

November 3, 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, November 3, 1975 at 7:00 p.m.

PRESENT:

Mayor T. W. Constable, in the Chair
Alderman G. D. Ast
Alderman A. H. Emmott
Alderman B. M. Gunn
Alderman D. A. Lawson
Alderman W. A. Lewarne
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

PUBLIC HEARING

Mayor Constable advised that a Public Hearing was being held in conjunction with "Burnaby Highway Exchange By-Law No. 4, 1975" - No. 6743, relating to portions of Stanley Street and Braemar Avenue in D.L. 86.

There were no submissions or representations made on this subject matter.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

"THAT the Public Hearing meeting be now terminated."

CARRIED UNANIMOUSLY

MINUTES

The Minutes of the Council meeting on October 27, 1975 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"THAT the Minutes of the Council meeting held on October 27, 1975 be now adopted."

Alderman Ast advised that he was indicated as being opposed to the first motion on Page 9 when in fact he was in favour of same.

Alderman Mercier advised that it was indicated he was opposed to the adoption of Recommendation No. 4, Item 13 on Page 11 when in fact he had been in favour of the resolution.

Alderman Lawson advised that she had been opposed to a resolution at the top of Page 10 relating to the amendment of Recommendation No. 3.

The motion to adopt the Council Minutes, as amended, was then voted on and CARRIED UNANIMOUSLY.

TABLED MATTER

- (a) Chief Librarian, Burnaby Public Library Board
re 1. Public Libraries in School Buildings;
2. Burnaby Public Library Building Programme.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"THAT Item 14, Manager's Report No. 66, 1975 be lifted from the table."

CARRIED UNANIMOUSLY

Item 14, Manager's Report No. 66, 1975, Council Meeting October 20th, 1975 containing the six following recommendations of the Burnaby Public Library Board was then considered:

- (1) THAT the Library Board maintain its liaison with the Burnaby School Board with particular reference to the report of the Task Team on Community Schools.
- (2) THAT the Burnaby Public Library Board continue to emphasize its policy of co-operation with Burnaby Parks and Recreation Commission and other agencies and institutions in order to develop effective services to taxpayers in Burnaby.
- (3) THAT Burnaby Public Library Board continue to observe the current integrated school and public library experiments in Vancouver and other areas.
- (4) THAT Burnaby Public Library Board develop a statement of criteria required for the establishment of an integrated school and public library in Burnaby.
- (5) THAT Burnaby Public Library Board continue with its building programme as presented to Council with a view to establishing branch libraries to serve the whole community effectively.
- (6) THAT interim service be provided by means of a mobile library to those areas not served by branch libraries.

The Municipal Manager recommended that the recommendations of the Burnaby Public Library Board be adopted.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN MCLEAN:

"THAT the subject matter be tabled pending a special meeting with the Burnaby Public Library Board to be called by the Chair during the month of December, 1975."

CARRIED

OPPOSED -- MAYOR CONSTABLE
ALDERMAN STUSIAK

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

Mayor Constable proclaimed the seven days commencing November 5th and ending November 11, 1975 as "Remembrance Week" in Burnaby and recommended the wearing of poppies.

D E L E G A T I O N S

The following wrote requesting an audience with Council.

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(a) Hawthorne, Piggott & Kington, George A. Piggott
re Subdivision Reference #146/75 - D.L.'s 44, 78,
131 and 136 - Subdivision of lands situated at the
North-West of the Intersection of Winston Street
and Phillips Avenue

(b) Busters Auto Towing Service Ltd.,
Re: Municipal Towing Contract

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

(a) Hawthorne, Piggott & Kington

Mr. George A. Piggott appeared before Council and advised that an understanding had been reached with the Planning Department relative to the development of Subdivision Reference #146/75.

Mr. Piggott advised that the agreement with the plan submitted to my client on Friday last was on the understanding that there will be a cost-sharing between the Municipality and his client with reference to the road running adjacent to the municipally-owned properties in the North. One question has been raised by an owner of land in the particular development, a Mr. Stewart, and is really his concern that I have agreed to bring this to Council's attention. That is, the 90-foot buffer strip running along the Southern portion adjacent to Winston Street. He has in his own mind the feeling that this particular buffer strip is unwieldy and that he cannot develop his own property according to his own wishes. He will apparently be the only owner who will remain in the particular development. His home is there right now and will be remaining there.

I wish to thank this Council for considering my representation made previously and also the Planning Department and the Approving Officer for the co-operation at arriving at a workable solution.

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

"On October 20, 1975, Mr. George A. Piggott appeared before Council for the purpose of discussing a proposed subdivision of lands at Phillips Avenue and Winston Street. The report that was received in connection with this matter was tabled for two weeks to allow further discussion by the developer and the Approving Officer on possible configurations that might be suitable for the site. Comments on the status of the discussions that have been held to date are contained in the following report from the Approving Officer.

Mr. George Piggott, the applicant's solicitor, in a telephone discussion on October 31, 1975 with the Approving Officer advised that fruitful discussions have taken place to date with respect to this matter. As noted in the report, a copy of the subdivision plan has been given to the applicant for his consideration.

A copy has been given to the applicant for his consideration.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"THAT Item 26, Municipal Manager's Report No. 70, 1975 be brought forward."

CARRIED UNANIMOUSLY

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

" HISTORY

On October 20, 1975 Council received a report from the Planning Department regarding the above subject. The subject matter was, at that time, tabled to allow further discussion between the applicant and the Approving Officer.

After meeting with the applicants on October 23, 1975, several alternate configurations for the subject lands were reviewed by the Planning staff. As a result of this, a layout was prepared in keeping with the original intent to provide adequate buffering and setbacks from the industrial area and Winston Street. This alternate subdivision guide plan embodies both the above planning considerations and the applicant's desire to maximize the development potential of the properties.

PRESENT SITUATION

A copy has been given to the applicant for his perusal."

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN EMMOTT:

"THAT the Director of Planning report on the question of what size and form landscape buffers should take relative to both noise and visual pollution."

CARRIED UNANIMOUSLY

(b) Busters Auto Towing Service Ltd.

Re: Municipal Towing Contract

Mr. Carl Vanderspek, President, appeared on behalf of Busters Auto Towing Service Ltd. and commented as follows:

"I have five quick points I would like to make tonight. Firstly, I feel it is unfair to evaluate tenders based on quantities that are estimated after tenders have been received. Secondly, based on the estimates of 50 abandoned vehicles per annum, which was given to me by the Purchasing Agent before the tenders were opened, makes Busters the low bidder for the towing contract. Thirdly, there were 51 separate prices submitted by both companies and Busters were low or tied on 39 of them. Fourthly, in today's report, the Manager poses two possibilities, where Busters are not low. Firstly, it states Busters' accident rates for out-of-province cars are only good until April, 1976. The reason for this is we quoted Insurance Corporation of British Columbia rates believing it would be unfair to quote British Columbia drivers more than out-of-province drivers. Secondly, it was also quite possible that I.C.B.C. towing rates will be reduced if Mr. Williams' recommendations are accepted by the I.C.B.C. The other point made in today's report is that Busters will charge more for cars towed over 5 miles. Ninety-nine percent of Burnaby is within 5 miles of our compound. The only area that would be outside this 5 mile limit is the small section of the Barnet Highway and this particular covenant would apply only to out-of-province cars. Fifthly, Busters' head office is in Burnaby. We are moving our central dispatch and telephone answering to Burnaby and based on the above I request Burnaby award this Contract to Busters."

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MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN GUNN:

"THAT Item 21, Manager's Report No. 70, 1975 be brought forward."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MCLEAN:

"THAT Item 21, Manager's Report No. 70, 1975 be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT a staff report be prepared on the way in which quantities could be entered into such tender procedures."

FOR -- ALDERMEN AST, EMMOTT,
GUNN AND LAWSON

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

MOTION DEFEATED

B Y - L A W S

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

"THAT Item 16 of the Municipal Manager's Report No. 70, 1975 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager provided a report of the Director of Planning dated October 30, 1975 recommended that:

- (1) The subject rezoning request be forwarded to First and Second Readings of the By-Law; and
- (2) The following be established as further prerequisites to the completion of rezoning:
 - (a) The establishment of an appropriate vehicular turn-around facility for the adjacent lane; and
 - (b) Vehicular access to the subject site be granted only from Kingsway.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"THAT 'Burnaby Zoning By-Law 1965, Amendment By-Law No. 44, 1975,' No. 6731 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 progress on By-Law No. 6731."

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 Zoning By-Law 1965, Amendment By-Law No. 44, 1975', No. 6731 be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT 'Burnaby Council Indemnity By-Law 1976', No. 6752 be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED

OPPOSED -- ALDERMAN LEWARNE

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED

OPPOSED -- ALDERMEN LEWARNE
AND MERCIER

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED

OPPOSED -- ALDERMEN LEWARNE
AND MERCIER

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT 'Burnaby Council Indemnity By-Law 1976', No. 6752 be now read three times."

CARRIED

OPPOSED -- ALDERMEN LEWARNE
AND MERCIER

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"THAT:

'Burnaby Hospital Grant By-Law 1952, Surplus Funds Expenditure By-Law 1975'-No. 6740

'Burnaby Hospital Grant By-Law 1954, Surplus Funds Expenditure
By-Law 1975'

- No. 6739

'Burnaby Hospital Grant By-Law 1957, Surplus Funds Expenditure
By-Law 1975'

- No. 6741

'Burnaby Highway Exchange By-Law No. 4, 1975'

- No. 6743

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

CARRIED UNANIMOUSLY

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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 AST:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 70, 1975 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) National Harbours Board
re Eastern Burrard Inlet Marine Park -
Proposed Underground Aggregate Conveyor

A letter was received under date of October 24, 1975 and providing opinions on matters involving the National Harbours Board as follows:

- "(a) Concerning the future utilization of the waterlot you refer to as '7580'; we can see no objection to municipal plans for the area provided that the Board is not expected to jeopardize existing leasing contracts with neighbouring tenants.
- (b) Insofar as the status of waterlots '7790', '7802' and '7986' is concerned; as we have previously advised your Municipal Manager and other officials, we shall be pleased to proceed with our Recommendation for Lease covering '7986' as soon as we receive your advice that this can be done without involving other applications that remain pending. According to our records you presently have waterlot '7802' under lease with adequate tenure and, of course, waterlot '7790' is not owned by the NHB.

We have refrained from commenting on other items contained in your letter as they appear to be issues between the Municipality of Burnaby and Kask Brothers Ready Mixed Concrete Ltd."

The Municipal Manager reported as follows:

- " Appearing of the Agenda for the November 3, 1975 meeting of Council is a letter from Mr. L. W. Marks, Manager of Real Estate for the Port of Vancouver, regarding the proposed installation of a conveyor through parkland adjacent to Burrard Inlet.

The Planning Department has assembled the relevant information that Council requires for final deliberations on the proposed underground conveyor. This information, and a summary of the position that has been taken by staff on this matter, is contained in the report.

The attachments have been chronologically sequenced in the order on which replies were received from the G.V.R.D., the Minister of Recreation and Conservation, the B.C. Land Commission and the Port of Vancouver. Preceding each reply is the letter that the respective organization received from the Municipal Clerk.

Council should also realize that an application is presently before the Minister of Recreation and Conservation for financial assistance towards the cost of acquisition of the Texaco property that we have recently purchased. Further, we will shortly be making another application to him for financial assistance under the Community Recreation Facilities Fund Act to actually develop portions of the Kapoor property. The Municipal Manager is concerned by the statements made by the Minister, in that Council approval of the lease for the underground conveyor could appear to jeopardize the possibility of a grant from the Province towards the Texaco acquisition and development of our Master Plan. The Municipal Manager therefore basically agrees with the position taken by the Planning Department, but he is concerned that the one month extension to the lease recommended by the Planning Department may not be sufficient time to allow this company to vacate the property."

It was recommended:

- (1) THAT the request from Kask Bros. Ready Mixed Concrete Ltd. to construct an underground aggregate conveyor system through Municipal parklands be denied; and
- (2) THAT a month to month extension to the original lease beyond November 2, 1975, not be granted to Kask Bros. Ready Mixed Concrete Ltd; and
- (3) THAT the Municipal Manager be authorized to meet with Kask Bros. to determine a precise date that would allow them to vacate the Kapoor property in the shortest possible time.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"THAT Recommendation No. 1 be tabled until the first regular meeting of January, 1976.

CARRIED

OPPOSED -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"THAT Recommendation No. 2 with the deletion of the word 'not' in the second line be adopted."

CARRIED

OPPOSED -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"THAT Recommendation No. 3 be tabled until the first regular meeting of January, 1976

CARRIED

OPPOSED -- ALDERMAN GUNN

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN GUNN:

"THAT we approach the Minister of Recreation and Conservation for financial assistance in the possible relocation of the Kask Bros. Ready Mixed Concrete Ltd. operation."

FOR -- ALDERMEN GUNN, LAWSON,
LEWARNE AND MCLEAN

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

MOTION DEFEATED

- (b) Mr. and Mrs. George Chernoff
re Request for Concrete Barriers - 6084 S.E. Marine Drive

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A letter under date of October 27, 1975 was received advising that their property had been damaged by irresponsible people's driving habits no less than 24 times since 1949. It was indicated they had never before complained to the Municipality about it. It seemed there was a lack of enforcement of speed controls in the section between Byrne Road and Stride Avenue.

The Municipal Manager provided the following report of the Municipal Engineer dated October 30, 1975:

Reference the submission from Mr. and Mrs. B. Chernoff of 6084 S.E. Marine Drive dated 27 October, 1975.

The motor vehicle accident referred to in the letter from the Chernoffs was not reported to the R.C.M.P. and we were, therefore, unable to get any details as to the cause. Mr. Chernoff was unable to give any additional information, other than that stated in his letter.

In regard to the statement that his property has been damaged at least 24 times by irresponsible drivers, we can only advise that we have no way of proving that this remark is true, nor any reason to believe it is not true. We have no record of any previous occurrence in our files of vehicles entering this property after an accident.

In a previous report to Council related to a similar request to erect barricades to protect one's property from the irresponsible action of others we advised that such protection was not the responsibility of the Municipality and if once accepted would set a precedent to protect every property in a similar circumstance.

Mr. Chernoff did obtain the names of the drivers involved, and normally I.C.B.C. will compensate for any damages caused. The only problem he may encounter in this respect is that the accident was never reported to the R.C.M.P. and no accident forms were filled out, a requirement in an I.C.B.C. claim.

It was recommended:

- (1) THAT the Municipality not set any precedents by becoming involved in providing any form of barricade or structure to protect an individual from the negligence of others; and
- (2) THAT the Chernoffs be advised to contact the Insurance Corporation of British Columbia as soon as possible regarding the damages to their hedge; and
- (3) THAT the Chernoffs be sent a copy of this report.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(c) Eileen Dailly, M.L.A. Burnaby North
Re: Eastern Burrard Inlet Marine Park -
Proposed Underground Aggregate Conveyor

A letter under date of October 31, 1975 was received advising therein that the Minister of Recreation and Conservation and other members of the Environmental and Land Use Committee of Cabinet reconfirm the position taken in the Minister's letter of August 12, 1975 namely that assurance cannot be given of further financial assistance either from green belt funds or from the Community Recreational Facilities Fund.

This item was considered previously under Item 7(a) - Correspondence and Petitions.

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

- (b) Letter dated October 9, 1975 from Mr. George A. Piggott re Subdivision of lands situated at the North-West Corner of the Intersection of Winston Street and Phillips Avenue

This item was considered previously under Item 5(a) - Delegations.

- (c) Lease Agreements on Portions of the "Kapoor" Property Letter dated September 24, 1975 from Kask Bros. Ready Mixed Concrete Ltd., 6715 Curtis Street, which appeared on the September 29, 1975 Council Agenda

This item was considered previously under Item 7(a) - Correspondence and Petitions.

E N Q U I R I E S

Alderman Emmott

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN MERCIER:

"THAT the Municipal Solicitor be requested to examine the Municipality's involvement in the current situation of abandoned automobiles being recycled and then claims being made through the Insurance Corporation of British Columbia for reimbursement."

CARRIED UNANIMOUSLY

Alderman Stusiak

On a question of Alderman Stusiak, Mayor Constable advised that he would again be contacting the Provincial Ministers involved in the questions of beautification of the Edmonds Loop and the construction of the Stormont/Gaglardi Overpass.

Alderman Mercier

On a question of Alderman Mercier, the Municipal Manager advised that the Parks Board were responsible for the costs of the Parks Referendum signs currently around the Municipality.

Alderman Lewarne

On a question of Alderman Lewarne, it was indicated that the Burnaby Sign By-Law required that permission of Council must be granted for such signs as recently put in place by the Parks and Recreation Commission and also the Burnaby Voters' Association and Burnaby Citizens' Association when such signs are upon or over public property.

On a further question of Alderman Lewarne it was agreed that the Municipal Engineer would check the question of the Acacia and Maple trees on the East side of Jubilee Avenue, Imperial Street to Watling Street due to construction for installation of water lines.

Alderman Lawson

On a question of Alderman Lawson, the Municipal Manager advised that the Low Cost Spay and Neuter Program Report was still before the Greater Vancouver Regional District Board and that Mayor Constable would be bringing the matter up at the next Board meeting.

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MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT a report be prepared on the subject matter of the Strata Title submission and the suggested inequities in the amount of taxes levied and the services provided by the Municipality as enumerated on Page 8 of the Minutes of the October 27, 1975 meeting of Council."

FOR -- MAYOR CONSTABLE,
ALDERMEN AST,
EMMOTT, GUNN, LAWSON,
MCLEAN AND MERCIER

OPPOSED - ALDERMEN LEWARNE AND
STUSIAK

MOTION CARRIED

THE MEETING RECESSED AT 9:12 P.M.

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

N O T I C E S O F M O T I O N

- (a) Alderman J. L. Mercier
re Annual Municipal Budget

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN STUSIAK:

"WHEREAS preparing and then revising the annual municipal budget takes a considerable amount of staff time; and

WHEREAS the Municipal Council should set an increase that it feels is fair and adequate, taking into account all factors, and

WHEREAS the Federal Government has set a guideline of 8% for increases in prices and wages;

THEREFORE BE IT RESOLVED:

- (1) THAT the Municipal Treasurer be instructed to prepare a budget for the fiscal year 1976 that will allow for a maximum property tax increase of 8% to the average taxpayer, taking into account his best estimates of various grants and levies; and
- (2) THAT the Burnaby School Board be advised of our actions and that they be requested to act accordingly."

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT the subject matter be referred to the Financial Liaison Alderman for discussions with the Municipal Treasurer and a report back with recommendations to Council.

CARRIED

OPPOSED -- ALDERMEN EMMOTT,
LEWARNE AND MERCIER

- (b) Alderman V. V. Stusiak
re In-Law Suite

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"WHEREAS By-Law No. 4742 of The Corporation of the District of Burnaby cited as the 'Burnaby Zoning By-Law 1975', as amended, provides therein under Section 3 Definitions:

'In-Law Suite' means one or more habitable rooms constituting a self-contained unit, and used for living and sleeping purposes by the parents or grandparents of the occupants of the dwelling';

AND WHEREAS it is deemed desirable to amend this said definition;

THEREFORE BE IT RESOLVED that Section 3, Definitions 'In-Law Suite' be amended to read:

'In-Law Suite' means one or more habitable rooms constituting a self-contained unit, and used for living and sleeping purposes by the parents or grandparents and/or sons and daughters of the occupants of the dwelling."

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN MERCIER:

"THAT the subject matter be referred to the Planning Department for consideration and a report thereon to Council.

CARRIED UNANIMOUSLY

R E P O R T

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

The Municipal Manager presented Report No. 70, 1975 on the matters listed following as Items (1) to (26) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) By-Laws for the Control of Noxious Weeds

The Municipal Manager reported as follows:

"On January 29, 1973, Council appointed the Trades Foreman I (Horticulture) to serve as a noxious weed inspector for the Municipality. It has been determined that since the time of appointment, there has been only one investigation involving noxious weeds in Burnaby, and as a result, the inspector, except on this occasion, has never had to exercise his enforcement authority. Although a number of complaints are received in connection with unsightly growth of vegetation, these complaints almost always involve species that are not noxious and therefore outside the scope of a noxious weed by-law.

It was recommended:

- (1) THAT "Burnaby Noxious Weed By-Law 1957, No. 3895" be repealed; and
- (2) THAT no action be taken at this time to enact a Municipal By-Law under the authority as contained in the Provincial Government's new "Noxious Weed Control Act"; and
- (3) THAT the situation be monitored from time to time by the Parks and Recreation Administrator and the Chief Public Health Inspector to determine if any specific action is required in the future.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(2) Maintenance and Support Requirements

The Municipal Manager reported as follows:

"On September 2, 1975, Council inquired about any legislative changes that may have been recently enacted to ensure that spouses who are separated or divorced live up to their maintenance obligations, particularly with respect to situations in which the non-payment of support results in an affected spouse having to go on welfare.

When this matter was last reported on in May, 1975, the Human Resources Administrator advised that

"details of each case of a separated applicant are forwarded to the Provincial Court of British Columbia, Family Division, Room 203, 7893 Edmonds Street, Burnaby. In addition, the Human Resources Department advises clients of the Family Division address and the desirability that they take the necessary action. As an incentive to clients the Department also advises clients of Provincial policy that the first \$100.00 of any maintenance received in a month is exempt from deduction of social allowance."

This matter is further covered under Section 108 of the Social Assistance Policy Manual which became effective in July, 1975 (after the previous report). This section reads as follows:

" MAINTENANCE AND SUPPORT REQUIREMENTS

There is no requirement in the Social Assistance Act Regulations that a separated spouse or a mother must seek a maintenance order under the terms of Family Relations Act, or the Children of Unmarried Parents Act. However, where it is realistic for a person to utilize the foregoing legislation, field staff should assist him or her, pursuing the matter through Court on behalf of the spouse, provided the person requests such service. Social Assistance is not to be denied if a separated spouse refused to pursue the matter through Court. (See Section 2(8)(e) of the Social Assistance Regulations and Section 6 of Schedule B for definitions of earned income, policy related to exemptions of maintenance monies, and earning exemption policies)."

The Municipal Human Resources staff without exception always encourages a separated spouse to obtain support payments through the court. This is the full extent to which staff is permitted to become involved in such matters at this time. Staff could lay a charge under the Family Relations Act, but as noted above, this would be contrary to social assistance policy. Should more stringent maintenance and support requirements be desired, changes would of course have to be enacted by the Provincial Government."

It was recommended:

1. THAT the Minister of Human Resources be requested to amend applicable social assistance legislation and policy to require separated spouses or mothers to seek a maintenance order as a condition of eligibility for assistance; and
2. THAT copies of this report item be sent to all Burnaby M.L.A.'s with the request that each lend her or his support to the request for amended legislation as stated in recommendation No. 1; and
3. THAT a copy of this report be sent to the Attorney-General.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

(3) Request to Conduct a Walk-a-Thon
Sir Guy Carleton Elementary School

The Municipal Manager provided the following report of the Municipal Engineer dated October 29, 1975:

"A letter of request to conduct the captioned walk-a-thon was received in this office on 28 October, 1975.

This Department anticipates no problems occurring from this event to vehicular or pedestrian traffic along the proposed route (the Royal Canadian Mounted Police concur).

The applicant is to be advised that all participants must comply with all traffic control devices and regulations pertaining to pedestrian traffic at all times throughout the route."

It was recommended that D. B. Develin be advised that his request for permission to use those streets as outlined in his correspondence for a walk-a-thon on Thursday, November 20, 1975 be approved subject to the condition that all participants obey all traffic control devices and regulations at all times on the designated course.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

(4) City of Vancouver's By-Law for the Control of Untidy Premises

The Municipal Manager reported as follows:

" On October 14, 1975, Council requested that information be obtained on the manner in which the City of Vancouver controls unsightly premises. Following is a report from the Chief Public Health Inspector on this matter.

The Municipal Solicitor points out that Vancouver has clearly defined authority in its Charter to enact the type of regulations that are contained in its "Standards of Maintenance Bylaw". The applicable sections are as follows:

"Standard of
maintenance.

(u) for requiring the owners or occupants of real property to maintain the said property in a neat and tidy condition and in keeping with a reasonable standard of maintenance prevailing in the neighbourhood. 1953, c.55, s.323; 1955, c.114, s.12; 1958, c.72, ss.22, 23; 1966, c.69, s.13.

Standards for
dwellings.

(1) for fixing standards of fitness for human habitation to which all dwellings, whether single or multiple, shall conform, and for requiring the owners of dwellings to make the same conform to any of such standards, and for prohibiting the use or occupancy of dwellings which do not conform with any standard so fixed."

Section 714 of the Municipal Act, which covers building regulations that can be enacted for purposes of health, safety and protection of persons and property, does not contain such authority. Moreover, building regulations per se became primarily a Provincial concern upon enactment of Section 719A which involves the application of the National Building Code of Canada. It certainly is not the intent of Section 719A of the Municipal Act or of the National Building Code of Canada to provide for regulation of untidy premises."

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(5) Public Land Ownership Conference
Toronto, Ontario - November 13-15, 1975

The Municipal Manager reported as follows:

"Authority is requested to have the Director of Planning attend the Public Land Ownership Conference in Toronto, Ontario from November 13 to November 15, 1975.

The subject conference is very significant from the point of view that this Municipality not only owns a considerable amount of land, but also has a policy of land assembly in several major areas. For this reason, it is vital that we know as much as possible about the use of public land ownership to control urban growth and conserve land as a resource. The conference in dealing with this subject proposes to deal with, among other things, the design of implementation procedures, and will therefore have a practical value.

This conference, which has been developed by York University, will bring together experts, policy-makers and practioners who are concerned with selected urban problems, e.g., planners, researchers and consultants, authorities on finance, realtors, developers, etc. It is not an annual conference, and to the best of our knowledge, will not be made available outside the Toronto area.

The total estimated cost of attending the subject conference is \$513.00." It was recommended that the Director of Planning be authorized to attend the Public Land Ownership Conference in Toronto, Ontario on November 13, 14 and 15, 1975.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(6) Natural Gas Revenue Sharing Act - Housing Starts
Letter from the Honourable James G. Lorimer which appeared on the Agenda for the October 20, 1975 Meeting of Council

The Municipal Manager reported as follows:

"On October 20, 1975, Council received a letter and cheque in the amount of \$196,200 from The Honourable James G. Lorimer as the amount due to Burnaby under the Housing Starts Section of the Natural Gas Revenue Sharing Act (the Act provides for an annual grant of \$100 per net new housing unit). Council's inquiry regarding how the net 1,962 new housing units in relation to housing growth in 1974 was calculated is commented on in the report submitted by the Chief Building Inspector which shows the additions, reductions due to demolition and conversion and the net increase in Housing Starts for 1974."

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

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(7) Traffic Control Device at the Intersection of
Springer Avenue and Parker Street
Proposed Amendments to Community Plan #9 - Brentwood
Apartment Study 1969 - Area "D"

The Municipal Manager provided the following report of the Municipal Engineer dated October 29, 1975:

"Reference the Planning Department's submission of 21 October, 1975, that was presented to Council on 27 October, 1975.

Under item 3.9 Traffic and Street Parking Statement; it was stated that the Engineering Department would be checking into the warrants for a requested four-way stop at the intersection of Springer Avenue and Parker Street.

The subject intersection is presently controlled by a two-way stop that assigns the right-of-way to Parker Street.

The report indicated the two-way vehicle volume approaches for both Parker Street and Springer Avenue for twelve hours of an average day."

It was recommended:

- (1) THAT a four-way stop not be established at the intersection of Springer Avenue and Parker Street at this time; and
- (2) THAT a copy of this report be sent to the Brentwood Park Ratepayers Association.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

(8) Engineer's Special Estimates

The Municipal Manager provided a report of the Municipal Engineer dated October 30, 1975 showing thereon:

Work Order No.

22-166	Joffre North of Scott Street - to install 400' of 8" watermain, including 1 fire hydrant	\$12,500.
12-001	Rebuild fuel truck, complete with valves, pumps, hoses, etc.	\$13,500.
		<u>\$26,000.</u>

It was recommended that the estimates be approved as submitted.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

(9) Tenders for One Steel Fabricated Building for the Body
and Paint Shops - Municipal Works Yard

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The Municipal Manager provided a report of the Purchasing Agent dated October 30, 1975 showing thereon that on July 7, 1975, Council approved an Engineering Department special estimate for \$74,000 to cover renovations to body shop and other miscellaneous work at the Municipal Works Yard.

The report showed thereon the tentative project budget being a total expenditure of \$70,536. together with a tabulation of the tenders received.

It was recommended that a Contract be awarded to the low bidder Modern Bilt Steel Structures Ltd. for the sum of \$26,536.00.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

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

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN MCLEAN:

"THAT the subject matter be tabled one week pending information on the total costs of operation and estimated useage of the facility."

FOR -- ALDERMEN EMMOTT, LEWARNE, MERCIER
AND MCLEAN

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

MOTION DEFEATED

The original motion, as moved by Alderman McLean and seconded by Alderman Ast was then voted on and CARRIED. OPPOSED - ALDERMAN MERCIER.

- (10) Letter dated October 27, 1975 from Mr. and Mrs. Chernoff,
6084 S. E. Marine Drive, Burnaby
Request for a Barricade for Protection of Private Property

This item was considered previously under Item 7(b) - Correspondence and Petitions.

- (11) R.C.M.P. Monthly Report

A report was received through the Municipal Manager from the Officer-in-Charge, Burnaby Detachment, R.C.M.P. covering the policing of the Municipality for the month of September, 1975.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- (12) Finnish Canadian Rest Home Association
Assessment Appeal

The Municipal Manager reported as follows:

"In this case, the Rest Home received its grant from the Provincial Government after March 31, 1974 and, therefore, did not qualify for tax exemption under Section 327(1)(i) of the Municipal Act. Neither did Council, pursuant to Section 328 (1)(j) of the Act, exempt any part of the Rest Home property from taxation. Notwithstanding these facts, the Court of Revision granted the Rest Home exemption for all improvements and the land on which the improvements were erected and 80% of the remainder of the land. The Municipality appealed to the Assessment Appeal Board which on October 28, 1975 gave its decision which, in effect, upholds the decision of the Court of Revision. The Assessment Act provides in Section 67 that a Municipality may appeal the decision of the Board by resolution of its Council within 21 days of receipt of the Board's decision upon a question of law only, and by way of stated case. It is therefore recommended that Council by resolution authorize that such an appeal be made.

Upon approval by Council, the appeal would be presented by the Municipal Solicitor to a Supreme Court Judge."

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It was recommended that the Municipal Solicitor be authorized to make an appeal before a Supreme Court Judge, as outlined in the report, pursuant to Section 67 of the Assessment Act on a question of law only, and by way of a stated case.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

(13) Residential Side Yards

The Municipal Manager provided a report of the Director of Planning dated October 30, 1975 relating to residential side yards with the conclusion portion of the report stating that side yards, like front and rear yards, are intended primarily to ensure that each dwelling on a lot is provided with a sufficient amount of light, air and open space. Another function of yards is to provide space for certain accessory uses and projections which are clearly related to the residential occupancy of the lot and do not interfere with the livability of a neighbouring property.

It is our opinion (Planning Department) that the uses currently permitted in required side yards and the standards which govern them are consistent with these objectives.

It was recommended by the Municipal Manager that no changes be made in the present Zoning By-Law requirements governing permitted uses and projection into side yards.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED -- ALDERMAN LEWARNE

(14) Maintenance of Boulevards Adjacent to Cemeteries

The Municipal Manager provided the following report of the Municipal Engineer dated October 30, 1975:

"At the Council meeting of 18 August, 1975, an enquiry was made relative to the maintenance of boulevards adjacent to cemeteries. The point was raised that the maintenance may be covered under the Cemeteries Act.

The Engineering Department has requested the Legal Department to peruse the particular Act to ascertain if the Act makes reference to adjacent boulevards. It has been ascertained that there is no reference in the Act to the cemetery being exempt from, or any requirement to, maintain the adjacent boulevards that lie within public road allowances.

The Engineering Department's section of the Municipal budget has never made allowance for the undertaking of a comprehensive program of boulevard maintenance within road allowances. In determining the allocating of funds in the budget, the amount for boulevard maintenance has always been predicated on the assumption that the biggest percentage of abutting property owners will maintain the adjacent boulevards.

The Engineering Department is now in the process of writing to all local cemeteries asking their cooperation in maintaining their abutting boulevards."

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MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

(15) Nominations for the 1975 Annual Election

The Municipal Manager provided a report of the Returning Officer dated October 29, 1975 indicating names of candidates who have been nominated for the Offices of Mayor, Aldermen, School Trustees and Municipal Director, Greater Vancouver Regional District, respectfully.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

- (16) Proposed Two Storey Professional Office and Retail
Commercial Building
Rezoning Reference #33/75
Pcl. "A", Ref. Pl. 9949, S.D. 7, Blk. "C", D.L. 96, Plan 1349
6569 Kingsway

The subject matter was considered previously under Item 6(a) - By-Laws - By-Law No. 6731.

(17) Restrictive Covenant for Subdivision Reference #18/75

The Municipal Manager provided the following report of the Approving Officer dated October 29, 1975:

"Upon receipt of a subdivision application for property fronting on Canada Way, tentative approval was granted by the Approving Officer according to the shown layout and subject to certain conditions.

One of the conditions was the provision of a restrictive covenant under Section 24A of the Land Registry Act prohibiting residential buildings within the front 80 feet of the lots due to traffic volumes on Canada Way. The covenant also must contain a clause ensuring that driveway access from Canada Way to both lots will be removed and replaced with a concrete sidewalk when lane access is provided in the future.

The developer is agreeable to the provision of the outlined covenants."

It was recommended that Council authorize the preparation and execution of a covenant pursuant to Section 24A of the Land Registry Act, as more particularly described in the Approving Officer's report.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(18) Tenders for Supply and Delivery of One Street Sweeper

The Municipal Manager provided a report of the Purchasing Agent dated October 30, 1975 wherein it was indicated that sealed tenders were received for the subject equipment up to 3:00 p.m. local time, Thursday, September 25, 1975.

Two tenders were received and opened in the presence of Messrs. Constable, Hagen and representatives of the firms bidding.

The bids received for the purchase of the street sweeper were as follows:

1. Brentwood Trailers Ltd.
One Tymco Model 600 Sweeper \$ 35,647.50
2. A. R. Williams Machinery Ltd.
One Elgin Whirlwind Sweeper \$ 47,121.90

It was indicated the Tymco 600 did not meet specifications in a number of instances.

It was recommended that the lowest tender meeting our specifications as submitted by A. R. Williams Machinery Ltd. to supply one 1975 Model Elgin "Whirlwind" Sweeper as specified and delivered to 5780 Laurel Street, Burnaby for the sum of \$47,121.90 including applicable tax and duty be accepted.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

- (19) Letter dated October 24, 1975 from the Port of Vancouver
re Kask Bros. Ltd. - Proposed Underground Aggregate Conveyor

The subject matter was considered previously under Item 7(a) - Correspondence and Petitions.

- (20) Public Hearing for RZ #37/75 and 41/75

The Municipal Manager provided the following report of the Director of Planning dated October 31, 1975:

"As a result of the current post office work stoppage, a certain amount of interference is being experienced in carrying out the Municipality's business.

One area in which the Corporation is dependent on the postal system involves the fulfillment of its obligations to provide written notice of a Public Hearing to the owners and occupiers of properties affected by rezoning, and within 100 feet of the properties affected.

The Council's policy requires that three weeks' clear notice in writing be given all those required to be notified, and the Clerk's Office has carried this out through the mail system. In the case of the next approved Public Hearing, November 18, 1975, a total of 244 notices must be delivered, and these have been prepared and readied for mailing. However, due to the present strike situation, it has not been possible to meet the normal time schedule. The Municipal Clerk does not have the manpower necessary to hand-deliver all the letters of notification to local owners, and further, several of the owners reside outside Burnaby, including one in the interior of B. C., with a post office box mailing address.

With the backlog of mail that will need to be cleared once the strike is settled, it is evident that even if settlement were reached by the date of the Council meeting, there would be no chance of giving reasonable notice using the mails.

As an alternative to deferring the Public Hearing to a later date in view of the circumstances, our staff have contacted the respective applicants to inquire whether they would consider bearing the expenses involved in having delivery arranged by a courier service or similar means. Both applicants have expressed their willingness to share the costs on a pro-rata basis, such that the Municipality will not be required to bear any unusual expense. By this means, it is proposed to fulfill the requirements of the Municipal Act, Section 703 (2a), although the normal three-week notification period defined by Council policy will not be satisfied.

The approach described would appear to be the most direct and expeditious method of giving reasonable notice to the occupiers, and Council's approval is requested. For information, Section 703 (2b) of the Municipal Act provides as follows:

"No by-law shall be quashed on the grounds that some occupiers did not receive the notice required under subsection (2a) where the court having jurisdiction in the matter is satisfied that the municipality made all reasonable efforts to mail or otherwise deliver the notice to the occupiers."

It was recommended:

- (1) THAT Council approve of the distribution of letters of notification in connection with the scheduled November 18 Public Hearing to be delivered by courier service, subject to all the expenses incurred being borne by the respective applicants on a pro-rata basis; and
- (2) THAT Council authorize the Municipality to receive the deposit in trust of funds sufficient to cover the costs involved.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

- (21) Letter dated October 29, 1975 from Busters' Auto Towing Service Limited, 2555 Gilmore Avenue, Burnaby -
Contract for Towing Services

This item was considered previously under Item 5(b) - Delegations.

- (22) Burnaby Joint Refuse Committee
Status Report No. 3

The Municipal Manager provided a report of the Burnaby Joint Refuse Committee dated October 30, 1975 which indicated as to the action taken in connection with the decisions made at the Council meeting of October, 1975; submitted a resolution for consideration as a new Recommendation No. 3 to provide what is felt to be the desired objective in this particular matter; recommended that Burnaby arrange through contracts for container refuse service and that the arrangements be effective for a 3 month period.

The Burnaby Joint Refuse Committee recommended:

1. THAT Recommendation #3, as amended, of Item 13, Manager's Report No. 68, Council Meeting 27 October, 1975, be rescinded, and,
2. THAT the motion rescinded in 1. above be replaced with the following motion:

"THAT Municipal forces pick up refuse from those condominiums that wish to change from containers to household receptacles, where it is deemed by the Municipal Engineer to be feasible as defined in this report after consultation with the strata title Council, with such service to be provided free of charge as soon as they can terminate their present contracts.", and,

3. THAT the Municipality immediately enter into contracts with all those condominium Councils and/or their representatives who will be utilizing containers, so as to provide refuse collection and disposal service to be paid for monthly by the Corporation, up to those costs as listed on p.155 of Item 13, Manager's Report No. 68, Council Meeting 27 October, 1975; but in any case not to exceed an annual rate of \$32.53 per unit, all of which is to be effective for the period from 28 October, 1975 to 31 January, 1976, unless prior action has been taken to replace this recommendation.

The Municipal Manager recommended that the Burnaby Joint Refuse Committee's recommendations be adopted.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN MCLEAN:

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"THAT Recommendation No. 2 be amended to add the words 'and agreement' after the word 'consultation'."

FOR -- ALDERMEN AST AND GUNN

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

MOTION DEFEATED

The vote was then taken on the original resolution as moved by Alderman Lawson and seconded by Alderman McLean "THAT the recommendation of the Municipal Manager be adopted" and same was CARRIED UNANIMOUSLY.

(23) Proposed Gilley Avenue Truck Route Alternate

The Municipal Manager provided a report of the Director of Planning dated October 29, 1975 wherein it was indicated that a preliminary assessment of the various road alternatives led to the selection of two preferred alternatives which then were more critically evaluated. In concept, the two alignments are immediately East of Byrne Creek Ravine and Tenth Avenue connection to Marine Way. A more detailed comparative analysis of the two preferred alternatives has led to the selection by the Planning Department of the route predominantly East of Byrne Creek Ravine.

It was recommended:

- (1) THAT Council approve in principle the amended Conceptual Road Network to 1985 as outlined in Figure 4; and
- (2) THAT staff be authorized to incorporate the Marine Way/Byrne/Edmonds connector within the proposed Stride Avenue Residential Development Plan; and
- (3) THAT the B. C. Department of Highways, the Concerned Burnaby Residents Committee and the Burnaby Stride Citizens Committee each be sent a copy of this report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

(24) Restrictive Covenant for Subdivision Reference #123/75
Lot 252, D.L. 207, Plan 46790

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

"The subject property is located within a block of land recently subdivided and bounded by Union, Curtis, Duthie and Phillips. This particular subdivision application is a progression of the earlier subdivision. When the aforementioned subdivision was created the property designated as proposed lots 1 and 2 was retained as one parcel for future subdivision in conjunction with Lot B, directly adjacent, into three 60 foot single family lots on either side of Hewitt Street. Subsequent to this, it has been determined that Lot B will be developed jointly with lands further east. Therefore, lot 252 can be subdivided into two lots for immediate residential construction. When the tentative approval was issued for the subdivision of lot 252 into two parcels, a condition was made that both lots be developed for single family use in conformance with the original guide plan which created Hewitt Street and Queenston Court. It is necessary, therefore, that a restrictive covenant, under Section 24A of the Land Registry Act, be registered over these two lots limiting their development to single family uses. The applicant has declared his willingness to conform to this requirement."

It was recommended that Council authorize the preparation and execution of a covenant pursuant to Section 24A of the Land Registry Act as more specifically described in the Planner's report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

It was agreed that the Director of Planning would report at the following meeting of Council relative to the possible locking-in of the Lot "B" involved in the project.

Mayor Constable advised that he would be willing to bring the subject matter back to the next regular meeting of Council for reconsideration.

(25) Crime Prevention Project -
'Burnaby R.C.M.P. Operation Identification'

The Municipal Manager provided reports from the Inspector, Officer-in-Charge, Burnaby Detachment of the Royal Canadian Mounted Police dated October 30, 1975 and the Director of Planning dated October 31, 1975 regarding a proposed project which is designed to combat and reduce crime in the community.

It was recommended:

1. THAT the "Burnaby R.C.M.P. Operation Identification" project be approved in principle; and
2. THAT Council's support for the application to the B. C. Police Commission be expressed with a request to the Commission for favourable consideration of a grant in the amount of \$6,957; and
3. THAT the Burnaby Municipal Sign Painting Shop be immediately authorized to build, paint and erect the required signs on a cost recovery basis, i.e. we anticipate that such costs will be paid from the funds received from the B. C. Police Commission; and
4. THAT the Municipality agree to maintain the signs at Municipal cost, thereby involving active Municipal participation in the project; and
5. THAT Council agree to permit the placing of signs where required upon or over public property as provided for in item 9, schedule 1, "Burnaby Sign By-law 1972", to be effective from January 1, 1976 to December 31, 1976, with the understanding that the size of the signs will be 4' x 8' in the format outlined in appendix "B" and to be erected only upon written approval of property owners.

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(26) Subdivision Reference #145/75 -

Subdivision of land situated at the North-West

corner of the Intersection of Winston Street and Phillips Avenue

The subject matter was considered previously under Item 5(a) - Delegations.

N E W B U S I N E S S

Mayor Constable introduced Inspector C. L. Thomas of the Royal Canadian Mounted Police and several other members of the Force seated in the public gallery and advised that Inspector Thomas was the new Officer-in-Charge of the Burnaby Detachment of the Royal Canadian Mounted Police.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY