
- 6.2 Council receive the report of the Planning Department and request that a rezoning bylaw be prepared, and that the rezoning be advanced to a Public Hearing on January 20, 1975 and that the following be established as prerequisites to the completion of the rezoning:
- a) The submission of a suitable plan of development.
 - b) The completion of the requisite Road Exchange Bylaw.
 - c) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw.
 - d) The consolidation of the net project site into one legal parcel.
 - e) The granting of any necessary easements.
 - f) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - g) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the development from existing services.

- h) The dedication of any rights-of-way deemed requisite.
- i) The construction of a concrete public pedestrian walk to the approval of the Municipal Engineer within the proposed portion of Kitchener Street to be closed and the provision of appropriate landscaping over the pedestrian link/park area.
- j) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
- k) The deposit of a per unit levy to go towards the acquisition of the proposed neighbourhood park.
- l) The retention of as many existing mature trees as possible on the site."

It was recommended that the Director of Planning's recommendations be adopted.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(14) Letter Dated November 13, 1975 from the Minister of Municipal Affairs - Sewerage Facilities Assistance Act Grant Payments

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

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN EMMOTT:

"THAT a letter of appreciation be forwarded to the Honourable James G. Lorimer, member of the Provincial Legislature for Burnaby-Willington, for his co-operation and active interest in Burnaby as the Minister of Municipal Affairs.

CARRIED UNANIMOUSLY

(15) Business Licence Fees

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

"A municipality controlled by the Municipal Act employing a business tax must abate the tax by the amount of business licence fee paid. For this reason, for most businesses the licence fee per se has little significance. A non-resident business is not subject to business tax, nor are a small number of resident businesses. In 1975 in Burnaby, licence fees on this latter group of businesses will amount to approximately \$305,000.

Vancouver City, under its Charter, is empowered to levy and collect licence fees as well as business taxes without abatement. It has two classes of fees, one for businesses subject to business tax and another for businesses not subject to business tax.

In the first category, the fees for 1976 range from \$10.00 to \$15,000.00, dependent upon category. The fees are calculated on the cost of providing inspectional services such as health, fire, police, etc.

In the second category the fees are:

1 to 2 persons	\$ 75.00
Each additional person	35.00
Maximum (22 persons)	750.00

The 1976 fees were adopted by Council by by-law passed 4 November 1975. Most fees were increased over the 1975 level. The 1975 level for the second category of fees was \$50.00, \$25.00 and \$500.00. The rate of increase was 50%. Vancouver's business tax rate is 9.5% - unchanged from 1975.

The District of Coquitlam, which employs a business tax, has made some changes in its rate structure, the most significant being those applicable to contractors. The changes in this category, passed by Council on 17 November 1975 are:

	<u>1975</u>	<u>1976</u>	<u>Increase</u>
1 - 5 persons	\$ 36.00	\$ 50.00	39%
6 - 10 persons	60.00	100.00	67%
11 - 15 persons	180.00	200.00	11%
16 - 20 persons	300.00	300.00	0
21 - 50 persons	600.00	600.00	0

Their business tax rate is 4 1/2% - unchanged from 1975.

Burnaby's fees, except for special categories, are:

1 to 5 persons	\$ 50.00
Each additional person	15.00
Maximum (202 persons)	*3,000.00

* limit prescribed by Municipal Act.

Burnaby's business tax rate is 7 1/2% - unchanged from 1975.

For information purposes, attached are Tables 1 and 2, showing a comparison between Burnaby's present fees and the fees for 1975 and 1976 employed by Vancouver, Coquitlam and New Westminster.

Ideally, Burnaby's rates applicable to non-resident businesses should be comparable with Vancouver's. In anticipation of power to tax businesses on a mill rate greater than chargeable to residential properties, and in anticipation of power similar to that of the City of Vancouver with respect to licencing separate and apart from the tax structure, a study is under way attempting to relate to a scale of licence fees the costs of making inspections of commercial and industrial operations.

Until the study is complete, we hesitate to recommend an increase in fees greater than those provided in the Federal Price & Wage Guidelines - 10%. The reason, of course, is that we can't relate an increase in costs with an increase in fees. The 10% referred to would apply to the general licence fee referred to above and, with some exceptions, to the occupations referred to in Table 3 attached, to vending machines referred to in Table 4 attached and to vehicles for hire referred to in Table 5 attached. The revenue increase for 1976 will amount to approximately \$30,000.

Due to the mail strike, it was not possible for the Assessment Authority to process the business tax roll so that a Court of Revision could be held in December, thereby permitting business tax and licence bills to be in the mail by 1 January. In other words, collections of at least \$2,500,000 will be delayed by approximately one month at an interest cost to the Municipality of approximately \$18,000.

The business tax bill is a combination business tax/business licence form. The Court of Revision will take place on 15 January. The bills will be mailed 23 January and become due and payable on 26 January, and be subject to a penalty of 5% if unpaid by 27 February. Comparable dates in 1975 were: bills mailed 13 December, due and payable on 2 January; subject to a 5% penalty if unpaid by 3 February.

Under the circumstances, most businesses will be operating without a licence for the first month or so of 1976."

It was recommended:

1. THAT the basic licence fee of \$50.00 be increased to \$55.00, that the fee for each additional person be increased from \$15.00 to \$16.50 and that the maximum of \$3,000.00 be retained, for application to the year 1976; and
2. THAT the fee structure outlined in Tables 3 to 5 attached be adopted by Council for application to the year 1976; and
3. THAT by-laws to amend By-law No. 3084, being Burnaby Trades Licence By-law 1950; By-law No. 3102, being Burnaby Cab and Commercial Vehicles By-law 1951; and By-law No. 1914, being Burnaby Automatic Vending Machine By-law 1946, be brought down.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(16) Engineering Services for the Design of the Nelson/Wayburne Diversion

This subject matter was considered previously under Item 5 - Tabled Matters.

(17) Rezoning Reference #29/75
Maywood/Willingdon/Mayberry

The Municipal Manager provided a report of the Director of Planning wherein the following recommendations were presented:

- a) The submission of a suitable plan of development.
- b) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw.
- c) The consolidation of the net project site into one legal parcel.
- d) The granting of any necessary easements.
- e) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- f) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the development from existing services.
- g) The dedication of the rights-of-way deemed requisite for Mayberry Street and Willingdon Avenue.

- h) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant for the portion of the development which is to be strata titled?
- i) The deposit of a per unit levy to go towards the acquisition of proposed neighbourhood parks.
- j) The retention of as many existing mature trees as possible on the site.

It was recommended that the Director of Planning's recommendations be adopted.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(18) Eastern Burrard Inlet Marine Park Design

The Municipal Manager presented a report of the Technical Staff Committee wherein the following recommendations were included:

- 1. THAT the Burrard Inlet Marine Park Master Plan be adopted as the basis for the staged development of the marine park system.
- 2. THAT the Eastern Burrard Inlet Development Concept, as adopted by Council on October 22, 1973 be amended in accordance with the attached figure 1.
- 3. THAT staff be authorized to undertake those recommended actions as contained within the Stage 1 implementation program.
- 4. THAT the Planning Department be assigned the task of coordinating the various implementation actions to facilitate completion of the Stage I program by May 1978.
- 5. THAT \$228,100 be included in the 1976 Capital Improvement Program for the 1976 portion of the Stage I development of the Eastern Burrard Inlet Marine Park.
- 6. THAT this report be referred to the Parks and Recreation Commission.

It was recommended that the subject report be tabled and referred to the Parks and Recreation Commission and the Capital Improvement Programme Committee for study and comment.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN MCLEAN:

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

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MCLEAN:

"THAT the recommendation of the Municipal Manager be amended to include a copy of the report to be forwarded to the Advisory Planning Commission for their information."

CARRIED UNANIMOUSLY

The vote was then taken on the motion, as amended, as moved by Alderman Gunn and seconded by Alderman McLean and same was CARRIED UNANIMOUSLY.

(19) Deleted

(20) Federal Programme for Providing \$1,000 per Unit
Capital Grants to Municipalities

The Municipal Manager advised that during the Enquiries section of the November 10, 1975 meeting of Council/copies of legislation relating to the new Federal Government Act to provide a \$1,000.00 grant per housing unit be obtained for Council distribution. ^{It was requested that}

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

The attached letter has been received from the Vancouver Office of the Central Mortgage and Housing Corporation as a result of an enquiry raised by Council at one of their recent meetings. The letter is self-explanatory and as you can see the staff of C.M.H.C. are not yet in a position to provide us with information about this program.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(21) Deleted

(22) Water Rates Chargeable to Large Volume Users

The Municipal Manager provided a report of the Municipal Treasurer wherein the scale of rates currently in effect were indicated and as well the effect of these rates on the four largest users of water in Burnaby. It was indicated that the \$.0713 shown for consumption beyond 2,000,000 cubic feet per month is composed of the rate payable of 10.48¢ per 1,000 gallons converted to 6.53¢ per 100 cubic feet plus .6¢ markup, total 7.13¢. At 31 December 1975, the sums paid for consumption above 2,000,000 cubic feet per month will be adjusted upwards or downwards to conform with the rate actually charged by the Greater Vancouver Water District for the year. Announcement of this rate will be made by the District on or about 18 December.

The rate structure for consumption in excess of 2,000,000 cubic feet first came into being on 24 August 1960 and came about because of representations from the Shell Oil Company. Earlier, in 1953, it became necessary to enlarge the water line serving the portion of the community in which the Company is situated and as the Company was most interested in the main, they agreed by formal agreement to use certain large quantities of water. When it became apparent that they had long since exceeded the quantities per month they had guaranteed to use, they petitioned for a reduction in their rates. Also of consideration is the fact that the Company draws water at the beginning of the system and the Municipality is not put to much expense in maintaining the line at that point.

Over the years, the water rates have been increased from time to time. The markup mentioned was originally .5¢. It was increased to .6¢ on 11 June 1973.

Most commercial consumers use less than 10,000 cubic feet per month and pay 36¢ per 100 cubic feet. On an average, account number M0478-5287 uses 4,267,300 cubic feet at an average rate of 10.35¢ per 100 cubic feet.

It was recommended that, as and when it becomes necessary to increase water rates generally, the .6¢ markup on rates for consumption in excess of 2,000,000 cubic feet be examined for adequacy (it is currently 9%).

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN GUNN:

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MCLEAN:

"THAT the recommendation of the Municipal Manager be amended to include a request for an explanation as to why the Burnaby excess rate is different to rates charged to other municipalities in the area including the District of Delta."

CARRIED UNANIMOUSLY

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

(23) Burnaby Art Gallery Extension

The Municipal Manager provided the following report of the Parks and Recreation Administrator:

"On July 21, 1975, Council received an information report (Item 32, Manager's Report No. 49) on the above subject matter. Since that time the Commission, on September 3, 1975, endorsed the Art Gallery's application for a Recreational Facilities Fund Act grant for the construction of the Stage I Extension to the Burnaby Art Gallery; and on October 1, 1975 endorsed the appointment of Mr. Ian Davidson as Architect for the project.

At its meeting of December 3, 1975, the Parks and Recreation Commission approved the following:

1. Siting of Art Gallery Extension as shown on the drawing #48-44-1, which is the result of discussions between Municipal staff, the Art Gallery Association and the project Architect.
2. Construction Techniques - Formal recognition of the Burnaby Art Gallery Association as the Commission's agent acting on its behalf in the implementation of the funding and construction of the extension to the Art Gallery. Construction-Management has been discussed at senior staff level and the consensus is that this building would be a suitable project to be constructed under such a technique. As this will be a Municipal building constructed on Municipal property, with the Burnaby Art Gallery Association acting on behalf of the Commission, there would be no impediment to using this technique, and staff will give the matter further consideration.
3. Operating Costs associated with the new building will be as follows:

Receptionist	\$ 9,000
Security	2,400
Janitorial cleaning	7,000
Telephone	300

a total of \$18,700, for which the Association will be asking direct grant assistance.

In addition, the Parks and Recreation budget would include amounts for hydro and heat. In 1976, a pro rated amount of \$6,766 would be required for receptionist, security, etc., and \$1,000 for hydro and heat. Commission approval of these costs would be on the understanding that it would be an on-going operational commitment for future years.

4. Administration Grant to the Art Gallery Association in 1975 amounted to \$57,000, and there will still be a requirement for this grant to cover general administration of the new building and Ceperley Mansion. The Association should be advised that in addition to the new operating grant named above, the maximum grant that they can expect in 1976 would be 110% of the 1975 grant.

Following the Commission approval of the above four points, the Chief Building Inspector and the Parks and Recreation Administrator, and their staff, met with the consulting Architect for the project, Mr. Ian Davidson, and other members of his firm, and representatives of the Art Gallery Association, to discuss a construction-management proposal. As a result, the project has been recognized as eminently suitable for construction-management, and it is recommended that Council approve the adoption of this technique, under the direction of the Chief Building Inspector."

It was recommended:

1. THAT Council approve the use of the construction-management technique for the construction of the Art Gallery Extension, using the construction-management team involved in the renovations to the Municipal Hall, under the direction of the Chief Building Inspector; and
2. THAT a copy of this report be provided to the Burnaby Art Gallery Association.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

It was requested that the Director of Planning take under advisement the following comments:

- (1) The question of the layout relating to possible future extension of the building.
- (2) The question of including a basement in the project.
- (24) Letter from MacMillan Bloedel Limited that Appeared on the Agenda for the December 8, 1975 Meeting of Council (Item 4(a), Correspondence and Petitions)
Request for Upland Owner Consent on Water Lot Lease

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

"In reviewing the request for upland owner consent received for MacMillan Bloedel Ltd., this department has no objection to the granting of permission for the company to utilize the subject waterlots for a period of one year.

The Municipality in conjunction with the Provincial government and the North Fraser Harbour Commission could likely be initiating the development of a river-shore park within the next year or two on those foreshore lands situated between Byrne Road and Tillicum Avenue. Once this park development commences, it is quite possible that the industrial use of certain of the waterlots in the immediate vicinity would not be compatible with the park use envisaged. It is particularly important therefore that the lease consent for waterlots in this area not be for a period longer than one year in order that annual reviews of the required consent can be made in light of the rate of foreshore park development. The Land Agent concurs with this position."

December/15/1975

-30-

It was recommended that the required upland owner consent be granted to permit MacMillan Bloedel Limited, to utilize the subject water lots for a period of one year.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY