

MARCH 1, 1976

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Monday, March 1, 1976 commencing at 7:00 P.M.

PRESENT:

Mayor T.W. Constable, In the Chair
Alderman G.D. Ast
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman B.M. Gunn
Alderman D.A. Lawson
Alderman G.H.F. McLean
Alderman F.G. Randall
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. Plesha, Administrative Assistant to Manager
Mr. J. Hudson, Municipal Clerk
Mr. R.W. Watson, Deputy Municipal Clerk

V I S I T O R S

Mayor T.W. Constable introduced Members present from the 21st Burnaby Girl Guide Company.

C I V I C R E C O G N I T I O N

Mayor Constable noted the recent passing of Mr. Charles W. MacSorley, former staff member, Alderman, Reeve, President - Union of B.C. Municipalities, Member of the Legislative Assembly, Good Citizen 1970, and Freeman of the Municipality.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT correspondence be forwarded to Mrs. MacSorley indicating appreciation in recognition of Mr. MacSorley's interest in both civic and private affairs in the Community.

CARRIED UNANIMOUSLY

M I N U T E S

The minutes of the Council meeting held on February 23, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the minutes of the Council meeting held on February 23, 1976 be now adopted."

CARRIED UNANIMOUSLY

BY - LAWS

MOVED BY ALDERMAN STUSIAK:
 SECONDED BY ALDERMAN McLEAN:

"THAT Items 7 and 8 of the Manager's Report No. 13, 1976 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Burnaby Local Improvement Charges By-law 1976 -
Item 7, Manager's Report No. 13, 1976

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

"One of the recommendations contained in Item 9, Manager's Report No. 81, of 15 December 1975 was that Burnaby Local Improvement Charges By-law 1975, By-law No. 6629, be repealed and that a new by-law be brought down to incorporate the rates and frontage tax rules prescribed in the report.

Your Treasurer took it upon himself to cause introduction of the by-law to Council to be delayed until the local improvement assessment rolls could be prepared, to ensure the accuracy of the rate calculations contained in the report. This is commented upon in the narrative accompanying the cost report on the works concerned, going forward today as a separate submission to Council.

No serious variances have been found and the by-law has been drawn for presentation to Council with this report.

The rates are:

1.	28' pavement and 5' curb sidewalks on both sides of the street	\$ 2.53
2.	36' pavements and 5' curb sidewalks on both sides of the street	2.53
3.	28' pavements and curbs and gutters on both sides of the street	2.26
4.	36' pavements and curbs and gutters on both sides of the street	\$ 2.26
5.	28' pavement with curb and gutter on one side of the street; and	2.26
	5' curb sidewalk on the opposite side of the street	2.53
6.	28' pavement with curb and gutter on one side of the street only - abutting existing curb	1.90
	- abutting curb to be constructed	2.26
7.	28' pavement with curb and gutter on one side of the street; and	2.26
	4.5' sidewalk abutting the curb on the opposite side of the street	2.43
8.	36' pavement with curb and gutter on one side of the street; and	2.26
	5' curb sidewalk on the opposite side of the street	2.53
9.	46' pavements and 6' curb sidewalks on both sides of the street	2.53
10.	4' separated sidewalk	1.41
11.	14' or less pavement on lanes	0.45

The rates are as set out in the report except for item No. 7, the rate for a 4.5' curbside and 28' of pavement being \$2.43 as compared with a rate of \$2.53 for a 5' curbside and 28' of pavement.

Also, the by-law makes provision for a rate of \$.45 for lanes, which are not mentioned in the report referred to. The rate in By-law No. 6629 for lanes is \$0.5036. The new rate is compiled on 25% of an estimated construction cost of \$5.00 per linear foot divided by a factor of .75 to make allowance for flanking, amortized over five years at 10 1/2%.

The frontage rules as approved in Item 9, Manager's Report No. 81, are:

- (i) where a parcel of land is situated at the junction or intersection of highways and the work or service is provided on or along more than one side of the parcel, the taxable foot-frontage shall be the actual foot-frontage of the shortest of the two frontages plus 25% of the actual frontage of the longer of the two frontages;
- (ii) where a parcel of land is situated at the junction or intersection of highways and the work is provided on or along the longer of the two frontages of the parcel, the taxable foot-frontage shall be the actual foot-frontage of the shortest of the two frontages;
- (iii) where a similar work or service payable by special charges has previously been provided on or along one side of a parcel, the taxable foot-frontage shall be 25% of the actual frontage of the longer of the two frontages;
- (iv) where the frontage of a parcel of land abutting the works is less than five feet, the taxable frontage shall be established at five feet."

It was recommended by the Municipal Manager:

"THAT the By-law as presented be placed before Council for consideration for first three readings."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"THAT a staff report be prepared on ways and means of increasing the current owner share of approximately 50% to a 60%-70% share for 1977."

CARRIED

OPPOSED: ALDERMAN McLEAN

Applicability of Parkland Acquisition Levy to R.Z. #63/75
Proposed Amendment To Commercial/Residential Development
4250 Kingsway - ITEM 8, Manager's Report No. 13, 1976

The Municipal Manager provided a report of the Director of Planning on the above noted subject.

It was recommended by the Municipal Manager:

- "1. THAT each amendment rezoning, at the time of submission of a rezoning report to Council referring the project to a Public Hearing, be evaluated on its own merits with respect to whether the parks acquisition levy should apply; and
- 2. THAT Rezoning #63/75 be lifted from the table; and
- 3. THAT first and second readings be granted subject to the addition of the following prerequisites.

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'The deposit of a levy of \$1,080 per unit towards the acquisition of proposed neighbourhood parks.'

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT Recommendations Nos. 1 and 3 of the Municipal Manager be adopted."

CARRIED

OPPOSED: ALDERMAN LAWSON

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT:

'BURNABY LOCAL IMPROVEMENT CHARGES BY-LAW 1976' - #6828

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 LOCAL IMPROVEMENT CHARGES BY-LAW 1976' - #6828

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

"THAT:

'BURNABY ZONING BY-LAW 1965,
AMENDMENT BY-LAW NO. 5, 1976' - #6810

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

CARRIED UNANIMOUSLY

March 1, 1976

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report progress on By-law #6810."

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. 5, 1976'

-#6810

be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT Council do now resolve itself into a Committee of the Whole to consider and report on:

'BURNABY ZONING BY-LAW 1965,
AMENDMENT BY-LAW NO. 63, 1975'

- #6800

'BURNABY ZONING BY-LAW 1965,
AMENDMENT BY-LAW NO. 3, 1976'

- #6808"

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

"THAT:

'BURNABY ZONING BY-LAW 1965,
AMENDMENT BY-LAW NO. 63, 1975' - #6800

'BURNABY ZONING BY-LAW 1965,
AMENDMENT BY-LAW NO. 3, 1976' - #6808

be now read a third time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN STUSIAK:

"THAT:

'BURNABY INDEMNIFICATION BY-LAW, 1976' - #6816

'BURNABY ROAD CLOSING BY-LAW NO. 2, 1976' - #6820

'BURNABY TEMPORARY BORROWING BY-LAW NO. 1, 1976' - #6822

'BURNABY TEMPORARY BORROWING BY-LAW NO. 2, 1976' - #6823

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

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN 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. 13, 1976 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Union of British Columbia Municipalities,
Re: Provincial Financial Assistance to Local
Governments 1976

A letter under date of February 19, 1976 was received enclosing a letter from the Minister of Municipal Affairs confirming his remarks in relation to Provincial financial assistance for Local Governments. It was indicated that municipalities and regional districts collectively may expect to receive in the forthcoming fiscal year no less than the amount of total assistance granted and provided by the Province in the current fiscal year.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN GUNN:

"THAT a letter from the Municipal Manager go to the three Burnaby Members of the Legislative Assembly apprising them of the Municipality's financial position in the event that the Provincial assistance granted does not increase in relation to increased Municipal costs."

CARRIED UNANIMOUSLY

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- (b) Trade and Commerce,
Re: Special Annual Market Survey

A letter under date of February 20, 1976 was received advising that staff writers would be visiting in the area shortly to research and gather material for the Special Annual Market Survey featuring the Province of British Columbia's economic development over the past year. A service relating to the forthcoming report on the Province was indicated at a package fee of \$700.00.

- (c) South Burnaby Lodge No. 438, B.P.O. Elks,
Re: Annual Tag Day - Saturday, May 15, 1976

A letter under date of February 18, 1976 was received requesting permission to hold an Annual Tag Day in the Municipality of Burnaby on Saturday, May 15, 1976 in aid of the Purple Cross Fund for needy children.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the request received from the South Burnaby Lodge No. 438, B.P.O. Elks to hold an Annual Tag Day in the Municipality of Burnaby on Saturday, May 15, 1976 be approved."

CARRIED UNANIMOUSLY

- (d) Greater Vancouver Regional District
Board of Directors,
Re: Opening Ceremony - Laurel Linwood Senior
Citizens' Residence

A letter under date of February 24, 1976 was received extending an invitation to the Members of Council to attend an official Opening Ceremony of the Laurel Linwood Senior Citizens' Residence which would be performed by the Honourable Hugh A. Curtis, Minister of Municipal Affairs and Minister of Housing, the Ceremony to take place at 3 P.M. Sunday, March 14, 1976, 3896 Laurel Street, Burnaby, B. C.

- (e) B.C. Retail Furniture and Appliance Dealers
Re: Submission on the matter of Sunday Shop Closings

A letter under date of February 23, 1976 was received attaching a brief on the matter of Sunday Shop Closings recommending that the Attorney General's Department be requested to bring forward an amendment to Section 859 of the Municipal Act so as to add a sub-section to provide for the closing of shops on Sundays by the Municipality concerned. It was also requested that an amendment to the Municipal Act or Summary Convictions Act be made so as to provide wider penalties by way of fines, beyond the present maximum of \$500.00. A maximum fine of \$5,000.00 may be more reasonable as a more effective deterrent.

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN RANDALL:

"THAT the Council supports the brief submitted on Sunday Shop Closings as it relates to bringing forward an amendment to Section 859 of the Municipal Act so as to add a sub-section to provide for the closing of shops on Sundays and advise the Attorney-General for the Province of British Columbia accordingly."

CARRIED UNANIMOUSLY

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(f) Stevenson & Kellogg, Ltd.
Re: Anti-Inflation Legislation

A letter under date of February 23, 1976 was received indicating they had been studying a large number of organizations in regard to the question of Anti-Inflation Legislation and advising they would be available to discuss the Community's needs without obligation.

(g) Mrs. Tora Govett
Re: Neighbourhood Public House -
Imperial Place, 5605 Kingsway

A letter under date of February 22, 1976 was received opposing the licencing of a neighbourhood public house at Imperial Place, 5605 Kingsway, Burnaby, B.C. It was requested that a copy of a previous report, being Item 13, Manager's Report No. 8, 1976, indicating the administrative procedure for dealing with applications for neighbourhood public houses be forwarded to Mrs. Govett.

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

"BURNABY ZONING BY-LAW 1965,
AMENDMENT BY-LAW NO. 5, 1976" - #6810
RZ #63/75

This subject matter was considered previously under Item 3(a) By-Laws.

E N Q U I R I E S

Alderman Gunn

On a question of Alderman Gunn, Alderman Stusiak advised that the Greater Vancouver Regional District Housing Committee was operating under the system of low-rental housing assistance indicated in the recent U.B.C.M. Newsletter. On a further question of Alderman Gunn, Mayor Constable advised that the full Keenleyside Report on firefighting services in the Province was available from either himself or the Municipal Manager.

On a further question of Alderman Gunn, the Municipal Manager advised that a report from the Capital Improvement Program Committee would be available shortly, including comment on the Referendums question.

Alderman Lawson

On a question of Alderman Lawson, it was requested that the Municipal Engineer report on the question of accidents in the Boundary/Grandview-Douglas Road area, and whether the change of lighting in this area had improved the situation; and the question of truck parking on the Municipal and Provincial lots in this area of 3722 Regent Street.

Alderman McLean

Alderman McLean indicated that the Grandview-Ingleton Avenue corner was continuing to be a problem and requested the Engineer report on this. As well it was suggested the Director of Planning report on the question of zoning for the area which would be suitable to relieve the residents of industrial traffic. On a question of Alderman McLean Mayor Constable advised that he would be contacting the Minister of Highways again on the question of the Stermont Interchange and other items such as the Broadway extension and Marine Way.

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Alderman Randall

Alderman Randall indicated problems that had been referred to him in relation to the signing and patrolling of the Municipal parking lot and suggested that signs should be painted on the asphalt and signs erected advising that the lot was patrolled by traffic officers. It was requested that information be provided on how many fines had been paid due to infractions on this lot. On a question of Alderman Randall, Mayor Constable advised that the mechanics of making application to the Transport Committee, Ottawa, for permission to construct the Kensington Overpass was proceeding. It was also indicated that the earliest construction would commence was the Spring of 1977.

Alderman Stusiak

On a question of Alderman Stusiak, the Municipal Engineer advised that a precis of a report from Columbia University on solid waste disposal by the private sector was available at his office. It was also indicated that further material had been requested from Columbia University on the subject matter.

NOTICE OF MOTION

MOVED BY ALDERMAN RANDALL

SECONDED BY ALDERMAN AST:

"WHEREAS the number of self-serve service stations in Burnaby are continually increasing; and

WHEREAS many small business men are being put out of business due to this trend by the oil companies; and

WHEREAS the continuation of this practice can only result in monopoly control by the oil companies at the retail level to the detriment of the consumer; and

WHEREAS many part time jobs for students are made available by service stations;

THEREFORE BE IT RESOLVED that staff be directed to study and report on the question of limiting any further conversion of service stations to self-serve."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

"THAT the resolved portion of the motion be amended so as to read:

'THEREFORE BE IT RESOLVED that a Committee of Council be struck and be directed to study and report on the question of self-serve service stations in the Municipality of Burnaby.'"

CARRIED

OPPOSED: ALDERMEN RANDALL AND STUSIAK

The original motion, as amended, was then voted on and CARRIED.

OPPOSED: ALDERMAN STUSIAK

R E P O R T S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

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(a) Grants and Publicity Committee

The Committee considered a request for financial assistance and recommends as follows:

"1. Salvation Army - Red Shield Appeal 1976 - \$ 1,750.00"

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

"2. Youth Employment Service (YMCA) - \$ 800.00"

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED

OPPOSED: ALDERMAN STUSIAK

3. Fraser Correctional Resources Society - \$ 2,000.00

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

4. John Howard Society of British Columbia - \$ 1,700.00

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN GUNN:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

5. Clef Society of Burnaby - \$ 500.00

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN McLEAN:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

(b) Exempt Staff Council Committee Report - February 24, 1976

The Municipal Manager reported as follows:

"Attached is the report of Mr. David S. Dick, C.A.R.P. Classification Officer, regarding the above, the contents of which are self-explanatory."

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The Municipal Manager has reviewed the report and has advised that he cannot add to the report except to state that it is imperative that we develop an effective employee performance appraisal program in order to implement the incentive-based compensation plan that we have instituted for the senior exempt staff. Further, we must continuously move ahead with the development and training of staff, and the Municipal Manager feels very strongly that the fundamental tool that we can use for such work is our appraisal program. We hope to basically develop and implement the program ourselves, but we will require the assistance of experts from time to time.

This is a large task as the Manager has set a goal of having the program operational by July 31, 1976."

It was indicated that the Council Committee composed of Alderman George H.F. McLean, Chairman; Thomas W. Constable, Mayor; Victor V. Stusiak, Alderman, had met to review the material submitted and unanimously recommended as follows:

- "1. THAT the Corporation retain Hay Associates Canada Limited as consultants to assist in developing and implementing a performance appraisal program and authorize the expenditure of up to \$7,000 for this purpose.
2. THAT the Corporation retain Sharon Cook to conduct Transactional Analysis workshops at a per diem rate of \$175 to be charged to the Personnel Department Internal Training Budget Account up to a maximum of \$1,000."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN RANDALL:

"THAT this subject matter be tabled one week and copies of the report submitted by the Exempt Staff Council Committee to the 'In Camera' Meeting of December 8, 1975 and the Regular Meeting of December 15, 1975 be circulated to the members of Council that do not have it."

CARRIED

OPPOSED: ALDERMEN EMMOTT, LAWSON
AND STUSIAK

- (c) The Municipal Manager Presented Report No 13, 1976, on the matters listed following as Items (1) to (11) either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) Storm Sewer Financing - D.L. 86, Stage IVB,
Central Mortgage and Housing Corporation Financing

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

"On 31 March 1975, the National Housing Act was amended to permit loans of 2/3rds of 1/5th of the cost of extending storm sewers into a new housing area, for which there would be forgiveness of .25%. In other words, if a storm sewerage project cost \$130,000.00, 1/5th would be \$26,000, 2/3rds of which would be \$17,333, 25% of which would be \$4,333. Alternatively, if no money was borrowed and the project was financed elsewhere, a grant equal to the amount of forgiveness could be given.

The example given represents the cost of extending the sewer into D.L. 86, Stage IVB. Under the circumstances, the Municipal Engineer made application for a grant in the amount of \$4,333 for this project and we are advised that the application has been accepted by the Central Mortgage and Housing Corporation.

This stage of the subdivision has not yet been before Council. No doubt it will be reported upon soon by the Planner. In the meantime, you may wish to advise Council of the action that has been taken."

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(2) Advance Approval for 1976 C.I.P. Funds

The Municipal Manager provided a report indicating the R.C.M.P. Auxiliary Police have an immediate need for a reliable set of portable radios that would be used approximately 400 hours per year on school patrol duties and another 200 hours per year on surveillance and miscellaneous policing duties.

It was recommended:

"THAT Council approve an expenditure in the amount of approximately \$1,770 from the 1976 C.I.P. budget prior to official approval of the budget for acquisition of portable radios as more specifically outlined in this report."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(3) Letter from the Lower Mainland St. Leonard's Society that
Appeared on the Agenda for the February 23, 1976 Meeting
of Council (Item 5d)
Request for Lease of a Municipal House

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

"A copy of a letter from the Department of Human Resources and from the Lower Mainland St. Leonard's Society have been received by this department and the contents duly noted.

While we sympathize with the plight of the Society, the request unfortunately comes at a time when rental accommodation is at a premium.

Although the Corporation has numerous houses, at the present time they are all filled and there doesn't seem to be much chance that we will have any vacancies at this time of the year, particularly one of the size needed by the St. Leonard's Society. We will keep the letter on file for consideration in the near future."

It was recommended by the Municipal Manager:

"1. THAT Mrs. Esau be advised that the Municipality does not have a suitable house that could be leased to the Lower Mainland St. Leonard's Society for use as a group home at this time, and that her correspondence will be filed for consideration should any houses become available in the near future; and

2. THAT a copy of this report be sent to the Human Resources Administrator."

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MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

"THAT the subject matter be referred back to the Municipal Manager for further comment and background information."

CARRIED UNANIMOUSLY

- (4) Proposed Demolition of Municipal Property
Parcel "J", Ref. Pl. 17980, Blk. 16 of D.L. 98
Group 1, Plan 573, Except Ref. Plan 5301
7008 Royal Oak Avenue

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

"The Municipality has recently purchased the subject property for the Beresford Street widening. There is a building situated thereon which is an up-and-down apartment. The lower apartment is now vacant and the upper apartment tenant is looking for other accommodation due to the unsafe condition of the suite."

The Municipal Building Department has conducted a complete survey of the building to determine what the approximate cost would be to bring this residence up to Municipal by-law standards. We feel that this amount of money would be an absolute waste and we would recommend that this building be demolished as soon as the tenant in the upstairs suite has vacated."

It was recommended by the Municipal Manager:

"THAT the dwelling at 7008 Royal Oak Avenue be demolished after it becomes vacant."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(5) Engineer's Special Estimate

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

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

Work Order No.

22-166

Pipe a ditch in an easement at
3115 Norland between Norland
Avenue and E.C. Hydro and Power
Authority Right-of-Way.

CHARGE: Minor Drainage
Code 30-03

\$23,000.00

ADDITIONAL INFORMATION: When the
Corporation takes an easement to
protect an open ditch, it has
committed itself to assuring the

proper functioning of the ditch.
The owner of the property is raising
the grade in preparation for building
construction, and to protect the water
flow it has become necessary to pipe
the ditch."

It was recommended by the Municipal Manager:

"THAT the estimate of the Municipal Engineer be approved as submitted."

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

(6) 1976 Local Improvement Program

The Municipal Manager provided the following report of the Municipal Treasurer on the 1976 Local Improvement Program:

"Attached is the cost report required pursuant to Section 601 of the Municipal Act relative to the 1976 Local Improvement Program.

On 15 December 1975, Council adopted Item 9, Manager's Report No. 81, which set out the frontage rates for the year and the frontage rules that are to be applied. The rates are:

28' pavement only	\$ 1.90) These rates to apply to street widths in excess of 28 feet
28' pavement and curbing	2.26	
28' pavement & 5' curbwalks	2.53	
4' separated walks	1.41	

The frontage rules are:

- (i) where a parcel of land is situated at the junction or intersection of highways and the work or service is provided on or along more than one side of the parcel, the taxable foot-frontage shall be the actual foot-frontage of the shortest of the two frontages plus 25% of the actual frontage of the longer of the two frontages;
- (ii) where a parcel of land is situated at the junction or intersection of highways and the work is provided on or along the longer of the two frontages of the parcel, the taxable foot-frontage shall be the actual foot-frontage of the shortest of the two frontages;
- (iii) where a similar work or service payable by special charges has previously been provided on or along one side of a parcel, the taxable foot-frontage shall be 25% of the actual frontage of the longer of the two frontages;
- (iv) where the frontage of a parcel of land abutting the works is less than five feet, the taxable frontage shall be established at five feet.

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Attached is an analysis of the program. It shows that owners will be paying roughly 43.5% of the cost of 28' pavement and curbs, and 50.79% of the cost of 28' pavement and 5' curbwalks. The cost sharing formula approved by Council is that the Corporation will pay approximately 50% of the cost of constructing 28' paving and curbs or 28' pavement and 5' curbwalks, plus that portion of the cost of constructing street widths greater than 28' attributable to the excess street widths. As it turns out, the share of 28' pavement and curbs is 6.5% greater than the 50% approved.

Rating for this work cannot be precise because of the frontage rules and because of the incidence or otherwise of street intersections. As a consequence, the owners' share was calculated at one-quarter the linear cost of 28' pavement, 28' pavement and curbing and 28' pavement and 5' curbwalks, as the case may be, divided by a factor of .75 to make allowance for street intersections and flankages, except that for 4' sidewalks the formula was one-half the cost divided by .85, amortized at 10 1/2% per annum over 15 years.

It will be noted that of a total cost of \$147,887 for 4' separated sidewalks only \$43,449 will be paid by abutting owners. This comes about because the vast majority of the lots in this portion of the program are corner lots and are affected by initiatives being put at this time affecting two sides of the properties or, in some instances, by a previous work. Therefore, the Corporation will be picking up roughly \$50,000 in costs that are not found in the other classifications of the works in the program."

It was recommended by the Municipal Manager:

- "1. THAT Council approve the program of works shown in the cost report; and
2. THAT Council instruct the Municipal Clerk to initiate the works in the usual manner."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

(7) Burnaby Local Improvement Charges By-Law 1976

This subject matter was considered previously under Item 3(a) By-laws - No. 6828.

(8) Applicability of Parkland Acquisition Levy to R.Z. #63/75
Proposed Amendment to Commercial/Residential Development
4250 Kingsway

This subject matter was considered previously under Item 5 - By-laws - No. 6810.

(9) Letter from Mr. Lloyd F. Owens That Appeared on the
Agenda for the February 23, 1976 Meeting of Council (Item 5e)
Dog Licence Fees and Animal Control

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

"Appearing on the Council agenda for 1 March 1976 is a letter from Mr. Lloyd F. Owens, 7130 Frederick Avenue, Burnaby, protesting the \$21.00 licence fee for unneutered male dogs. Included in Mr. Owens' letter are comments on the enforcement of animal control regulations, and a recommendation that the Municipality should licence cats.

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At the meeting of 12 January 1976, Council received a similar protest, for which a report was filed.

With respect to Mr. Owens' comments concerning pound patrols, the pound records reveal that from 1 December 1975 to date in 1976, 25 complaints originated from within a six block radius of Mr. Owens' home. The resulting patrols impounded 50 dogs and issued seven violation tickets. Additionally, seven stray dogs were picked up at the request of residents. There is no record that Mr. Owens contacted the poundkeeper concerning dogs running at large during this period.

The Municipal Act does not empower the Corporation to enact a by-law to provide for the licencing of cats, or for the control of cats running at large.

The problem of cats killing wild birds is a matter of the cats following their natural instincts. The S.P.C.A. is prepared to advise on methods of feeding wild birds that will protect them from the dangers of marauding cats. If there is a problem of stray cats living in the area, the S.P.C.A. will attempt to capture them. This would require placing a humane trapping cage in the neighbourhood and would only be attempted with the co-operation of the residents.

The poundkeeper will continue to patrol in the area of the 7100 block Frederick Avenue, and to investigate complaints as required. If Mr. Owens wishes to discuss the problem of dogs running at large with the poundkeeper, he could contact him at the animal shelter, telephone 294-7330."

It was recommended by the Municipal Manager:

"THAT Mr. Lloyd F. Owens receive a copy of this report."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

- (10) Open Watercourse Treatment
Condominium Townhouse/Maisonette Development
Rochester/North Road/Lougheed
Rezoning Reference #17/75

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

"It was indicated at the Council meeting of December 15, 1975 that further information and clarification be provided with respect to the proposal that the existing creek in this development be retained in an open condition and that it remain a natural appearing creek even though some creek improvement construction may be required. There were comments to the effect that strict adherence to the standard channel lining detail in a regimented alignment would not be "natural" appearing.

The stream alignment was shown clearly on the drawings submitted to the Public Hearing on January 20, 1976. The stream meanders in an east-west direction widening in two areas into a ponding configuration. The original stream alignment has also been shifted in three locations in order to suit the overall project building layout and landscape concept. The setback of the stream from any residential buildings varies from a minimum of 10 feet in one location, 20 feet in 3 or 4 locations, and greater setbacks up to 60 feet in other locations. The site plan delineating the stream alignment will be available for the perusal of Council at the meeting of March 1, 1976.

March 1, 1977

The treatment of the watercourse has been discussed by the applicant with the Engineering and Planning Department staff a number of times. The applicant has submitted the two letters of explanation which as a whole appear to be appropriate to the situation.

The letter from the Landscape Architect states in general aesthetic environmental terms the intent of the design of the open watercourse treatment. The letter from the Engineering Consultant notes the procedure for determining together with the Municipal Engineer, the structural stability and erosion preventative means for the subject open watercourse. The determined volume and velocity of existing water flow requires the confirmation of the Municipal Engineer. The final determined watercourse design would be subject to the approval of the Municipal Engineer. Any detailed landscaping adjustment would also require the approval of the Planning Department.

The determined procedure is generally in the opinion of the Engineering and Planning Departments reasonable and would appear to achieve, if carried out as committed by the applicant's consultant's, both a visually pleasing open watercourse design which prevents erosion of the banks and base of the watercourse and does not present any danger to the foundations of nearby buildings.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

- (11) Stride Avenue Pit Filling Operation
(Item 17, Report No. 15, March 3, 1975)

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

"On 3 March, 1975, Council approved the award of a contract to Southwest Contracting Ltd. to operate and manage the Stride Avenue Pit Filling Operation for a period of 12 months. Southwest Contracting have successfully undertaken their commitment over the past year based on their tendered proposal, the essence of which was that they levied a dumping charge of \$2.50/load and returned to the Corporation \$0.50/load for all loads received over 100/day, and further returned to the Corporation \$1.00/load for all loads received from a Southwest Contracting job site. In addition, Southwest Contracting have operated the pit on Saturdays to permit individual Burnaby householders to dump small quantities of garden refuse or fill free of charge.

Prior to the award of a contract to Southwest Contracting the management of the Stride Avenue Pit had been undertaken by Municipal forces, which provided a free dump area for suitable fill materials and because it was a free service it was obviously a deficit operation. Southwest Contracting have been operating the pit at no cost to the Corporation and, in fact, returned revenue in the amount of \$2,838 to the Corporation for the period from March to December 1975.

Due to the ongoing filling operation, the levels are materially changing in the pit and this Department is currently plotting the present topography so that we may, in conjunction with the Planning Department, schedule a program of landfill. In the meantime we would recommend that Southwest Contracting's current contract be extended for a further six months. Engineering Department personnel have met with Mr. W. Geransky, President of Southwest Contracting Ltd., who indicated that he would be prepared to continue the management of the Stride Avenue Pit for a further six months, in accordance with the present contract conditions."

March 1, 1976

It was recommended by the Municipal Manager:

"THAT Southwest Contracting Ltd. be awarded an extension of Contract #7503 for six months from March 1 to September 1, 1976, subject to the extension of the necessary insurance and bonding requirements."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY