

October 27, 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, October 27, 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 (7:03 p.m.)
Alderman W. A. Lewarne
Alderman G. H. F. McLean
Alderman J. L. Mercier
Alderman V. V. Stusiak

STAFF:

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

M I N U T E S

The Minutes of the Council meeting held on October 20, 1975 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"THAT the Minutes of the Council meeting held on October 20, 1975 be now adopted."

CARRIED UNANIMOUSLY

The Minutes of a Public Hearing held on October 21, 1975 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"THAT the Minutes of the Public Hearing held on October 21, 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) Swinton & Company, Hugh G. Ladner, Barrister and Solicitor
re Municipal Towing Contract;
- (b) Haul-Away Disposal Ltd., President
re Refuse Collection Costs;
- (c) Burnaby Strata Owners' Association, Acting-Chairman
re Refuse Collection as it pertains to Strata Properties.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

(a) Swinton & Company, Hugh G. Ladner
re Municipal Towing Contract

Mr. Ladner advised that since Item 8 of the Municipal Manager's Report was now available he would not speak to the subject at this time but would be available to answer any questions the Municipal Council might have.

The Municipal Manager provided a report of the Purchasing Agent dated October 22, 1975 wherein it was indicated that an analysis of the two bids received, based on previous experience, would show the following estimated 36 months cost:

Busters Auto Towing Service Ltd.

Section "A"
\$3,024.00

Section "B"
\$18,000.00

Section "H"
\$31,140.00

Total \$52,164.00

Mundie's Towing, Storage & Service Ltd.

Section "A"
\$4,320.00

Section "B"
\$11,160.00

Section "H"
\$33,390.00

Total \$48,870.00

It was suggested that the Municipal Corporation should discuss with representatives of the Insurance Corporation of British Columbia the possibility of their calling tenders in the future, if they agree, the Municipality should be prepared to accept those prices. The members of the Royal Canadian Mounted Police involved in the administration of this contract concur with the recommendation.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"THAT Item 8, Municipal Manager's Report No. 68, 1975 be brought forward."

CARRIED UNANIMOUSLY

It was recommended in Item 8:

- (1) THAT a contract be awarded to the low bidder, Mundie's Towing, Storage and Service Ltd. for a three year period commencing November 1, 1975: and
- (2) THAT in the event I.C.B.C. invites tenders and awards a contract for towing services in this area, the Corporation reserve the right to terminate this contract.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"THAT the Municipal Manager's recommendation be adopted."

CARRIED

CONTRARY -- ALDERMAN AST

(b) Haul-Away Disposal Ltd.

Alderman Lawson entered the Council Chamber at 7:03 p.m. and took her place at the Council Table.

Mr. L. Remple, President of Haul-Away Disposal Ltd. appeared before Council and read a prepared brief dated October 27, 1975 as follows:

BURNABY COUNCIL

October 27th, 1975

Much has been said about the pros and cons of contracting out the municipal garbage service.

I am a contractor actively engaged in the business of collecting residential garbage. At present we serve two municipalities, Surrey and Delta.

My purpose in appearing before Burnaby Council is to urge you to seriously and carefully examine the alternative method available to collect the garbage.

Allow me to compare:

1. COSTS

Surrey's and Delta's collection costs are under \$23.00 per residence per year. Burnaby's are \$38.50 for the same service. Let's suppose, for illustrative purposes, that a private contractor was awarded the contract at \$28.50 per year. This represents a saving of \$10.00 per residence per year. Thirty thousand residents at \$10.00 represents \$300,000.00 per year that, I am sure, Burnaby could use for other needed expenditures. This is not theory, this is fact.

2. SERVICE

The quality of service by contractors has been challenged. There are various proper methods by which this can be checked to accurately determine the quality of service. We all know that if the question was asked of a resident who is a member of CUPE, the service is unsatisfactory. I suggest the survey be:

- (a) A cross section of residents questioned.
- (b) Driving through the district on the day of pick-up.
- (c) Observing quantity taken or left.
- (d) A discussion with the engineering department of the districts involved.
- (e) A comparison of number of complaints lodged by municipalities with contract service and with city service.
- (f) Checking the service to the senior citizen or the infirm.

3. HIGHER TAXES

The claim is made that contracting-out will result in higher taxes. How can a \$300,000.00 saving cause a rise in taxes?

4. CONTRACTORS' PROFIT

Concern has been expressed that the contractor will make a profit. If this can be achieved, and the municipality be guaranteed cost and quality of service, what difference does it make to those concerned about it. If the contractor suffered a severe loss, these same concerned citizens would suddenly become unconcerned. A \$500,000.00 performance bond (or higher) would guarantee the municipality that the service and cost would be carried out as per contract.

5. JOB LOSS BY CITY EMPLOYEES

Statements have been made that 100 men would lose their jobs. My checking appears to indicate less than 50 would lose their collection jobs. But further checking reveals the attrition would enable all these men to be absorbed into other departments over a period of time. I maintain not one man need lose his job nor is there a need to expand other departments. Planning the transfer to other departments plus some men joining the contractor would leave no one unemployed. It is pure myth to lead the public to believe that 100 men would be unemployed.

6. SERVICE AT COST

Certain groups advocate the residents of Burnaby are entitled to service at cost. I will go further than that. Burnaby residents are entitled to service BELOW PRESENT COSTS if that is available; and it is.

7. POLITICAL FAVORS

Political favors has been "bandied" about as the method by which contracts are awarded. We believe this kind of irresponsible statement is a slur on the character of members of council. If this were true, those who know about it have a responsibility to report it to the proper authorities and demand an investigation. And I believe if there were a grain of truth to this lie, it would have surfaced long ago.

8. CONTROL

It is alleged there is less control over the contractor and his service than over municipal employees. Nothing is further from the truth. I challenge every person studying this alternative to read the contract to which a contractor is bound. Numerous demands are incorporated into the contract which the municipality has had difficulty or has been unable to provide, by virtue of union agreements or other reasons. It would make informative reading if each one here thoroughly read through Surrey's and Delta's contracts to confirm these statements.

9. STRIKES

What causes strikes? Dissatisfaction of one form or another, right? When we entered into the contracts referred to they were of a 5 year duration. Anything less would not allow for proper amortization of equipment. The contracts include a very fair escalator clause. Then an agreement is entered into, with those who perform the service for us. This includes extensive incentives as well as escalation of income based on the same percentages as we receive. In this way, those who perform the service have a guarantee of security for the duration of the contract. So why would they strike?

10. EQUIPMENT

A condition of the contract in Burnaby would require the contractor to purchase the equipment at appraised value. This would release capital for other uses. It would be unnecessary to budget for further funds to buy additional or replacement collection equipment.

At a recent "phone-in" program on CJOR when Mayor Constable was interviewed, the matter of the city re-entering the collection service was discussed. This was in the event that at the expiration of the contract, or for some other reason, this became necessary. If I heard correctly, I understood the Mayor to say the cost of purchasing this equipment would be tens of millions of dollars. May I state a more realistic figure? Based on present costs, the new replacement of the present garbage fleet would not exceed \$550,000.00.

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Statements have been made that the present equipment can be converted to enable it to pick-up and empty containers. In other words, enter the containerized service field. The conversion would result in rear-service of containers which is by 1975 standards (a) dangerous

(b) obsolete, and

(c) requires one too many men.

For your information stop and observe New Westminster trucks perform this function. That will persuade you much more effectively than I ever could.

Recent propaganda which was distributed to Burnaby residents attempted to persuade the public that the trend is away from contracting out. Cases were cited which was to prove the point. A point, which can easily be checked with the Solid Waste Management Institute of New York, states that contracting out has become so advantageous that now over 50% of all residential garbage in the entire U.S.A. is being collected by the private contractor. It is estimated that this percentage will exceed 75% before the decade is over.

It is reported that the main reason has been the need to stay within the dollars budgeted. And there is no way to achieve this fixed cost except by contracting-out.

Another reason has been the need to curb municipal spending on equipment. This too is achieved by contracting-out.

I respectfully urge the serious and early consideration of Burnaby contracting-out the garbage collection service.

Thank you for allowing me the opportunity of presenting this brief.

HAUL-AWAY DISPOSAL LTD.



L. Remple,
President

The Municipal Manager reported as follows:

"Appearing on the Agenda for the October 27, 1975 meeting of Council is a request from Mr. L. Remple, President of Haul-Away Disposal Limited, for permission to appear before Council for the purpose of presenting his views on the collection of refuse in Burnaby.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN LEWARNE:

"THAT Item 3, Manager's Report No. 68, 1975 be brought forward."

CARRIED UNANIMOUSLY

It was recommended in Item 3:

- (1) THAT the two items of correspondence from Mr. L. Remple be tabled until the Burnaby Joint Refuse Committee completes its study on refuse services; and
- (2) THAT the two items of correspondence from Mr. Remple, and the Municipal Manager's letter to Mr. Remple dated September 30, 1975 be referred to the Burnaby Joint Refuse Committee for its information; and
- (3) THAT Mr. Remple be advised of the action so taken.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT the recommendations be amended to provide for the brief of October 27, 1975 from Mr. Remple to be referred to the Burnaby Joint Refuse Committee."

CARRIED UNANIMOUSLY

The vote was then taken on the original motion, as amended, and same was CARRIED UNANIMOUSLY.

(c) Burnaby Strata Owners' Association

Mr. R. M. Davies appeared on behalf of the Burnaby Strata Owners' Association and advised as follows:

"The matter of refuse collection from Strata properties by the Municipality of Burnaby is of concern to the Strata Owners' Association as we have been paying for this service in two ways:

- (1) Through taxation;
- (2) By the use of private contractor.

The need for the use of private contractors and the picking up of refuse from strata properties has arisen from the fact that in the past the Municipality has not lived up to its responsibility to those taxpayers who, for whatever reason, have chosen to live in a strata home. There appears to be many inequities in the amount of taxes levied and the services provided by the Municipality to the strata developments of which refuse collection is only one of the examples.

We feel that the time has come to resolve these problems and particularly the matter of garbage collection. To put the matter in terms of dollars and cents in terms of strata developments and services received in comparison to single family homes on the individual lots, we present the following based on the following averages:

14 strata units per acre

6 family homes per acre.

The development in which I reside is composed of 121 units on approximately 816 acres with the 1975 taxes amounting to approximately \$63,000.00. As a comparison there would be approximately 51 single family homes on this property on the same 8.6 acres and approximately \$33,000.00 in taxes would be collected. The Municipality therefore receives almost twice the tax revenue from a strata development per acre as from single family residences while providing less services. To demonstrate that strata developments are receiving less services per tax dollar we would point out that the single family home receives the following services at no additional cost: garbage removal, roads maintenance, sidewalk maintenance, trunk line sewer maintenance, fire hydrant inspection, snow removal from the streets and storm drain maintenance just to mention a few for which most of all strata owners must pay in addition to their taxes.

I read the Municipal Manager's Report and after reading this Report No. 68, would find agreement on the first three items, however we cannot agree with Items 4 and 5 as in our opinion even the payment of \$1.00 a year or any other amount by a strata owner is imposing a penalty on those residents of Burnaby who have chosen to live in a strata home. It is our opinion the present situation has gone on for far too long and the Municipality should accept its responsibility to the citizens of Burnaby who reside in strata developments and commence to pick up the refuse from these developments as soon as possible after this meeting in accordance with Items 1, 2 and 3 of the Municipal Manager's Report. In the case of those developments that must or so choose to continue with containers and the Municipality is unable to provide this service at the present time due to the lack of equipment to handle container service, the Municipality should be prepared to either pick up existing contracts or negotiate new contracts for the container portion of the refuse for collection of strata developments at no additional cost back to the strata owners involved. This contract to last until such time as the question of Municipal service for containers or a private contract on a permanent basis can be resolved. Thank you very much."

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"THAT Item 13, Manager's Report No. 68, 1975 be brought forward."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"THAT the Municipality of Burnaby reimburse residential Strata Title and Co-operative properties at the amount equal to that presently paid to their refuse contractor:

AND THAT the Municipality continue to reimburse residential Strata Title and Co-operative properties until the specific method by which refuse service will be provided to any given residential Strata Title or Co-operative properties is decided;

AND THAT the reimbursement be retroactive to March 1, 1975 being the target date adopted by Council on July 7, 1975."

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN GUNN:

"THAT the foregoing resolution be amended to provide that the Municipality agrees to assume the responsibility for picking up the garbage up to the amount of \$24.00 and the question of retroactivity back to March 1, 1975 and examination of the \$24.00 amount be the subject of a further report and if there should be a question of a subsidy there be no penalty to the Strata owners."

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MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN LEWARNE:

"THAT the foregoing two motions as Moved by Alderman Ast and Seconded by Alderman Gunn and Moved by Alderman Emmott and Seconded by Alderman Gunn be tabled pending a discussion of Item 13, Manager's Report No. 68, 1975."

CARRIED

OPPOSED -- ALDERMEN AST AND GUNN

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"THAT Recommendation No. 1 of Item 13, Municipal Manager's Report No. 68 be adopted."

Recommendation No. 1 reads:

THAT Municipal forces continue to pick up refuse from those condominiums now being picked up and that this service not be charged for effective October 28, 1975.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

"THAT Recommendation No. 1 be amended to provide that the Municipality will reimburse the condominium owners retroactively to March 1, 1975."

FOR -- ALDERMEN AST AND GUNN

OPPOSED -- MAYOR CONSTABLE,
ALDERMEN EMMOTT, LAWSON,
LEWARNE, MCLEAN,
MERCIER AND STUSIAK

MOTION DEFEATED

The original motion as Moved by Alderman Stusiak and Seconded by Alderman Emmott was then voted on and CARRIED.

OPPOSED Aldermen Ast and Gunn. ** FOR CORRECTION - SEE MINUTES OF Nov. 3, 1975

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

"THAT Recommendation No. 2 of Item 13, Municipal Manager's Report No. 68, 1975 be adopted."

Recommendation No. 2 reads:

THAT Municipal forces pick up refuse from those condominiums which are using household receptacles and who wish to cancel their present contracts, with such service to be provided free of charge as soon as it is requested and contracts can be cancelled.

CARRIED

OPPOSED -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT Recommendation No. 3 of Item 13, Municipal Manager's Report No. 68, 1975 be adopted."

Recommendation No. 3 reads:

THAT Municipal forces pick up refuse from those condominiums that wish to change from containers to household receptacles with such service to be provided free of charge as soon as they can terminate their present contracts.

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MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"THAT Recommendation No. 3 be amended to read:

'THAT the Municipality will accept responsibility for all refuse pickup, containers or household receptacles, with such service to be provided without charge as soon as possible.'"

CARRIED

OPPOSED -- ALDERMAN GUNN

** FOR CORRECTION - SEE MINUTES of Nov. 3, 1975

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN STUSIAK:

"THAT the following be added after the word 'receptacles' in the foregoing motion 'and where it is deemed by the Municipal Engineer to be efficient after consultation with the Strata Title Councils.'"

CARRIED

OPPOSED -- ALDERMEN AST AND GUNN

The original motion as Moved by Alderman Stusiak and Seconded by Alderman McLean, as amended, was then voted on.

CARRIED

OPPOSED -- ALDERMEN AST AND GUNN

Recommendation No. 3, as amended, now reads:

THAT the Municipality will accept responsibility for all refuse pickup, containers or household receptacles, and where it is deemed by the Municipal Engineer to be efficient after consultation with the Strata Title Councils, with such service to be provided without charge as soon as possible.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT Recommendation No. 4 of Item 13, Municipal Manager's Report No. 68, 1975 be adopted."

Recommendation No. 4 reads:

THAT the Municipality immediately negotiate with the four contractors involved to enter into a contract with Burnaby to provide garbage collection and disposal service for all those condominium owners who must retain container pickup service, with such service to be paid for by Burnaby as an interim solution at a cost not exceeding \$24.00 per unit on an annual basis and with the contract to be effective upon a mutually agreeable date as close to October 28 as possible.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"THAT Recommendation No. 4 be amended to delete the words 'negotiate with the four contractors involved to', 'with Burnaby', 'at a cost not exceeding \$24.00 per unit on an annual basis'; so that same will now read 'That the Municipality immediately enter into a contract to provide garbage collection and disposal service for all those condominium owners who retain container pickup service, with such service to be paid for by Burnaby as an interim solution and with the contract to be effective upon a mutually agreeable date as close to October 28 as possible.'"

CARRIED

FOR -- MAYOR CONSTABLE, ALDERMEN
AST, EMMOTT, GUNN AND
LEWARNE

OPPOSED -- ALDERMEN LAWSON, MCLEAN,
MERCIER AND STUSIAK

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MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"THAT Recommendation No. 4 of Item 13, Municipal Manager's Report No. 68, 1975 be further amended to add 'and that the staff recommendation as a result of negotiations come before the Municipal Council for approval.'"

CARRIED ** FOR CORRECTION - SEE
MINUTES OF Nov. 3, 1975
OPPOSED -- ALDERMAN MERCIER

The original motion as Moved by Alderman Stusiak and Seconded by Alderman McLean, as amended, was then voted on and CARRIED.

OPPOSED -- ALDERMEN LAWSON AND
STUSIAK

Recommendation No. 4, as amended, now reads:

THAT the Municipality immediately enter into a contract to provide garbage collection and disposal service for all those condominium owners who retain container pickup service, with such service to be paid for by Burnaby as an interim solution and with the contract to be effective upon a mutually agreeable date as close to October 28 as possible, and that the staff recommendation as a result of negotiations come before the Municipal Council for approval.

Recommendation No. 5 reads:

THAT the condominium owners referred to in #4 recommendation be advised that they will be required to pay the difference in cost to their contractor.

It was the consensus of opinion that Recommendation No. 5 was now redundant.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN LAWSON:

"THAT the Municipal Manager be directed to negotiate with a responsible party as spelled out by the Municipal Solicitor."

CARRIED
OPPOSED -- ALDERMEN AST AND GUNN

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN LAWSON:

"THAT the Municipal Solicitor report on the question of the Municipality contracting directly with the Strata Title Council on the question of garbage pickup."

CARRIED UNANIMOUSLY

(d) Mayor Constable advised that he had been in receipt of a letter received from the Brentwood Park Ratepayers' Association requesting the Planning Department's report on Community Plan "D" for the Brentwood Park Area be tabled for at least two weeks. It was indicated that this plan was a Council Agenda item for this evening.

After discussion, it was agreed that the matter be considered under the Agenda item being Item No. 9 of Municipal Manager's Report No. 68, 1975 for input by Council and then tabled at that time.

THE MEETING RECESSED AT 9:32 P.M.

THE MEETING RECONVENED AT 9:47 P.M. WITH ALL MEMBERS OF COUNCIL PRESENT.

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B Y - L A W S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MCLEAN:
"THAT:

'Burnaby Zoning By-Law 1965, Amendment By-Law No. 45, 1975'	-	No. 6732
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 46, 1975'	-	No. 6733
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 47, 1975'	-	No. 6734
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 48, 1975'	-	No. 6735
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 49, 1975'	-	No. 6736
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 50, 1975'	-	No. 6737
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 51, 1975'	-	No. 6738

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

"THAT the Committee now rise and report progress on the By-Laws."

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN MCLEAN:

"THAT 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 45, 1975' - No. 6732 be tabled."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MCLEAN:

"THAT:

the development proposal for 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 46, 1975 - No. 6733

be amended so that the lane in question goes straight through."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN GUNN:

"THAT the preservation of the creek involved in 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 49, 1975' - No. 6736 be left as natural as possible."

CARRIED UNANIMOUSLY

The motion as Moved by Alderman Stusiak and Seconded by Alderman McLean to report progress on the By-Laws was then voted on and CARRIED UNANIMOUSLY.

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MERCIER:

"THAT:

'Burnaby Zoning By-Law 1965, Amendment By-Law No. 46, 1975'	-	No. 6733
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 47, 1975'	-	No. 6734
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 48, 1975'	-	No. 6735
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 49, 1975'	-	No. 6736
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 50, 1975'	-	No. 6737
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 51, 1975'	-	No. 6738

be now read two times."

CARRIED UNANIMOUSLY

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Alderman Stusiak requested that the matter of the locked in lot relative to By-Law No. 6736 be resolved prior to the By-Law coming forward for consideration for third reading.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT Council do now resolve itself into a Committee of the Whole to consider and report on 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 32, 1975' - No. 6708."

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 LEWARNE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 32, 1975' - No. 6708 be now read a third time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LEWARNE:

"THAT:

'Burnaby Zoning By-Law 1965, Amendment By-Law No. 4, 1975'	-	No. 6619
'Burnaby Loan Authorization Referendum By-Law No. 1, 1975'	-	No. 6709
'Burnaby Advanced Poll By-Law 1975'	-	No. 6745
'Burnaby Mobile Poll By-Law 1975'	-	No. 6746
'Burnaby Bicycle Licensing By-Law 1973, Amendment By-Law 1975'	-	No. 6747

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

CARRIED

OPPOSED -- ALDERMAN MERCIER
BY-LAW NO. 6747

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 68, 1975 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) The Royal Canadian Legion No. 148
re Church Parade - Sunday, November 9, 1975

The Municipal Manager provided the following report of the Municipal Engineer:
 "We would advise that we can foresee no problems that would occur to traffic on the proposed route as outlined in the letter of request to conduct the captioned parade. (Edmonds Street should read Esmond Street.)

The parade must be conducted according to Section 23 of the Street and Traffic By-Law."

It was recommended that the request from the Royal Canadian Legion No. 148 for permission to conduct a parade on November 9, 1975 be approved, subject to the condition that the parade is conducted in accordance with Section 23 of the Street and Traffic By-Law.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (b) Mainland Colorite Aluminum Siding
re (1) Provisions of Sign By-Law
(2) Culverts Moved and Paving Done

A letter under date of October 16, 1975 was received indicating the writer was notified to cease work on construction of a roof top sign by the Burnaby Building Department and also applying for the ruling to be waived in this particular case.

It was also suggested that an adjacent pre-cast building is being erected and the lane paving dug up for the building.

The Municipal Manager reported as follows:

"Appearing on the Agenda for the October 27, 1975 meeting of Council is a letter from Mr. J. A. Comparelli of Mainland Colorite Aluminium Siding regarding a) the proposed construction of a sign on the roof of a building, b) repaving of a lane and c) higher taxes.

Following is a report from the Director of Planning and the Municipal Engineer with respect to the sign and lane. With respect to the question on taxes, the Municipal Treasurer advises that the 'subject property appeared on the tax roll in 1973 with a general assessment for land of \$14,670. In 1974, it was replaced by \$29,340. The Assessment Authority advises that a revaluation of the properties on both sides of Juneau Street was made in 1973 for application to the year 1974. This would account for the large increase in taxes."

It was recommended that:

- (1) Mr. J. A. Comparelli be advised that a roof sign is not permitted under the Burnaby Sign By-Law at the subject location; and
- (2) Mr. Comparelli be furnished with a copy of this report and invited to meet with Planning Department staff to work toward a solution that is consistent with the By-Laws and can be approved."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

- (c) Seventh-Day Adventist Church
re Annual Ingathering Appeal

A letter under date of October 21, 1975 was received requesting approval to conduct an Annual Ingathering Appeal for the support of the missions and welfare services that they conduct.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LAWSON:

"THAT the application received from the Seventh-Day Adventist Church to hold an Annual Ingathering Appeal November 30th to December 23, 1975 inclusive be approved."

CARRIED UNANIMOUSLY

(d) Burnaby Scientific Pollution & Environmental Control Society
re Endorsation of Parks and Recreational Facilities Referendum

A letter under date of October 24, 1975 was received endorsing the referendum for parks and recreational facilities even though they took exception to the proposed 18-hole golf course for the Fraser River Foreshore Park.

ENQUIRIES

Alderman Gunn

On a question of Alderman Gunn, the Director of Planning advised that the backup material on the Roads Referendum and the Stride Avenue Area would be available at the next meeting of Council and the information sheets will be available this week.

Alderman Stusiak

On a question of Alderman Stusiak, the Municipal Manager advised that the Municipal Clerk was presently preparing a book containing the pertinent regulatory by-laws of the Municipality and this was approximately two-thirds complete at this point.

Alderman Stusiak also indicated a Notice of Motion for the next regular meeting of Council proposing a change to the text of the Zoning By-Law to add "and/or son or daughter" to those persons eligible to use an in-law suite.

Alderman Mercier

On a question of Alderman Mercier, Mayor Constable advised that the recent ^{proposed} changes in wage negotiation policies of the Greater Vancouver Regional District would be brought to Council in the next while in the form of a complete report on the subject.

Alderman McLean

Alderman McLean requested that the Municipal Manager report on the question of prosecution of a property in the 3700 Block Eton Street as it related to the Burnaby Unsightly Premises By-Law, 1969.

Alderman Lewarne

Alderman Lewarne suggested that in the Roads By-Law Moscrop Street, Price Street and along Percival Avenue could be moved further to the East and along the administration road and thereby reduce costs and wondered if this had been considered. The Director of Planning advised that the administration road is intended to serve the administration centre whereas the other road is a collector and that it is an entirely different situation.

On a further question of Alderman Lewarne, the Director of Planning advised that park naming was under the jurisdiction of the Parks and Recreation Commission however, names have been provided for streets based on a list of suggested names. It was indicated anyone could have names added to this list. Alderman Lewarne suggested recognition be given to former Reeves and Mayors of the community by way of street naming.

NOTICE OF MOTION

Alderman G. D. Ast re: Refuse Collection Costs-
Reimbursement to Residential Strata Title and
Co-operative Properties

This item was dealt with under Item 2(c) - Delegations.

R E P O R T S

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

The Municipal Manager presented Report No. 68, 1975 on the matters listed following as Items (1) to (14) either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) Application for Abatement of Percentage Additions -
Section 411 of the Municipal Act

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

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

Melvin D. Oxenham	Lot 7, Block 19, D.L. 121,	1975 penalties	\$26.67
4326 Frances Street	Plan 1054		
Burnaby, B. C.	Co-ordinate: 0740-4326		

1975 abatements to date, including the above sum, total \$167.75."

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- (2) Letter dated October 17, 1975 from the
Royal Canadian Legion No. 148 -
4358 East Hastings Street, Burnaby -
Request for Permission to Conduct a Parade

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

- (3) Letter dated October 16, 1975 from Haul-Away Disposal Ltd.
10-7823 132nd Street, Surrey
Refuse Collection

This subject was considered previously under Item 2(b) - Delegations.

- (4) Engineer's Special Estimate

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

"I wish to submit the following special estimate for your consideration.

Work Order No.

62-048 (Reissue)	Sundry Extras to roads work orders which have been closed. For the year 1975. <u>CHARGE:</u> Special Roads Projects 15-06	\$7,000.
	<u>ADDITIONAL INFORMATION:</u> This money is provided for in 1975 Budget."	

It was recommended that the estimate be approved as submitted.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

(5) Traffic Signals

- a. Cameron Street and North Road
- b. Austin Avenue and North Road
- c. Austin Avenue and Lougheed Highway

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

"At the Council meeting of Monday, October 20, 1975 the question was raised as to the date of the proposed signal installation at the captioned intersection.

Tenders are now being called for signal revisions to the two signals at the intersections of Austin Avenue and North Road and Austin Avenue and the Lougheed Highway. These revisions will allow two lanes of eastbound traffic to turn left at the same time.

The present two phase controller now in use at Austin Avenue and North Road will be replaced and relocated to the intersection of Cameron Street and North Road.

In dealing with the priority of installation of the three signal works it was felt that the two Austin Avenue installations should be completed first to encourage commuter traffic to this arterial route. If we were to complete the Cameron Street installation first we could encourage and establish additional commuter traffic that would not otherwise use this routing."

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(6) American Public Works Association Workshop - Urban Drainage -
Seattle, Washington, December 4 and 5, 1975

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

"The Corporation is a member of the American Public Works Association which sponsors workshop seminars throughout North America. Various members of this Department have taken advantage of these workshops over the past year and each has returned with high opinions on the quality and presentation of the subject material.

The workshop entitled Urban Drainage is of particular interest to the Design Engineer as it is aimed at presenting and discussing new techniques related to urban drainage controls and treatment as well as reviewing design principles.

The American Public Works Association workshop calendar indicates that this seminar will be held no closer than the City of Seattle which will permit the Design Engineer's attendance with minimum leave of absence. The estimated cost is \$228."

It was recommended that approval be provided for the Design Engineer to attend the Urban Drainage Workshop sponsored by the American Public Works Association in Seattle, Washington on December 4 and 5, 1975.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(7) Conditional Use Application for Portions of Marine Way

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

October/27/1975

"Portions of the Marine Way alignment traversing the Big Bend area are situated within the Agricultural Land Reserve. In that construction of this facility has been proposed for commencement in 1976 with a first stage extending from Boundary Road to Byrne Road, it is necessary for the Municipality to make application to the B. C. Land Commission for conditional use approval for this road.

Due to the fact that the Marine Way alignment does continue east of Byrne Road, and will be part of a second stage development programme, it is appropriate for the Municipality to make concurrent application to the B. C. Land Commission for conditional use approval for this portion."

It was recommended:

- (1) THAT Council resolve to make application to the B. C. Land Commission for conditional use approval for the construction of those portions of the Marine Way alignment situated within the Agricultural Land Reserve.
- (2) THAT the Planning Department prepare the necessary documents and supporting materials for submission to the B. C. Land Commission.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

(8) Contract for Towing Services

This subject was considered previously under Item 2(a) - Delegations.

(9) Proposed Amendments to Brentwood Community Plan #9 - Apartment Area "D"

The Municipal Manager provided a report of the Director of Planning wherein it was recommended that:

- (1) Council approve the proposed amendments to Community Plan Area "D" as summarized in Section 4.0 of the Planner's Report as indicated on Sketch #4 of that Report, on the understanding that the revised Community Plan will be utilized by applicants as a development guideline with reference to the rezoning of specific sites within the subject Community Plan area;
- (2) with reference to the request of the Brentwood Park Ratepayers' Association for assistance in eliminating through East-West traffic in the Brentwood Area, it is recommended that Council authorize the closure to traffic of Halifax Street at Woodway Place, and of Dellawn Drive at Springer Avenue as outlined in said Sketch #4, subject to the placement first of an additional fire hydrant on the South-East corner of Halifax Street and Woodway Place, and relocation of an existing hydrant to the South-East corner of Dellawn Drive and Crestlawn Drive.

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

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN MERCIER:

"THAT the subject matter be tabled for a two week period."

CARRIED UNANIMOUSLY

(10) Policy Guidelines for Notification of Public Hearings Involving Zoning By-Law Text Amendments Residential Conversions: Zoning By-Law Text Amendments

The Municipal Manager reported as follows:

"Following is a report from the Director of Planning on a problem in connection with notification of Public Hearings on Zoning By-Law Text Amendments for Residential Conversions.

This is a classic example of what we are now faced with on zoning by-law text amendments as a result of recent changes to the Municipal Act. While we can accept the principle behind the legislative change, we feel that a specific exception should be made for only text amendments, and that we should press for reverting to the previous legislation in such cases.

The Director of Planning reviewed the notice of Public Hearing requirements and their implications as well as possible alternative procedures.

It was recommended:

- (1) THAT a copy of this report be forwarded to the Minister of Municipal Affairs with the request that the Municipal Act be amended so that in the case of such text amendments it would be necessary for the Municipality to only advertise the advice of proposed rezoning; and
- (2) THAT the Council authorize the Municipal Clerk to use a "general coverage" procedure, employing a private agency, in distributing public hearing notices for Zoning By-Law text amendments affecting large areas of the Municipality until the legislation is changed; and
- (3) THAT, until the legislation is changed, the Council approve an approach whereby each public hearing notice for such large scale amendments would
 - (a) include a brief description of the proposed amendment;
 - (b) exclude a copy of the Planning Department's report on the subject;
 - (c) include a statement that copies of the Zoning By-Law amendment and related reports would be available at the Planning Department.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN MCLEAN:

"THAT Recommendation No. 1 of Item 10, Municipal Manager's Report No. 68, 1975 be adopted."

CARRIED

OPPOSED -- ALDERMAN GUNN

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN MCLEAN:

"THAT Recommendation No. 2 of Item 10, Municipal Manager's Report No. 68, 1975 be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

"THAT Recommendation No. 3 of Item 10, Municipal Manager's Report No. 68, 1975 be adopted."

CARRIED UNANIMOUSLY

(11) Deleted

(12) Letter dated October 16, 1975 from Mainland Colorite
Aluminum Siding, 2430 Willingdon, Burnaby

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

(13) Burnaby Joint Refuse Committee -
Status Report No. 2

This subject was considered previously under Item 2(c) - Delegations.

(14) 1976 Provisional Capital Improvement Program

"This document will receive further scrutiny from the Manager as the 1976 Provisional General Budget is prepared.

The Municipal Manager would like to specifically draw to the attention of the Council that the Parks and Recreation Commission is proposing no let up on the dollar demand from the mill rate for land acquisition and major park development; or, putting it another way, the Commission is asking for virtually the same amount of revenue funds in 1976 and asking for a major borrowing program as well.

The Provisional Capital Program is submitted for the study of Council, and whether or not we can afford it cannot really be dealt with until the 1976 Provisional General Budget is prepared. Specific authority will be requested from Council if it is necessary to advance any portion of the Program prior to its final adoption as a part of the 1976-1981 Capital Improvement Program."

It was recommended that the Council consider the 1976 Provisional Capital Improvement Programme and vary it as deemed necessary and then table it pending the adoption of the 1976 Operating or General Budget.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN MERCIER:

"THAT the subject matter be tabled for one month."

CARRIED UNANIMOUSLY

Alderman Mercier indicated that he would be giving Notice of Motion in reference to the 1976 Annual Budget and a maximum property tax increase to the average taxpayer.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN 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