

December 29, 1975

A regular meeting of the Municipal Council was held in the Council Chamber, Burnaby Municipal Hall, 4949 Canada Way, Burnaby, B. C. on Monday, December 29, 1975 commencing at 7:00 p.m.

PRESENT:

Mayor T. W. Constable, in the Chair  
Alderman G. D. Ast  
Alderman A. H. Emmott  
Alderman B. M. Gunn  
Alderman D. A. Lawson  
Alderman J. L. Mercier  
Alderman G. H. F. McLean  
Alderman V. V. Stusiak

ABSENT:

Alderman W. A. Lewarne

STAFF:

Mr. B. McCafferty, Acting Municipal Manager  
Mr. V. Kennedy, Deputy Municipal Engineer  
Mr. D. Stenson, Assistant Director - Current Planning  
Mr. J. Hudson, Municipal Clerk  
Mr. R. W. Watson, Deputy Municipal Clerk  
Mr. B. Luk Sun, Long Range Planner

M I N U T E S

The Minutes of the Council Meeting held on December 15, 1975 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Minutes of the Council Meeting held on December 15, 1975 be now adopted."

CARRIED UNANIMOUSLY

The Minutes of a Public Hearing held on December 16, 1975 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Minutes of the Public Hearing held on December 16, 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 Lindsay, Suite 228, 7341 - 19th Avenue  
re Taxi Service in North Burnaby

(b) Mrs. T. A. Rukus, 7949 Suncrest Drive  
re Erosion of Kaymar-Suncrest Ravine.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

(a) Mr. Hugh Lindsay  
re Taxi Service in North Burnaby

Mr. Lindsay advised that after reviewing the Municipal Manager's Report, No. 83, 1975, Item 19, that he would make a few brief comments. Mr. Lindsay indicated that he had several endorsements from businesses in the North Burnaby area and suggested that the present taxi situation in Burnaby was monopolistic and he looked forward to competition in the industry.

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT Municipal Manager's Report Item 19 be brought forward at this time."

CARRIED UNANIMOUSLY

The Municipal Manager provided the following report of the Chief Licence Inspector:

"Appearing on the agenda for 29 December 1975 is correspondence from Hugh Lindsay, 7341 - 19th Avenue, Burnaby, requesting that seven new taxicab licences be granted to him.

On 15 December 1975, Council received a request from Bonny's Taxi (1971) Ltd. for nine new taxicab licences.

The Burnaby Cab & Commercial Vehicle By-law sets out the maximum number of taxicab licences that shall be issued to service the Municipality.

On 18 April 1974, Council adopted the recommendations of the Taxicab Licencing Committee to issue one new cab licence each to Bonny's Taxi (1971) Ltd. and Capitol Hill Taxi Ltd., bringing the total number of cabs licenced by the Municipality to 66, and to:

- (i) issue five new cab licences in September 1974, to bring the maximum to 71 licences, representing a cab-population ratio of 1:1900;
- (ii) follow an annual graduating scale that would reduce the cab per capita ratio to 1:1500 by 1978.

The reduction would be accomplished as follows:

1975	1:1800
1976	1:1700
1977	1:1600
1978	1:1500
1979 and thereafter	1:1500

In addition to increasing the total number of cab licences by reduction of the per capita calculations, there would be an annual increase of two or three licences to keep abreast of the increase in the population of the Municipality. The by-law was amended in 1974 to provide that the number of cabs licenced by the Municipality shall not exceed 71.

On 28 October 1974, Item 9 of Manager's Report No. 70, Council endorsed a proposal to further amend the by-law to provide that the number of cabs licenced by the Municipality shall not exceed 75 in 1975. This could have created nine additional licences, five licences for the year 1974 to bring the ratio to 1:1900, and four licences for the year 1975 to bring the ratio to 1:1800. At the same time, Council directed that the availability of the new licences be advertised and that the Taxicab Licencing Committee consider all applications received and bring forward recommendations for the issuance of not more than nine new cab licences.

Applications were received from local operators, and a proposal to establish a new taxi company by an operator from the North Shore. The Taxicab Licencing Committee decided to defer the issuance of any new cab licences. This means that the 1975 cab complement is 66.

Since then, the two major taxicab companies operating in the Municipality have amalgamated. Bonny's Taxi (1971) Ltd. purchased Capitol Hill Taxi Ltd. and while the two companies still exist, the operation is conducted by Bonny's. It should be understood that 65 cabs licensed by the Municipality are operating through Bonny's dispatching service. The various licences are:

Bonny's Taxi (1971) Ltd.	3 cabs
Capitol Hill Taxi Ltd.	14 cabs
Individual owner-operator	48 cabs

In addition, there is one independent operator.

The Director of Planning estimates that the population of the Municipality will be 139,400 as at 31 December 1975. Based on 66 licences, the current per capita ratio is 1:2112. To establish a 1:1800 per capita ratio would require 11 additional licences, bringing the maximum number of cab licences in the Municipality to 77."

It was recommended:

1. THAT Council authorize the Chief Licence Inspector to advertise the availability of and accept applications for eleven new taxicab licences, and refer the applications to the Taxicab Licencing Committee for their consideration and recommendations to Council; and
2. THAT a copy of this report be sent to Bonny's Taxi (1971) Ltd., and to Mr. Hugh Lindsay.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

It was requested the Municipal Manager Report on a previous request to the Provincial Government relative to having the "Municipal Act" amended to give the Corporation authority to market cab licences. It was also requested that the Vancouver experience in this regard be obtained as well.

(b) Mrs. T. A. Rukus  
re Kaymar-Suncrest Ravine

Mr. Fred Webster, 7933 Suncrest Drive, appeared before Council as spokesman for the group and provided a historical review and current highlights of the following submission:

" We, the owners of property abutting the Kaymar-Suncrest Ravine, respectfully request Council to institute a program to stabilize the banks of this ravine which, during the past several years, has sloughed to the extent that there has been considerable loss of property and a hazard to the residents of this area.

During the construction of the Suncrest subdivision, the municipal planners recognized the sensitivity of the soil in this area, and placed a park reserve on the ravine so that the riparian lot lines were kept sufficiently far back from the banks to ensure the continuing stability of the natural slopes.

Subsequent upstream development above Rumble Street, however, caused additional storm water to be discharged into this creek, thus increasing the flow of water through the creek and accelerating the erosion of the banks and the stream bed.

Several times during the last few years local failures of the banks have been reported to the Municipal Engineering Department, and several studies of corrective action have been undertaken. Complaints from Messrs. Prouin and Gratton brought no corrective action but did result in a decrease on assessment of land values.

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On March 5, 1973, a petition was presented to the Parks Board, asking them to resolve this problem since they were, in fact, responsible for the land. As a result of this petition Golder, Brawner and Associates, in July 1973, undertook a study of the area and presented several alternative methods of bank stabilization. These proposals of Golder, Brawner and Associates, were not pursued.

During the last two years several telephoned requests to the Engineering Department to undertake remedical work were made by local residents. These requests brought eight inspections, but did not result in area work being undertaken except for some minor tree falling which the Parks Board hoped would stabilize a critical portion on the lower slopes.

During the exceptionally heavy rains in October and November of this year, several major sloughs occurred threatening the loss of backyards, swimming pools, retaining walls and other improvements along the boundary properties.

We hold the municipality to be responsible for the ravine and the safeguarding of our property. We do not request a decrease in our assessments, but rather the assurance from the municipality that the proposed corrective measures will be undertaken to prevent further loss to our property. The accompanying pictures exemplify the extent of the erosion and seriousness of this situation."

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

"THAT Municipal Manager's Report Item 16 be brought forward at this time."

CARRIED UNANIMOUSLY

The Municipal Manager reported as follows:

"Council at its meeting of December 15, 1975, received the above-noted letter from Mrs. V. Rukus regarding erosion of the ravine between Kaymar Drive and Patterson Avenue. At that meeting, Council was advised that a staff report would be available at the December 29, 1975 meeting of Council.

Following is the report of the Acting Parks & Recreation Administrator, and attached is the Municipal Engineer's report regarding this matter. The Engineer's recommendation is "THAT the Commission concur with the recommendation of the Municipal Engineer and recommend that Council approve of proceeding to remedy the erosion problem as recommended by Golder Brawner Associates by implementing Alternative No. 1 Phase 1 of the Golder Brawner Associates Report of July 1973, which includes the piping of the watercourse from approximately 150 feet south of Carson Street to the lane south of Rumble Street, and the filling of the eroded stream bed to its original invert level at an estimated cost of \$231,000. (As this estimate is now one year old, it would have to be increased by 12%, i.e. to \$258,720.)"

This entails the expenditure of a sizeable sum of money, the funding for which must be arranged. "

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It was recommended:

1. THAT the Parks & Recreation Commission consider the recommendations of the Municipal Engineer and indicate its priority in the matter of funding Parks & Recreation Capital projects; and
2. THAT a copy of this report be sent to the Parks and Recreation Commission, and to Mrs. Velma I. Rukus.

The Acting Municipal Manager advised that Recommendation No. 1 was incorrect in that the wording after "Municipal Engineer" should be struck, "and indicate its priority in the matter of funding Parks & Recreation Capital projects" and the words added after Engineer "as to location and type of remedy".

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN MCLEAN:

"THAT the Municipal Manager be advised to proceed to effect the remedy to the problem in consultation with Parks and Recreation Department staff".

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"THAT the subject matter be referred to a Committee of the Whole Council by the last meeting of Council in January, 1976."

CARRIED UNANIMOUSLY

BY - LAWS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT:

- |   |            |
|---|------------|
| "Burnaby Zoning By-Law 1965, Amendment By-Law No. 54, 1975" | - No. 6778 |
| "Burnaby Zoning By-Law 1965, Amendment By-Law No. 56, 1975" | - No. 6780 |
| "Burnaby Zoning By-Law 1965, Amendment By-Law No. 57, 1975" | - No. 6781 |
| "Burnaby Zoning By-Law 1965, Amendment By-Law No. 58, 1975" | - No. 6782 |
| "Burnaby Zoning By-Law 1965, Amendment By-Law No. 59, 1975" | - No. 6783 |

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report progress on By-Laws Nos. 6778, 6780, 6781, 6782 and 6783."

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN MCLEAN:

"THAT a suggested restrictive covenant on By-Law No. 6780 to permit parking at grade and/or below grade be made a condition of zoning.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the question of a restrictive covenant relating to parking be tabled pending a legal response on this question."

CARRIED UNANIMOUSLY

The motion to rise and report progress was then voted on and **CARRIED**.

OPPOSED - ALDERMAN STUSIAK TO  
BY-LAWS NO. 6781, 6782  
AND 6783.  
- ALDERMAN MCLEAN TO  
BY-LAW NO. 6783

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED

OPPOSED - ALDERMAN STUSIAK TO  
BY-LAWS NO. 6781, 6782  
AND 6783  
- ALDERMAN MCLEAN TO  
BY-LAW NO. 6783

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"THAT:

'Burnaby Zoning By-Law 1965, Amendment By-Law No. 54, 1975'	-	No. 6778
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 56, 1975'	-	No. 6780
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 57, 1975'	-	No. 6781
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 58, 1975'	-	No. 6782
'Burnaby Zoning By-Law 1965, Amendment By-Law No. 59, 1975'	-	No. 6783

be now read two times."

CARRIED

OPPOSED -- ALDERMAN STUSIAK TO  
BY-LAWS NO. 6781, 6782  
AND 6783  
ALDERMAN MCLEAN TO  
BY-LAW NO. 6783

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT Items 3 and 9 of the Municipal Manager's Report No. 83, 1975 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager provided the following report of the Municipal Treasurer in regard to Item 3:

"From time to time during 1975, Council approved rebates of penalties and interest on taxes owing by veterans of World Wars I and II and Korea, or by their widows, pursuant to Section 411 of the Municipal Act. At the end of each year it is necessary for Council to formalize their actions."

It was recommended that a by-law be brought down to formalize the rebates given as above.

The Municipal Manager provided the following report relating to Item 9:

"Bylaw No. 6627 makes provision for certain parking areas marked "Assigned Staff Parking Only", "Municipal Employee Parking Only" and "Visitor Parking Only". It also provides for parking areas for the Mayor and Aldermen.

Section 6 of the Bylaw makes reference to a parking decal and provides that no municipal employee shall park in a "Municipal Employee Parking Only" area without having affixed to his windshield a current approved parking decal.

The problem arises now as to how we should handle the members and staff of the G.V.R.D. Board as far as parking is concerned. Since we now have adequate parking space in the re-built lot, it is desirable to find an efficient means of authorizing parking for the G.V.R.D. rather than set out special signs when the Board meets. The Board will be returning to the Municipal Hall for its first meeting on January 28, 1976.

We propose that the G.V.R.D. Board members and staff concerned be given parking decals and permitted to park anywhere in the "Municipal Employee Parking Only" area. To permit this we require an amendment to the bylaw which would provide that no person (rather than no municipal employee) shall park in such areas.

The appropriate amendment bylaw will be before Council for consideration on December 29."

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It was recommended that the amendment By-Law be brought forward.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the recommendations of the Municipal Manager contained in Report Items 3 and 9 be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT:

'Burnaby Zoning By-Law 1965, Amendment By-Law No. 55, 1975'	-	No. 6779
'Burnaby Tax Abatement By-Law 1975'	-	No. 6790
'Burnaby Automatic Vending Machine By-Law 1946, Amendment By-Law 1975'	-	No. 6791
'Burnaby Trades Licence By-Law 1950, Amendment By-Law 1975'	-	No. 6792
'Burnaby Cab and Commercial Vehicles By-Law 1951, Amendment By-Law 1975'	-	No. 6793
'Burnaby Municipal Hall Parking Regulation By-Law 1975, Amendment By-Law 1975'	-	No. 6794

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 AST:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT:

'Burnaby Zoning By-Law 1965, Amendment By-Law No. 55, 1975'	-	No. 6779
'Burnaby Tax Abatement By-Law 1975'	-	No. 6790
'Burnaby Automatic Vending Machine By-Law 1946, Amendment By-Law 1975'	-	No. 6791
'Burnaby Trades Licence By-Law 1950, Amendment By-Law 1975'	-	No. 6792
'Burnaby Cab and Commercial Vehicles By-Law 1951, Amendment By-Law 1975'	-	No. 6793
'Burnaby Municipal Hall Parking Regulation By-Law 1975, Amendment By-Law 1975'	-	No. 6794

be now read three times.

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LAWSON:

"THAT Burnaby Road Closing By-Law No. 9, 1975 (#6787) be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 83, 1975 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

(a) Greater Vancouver Regional District

Director, Air Pollution Control

re Extensions of Deadlines in Air Pollution Control Permits

A letter under date of December 11, 1975 was received enclosing a copy of a notice advising of the request by Chevron Canada Limited to have the completion of a sulphur recovery plant extended to October 31, 1976 from June 30, 1976.

The Municipal Manager provided the following report of the Chief Public Health Inspector:

" Further to Mr. F.R. Bunnell's letter dated December 11th, 1975, to the Mayor and Council advising Chevron has amended their completion date for their Sulphur Recovery Plant from June 30th, 1976 to October 31st, 1976, we would report the following.

In consultation with Chevron representatives, they advised that after a thorough review of their construction schedule, this facility cannot be in operation until October 31st, 1976, as a result of the following:

- (1) Longer than normal period of time evaluating Sulphur Recovery Processes to meet the stringent emission levels with the relatively small volume of sulphur produced in the Refinery.
- (2) Disappointing long delivery of critical equipment from vendor's shops.

This completion date of October 31st, 1976, is also contingent upon the assumption there will be no strikes in the Petroleum and Construction industries during the first 10 months of 1976.

Chevron Canada Limited applied for Preliminary Plan Approval for construction of a Stretford-Beavon Sulphur Recovery Process from the Municipality of Burnaby on August 8th, 1975 and received approval on November 7th, 1975. Following this, construction commenced mid-November 1975."

It was recommended:

1. THAT the Greater Vancouver Regional District be advised that the Municipality of Burnaby has no objections to amending Chevron Canada Limited Pollution Control Permit VA-117, Appendix 10, Item F, to October 31, 1976.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"THAT the recommendation of the Municipal Manager be adopted.

CARRIED UNANIMOUSLY

(b) Union of B. C. Municipalities

re Renewal of Royal Canadian Mounted Police Contracts

A directive from the Union of B. C. Municipalities was received indicating information supplied through the B. C. Police Commission relating to proposals being advanced by the Federal Government as a basis for a renewed R.C.M.P. contract for a five year period from April 1st, 1976 to March 1st, 1981. It was summarized as follows:



" The proposed Federal agreement indicates:

- (a) an increase in the cost-sharing formula to municipalities of 6% (to 56% and 81% as applicable) during the next 5 years. Correspondingly, the Federal share will reduce by these percentages during the 5 years, so that the Federal share will be 44% for the first 5 men (now 50%) and 19% for all additional men in excess of the first 5 (now 25%) by 1981.
- (b) An annual revision of the "per capita base rate" will be made based on actual cost experience in the preceding year.
- (c) A variety of changes concerning the duties which will be performed by R.C.M.P. under contract within municipalities have been introduced. Generally these reduce R.C.M.P. policing functions in a number of areas of particular interest to local authorities."

The Municipal Manager provided a report of the Municipal Treasurer wherein it was indicated that the projected costs for the force shown for the years 1975 to 1980 are as follows:

"	<u>Year</u>	<u>Number of Men</u>	<u>Estimate</u>
	1975	184 Jan. to March, 187 April to Dec.	\$ 2,937,500
	1976	187 Jan. to March, 191 April to Dec.	3,699,935
	1977	191 for the year	3,920,325
	1978	191 for the year	3,971,131
	1979	191 for the year	4,021,940
	1980	191 for the year	4,072,888

The projection is made using the 1 April 1976 estimated cost without an allowance for inflation."

It was recommended:

- "1. THAT a copy of this report be sent to the Union of British Columbia Municipalities."

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN MCLEAN:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"THAT the recommendation of the Municipal Manager be amended to indicate the Municipality's opposition to the change in cost formula and resulting acceleration in cost increases unless change in policy to allow revenues to accrue to the Municipalities".

CARRIED UNANIMOUSLY

The original motion as moved by Alderman Mercier and seconded by Alderman McLean, as amended, was then voted on and CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT copies of the report item be forwarded to the three local Federal Members of Parliament requesting their support."

CARRIED UNANIMOUSLY

It was requested that the Acting Municipal Manager report on the reason for the change in cost from the 1975 estimate of \$2,937,500.00 to the 1976 estimate of \$3,699,935.00.

THE MEETING RECESSED AT 9:10 P.M.

THE MEETING RECONVENED AT 9:25 P.M. WITH ALDERMAN W.A. LEWARNE BEING ABSENT.

- (c) British Columbia Society for the Prevention of  
Cruelty to Animals  
re Low Cost Spay and Neuter Clinic

A letter under date of December 19, 1975 was received conveying their sincere appreciation for the one time grant of \$17,500.00 to assist in the building of the low cost spay and neuter clinic.

Cont'd.....

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MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"THAT the correspondence be received for information purposes."

CARRIED UNANIMOUSLY

(d) Mrs. P.J. Pengelly  
re Snow Removal from Streets

A recent letter was received expressing concern about the lack of snow removal in Burnaby, especially on the hills.

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

" Appearing on the Council Agenda for December 29, 1975 under Correspondence and Petitions are two letters, one from Mrs. J. Foote of 4692 Victory Street and one from Mrs. P. J. Pengelly of 7999 McGregor Avenue, concerning clearing snow from streets and sidewalks.

The Engineering Department believes both letters can be best answered together and by enumerating the priorities and procedures carried out by the Engineering Department relative to the subject of snow clearing.

The Corporation's snow removal policy is on a priority basis as follows:

No. 1 Priority - Arterial streets.

No. 2 Priority - Collector streets.

No. 3 Priority - Bus routes.

No. 4 Priority - Residential streets with steep grades which have only one outlet.

The Corporation has never had a policy nor made a practice of clearing snow from sidewalks.

The point raised in Mrs. J. Foote's letter regarding using groups of unpaid student volunteers to shovel the snow from sidewalks for old people we think is best referred to the School Board. "

It was recommended:

1. THAT a copy of this report be provided to Mrs. J. Foote, Mrs. P.J. Pengelly, and to the Burnaby School Board."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(e) Mrs. J. Foote  
re Snow Removal from Streets

A letter under date of December 18, 1975 was received indicating property owners reluctance in clearing off their sidewalks. It was suggested that a group of voluntary highschool students would help out old people who are unable to keep their sidewalks cleared of snow and ice.

This subject matter was considered previously under item 4(d), Correspondence and Petitions.

(f) Century Park Museum Association,  
re Preservation of Sprott-Lubbock - 5740 Canada Way

A letter under date of December 22, 1975 was received indicating the following motion of the Board of Directors of the Association at the last regular meeting of the Board:

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"THAT the Municipal Council be notified that a Special Committee has been set up by our Board to investigate the recommendations as set out in the Municipal Manager's Report to Council No. 65, 1975 - this Committee to report back to the Board of Directors as soon as possible."  
This correspondence was received for information purposes.

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

- (a) Letter from The Armenian Cultural Association  
of B.C.  
re Proposed Parking Lot Sublease

"The Municipal Manager provided the following report of the Director of Planning:  
On December 8, 1975 Council gave consideration to Item #4, Manager's Report No. 79 dealing with the subject matter. At that time Council determined to table the matter for 2 weeks pending alternate proposals being discussed with the Armenian Cultural Association.

Discussions have taken place between the representative of the Cultural Association and department staff and also with representatives of the Royal Bank Branch at McKay and Kingsway. Further discussions will be necessary in order to come up with proposals that will solve the Association's problem, as the Real Estate Resources Section of the Bank have now informed the Bank Branch representative that it is Bank policy to not enter into lease arrangements with other business users in areas adjacent to bank parking facilities. Consequently meetings have been scheduled with Mr. Gregory of the Cultural Association to seek out other possible arrangements, and a further report concluding this matter will be brought to Council shortly."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

The subject matter was not lifted from the table.

- (b) Kenneth Rosengren  
re 27 Condominium Townhouses - 2000 Block Springer Avenue

The Municipal Manager provided the following report of the Director of Planning:  
" At the December 15 meeting of Council, Mr. Robert MacFarlane appeared as a delegation on behalf of himself and his partner, Mr. Kenneth Rosengren of Burke Developments, to request that Council again hear their application for strata titling of their residential project in the 2000 block Springer Avenue.

On that occasion, several questions were raised in connection with the status of this development, the applicability of the term "conversion" to refer to this project, and the question of whether or not Council's directions concerning "retroactivity" were applicable in this case. The purpose of this report is to provide Council with the background on this specific development and an outline of the provisions of the Strata Titles Act and adopted Council motions that come to bear.

Cont'd.....

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### Background

The rezoning application that amended the zoning of this parcel from C5 to Multiple Family District R1 to allow this development to take place was initiated in 1965 (RZ Ref. #5/65) by the then owner of the property. The application was advanced to a Public Hearing, without any indication that this was to be a strata title project, on September 14, 1965, and the Bylaw received First and Second Readings on October 8, 1965. Although several speculative efforts took place over the next several years, sufficient to keep the application "alive", it was not until Messrs. Rosengren and MacFarlane became interested in the property that the matter advanced beyond Second Reading. Upon the submission of a suitable plan of development by their architects (which again did not specify strata title development), the Bylaw was advanced for Third Reading on February 14, 1972, and Finally Adopted February 21, 1972. Neither the suitable plan nor the Preliminary Plan Approval submission, approved March 1, 1972, specified condominium development.

The Building Permits issued April 11, 1972, however did indicate "condominium townhouses". Final inspections on the units themselves were started on December 7, 1972 and continued through into January 1973. Although several objections were rectified by the builder, certain items have not been cleared to date, and the external work has not been completed to this day. Additionally, in the course of repeated follow-up inspection visits it has become apparent that a number of garages in the units have been converted for other purposes, making these spaces unavailable for off-street parking and reducing the provision of spaces below the 1.0 to 1 ratio (Zoning Bylaw minimum) under which the project had been approved. The Building Inspector has attempted to have the project's owners arrange for entry into the buildings for final inspection purposes, but to date this has not been arranged. Consequently, Certificates of Occupancy for the project have not been issued, and will not be until the matter is clarified and any necessary corrections or completions carried out.

Prior to any application being made to obtain Strata Title Approval, all the units in the project were occupied as rental units, as verified in Mr. V.L. DeWitt's application for conversion, dated February 27, 1975.

### Strata Titles Act

Section 5(1) of the Strata Titles Act refers to the approval of existing buildings, and provides the approving authority (the Municipal Council) with the authority to approve, or refuse to approve, or approve subject to terms and conditions, a strata plan involving "the conversion into strata lots of a previously occupied building".

As the subject townhouse units have been occupied since 1972 or 1973, without prior registration of a strata title plan, the present proposal is a conversion under the Act and must be dealt with as such.

### Strata Title Guidelines for Conversions

The Guidelines for Residential Condominiums and Conversions were adopted by Council on November 28, 1973. While provision was made in the guidelines for new (i.e. previously unoccupied) projects which were previously approved by Council as a condominium through the rezoning process to be exempted from retroactive application of the guidelines, the provisions relating to Residential Condominium Conversions specifically require that "Any developer wishing to convert a rental residential project to condominium shall meet all applicable condominium guidelines in force at the time of conversion application".

As this project was not approved as a condominium under the rezoning process, and has been occupied as a rental project, it would be expected to conform to the guidelines if an application for conversion were to be under consideration.

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Moratorium on Condominium Conversions

On July 8, 1974, Council declared a moratorium on all condominium conversions under the Strata Titles Act, except for duplex and semi-detached dwelling units, and directed that this policy not apply to any applications for conversion that were (at that time) currently being considered. The conversion proposals that were at that time under consideration were described in the report that Council received on that occasion, and did not include the Springer/Lougheed project, as no application for this development was submitted until the following February, 1975, as mentioned above.

Consequently, this project does not qualify for the exemption that was stipulated by Council at the time the moratorium came into effect.

Conclusion:

On the basis of the foregoing, it appears that

1. The applicant's proposal is in fact a conversion under the legislation, and must be dealt with as such.
2. As no application for conversion on this property was under consideration at the time the moratorium was declared, the proposal is subject to the moratorium ruling at this time.
3. If Council elected to lift the moratorium with respect to this particular project for any reason, the owners would be expected to comply with the applicable condominium guidelines, and the Council has the authority, under Section 5.(1) to approve, or to refuse to approve, or to approve subject to such terms and conditions as it considers appropriate.

To date, the Council has upheld the moratorium it declared on conversion of occupied rental projects. However, should the Council choose to further consider an application for conversion in this instance, it would be necessary to exempt this project from the moratorium, and to direct the applicant to make the customary application for the necessary staff review and subsequent detailed report to Council.

It should be noted that, as the project was designed to accommodate only 27 parking spaces for the 27 units (and there is evidence that some of these have been unlawfully eliminated), it may be virtually impossible for the requisite 1.7 parking spaces per unit required under the Guidelines for condominium projects to be met. To this extent then, the exercise might not be a fruitful one."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MCLEAN:

"THAT the subject matter be lifted from the table."

CARRIED UNANIMOUSLY

The following motion was then before Council:

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN MERCIER:

"THAT the necessary permission be granted to confirm the creation of 27 townhouse condominiums on the site subject to the buildings meeting the guidelines of the requirements of the Planning Department as they apply to condominiums and

THAT there would be sufficient guarantee that the requirements of the Building Department be met.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN GUNN:

"THAT the subject matter be tabled for two weeks pending further information on the question of site inspections."

CARRIED

OPPOSED - ALDERMEN EMMOTT, MERCIER  
AND STUSIAK

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ENQUIRIES

Alderman Ast

On a question of Alderman Ast, the Deputy Municipal Engineer advised that a staff report would be forthcoming on the question of the reason for the slide at the Goodwin Johnson Ltd. site in Burrard Inlet.

Alderman Gunn

On a question of Alderman Gunn, the Assistant Director - Current Planning advised that the Chevron refinery expansion discussions had been going on in the sequence previously agreed upon, however, there have been delays in equipment, deliveries, etc., and it was suggested it would be a late 1976 start-up.

It was stated that the final approval would not be given until all the pollution requirements had been met.

Alderman McLean

On a question of Alderman McLean, it was requested that the Acting Municipal Manager review the drawings presented to Council approximately two years ago indicating the rights and control the Municipality had in Burrard Inlet. Alderman McLean suggested that a North Shore Municipality, at one point, had allowed an encroachment over a mile into the Burrard Inlet area.

REPORTS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(a) Report of the Founding Committee  
Impaired Drivers' Course

The Committee provided the following report:

"Members of Council are aware of the intent to establish an Impaired Drivers' Course in Burnaby and are also aware of the reluctance of the Alcohol and Drug Commission to respond to our requests for funds.

On December 9, 1975 a letter was received from the Attorney-General to the Chairman of the Founding Committee from which the following paragraph is extracted:

"As an indication of the deep concern felt by myself and colleagues in government, you will, I am sure, be pleased to know that Treasury Board have allocated special funding to the Impaired Drivers' Course of Burnaby in sufficient amount to allow you to start up and run the course until March 31, 1976. The grant will be administered by the B. C. Alcohol and Drug Commission who will be in contact with you shortly to work out the details."

On December 12, 1975, Gordon Kline, Probation Officer at the Burnaby Provincial Court and member of the Founding Committee received a letter and cheque in the amount of \$2,500.00 from the Manager of the Alcohol and Drug Commission. This amount is to be treated as an advance and the covering letter stated, in part:

"...we shall mail you additional funds required to carry on with the course until March 31, 1976."

A meeting of the Founding Committee was held on December 16, 1975 at which time it was agreed that Impaired Drivers' Courses should commence as soon in the New Year as conveniently possible. The first course has been tentatively scheduled for the first week in February, 1976 with four more courses slated for the weeks that follow until March 31, 1976.

The Community Education Department of the Burnaby School Board, who will administer and operate the program, has been requested to draft and submit an application for funds for the 1976-1977 fiscal year (from April 1, 1976 to March 31, 1977 inclusive).

The members of the Founding Committee were advised that the Provincial Court Judges in Burnaby have already ordered a number of persons convicted of drink driving offenses to participate in an impaired drivers' course when such a course is available. It is anticipated that a maximum of 100 persons could benefit from the Impaired Drivers' Course in the first quarter of 1976.

In his letter of December 1, 1975 the Attorney-General concluded with the following commendation:

"I wish to commend the Corporation of the District of Burnaby, yourself and your committee for the fine job you have done in organizing this response to the tragic and serious problem of impaired driving in our community and wish you every success for your future efforts in this regard."

The Founding Committee is pleased to be able to report that within the next few weeks, the establishment of an Impaired Drivers' Course will have been realized."

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"THAT the report of the Founding Committee, Burnaby Impaired Driver's Course be received for information purposes."

CARRIED UNANIMOUSLY

(B) Report of the Housing Committee

The Housing Committee reported as follows:

"On December 18, 1975 your Committee received the Report of the Director of Planning entitled "Parkland Acquisition Levies - Residential Development" which is attached as Schedule "A". A summary of the recommendations of the Director of Planning, appears at the end of the attached report.

As a result of discussion with the Director of Planning, a motion was passed by your Committee to amend Recommendation 6.2(a) to read as follows:

"It is recommended that:

- (a) The Parkland Acquisition Levy apply in specific community plan areas where the plan is expressed in maps, plans, and reports or any combination thereof, and be deposited in interest bearing reserve accounts with record accounts established corresponding to Neighbourhood Planning Areas."

Your Committee also passed a motion to amend recommendation 6.2(d) to read as follows:

"It is recommended that:

- (d) The Planning Department report to Council to obtain authority for the Land Agent to negotiate for specific property designated in Community Plan areas or in the Parkland Acquisition Programme when sufficient funds are accumulated in the parkland acquisition levy accounts."

The Manager advised the Committee that a submission had this very minute been received from the Land Agent regarding Parkland Acquisition Levies which generally expressed the concern that under the Planner's recommendations developers will be required to absorb or pass on the additional cost imposed by a park levy or, alternatively, pay less for land. Although the comments of the Land Agent were not submitted in time to allow their consideration by the members of the Committee or staff, the Manager indicated that the Land Agent hoped a method of imposing park levies can be determined that will not stunt the growth and development of residential development and that the cost of such park program will be spread 1332 all residential developments in

It was recommended:

- " (a) The Parkland Acquisition Levy apply to specific Community Plan areas where the plan is expressed in maps, plans, and reports or any combination thereof, and be deposited in interest bearing reserve accounts with record accounts established corresponding to Neighbourhood Planning Areas.
- (b) The Parkland Acquisition Levy apply in the following instances:
  - (i) Subdivision approval for single-family dwelling subdivision.
  - (ii) Preliminary Plan Approval for multiple-family developments on sites rezoned prior to 1970.
  - (iii) Rezoning approval for residential developments.
- (c) Council approve a levy equal to 50% of the estimated acquisition cost of neighbourhood parkland resulting in a levy of:
 

(i) Single Family Dwelling	-\$ 521 per unit
(ii) Townhouse (12 up+)	-\$ 528 per unit
(iii) Garden Apartment (20 up+)	-\$ 630 per unit
(iv) 3-Storey Apartment (50 up+)	-\$ 1,125 per unit
(v) RM4 High Rise (80 up+)	-\$ 950 per unit
(vi) RM5 High Rise (100 up+)	-\$ 1,080 per unit
- (d) The Planning Department report to Council to obtain authority for the Land Agent to negotiate for specific property designated in Community Plan areas or in the Parkland Acquisition Programme when sufficient funds are accumulated in the parkland acquisition levy accounts.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

"THAT the recommendations of the Housing Committee be adopted."

CARRIED UNANIMOUSLY

- (C) The Municipal Manager presented Report No. 83, 1975 on the matters listed following as Items (1) to (24) either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Abandoned Vehicles

The Municipal Manager reported as follows:

"On November 3, 1975, Council requested a report on the Municipality's involvement in situations where abandoned automobiles are recycled and then claims are made through the Insurance Corporation of British Columbia for reimbursement.

Abandoned vehicles are dealt with by the Municipality pursuant to Section 8 of the Highways (Scenic Improvement) Act of 1968.

Practically all abandoned vehicles (approximately 90%) are disposed of as junk in accordance with the following procedure:

- They are towed to Mundie's for storage.
- Licence plates are removed.
- Following a required holding period of 15 days, a letter is issued from the Purchasing Agent's Office instructing Mundie's to dispose of the vehicle as junk.



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If the bodies of the vehicles are intact, they are delivered to #1 Firehall for training purposes. The pieces are picked up after the training session and delivered by Mundie's to the junk yard. Vehicles with poor bodies are taken by Mundie's to the junk yard.

Almost all of the abandoned vehicles are in a very poor condition and, therefore, have virtually no value. Those that have value are sold at public auction and the revenue thus derived is transferred to the Municipality's General Revenue Account. The sale and registration of such vehicles are always done in the presence of the Purchasing Agent or his designee.

The Purchasing Agent in the future will advise the Motor Vehicle Branch and I.C.B.C. when any abandoned vehicle is disposed of in any manner by the Municipality.

In summary, the Municipality disposes of all abandoned vehicles in accordance with applicable legislation, and is also advising I.C.B.C. of all such dispositions as they take place. As a result of the procedures that are followed, we presume that claims for automobiles that have been abandoned are not honoured by I.C.B.C. We are satisfied, on the other hand, that an owner of an abandoned vehicle can regain possession only upon payment to the Municipality of all towing, storage and related costs. As noted above, any subsequent sale is registered with the knowledge of the Purchasing Department. If there is any "recycling", it is, therefore, done in full conformity with legal requirements and sound business practices."

It was recommended:

1. THAT a copy of this report be sent to I.C.B.C. with a request for comments on that section of the report pertaining to the submission of claims on vehicles that have been abandoned; and
2. THAT a copy of this report be sent to the Motor Vehicle Branch.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

**2. Proposed Demolition of Municipal Property**  
**Lot "C", Block 2, D.L. 162, Plan 18927**  
**8655 Royal Oak Avenue**

The Municipal Manager indicated that the subject property was purchased in 1970 for the Riverway Sports Complex. This property is no longer required for park purposes, however, because the sports complex has been relocated to a site further west.

It was also noted that the building is a one-storey, 900 square foot, early type of panabode construction with two bedrooms and a full basement. It is situated in an area of difficult drainage and foundation problems. It is estimated that necessary structural repairs and septic tank installation will cost in the order of \$3,450; plumbing repairs approximately \$450; and electrical repairs approximately \$750; making a total of approximately \$4,650 in order to bring the house up to an acceptable standard for continued rental purposes. It is unlikely that such an expenditure can be justified in view of the age and location of the building."

An inspection by the Health Department revealed that the septic tank is malfunctioning and is in need of repair. Because fill up to a depth of approximately five feet has been placed over the septic tank area, the tank and field would have to be raised for the system to be brought into conformity with sewage disposal regulations and acceptable operational standards. Health inspectors advise, however, that the existing system is really beyond repair and would have to be replaced with a new septic tank and absorption field should further occupancy of the premises be permitted.

The Land Agent recommends that the house be demolished.

The Parks and Recreation Commission on November 5, 1975 directed that the subject property be removed from the parkland inventory, that the Land Agent be requested to offer it for sale and that the revenue thus derived be credited to the Land Acquisition Account.

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Section 20 of the Landlord and Tenant Act stipulates that when a landlord requires residential premises for the purpose of demolition, the landlord "shall give not less than 120 days notice of termination of the existing tenancy agreement" and "shall pay forthwith upon receipt of the statement of account of the tenant's mover, the amount of the tenant's moving expenses, or the amount of \$300, whichever is the lesser amount".

It would be our intention to serve notice to be effective as of April 30, 1976."

It was recommended:

1. THAT the tenancy of the subject dwelling be terminated in accordance with Section 20 of the Landlord and Tenant Act; and
2. THAT the subject dwelling be subsequently demolished; and
3. THAT the Land Agent be authorized to offer the property for sale; and
4. THAT all revenue derived from the sale of the property be credited to the Parks & Recreation Commission's Land Acquisition Account; and
5. THAT a copy of this report be sent to the Parks & Recreation Commission."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"THAT the recommendations of the Municipal Manager be amended so that the purchaser is responsible for demolition or bringing the building into conformity with current regulations."

CARRIED

OPPOSED - ALDERMAN MCLEAN

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

OPPOSED - ALDERMAN MCLEAN

### 3. Rebates of Penalty Additions Under Section 411 of the Municipal Act

This subject matter was considered previously under Item 3(g), By-Law No. 6790

### 4. Tax Adjustments - Section 376 "Municipal Act"

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

"In the ordinary course of events, property owners have the right of appeal of assessment to the annual Court of Revision. Once confirmed by the Court, the assessments become taxable in the ordinary way.

However, property owners, if they are not satisfied with a decision of the Court of Revision, have the right to appeal to a Board of Appeal set up by the Provincial Government.

Occasionally, too, errors are found in the assessment roll, in which case an order for correction may be issued by the Provincial Assessment Commissioner.

Orders of the Board of Appeal and the Assessment Commissioner are binding on the Municipality; nevertheless Section 376 of the Municipal Act requires that corrections in assessments be placed before Council for their information.

Attached is a report of the corrections and revisions made in 1975. Tax refunds have been made with respect to those properties on which the taxes were paid in full before notification of the adjustments reached this office."

It was recommended:

- "1. THAT Council ratify the adjustments to the tax roll and authorize adjustments to the accounts and refunds made where necessary."

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

5. Golf Professional's Contracts

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

"The existing contracts between the Corporation of Burnaby and Trygve Wenn Jr., Golf Professional, in respect of the operation of the Burnaby Mountain Golf Course, Burnaby Mountain Driving Range, Kensington Park Pitch and Putt and Central Park Pitch and Putt expire on December 31, 1975.

In brief, the present contracts cover the following:

1. Burnaby Mountain Golf Course

The Corporation pays the Professional \$600.00 per month retainer when the course is in operation, and \$800.00 per month whenever the course is closed by the Corporation for more than 30 days (this does not refer to closure due to weather conditions). The Corporation receives a share of the Professional's gross revenue from sales, lessons, rentals etc. at the rate of 7.5% in excess of \$50,000 per calendar year.

The Professional supervises the collection of all green fees and remits this revenue to the Corporation. He also supervises and directs play on the course, sells golf equipment and merchandise, rents and repairs golf equipment and gives golf lessons.

The Corporation provides Pro Shop accommodation along with building maintenance and grounds maintenance. The Corporation also employs cashier-attendants and course rangers who are supervised by the Professional.

2. Burnaby Mountain Golf Driving Range

The Professional is in charge of the operation of the driving range and provides, at his expense, all necessary materials, furnishings, tools, machinery and equipment. He bears all charges and expenses of operating the driving range with the exception of the building and grounds maintenance and the cost of utilities.

The Professional collects all revenue from the driving range and remits this to the Corporation, and in return receives 50% of the gross monthly revenue.

3. Kensington Park Pitch and Putt

The Corporation pays the Golf Professional \$300 per month retainer during the time the course is in operation.

The Professional supervises the course operation, sells balls and tees, rents clubs, provides all the necessary equipment and merchandize, and receives all revenue from sales and rentals.

The Professional collects all green fees and remit these to the Corporation.

The Corporation provides all building and grounds maintenance and the cost of utilities. The Corporation also employs the required cashier-attendants and rangers who are supervised by the Professional.

4. Central Park Pitch and Putt

The same conditions apply to this course as apply to the Kensington Park Pitch and Putt.

At its meeting of December 17, 1975 the Parks and Recreation Commission approved the renewal of the above contracts between the Corporation of Burnaby and Trygve Wenn Jr. for a three year period, i.e. January 1, 1976 to December 31, 1978."

It was recommended:

1. THAT Council concur with the renewal of the contracts between the Corporation of Burnaby and Trygve Wenn Jr., Golf Professional, for the operation of

- (a) Burnaby Mountain Golf Course
- (b) Burnaby Mountain Driving Range
- (c) Kensington Park Pitch and Putt
- (d) Central Park Pitch and Putt

for the period January 1, 1976 to December 31, 1978; and

2. THAT Council authorize the Municipal Solicitor to draw up the necessary documents; and
3. THAT Council authorize the execution of these contracts, subject to the approval of the Central Park Committee and the Vancouver Board of Parks and Recreation in respect of the Central Park Pitch and Putt.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

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

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"THAT the subject matter be tabled to the January 12, 1976 meeting of Council. It was requested that Council members be supplied with a confidential report on the income received over the past 3 years."

CARRIED UNANIMOUSLY

6. Burnaby Beautification Committee

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

" At its meeting of December 17, 1975 the Parks and Recreation Commission approved the creation of a Burnaby Beautification Committee which will function as an advisory committee to the Commission on matters pertaining to the beautification of the municipality.

The Committee is to consist of eleven (11) citizens at large plus one (1) staff member from each of the following departments: Parks and Recreation, Planning, Engineering and Building. For the year 1976 the Commission has appointed Mr. Tony Fabian as Chairman of the Committee; however, in the ensuing years the Chairman will be elected by the members of the Committee and must be a citizen at large. All appointments to the Committee must be confirmed by the Commission.

Cont'd.....

The objectives of this Committee are, through the efforts of Burnaby citizens, to combine the best of human endeavours in harmony with nature and create an urban community that is pleasant to the eye and has areas of tranquility; and further, to use or encourage the use of visual art in various forms to beautify the community.

An amount of money will be provided in the Parks and Recreation Commission budget each year for special projects originated or proposed by the Committee. These funds will be spent in a manner consistent with existing municipal policy, details of which will be worked out by the Committee in consultation with the Parks and Recreation Administrator, and will be confirmed by the Parks and Recreation Commission.

Within ninety days of the formation of the Committee, a draft of its objectives and procedures must be submitted to the Parks and Recreation Commission for approval, following which these will be set down in some form of written policy."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

7. Letter dated December 11, 1975 from Mr. F.R. Bunnell,  
Director, Air Pollution Control, G.V.R.D.,  
RE: Request by Chevron Canada Ltd. to amend Pollution  
Control Permit VA-117

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

8. Chevron Oil Refinery - Emission of Odour,  
Saturday, December 13, 1975

The Municipal Manager reported as follows:

"During the Enquiries session of the December 15, 1975 meeting of Council, Council was advised that a report would be forthcoming regarding a fire at the Standard Oil plant on December 13, 1975, and on the question of odour in the area.

On December 17, 1975, the Municipality wrote to the Greater Vancouver Regional District, Air Pollution Control, advising of complaints received by the Municipality regarding the odour emanating on December 13, 1975 and requesting that the Air Pollution Control division investigate the complaints and report back to the Municipality. Council will be advised of the Air Pollution Control division's findings when they become available.

Attached is a copy of a letter dated December 15, 1975, from Mr. T. S. Bremner, Chevron Canada Ltd., addressed to Mayor T. Constable regarding the fire at the Refinery and odour in the area.

For further information of Council, attached is a copy of a newspaper article which appeared in the Vancouver Province during the week following December 13, 1975. (At date of writing this report we have not determined the precise date of the article.)

Following is the Deputy Fire Chief's report regarding the fire at the Refinery on December 13, 1975.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

9. Municipal Hall Parking Regulation By-Law

The subject matter was considered previously under Item 3(k), ByLaw No. 6794.

10. Parkwood Terrace Apartments

8350 and 8353 Eleventh Avenue and 8357 Tenth Avenue

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

"An assessment of the existing recreation opportunities for residents of the Parkwood Terrace neighbourhood has been made by our staff. This has revealed that indoor recreation programs are available at the following locations:

Armstrong Elementary School  
Cariboo Hill Secondary School  
Second Street Elementary School  
New Westminster Community Centre, McBride & Smith

The programs include the following activities and are provided at a minimal cost of \$5.00 to \$8.00 , with classes of ten week duration.

Archery - 9-13 years at Cariboo School  
Tumbling and minor games - 6-9 years - Second Street School  
Gymnastics - 6-12 years - Cariboo & Second Street Schools  
Baby-sitting basics - 11 years & over - Armstrong School  
Children's gardening - 7-12 years - Second Street School  
Teen activity - Cariboo School  
Adult gym activities - Armstrong School  
Woodworking - 6-9 years - Second Street School  
Fun with fabrics - 9-13 years - Armstrong School  
Drawing and painting - 6-9 years - Armstrong School

The New Westminster Community Centre provides a full range of activities for pre-school, child, teen and adult, plus family activities at a minimal cost to the participant of \$3.00 to \$5.00.

In Burnaby, where a person is not in a position to pay the course fee, Human Resources Department will be contacted and asked to subsidize the person. In New Westminster, persons on welfare may participate in two programs per session at no cost, subject to verification from the welfare worker.

There are skating and swimming facilities located in Queen's Park and at the New Westminster recreation complex, all within two to four blocks of the Parkwood Terrace housing complex. Admission fees at the Canada Games Pool are .90¢ for adults, .65¢ for teens and .45¢ for children; swimming lessons are \$7.00 for ten. One of the original premises for the development of the Canada Games Pool in New Westminster was that it would provide aquatic facilities and programs for the residents of the eastern part of Burnaby, and these facilities are available to the Parkwood Terrace residents at comparable rates to those charged in Burnaby.

In summary, the indoor recreation opportunities for the residents of Parkwood Terrace are greater than most neighbourhoods in Burnaby, due to the close proximity of the New Westminster Community Recreation complex.

This Department's proposal for outdoor recreation opportunities for this area for 1976 include the implementation of a summer playground program on the adjacent vacant lots or at G. H. Leaf Park. This program, in conjunction with the "day camp" and "out set" camp programs, will provide a good opportunity for children to be active during the summer months.

In view of the foregoing, the Commission feels that the Parkwood Terrace neighbourhood is adequately served by Burnaby and New Westminster programs and facilities."

It was recommended:

1. THAT copies of all reports and relevant correspondence be sent to the Provincial Rentalsman for comments; and
2. THAT a copy of this report be sent to the Parkwood Terrace Tenants' Association.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

11. Municipal Sale of Lots 1 and 2, Blk. 4, D.L. 127E $\frac{1}{2}$ , Plan 1342, 5504 and 5530 Hastings Street

The Municipal Manager provided the following report of the Land Agent:

"The subject properties were purchased by the Municipality in 1964 for the widening of Hastings Street. These transactions were approved by Council in the Manager's Reports No. 67/64 and No. 75/64. The purchase price for Lot 1 was \$15,250 and for Lot 2, \$26,500.

The buildings located on these properties were subsequently demolished and the road improvements completed. However, the dedication of the northerly 20 ft. of these two properties was not finalized, and technically these lots intrude within the allowance of Hastings Street by 20 ft.

At its meeting of Dec. 1/75 Council approved the sale of these properties to Lecam Holdings Ltd. as partial compensation for the acquisition of the company's holdings in D.L. 70 (Willingdon-Canada Way Area).

When this sale was approved authority was also granted to cancel a portion of the lane across the southerly end of the subject properties, and to include it into the lots which would be conveyed to the company.

In order to effect Council's direction I would request authority to proceed with this matter by way of a highway exchange by-law, which will dedicate the 20 ft. required for Hastings Street in return for the acquisition of the lane at the south end of the property, and that this be consolidated with the two Municipally-owned properties in order to create a single parcel.

I have discussed the matter of the exchange with the Municipal Solicitor, and he advises me that it is possible to proceed by this method which, in my opinion, will be the least cumbersome and the quickest procedure to comply with the directions already given by Council. "

It was recommended that authority be granted:

- (a) To dedicate the portion of land required for Hastings Street widening; and
- (b) To close the redundant lane allowance at the south of the subject properties by way of a highway exchange bylaw; and
- (c) To consolidate the resulting parcels.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

12. Proposed Lane Closure North of Stride Avenue  
and West of Britton Street

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

"As a result of an enquiry from the owner of 7269 Stride Avenue, the Planning Department reviewed the existing 10' lane allowance between Stride and Sixteenth Avenues and west of Britton Street (see sketch attached). Since it was considered unlikely that this lane would ever be constructed due to its narrow width and abbreviated length, reports of a proposed closure were circulated to the various agencies having an interest in the subject lane. The only utility affected by the proposed closure is an 8" sanitary sewer which the Engineering Department feels can be protected by an easement over the entire area.

CURRENT SITUATION

When the above reports were received, the Planning Department sent a letter to Mr. Burton, the owner of 7269 Stride Avenue, stating that the proposed closure would be contingent upon completion of the following conditions:

- 1) Consolidation of the 10' lane area with his property (7269 Stride Avenue).
- 2) Payment of compensation to the Municipality for this area in the amount of \$4,000.
- 3) Granting of an easement in favour of Burnaby over the entire 10' area in order to protect an existing sewer.
- 4) Submission of all necessary survey plans by the applicant.

The Planning Department has received Mr. Burton's written concurrence with the above conditions."

It was recommended:

"THAT Council authorize the introduction of a road closing by-law for the 10' lane at the rear of 7269 Stride Avenue subject to the above conditions."

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY.

13. Construction of Watermains, Big Bend Area  
Inspection by Municipal Staff

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

"This enquiry was raised with respect to the possibility of Municipal staff doing all or a portion of inspection work on the watermains being constructed in the Big Bend Area.

Ongoing discussions involving both the Consultant and Municipal staff have resulted in formulation of procedures whereby combined optimum use of the expertise of each is ensured. Very close liaison between the two maximizes utilization of the long-term practical experience of Municipal waterworks employees.

The use of Municipal staff is limited, of course, by the fact that basic Council policies of some two years ago call for greater use of consultants from project beginning to project end, especially on "peak" work loads such as the watermain project at hand. In other words, we are simply not geared to assume inspection of certain specialty works, especially those that come about only infrequently and of this magnitude."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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



14. Deleted

15. Letter dated December 18, 1975 from Mrs. J. Foote &  
Letter undated from Mr. P.J. Pengelly, re:  
SNOW REMOVAL FROM STREETS

This subject matter was considered previously under Items 4(d) and 4(e), Correspondence and Petitions.

16. Letter dated December 11, 1975 from Mrs. V. I. Rukus, which appeared  
on December 15, 1975 Council Agenda, re:  
KAYMAR/SUNCREST RAVINE EROSION

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

17. Letter dated December 11, 1975 from the Union of B. C. Municipalities  
R.C.M.P. CONTRACT

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

18. Realty Tax Exemptions - Section 328(2)(3), Municipal Act  
4751 Sardis Street - Action Line Children's Village Society

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

"In writing the attached report Item 11, Manager's Report No. 61 of 29 September 1975, the fact that Action Line Children's Village Society owns a property at 4751 Sardis Street as well as properties at 5023 Victory Street, 4503 Inman Avenue and 6126 Sperling Avenue, and that the Society's solicitor, Allen G. LaCroix, had written on 24 January 1975 (copy attached) asking for a grant to enable the Society to pay its taxes for the years 1974 and 1975 (reported to Council 3 February 1975 - Item 11, Manager's Report No. 7, copy attached), was overlooked.

The Society acquired the property at 4751 Sardis Street on 5 September 1974. The taxes for the year were \$464.65. The Society was responsible for \$154.00 of this sum. The taxes for 1975 were \$1,395.58 and have been paid by the Society.

Council's feelings with respect to tax exemption were made known to the Society early in the year. It is my understanding that they included taxes on 4751 Sardis Street as part of their billings to the Province and that billings as rendered have been paid.

To keep the record straight, Council should make a decision on the 4751 Sardis Street property and communicate the decision to Mr. LaCroix."

It was recommended:

- "1. THAT a grant to pay taxes on 4751 Sardis Street be denied; and
2. THAT Mr. Allen G. LaCroix be supplied with a copy of this report."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

19. Letter dated December 8, 1975 from Bonny's Taxi (1971) Ltd., that appeared  
on the December 15, 1975 Council Agenda &  
Letter dated December 22, 1975 from Mr. Hugh Lindsay, 7341-19th Avenue,  
appearing on the Agenda for the December 29, 1975 meeting of Council re:  
TAXICAB LICENCES

This subject matter was considered previously under 2(a), Delegations.

20. Development Programme for Burnaby Lake Regional Park

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

"The Municipal Council on September 18, 1972, unanimously approved the following resolution.

"That action be taken to declare Burnaby Lake a wildlife sanctuary, to include a report to be prepared in consultation with both public and private agencies to determine the extent of interest in supporting, developing or co-operating in the development of a wildlife sanctuary."

The Planning Department in conjunction with the Parks and Recreation Department, other municipal departments and public and private agencies has completed a report entitled "A Development Programme for Burnaby Lake Regional Park". This report which is presented to Council under separate cover, is in fulfillment of Council's directive and recommends specific guidelines for a co-ordinated development programme for the Burnaby Lake area.

The potential to develop the Burnaby Lake area as a nature conservation area is an exciting prospect. The implementation of the development programme as recommended in the report affords the opportunity to realize that prospect."

It was recommended:

- " 1. THAT Council adopt the Planning Director's recommendations as contained within his report dated December, 1975, and entitled "A Development Programme for Burnaby Lake Regional Park; and
2. THAT copies of this report be provided to the Parks and Recreation Commission, and to those organizations and individuals contacted during the course of the Burnaby Lake Development Programme study."

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN MERCIER:

"THAT Council receive the Planning Director's recommendations as contained within his report dated December 19, 1975 titled "A Development Programme For Burnaby Lake Regional Park", and

THAT copies of this report be provided to the Parks and Recreation Commission and the Advisory Planning Commission for review and comment, and as well, copies be provided to those organizations and individuals contacted during the course of the Burnaby Lake Development Programme Study."

CARRIED UNANIMOUSLY

21. Letter from the Armenian Cultural Association of B.C., that  
Appeared on December 1, 1975 Council Agenda re: Proposed Parking Lot Sublease

This subject matter was considered previously under Item 5(a), Tabled Matter.

22. Request for Condominium Conversion, Burke Developments,  
27 Townhouses, Springer/Broadway/Lougheed, Delegation, Dec. 15/75, Mr. R. MacFarlane.

This subject matter was considered previously under Item 5(b), Tabled Matter.

23. Proposed Amendments to Burnaby Plumbing By-Law No. 6335.

The Municipal Manager provided the following report of the Chief Building Inspector:

"The recent proposed amendment to the Sanitary Sewer Connection By-Law recommended by the Municipal Engineer, and concerning drainage of swimming pools, necessitates amendments being made to Burnaby Plumbing By-Law No. 6335 in order that the Plumbing By-Law parallel the legislation of the Sanitary Sewer Connection By-Law.

December/29/1975

Accordingly, it is recommended that Burnaby Plumbing By-Law No. 6335 be amended by rewording Clauses 27 (2), (b), (c), (d), (e), (f), and adding a new Clause (g), all as follows:

- (b) When a combined or sanitary sewer is available for use, swimming pool waste water shall be discharged therinto after a permit has been obtained from the proper authority to do so. The rate of discharge shall be limited to a maximum rate of 120 gallons per minute from residential pools and a maximum of 250 gallons per minute from commercial pools.
- (c) Swimming pool waste water may not be used for surface or sub-surface irrigation.
- (d) Swimming pools shall have the bottom and inner sides constructed of smooth non-absorbent materials and be so constructed as to be properly drained through one or more metal grated openings.
- (e) All swimming pool drain lines shall discharge to a 24 inch diameter sump that is properly connected to a combined or sanitary sewer. If the sump is subject to backflow of sewage a backwater valve shall be installed.
- (f) Scum gutter drains and/or floor drains serving the walks around the pool may be installed as a special drain pipe and shall discharge directly to a 24 inch diameter sump. The special drain pipe shall be trapped with a bend installed in the sump below the water level.
- (g) A swimming pool installation with a separation tank for the cleaning and collecting of waste material from swimming pool waste water will be permitted subject to the separation tank being of an engineered design and installed in accordance with the manufacturers' recommendations."

It was recommended:

- "1. THAT the Municipal Solicitor be instructed to prepare the appropriate amending By-Law to Burnaby Plumbing By-Law No. 6335 as referenced with the Chief Building Inspector's report."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT "Burnaby Plumbing By-Law 1973, Amendment By-Law No. 4, 1975" (No. 6335) be now introduced and that

Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

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 'Burnaby Plumbing By-Law 1973, Amendment By-Law No. 4, 1975' (No. 6335) be now read three times".

CARRIED UNANIMOUSLY

24. Topsoil from Dunhill Project -  
South side Government Road @ Bell Avenue

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

"Dunhill have advised that they have approximately 3,000 cubic yards of topsoil available from the above-named site which could be removed at no cost for the soil. The cost of loading and hauling to a storage site on the Park/School site at Government Road and Austin has been estimated at \$7,000."

RECOMMENDATION:

"THAT a \$7,000 expenditure be approved from contingency to load and haul the topsoil for storage for next summer's L.I.P. street construction to be charged at that time to the L.I.P. construction work order and credited back to contingency."

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the following items of correspondence be received:

1. Social Planning & Review Council of B.C.  
 - Dec. 22/75 - President - Re Burnaby 200 Project;
2. The Corporation of the City of North Vancouver, City Clerk  
 - Dec. 23/75 - Re City of Vancouver Fire Boat;
3. C.F.M.M. - Exec. Director  
 - Dec./75 - Re Annual Conference now in Vancouver June 15-18/76;
4. Youth for Christ - Exec. Director  
 - Dec. 23/75 Re 1976 Tax Exemption;
5. Salvation Army Over Sixty Club - North Burnaby  
 - Appreciation Christmas Dinner Grant."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MCLEAN:

"THAT the correspondence of December 22, 1975 from the President, Social Planning and Review Council in reference to the Burnaby 200 Project be placed on the next regular meeting Agenda with a report thereon".

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

CARRIED UNANIMOUSLY

The Council reconvened

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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