

JUNE 14, 1976

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Monday, June 14, 1976 at 7:00 P.M.

PRESENT:

Acting Mayor, G.H.F. McLean, in the Chair
Alderman G.D. Ast
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman B.M. Gunn
Alderman F.G. Randall
Alderman V.V. Stusiak

ABSENT:

Mayor T.W. Constable
Alderman D.A. Lawson

STAFF:

Mr. H. Karras, Acting Municipal Manager
Mr. V. Kennedy, Deputy Municipal Engineer
Mr. D.G. Stenson, Assistant Planning Director - Current
Planning
Mr. J. Plesha, Administrative Assistant to Manager
Mr. R.W. Watson, Deputy Municipal Clerk
Mr. B.D. Leche, Municipal Clerk's Assistant

M I N U T E S

The Minutes of the Council Meeting held on June 7, 1976, came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Mr. Robert Macfarlane, Re: 27 Townhouse Units - 2000 Block
Springer Avenue - Conversion to Strata Lots

Mr. Robert Macfarlane then addressed Council and noted that he had last appeared before Council approximately six months ago to request Council to authorize the conversion of the subject development from rental to condominium status. Mr. Macfarlane recalled that it was in 1972 that he had obtained a Building Permit for this development as a condominium and approved as such. Because of financial difficulties which had been encountered at the time the development was ready for occupancy, the units had been rented on a temporary basis. It was

always planned to sell these units as condominiums. Mr. Macfarlane stressed that his company had always been in the business of constructing condominiums, had never been in the rental business nor had wanted to be in the rental business. It was strictly the lack of adequate financing that had forced them into the rental business at the time. It was immediately after this the legislation was changed requiring municipal approval for condominium conversions and his company had been caught in the transition. The last time Mr. Macfarlane had appeared before Council he was turned down because of a moratorium placed by Council on the conversion of rental units to strata title. Mr. Macfarlane was of the opinion that such a moratorium was unfair and the legislation which gave Council the necessary authority to deal with such conversions stipulated that each individual application should be considered strictly on its own merits. Mr. Macfarlane was of the opinion that his particular case should be especially considered on its own merits and the facts which he has presented on his behalf. Mr. Macfarlane stated that his case was uniquely different from that of most people who come before Council requesting conversion. Mr. Macfarlane reiterated that this whole development had been conceived and constructed as a condominium development and that it was his misfortune that the units had been rented prior to the registration of the strata title. A similar situation could not occur at this time because a developer would file the strata title in the first instance and then rent individual units pending sale. Mr. Macfarlane considered that he had been placed in a very unfair and unique position and he requested Council to take this into consideration when considering his application for conversion at this time. Mr. Macfarlane was also of the opinion that the legislation in question had not been designed to cover the situation in which he now found himself but rather to control speculators in the unlimited conversion of existing apartment blocks.

Mr. Macfarlane requested that Council consider all the facts that he presented this evening and grant the necessary permission for this development to fulfill its intended role as a condominium development.

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN STUSIAK:

"THAT because there is sufficient evidence of the original intent to construct this development as a condominium and, providing all of the necessary requirements with respect to the buildings, landscaping, etc. and assurance that the present tenants will be given a reasonable period of time to either purchase their units or relocate, that Council grant the necessary authority for the conversion of this development to strata title condominium use."

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

"THAT further consideration of this matter be tabled until all the necessary requirements as outlined in the foregoing motion have been fulfilled."

CARRIED
OPPOSED: Aldermen Ast, Gunn and Stusiak

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

"THAT Item 8, Municipal Manager's Report No. 40, 1976, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

June 14, 1976

The following is the text of that report:

"Scheduled for the June 14 meeting of Council is a delegation in the person of Mr. R. Macfarlane, concerning his request for conversion of the existing 27 unit townhouse development at Springer and Loughheed to strata title ownership.

It will be recalled that Mr. Macfarlane appeared before Council in December 1975 on this same subject, and the matter was considered on December 15, December 29 and January 12. At the January 12, 1976 meeting, the request for conversion of the project was denied, and the moratorium declared July 8, 1974 by Council on conversion of occupied rental apartment units (excluding duplex and semi-detached dwelling units) was maintained.

Previous to this, on December 8, 1975, in response to a request concerning the same project, Council confirmed the moratorium and determined not to entertain conversion of the development. On that occasion, the Director of Planning reported that it appeared that the 'implications and concerns regarding the diminishing supply of rental accommodation expressed prior to the imposition of the moratorium still apply, and there has not been any major move in the private development sector toward increasing the supply of rental housing units'.

While some improvement has been observed in recent months in the apartment vacancy rate for the Metropolitan Vancouver area (0.4%), we are advised by CMHC that the Vacancy rate for Burnaby remains at 0.2% based on preliminary figures in the April Apartment Vacancy Survey.

In view of the prevailing low vacancy rate and the evident present lack of interest from the private sector in constructing significant numbers of additional rental housing units, it would appear that there is at this time no reason to conclude that the conditions that led to the moratorium have altered.

With reference to the deficiencies mentioned in the December and January reports to Council on this particular project, occupancy permits have not yet been issued. However, we are advised by the owner that he has corrected the plumbing deficiencies in certain of the units and will be arranging for inspection of the premises soon. Further, a revised landscape development plan has been submitted, and the owner has stated his willingness to provide improved and additional planting to bring the landscaping up to the standard approved in the initial Preliminary Plan Approval. Work will be proceeding with the objective of meeting the outstanding permit requirements such that occupancy permits may finally be issued.

In summary, the townhouse project has been occupied since construction on a rental basis; occupancy permits are not yet issued and will not be until all deficiencies are corrected, inspected and approved. The rental housing situation has not improved materially and consequently the concerns reflected by Council in declaring a moratorium on strata title conversions would appear to continue to exist.

This is for the information of Council."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

June 14, 1976

BY - LAWS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT:

'BURNABY ROAD CLOSING BY-LAW NO. 7, 1976' - #6879

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN 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 ROAD CLOSING BY-LAW NO. 7, 1976' - #6879

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. 11, 1976' - #6825

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 12, 1976' - #6826"

CARRIED UNANIMOUSLY

The foregoing By-laws provide for the following proposed rezonings:

(a) Rezoning Reference #44/75

Lot 1, D.L. 148, Plan 3075;

8767 Broadway

From: Small Holdings District (A2)

To: Comprehensive Development District (CD)

(b) Rezoning Reference #51/75

- (i) Lot 294, Ex. Plan 48533, D.L.'s 6/56, Plan 41353;
- (ii) Lot 301, D.L. 56, Plan 48533

9005 and 9025 Centaurus Circle

From: Single Family Residential District (R2)
 To: Comprehensive Development District (CD) and Park
 and Public Use District (P3)

The Director of Planning, by memorandums dated June 10, 1976 and June 9, 1976 respectively, reported that the prerequisites previously established by Council in connection with the foregoing rezoning proposals were nearing completion.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED
 OPPOSED: Acting Mayor McLean - By-law #6826

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED
 OPPOSED: Acting Mayor McLean - By-law #6826

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT:

- 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 11, 1976' - #6825
- 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 12, 1976' - #6826

be now read a third time."

CARRIED
 OPPOSED: Acting Mayor McLean - By-law #6826

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

"THAT:

- 'BURNABY LEASE AUTHORIZATION BY-LAW NO. 2, 1976' - #6801
- 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 8, 1976' - #6813
- 'BURNABY LEASE AUTHORIZATION BY-LAW NO. 3, 1976' - #6875
- 'BURNABY ROAD CLOSING BY-LAW NO. 5, 1976' - #6876
- 'BURNABY ROAD CLOSING BY-LAW NO. 6, 1976' - #6877
- 'BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW NO. 2, 1976' - #6878

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

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT all of the following listed items of correspondence, including that received from the Fire Fighters' Union, be received and those items of the Municipal Manager's Report No. 40, 1976, which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Mrs. Charlotte Rozman, 925 Fifth Street, New Westminster, B.C.
Re: Rezoning Reference No. 15/75 - 6488 Trapp Avenue

A letter under date of June 3, 1976, was received concerning the problem of connecting the subject property to the New Westminster sewer system. It was reported that Mr. Hamade of the Municipal Health Department had inspected the Trapp Road site on June 2 and had indicated that the easiest way of solving the sanitary problem was to hook up to the New Westminster sewer system on the other side of Fenwick Avenue. Council was advised that a staff report on this subject would be available for consideration on June 21, 1976 and further consideration of the matter was deferred until that time.

- (b) Mrs. P. Seebach, 4975 Lorraine Avenue, and other residents of the 4900, 5000 and 5100 blocks Lorraine Avenue re paving and curbs on Lorraine Avenue from Burke Street to Price Street.

A petition under date of June 1, 1976 was received requesting that Lorraine Avenue from Burke Street to Price Street be included in the 1977 Local Improvement Program for paving and curbs without sidewalks.

Item 2, Municipal Manager's Report No. 40, 1976 pertaining to this subject was brought forward for consideration at this time. The following is the substance of that report.

"The Council Agenda for 14 June contains a letter dated 1 June, 1976, from Mrs. P. Seebach, with a petition attached relative to the subject.

The Engineering Department received a copy of the petition on 7 June, 1976. Since receiving the petition, the Engineering Department has followed the procedure set out in Council policy for Local Improvement Works. That policy, simply stated, is that any informal petitions received by the Engineering Department prior to 30 June of each year, and containing ten signatures, or the signatures of 50 percent of the residents of a block, whichever is the least, will be included in the list to have initiative notices prepared for the property owners' approval. If the project is approved by the homeowners, the project will be included in the subsequent year's local improvement program.

The Engineering Department has field checked the requested project and will be recommending to the Sidewalk Committee and the C.I.P. Committee that the initiative notices be prepared for the 1977 L.I.P. Program as requested.

This is for the information of Council."

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It was recommended that a copy of this report be sent to Mrs. P. Seebach and the petitioners.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(c) Secretary, Parks and Recreation Commission,
Re: Enclosure of Still Creek

The Secretary of the Parks and Recreation Commission forwarded a copy of a letter under date of June 3, 1976 which the Commission had directed be written to the Greater Vancouver Regional District concerning the enclosure of Still Creek. The following is the text of that letter:

"The Parks and Recreation Commission has received a report from the Burnaby/Vancouver Parks and Recreation Committee regarding the above subject matter.

The Commission, at its meeting of June 2, 1976, adopted the recommendations of the Committee which were as follows:

1. That Still Creek not be enclosed over the Exeter property and that every attempt be made to stop any further enclosures along its entire length.
2. That the G.V.R.D. change its policy toward enclosure of Still Creek from that of encouraging enclosure to that of preventing enclosure, and using the funds that would have gone toward assisting enclosure to provide for enhancement of the Creek by water treatment, by trail development and by beautification etc.

The Commission requests that the G.V.R.D. take the recommendations under consideration, and do everything possible to keep Still Creek an open waterway.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN DRUMMOND:

"THAT this Council go on record with the Greater Vancouver Regional District as strongly supporting Recommendation No. 2 of the Parks and Recreation Commission meeting of June 2, 1976 as forwarded to The Greater Vancouver Regional District."

CARRIED UNANIMOUSLY

(d) North Slope Ratepayers' Association, Re: Chevron Canada Limited
Expansion Project Implementations - Master Landscaping Plan,
May 1976 Rev.

A letter under date of June 3, 1976, was received requesting additional meetings between the North Slope Ratepayers' Association and the Planning Department to discuss in detail the additional proposals and amendments in Chevron Canada's revised Landscaping Plan.

Council was advised that a Staff report on this subject would be available for consideration on June 21, 1976, and further consideration of the matter was deferred until that time.

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(e) James L. Denholme, Chairman, Board of Directors, Health Labour Relations, Re: Economic Issues in the Dispute between the Association and the Hospital Employees Union.

A letter under date of June 4, 1976 was received outlining the economic issues in dispute between the Health Labour Relations Association and the Hospital Employees Union and expressing the hope that the results of Council's consideration of this matter will be quickly passed on to the Provincial Cabinet.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN GUNN:

"THAT the Health Labour Relations Association be advised that Burnaby Council does not intend to interfere or make any comments regarding their bargaining with the Hospital Employees Union and that a copy of the letter be forwarded to the Provincial Government as requested."

CARRIED UNANIMOUSLY

(f) Mr. Peter Obetkoff, 3795 Irmin Street, Re: Installation of Speed Bumps on Joffre Avenue.

A letter under date of June 7, 1976 was received from Mr. Peter Obetkoff and other residents of Watling and Irmin Streets suggesting the installation of speed bumps on Joffre Avenue as a means of curbing an alleged speeding problem.

Item 9, Municipal Manager's Report No. 40, 1976 pertaining to this subject was brought forward for consideration at this time.

The following is the text of that report:

"Appearing on the agenda for the June 14, 1976 meeting of Council is a letter from Mr. Peter Obetkoff regarding violations of the speed limit on Joffre Street. Attached is a report from the Municipal Engineer on this matter.

The officer in charge of the R.C.M.P. has reviewed the complaint from Mr. Obetkoff and advises as follows:

"Radar had been worked twice this month prior to Mr. Obetkoff's memorandum. The traffic is very light during daylight hours. There is some traffic in the early mornings and 4-6 p.m., then the odd sporadic traffic in the early evenings. The first day of radar operation for one hour no violators in excess of 40 m.p.h. were noted in the 30 zone. Two violators in the 20 mile playground zone were picked up at 33 and 36 m.p.h. respectively. Patrols will be rotated throughout the area in an effort to prevent further complaints.

As to the speed bumps it is felt that speed bumps are a menace and punish the local residents more than they do the offending speeder."

With respect to speed bumps, they are most undesirable on heavily travelled streets because vehicles upon contact could become involved in accidents and should this occur, the question of liability would undoubtedly become a major issue. Moreover, it is believed that any type of barrier or obstacle that could contribute to accidents on a major right-of-way such as Joffre should be rejected on these grounds alone."

June 14, 1976

It was recommended that:

1. The request for speed bumps on Joffre Avenue be denied; and
2. Mr. Obetkoff be sent a copy of this report.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

(g) Mr. and Mrs. Geoff Crowe, 4960 Pioneer Avenue.

(h) Mr. and Mrs. Arthur T. Spring, 4892 Bond Street.

(i) M. Sharon Capadouca, 4736 Curr Place.

Letters were received from the aforementioned persons expressing opposition to the proposed Nelson Avenue/Wayburne Drive Diversion.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the foregoing correspondents be supplied with the reports on this subject already received by Council as has been the practice with other correspondents on this matter."

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

"THAT Item 12, Municipal Manager's Report No. 39, 1976, 'Proposed Sale of Municipal Property - Lot "C", Block 2, D.L. 162, Plan 18927 - 8655 Royal Oak Avenue' tabled for one week on June 7, 1976 be now lifted from the table."

CARRIED UNANIMOUSLY

The following are the recommendations contained in that report:

1. That the two bids from I. Erickson and F. & A. Construction be rejected; and
2. That authority be given to have the building on the lot demolished; and
3. That the Land Agent be authorized to negotiate the sale of the property for a price not less than \$28,000.00; and
4. That all revenue derived from the sale of the property be credited to the Tax Sale Lands Account, and a By-law then brought forward to have the revenue used for Parks land acquisitions; and
5. That a copy of this report be sent to the Parks and Recreation Commission.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT this matter be retabled pending a report from the Municipal Health Department as to whether a septic tank can be efficiently constructed on this property and information from the Chief Building Inspector as to whether a Building Permit could be issued if one was to be applied for."

CARRIED UNANIMOUSLY

ENQUIRIES

Alderman Gunn enquired as to why the Ornamental Street Lighting on Willingdon Avenue north of Hastings Street on the west side had been placed in the middle of the recently constructed chip walk on the west side of Willingdon Avenue.

The Deputy Municipal Engineer advised that the lighting standards are located immediately back of the future curb line on Willingdon Avenue. The chip walk will be relocated to a position behind the light standards as soon after the lighting project is completed as possible.

Alderman Ast reported a problem at the intersection of Sperling Avenue and Curtis Street. A building material establishment is located on the northeast corner of the intersection and there is a problem with parking at the intersection and with trucks loading and unloading. Alderman Ast suggest that Staff contact the Management of Curtis Lumber to see if the problem could be alleviated. Alderman Ast was of the opinion that there was a need for the widening of the road there.

Alderman Ast also pointed out that various Municipal Departments were supplying conflicting information regarding the population of the Municipality and suggested that the Planning Department provide all Departments which might be expected to provide information on the population of the Municipality with standard figures on a regular basis.

REPORTS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

The Municipal Manager presented Report No. 40, 1976 on the matters listed following as Items 1 to 14 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Refuse Service to Strata Title Properties

"The Refuse Committee met on May 26, 1976 to consider the following directives.

The Municipal Clerk's memo of March 22, 1976:

1. "That the Burnaby Joint Refuse Committee actively work toward improvement of the refuse collection system as presently provided by Corporation forces including operational changes and modernization of equipment with the understanding that reports on these matters will be submitted from time to time as recommendations are formulated."

2. Recommendations in Alderman Gunn's report to Council on March 29, 1976 which were adopted by Council and referred to the Committee for study and comment.

(a) "With the Union's cooperation institute a pilot one man curb side pick-up with our existing shupacs to see what costs and other benefits may or may not occur to Burnaby."

(b) "Examine in concert with the Union a modified task system of collection."

The Committee met, discussed the above and reports as follows.

Background

The Burnaby Joint Refuse Committee was formed in September, 1975 for the purpose of examining and submitting to Council recommendations on refuse collection service with specific reference to cooperatives and strata title properties. Council, since that time, has deliberated at great length on the matter, and as a result, has decided that pick-up and disposal service for such properties should be provided with Municipal crews and equipment. Staff is now in the process of implementing Council's decisions and it is anticipated that the Municipal system will be operational by about October of this year.

Now that the initial stages of implementation have been reached, the role of the Committee is expected to diminish considerably. The large amount of work that must still be done will be delegated to specific members of the Engineering Department who, in collaboration with officials of the Union, will perform those day-to-day tasks that are required for the eventual realization of the most efficient and economical system possible.

While the Committee was formed primarily to provide Council with advice on collection of containerized refuse from self-owned suites in high density residential developments, the scope was expanded to include such matters as the structuring of routes and the acquisition of new equipment for pick-up from conventional residential areas as well. This report will include information on both of these matters.

1. Updating Improvements On Existing Collection System

Many improvements have been considered and tried out but it was felt that these would not be put into effect until such time as the refuse fleet was updated.

Included in the approved 1976 Budget is a provision for the purchase of nine trucks as replacement for trucks that are now being used for the pick-up of refuse from residential areas. After consideration of recommendations by technical staff the Committee recommended that specifications for these vehicles stipulate a rear end loading type of vehicle of 25 cubic yard capacity.

The new vehicles would replace units most of which are eleven years old and some of which are seven years old. As already stated, the new vehicles would be rear end loaders of 25 cubic yard capacity and the fleet would now be composed of four side loaders and fourteen rear end loaders. Fifteen of these vehicles will be in day to day service and three will act as spares.

Routing

For sometime now changes in the present routing have been considered but will not be put into effect until the new vehicles are delivered. Because of the different capacity of the new vehicles, route changes would automatically have to be made, however, a fairly major change is planned and after the new vehicles are on stream we will operate on a zone system, i.e., a system under which all crews and equipment are assigned to pick up refuse in a given geographical area or zone at the same time. With this zoning system, crews can help each other as the need arises and the method provides for a better overall balance of the entire work load. As will be seen later in this report, this method ties in with a desirable modified task system.

2. Consideration of Recommendations Contained in Alderman Gunn's Report to Council Dated March 29, 1976

(a) One Man Curb Side Pick-Up With Side Loader

The Service Centre Superintendent with the Union's cooperation had experimented with a one man system long before these recommendations were made and we would report that the experiments in certain areas proved successful. The one man side loader operation is ideal on certain routes and entirely unsuitable in others.

As soon as zone and routing changes are made we will be instituting a one man pick-up service on certain specified routes where our experiments showed this type of system would be beneficial.

(b) Modified Task System

As with the above Item (a) experiments with a modified task system had already been carried out with excellent results and considerable savings to the Municipality.

The modified task system being proposed is a system whereby all crews may go home as soon as all routes are complete. This results in a cooperative effort where crews on heavier routes are helped by those on lighter routes.

As can be seen from our graph records, the volume of refuse from any one route can change drastically from week to week.

In return for those concessions, crews make additional efforts on the week following a statutory holiday thereby saving the cost of spare trucks to handle the additional loads.

The modified task system will be continued and encouraged since it has been received enthusiastically by the work force and represents a considerable saving to the Municipality.

It is not possible to provide Council with details regarding the modified task and zone systems because they are conceptual in nature at this time. However, it is the intention of staff and the Union to cooperate with each other in an effort to develop a practical operational plan that is acceptable to all concerned."

It was recommended that Council authorize the calling of tenders for nine rear end loader 25 year capacity refuse trucks.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

2. Letter dated June 1, 1976 from Mrs. P. Seebach,
4975 Lorraine Street, Burnaby - Petition for Paving and Curbs
Lorraine Avenue from Burke Street to Price Street

This item was dealt with previously in the meeting as Item 4(b) under Correspondence and Petitions.

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

This item was dealt with previously in the meeting as Item 5 under Delegations.

4. Proposed Demolition of Municipal Property - Lot 7, Block 21,
D.L. 187, Plan 1282 - 4432 Eton Street.

"The Municipality purchased the subject property in October, 1975 as part of the Chevron Canada Ltd. - Corporation of Burnaby Land Exchange for the new scenic drive.

There is an older type home situated on this property which is in very poor condition and which has been rented to the former tenants for the winter months. This residence is now becoming vacant (at the end of June) and as we were becoming concerned as to health and safety factors we requested that our Building Department conduct a full survey of the dwelling. We have now received this report and attach a copy.

June 14, 1976

We do not feel that the expenditure of this money would be justified, and therefore request permission to have the house demolished as soon as possible."

It was recommended that the dwelling at 4432 Eton Street be demolished after it becomes vacant.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

5. Revocation of a Crossing Agreement - Lot "B" of Block 1, D.L. 68, Plan 980, Canada way and Smith Avenue.

"In 1932, the Municipality entered into an agreement to permit a crossing to a service station in the subject property (see attached sketch). Such agreements are no longer necessary because the locations of all points of ingress and egress to a parking area are subject to the approval of the Municipal Engineer as per Section 800.7 of the zoning by-law.

The property is currently owned by Imperial Oil Limited.

The existing agreement contains the following two clauses:

"Should the applicant cease to use the said crossings as a means of ingress or egress to the said premises he shall forthwith restore the street and boulevard to the condition in which it now is to the satisfaction of the Engineer of the Corporation.

The Corporation by resolution of the Council shall at any time have power to revoke the crossings permitted under this agreement and thereupon the applicant, his heirs, or assigns shall restore the boulevard as it is at the time this agreement is signed."

It is recommended that the agreement be revoked because the applicant has ceased to use the crossings (there are no improvements on the property at this time). If and when the owner proposes future development on the property, the matter of crossings would be considered as provided for in Section 800.7 of the zoning by-law.

The matter has come up at this time because Imperial Oil Limited has advised that the property has been transferred to Devon Estates Limited, a wholly-owned subsidiary, and that in accordance with this transfer, that the agreement be assigned accordingly. However, as noted above, the proper course of action is to revoke the agreement for the reasons given."

It was recommended that:

1. Authority be given to revoke the subject agreement; and
2. Imperial Oil Limited be advised accordingly.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

6. Hastings Street Urban Renewal, Summerhill Management Limited (Formerly MacGillivray Developments Limited).

June 14, 1976

"The Hastings Street Urban Renewal Project, which is part of the Hastings Street commercial core, within which land uses are governed by the Apartment Study and the Community Plan for Area "A", has been the subject of several reports to Council. In brief, public hearings were held and two readings given to a CD Zoning By-Law in 1974; the developer subsequently failed to make payment of \$688,500 plus interest from October 1, 1973 in accordance with an agreement dated April 2, 1973; the developer advised the Municipality in March of 1975 that he was unable to proceed with the project; at a meeting attended by Municipal, Provincial and Federal representatives in C.H.M.C. offices in April, 1975, it was concluded that the developer was in default of the agreement, could not proceed with the development, and that the contract should be concluded by having the developer forfeit the \$76,500 security deposit that had been paid by him.

By letter dated September 3, 1975, Summerhill Management Ltd. was forwarded a Quit Claim Deed with the advice being given to it that the deed was sent pursuant to Section 2.3(a)(v) of the Agreement. The response was that the development default resulted from defaults on the part of the Corporation itself.

The end result that we are now seeking in this particular case is to have the developer's interest in the property reconveyed to us and the deposit of \$76,500 forfeited. The best way to see this end accomplished is to write the developer a further letter again enclosing the Quit Claim Deed, and stating in it that as well as the default of payment, the developer is in default of Section 1.7(c), (d) and (e), and that pursuant to the development agreement itself, the deposit is forfeited and the Municipality requires the developer to reconvey its interest in the land back to the Municipality.

The services of Guild, Yule and Company have been retained to represent our interests in connection with this legal matter. A Solicitor with this firm has recommended the course of action that is described in the previous paragraph. The Municipal Solicitor approves of the recommendation, and the Municipal Manager has proceeded to give the necessary direction to have it carried out as quickly as possible.

Previous reports containing background information on this urban renewal project are being given to the newer members of Council so that a thorough understanding of what is involved can be obtained by them.

Sections of the agreement that are referred to in this report are attached.

This is for the information of Council."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

7. Letter dated April 30, 1976 from Mr. K. Van Dyk which Council received on May 31, 1976 Re: Forglen Park

"On May 31, 1976, Council received the subject correspondence which contains a statement to the effect that the correspondent bought property on Bond Street with an assurance from Municipal Hall that Forglen Park would always remain as it was at the time of the property purchase.

Mr. Van Dyk in a telephone conversation with the Manager has now advised that the statement was made about fifteen years ago when they bought their house, and that he cannot remember who or which department he spoke to. He advises that he was also given this assurance by a real estate agent who is now deceased.

This is for the information of Council."

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MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

8. Letter Dated May 25, 1976 from Mr. Robert Macfarlane,
6565 Marlborough Avenue - Townhouse Development at Springer
Avenue and Lougheed Highway

This item was dealt with previously in the meeting as Item 2,
Delegations.

9. Letter Dated June 7, 1976 from Mr. Peter Obetkoff, 3795
Irmin Street - Speeding on Joffre Avenue

This item was dealt with previously in the meeting at Item 4(f)
under Correspondence and Petitions.

11. Proposed Ban on Smoking in Stores

"On May 10, 1976, Council considered a report on a request from Mr. and Mrs. David Dollman to institute a ban on smoking in stores. Council requested the Manager to "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."

In summary, there is no question that the enforcement of a by-law prohibiting smoking in stores would in all likelihood be very difficult, if not impossible, because there is not enough regulatory manpower available to police such activity, and owners of stores may be extremely reluctant to risk offending their customers (this appears to be substantiated by the fact that there have been no prosecutions to date in Vancouver.) While such a by-law would discourage some smoking in stores, we believe that a prohibition would be completely ignored by a large segment of our population. Smoking in stores is not a serious cause of fires and the Deputy Fire Chief does not recommend the passage of a by-law for this reason. A check with our Public Health Department reveals that we receive a minimum number of complaints from citizens on smoking that takes place in commercial establishments.

Although we do not recommend that a by-law be passed to prohibit smoking in stores, we feel that it should be discouraged, and that this can best be achieved by asking merchants to post appropriately worded signs to discourage smoking in their business establishments.

The Chief Licence Inspector can notify merchants doing business in Burnaby of our desire to have them post signs that would discourage customers from smoking when shopping in retail establishments. Such notification can be accomplished by letter and at minimal costs. The Chief Licence Inspector would not only be responsible for the initial mailing, but for all future notifications that would be required upon the establishment of new business operations within our community.

We have been advised by a member of the Health Department in Victoria that the Provincial Government is not planning to introduce any legislation that would ban smoking in stores."

It was recommended that:

1. A By-law to prohibit smoking in stores not be introduced; and

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2. The Chief Licence Inspector send letters advising owners of retail stores of Council's desire to have signs that discourage smoking to be posted in their commercial establishments; and
3. The Chamber of Commerce and all mall type shopping centre associations in Burnaby be so advised; and
4. A copy of this letter be sent to Mr. and Mrs. David Dollman.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

FOR: Acting Mayor McLean, Aldermen
Ast, Emmott and Stusiak.

OPPOSED: Aldermen Drummond, Gunn and
Randall.

MOTION CARRIED

11. Operation of Off-Street Motor Vehicles

"On May 10, 1976, Council, in connection with a report on the operation of off-street vehicles, directed the Manager to form a committee of staff to study the matter and submit recommendations in one month's time.

As directed, the Manager formed a committee which is comprised of representatives from the Legal, Health, Planning, Parks and Recreation and Police Departments. Also represented on the committee are B.C. Hydro, Simon Fraser University and the G.V.R.D.

Although two meetings have been held and some progress achieved, the Committee is not yet in a position to refer to Council recommendations for consideration. Some suggestions initially appeared to have merit, but upon further examination, were found to be not feasible from a legal point of view. The Committee is now conferring with the Municipal Solicitor in an attempt to find a legally sound and practical solution to the problem.

Although it is recognized by all concerned that the problem involving off-street vehicles is urgent and deserving of on-going investigation on a priority basis, it is also one of some considerable complexity, and despite the Committee's best efforts, additional time is required before recommendations are sufficiently developed for submission to Council. It is now anticipated that a report with recommendations will be available within a further two or three weeks time.

This is for the information of Council. "

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

12. Tenders for Two Tandem Axle Trucks c/w 30 Cubic Yard Packer Refuse Bodies

It was recommended that a contract be awarded to Amalgamated Metal Industries Limited for the supply and delivery of two 1976 Model Kenworth Hustler II Trucks complete with Dempster DP45-31C refuse bodies for the sum of \$118,671.56.

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MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED

OPPOSED: Alderman Stusiak

13. Request for approval to issue Preliminary Plan Approval #3690 - 4599 Tillicum Street, Lot 4, D.L. 166 and 166A, Plan 3690

It was recommended that the Planning Department be given authorization to grant Preliminary Plan Approval to the proposed development at 4599 Tillicum Street.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN GUNN:

"THAT this matter be referred to the Parks and Recreation Commission for further study and a report on the relationship of the proposed development to the public walkway along the North Arm of the Fraser River.

CARRIED UNANIMOUSLY

14. Burnaby General Hospital

"Council last received a report on parking and road access to Burnaby General Hospital on March 10, 1975 (Item 14, Report No. 17). Following is current information on these and other related matters pertaining to improvements at the hospital:

BURNABY GENERAL HOSPITAL

Parking Facilities Expansion

VISITOR PARKING

The recently completed 440-stall Parkade, which provides four levels of covered parking, is conveniently situated at the south-east section of the new hospital construction area.

Vehicle ingress to this operational five-level parking structure is via Kincaid Street (travelling east on Kincaid from Ingleton, turn left at the second roadway).

TEMPORARY WALKWAY

Visitors presently use a temporary walkway from the Parkade to the Acute Care Wing. Access to this section of the hospital is from the entrance to the Emergency Ward. This temporary walkway will be in use only until completion of the covered walkway which extends between the new parking structure and the new hospital entrance. The changeover is planned for November, 1976.

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NEW HOSPITAL ENTRANCE

Upon completion of the new construction within eighteen months, the new main entrance to the hospital will be conveniently close to the elevator-equipped Parkade.

PROPOSED IMPROVEMENT OF ROAD ACCESS TO THE HOSPITAL

Discussions are now taking place with the Provincial Government to improve road access to the hospital. The proposal is to have Kincaid become a through street intersected by Carleton. This would allow vehicles to travel from Canada Way, south on Carleton and west on Kincaid to the Parkade - a much desired alternate route to the hospital.

PARKING RATES

Metro Parking operates the B.G.H. Parkade for the Greater Vancouver Regional District. Their parking rates are as follows:

Minimum charge	\$.50
Additional hourly rate	.25
Maximum daily rate	1.00

Drivers are asked to pay as they leave the Parkade.

EMERGENCY WARD

Vehicle entrance for patient admissions to the Emergency Ward at the Acute Care Building (1959 south wing) is from Ingleton Avenue, as it has been for many years. However, it is anticipated that by November, 1976 the Emergency Ward will have been relocated at the new wing. Vehicle access to this new location will be from Kincaid.

STAFF PARKING

Hospital staff use the south lot at Ingleton and Kincaid. The approach entrance to this lot is the same as the ingress route to the Emergency Ward. At one time, this lot was available for public use. However, when the renovating commenced, it was necessary to recommend changes to this situation as the entire east lot used by the staff was lost to construction. Because the Parkade is located 200 yards from the hospital, there was concern for the safety of female staff who work evening and night shifts. As a result, it was decided that these shift persons would use the south lot in addition to the medical staff who use it during the day.

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Also attached to Council's copy of the report is a plan on which landscaping and locations of hospital facilities are noted.

This is for the information of Council. "

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Alderman Stusiak requested permission to be absent from the regular Council meeting to be held on June 21, 1976.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY