

January 19, 1976

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Monday, January 19, 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 G.H.F. McLean
Alderman F.G. Randall
Alderman V.V. Stusiak

ABSENT:

Alderman D.A. Lawson

STAFF:

Mr. M.J. Shelley, Municipal Manager
Mr. E.E. Olson, Municipal Engineer
Mr. A.L. Parr, Director of Planning
Mr. J. Plesha, Administrative Assistant to Manager
Mr. 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 January 12, 1976, came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"That the Minutes of the Council meeting held on January 12, 1976 be now adopted."

Alderman Stusiak noted that on Page 12 of the Council Minutes of January 12, 1976, the motion as moved by himself and seconded by Alderman McLean, concerning the 1976 Provisional Budget should read as follows:

"That the 1976 Provisional Budget be adopted together with the three following recommendations:

1. That the Municipal Manager be directed to further review all budgets, including those under the control of the Library Board and the Parks and Recreation Commission and in consultation with the Department Heads and the Library Board and the Parks and Recreation Commission, make whatever adjustments are necessary to effect economy, and to recommend the areas of service in which reductions may become necessary to bring the mill rate down to acceptable levels.
2. That the Municipal Manager determine at the earliest possible time those possible revenues and expenditures relating to other levels of government.
3. That the Municipal Manager contact the Federal Government to obtain assurance that the police cost increase will not exceed the 10% Federal Guidelines as related to equal numbers of police personnel."

On a question by Alderman Randall, it was generally agreed that, the vote on the Motion as moved by Alderman McLean and seconded by Alderman Lawson "That a Committee of Council be struck to meet on the Kask Bros. Ready Mixed Concrete Ltd. site to review the proposed area development", as indicated on Page 3 of the Council Minutes, should be recorded as follows:

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FOR: Aldermen Lawson, McLean, Randall

OPPOSED: Mayor Constable, Aldermen Ast,
Drummond, Gunn, Stusiak

MOTION DEFEATED

Alderman Gunn noted that on Page 5 of the Council Minutes of January 12, 1976, it would appear that the result of the vote on the Motion as moved by Alderman Emmott and seconded by Alderman Mercier relating to "the necessary permission be granted to confirm the creation of 27 townhouse condominiums on the site", was not indicated.

It was generally agreed that the following be inserted:

"A vote was then taken on the original motion as moved by Alderman Emmott and seconded by Alderman Mercier and said motion was DEFEATED. Aldermen Lawson and McLean in favour. Mayor Constable, Alderman Ast, Drummond, Gunn, Randall, and Stusiak opposed."

*** SEE MINUTES OF JANUARY 26, 1976 FOR CORRECTION.

A vote was then taken on the motion as moved by Alderman Ast and seconded by Alderman Gunn "That the Minutes of the Council Meeting held on January 12, 1976, amended as aforementioned" be now adopted and said motion was CARRIED UNANIMOUSLY.

BY - LAWS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That:

'BURNABY LEASE AUTHORIZATION BY-LAW NO. 1, 1976' - #6796

'BURNABY ROAD CLOSING BY-LAW NO. 1, 1976' - #6802

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 AST:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That:

'BURNABY LEASE AUTHORIZATION BY-LAW NO. 1, 1976' - #6796

'BURNABY ROAD CLOSING BY-LAW NO. 1, 1976' - #6802

be now read three times."

CARRIED UNANIMOUSLY

"Burnaby Zoning By-law 1965, Amendment By-law No. 64, 1974" - No. 6568 came forward for reconsideration and final adoption.

This By-law provides for the following proposed rezoning:

January/19/1976

Rezoning Reference No. 44/74

Lots 5, 6, and 7, Except East 10', Block 7, D.L. 32, Plan 1229
6250, 6278 McMurray Avenue.

From Residential District (R5) to Parking District (P8)

The Director of Planning by memorandum dated January 15, 1976, advised that the prerequisites previously established by Council in connection with this rezoning proposal have been fully satisfied.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"That:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1974' - #6568

'BURNABY ROAD CLOSING BY-LAW NO. 3, 1967, REPEAL BY-LAW 1975' - #6789

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

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 3, 1976, which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Mr. H.F. Sturrock,
Deputy Minister, Department of Highways

A letter under date of January 7, 1976, was received concerning the proposed construction of Marine Way in Burnaby. The Deputy Minister advised that the commitments of the former Government are being reviewed by the new Minister and advice will be forwarded as soon as a decision is reached on the status of this project.

- (b) Mr. H.F. Sturrock,
Deputy Minister, Department of Highways

A letter under date of January 6, 1976, was received concerning compensation for rights-of-way with reference to Gagliardi Way.

The Deputy Minister commented as follows:

In reply to your letter of December 15, I do not consider the Municipality's comparison of a controlled access highway to a freeway to be a valid reason to claim compensation for Municipal lands used for right-of-way for Gagliardi Way.

In my letter of September 17 last to your Director of Planning, Mr. A.L. Parr, I stated my reasons as to why compensation should not be paid and I do not feel that any further explanation is necessary.

With regard to the return to the Municipality of the right-of-way taken for the abandoned Broadway Interchange, I wish to advise that this has now been accomplished by Notice of Amendment which was published in the British Columbia Gazette on the 2nd instant. No other documentation is necessary to effect transfer. The right-of-way for Gagliardi Way in District Lots 15 and 100, Group 1, N.W.D., is now shown on legal survey plan 49347.

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- (c) Mr. J. Barrie Milne
Pollution Control, Greater Vancouver Regional District

A letter under date of January 8, 1976, was received concerning the odour in North Burnaby on Saturday, December 13, 1975. The following is the text of the letter received:

Further to your letter of December 17, 1975, the following summarizes our findings on the above subject.

It is felt that the odour experienced by the residents in this area resulted from a combination of industrial and meteorological factors. The fire and crude oil spill at the Chevron refinery have already been adequately summarized in Mr. T.S. Bremner's letter of December 15, 1975 to Mayor Constable. These events do not represent the typical situation at this plant and should normally not be of a recurring nature. Meteorological inversions in this area are a normal phenomenon and their occurrence, at any time, will increase the concentrations of residential, automotive and industrial contaminants.

A summary of the air quality measurements at our Kensington Park monitoring station for December 13th and 14th is attached. The Federal standards for these contaminants are also included. All of the measured parameters were well within the desirable limits for air quality.

- (d) Mr. J.P. Daem,
President, Conse-C Enterprises Ltd.

A letter dated January 8, 1976, was received on behalf of the owners, Strata Plan N.W. 90 - Montecito 2000 II, expressing their appreciation to the Municipal Council for the Resolution passed in October 1975 reimbursing the owners for costs incurred for refuse removal from the Strata Corporation.

In particular, the ownership has expressed its pleasure that the Municipal Council has recognized the inequities that exist in the present taxation procedures and that the benefits afforded single family dwellers are now also the prerogative of Strata Title dwellers.

- (e) H. Nieldski,
Chairman, Shamrock Drive, Columbus Charities Association

A letter under date of December 19, 1975, was received requesting Council authority for the Columbus Charities Association to hold its annual Shamrock Tag Days in Burnaby on March 11, 12, and 13, 1976, to raise funds to assist its work in the area of senior citizens developments and services throughout the Lower Mainland.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That authority be granted to the Columbus Charities Association to hold their annual fund raising campaign as requested."

CARRIED UNANIMOUSLY

- (f) Mr. Ronald Dent
Property Development Association, Vancouver, B.C.

A letter dated January 13, 1976, was received concerning the participation of private developers in the production of housing units and commercial and industrial space in the Greater Vancouver area. The following is the text of Mr. Dent's submission:

We enclose herewith a photocopy of the Constitution of our Society.

We believe that it is in the best interest of the public at large that the production of housing units and commercial and industrial space in the greater Vancouver area be increased to the extent the market will permit.

We believe that private developers are better able to judge market requirements and fulfil these needs than any level of government and that all levels of government have been recently directly or indirectly restricting public developers from satisfying the public need.

Aside from the fact that an increase in construction would create badly needed jobs some saving could also be made in the overhead of running a city or municipality and there would be some improvement in tax revenue if private developers were given more freedom of choice.

At the moment, regrettably, municipal and city authorities exercise too much detailed control over each individual development. This results in delaying and frustrating construction and increasing costs considerably. Is it really in the Public Interest to prevent developers from making an occasional error when the developers has to pay for his own mistakes.

If private developers were given more opportunity to develop with less restrictions from municipal governments they would have to compete with each other and would have to maintain a good quality of development since the public would be the final arbiter.

We would earnestly suggest that private developers be given these opportunities.

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"That Item 5, Municipal Manager's Report No. 83, 1975, concerning Golf Professional's Contracts be now lifted from the table."

CARRIED UNANIMOUSLY

The following resolution was then before Council for consideration:

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"That the following recommendations of the Municipal Manager be adopted:

1. That Council concur with the renewal of contracts between The Corporation of the District of Burnaby and Trygve Wenn Jr., Golf Professional, for the operation of:

- (a) Burnaby Mountain Golf Course
- (b) Burnaby Mountain Driving Range
- (c) Kensington Park Pitch and Putt
- (d) Central Park Pitch and Putt

for the period January 1, 1976 to December 31, 1978.

2. That Council authorize the Municipal Solicitor to draw up the necessary documents.
3. That Council authorize the execution of these contracts, subject to the approval of the Central Park Committee and the Vancouver Board of Parks and Recreation in respect of the Central Park Pitch and Putt."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"That this matter be dealt with at this time and not be referred to the 'In Camera' section of the meeting."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion as moved by Alderman Lawson and seconded by Alderman Stusiak, "That the recommendation of the Municipal Manager be adopted" and was CARRIED UNANIMOUSLY

It was agreed that:

- (1) the concern of Council that these contracts should, in future, be put out to public tender, and

- (2) that the contracts come forward for review in 1978
that terms of the contract should receive consideration;

be made known to the Parks and Recreation Commission.

ENQUIRIES

Alderman Stusiak

In reply to a query from Alderman Stusiak regarding remarks made by the Mayor in his inaugural address to Council on January 5, 1976, concerning the Election Procedures Committee, His Worship advised that he would be making a firm recommendation to Council in this respect in the near future and no action was required by the Election Procedures Committee at this time.

Alderman McLean

Alderman McLean raised the subject of the recently announced plans of the Provincial Government to convert the former Willingdon School for Girls to a Juvenile Remand Centre. Alderman McLean noted that during Council's consideration of this matter on January 12, 1976, he had indicated the need for an urgent meeting between Provincial authorities and Council was required in order to obtain clarification of all of the ramifications of this proposal. In view of the recent announcement by the Provincial Government concerning the Willingdon School for Girls, Alderman McLean was certain that this proposed meeting was even more important in order that the Government would be fully cognizant of Council's concerns both from the Community point of view and that of the British Columbia Institute of Technology who are presently utilizing this complex. Alderman McLean was of the opinion that the establishment of a Remand Centre at this location would be retrograde planning and urged that a quick meeting be arranged with the Attorney General to bring the matter to a head as soon as possible.

His Worship, the Mayor, advised that having discussed the question of a Remand Centre with Council on January 12, 1976, he was extremely annoyed that the Provincial Government had announced that such a Centre would be established at the former Willingdon School for Girls. His Worship was of the opinion that the Attorney General or his representatives should still be prepared to meet with Council to discuss all ramifications of the proposal. The Mayor was also of the opinion that the Attorney General should be willing to examine the priorities connected with this facility and not just look at the particular problem they have in hand with the establishment of a Remand Centre. The Mayor stated that, in view of the problems previously encountered at this site, the Attorney General had a definite responsibility to discuss with Council the establishment of a Remand Centre in the heart of an urban area. The Mayor had made his viewpoint very clear to the Attorney General's Department. Mr. John Hogarth had advised the Mayor that the proposed population of the Remand Centre had now been lowered to 38 from the previous reported 50. The swimming pool would still be available for use by B.C.I.T. students and the students presently resident in the facility would not be evicted forthwith. The Mayor stated that, in his opinion, Burnaby was fully entitled to be involved in any discussions involving the future use of this facility and that any such discussions must be based on priorities and not on any special problem the Attorney General may have at this particular time.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"That a telegram be sent to the Attorney General of the Province of British Columbia expressing Council's grave concern with respect to the establishment of a Juvenile Remand Centre at the former Willingdon School for Girls and requesting that the Attorney General enter into immediate discussions with Burnaby Council with a view to resolving the problems associated with the establishment of such a Centre at this site."

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(a) His Worship, Mayor Constable

Re: Authorization of Annual Dinners

His Worship, Mayor Constable, submitted a report in which it was recommended that, in future, the Annual Appreciation Dinner and the Parks and Recreation Recognition Night be the only appreciation functions authorized by Council.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN GUNN:

"That the recommendations of the Mayor be adopted."

FOR: Mayor Constable, Aldermen
Drummond, Gunn, Randall

OPPOSED: Aldermen Ast, Emmott,
McLean, Stusiak

The votes being equal for and against the question, the Motion was declared negative and was DEFEATED.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"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."

CARRIED

OPPOSED: Mayor Constable

(b) The Municipal Manager presented Report No. 3, 1976, on the matters listed below as Items (1) to (20) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Tender for Tires, Tubes, Recaps, Repairs and Service.

It was recommended that a contract be awarded to Vancouver General Tire for one year commencing January 20, 1976, for the supply of tires, tubes, recaps, repairs and service.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(2) Proposed Sale of a Scoopmobile.

It was recommend that the 1960 Scoopmobile rubber tired front end loader be sold to Mr. Dean Taylor for the sum of \$2,100.00 plus applicable taxes.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

(3) Prisoners' Meals

It was recommended:

1. That Council approve the method of providing meals for prisoners as outlined in the Purchasing Agent's report with the understanding that implementation would commence immediately;
2. That the required capital expenditure in the amount of \$5,300.00 be approved and provided for in the 1976 Annual Budget.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

(4) Deleted.

- (5) Letter from Block Bros. Realty Ltd. that Appeared on the Agenda for the January 12, 1976 Meeting of Council.
Subdivision Reference #115/75

It was recommended:

1. That Council authorize the introduction of a Highway Exchange By-law as shown on the attached sketch subject to the following conditions:
 - (a) an equal exchange of lands on an equivalent or area-for-area basis with no allowance for compensation;
 - (b) compensation in the amount of \$2.30 per square foot for those additional lands in the exchange which will be of benefit to the developer;
 - (c) the preparation of the requisite by-law plans by the developer.
2. That Mr. Apland be advised accordingly.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED

OPPOSED: Aldermen Stusiak and Drummond

(6) Engineer's Special Estimates.

It was recommended that the Special Estimates of the Municipal Engineer in the total amount of \$17,000.00 as more particularly detailed in the report received be approved.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN GUNN:

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

FOR: Aldermen McLean and Randall

OPPOSED: Aldermen Ast, Drummond, Emmott,
Gunn and Stusiak

MOTION DEFEATED

January/19/1976

- (7) Request for Approval to Issue Preliminary Plan Approval #3490
8818 Greenall Avenue - Big Bend Area

It was recommended that the Planning Department be authorized to grant Preliminary Plan Approval to the proposed development at 8818 Greenall Avenue.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (8) Request for Approval to Issue Preliminary Plan Approval #3511
Lot 31, D.L. 166A, Plan 46532
7425 Lowland Avenue - Big Bend Area.

It was recommended that the Planning Department be authorized to grant Preliminary Plan Approval to the proposed development at 7425 Lowland Avenue.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (9) Request for Approval to Issue Preliminary Plan Approval #3510
Lot 32, D.L. 166A, Plan 46532
7415 Lowland Avenue - Big Bend Area

It was recommended that the Planning Department be authorized to issue Preliminary Plan Approval for the proposed development at 7415 Lowland Avenue.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (10) Sprott-Lubbock Farm

It was recommended:

1. That Council table the subject request for rezoning until its March 22, 1976 meeting;
2. That the Century Park Museum Association be requested to submit a firm proposal to Council before March 15, 1976, on the desirability and possibility of developing a heritage project on the subject site including a method of financing any such proposal.
3. That a copy of this report be sent to:
 - (a) Mr. Ansley Lubbock and Miss Beatrice Lubbock.
 - (b) Community Builders Ltd.
 - (c) Those persons who have corresponded with Council on this matter in the past.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN EMMOTT:

"That further consideration of this matter be tabled for one week to allow individual Council members to inspect the property."

CARRIED UNANIMOUSLY

(11) Rezoning Reference #77A/73.

It was recommended:

1. That Council authorize a rezoning By-law to be prepared to cover the subject rezoning;
2. That the rezoning be advanced to a Public Hearing on February 17, 1976.
3. That the submission of a revised suitable plan of development and adherence to the original rezoning prerequisites be established as prerequisites to the rezoning.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(12) Proposed Watercourse Enclosure
2188 Willingdon Avenue
Preliminary Plan Approval #3492

It was recommended that Council approve the relocation and enclosure of the subject watercourse as more particularly detailed on the sketch attached to the report received to the satisfaction of the Municipal Engineer.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

(13) Applicability of Parkland Acquisition Levies to
RZ #30/74, RZ#17/75, RZ#29/75, RZ#54/75
With Regard to Public Hearing Scheduled for January 20, 1976.

On December 29, 1975 Council adopted a number of recommendations with reference to the application of the Parkland Acquisition Levy on residential proposals on a more comprehensive basis. As outlined in the levy report, the intent of the acquisition levy is its application in those developments where an increase in residential density is evident. In past instances where new or revised development regulations have been instituted by the Municipality, care has been exercised to assure that the regulations were not unfairly retroactive. In the case of rezoning proposals, utilizing previous precedents, the revised Parkland Acquisition would apply to all residential developments which had not been submitted to a Public Hearing and subsequently given two readings of the zoning bylaw.

The purpose of this report is to clarify the applicability of the Parkland Acquisition Levy to Rezoning #30/74, Rezoning #17/75, and Rezoning #29/75 which were submitted to Council on December 15, 1975 and referred to a Public Hearing on January 20, 1976. Rezoning #54/75 was submitted to Council on November 17, 1975 and is to be submitted to a Public Hearing on January 20, 1976.

Rezoning #30/74

The applicant's townhouse proposal has been revised from 39 units to 31 units due to site factors related to an existing oil pipeline which was beyond the applicant's control. The 39 unit scheme was submitted to a Public Hearing and given First and Second Reading on October 28, 1974. The revised scheme has resulted in fewer units. The previously established parkland acquisition levy of \$200 per unit would be applicable to the revised rezoning proposal.

Rezoning #17/75

A rezoning proposal for 80 townhouse units was submitted to a Public Hearing and given first and second reading of the rezoning bylaw on October 27, 1975. The revised proposal outlines an increased site size and a consequent increase of 26 townhouse units. The revised Parkland Acquisition Levy of \$528 per unit would apply only to the additional 26 units involved in the revised rezoning proposal.

Rezoning #29/75

This rezoning proposal has not been previously submitted to a Public Hearing and, therefore, the revised Parkland Acquisition Levy of \$1,080 per unit would apply.

Rezoning #54/75

It has been established that in lieu of the deposit of a per unit levy, the applicant may dedicate appropriate designated parkland. In the rezoning report to Council of November 17, 1975, it was explained that since the applicant is dedicating parkland in excess of the usual requirements (11,500 sq. ft. dedication), the deposit of further parks acquisition funds would not be required of this applicant.

This is for the information of Council.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"That this Council establish a policy whereby, in the case of rezoning proposals, utilizing previous precedents, the revised Parkland Acquisition would apply to all residential developments which had not been submitted to a Public Hearing and subsequently given two readings of the Zoning By-law."

CARRIED UNANIMOUSLY

(14) Proposed Amendment to an Improved CD Plan
4256, 4280 and 4292 Kingsway
Rezoning Reference # 63/75

It was recommended:

1. That the subject by-law amendment be forwarded to a Public Hearing on February 17, 1976;
2. That the following be established as prerequisites to the rezoning:
 - (a) The submission of a complete and suitable plan of development for the subject site;
 - (b) All electrical and telephone services be placed underground throughout the development;
 - (c) Submission of updated letters of credit to cover site services as deemed necessary by the Municipal Engineer.
 - (d) An undertaking to guarantee removal of all existing structures on the site on completion of this rezoning.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:
"That the recommendation of the Municipal Manager be adopted."

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MCLEAN:
"That the foregoing motion be amended to add:

3. The developer of Rezoning Reference #63/75 be made fully aware that the commercial component of the development may be subject to 'Open Space Levies' if and when a policy in this respect is formulated by Council."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion as moved by Alderman Stusiak and Seconded by Alderman Gunn, as amended, "That the recommendations of the Municipal Manager be adopted." and said motion was CARRIED UNANIMOUSLY.

(15) Slide at the Foot of Penzance Drive.

A slide occurred in the foreshore area of the Goodwin Johnson property at the foot of Penzance Drive between 5:00 p.m. on 2 December and 8:00 p.m. on 3 December, 1975, which may have been related to a minor earthquake of magnitude 4.5 on the Richter Scale, which occurred early in the morning 30 November, 1975. The Consulting Engineering firm, Dames & Moore, specialists in soils, were engaged to do an inspection and prepare a report on the magnitude of the slide and possible affect of upland property on the north face of Capitol Hill. The Consulting Engineers have completed the report, dated 9 January, 1976, and a copy is attached herewith.

The Consultant's report confirms that the slide was confined to surficial materials effecting only the C.P.R. and Goodwin Johnson property. The Consultant's inspection of the area has shown that seepage from the north slopes of Capitol Hill, above the Goodwin Johnson property, was not a major contributing factor. In fact, drainage is not concentrated or discharged in any accumulated amounts from any of the streets or lanes on Capitol Hill, uphill from the slide area. The stabilizing work that is proposed to be carried out by Goodwin Johnson and/or the C.P.R. by placing stabilizing fill below water will be in the best interest of all concerned.

The Consultant is satisfied that the slide has no direct relationship to stability conditions near any of the houses uphill of the slide area in the vicinity of Highfield Drive.

We have established, for the past several years, and maintained a monitoring system on an older slide area further west of the refinery site and a recent check of these monitors shows negligible movement, which confirms the Consultant's findings that the current slide has been limited to the area immediately behind the Goodwin Johnson property, as shown in the Consultant's report, Plate 1.

As recommended by the Consultant, we will establish and monitor movement monuments to be located between Highfield Drive and the slide area at the Goodwin Johnson property, with the monuments to be checked four times per year during the next two years.

This is for the information of Council.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MCLEAN:
"That the report of the Municipal Manager be received for information purposes."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

"That this Council advise the National Harbours Board that it is greatly concerned with filling operations that have been carried out on Burrard Inlet in the past and request that in all future filling operations in any unstable areas on Burrard Inlet that a proper soils investigation be done before such fill operations are commenced and that copies of Council's submission to the National Harbours Board be forwarded to the Members of Parliament representing Burnaby."

CARRIED UNANIMOUSLY

(16) Advance Approval for 1976 Capital Improvement Projects.

It was recommended:

1. That Council approve the following expenditures from the 1976 Capital Improvement Program Budget prior to the official approval of the Budget:

(a) Deer Lake - renovations to beach area	\$ 2,000.00
- replacement of float	\$ 10,000.00
(b) Baseball Facilities - continuation of upgrading program	\$ 7,000.00
(c) Purchase of a One Ton Refuse and Utility Truck	\$ 12,250.00

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(17) Letter from Mrs. Pansy E. Geiger that Appeared on the Agenda for the January 12, 1976 Meeting of Council.
Lack of Sidewalks on a Steeply Graded Section of Springer Avenue

It was recommended:

1. That Springer Avenue be included in the 1977 Local Improvement Program and initiative notices be sent to residents for their concurrence.
2. That a copy of this report and Council's decision be sent to Mrs. Pansy E. Geiger.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(18) Erosion Kaymar/Suncrest Ravine.

It was recommended:

1. That Council adopt alternative No. 6 which includes repair of the eroded invert and piping of the watercourse with a quantity of water equivalent to minimal summer flow permanently diverted into an open lined channel of dimensions 4 feet wide and 1 foot water depth L.1504, and stabilization of slopes in failed areas at an estimated cost of \$435,000.00;
2. That the Municipal Treasurer be authorized to proceed immediately with a special Drainage By-law to finance the work;

3. That the Consulting Firm of Golcer, Brawner & Associates Ltd. be engaged to immediately proceed with the final design and preparation of plans ready to call for tenders for alternative No. 6 with the understanding that the cost for this engineering work would be approximately \$20,000.00;
4. That immediately upon receipt of the plans and specifications, the constructions of alternative No. 6 be put to tender with a completion date for the work to be October 31, 1976;
5. That the Parks and Recreation Commission assume responsibility for minor improvements in the other south slope ravines as recommended in the Consultant's report dated July, 1973;
6. That Council approve the expenditure of \$2,500.00 to install relief drains and gabions at the rear of 7949 Suncrest Drive in an effort to minimize further loss of material this winter;
7. That the plan for landscape treatment of the ravine be referred to the Parks and Recreation Commission for approval.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"That the following recommendation as contained in Item 20, Municipal Manager's Report No. 3, 1976, be adopted."

1. That the wording in Recommendation No. 6, Item 18, Municipal Manager's Report No. 3, 1976, be amended to read as follows:

"6. That Council approve an ex gratia expenditure of \$2,500.00 to install relief drains and gabions at the rear of 7949 Suncrest Drive in an effort to minimize further loss of material this winter, subject to the receipt of an appropriate release."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion as moved by Alderman Stusiak and seconded by Alderman McLean "That the recommendations of the Municipal Manager be adopted" as amended and CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN EMMOTT:

"That the Capital Improvement Program Committee take under advisement the possibility of reducing the 1977 Local Improvement Program by the amount of money required to be expended on the correction of drainage problems in the Kaymar/Suncrest Ravine."

CARRIED UNANIMOUSLY

Council recessed at 8:57 P.M.

Council reconvened at 9:05 P.M.

(19) Rezoning Applications.

1. Rezoning Reference #57/75
Lots 13 and 14, Block 7, D.L. 186, Plan 1124
3865 and 3871 Pandora Street

It was recommended that Council receive the report of the Planning Department and directed that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on February 17, 1976, and that the following be established as prerequisites to the completion of the rezoning:

- 1) The submission of a suitable plan of development reflecting the concerns expressed in the foregoing.
- 2) The submission of an undertaking to remove all existing improvements from the site within 6 months of rezoning but not prior to Third Reading of the Bylaw.
- 3) The deposit of sufficient monies to cover costs of all services necessary to serve the subject site.

- 4) The consolidation of the net project site into one legal parcel.
- 5) The granting of any necessary easements.
- 6) The installation of all electrical, telephone, and cable servicing, and all other wiring underground throughout the development and to any existing service.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

2. Rezoning Reference #59/75
Lots 36 and 37, D.L. 166A, Plan 48494
7422 and 7432 Fraser Park Drive

It was recommended that Council receive the report of the Planning Department and direct that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on February 17, 1976, and that the following be established as prerequisites to the completion of the rezoning:

- a) The submission of a suitable plan of development.
- b) The granting of any necessary easements as may be required.
- c) The deposit of sufficient monies to cover the costs of all services necessary to serve the site.
- d) The installation of all electrical, telephone, and cable servicing, and all other wiring underground throughout the development and to any existing service.
- e) The dedication of any rights-of-way deemed requisite.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

3. Rezoning Reference #60/75
Lot "A", Block 1, S.L. 2, R.S.D. 3, D.L. 59, Plan 15822
Lot 2, Block 1, S.D. 2, D.L. 59, Plan 10302
Lot 3, North 160.5', Block 1, S.D. 2, D.L. 59/136/137, Plan 10302
2751 and 2821 Bainbridge Avenue
7059 Loughheed Highway.

It was recommended that Council receive the report of the Planning Department and direct that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on February 17, 1976, and that the following be established as prerequisites to the completion of the rezoning:

- a) The submission of a suitable plan of development.
- b) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw.
- c) The consolidation of the net project site into one legal parcel.
- d) The granting of any necessary easements.

- e) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- f) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the development from existing services.
- g) The dedication of any rights-of-way deemed requisite along the Bainbridge Avenue frontage.
- h) The provision of a public pedestrian walkway easement along the B. C. Hydro right-of-way and the construction of a concrete walk to the approval of the Municipal Engineer and B. C. Hydro.
- i) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
- j) The deposit of a per unit levy to go towards the acquisition of proposed neighbourhood parks.
- k) The retention of as many existing mature trees as possible on the site.
- l) The retention of the existing watercourse in an open condition along the west lot line in its existing alignment.
- m) The approval of the Department of Highways to the rezoning application.
- n) The triangle of alienated property north of the B. C. Hydro right-of-way is to be consolidated with the lot to the north or deeded to the Municipality.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

4. Rezoning Reference #62/75
Part of Lot 4, D.L. 124, Plan 13414
Part of Lot 4, D.L. 70, Plan 13400
2520 and 2650 Willingdon Avenue.

It was recommended:

- 1. That Council adopt the Community Plan outlined in Section 4.0 of the Planning Department's Report as a guideline for the development of specific sites on the understanding that each of the specific sites (A,B,C, and D) will be submitted as individual rezoning applications for the consideration of Council.
- 2. Council receive the report of the Planning Department concerning the development of Sites A and B (Sketch 1) and authorize the Planning Department to work with the applicant in the preparation of a suitable plan of development for Site A and B within the context of the overall Community Plan with the understanding that a further and more detailed report will be submitted at a later date.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"That the Community Plan as indicated on Sketch 1 attached to the Planning Department's report be amended to reflect the proposed public walkway along Still Creek."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion as moved by Alderman Stusiak and seconded by Alderman Gunn, "That the recommendations of the Municipal Manager be adopted", as amended, and was CARRIED UNANIMOUSLY

5. Rezoning Reference #64/75

Lot 8, Except Plan 22210, Block G, D.L. 127 W 3/4, Plan 1254
5080 Hastings Street

It was recommended that Council receive the report of the Planning Department and direct that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on February 17, 1976, and that the following be established as prerequisites to the completion of the rezoning:

It is recommended that Council receive the report of the Planning Department and request that a rezoning bylaw be prepared and that the rezoning be advanced to a Public Hearing on February 17, 1976. It is further recommended that the following be established as prerequisites to the completion of rezoning:

- 1) The submission of a suitable plan of development incorporating the design criteria outlined above.
- 2) The installation of all electrical, telephone, and cable servicing, and all other wiring underground throughout the development and to any existing service.
- 3) The deposit of sufficient monies to cover the costs of all services necessary to serve the site.
- 4) The granting of any necessary easements.
- 5) The deposit of a parkland acquisition levy in the amount of \$630.00 per unit.
- 6) All applicable condominium guidelines as adopted by Council shall be adhered to.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: Alderman McLean

6. Rezoning Reference #65/75

Westerly portion of Lot 87, D.L. 40, Plan 23426
8130 Winston Street.

It was recommended that Council receive the report of the Planning Department and direct that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on February 17, 1976, and that the following be established as prerequisites to the completion of the rezoning:

- 1) The submission of a suitable plan of development.
- 2) The deposit of sufficient monies to cover the costs of all services necessary to serve the subject site.
- 3) The granting of any necessary easements.
- 4) The installation of all electrical, telephone, and cable servicing and all other wiring underground and throughout the development and to any existing service.
- 5) The subdivision of the net project site to create a separate legal parcel.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

7. Rezoning Reference #66/75
Lot 31; D.L. 94, Plan 720
5259 Lane Street

It was recommended that Council receive the report of the Planning Department and directed that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on February 17, 1976, and that the following be established as prerequisites to the completion of the rezoning:

- 1) The submission of a suitable plan of development.
- 2) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw.
- 3) The dedication of the westerly 10' of the subject site for the construction of a north-south lane.
- 4) The deposit of sufficient monies to cover the costs of all services necessary to serve the site, including construction of the lane adjacent to the site.
- 5) The installation of all electrical, telephone, and cable servicing, and all other wiring underground throughout the development and to any existing service.
- 6) The granting of any necessary easements.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

(20) Erosion in Kaymar/Suncrest Ravine

This item was dealt with previously in the meeting in conjunction with Item 18, Municipal Manager's Report No. 3, 1976.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY