

SEPTEMBER 13, 1976

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Monday, September 13, 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. K.K. Ito, Planning Department
Mr. J.S. Belhouse, Planning Department
Mr. J. Plesha, Administrative Assistant to Manager
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 September 7, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the Minutes of the Council Meeting held on September 7, 1976 be now adopted."

Aldermen Lawson and Stusiak advised that they had voted in opposition to the second resolution as contained on Page 14 of the Council Minutes. It was requested the subject resolution be recorded at this time.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN GUNN:

"THAT in future hiring of Department Heads that Council interview the final candidates for that particular position."

CARRIED

OPPOSED: Aldermen Lawson and Stusiak

A vote was then taken on the Motion as moved by Alderman Ast and seconded by Alderman Randall and CARRIED UNANIMOUSLY.

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Mrs. Elsie Walls re: Protest regarding the use of Edmonds Street as a Truck Route
- (b) Sign Manufacturers, Fraser Wilson re: opposition to Sign By-laws 6163 and 6472

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

(a) Mrs. Elsie Walls

Mrs. Walls spoke to the following brief:

"Your Honour, Council Members, In drawing up this petition which includes 100% of the homeowners on Edmonds Street from 19th Street to 16th Street plus 2 homes directly involved on 18th Street, I have talked to each and every person that signed their name. They are unanimous in claiming broken sleep, noise aggravation, exhaust fumes, etc., and more than one home-owner, including myself, has noticed driveways and sidewalks, which were in perfect condition for years, have gradually developed cracks since the vibration of these monster trucks has entered the scene. My own windows vibrate and ornaments shudder - even I shudder - whenever one of these lumbering semi-trailers pass.

The residents on the lower side of Edmonds have realized, and reluctantly accepted, the fact that we will have a multiple zone across the street because it is evident that Council has not, and will not, consider us.

In the past 8 to 10 years, we have voiced our opinion more than once to Council, voted against the 1975 money By-law that included Edmonds Street 'Highway' from the proposed new Marine Way to the 401; petitioned against the widening and curbing of Edmonds for the use of commercial traffic; and, just plain petitioned against the truck route 3 or 4 years ago. We have obviously been ignored. We have been sympathetically 'patted' on the back by Council and told: 'You can't stop progress!'

Well, when 'progress' threatens our health, devalues our properties and denies us the right to be content in our own homes, we will fight 'progress'. This particular 'progress' is only beneficial to the large trucking companies, the industries and the rest of Burnaby - not to us!

We are outraged that the City to whom we've paid our taxes and trusted to look after our rights as Burnaby Citizens, have gradually and insidiously invaded our residential rights by allowing our street to become a truck route.

I, personally, have empathy with the wild animals in our country who are being pushed back farther and farther into the wilderness to make room for 'progress' and the advancing human race.

But, there is a difference! The animals are now being protected. The Government has stepped in by putting in boundary lines and have stopped the advance against the animals.

Are we not to be considered? - as human beings - not animals - when we are having our property invaded? By what right, or authority, does our Planning Department or Council have, that they can just say - 'We'll make this street a truck route' and do it - without any consultation with the home-owners directly involved.

Your Honour, Council Members, I am sure you are familiar with the Canadian Bill of Rights, but I must repeat it now to refresh your memories:

Part 1

Item 1: It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms; namely,

Article A - The right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law.

Item 2: Every law of Canada shall, unless it is expressly declared by an Act of the Parliament of Canada that it shall operate notwithstanding the Canadian Bill of Rights, be so construed and applied as not to abrogate (annul), abridge (curtail), or infringe (violate), or to authorize the abrogation, or abridgement or infringement of any of the rights or freedoms herein

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recognized and declared and, in particular, no law of Canada shall be so construed or applied so as to:

Article B - Impose or authorize the imposition of cruel and unusual treatment or punishment.

This Council Members is why we are fighting against commercial traffic on our street.

We are pleading for our rights as tax-paying citizens of our Municipality. We are pleading for our rights as Canadian Citizens:

We are asking that you consult with us about this invasion of our rights to enjoy our property, not place it before the rest of the Municipality (as you did in the last civic election) because, other than objecting to increased taxes, I'm sure they, the other citizens of Burnaby, couldn't care less whether this small minority section is miserable, as long as their privacy and tranquility is not disturbed.

I am sure, Council Members - those of you who live on nice residential streets - that if you were faced with having your street changed to a truck route - you would object as vehemently as us.

Can you, Council members, come home from a 'hard day at the office' or wherever your work may be, and find peace and quiet to relax you in the sanctity of your property?? - we can't!

Can you open your front door or windows for a refreshing breeze of clean air and still enjoy a quiet conversation, or T.V. or mellow stereo music?? - we can't!

Can you, and the majority of Burnaby citizens, including other R5 residents, enjoy your back garden, perhaps a pleasant conversation with your neighbours over your back fence, or be able to enjoy the peaceful atmosphere of your gardens?? - we can't!

We have to keep our doors and windows closed and, even then, have to turn up the volume of our T.V. or stereos, and, if we try to converse within our own living rooms, we have to raise our voices every few minutes to be heard over the noise of the truck traffic. And, if a thru-way is constructed, it will be worse!

The lower side of Edmonds is included in the 'NIP' program. We have 16 houses that are older than 30 years and 12 of these are in the 50 to 70 year range. Some of these need major repairs but most residents have, so far, kept up appearances on these homes. Regardless, these homes are not built to withstand the onslaught of commercial traffic. Any money spent on improvements while the threat of a highway is imminent is money thrown away.

We realize that Council is faced with a formidable and gigantic task to provide a much needed thru-way for commercial traffic and we sympathize with you but, sympathy won't help us!

You have set up multiple zoning on one side of the street - thereby devaluing the property on the lower side by leaving it in an R5 zone.

Now, to add 'insult to injury', you approved, in 1975, a highway to pass by our front doors. This devalues the R5 properties even more. You have not offered us any compensation for this invasion of our rights and have already broken our own By-laws by allowing commercial traffic on an R5 District street.

I have talked to Mr. Scott of our Planning Department. He suggested that we come up with an alternative route. I must be honest, and agree that a thru-way on Edmonds Street does appear to be the only logical answer to a cross-city route.

Alternative?? We cannot supply an alternative except to say that the boundaries of Burnaby are the streets that should be used as cross-city routes - or, that Gilley Avenue, or Griffiths Avenue be the streets to get commercial

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traffic to Kingsway, because they are zoned commercial from Rumble to Kingsway.

We know that a cross-city thru-way using Edmonds Street would get the Gilley Avenue slope residents; the Stride Avenue slope residents; and the 10th/New Westminster trouble-spot off your backs. But, why should we be made the 'goats'?

Surely, in all good conscience, you cannot sit there and 'lower the boom' on us, few that we may be in all of Burnaby, when there could be a solution found to correct our abuse.

We feel that if Burnaby wants our street desperately then it should be willing to consult with us, so that we can come to a fair and equitable agreement. Perhaps offer to relocate us to Burnaby owned property and purchase our houses, which could be offered as low rentals. Burnaby would not lose - they would gain. Perhaps Council would consider proposing to rezone the lower side of Edmonds to Multiple. If the upper side can stand condominiums on a highway, so could the lower side.

To sell now and relocate within a comparable area is to go into debt. Why should we not think of our pocketbook in these inflationary times? Even the Municipality of Burnaby, run by our learned Council, is profiting by inflating the prices on land. For the average wage-earner the prices for land in Burnaby are prohibitive.

Please don't tell me that Burnaby does not have the money, or cannot get it, to compensate us. We are, at this very moment, in a 'plush' and beautiful City Hall that we helped pay for. I don't know the exact figure, but it must be tremendous, for the renovations and landscaping alone. When Burnaby needed this money, they got it.

In closing, we beg of you to settle this matter once and for all. Don't leave us hanging in 'mid-air'. Arrange a Committee to meet with us so that we may be treated fairly, as good tax-paying Canadians ought to be.

Or - get the trucks off our street!

And, may I add, that it would not be advisable to meet in any of our homes because we would not want a Committee to have to strain their voices!"

The Municipal Manager advised that a staff report would be available at the September 20, 1976 Meeting of Council.

(b) Sign Manufacturers - Fraser Wilson

Mr. Fraser Wilson appeared before Council and spoke to the following brief:

"Your Worship and Members of Council. I appear here on behalf of six sign companies licenced in the Municipality of Burnaby.

We wish to protest most vigorously the wording, intent and penalties contained in By-law 6163 and as amended in By-law 6472.

We draw attention to the following excerpts from these By-laws and make comment upon same.

Section 2 - Definitions

'SIGN - means any structure, device, advertisement, advertising device or visual representation intended to advertise, identify or communicate information or attract the attention of the public for any purpose and without limiting the generality of the foregoing includes any symbols, letters, figures, illustrations or painted forms.'

Following this all encompassing definition are nineteen sub titles each proclaiming the type of sign; i.e., roof sign, fascia sign, temporary sign, etc. which are included in these By-laws.

We wish to point out that whereas the foregoing definitions are thus

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simplified there exists a number of specific rules which in themselves are arbitrary, vague, and downright ridiculous.

An example of the arbitrary ruling is contained in Schedule 1 - all districts.

Section II which states, in brief:

'Temporary on-site signs advertising the sale, lease or rental of the lot or premises shall not exceed the ratio of one square foot of sign area for each One Thousand Square Feet of lot area, but need not be less than Six square feet or exceed Thirty-five Square Feet fronting each street.'

It would be interesting to count the hundreds of signs in this Municipality which do not comply with these specifications and which have been erected since the passing of each By-law.

Section 13 limiting the area of on-site signs governing construction or demolition projects is decisive, if arbitrary but the time element for the use of same is certainly vague, i.e., high rise signs contravening this By-law and in use for a year or more.

Section 7 of this series surely 'Takes the Cake' for utter stupidity.

This section permits, quote 'Window signs which do not exceed Twenty percent of the window area' unquote.

Taking note of the foregoing definitions and regulations we come to the area of administration and enforcement. Section 6.

6 - 2 states and I quote.

'Every person shall, before erecting, placing, rebuilding, reconstructing, altering or moving any sign obtain all necessary permits and approvals as required by the Burnaby Building By-law and Burnaby Zoning By-law.

Every application shall be accompanied by

- (a) Plan or plans drawn to scale;
- (b) The dimensions, makers name and weight of sign and where applicable, the dimensions of the wall surface of the building to which it is attached.'

Other sundry specifications include a current photograph of the face of the building to which the sign is to be attached.

Therefore, I submit, that to stay within the law a merchant wishing to cover his window for a special sale would have to submit to the Building Department of Burnaby a photograph of his store, a scale drawing of the signs he wished to display, combined with the weight of the paper and the makers name.

Ridiculous? Of course but -- that is the law! If these specifications are not valid why were they enacted?

And since these By-laws are now in effect there are also specific penalties for infraction which could be used in a discriminatory manner by a Bureaucrat.

We, therefore, as sign manufacturers in this Municipality believe these By-laws to be unfair, unjust, and far too restrictive.

To the best of our knowledge no notice was ever published or given to either the licenced sign manufacturers, merchants or public that such By-laws existed.

Although as manufacturers we do not, or are not compelled to seek permits for our products it stands to reason that full compliance with these By-laws

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would constitute a considerable amount of time and cost both on the part of the buyer and members of the municipal staff.

As an example of what we consider useless and ludicrous restrictions is that before ordering any sign even a For Sale sign the customer must pay for - not only the cost of the sign itself but the cost of the producer to make a scale drawing of said sign.

After having had to pay, possibly, double the original selling price of the sign he still has to seek approval of Municipal Hall.

How long do you suppose we would stay in business if the purchaser abided by the law?

To sum up, Your Worship and Aldermen, we acknowledge that in the interest of public safety asthetic considerations environmental and area control a comprehensive sign By-law must be in force but it must also be sensible and capable of enforcement.

We do however, humbly submit that such an equitable By-law can only be of real value if consultation on its content be made with sign manufacturers, sign erectors, representative merchants or property owners coming together with this Municipal Council.

We also deem it essential that the public be informed so that needless time, energy and resources not be dissipated in ambiguous, ridiculous and stupid legislation."

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"THAT Mayor Constable strike a Council Committee to meet with the affected people with the objective of reviewing the Sign By-laws and making recommendations therefrom."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN STUSIAK:

"THAT

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 60, 1975'

- #6797

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 53, 1975'

- #6751

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

CARRIED

OPPOSED: Aldermen Lawson and Randall -
By-law #6797

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. 57, 1976 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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(a) British Columbia Hydro and Power Authority
re: Forty-First Bus Service.

A letter under date of September 2, 1976 was received indicating that effective Friday, October 29, 1976 B.C. Hydro proposes to extend Forty-First Bus service eastward from Joyce Loop via Kingsway to Marlborough and Kingsway in Burnaby. The extended service will be operated by Diesel Buses providing a continuous through service from Marlborough and Kingsway to U.B.C. The service will operate to Burnaby and U.B.C. every 15 minutes during the day and every 30 minutes at night Monday through Saturday. Service on Sundays and holidays will be every 30 minutes to U.B.C. There will be no Sunday or holiday service to Burnaby at this time.

The Municipal Manager provided a report from the Director of Planning indicating the proposed service revision has been discussed between B.C. Hydro officials and representatives of the Planning and Engineering Departments and are believed to represent an improved level of service to Burnaby residents.

It was recommended by the Municipal Manager that:

1. Council approve the proposed route extension of the Forty-First Avenue bus service from the Joyce Road Loop to the Marlborough/Bennett Loop subject to the condition that B.C. Hydro is made aware of the Municipality's desire to have eliminated one bus stop on the route as more specifically noted in the Engineer's report; and
2. A copy of this report be sent to V.L. Sharman of the B.C. Hydro and Power Authority.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(b) Mr. and Mrs. G.R. Lewis re Traffic Blockades in Community
Plan Area "D".

A letter under date of September 2, 1976 was received requesting that the blockades be taken away from Halifax, Woodway and Dellawn.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT Correspondence Items (b), (c), (d), (f) and (g) be tabled and further that copies of Item 3, Manager's Report No. 55, 1976, Council Meeting September 7, 1976 be forwarded to the correspondents."

CARRIED UNANIMOUSLY

The following additional correspondence was received in relation to the above noted subject:

- (c) Mr. Frank R. Dye, Suite 805, 2020 Bellwood Avenue, Burnaby, B.C.
- (d) Mr. C.J. Hummel, 1504 Crestlawn Drive, Burnaby, B.C.
- (f) Mrs. J. Smith, 1734 Delta Avenue, Burnaby, B.C.
- (g) W.C. Kaye, 1515 Crestlawn Drive, Burnaby, B.C.

The above noted correspondence was considered previously under Item 4(b) - Correspondence and Petitions.

- (e) Mrs. Ann Shackleton re Concerned over the idea of Royal Oak being turned into a Four Lane Traffic Road.

A letter under date of August 31, 1976 was received expressing concern

in having Royal Oak turned into a four lane traffic road.

The Municipal Manager advised that a staff report would be available at the September 20, 1976 Meeting of Council.

- (h) St. Michaels Independent School re Permission to sell Chocolate Bars in the area of 10th Avenue, West to Sperling, South to Kingsway and North to Barnet area on September 18th to 25th, 1976.

A letter under date of September 9, 1976 was received requesting permission to sell chocolate bars within the above noted area.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the request received from St. Michaels Independent School to sell chocolate bars within the area of 10th Avenue, West to Sperling, South to Kingsway and North to Barnet area on September 18th to 25th, 1976 be approved."

CARRIED UNANIMOUSLY

ENQUIRIES

On an enquiry of Alderman Lawson, Mayor Constable suggested that Council Members contact The Honourable Alex Fraser, Minister of Highways at the up-coming U.B.C.M. Convention to discuss the matter of the Grandview/Douglas/Boundary Road triangle.

On a question of Alderman McLean the Municipal Manager advised that the Planning Department would be reporting on the question of Provincial assistance that might be available on the question of land purchase in the triangle. Council could then arrange to have a meeting with the Minister of Highways on the subject matter.

REPORTS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(a) Grants and Publicity Committee

A report of the Grants and Publicity Committee under date of September 9, 1976 was received indicating the following recommendations:

- 1. Boys and Girls Club of Greater Vancouver - \$5,500.00

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED

OPPOSED: Alderman Stusiak

- 2. Vancouver Art Gallery - \$ 500.00

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

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3. Charlford House Society for Women

- \$2,000.00

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(b) Municipal Manager

The Municipal Manager presented Report No. 57, 1976 on the matters listed following as Items 1 to 16 either providing the information shown or recommending the courses of action indicated for the reasons given.

1. Status on Reports

- (a) Noise in Apartment Areas
- (b) Ban on Smoking

The Municipal Manager reported as follows:

- (a) "Council on September 7, 1976 enquired about the status of a study that has been requested on noise relative to apartment areas.

As of this date, discussions have taken place with a consulting engineer and a representative of the Vancouver City Planning Department. Current literature has also been studied, and a draft report has been prepared.

Every attempt will be made to have a report for Council on September 20. It may not be possible to make a submission until September 27, however, because of current absenteeism in the Planning Department due to illness. In any event, Council will receive a report on this matter in the month of September."

- (b) "Concerned organizations have made suggestions to Council and staff with respect to the manner in which the Municipality should enact a ban on smoking in public places. This information is now being evaluated. A report and a proposed By-law will be submitted to Council for consideration next week. Mr. A. MacDonald of the Burnaby Chamber of Commerce and Mr. Larry Wanjoff of the United Non-Smokers Society have been notified accordingly."

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

2. Rates for Non-Profit Societies in Burnaby.

The Municipal Manager provided a report from the Human Resources Administrator regarding new rates for non-profit societies that provide adult care in Burnaby.

It was recommended by the Municipal Manager that Council concur with the new rates as outlined in the Human Resources Administrator's report for the period April 1, 1976 to March 31, 1977.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

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3. Operation Identification Program

The Municipal Manager provided a progress report on the subject Program from the Officer in Charge, Burnaby Detachment, R.C.M.P.

It was recommended by the Municipal Manager that letters of appreciation be sent to Mr. Erwin Swangard, to the Burnaby Kingsway Rotary Club, the Officer in Charge, Burnaby Detachment, R.C.M.P. and to each of the other community organizations that have contributed to the success of this program.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

4. Tenders for Two Heavy Duty Tractor-Loader Backhoes

The Municipal Manager provided a report from the Purchasing Agent on tenders for the subject equipment. As noted in the Purchasing Agent's report there is a difference of only \$107.00 between the two lowest bids. In recommending that the second lowest bid be accepted, consideration was given to the fact that the tendering firm is located west of Boundary Road on Marine Drive, just a short distance from the Burnaby/Vancouver boundary. There is virtually no doubt that some warranty work will have to be done on the equipment, and that we would save more than \$107 by having the work done at a nearby location rather than in Langley, e.g. the lesser distance would reduce the time required for an operator to transport the equipment; downtime including disbursements for rental on equipment for replacement purposes would also be reduced proportionately.

It was recommended by the Municipal Manager that a contract be awarded to Walkem Machinery and Equipment Ltd. to supply two (2) Case Model 580C machines as specified for the sum of \$41,409.00 including all applicable taxes.

MOVED BY ALDERMAN AST:
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 pending receipt of a further report, particularly as it relates to warranty at the Burnaby yards."

CARRIED UNANIMOUSLY

5. Loan Authorization By-laws and Referendum - November 20, 1976

The Municipal Manager provided a report from the Municipal Treasurer including:

- (a) A projection of borrowings that are expected to take place over the next three years;
- (b) The effect of cost of servicing the debt;
- (c) For comparison purposes borrowings that have taken place in the current two previous years;
- (d) A projection for the years 1977 to 1980 with reference to a median property; and
- (e) Burnaby's per capita debt picture exclusive of debt created for the waterworks utility, 1976 to 1979 inclusive.

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It was recommended by the Municipal Manager that a copy of this report be sent to the Parks and Recreation Commission and the Library Board.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

6. Big Bend Development Plan / Northeast Sector -
Proposed detailed Development Plan

The Municipal Manager provided a report from the Director of Planning regarding the Big Bend development concept which included the following recommendations:

- (a) That Council adopt the development plan revisions for the study area as outlined in the foregoing report and illustrated in the community plan Sketch #4.
- (b) That Council approve in principle the road pattern for the area to include the cul-de-sac of Ninth Avenue and Thorne Avenue, as well as the realignment of Trapp Avenue, as illustrated in Sketch #4;
- (c) That Council adopt the conceptual plans for park development in this area to be implemented through the Parks Acquisition Program on a long range (third priority) basis;
- (d) That Council authorize the Planning Department to liaise with the Burnaby School Board to determine the relative merits and needs of relocating the Riverside School to more appropriately located Municipal lands in the neighbourhood;
- (e) That Council lift from the table Item #16, Manager's Report No. 46, July 5, 1976 regarding 6483 Trapp Avenue, Mrs. Charlotte Rozman, Rezoning Reference #15/75 - and reject the subject rezoning;
- (f) That Council, in the light of the foregoing development plan, reject the proposed hookup connection of Mrs. Rozman's property at 6483 Trapp Avenue to the New Westminster sanitary sewer system, as referenced in Item #16 Manager's Report No. 46 of July 5, 1976;
- (g) That a copy of this report be sent to Mrs. Charlotte Rozman.

It was recommended by the Municipal Manager that a copy of this report be sent to the Advisory Planning Commission and the Parks and Recreation Commission for study and comment.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the subject matter be tabled pending a further staff report including the acceptance of humanat toilets or other alternate methods of sewerage in the area."

CARRIED

OPPOSED: Alderman Gunn

7. Sale of Corporation Land - Lot 44, D.L. 69, Plan 50300
3975 Regent Street East of 3942 Myrtle Street

The Municipal Manager provided a report of the Land Agent wherein it was indicated an offer from Vanant Development Company in the

amount of \$157,000.00 with the Corporation to supply all service connections to the property. The site contains 1.180 acres and their offer indicates a rate of \$3.05 per square foot. The Engineering Department advise that the servicing requested in the applicant's letter is available. We feel the offer is reasonable but would recommend as follows:

- (a) Selling price to be \$157,000.00;
- (b) That, where required, all service connections to the property line, be paid for by the applicant;
- (c) That an easement be granted in favour of the Corporation of Burnaby as per attached sketch;
- (d) Submittal and acceptance of a suitable plan of development;
- (e) Additional services as estimated by the Engineer, to be installed at a cost of \$9,450.00 by the purchaser.

It was recommended by the Municipal Manager that the subject property be sold for \$157,000.00 subject to the conditions as outlined in the Land Agent's report.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the subject matter be tabled one week for a further staff report."

CARRIED

OPPOSED: Mayor Constable, Aldermen Lawson,
McLean and Stusiak

8. Still Creek Street - Smith Avenue to Myrtle Street Diversion

The Municipal Manager provided a report of the Municipal Engineer regarding a proposed improvement on the Still Creek road allowance.

It was recommended by the Municipal Manager that:

- (1) The work called for in Work Order No. 22-182 proceed as approved by Council; and
- (2) George W. Jackson Holdings Ltd. be provided with a copy of this report.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

9. Fraser River Foreshore Park Project
(Item 7, Report No. 55, September 7, 1976)

The Municipal Manager provided a report of the Parks & Recreation Administrator regarding the Fraser River Foreshore Park Project. A letter under date of September 9, 1976 received from the Burnaby Chamber of Commerce was received requesting that before any such action is taken industry be allowed the opportunity to supply input as to how the changes might affect the area.

It was recommended by the Municipal Manager that:

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- (1) Item 7, Report No. 55 dated September 7, 1976 be lifted from the table; and
- (2) The recommendation of the Parks and Recreation Commission and the Director of Planning (which are the same) be adopted.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT recommendation No. 1 be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN STUSIAK:

"THAT recommendation No. 2 be adopted as amended to read as follows:

'The recommendation of the Parks and Recreation Commission and the Director of Planning (which are the same) be adopted and that the Chamber of Commerce correspondence under date of September 9, 1976 be forwarded to both the Parks and Recreation Commission and the Director of Planning'."

CARRIED UNANIMOUSLY

10. Pedestrian Bridge across Kingsway to Central Park

The Municipal Manager provided a report from the Director of Planning regarding the construction of a pedestrian bridge across Kingsway to Central Park.

It was recommended by the Municipal Manager that a copy of this report be sent to Diane Matters, Vice President and spokesman for the Boundary Area Residents Association and the Honourable Jim Nielsen, Minister of Environment.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

11. Request for Approval to Issue P.P.A. #3787
4890 Marine Drive - D.L. 162, Lot 1 W 1/2, Ex. Plan 10480
and Ex. Plan 40589.

The Municipal Manager provided a report from the Director of Planning submitted in compliance with the policy to obtain Council's approval for all requests concerning proposed development in the Big Bend Area.

It was recommended by the Municipal Manager that the Planning Department be given authorization to grant Preliminary Plan Approval to the proposed development at 4890 Marine Drive.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

12. Proposed Road Closing By-law and Easement for Access by
Fire Trucks/ Rezoning Reference #32/75

The Municipal Manager reported as follows:

"Following is a report from the Director of Planning regarding

Rezoning Reference #32/75.

The type of access construction for fire trucks that is being recommended has been tested by the Fire Department and found to be acceptable, although this will be the first easement of this type in a park. The type of construction contemplated provides an aesthetic quality that would enhance the overall appearance of the area, and as noted in the report, would also accommodate recreational activities in the neighbourhood.

The Parks and Recreation Administrator has reviewed the proposal and advises as follows:

'We agree with the proposal that the developer pave the area with a concrete grid interspersed with a ground cover, and understand that the developer will be responsible for maintenance in perpetuity; and that the easement will not be used for any other purpose, but will be available as an access route for the public to Powerhouse Park.'

The Administrator concurs with the recommendations contained in the Director of Planning's report."

It was recommended by the Municipal Manager that:

- (1) Council authorize the introduction of a Road Closing By-law as more particularly described in the Director of Planning's Report; and
- (2) Council authorize the granting of the necessary fire truck access subsequent to the Corporation receiving title to the subject road allowance area.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

13. 1976 Parks Referendum By-law

The Municipal Manager provided a report from the Parks and Recreation Administrator regarding the 1976 Parks Referendum By-law.

It was recommended by the Municipal Manager that the Municipal Council approve the attached program in the amount of \$7,767,000.00.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

14. Letter from B.C. Hydro and Power Authority, 850 S.W. Marine Drive, Vancouver, B.C. - Extended 41 Forty-First Bus Service

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

15. Population of Burnaby

The Municipal Manager provided a report from the Director of Planning indicating the June 1, 1976 Census population was quoted at 129,845 people and appears to be seriously lower than the Municipal estimate of 141,100 for the same date. It was indicated that correspondence was directed to the Assistant

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Chief Statistician of the Census Field explaining the discrepancy in figures and requesting a reassessment of their figure.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

16. Proposed Resolution for Submission to the U.B.C.M. with regard to the Plans Cancellation Act

The Municipal Manager reported as follows:

"Council on June 28, 1976 approved several resolutions which were referred to the U.B.C.M. for consideration at the Annual Convention which is scheduled to convene on Wednesday of this week. Because of our experience at two recent Plans Cancellation Hearings, there is one additional resolution which we feel should be forwarded to the U.B.C.M. for consideration. This resolution is contained in the attached report from the Director of Planning.

The Municipality in 1968 submitted a resolution similar to the one that is now before Council. The 1968 resolution, which was not acted upon by the Provincial Government, read as follows:

'WHEREAS the Plans Cancellation Act provides for the division of a highway, park or square amongst the owners of abutting lands, where an application is made to the Registrar under plans cancellation procedures to cancel or amend a plan of subdivision;

AND WHEREAS the Registrar is not necessarily bound by the general interest of the municipality in arriving at a decision to divide such lands even though the municipality is entitled to be represented at the hearing before the Registrar;

AND WHEREAS title to such lands can be vested in the adjoining owners, to the detriment of the property owners at large;

THEREFORE BE IT RESOLVED that the Union of B.C. Municipalities request the Provincial Government to amend the Plans Cancellation Act so that, under plans cancellation proceedings, title to all publicly-owned lands be vested in the municipality in which they are located in order that any benefits, financial or otherwise may be shared by all the property-owners within the municipality.'

We have been advised that although the subject resolution will not appear on the agenda for consideration and debate at this year's Annual Convention, as it is not only too late but also it is the subject of a previously endorsed resolution. The U.B.C.M. Executive will however, endeavor to discuss it directly with the Minister of Municipal Affairs and/or other officials of the Provincial Government as it would do in other similar cases.

If Council approves the resolution as presented, it will be delivered to the U.B.C.M. Executive tomorrow morning (on September 14, 1976)."

It was recommended by the Municipal Manager that the subject resolution be referred to the U.B.C.M.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

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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 GUNN:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY