

FEBRUARY 24, 1975

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, February 24, 1975, at 7:00 P.M.

PRESENT:

Mayor T. W. Constable, in the Chair
Alderman G. D. Ast
Alderman A. H. Emmott
Alderman B. M. Gunn
Alderman D. A. Lawson (7:02 P.M.)
Alderman J. L. Mercier
Alderman G. H. F. McLean

ABSENT:

Alderman W. A. Lewarne
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. 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 February 17, 1975, came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN EMMOTT:

"That the Minutes of the Council Meeting held on February 17, 1975, be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Mr. Hugh G. Ladner re By-Law #6616 "Burnaby Pool Room Regulation By-Law 1975"
- (b) Mr. D. B. Nagle re By-Law #6616 "Burnaby Pool Room Regulation By-Law 1975"
- (c) Mr. and Mrs. K. Bailey re Road Closure in Sullivan Heights

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"That the delegations be heard."

CARRIED UNANIMOUSLY

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Mr. Ladner then addressed Council and advised that he was appearing on behalf of Jubilee Billiards (1973) Ltd. in connection with By-Law #6616 "Burnaby Pool Room Regulation By-Law 1975". Mr. Ladner thanked Council for the opportunity to appear as a delegation in this matter and expressed his appreciation to Council for deferring final consideration of the said By-Law for one week to enable him to appear this evening.

Mr. Ladner noted that the present proprietor of Jubilee Billiards (1973) Ltd., Mr. E. S. Hoult, had taken over the business in 1973 on a five-year lease basis with an option to renew the lease for a further period of five years. The business was operated as a family enterprise by himself, his daughter and son-in-law. The premises had been immediately cleaned up and completely renovated. Mr. Hoult had received no complaints from the Municipality or the Royal Canadian Mounted Police concerning his premises until January 27, 1975. Mr. Hoult had then canvassed all of the abutting residents and businesses in the immediate locality of his premises in an effort to determine if complaints had been filed by his neighbors. Mr. Ladner illustrated, with the use of strip maps, the location of all premises canvassed by Mr. Hoult and noted that none of the people contacted had lodged complaints with Municipal authorities or the Police. In one or two cases, the people contacted had expressed approval of the 24-hour operation of his business because of the added security this provided. Mr. Ladner contended that the blanket approach to this problem taken by Council as indicated by the proposed By-Law was most arbitrary and grossly unfair to Pool Room operators. In the case of Jubilee Billiards (1973) Ltd., at least one-third of the income was generated after midnight. Mr. Ladner suggested that a much fairer way of dealing with complaints, against individual pool halls would be through the licensing procedure and questioned Council's wisdom in proceeding in the manner proposed. Mr. Ladner urged that Council abandon By-Law #6616 - "Burnaby Pool Room Regulation By-Law 1975".

Mr. D. B. Nagle, Brentwood Lanes Ltd., then addressed Council and stated that he also considered By-Law #6616 - "Burnaby Pool Room Regulation By-Law 1975" to be discriminatory. Mr. Nagle pointed out that Brentwood Lanes did not operate on a 24-hour basis but usually closed at approximately 2:00 A.M. Mr. Nagle wondered why Pool Rooms would be forced to close at midnight when other places of entertainment were allowed to operate on longer hours. Mr. Nagle also questioned the need for the person in charge of the Pool Room to be 21 years of age. Mr. Nagle noted that he employed, on a part time basis, university students who were not that old but who required a spare time evening job to stay in University.

Mr. Norman Feeney, 9980 Martin Court, speaking on behalf of Mr. and Mrs. K. Bailey and others, concerning the road closures in the Sullivan Heights area requested that Council give consideration to the removal of the existing barricades on the streets in the Sullivan Heights area at their intersection with North Road. Mr. Feeney stated that the barricades were causing a great deal of inconvenience to the residents of the Sullivan Heights area. Mr. Feeney was of the opinion that the three existing barricades at Caswell Street, David Drive and Sullivan Street could be replaced with one barricade on Noel Drive just north of Beaverbrook Drive and that this one barricade would effectively solve the problems of the area and would make access and egress from the Sullivan Heights area more convenient for all concerned.

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BY - LAWS

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"That the third reading of 'Burnaby Pool Room Regulation By-Law 1975' (#6616) be rescinded."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"That Council now resolve itself into a Committee of the Whole to consider and report on By-Law #6616 - 'Burnaby Pool Room Regulation By-Law 1975'."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN MERCIER:

"That 'Burnaby Pool Room Regulation By-Law 1975' (#6616) be tabled for two weeks and that the Municipal Manager be directed to investigate the possibility of issuing dual licences for the operation of pool rooms in the Municipality which would permit 24-hour operation or operation within restricted hours."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN MERCIER:

"That:

'Burnaby Road Closing By-Law No. 3, 1975' (#6628)

'Burnaby Local Improvement Charges By-Law 1975' (#6629)

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

CARRIED UNANIMOUSLY.

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"That all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 13, 1975 which pertain thereto be brought forward for consideration at this time"

CARRIED UNANIMOUSLY.

The Honourable James G. Lorimer, Minister of Municipal Affairs, wrote to advise of the progress being made in planning a new bus service on Imperial Street and 49th Avenue in the City of Vancouver. The Minister advised that in their studies of the transit system in Greater Vancouver the need for an additional crosstown service between South Burnaby and South Vancouver, west to Point Grey had been identified. The particulars of this crosstown route are being discussed with the City of Vancouver and the Minister would like to hear from Burnaby Council on the Burnaby section of this proposed route.

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The route is not entirely a new proposal as the need for this service has been explored at staff level over the past few years. A small improvement on the Willingdon service to eliminate the Silver Avenue diversion would be made at the same time.

The Minister advised that he would welcome any comments Council may wish to make at this time on the proposal to operate buses on Imperial Street by way of Nelson Avenue to Kingsway and looping around the block bounded by Marlborough Avenue, Bennett Street, Kingsway and Nelson Avenue.

The Minister further advised that the B. C. Hydro operators would be able to start a new service on this route within eight weeks of receipt of endorsement of both Burnaby and Vancouver Municipal Councils.

Council was advised that a staff report on this subject would be available on March 3, 1975, and further consideration of this matter was deferred until that time.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That the correspondence dated February 5, 1975 from the Minister of Municipal Affairs in reference to bus service on Imperial Street be tabled."

CARRIED UNANIMOUSLY

Mr. Mark Rosenblatt, President, and Mr. Robert Lauer, Secretary, Robmark Billiards Ltd. wrote to advise that they strongly objected to the proposed "Burnaby Pool Room Regulation By-Law 1975" (#6616). Robmark Billiards Ltd. has been operating Campus Mixed Billiards since January 15, 1975, with daily hours from 10:00 A.M. to 2:00 A.M. with the restriction that no person under the age of 17 years shall be admitted after 11:00 P.M. No disturbances have been encountered and the management is qualified to prevent such incidents as are detailed in the Municipal Manager's Report No. 5, January 27, 1975. If By-Law #6616 - "Burnaby Pool Room Regulation By-Law 1975" is passed Campus Mixed Billiards stands to lose a substantial amount of potential income.

As stated previously, Campus Mixed Billiards has been operating since January 15, 1975, with daily hours from 10:00 A.M. to 2:00 A.M. and with the restriction that no person under the age of 17 years be admitted after 11:00 P.M. Prior to take over of Campus Mixed Billiards by Robmark Billiard Ltd., the establishment was open six days a week from 11:00 A.M. to 10:00 P.M. Due to this fact it is difficult to estimate the actual income that would be lost if we were forced to close at midnight. We estimate that 15% of our business occurs after 11:00 P.M. This percentage continually increases as the clientele become aware of our extended hours of operation.

Campus Mixed Billiards will do its utmost to insure that its business will not interfere with the general public or any commercial business in the area and is most anxious to comply with any regulations put forth by the Municipality of Burnaby.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

"That further consideration of this matter be tabled for two weeks at which time By-Law #6616 "Burnaby Pool Room Regulation By-Law 1975" will again be reconsidered."

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Mrs. N. C. Borgeson, 2535 North Road, wrote to express her appreciation for the removal of some of the barricades in the Sullivan Heights area. Mrs. Borgeson suggested that due to heavy traffic, especially during the rush hours 7:00 A.M. to 9:00 A.M. and 4:00 P.M. to 6:00 P.M. that parking be allowed only on one side of Bell Avenue and Noel Drive.

Council was advised that a staff report on Mrs. Borgeson's suggestion would be available on March 3, 1975, and further consideration of the matter was deferred until that time.

Mr. Louie Mitchler, 2685 North Road, submitted a letter objecting to the barricades in the Sullivan Heights area. Mr. Mitchler was of the opinion that it was ridiculous to block off streets to traffic when they were intended for that use when they were constructed.

Mr. T. Klassen, Deputy Municipal Clerk, District of Coquitlam, wrote to advise that the Council of the District of Coquitlam had adopted the following resolution with regard to traffic operations at North Road and Cameron Street:

"That this Council request reconsideration by Burnaby Council of turning restrictions imposed at Cameron Street and North Road, and permit unrestricted movements at this intersection together with the installation of a traffic control signal in order to provide relief to the increasing congestion of traffic at Austin Road and North Road."

Council was advised that a staff report on this subject would be available on March 3, 1975, and further consideration of this matter was deferred until that time.

Mr. and Mrs. T. Gronlie, 2921 Willoughby Avenue, wrote to express their support for the relocation of the barricade on Sullivan Street.

Mr. and Mrs. O. D. Johannessen, 9891 Casewell Street, wrote to express their appreciation for the action taken by Council to stop commuter traffic through the Sullivan Heights area.

Mr. and Mrs. R. Comfort, 2990 Willoughby Avenue, wrote to express their appreciation to Council for its efforts in eliminating the commuter traffic from the Sullivan Heights area.

Mrs. Olive Chivers, Chairman, Steering Committee, Lochdale Area Community School, wrote to advise that her Association supported the decision of the Burnaby Library Board not to cut the proposed Mobile Trailer Library Service from its 1975 Budget. The Library Board has recommended to Council that this item be retained in the Library's Budget and that service commence on July 1, 1975.

Mr. James E. Quibell, Field Sales Manager B.C., Rubbermaid (Canada) Limited, submitted a letter regarding standards for waste containers as defined by Section 1.5 of Burnaby Fire Prevention By-Law No. 5096 (1968). Mr. Quibell suggested that the By-Law should be amended as per the Dominion Fire Code of Canada which states that "indoor waste containers must be of sound construction, must be able to contain a fire, and not contribute fuel to its contents." Item 9, Municipal Manager's Report No. 13, 1975 was brought forward for consideration at this time. The following is the substance of that report:

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"The definition for noncombustible receptacles as contained in the National Fire Code of Canada (1963) and the applicable section of the Burnaby By-Law is as follows:

"Noncombustible receptacle means a container which is constructed of materials that will not support combustion and that have a high resistance to heat softening. The container shall have a close-fitting metal lid or cover that shall be kept on the receptacle at all times."

The Provincial Fire Marshall advises that the Dominion Fire Code, which is referenced in Mr. Quibell's correspondence, pertains to premises and establishments under Federal jurisdiction, and has no authority or application in other areas.

The Fire Department finds acceptable all receptacles that carry either the Underwriter's Laboratory (U.L.) or Canadian Standards Association (C.S.A.) stamps of approval. The Fire Department has accordingly never rejected any receptacle with such certification, and will not do so in the future.

Mr. Quibell's reference to an immediate problem at Dogwood Lodge pertains to an inspection in January which disclosed that 22 of the Lodge's 246 waste paper baskets were not properly certified, or in some way unacceptable to the Inspection Officer. An order was subsequently issued for the replacement of these baskets which, incidentally, were supplied by Rubbermaid (Canada) Limited. Administrative staff at the Lodge has replaced the baskets in compliance with the order.

In summary, U.L. or C.S.A. certified receptacles are routinely approved by the Fire Department, irrespective of the material that has been used in their construction. Because Mr. Quibell's firm markets receptacles that carry the appropriate certification, as noted in the last paragraph on the first page of his letter, such products would not be rejected for use anywhere in Burnaby.

The Fire Chief believes that there is no need to amend Section 1.5 of Burnaby Fire Prevention By-Law at this time."

It was recommended that a copy of this report be forwarded to Mr. James E. Quibell.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN MERCIER:

"That the following subjects previously tabled by Council be now lifted from the table:

- (a) Barricade at Casewell Street and North Road
(Item 9, Municipal Manager's Report No. 11, 1975,
tabled February 17, 1975.)
- (b) #33 Government North Bus Route in Sullivan Heights
(Item 20, Municipal Manager's Report No. 9, 1975,
tabled February 10, 1975.)

At the Council meeting held on February 17, 1975, it was MOVED by Alderman Mercier and SECONDED by Alderman Lewarne that the following recommendations of the Municipal Manager as contained in Item 9, Municipal Manager's Report No. 11, 1975, relating to the barricade at Casewell Street and North Road, be adopted:

- (a) That no alterations be made in the present barricade now in place on Casewell Street at North Road;
- (b) That the owner of the apartment development at 3055 North Road, who has requested that consideration be given to the relocation of the barricade, be advised accordingly.

A vote was then taken on the foregoing motion and same was CARRIED with Alderman Gunn voting contrary.

At the Council meeting held on February 10, 1975 it was MOVED by Alderman Mercier and SECONDED by Alderman Ast that the following recommendation of the Municipal Manager as contained in Item 20, Municipal Manager's Report No. 9, 1975, relating to the #33 Government North Bus Route in Sullivan Heights be adopted:

"That Council approve the new bus routing and proposed stop locations."

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN McLEAN:

"That this matter be referred to the Transit Committee for study and comment."

CARRIED UNANIMOUSLY

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ENQUIRIES

Alderman Gunn noted that in a recent newspaper article concerning a motor vehicle accident on Government Road it had been reported that a lack of guard rails at the point of the accident had been a contributing factor. Alderman Gunn inquired if the Municipal Engineer had any information on this subject.

The Municipal Engineer advised that he had no knowledge of the accident in question.

Alderman Gunn advised that he would supply the Municipal Engineer with the facts of the accident.

Alderman Gunn noted that approximately one year ago Council had requested the Greater Vancouver Regional District to conduct a study of the environment, uses, et cetera, of Burrard Inlet and requested a progress report on this study.

Mayor Constable advised that he would check into this matter and report to Council in due course.

Alderman Gunn inquired as to the present status of the rezoning of lands involved in the Eastern Burrard Inlet Development Concept that runs through from Trans-Mountain to the Gulf Oil Dock. Alderman Gunn also noted that the Municipality was in the process of negotiating with Texaco Oil Company for some of their property and inquired as to where the Municipality now stands.

The Director of Planning advised that the rezoning could have been pursued in part. It was felt, however, it would be better to actually resolve the Texaco negotiations and to be able to take into account the presentations that were made at the Public Hearing by Allied Chemicals and to pass all the rezonings for the Eastern Burrard Inlet area in one group. The reason that the matter has not been returned to Council is that we are awaiting the final disposition of the negotiations with Texaco. The Director of Planning further noted that rezoning of the water lots could be pursued without National Harbour Board authority but the extent to which Federal control exercises other kinds of factors over them is another matter.

Alderman Lawson inquired as to the present status of the Burnaby Lake Centre Report. Alderman Lawson had understood that this report would be before Council this evening.

The Director of Planning advised that he anticipated this report would be available within two weeks.

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MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That the recommendation of the Mayor be adopted."

CARRIED UNANIMOUSLY

The Traffic Safety Committee submitted a report on the matters listed below as Items (1) to (8) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Adult Crossing Supervision - Beaverbrook Drive

This Committee over the past few years had many requests brought forward to provide adult supervision at marked school crosswalks. As we had an efficient system of school patrols manned by school pupils that were, in our opinion, as good as, if not superior to a single adult supervisor we have discouraged the use of paid adults.

Other reasons for discouraging the use of paid adults were:

1. The difficulty that could be experienced in recruiting suitable adults (this has been a problem in other areas);
2. The problem of absenteeism with adults, particularly older adults (average, 18 days per school term);
3. Once we start on a paid adult supervision program, how do we control the number of locations so treated. From the requests we have received we know that many are to replace the existing school patrol with adults;
4. The costs that could be incurred if such a program was to be introduced.

It now appears that the introduction of paid adult supervision is inevitable as the Province is now going to supplement the cost of such a program and in fact has advised the Burnaby School Board that they would be eligible for \$26,000.00 for the 1975 fiscal year. Under the adult supervision program, the Municipality must accept responsibility for selection and training of the necessary personnel for these duties.

The Traffic Safety Committee has, therefore, struck a sub-committee consisting of three members, one from the Engineering Department, one from the Burnaby School Board, and one from the Burnaby Detachment, Royal Canadian Mounted Police to investigate and report on the establishment of a paid adult school crossing supervision program.

This will be the subject of a further report to Council.

(2) Parking Complaint - Still Creek Street

As a result of a complaint received concerning parking on the 5300 block, Still Creek Street, the Traffic Safety Committee reported that the Municipal Engineer has already authorized the posting of a parking restriction on the full length of Still Creek Street.

It was recommended that the action taken by the Municipal Engineer be ratified.

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NOTICES OF MOTION

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN EMMOTT:

"WHEREAS there is much concern surrounding fire-fighting capabilities with respect to high-rise buildings;

BE IT RESOLVED that a committee be formed composed of Aldermen Mercier, Gunn and Stusiak to investigate the feasibility of the recently demonstrated Helicopter Personnel Removal System."

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"That the foregoing motion be amended by the addition of the following:

'and other measures for the removal of personnel from High-Rise developments in case of fire.'

CARRIED UNANIMOUSLY

A vote was then taken on the original motion as MOVED by Alderman Mercier and SECONDED by Alderman Emmott, as amended, and same was CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN GUNN:

"WHEREAS Community Plan Area "G" is nearing full development; and WHEREAS concern has been voiced regarding the density of this area; BE IT RESOLVED that the designation 'Proposed Apartment Area High Density' covering remaining undeveloped sites East of Erickson Drive and North of Lougheed Highway be deleted from the Plan."

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"That further consideration of the foregoing motion be tabled pending receipt of a report from the Director of Planning on the alternate uses which would be proposed for the affected sites."

CARRIED

AGAINST: ALDERMEN GUNN, McLEAN AND MERCIER.

REPORTS

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

His Worship, Mayor Constable, submitted a report dated February 18, 1975 in which it was recommended that Alderman G. H. F. McLean be appointed Acting-Mayor for the months of March and April, 1975.

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(3) Kitchener School Crosswalk on Gilmore Avenue

A request was received for improved lighting at the Kitchener School Crosswalk on Gilmore Avenue.

It was recommended that no action be taken on this request at this time and the complainant be provided with a copy of this report.

(4) Crosswalk - Willoughby Avenue and Lyndhurst Street

A request was received for the establishment of a supervised school crossing at the junction of Willoughby Avenue and Lyndhurst Street immediately in front of the school.

The request for a supervised crossing at Lyndhurst Street at Willoughby Avenue has no doubt been encouraged by a recent increase in the traffic volume along the Willoughby-Lyndhurst route. This increase in traffic has come about as a result of a recent road closure in the Sullivan Heights area that has left this as the only through route for both commuters and local residents. With the more recent blocking of Sullivan Street at North Road and the opening of Sullivan Street at Noel Drive, it is expected that the volume of 2,000 plus vehicles per day to drop to less than 600 vehicles per day.

It was recommended that no action be taken on this request.

(5) Truck Traffic on Meadow Avenue from 14th Avenue to 10th Avenue

It was recommended that:

- (a) continued enforcement of the truck route by-law and speed limits be carried out by the Royal Canadian Mounted Police;
- (b) truck traffic not be restricted to any specific street in the Big Bend area at this time;
- (c) the School Board be requested to consider fencing the school ground area;
- (d) that the complainant be provided with a copy of this report;
- (e) no further action be taken at this time.

(6) Barrier - Oxford Street and Delta Avenue

It was recommended that:

- (a) the barricade at the upper end of Oxford Street be removed;
- (b) the placing of any form of barricade on the boulevard in front of the complainant's property be denied on the grounds that it is not the responsibility of the Municipality to anticipate where along its many miles of streets, the next vehicle will leave the road because of negligence or a traffic accident.

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(7) Truck Traffic on 10th Avenue

A petition was received concerning the use of 10th Avenue by heavy trucks between the hours of 9:00 P.M. and 7:00 A.M.

It was recommended that:

- (a) no action be taken on the subject complaint at this time;
- (b) the Municipal Solicitor be directed to again write to the Minister of Municipal Affairs regarding the legality of the New Westminster truck ban on 10th Avenue;
- (c) that the complainants be provided with a copy of the report.

(8) Request for Additional B. C. Hydro Bus Stops

British Columbia Hydro and Power Authority have requested additional bus stops on their No. 58, S.F.U. - Edmonds service. The location of these stops is on Curtis Street at Melba Avenue.

It was recommended that these additional bus stops be approved.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

"That all of the aforementioned recommendations of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

Mayor Constable reported that discussions had been held with the Attorney-General's office and the Justice Reform Commission and that a Small Claims Court would be established in Burnaby in the near future.

The Municipal Manager presented Report No. 13, 1975, on the matters listed below as Items (1) to (13) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Parking Violation Fines

It was recommended that the following fines be incorporated in "Burnaby Street and Traffic By-Law" No. 4299:

(a) Overtime parking offences - \$5.00 if paid by 5:00 P.M. on the next business day following date of offence;

\$10.00 if paid thereafter.

(b) Illegal parking offences - \$10.00 if paid by 5:00 P.M. on the next business day following date of offence;

\$20.00 if paid thereafter.

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MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN MERCIER:

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

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN EMMOTT:

"That provision be made to allow people to mail fines in settlement of parking offences up to 11:59 P.M. on the next business day following date of offence, without penalty."

FOR: ALDERMAN GUNN

AGAINST: MAYOR CONSTABLE, ALDERMEN AST,
EMMOTT, LAWSON, MERCIER AND
McLEAN.

MOTION LOST

A vote was then taken on the original motion as MOVED by Alderman McLean and SECONDED by Alderman Mercier "That the recommendation of the Municipal Manager be adopted" and same was CARRIED UNANIMOUSLY.

(2) Tenders for Steel Pipe -

Big Bend Watermain Phase II

It was recommended that:

- (a) the lowest tender for 3,900 feet of 10" pipe and couplings from Crane Supply in the amount of \$26,193.20 be accepted subject to a legal contract that is acceptable to the Municipal Solicitor;
- (b) the lowest tender for 5,900 feet of 12" pipe and couplings from Crane Supply in the amount of \$46,273.16 be accepted subject to a legal contract that is acceptable to the Municipal Solicitor;
- (c) the quotation for coating and lining the pipe from Shaw Pipe Protection (Pacific) Ltd. for \$24,005.10 be accepted and a Purchase Order issued.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(3) L.I.P. on Victory Street - Boundary Road to Joffre Avenue
Letter from Mr. W. C. Downs which appeared on the February 10,
1975, Council Agenda

It was recommended that:

- (a) Victory Street between Boundary Road and Joffre Avenue be deleted from the 1975 Local Improvement Program;
- (b) a copy of Council's decision be forwarded to all residents within the project boundaries.

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MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

(4) Tenders for Tennis Courts -
Robert Burnaby Park

It was recommended that:

- (a) Council concur with the Parks and Recreation Commission's action and accept the low bid submitted by D. C. Festing & Sons Ltd. in the amount of \$56,985.00, and authorize the signing of the contract documents;
- (b) the Treasurer be directed to submit a revised application for a grant under the Recreational Facilities Fund Act for a total project cost of \$58,485.00;
- (c) the overexpenditure be covered by the surplus funds available in the Parks By-Law Account.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

(5) Proposed Exterior and Plan Adjustment
Condominium Apartments -
Beresford Street/Patterson Avenue/Olive Avenue -
Rezoning Reference #26A/73

Applicant: Bosa Brothers Construction,
Suite 1 - 3853 East Hastings Street
Burnaby 2, B.C.

Subject: Application for the Rezoning of:
Lot 120, Blk. 7, D.L. 151, Plan 45668

From: Comprehensive Development District (CD)

To: Amended Comprehensive Development District (CD)

Address: 5932 Patterson Avenue

Site Size: 1.34 Acres

Background:

The requisite rezoning by-law (RZ #26/73) was given final adoption by Council on March 11, 1974. The adopted suitable plan of development consisted of 120 condominium units (84 = 2 Bedroom Units and 36 = 1 Bedroom Units) in two 15-storey apartment towers with full underground parking and suitable communal facilities.

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The applicant has requested consideration of a redesign of the elevations of the apartment towers and adjustments to the typical floor plan in order to create more efficient and varied unit plan arrangements. The applicant has submitted a plan of development suitable for presentation to a Public Hearing.

Proposed Amendment

On the typical floor plan, the central laundry facilities on each floor and a small additional washroom in the two-bedroom units have been deleted in favour of a more efficient unit arrangement, laundry facilities in each unit, and den areas in the one-bedroom unit and a two-bedroom unit. The dining rooms have been shifted adjacent to an exterior view window.

On the exterior elevations, the wrap-around balconies on the four corners of the towers have been divided into two separate smaller balconies. Extensive adjustments have been made to various exterior details and architectural proportions. The basic use of stucco textures has been maintained.

No adjustments have been made to the allowable floor area and quality standards provided in the originally adopted suitable plan of development.

In summary, the Planning Department is of the opinion that the proposed plan adjustments are acceptable and that the exterior changes have resulted in a simpler, stronger and more sculptural architectural statement than the previous scheme.

It was recommended by the Municipal Manager that:

- (a) a rezoning by-law be prepared;
- (b) the rezoning be advanced to a Public Hearing on March 18, 1975;
- (c) the submission of a suitable plan of development be established as a prerequisite to the completion of the rezoning.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(6) Traffic Counts in the Sullivan Heights Area

On February 10, 1975, the Municipal Engineer advised Council that traffic counts would be taken in the Sullivan Heights area, and a report submitted accordingly. At that time, it was anticipated that information on this matter would be available on February 17, 1975.

The recent snow condition and considerable vandalism that has been experienced with respect to our counting equipment has prevented submission of a report as planned. Counts are being taken on a regular basis at several locations at this time, and it is hoped that, notwithstanding the difficulties that are being encountered, a report will be ready for referral to Council within the next two weeks.

This is for the information of Council.

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MOVED BY ALDERMAN MERCER:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(7) Construction Schedule for Renovations to Municipal Hall -
Progress Report No. 3

The Municipal Manager submitted the following report from the Project Co-Ordinator:

"This progress report is made to acquaint council with the Construction Schedule for renovations in and about the Municipal Hall. The schedule anticipates continuity of work, without interruption by extraneous cause or interruption for cause beyond control of Council.

Renovation work commenced on the lower floor of the main wing on January 13. At that time a Tentative Construction Schedule had been prepared for guidance of the Architect, Consultants, Construction Manager, and others involved with the work. During the interval from December/January, 1975, to the present, an efficient work force has been assembled by the Construction Manager to handle some phases of the work, supply and install contracts have been let following selected bidding, preordering of major mechanical and electrical components has been undertaken following bidding, and the work on the lower floor is progressing on schedule and within budget estimates.

Full and final documentation for the balance of the work necessary over the six remaining floors and the exterior of the Hall will not be forthcoming from the Architect until March 5, but on that basis and with the experience gained from work on the lower floor, the schedule revised February 19, 1975, has been developed. At this time, subject to no major interruptions, all indications point to our ability to meet or better this schedule.

The foregoing is presented for the information of Council with the recommendation the schedule be distributed to all departments, the Architect and Consultants; and that any subsequent major deviation from the schedule be reported to Council."

As noted in the schedule, the cafeteria will be closed for approximately four weeks during April and May, 1975. During this time, employees will be able to obtain hot lunches from 12:00 noon to 2:00 P.M. in the Burnaby Winter Club on Canada Way. Coffee will be made available in the Municipal Hall during the morning and afternoon coffee breaks.

It was recommended that:

(a) the schedule be distributed to all Departments, the Architect and Consultants;

(b) any major deviation from the schedule be reported to Council.

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MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

- (8) Extension of Completion Date -
Contract #7416 - Storm Sewers -
Grendus Excavation and Construction Ltd.

It was recommended that:

Grendus Excavation and Construction Ltd. be granted an extension of time of an additional twenty (20) working days to complete Contract #7416 - Storm Sewers, with implementation of liquidated damage charges in the form of resident inspection costs and subject to the following provisions:

- (a) that all work to complete Contract #7416 be completed at the unit prices contained therein;
- (b) that the performance bond and insurance matters pertaining to the contract be extended accordingly.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (9) Letter dated February 17, 1975, from Mr. James E. Quibell,
1087 Anglesea Drive, Richmond, B.C. - Rubbermaid (Canada) Limited -
Indoor Waste Containers

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

- (10) Access to Burrard Inlet through Confederation Park

Alderman Lawson, during the Enquiry session at the Council meeting of February 3, 1975, enquired as to whether any action had been taken by the Parks and Recreation Commission with regard to planning for access to the waterfront through Confederation Park, and continuing through the Chevron property located on the east side of Willingdon Avenue and abutting Confederation Park at its north-west corner.

The Parks and Recreation Administrator advises that the Commission has taken no action with regard to planning for access to the waterfront through Confederation Park.

The Administrator also advises that Mr. Tom Blake, who is a concerned citizen and lives in north Burnaby near the Chevron Refinery, has discussed the matter of access to Burrard Inlet with Parks Department staff. Mr. Blake has proposed that an old waterfront access road that existed many years ago in front of Confederation Park be re-established.

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Parks staff have advised Mr. Blake of the following considerations and problems associated with his scheme:

- The Municipality does not own all the property which would be required for the road allowance as proposed by Mr. Blake.
- The Municipality is negotiating, and has agreement in principle, to lease the eastern portion of the Chevron property abutting Confederation Park. The lease portion is intended to provide a trail system for passive recreation use by the public in the Park property.
- A level crossing on the C.P.R. mainline tracks, as would be required by Mr. Blake's proposal, may be complicated and may not be approved.
- Reclamation of the foreshore off Confederation Park is not in the long range plans of the Municipality, whereas reclamation treatment, including access, is scheduled for the eastern foreshore of the Municipality as included with the Eastern Burrard Inlet Development Concept.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN LAWSON:

"That the Municipal Manager produce a plan showing the road area used by Chevron at the foot of Willingdon Avenue and the amount of development on the lot that is proposed to become park use in order to more freely determine if there would be some advantage in exchanging a portion of Willingdon Avenue for a greater portion of the lot so that access could be provided by the Municipality. This report should also contain information on whether adequate provision has been made for accepting fill from Chevron Canada Ltd. for the beach area and the size of the area being created by filling as well as the possibility of Burnaby providing fill prior to the railway trackage going in on Chevron Canada property."

CARRIED UNANIMOUSLY

- (11) Sanitary Sewer Contract #12, 1973 -
Central Valley Sewers - Foundation Company of Canada Ltd. -
(Contract #7501, Central Valley Sewer Area #6, Phase 1 and 2,
and Area #7, Phase 1 and 2)

The following is a report from the Municipal Engineer:

"This memo is to provide you with additional information pertaining to the recommendation of a contract award to H.B. Contracting Ltd. for completion of the sanitary sewers in the above areas.

On 9 December, 1974, Council received the In Camera report informing them that, on the advice of Mr. G. L. Murray, Q.C., we intended to recall tenders for the balance of Contract #12, 1973, defaulted by Foundation Co. of Canada Ltd.

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We have analyzed the tenders received and recommend award of the contract to H. B. Contracting. On the basis of this tender the total cost of the work will amount to:

Payments to Foundation Co.	\$384,279.53
H. B. Contracting Tender	<u>754,475.21</u>
	<u>\$1,138,754.74</u>

The source of funds for the original Contract #12, 1973, amount of \$598,900.33, was the Sanitary Sewer Utility, Code 30-01. Additional costs now required to complete the works will be the subject of the pending litigation with Foundation Co. of Canada Ltd.

We have reviewed the pressure system proposal submitted by Foundation and reject it on economic grounds. The cost to complete the outstanding works based on the figures submitted by Foundation would be \$873,362.42, which of course compares unfavourably with H.B.'s bid of \$754,475.21. "

The last paragraph of the Municipal Engineer's Report refers to an estimate by the Foundation Company to complete the work based on a different method than the tender just called. This was not offered as a tender and therefore cannot be considered as such. In any event, the estimate as noted is not economically acceptable.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(12) Tenders - Contract #7501 - Sanitary Sewers

It was recommended that a contract be awarded to H. B. Contracting Ltd. for the sum of \$754,575.21 with final payment based on actual quantities used at unit prices tendered.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(13) Engineer's Special Estimate

It was recommended that the Special Estimate of the Municipal Engineer in the amount of \$850,000.00 for the completion of the Central Valley Sanitary Sewer Area #6, Phase 1 and 11, and Area #7, Phase 1 and 11, be approved."

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN GUNN:

"That the following motion which was MOVED by Alderman Lewarne and SECONDED by Alderman McLean concerning the Kensington Avenue/Sperling Avenue Alignment and which was adopted by Council on February 17, 1975, be brought forward for reconsideration:

'That the following recommendations of the Municipal Manager as contained in Item 27, Municipal Manager's Report No. 84/74, be adopted:

1. That the Kensington Avenue alignment be adopted as the future alignment for the north-south route in the Central Valley area.
2. That the financing for this proposed project between Sprott Street and Hastings Street be sought in a referendum to be placed before the electorate in November, 1975.
3. That design of the project on the Kensington alignment be allowed to proceed.
4. That the Canadian Transport Commission be formally approached for a ruling on available subsidies.
5. That the Department of Highways, as the authority responsible for the Lougheed Highway, be kept informed of these proposals and their considerations be included in the final design.
6. That the Greater Vancouver Regional District be kept informed of these proposals.
7. That the Burlington Northern Railway Company be kept fully informed of these proposals to overpass their right-of-way.
8. That the utility companies be kept informed of these proposals, as they may affect a substation and other services.
9. That attention be directed to determining what short-term palliatives will ease the traffic circulation in the intervening period of two to three years before the structure can be completed.' "

FOR: ALDERMEN GUNN AND MERCIER
AGAINST: MAYOR CONSTABLE, ALDERMEN AST,
EMMOTT, LAWSON AND McLEAN
MOTION LOST.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

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

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CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

At 8:50 P.M. the meeting recessed.

At 9:00 P.M. the meeting reconvened with Aldermen Lewarne and
Stusiak being absent.