

MAY 10, 1976

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, May 10, 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. Hudson, Municipal Clerk  
Mr. R.W. Watson, Deputy Municipal Clerk

M I N U T E S

The Minutes of the Council Meeting held on May 3, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the Minutes of the Council Meeting held on May 3, 1976 be now adopted."

CARRIED UNANIMOUSLY

Alderman Stusiak indicated that the Items shown as "In Camera" in the Meeting should have been considered during the regular portion of the Meeting and he would bring this subject matter up for discussion during this evening's "In Camera" Meeting.

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

(a) Mayor T.W. Constable - Re: "Anti-Litter Week", May 10 to 16, 1976

It was indicated the District of Burnaby is concerned with the problems caused by litter and to bring it to the attention of the public it was deemed appropriate to appoint the week of May 10 to 16, 1976 as "Anti-Litter Week" in the District of Burnaby in order to encourage all citizens to co-operate with the District of Burnaby in the elimination and reduction of litter and littering.

(b) Mayor T.W. Constable - Re: "Norway Day", May 17, 1976

It was indicated that the people of Norway and the people of Norwegian

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descent celebrate May 17 as the day of Norway's independence and that many sons and daughters of Norway have located in the Municipality of Burnaby to make a new life for themselves and that many of these people, as pioneers, assisted to make Burnaby a thriving Municipality through their industrious and hardworking habits. May 17, 1976 was proclaimed as "Norway Day" in Burnaby.

DELEGATIONS

The following wrote requesting an audience with Council:

- (a) Mr. J.M. Doane Re: Neighbourhood Pub - Parkcrest
- (b) Messrs. W.M. Dodds and K.R. Brown Re: Neighbourhood Pub Application - Parkcrest Plaza
- (c) Mr. R.C. Harris Re: Application for a Neighbourhood Pub - Parkcrest Plaza
- (d) Mrs. H.S. Rogers Re: Proposed Pub - 5901 Broadway
- (e) Mrs. Win D'Altroy Re: Municipal Trail System

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the Delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. J.M. Doane, 2186 Fell Avenue, Burnaby, B.C. appeared before Council to present a petition with approximately 60 names in opposition to the proposed Neighbourhood Pub. It was indicated that he owned a residence immediately across the street, less than 100 feet from the front door of the proposed Pub. It was indicated there were no sidewalks in the area for children going to and from the adjacent school. It was also suggested that the voting ballot was less than adequate for the purpose as there was no indication of geographical response to the voting.
- (b) Messrs. W.M. Dodds and K.R. Brown, - Mr. Robert W. Jacobs, Solicitor, spoke on behalf of Messrs. Dodds and Brown, owners of the proposed Neighbourhood Pub. Mr. Jacobs reviewed the Provincial requirements for operations including a maximum of 100 persons, the dispensing of food, beverages including drinks and the 11:00 P.M. closing time. Mr. Jacobs presented a diagram of the proposed Pub indicating the Longhouse style of construction and exterior finish. It was indicated that the building was designed in such a manner that the entrance and exit was onto the Shopping Mall and not onto the residential area. It was also indicated that there would be no live music and tapes would be used for background purposes. It was indicated the Pub would assist the operation of the shopping mall and that the mall owners were considering upgrading the appearance of the shopping centre.
- (c) Mr. R.C. Harris of 5770 East Broadway, Burnaby, B.C. appeared before Council and reviewed the newspaper accounts to date on the subject

of Neighbourhood Pubs and suggested that they reflected the owners' interest in the matter and were not necessarily an accurate statement on the operation from the point of view of local residents. Mr. Harris indicated that the Neighbourhood Pub would probably be not a neighbourhood concept in that other people would come from other areas such as Brentwood. Mr. Harris also objected to the fact that there were no sidewalks leading to the school in the area and that children would be passing right by the door of the Pub. It was indicated that truck traffic of over 30,000 pounds gross vehicle weight was still in the area and a problem to the residents. It was also suggested that over a period of time the music would change to suit the crowd and it would become a noise problem to the local residents.

- (d) Mrs. H.S. Rogers, 6147 Buchanan Street, Burnaby, B.C. indicated that the increased availability of liquor by way of increasing liquor outlets would lead to increased problem drinking in the community. It was stated that there were already sufficient liquor outlets within the North Burnaby area. Mrs. Rogers referred to several newspaper articles indicating increases in teenage drinking, motor vehicle accidents and industrial injuries and related these to drinking problems. It was indicated that Mrs. Rogers would prefer licenced restaurants over Beer Parlours or Neighbourhood Pubs if given a choice. It was also suggested that liquor should be available through eating establishments for public consumption rather than a Beer Parlour type of operation.

Mr. H.S. Rogers appeared before Council and advised that a recent news release by Mr. Mark Lalonde, Federal Minister of Health, indicated that alcoholic consumption had increased 30% in the last two years. It was also indicated that the Ledain Commission of Enquiry into alcohol problems indicated that alcohol was the number one social problem in Canada.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT Item 6, Manager's Report No. 31, 1976 be brough forward."

CARRIED UNANIMOUSLY

The Municipal Manager provided a report of the Director of Planning wherein it concluded as follows:

"In summary, the subject application has successfully met the necessary prequalifications for the establishment of the proposed facility. The site is appropriately zoned and well suited to the intended use and can easily satisfy all off-street parking requirements. In addition, the proposed facility should provide for the upgrading of the existing shopping centre which will create a more suitable interface with the adjacent residential area. Most importantly, the immediate residents of the area (within a six block radius) voted in favour of the proposal, as demonstrated in the public survey results.

It is therefore necessary, as outlined in the Provincial Liquor Act, for Council to consider this application and submit their resolution in writing to the General Manager of the Liquor Administration Branch in Victoria. The General Manager will then consider the subject application in the light of the Municipality's decision.

It was recommended that:

1. Council resolve to give favourable consideration to the subject application and that Council's resolution be forwarded in writing to the General Manager of the Liquor Administration Branch; and
2. A copy of this report be sent to all persons who corresponded with Council on this matter.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"THAT the subject matter be tabled for two weeks."

CARRIED UNANIMOUSLY

It was requested that Staff supply information relating to:

1. Plotting of the petition received as to the geographical location of the petitioners in relation to the proposed neighbourhood pub;
2. The question of relocation of the proposed building to a different location on the present site;
3. Soundproofing to contain all possible noise;
4. Possible traffic generation by the proposed neighbourhood pub;
5. The question of adequate population density to support the proposed facility;
6. The use of circle graphs for the ballot survey;
7. The possible use of speed bumps on the parking lot;
8. Air conditioning so doors could be kept closed during hot evenings;
9. Consideration of rezoning to apartments to allow the property owners to bail out.
10. Powers of the Municipality to compel owners of the shopping centre to update and improve the landscaping of same.

It was also requested that the Municipal Engineer follow-up on the question of trucks of over gross vehicle weight of 30,000 pounds using the area in question.

(e) Mrs. Win D'Altroy, Re: Burnaby Trail System

Mrs. D'Altroy appeared before Council and reviewed the history of the construction of the riding trails in the Burnaby area and the results of having the trails utilized by motorcycles over the past years. Mrs. D'Altroy suggested that the combined use had not been compatible due to the destruction of the trail surface, the noise and the general hazard to horsemen and hikers in the area. It was suggested the motorcycles not be allowed on the trail system under discussion and that Council proceed to rectify the situation. Mrs. D'Altroy then commented on a slide presentation indicating before and after pictures of the trail system.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"THAT Item 21, Manager's Report No. 31, 1976 be brought forward at this time."

CARRIED UNANIMOUSLY

The Municipal Manager reported as follows:

"The subject correspondence was received by Council last week with the understanding that a report on the operation of off-street motor vehicles including motorcycles would be submitted on May 10, 1976.

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The operation of off-street motor vehicles is generally associated with the emission of excessive noise and this noise can be an irritant during weekends and evenings as the activity is greatest during these periods of time. Damage to and even total destruction of trails is another serious problem that is related to this activity.

With respect to the complaint from Mrs. Dollman, a survey of noise emission in the Stride Avenue area was conducted by the Health Department on Saturday, May 2nd, 1976, and the results of monitoring recorded. A Health Department patrol of this area, which because of size and terrain is a popular location for motorcyclists, revealed the presence of six motor bikes, although there may have been more. At no time of noise monitoring did the noise emission exceed the limits as set forth in the Burnaby Noise or Sound Abatement By-Law 1972, #6052.

This single survey should not be considered as providing that noise emission from this source is not an irritant to residents in this area. Multiple noise emission surveys throughout the Municipality have proven that noise emission from this activity is above the limits imposed by the By-law and is an irritant to neighbouring residents. As a matter of fact, the operation of off-street vehicles is prevalent in the following areas of Burnaby:

1. Stride Avenue Gravel Pit and adjacent trails.
2. Burnaby Mountain (irritant to residents of the City of Port Moody).
3. Trails adjacent to Golf Course and Montecito Housing development.
4. Montrose Park.
5. Burnaby Lake Regional Park.
6. Sewer easements, i.e., North of Broadway, East of Springer, Stoney Creek.
7. Unoccupied flats South of Marine Drive.

There is no doubt of the value of the Noise By-law in the Municipality of Burnaby, but it is a plain fact that the operation of off-street motor vehicles requires more control than a Noise By-law due to the following factors:

1. Maneuverability of vehicles.
2. Difficulty of apprehension.
3. Difficulty of determining the noise source.
4. Manpower required.
5. Conflicting use of recreational lands (e.g. pedestrians - equestrian - vehicular).
6. Safety factor.
7. Trespass of properties.
8. Damage to properties traversed (private and public)

Mr. Adolph's complaint concerning an incident in which two motorcyclists chased his son when he was riding a horse was investigated by the R.C.M.P. on April 27, 1976. A report on the investigation advises that:

"On this date a call was received in the p.m. at this office regarding motorcycles on Avalon where motorcyclists were alleged to have chased a horse rider. Mr. Adolph was advised that it is not an offence to operate a motorcycle on Avalon Avenue; the conversation led to trails and the motorcycles use on the trails in the vicinity of Avalon. At this time Mr. Adolph was advised that we have no control of motorcycles off gazetted roads and streets and there is no by-law prohibiting such off-street operation if motorcycles comply with the noise regulation, which in essence is being equipped with proper mufflers."

The Officer in Charge, Burnaby Department, R.C.M.P. advises that his department is endeavouring to discourage the riding of motorcycles, but with very little success.

It can readily be seen, from these and other complaints that have been received by the Municipality during the last two years, that this matter is complex and extremely diversified in terms of geographical area, types of vehicles involved and the nature of the problems that are being experienced by some citizens.

The recreational use of vehicles has increased from a modest beginning to a major activity and this activity will no doubt continue to increase in the future. This growth will result in further complaints and counter-complaints, and with our existing controls, the problems will in all probability continue to escalate.

In the opinion of the Municipal Manager, the solution to this complex problem will require a coordinated input from several municipal departments. It would therefore be advisable for the Manager to appoint a Committee of staff to study the problem, in its entirety, with the understanding that recommendations will be submitted to Council within one month's time.

Although unrelated to the above discussion, it would be appropriate to also comment on another matter that is referred to in Mrs. Dollman's letter, namely, a request to ban smoking in stores. Results of a study on the proposal to ban smoking in stores are contained in the attached report which was submitted to Council in October, 1974. The Deputy Fire Chief advises that the position of his department has not changed since that time, i.e., that a By-law to prohibit smoking in retail stores should not be introduced. "

It was recommended that:

1. A Committee of Staff be appointed by the Manager to study the operation of off-street motor vehicles, with the understanding that a report with recommendations will be submitted within one month's time;
2. The correspondents be so advised; and
3. Mrs. Dollman be furthermore provided with a copy of Item 16, Report No. 70, October 28, 1974 and advised that the Corporation's position on the matter of smoking in retail stores has not changed since that time.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"THAT recommendations numbered 1 and 2 be adopted and in addition a copy be forwarded to the Parks and Recreation Commission."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"THAT recommendation number 3 be adopted."

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN LAWSON:

"THAT the subject matter contained within recommendation number 3 be referred to the Municipal Manager for a report on the results of the City of Vancouver By-law to prohibit smoking in retail stores and possible suggestions on how to improve on same."

CARRIED

OPPOSED: Aldermen Drummond and Gunn

The meeting recessed at 9:07 P.M.

The meeting reconvened at 9:22 P.M.

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BY - LAWS

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT:

'BURNABY FIRE PREVENTION BY-LAW 1968,  
AMENDMENT BY-LAW NO. 1, 1976' - #6854

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN 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 FIRE PREVENTION BY-LAW 1968,  
AMENDMENT BY-LAW NO. 1, 1976' - #6854

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN RANDALL:

"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. 39, 1974' - #6505"

CARRIED UNANIMOUSLY

This By-law, "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1974", No. 6505, provides for the following proposed rezoning:

Reference Rezoning No. 22/74 - from SPECIAL INDUSTRIAL DISTRICT (M4) to RESIDENTIAL DISTRICT (R6) -- 515, 539 and 579 Clare Avenue -- located at the Northwest corner of Clare Avenue and Frances Street.

The Director of Planning reported that the prerequisites established by

Council in connection with this rezoning proposal are now nearing completion.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN RANDALL:

"THAT:

'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 39, 1974' - #6505

be now read a third time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN RANDALL:

"THAT:

1. 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 21, 1975' - # 6673
2. 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 28, 1975' - # 6700
3. 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1975' - # 6735
4. 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 5, 1976' - # 6810
5. 'BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 12,  
1975, AMENDMENT BY-LAW 1976' - # 6853
6. 'BURNABY LOCAL IMPROVEMENT FINANCING BY-LAW NO. 1,  
1976' - # 6855

The aforementioned four Zoning By-laws provide for the following proposed rezonings:

1. Rezoning Reference #84A/69

Lot 85, D.L. 4, Plan 38877 (9501 Erickson Drive)

From COMPREHENSIVE DEVELOPMENT DISTRICT (CD) to AMENDED  
COMPREHENSIVE DEVELOPMENT DISTRICT (CD).

The Director of Planning, by memorandum dated May 3, 1976, advised that the prerequisites previously established by Council in connection with this rezoning proposal have been fully satisfied.



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2. Rezoning Reference #25/75

D.L. 130, Lot 116, Plan 47649 (6250 Lougheed Highway)

From COMPREHENSIVE DEVELOPMENT DISTRICT (CD) to AMENDED  
COMPREHENSIVE DEVELOPMENT DISTRICT (CD).

The Director of Planning, by memorandum dated May 3, 1976, advised that the prerequisites previously established by Council in connection with this rezoning proposal have been fully satisfied.

3. Rezoning Reference #40/75

Ptn. of Lot 32, Lots 22, 62 and Ptn. of Lot 63,  
Block 8, D.L. 171, Plan 2686 and Parcel "A",  
By-law Plan 47863, Block 8, D.L. 171, Plan 2686  
(6895 - 12th Avenue; 6894/89 - 13th Avenue and  
6890 - 14th Avenue)

From RESIDENTIAL DISTRICT (R5) to GENERAL INDUSTRIAL  
DISTRICT (M2)

The Director of Planning, by memorandum dated May 3, 1976 advised that the prerequisites previously established by Council in connection with this rezoning proposal have been fully satisfied.

4. Rezoning Reference # 63/75

Lot 127, D.L. 151, Plan 46883 (4250 Kingsway)

From COMPREHENSIVE DEVELOPMENT DISTRICT (CD)  
to AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT

The Director of Planning, by memorandum dated May 6, 1976, advised that the prerequisites previously established by Council in connection with this rezoning proposal have been fully satisfied.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN RANDALL:

"THAT:

'BURNABY BUDGET AUTHORIZATION BY-LAW 1976' - #6856

'BURNABY RATING BY-LAW 1976' - #6857

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

Aldermen Lawson, McLean and Stusiak requested that they be recorded as being opposed to the expenditure of \$292,000.00 on Page 77 of the 1976 Annual Budget under the heading "Transfer to Capital Funds - Capital Improvement Program"-

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"Engineering Equipment" - 2 refuse collection trucks with pick-up harness (new @ \$130,000.00 and 300 - 3 cubic yard refuse containers (new) @ \$162,000.00 totalling \$292,000.00.

The Motion to adopt By-laws #6856 and #6857 as moved by Alderman McLean and Seconded by Alderman Randall was then voted on and CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN GUNN:  
SECONDED BY ALDERMAN AST:

"THAT a letter be forwarded to the Premier of the Province and the Minister of Municipal affairs, outlining Burnaby's situation; that the Provincial Government's unconditional grants to Burnaby this year have not kept pace with our inflation and growth rates and that Burnaby Council's view is that the Provincial Government's unconditional grants should keep pace with the current inflation and growth until a revenue sharing formula between the Province and Municipalities can be worked out."

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN LAWSON:

"THAT this subject matter be referred to the Municipal Manager and the Finance Liason Alderman (Alderman Stusiak) to draw up a suitable letter for this purpose." Plus "and that it be brought back to Council for its approval."

\*\*\* See Minutes of May 17, 1976

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 McLEAN:

"THAT all of the following listed Items of correspondence be received and those Items of the Municipal Manager's Report No. 31, 1976 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

(a) Minister of Municipal Affairs, Re: Indemnity  
Increases kept to a minimum

A letter under date of April 27, 1976 was received requesting that indemnity increases should be kept to a minimum. It was indicated that in a time of restraint we should by our actions as an example, ensure that any indemnity increases do not exceed the anti-inflation guidelines if in fact any increase can be justified.

(b) Mr. W.A. Hamm, Re: Strongest Protest to Wayburne-Nelson  
Diversion

A letter under date of April 28, 1976 was received expressing

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opposition to the Wayburne-Nelson Diversion and suggesting Royal Oak, the existing North-South route be improved and remain open. It was requested that previous information available on the subject be forwarded to Mr. W.A. Hamm.

(c) City of Vancouver, City Clerk, Re: Enclosure of Still Creek

A letter under date of April 29, 1976 was received enclosing an extract from the Minutes of the Vancouver City Council Meeting of April 27, 1976 dealing with the attached City Manager's Report dated April 26, 1976.

"The Council had for consideration a City Manager's report dated April 26, 1976, with respect to the enclosure of Still Creek. Following discussion, it was

MOVED

THAT this report be received for information and referred to the Council representatives on the Greater Vancouver Regional District for discussion at the G.V.R.D. level if necessary."

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

"Appearing on the agenda for the May 10th Council meeting is a letter from the Vancouver City Clerk, together with an accompanying report from the City Manager concerning the enclosure of Still Creek. The Vancouver Council moved to receive the report and refer it to the Council representatives on the G. V. R. D. for discussion at the regional level if necessary.

The Chief Public Health Inspector advises that the policy report on Still Creek which is referred to in the third paragraph of the Vancouver City Manager's submission will be available for consideration in the near future.

It will be recalled that the Burnaby Council and the Parks and Recreation Commission have dealt in the past (1973 and 1974) with the Still Creek waterway in this municipality. As a result of these deliberations, a policy has been adopted for the continued retention of the creek in an open condition and for the major part of its length to be utilized as a walkway route.

More recently, in considering a proposal for the enclosing of a portion of the creek by Public Freightways Limited, the Council, on February 16, 1976, requested that this department proceed with a planning and environmental report in order to upgrade and landscape industrial properties adjacent to the waterway and to pursue a policy of developing a trail system along the creek.

The preparation of such a report has recently been commenced by the Planning Department. "

It was recommended by the Municipal Manager that the Council advise the City of Vancouver and the G.V.R.D. of its adopted policy to maintain Still Creek as an open waterway for linear park development in this Municipality and to preserve the potential for a future connection with the Vancouver Park System.

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MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN RANDALL:

"THAT the recommendation of the Municipal Manager be adopted and that copies of the report and correspondence be forwarded to the Parks and Recreation Commission for information purposes."

CARRIED UNANIMOUSLY

(d) Hean, Wylie, Prentice & Company, Re: Containerized Waste Disposal

A letter under date of May 5, 1976 was received indicating that instructions had been received to give notice that our clients intend to commence the necessary legal proceedings against the District of the Municipality of Burnaby and such individual members of Council as may be deemed appropriate.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT the correspondence be referred to the Municipal Solicitor for comment."

CARRIED

OPPOSED: Alderman Gunn

(e) B.C. Road Builders Association, Chairman, Municipal Joint Committee, Re: Newly formed Municipal Committee

A letter under date of April 29, 1976 was received indicating a newly formed Municipal Committee established under the auspices of the B.C. Road Builders Association, has been formed. It was indicated that a dinner, sponsored by the Association, would be held in late May at the University Club, details of which will be forwarded at a later date.

(f) Burnaby Fire Fighters' Association, Local 323, Secretary, Re: Annual Muscular Dystrophy Association's Tag Days

A letter under date of May 4, 1976 was received requesting that November 26 and 27, 1976 be considered as the Annual Muscular Dystrophy Association's Tag Days. It was indicated that the funds collected from this drive will be used for furthering medical research in the continuing effort of combatting this crippling disease.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT the request received from the Burnaby Fire Fighters' Association, Local 323 requesting that November 26 and 27, 1976 be considered as the Annual Muscular Dystrophy Association's Tag Days be approved."

CARRIED UNANIMOUSLY

(g) Mrs. Charlotte Rozman, Re: Rezoning Reference #15/75 6483 Trapp Avenue

A letter under date of May 5, 1976 was received requesting Rezoning

No. 15/75, 6483 Trapp Road be reconsidered and lifted off the table and making application for a special land use contract for the land in question.

The Municipal Manager advised that a Staff report would be available at the May 17, 1976 Meeting of Council.

- (h) Eastburn Neighbourhood Improvement Programme Resident Committee, Chairman, Re: Reconsideration of purchase of duplex lot - corner Fourteenth Avenue and Fifteenth Street

A letter under date of May 3, 1976 was received requesting Council to reconsider the purchase of the duplex lot at the corner of Fourteenth Avenue and Fifteenth Street which is on Ernie Winch Park. This subject matter was considered as Item No. 3 at the "In Camera" portion of the Council Meeting.

- (i) Parkcrest Plaza Shopping Centre Merchants and Businesses, Re: Support to proposed Neighbourhood Pub Application

A letter under date of May 5, 1976 was received in support of the proposed neighbourhood pub application in the Parkcrest Plaza Shopping Centre. This subject matter was considered previously during the meeting under "Delegations".

- (j) City of Vancouver, Deputy City Clerk, Re: Report of Standing Committee on Planning and Development - Champlain Heights Development Plan

A letter under date of April 29, 1976 was received indicating the following two Motions were passed at the meeting of Vancouver City Council held on April 27, 1976 in reference to Boundary Road and the proposed intersection construction at Boundary Road and Marine Dr.

"MOVED

THAT recommendations A, B, C, E and F of the Committee be approved, after amending recommendation 'A' by deleting the words 'redesign and'.

CARRIED UNANIMOUSLY

MOVED

THAT the G.V.R.D. Transportation Committee and staff, and representatives of the National Harbours Board be invited to attend the joint meeting of the Burnaby and Vancouver Councils.

FURTHER THAT the resolution of the Committee contained in this clause be received.

CARRIED UNANIMOUSLY"

- (k) Mr. and Mrs. R.K. Watts, Re: Remove Boundary Road Improvements from Capital Works By-law

A letter under date of April 27, 1976 was received indicating the proposal by the Vancouver City Council to widen Boundary Road to six lanes and make it the main North-South truck route for Vancouver-Burnaby is totally unacceptable. It was indicated the effect of this proposal on Central Park would be disastrous.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"THAT previous report items on this subject matter be forwarded to Mr. and Mrs. R.K. Watts."

CARRIED UNANIMOUSLY

ENQUIRIES

On an enquiry of Alderman Lawson the Municipal Engineer advised that there were no current plans to have a bus stop near the Arts Centre at this time. It was agreed the matter be discussed by the Municipal Engineer with the B.C. Hydro & Power Authority and a report be brought back to Council.

On a question of Alderman Randall the Municipal Manager advised that the format of the Tax Notice was as indicated by the Municipal Act. It was suggested a separate insertion in the envelope could indicate the breakdown as between Municipalities and the other agencies being collected for. It was agreed a Notice of Motion be considered for next year's Tax Notices. Alderman Randall questioned whose responsibility it was for the method of balloting presently used on Neighbourhood Pubs. It was noted that the ballots were given out freely and not mailed to specific addresses in the area in question. The Municipal Manager was requested to look into this aspect of the balloting.

On a question of Alderman Gunn Mayor Constable advised that he had been in contact with the Minister of Housing in Victoria in regard to MacInnes Place and that the Minister regrets that we have not as yet received the full answer to the question due to a change in Deputy Ministers.

On a further question of Alderman Gunn Mayor Constable advised that no application had been made or licences issued for massage parlours in Burnaby and that any applications would be brought to the attention of Council.

Alderman Lawson indicated that a rumour was going around suggesting that every employee of the establishments located in the area of the proposed neighbourhood pub had received a ballot. It was requested that the Manager when reporting on the subject of the method of balloting used for neighbourhood pubs, consider this item as well to which request, Council agreed.

NOTICE OF MOTION

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN EMMOTT:

"WHEREAS previous Municipal Councils of The Corporation of the District of Burnaby have considered numerous rezoning applications for the triangle of land bounded by Boundary Road, 401 Freeway and Clydesdale Street; and

WHEREAS this triangle of land is bounded by three major arterial streets; and

WHEREAS these arterial streets were created by senior governments;

THEREFORE BE IT RESOLVED that the Burnaby Municipal Council set up a meeting with the Provincial Government to discuss ways and means of the Municipality purchasing the said triangle for Municipal purposes, and further, that the pertinent information in respect to land values, ownership and what the land could be used for be brought forward in a report of the Municipal Manager."

CARRIED UNANIMOUSLY

REPORTS

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

(a) Mayor T.W. Constable, Victoria Trip

Mayor Constable advised that he had been in Victoria this morning with the Municipal Manager to discuss several Municipal matters with the Attorney-General, The Honourable Garde B. Gardom, and the Minister of Municipal Affairs, The Honourable Hugh A. Curtis. It was indicated that the prime purpose for meeting with the Attorney-General was to discuss the future of the former Willingdon School for Girls and to indicate Council's concern in this matter relating to security and other issues. It was indicated that the remand centre could be opened as soon as June for this purpose. It was indicated that the southern main building would be used as a remand assessment centre and the balance would be left with the British Columbia Institute of Technology whereas, prior to that, it was said it would be phased out gradually. Concern was expressed by the Minister as to a certain core percentage needing other facilities such as wilderness facilities. It was stated to the Minister that unless other facilities were available very quickly problems could arise very shortly by the use of the former Willingdon Girls facility for this purpose. It was indicated that the Minister had suggested that a meeting be held between the Municipal Council and Mr. John W. Ekstedt, Acting Deputy Minister, Corrections Branch, Department of the Attorney-General on this matter to discuss it in more detail. Mayor Constable advised that the question of By-law Prosecution Courts for Municipal purposes was also discussed with the Minister and it was indicated they were considering a Circuit Judge system for this purpose. Mayor Constable advised that they then discussed the question of City status with the Minister of Municipal Affairs and the Minister had indicated that he was in sympathy with the proposal and would discuss the question of the costs of construction and maintenance of arterial roads with the Minister of Highways. Mayor Constable advised that he would be meeting with the Minister of Highways next week and that after that there would possibly be a further meeting with the Minister of Municipal Affairs on the subject.

Mayor Constable then advised that the question of taxation of Simon Fraser University lands was discussed and particularly the improvements on the Simon Fraser lands including the commercial establishment. It was stated that the Minister of Municipal Affairs would be discussing this particular subject with the Minister of Education. It was indicated that the Municipal Manager and Mayor Constable would be preparing a report to be submitted to the Minister of Education with copies to the Minister of Municipal Affairs on this subject and that they would perhaps have another meeting on that question.

It was indicated that the question of Trail Bikes and Mini-Bikes was also discussed and the possibility of a definition being applied in the All Terrain Vehicles Act to cover these particular vehicles for the purposes of enforcement.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN LAWSON:

"THAT the report of Mayor Constable be received."

CARRIED UNANIMOUSLY

(b) The Municipal Manager presented Report No. 31, 1976 on the matters listed following as Items 1 to 21, either providing the information as shown or recommending the courses of action indicated for the reasons given.

1. Money By-law for submission to Electors, November 20, 1976

The Municipal Manager provided a report of the Chairman, Capital Improvement Program Committee.

It was recommended by the Municipal Manager that:

1. The improvement of Boundary Road from 29th Avenue to Thurston Street and from Kingsway to Dubois be not considered for inclusion in a loan authorization By-law until all necessary agreements with the City of Vancouver on this project have been reached;
2. In any event, consideration of inclusion of this work in a loan authorization By-law be deferred until 1977; and
3. The Parks and Recreation Commission and the Library Board be so informed.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED

OPPOSED: Alderman Stusiak

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"THAT this Council Meeting do now proceed past 10:30 P.M.

CARRIED UNANIMOUSLY

2. Front Yard Parking in Residential Districts

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

"A. BACKGROUND

There have been, over a considerable period of time, numerous requests to both the Council and the Board of Variance for the relaxation of the present front yard parking restriction in Residential Districts. It should be noted that in many such cases, parking could be provided at a rear yard location. In others, however, circumstances are such as to make this impossible. These include the absence of lane access coupled with an insufficient side yard width to allow for a driveway to provide access from the front to the side or rear of the property.

B. EXISTING SITUATION

The existing regulations (The Burnaby Zoning By-law and the Burnaby Street and Traffic By-law) include the authority for the Municipal Engineer to rule on the siting of all points of ingress and egress to parking areas from the municipal street system.



Closely related to these controls are the Zoning By-law requirements which prohibit front yard parking in Residential Districts. Off-street parking is permitted in a rear yard and, under certain conditions, at the side of a dwelling.

**C. CONSIDERATIONS AND CONCLUSIONS**

The problems associated with front yard parking in Residential Districts have been discussed on a number of occasions with the Building and Engineering Departments. The current regulations, which are common to most zoning by-laws, are based primarily on traffic and aesthetic considerations which seek to preserve the residential character of neighbourhood areas and to prevent street frontages from being excessively black-topped or becoming littered with motor vehicles.

It is apparent, however, that some modification is desirable in the present parking regulations to cover these cases in Residential Districts where off-street parking is not physically possible in other than a front yard location. There are instances, for example, where secondary lane access is not available to residential properties. Also, side yards may not be of sufficient width to permit driveway access to the side or rear of a dwelling, particularly in older sections of the municipality where houses are situated on narrow lots. It is also considered desirable that the amount of front yard space devoted to parking should be limited in order to prevent large expanses of asphalt in such areas.

**D. RECOMMENDATION**

It is recommended:

THAT the Council approve in principle and forward to a Public Hearing the addition of the following sub-clause to Clause (1) of Section 800.6 (Location and Siting of Parking Facilities - Front Yard Parking Exceptions) of the Burnaby Zoning By-law:

- (b) "On a lot in an R District where secondary lane or street access is not available and the width of the side yard is less than 8½ feet, a parking space may be developed within the required front yard to accommodate one automobile for each dwelling unit on the lot provided, however, that no parking space shall exceed an area of 200 square feet, nor be located closer than 4 feet to any property line. This regulation shall apply only to those lots which were developed prior to June 7, 1965."

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

3. Proposed Development of Municipal Land  
Subdivision Reference #178/74

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

" BACKGROUND

The subject lands are owned by the Corporation, but to date have not been developed as the requisite services have not been available. These services are now available at the eastern boundary of the subdivision as a result of the recent development of the adjacent private subdivision (see attached Sketch #2).

EXISTING SITUATION

It is possible, therefore, to now develop the Municipal lands.

The Engineering Department has estimated the cost of providing roads, storm and sanitary sewers, watermains, ornamental street lighting and underground wiring at approximately \$1.5,000. Based on this estimate, \$148,000 was included in the C.I.P. budget for servicing this subdivision. We have subsequently been advised by the Engineering Department that an existing watermain encroaches onto the subject site. They have estimated the relocation cost to be \$6,000. The anticipated servicing costs are, therefore, \$154,000.

The Land Agent has projected the market value of the fully serviced lots to be \$900,000.

The Land Agent has expressed reservations about the desirability of placing these lots on the market at the present time due to the slow market acceptance of the adjacent private lots. We are of the opinion, therefore, that we should initiate the design of the requisite services to a point whereby tenders could be called, but reserve decision on the timing of the tender call.

An existing B.C. Hydro and B.C. Telephone Co. easement was registered against the property (see attached Sketch #1) to protect a pole line which has now been relocated to the Broadway road allowance. B.C. Hydro and B.C. Telephone Co. have agreed to release this right-of-way.

Inasmuch as Burnaby will be creating 23 additional lots, the Planning Department is of the opinion that the requisite parkland acquisition levy of \$11,983 should be deposited towards acquisitions in neighbourhood planning area 11."

It was recommended by the Municipal Manager that:

1. Council authorize the design of the requisite services for Subdivision Reference #178/74 to a point whereby tenders could be called, at which time a further report is to be submitted to Council on the desirability of calling tenders and selling the lots; and
2. Council authorize the deposit of \$11,983. as a parkland acquisition levy in Neighbourhood Planning Area 11.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

4. 1976 Local Improvement Program  
(Certificate of Sufficiency, May 3, 1976)

The Municipal Manager reported as follows:

"The following report from the Municipal Engineer contains the information that Council requested on three items that were included in the Certificate of Sufficiency that appeared on the agenda for the May 3, 1976 meeting of Council.

Relevant background information on the items in question as extracted from the Certificate of Sufficiency is attached.

Upon further reflection of the information contained in the Certificate, the Municipal Manager is of the opinion that Project 76-015 should be deleted from the program because the majority of the affected property owners expressed a desire to have the project defeated. The circumstances suggest that this criterion should be used as the critical measurement in determining whether or not to abandon the project, notwithstanding the fact that the majority of persons objecting represent less than one-half of the total value of the parcels that are liable to be specially charged.

The Municipal Manager also recommends that Project 76-002 be abandoned because objections have been received from one of the two owners, and the work as proposed is not essential to the overall project, although the Manager agrees with the Engineer that from a public works point of view, it is still a desirable project. The risk we take in dropping the project, is that the one owner who did not sign the petition may really want the work, but with a one on one situation, it does not appear to be a project that we should "go to the mat" on."

It was recommended by the Municipal Manager that:

1. Local Improvement projects 76-015 and 76-002 not proceed; and
2. Authority be given to have Local Improvement project 76-021 proceed as proposed.

MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN RANDALL:

"THAT Local Improvement project 76-015 not proceed."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT:  
SECONDED BY ALDERMAN McLEAN:

"THAT Local Improvement project 76-002 not proceed."

CARRIED  
OPPOSED: Alderman Lawson

MOVED BY ALDERMAN LAWSON:  
SECONDED BY ALDERMAN McLEAN:

"THAT authority be given to have Local Improvement project 76-021 proceed as proposed."

CARRIED UNANIMOUSLY

5. Completion of Halifax Street abutting Municipal Property - Halifax/Phillips - Rezoning Reference #5/76

The Municipal Manager provided the following report of the

following report of the Director of Planning:

"The subject residential rezoning proposal (RZ #5/76) was submitted to a Public Hearing on April 21, 1976 and given First and Second Reading of the Rezoning Bylaw on April 26, 1976. As outlined in the report to Council, the applicant is responsible for the upgrading of Halifax Street to the full standard for the length of the project frontage (290'±), the construction of the designated cul-de-sac to the full standard east to Phillips Avenue, and the construction of Phillips Avenue from Halifax Street north to the new cul-de-sac to the designated interim standard (see attached sketch).

A 240 foot± length of Halifax Street will remain uncompleted on the north side between Phillips Avenue and the subject site under rezoning. This uncompleted length of Halifax abuts developable property owned by the Municipality and therefore, would be the responsibility of the Municipality to complete. This is in our opinion an opportune occasion to complete in an efficient manner this portion of Halifax Street in conjunction with road work to be pursued by the rezoning applicant. The Municipal Engineer supports this operational procedure. The Municipal Engineer has informed us that approximately \$5,500 "in trust" is on deposit by a previous developer to be made available towards the upgrading of Halifax Street abutting the Municipal property. The estimate of the cost to upgrade this portion of Halifax Street is \$17,000. The estimated expenditure required by the municipality would be approximately \$11,500 (\$17,000 minus \$5,500) subject to further detailed tendered prices."

It was recommended by the Municipal Manager that Council approve the completion by the Municipality of the north side of Halifax Street abutting Municipally-owned property (240'±) and authorize the Engineering Department to pursue the operational procedures to complete the work.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

6. a) Letter dated April 28, 1976 from J.M. Doane
  - b) Letter dated May 5, 1976 from W.M. Dodds and K.R. Brown
  - c) Letter dated May 5, 1976 from Operators of Businesses in the Parkcrest Plaza Area
  - d) Letter dated May 6, 1976 from Mrs. H.S. Rogers
  - e) Letter dated May 5, 1976 from Robt. C. Harris
- Neighbourhood Public House Application #7/74  
5901 East Broadway/ Parkcrest Plaza

This subject matter was considered previously under Item 3, Delegations.

7. Policy regarding Recognition Dinners

The Municipal Manager reported as follows:

"On January 19, 1976, the following motion was adopted by Council:

"That a policy be established whereby in addition to the Annual Municipal Appreciation Dinner and the Parks and Recreation Recognition Night, the Council authorize all Committees within the jurisdiction of Council on which volunteers serve, to hold an additional dinner, if they so request."

The purpose of this report is to obtain a clarification of Council's intentions in regard to this motion, and also to obtain Council's ratification on a special dinner that was recently held by the Parks and Recreation Commission.

**A. Clarification of the Motion**

The reference to "all Committees within the jurisdiction of Council on which volunteers serve" is somewhat restrictive in that it does not clearly include Boards such as the Burnaby Public Library Board and organizations that are officially referred to as a Commission, such as the Advisory Planning Commission. Also, it would be helpful for administrative purposes if the motion was specifically worded to have requests for additional dinners referred directly to Council for consideration. If these two clarifications were incorporated into a motion, the rewording could be as follows:

"That a policy be established whereby in addition to the Annual Municipal Appreciation Dinner and the Annual Parks and Recreation Commission Recognition Night, all Committees, Boards and Commissions within the jurisdiction of Council on which volunteers serve, plus Board of Variance which is not within the jurisdiction of Council, may hold an annual dinner if they firstly so request of Council and the Council concurs."

**B. Special Dinner Held by the Parks and Recreation Commission**

The Parks and Recreation Commission held a special dinner on April 10, 1976. This was not the traditional event that is sponsored to recognize the efforts of the citizens and service organizations that is included in the motion passed by Council in January, but a special event which is held each year as an expression of appreciation for retiring Commissioners. Staff unfortunately misinterpreted the motion passed in January by assuming that authorization for this particular event was included in the motion, and that a separate request for this specific dinner was therefore not required.

The special annual dinner cost approximately \$600.00. Funds for this amount are included in the 1976 Annual Budget.

Unless Council specifically directs to the contrary, the Parks and Recreation Commission will by the wording of the present motion be requested to annually request authority from Council for the holding of a special dinner to honor retiring Commissioners, notwithstanding the inclusion of funds in the Parks and Recreation Budget for this purpose."

It was recommended by the Municipal Manager that (with the wording within the quotes being added by the Council):

1. The Motion made by Council on January 19, 1976 be amended to provide clarification on the matters that are outlined in this report: the Motion to now read as follows:

"That a policy be established whereby in addition to the Annual Municipal Appreciation Dinner and the Annual Parks and Recreation Commission Recognition Night, all Committees, Boards and Commissions within the jurisdiction of Council on which volunteers serve, plus the Board of Variance which is not within the jurisdiction of Council, may hold an annual dinner if they firstly so request of Council and the Council concurs. The Parks and Recreation Commission and the Burnaby Public Library Board will include those functions of a similar nature within their Budgets and if their Budget is approved by Council no further

May 10, 1976

request of Council is required."; and

2. Council ratify the Special Dinner that was held on April 10, 1976 by the Parks and Recreation Commission to recognize the contributions of two retiring Commissioners.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

8. Letter dated April 29, 1976 from The City of Vancouver, 453 W. 12th Ave., Vancouver  
Enclosure of Still Creek

This subject matter was considered previously under Item 5(c), Correspondence and Petitions.

9. Restrictive Covenant for Subdivision Reference #15/76

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

"The subject property is located on the west side of Sperling Avenue between Kitchener Street and Winch Street, as shown on the attached sketch.

#### BACKGROUND

Tentative Subdivision Approval of the subject property was granted on March 2, 1976 with the stipulation that a covenant be registered against the proposed Lot 1 to ensure that vehicular access will not be taken from the Grant Street right-of-way.

That portion of the Grant Street right-of-way which abuts Lot 1 has been developed with a 5 foot concrete walkway from the Grant Street cul-de-sac through to Sperling Avenue.

#### EXISTING SITUATION

The developer has proceeded with completing the requirements necessary to obtain final subdivision approval, and it is now in order to prepare and execute the covenant document."

It was recommended by the Municipal Manager that Council authorize the preparation and execution of a Restrictive Covenant pursuant to Section 24A of the Land Registry Act as more particularly described in the Approving Officer's Report.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

10. Letter dated April 28, 1976 from Margaret F. Mathieson and Phyllis A. Hocken which Council received on May 3, 1976

The Municipal Manager reported as follows:

"On May 3, 1976, Council received the attached correspondence and directed that the 'Municipal Manager determine whether the assurance in the last paragraph came from a member of staff and advise Council accordingly'.

Phyllis A. Hocken, one of the correspondents, on May 5, 1976 was asked over the telephone who it was that assured her that Boundary Road would not become a heavily travelled route. She replied that the responsible party was 'our real estate agent, who was a friend of ours, I'm sure he wouldn't have given us the wrong information'."

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

11. R.C.M.P. Cost Sharing Formula  
(Item 18, Report No. 25, April 20, 1976)

The Municipal Manager reported as follows:

"On April 20, 1976, Council received several items of correspondence, including a letter from Mr. Warren Allmand, Solicitor-General of Canada, relative to the R.C.M.P. Cost Sharing Formula. Council on this occasion resolved 'That the Council of the Corporation of the District of Burnaby go on record as being opposed to any change in the Royal Canadian Mounted Police Cost Sharing Formula'.

The Municipal Manager wrote to Mr. Allmand on March 4, 1976. A reply dated March 11, 1976 from Mr. Allmand's Special Assistant advised that 'you can expect an answer in due course'. Attached is the answer that was received by the Manager this week."

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

12. Information on Retirement of Mr. Leonard Bosmans

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

"Mr. Bosmans will be retiring from employment with the Corporation on June 30, 1976 after almost 22 years of service.

He commenced employment with Burnaby on July 22, 1954 as a Labourer, became a Labourer 2 on January 1, 1962 and a Labourer 3 on January 1, 1974, the position he has held since that time.

Arrangements for the presentation of the gift from the Corporation by the Mayor have been made for June 2, 1976 at the Burnaby Lake Pavilion."

It was recommended that a letter of appreciation from Council be presented to Mr. Bosmans for his many years of loyal and dedicated service to the Municipality.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

13. Human Resources Report

The Municipal Manager provided a report from the Human Resources Administrator on disbursements and caseloads for select months in 1976 as compared to the same months in 1975, being January, February and March.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

14. Medical Health Quarterly Report

The Municipal Manager provided a report of the Medical Health Officer covering the activities of his Department for the months of January, February and March, 1976.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

15. Building Department Report

The Municipal Manager provided a report of the Chief Building Inspector covering the operations of his Department from March 23, 1976 to April 23, 1976.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

16. Letter from The Burnaby South Information Centre that appeared on the Agenda for the May 3, 1976 Meeting of Council - #49 Bus Service

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



Prior to the time the #49 service was put into effect, a great deal of research was carried out by B.C. Hydro & Power Authority's Transit Planning Section as to where to establish the terminal point of this service near the Nelson Avenue - Kingsway area. As this terminal point would also serve as a rest stop for the operators of the buses, suitable arrangements with private concerns had to be made with respect to the use of washroom facilities. Another major concern was to find a suitable location to park the buses where they would not interfere with traffic flow during the fifteen to twenty minute lay over.

The suggested terminal loop in Mr. Walker's letter via Kingsway, McKercher Avenue, Hazel Street, Sussex Avenue and to stop on Kingsway in front of the existing bus shelter was considered; however, suitable facilities for the bus operators could not be obtained at that time and the parked buses on Kingsway would have a severe detrimental effect on traffic flow during the rush hour periods as the parking lane is used as a travel lane during those times. (7:00 A.M. - 9:00 A.M. and 4:00 P.M. to 6:00 P.M.)

The present terminal loop was established due to the fact that one of the restaurants in the area provided facilities for the operators and a suitable bus parking zone could be established on Marlborough Avenue.

We have contacted the B.C. Hydro & Power Authority's Transit Planning Section and discussed this request for rerouting of the #49 service. They are prepared to reconsider this alternate loop; however, it is only practical from our point of view if bus bays are provided on Kingsway near the existing shelter.

B. C. Hydro's Transit Planning Section will be advising us of their decision on this request in the near future and we will submit a further report."

It was recommended by the Municipal Manager that a copy of this report be sent to Mr. Graham Walker, Co-ordinator, Burnaby South Information Centre.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

17. Roofing Materials for Townhouse Development  
Comprehensive Development Proposal  
Rezoning Reference #31/75

The Municipal Manager provided a report of the Director of Planning which included the following summary:

"The result of the examination of cedar roofing and asphalt shingle roofing is that the one material is not conclusively superior to the other and that each of the materials - both cedar and asphalt shingle have strong industry and professional advocates. On the basis of their appropriateness within the context of municipal environmental goals it is the opinion of the Planning Department that there are many benefits to the use of cedar roofing. It is stressed that asphalt shingle roofing evaluated as a building product is an acceptable roofing material and there are situations in the municipality which are suitable for their use. However, the Planning Department would recommend that the appropriate exterior materials including roofing of residential developments should be determined in relation to the overall analysis and evaluation by Council and the municipal staff of a specific rezoning proposal, and to the overall municipal goals, policies, and reports and studies as adopted by Council. The Public Hearing staff report for each rezoning proposal and the project drawings and perspectives are the documents which enable Council and the public to evaluate the quality of a specific residential proposal. The Public Hearing remains an appropriate forum for the discussion of a given proposal by any interested parties including the rezoning applicant.

5.0 REZONING #31/75 (see attached sketch)

The subject 44-unit townhouse development is adjacent to the Loughheed Highway east of Ellerslie Avenue. Due to its frontage on a busy highway, a substantial natural treed buffer zone has been retained between the highway and the residential units. The architectural massing is relatively simple and relies on careful detailing and the quality of exterior materials to fully succeed as a pleasing integrated development. At present, the exterior walls are cedar siding with cedar shingle roofing. To reduce the texture and natural quality of the roofing material by the deletion of the use of cedar roofing

would in our opinion tend to make the appearance of the project somewhat bare.

Within the context of other developments in this area, there are three rezoned developments to the west of the subject project towards Sperling. The 31-unit townhouse development just east of Sperling Avenue is clad in cedar shingles and has been constructed for some time. The 14-unit townhouse development further to the east has been rezoned and cedar siding and cedar shingle roofing has been indicated (RZ #77/73). The 40-unit townhouse development (RZ #35/71) beside RZ #77/73 is now under construction and has cedar siding and cedar shingle roofing. To the east of the subject project there is one undeveloped site suitable for townhousing and next to this site adjacent to Bainbridge Avenue is a 25-unit townhouse development (RZ #60/75) which is proceeding towards Third Reading of the rezoning bylaw and has cedar siding and cedar shingle roofing. Therefore, the proposed townhouse development area between Sperling Avenue and Bainbridge Avenue north of the Loughheed Highway is now well advanced towards its final completion state. An appropriate consistency in the way of setbacks, buffer zones and screens, low profile building massing, and use of natural exterior materials (cedar siding and cedar shingle roofing) has been maintained in the developments in this area. The conclusion is that the cedar roofing for the subject rezoning should be confirmed as outlined in the Public Hearing report for the subject rezoning proposal."

It was recommended by the Municipal Manager that the provision of cedar shingle roofing for the subject rezoning proposal (RZ #31/75) as outlined in the Public Hearing report of February 9, 1976 submitted to Council be reconfirmed.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT the subject matter be referred to the Municipal Manager for a report from the Chief Building Inspector."

CARRIED

OPPOSED: Aldermen Drummond, Gunn and Randall

18. Fire Department Quarterly Report

The Municipal Manager provided a report of the Fire Chief covering the activities of his Department for the months of January, February and March, 1976.

MOVED BY ALDERMAN EMMOTT:  
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

19. Western Canada Turfgrass Association

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

" A turfgrass field day is being held on Wednesday, May 12, 1976, at the Experimental Station in Puyallup, Washington, U.S.A. The purpose of the field day is to view the many turf trial plots and be advised of the success of these trials. The information received will be invaluable for the Parks staff working directly with the use and culture of turf.

The field day was late in coming to the attention of staff and we have, therefore, polled the Parks and Recreation Commissioners by telephone. Approval has been given for Mr. Walter Spelay, Superintendent-Parks Grounds, and Mr. Steve Delawski, Superintendent-Golf Courses, to attend this field day.

The following are the costs involved:

Transportation by Bus .....	2 x \$10.00 =	\$20.00
Meals .....	2 x \$15.00 =	<u>30.00</u>
Total .....		<u>\$50.00</u>

Costs would be charged to the Municipal Training Budget."

It was recommended by the Municipal Manager that Council approve the request to have Messrs. Spelay and Delawski attend the Western Canada Turfgrass Association's field day in Puyallup, Washington, on May 12, 1976 with the total cost of \$50.00 being charged to the Municipal Training Budget.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

"THAT the recommendation be amended to add 'That the Municipal Manager be given the authority to increase the total cost if deemed necessary for overnight accommodation'."

CARRIED UNANIMOUSLY

The original Motion as amended, was then voted on and CARRIED UNANIMOUSLY

20. Refuse Service to Strata Title Properties

The Municipal Manager reported as follows:

"On May 3, 1976, Council, in connection with a report on the collection of containerized refuse from strata title properties, tabled the following three recommendations:

- "1. THAT Council approve the calling of tenders for two front end loading container trucks as will be detailed in the Municipal Engineer's specifications; and
2. THAT Council approve the calling of tenders for refuse containers as soon as drawings and specifications are completed; and

3. THAT reimbursement to strata title owners be continued at the present rate in the amount of \$32.53 per unit per year until such time that the municipality is in a position to commence the pick-up of containerized refuse."

The recommendations were tabled "until such time that a letter of understanding in reference to flexible hours as between the Canadian Union of Public Employees and staff is received."

The tabling motion of Council was considered at a meeting of the Burnaby Joint Refuse Committee on May 5, 1976. Resulting from the meeting was a Memorandum of Agreement which is attached.

Union representatives on the Committee have signed the Memorandum. It will now be necessary for the Memorandum to be placed before the Outside Division of Local 23 for consideration. The Union Representatives will recommend acceptance to the members of the Outside Division at a meeting on Wednesday, May 12, 1976.

The proposed Memorandum of Agreement does not make reference to the manner in which compensation would be paid for any work that would be required to be done on public holidays because this is covered in the Collective Bargaining Agreement, e.g., if an employee is required to work on a public holiday, he is paid regular pay for the public holiday plus double the regular rates of pay for the hours worked; if an employee whose duties normally require him to work on public holidays is required to work on any public holiday which falls on any day Monday to Friday inclusive, he is paid his regular pay for the holiday and in addition thereto he shall be given compensating time off equivalent to one and one-half times the number of hours worked on the holiday, (section 10.2 of the 1975/76 Agreement with the Outside Workers' Division, Local 23). As there is existing authority with respect to compensation for work performed on a public holiday, and because it was felt that employees who are assigned to pick-up containerized refuse should in this respect be treated no differently than any other employee on the Corporation's payroll, it was the belief of the Committee that there was therefore no need to make reference to work performed on public holidays in the Memorandum of Agreement.

With respect to the extension of payments per unit per year to Strata Title Councils until such time that the Municipality is able to provide containerized refuse service, we have just been advised of some changes in some rates charged by contractors to some strata title units and it is therefore the opinion of the Municipal Manager and the Engineer that this particular matter should remain tabled so that a re-examination can be made of the existing rate of \$32.53. We hope to submit a report on this specific matter next week."

It was recommended that:

1. Item 15, Report No. 29, May 3, 1976 be lifted from the table;
2. Council approve the Memorandum of Agreement as outlined in this report;
3. Council authorize the Memorandum of Agreement to become an amendment to the present Union Agreement, subject to ratification by the Union membership;
4. Council approve the calling of tenders for two front end loading container trucks as will be detailed in the Municipal Engineer's specifications;
5. Council approve the calling of tenders for refuse containers as soon as drawings and specifications are completed; and

6. The recommendation to continue reimbursement to strata title owners at the present rate in the amount of \$32.53 per unit per year until such time that the Municipality is in a position to commence the pickup of containerized refuse be retabled pending submission of a further report on this matter.

MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN RANDALL:

"THAT recommendations numbered 1 through 5 be adopted."

- Recommendation No. 1 CARRIED  
OPPOSED: Alderman Stusiak
- Recommendation No. 2 CARRIED  
OPPOSED: Alderman Stusiak
- Recommendation No. 3 CARRIED  
OPPOSED: Alderman Stusiak
- Recommendation No. 4 CARRIED  
OPPOSED: Aldermen Lawson and Stusiak
- Recommendation No. 5 CARRIED  
OPPOSED: Aldermen Lawson and Stusiak

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN LAWSON:

"THAT recommendation number 6 be retabled pending submission of a further report on this matter."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN EMMOTT:

"THAT a monthly rate of performance be submitted on refuse service to strata title properties."

CARRIED UNANIMOUSLY

21. Operation of off-street motor vehicles

- a) Letter dated April 24, 1976 from Hastings Motorcycles Ltd.
- b) Letter dated April 25, 1976 from Mrs. David Dollman
- c) Letter dated April 27, 1976 from Mr. H. Adolph

This subject matter was considered previously under Item 3(e) - Delegations.

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

May 10, 1976

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY