

February 2, 1976

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, February 2, 1976, commencing at 7:00 P.M.

PRESENT:

Mayor T.W. Constable
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. J. Hudson, Municipal Clerk
Mr. R.W. Watson, Deputy Municipal Clerk

V I S I T O R S

Mayor T.W. Constable introduced Members present from the 53rd and 27th Burnaby Girl Guide Companies and their Leaders.

M I N U T E S

The Minutes of the Special Council Meeting held on January 22, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That the Minutes of the Special Council Meeting held on January 22, 1976 be now adopted."

CARRIED UNANIMOUSLY

The Minutes of the Council Meeting held on January 26, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That the Minutes of the Council Meeting held on January 26, 1976 be now adopted."

Alderman Ast indicated that he had been opposed to the resolution as outlined on the bottom of page 8 of the Council minutes and not in favour of it.

A vote was then taken on the minutes as amended, and same was

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Sculpture Symposium Society of British Columbia,
Genevieve Lemarchand, Chairman of the Organizing Committee
for Urbanart, January 20, 1976
Re: Concept Symposium at the end of Summer of 1976.

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- (b) Public Freightways Ltd., Vice-President Transportation Services - January 22, 1976.
Re: Site Plan - Rebuilding of Public Freightways Terminal, 3985 Still Creek Avenue

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Sculpture Symposium Society of British Columbia

No representative appeared on behalf of the Sculpture Symposium Society.

- (b) Public Freightways Ltd.

Mr. Irvin Froese, Vice-President, Transportation Services, Public Freightways Ltd. appeared before Council and commented as follows:

I am here specifically to represent our associated company, Public Freightways Ltd. which has been functioning in Burnaby at 3985 Still Creek Avenue which as you know is the heart of the truck terminal activity in Burnaby. That company employs in excess of 150 people, and Johnston Terminals which is a B.C. privately owned company employs over 2000 people of which approximately 200 live in Burnaby. The property which is 7 acres is bounded on the north by the Burlington Northern, on the east by what is now B.C. Tel property, on the west by a commercial trailer company and on the south side by Still Creek Avenue.

You will have noticed on dealing with the Creek that on looking at page 151 of your report, the property which is in the shaded area is the property we are referring to. You will note that the creek runs right through the center of that property. The diagram indicates that 264 ft of the creek has been culverted and 240 ft is what is being proposed in our presentation to Council. Our objective in asking Council to culvert the additional creek relates specifically in being able to use the property to its fullest extent.

You will notice at the present time how the terminal is located. For those of you who understand a truck terminal operation, one side is for pick up and delivery trucks and the other side is for our trailer trucks. In this particular case the trailer truck set-up was initially designed to function from the north side and that cannot be changed at this time. To recognize that function there is a generally recognized rule that you need twice the length of the typical rig to maneuver properly into and out of a berthing area. What we are talking about in the north area is a practical area for maneuvering of approximately 100 ft. There is considerably less than that area now considering the way the ditch runs through the property.

Now, because of our concern in regard to the impact of additional culverting on the water purity which we felt was of concern to your Health Department we had special tests conducted by F.F. Slainev & Company. I have a letter with me which indicates that there would be no adverse effects from the quality of the water on the east of the property or on the flows to the east. There would be no additional impact due to the culverting.

We have noted your concern that the culverting will set off other requests or demands for additional culverting. We can understand that argument and would suggest that each particular application be considered on its own merits.

Not only do the tests indicate the water purity would not be effected adversely, it would indicate the water purity could be improved because if that area which has a great deal of traffic moving in and around the creek was culverted a great amount of the dirt presently getting into the creek could be avoided.

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Your Worship, I would like to review a little bit of the background of the Company. The Public Freightways Terminal was constructed in November of 1968 at this location. Investment in the Terminal and the shops and the improvements has exceeded 1 1/4 million dollars. This facility which was an ultra-modern facility in truck transport terminals was located in Burnaby because at that time our predecessors were encouraged to locate in Burnaby. I think they have been good corporate citizens and have responded to the establishment of proper facilities and the development of truck routes and environmental testing, and go on. You know of course that the Automotive Transport Association/domiciled in Burnaby. When our problem became an issue on October 24, of last year because of the fire which levelled our entire facility in Burnaby, we had to move much more rapidly in planning what we would do to help resolve our problem. I want to mention that not one man-day was lost as a result of that fire. We have continued to operate out of the property with makeshift facilities ever since that date. Our commitment to that property continues to this date. I want it to be known that we have both before the fire and since the fire examined factors which would justify reasons why trucking should be in an area such as that. I can say with considerable qualification that when you consider that Burnaby is central to the Lower Mainland Area and you consider the access and egress to freeways and arterial routes, these and other factors continue to prove conclusively that the economics of truck transport in the Greater Vancouver area are enhanced by being centrally located and that is a central location.

I believe that the plans that have been prepared by our Engineering people, Dominion Construction have incorporated in them ^{the} necessary beautification program to go with reconstruction if and when it should occur. We have indicated in those plans as I have said earlier that in order to make the property a viable piece of property we must add to the terminal an addition 40 ft wide and 110 ft long. That would be the maximum in that facility. I would have to say Your Worship, that we are not pleased with the property that it is not paved at this time. It has been paved on at least one occasion, however, it is continuing to sink. We are continuing to keep filling and we notice that that problem is slowly being overcome. We hope to pave the area in a year or more.

Finally, I want to say on behalf of our Company that we recognize the importance of this decision to you and we hope you appreciate the importance of the decision to us. The environmental and ecological factors are real and we appreciate that, but at the same time we in looking at the property we feel that perhaps if Council could view the facility and defer any judgement in this matter then perhaps you would have a better feeling for what the condition of the property is, how the stream encounters the property, what its impact is on the property, how it can be properly culverted without doing damage to the water. Therefore, Sir, our presentation this evening is that we would respectfully request that you consider our application for culverting and the extension to the building and that you reserve judgement on that until such time as a meeting can be mutually arranged for a visit to the site, at which time Council will do the best for the Company and the Community.

Thank you, Your Worship.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"That Item 19, Municipal Manager's Report No. 6, 1976 be now brought forward."

CARRIED UNANIMOUSLY

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

1. THAT Council reaffirm its previously-expressed position of preserving the Still Creek waterway in an open condition; and
2. THAT the present request for enclosing a further 240-foot section of creek in conjunction with PPA #3505 not be approved; and
3. THAT the Planning and Engineering Department be authorized to work out with the applicant a single bridge crossing only, in the westerly portion of the site, which will provide adequate access to this portion of the property, if the applicant so desires."

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MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"That the subject matter be tabled for a two week period to give Council an opportunity to visit the Still Creek site."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That Item 7, Municipal Manager's Report No. 6, 1976 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager provided a report of the Chief Building Inspector wherein it was indicated that an error had occurred in the fee established for an annual electrical permit set out in Section 28 of Appendix A of the 'Burnaby Electrical By-Law 1974, Amendment By-law No. 2, 1975' By-Law No. 3772

It was recommended that Section 28 Appendix A of the 'Burnaby Electrical By-Law 1974' and amendments be repealed and the following substituted therefore:

"(28) Annual Permit:

(a) For a Commercial or Industrial Annual Permit,

- | | |
|---------------------------------------|----------|
| (i) per kva. of service capacity..... | 0.07 |
| adjusted to the nearest dollar, or | |
| (ii) minimum fee..... | 29.00 |
| (iii) maximum fee..... | 1,040.00 |

(b) For an Educational Facility Annual Permit, each classroom, shop, laboratory, board office..... .18"

It was recommended by the Municipal Manager:

1. THAT the two adjustments to the fee schedule, "Burnaby Electrical By-Law 1974, Amendment By-Law No. 2, 1975" By-Law No. 6772, as outlined in the Chief Building Inspector's report be approved.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That the recommendation of the Municipal Manager be approved"

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"That

'BURNABY ELECTRICAL BY-LAW 1974, AMENDMENT BY-LAW NO. 1, 1976'

- #6815

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

February/2/1976

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"That

'BURNABY ELECTRICAL BY-LAW 1974, AMENDMENT BY-LAW
NO. 1. 1976'

- #6815

be now read three times."

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 50, 1975"

- #6529

came forward for reconsideration and final adoption.

This By-Law provides for the following proposed rezoning:

Rezoning Reference No. 41/74

Lot A, Blk. 3, S.D. 1, D.L. 120, Plan 13545

Group 1, N.W.D.

- 1680 Gilmore Avenue

FROM MANUFACTURING DISTRICT (M1) TO LIGHT INDUSTRIAL DISTRICT (M5)

The Director of Planning by memorandum dated January 29, 1976-advised no requisite conditions had to be fulfilled prior to the completion of Rezoning and the applicant has approved proceeding to Final Adoption.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"That

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 50, 1974'

- #6529

'BURNABY SECURITY ISSUING BY-LAW NO. 5, 1975'

- #6718

'BURNABY MUNICIPAL HALL PARKING REGULATION BY-LAW
1975, AMENDMENT BY-LAW 1976'

- #6814

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. 6, 1976 which pertains thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

February/2/1976

- (a) Canadian Federation of Mayors and Municipalities
Executive Director, January 23, 1976
Re: Royal Canadian Mounted Police policing in
Municipalities

A letter was received under date of January 23, 1976 enclosing a copy of the letter received from the Solicitor General as a result of a meeting between the Canadian Federation and the Solicitor General of Canada and specifically relating to Royal Canadian Mounted Police policing in Municipalities across Canada. This is received for information.

- (b) Woman's Christian Temperance Union, Vancouver
District, South Burnaby Union, January 24, 1976
Re: Refuse the application for the proposed Pub
at 5605 Kingsway

A letter under date of January 24, 1976 was received requesting Council refuse an application for a proposed pub at 5605 Kingsway.

- (c) Miss Grace Fulton, January 26, 1976
Re: Application to establish a Neighbourhood
Pub at 5605 Kingsway

A letter under date of January 26, 1976 was received indicating opposition to a licence being granted to a proposed neighbourhood pub at 5605 Kingsway, Burnaby.

- (d) Canada Safety Council, Executive Director,
January 19, 1976
Re: Safe Driving Week

A letter under date of January 19, 1976 was received indicating the Canada Safety Council every year present a Certificate of Commendation signed by His Excellency the Governor General of Canada to those communities with populations of 40,000 or more that have completed Safe Driving Week without a traffic fatality. It was indicated that this year 44 out of 57 communities were fatality free.

- (e) Mr. J.G. Lorimer, January 21, 1976
Re: Thank you for kindness in the resolution
recently passed.

A letter under date of January 21, 1976 was received thanking Council for their kindness in the resolution which they recently passed.

- (f) Lions Carnation Fund, Lions Carnation Committee,
January 23, 1976
Re: Carnation Tag Days - Friday and Saturday,
May 7 and 8, 1976

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"That the request from the Lions Carnation Fund Committee to hold Carnation Tag Days, Friday and Saturday, May 7 and 8, 1976 be approved."

CARRIED UNANIMOUSLY

- (g) Mr. G.R. Mackie, January 28, 1976
Re: Problems caused by creek which flows behind
homes

A letter under date of January 28, 1975 was received indicating that on several occasions since 1973 both Mr. Mackie and his neighbours have pleaded with the Municipality to rectify problems caused by a creek which flows behind their homes, nothing has ever been done. Referring to attached letters you can see that the excuses are widely varied. It was indicated that the situation now after the heavy rains we have experienced is critical. The erosion of property is very extensive to the point that a building on his land will eventually slide into the creek.

The Municipal Manager advised that a staff report would be available at the February 9, 1976 meeting of Council.

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

- (a) Sprott-Lubbock Farm
(Item 10, Manager's Report No. 3, January 19, 1976)

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That the subject matter be lifted from the table."

CARRIED UNANIMOUSLY

The following resolution was then before the Council.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN DRUMMOND:

"That the recommendations of the Municipal Manager as contained within Item 10, Manager's Report No. 3, 1976 be adopted:

The Manager's Recommendations were:

1. THAT Council table the subject request for rezoning until its March 22, 1976 meeting: and
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 development a heritage project on the subject site including a method of financing any such project; and
3. THAT a copy of the report be sent to:
 - (a) Mr. Ansley Lubbock and Miss Beatrice Lubbock,
 - (b) Community Builders Ltd. and to
 - (c) Those persons who have corresponded with Council on this matter in the past.

DEFEATED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"That we confirm the original community plan for the area and further that we make the farm house available to the Century Park Museum Association or the Burnaby Horsemen's Association providing it is donated to the Municipality by the owners."

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN MCLEAN:

"That the foregoing motion be amended so that the words 'and associated buildings' be added after the word 'farmhouse'."

CARRIED UNANIMOUSLY

A vote was then taken on the ^{original} motion as amended, and ^{same was} CARRIED UNANIMOUSLY

- (b) Comprehensive Development District Zoning Process
(Item #20, Manager's Report No. 5, 1976 -
Council Meeting - January 26, 1976)

The above noted subject matter was left on the table.

E N Q U I R I E S

Alderman Drummond

On a question of Alderman Drummond, Mayor Constable reviewed the technical differences between dedication of Parklands and reservation of Parklands.

February/2/1976

Alderman Gunn

On a question of Alderman Gunn, Mayor Constable advised that he would be attending in Ottawa at which time he would take up with Solicitor-General Warren Allmand the material received from him on the question of Royal Canadian Mounted Police policing in Municipalities.

R E P O R T S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

The Municipal Manager presented Report No. 6, 1976 on the matters listed following as Items (1) to (19) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Final Closure of Rochester Road

The Municipal Manager provided a report of the Director of Planning wherein it was stated that:

As a result of two current rezoning applications, Rochester Road will be closed from North Road west approximately 1,000 feet. It has been proposed that the remaining allowance be retained as part of the park buffer along with a portion of Rem. 1 and 2 which are owned by the Corporation. It is in order, therefore, that this remaining allowance be cancelled out and consolidated with Rem. 1 and 2.

It was recommended:

1. THAT Council authorize the introduction of a Road Closing By-law for the remainder of Rochester Road, and consolidation of redundant road allowance with Remainder 1 and 2 as outlined in the Planner's report and the attached sketch.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(2) Tenders for Contract #7602
Storm Sewers - 1975 - Part II
By-Law 6706

The Municipal Manager provided a report of the Purchasing Agent wherein it was indicated that the work includes the installation of approximately 11,700 lineal feet of storm sewer in pipe sizes ranging from 8 inch diameter to 24 inch diameter, as well as all necessary appurtenances, house connections and other related work.

It was recommended:

1. THAT the lowest tender in the amount of \$334,520.40 submitted by Gosal Bros. Contracting Ltd. be accepted with final payment to be based on actual quantities and the unit prices tendered.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(3) Engineer's Special Estimate

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

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

Work Order No.

32-896	Install Storm Drainage on:		
	1. Gray	Carson to Rumble	720160-2-3 1,405'
	2. Brentlawn	Willingdon to Delta	710047-2-3-4 2,357'
	3. Arcola	Kingsway to Sperling	720183 674'
	4. Brantford	Emerson to Strawson	750015 142'
	5. Strathearn	Portland to Carson	720166 719'
	6. Southwood	McKay to Sussex	720157 758'
	7. McKee	Edson to Gray	740040-1 854'
	8. Edson	McKee to Portland	740040-2 319'
	9. Portland	McGregor to Royal Oak	740040-4 329'
	10. Ewart	Royal Oak to McGregor	740040-5 310'
	11. Carson	McGregor to Royal Oak	740040-6 310'
	12. 2nd Ave.	Boundary to 250' E.	750008 227'
	13. Burns	Sperling to Griffiths	720177 770'
	14. 14th Ave.	19th St. to 20th St.	720189 622'
	15. Dawson	Madison to Willingdon	720207-1-2-3) 1,138'
	16. Lane N. of Dawson - W. of Rosser	720207-1-2-3)	
	17. Portland	Dow to Gray	720162 798'
			<u>11,727'</u>

CHARGE: By-law No. 6706
Code 30-01

\$415,800.

ADDITIONAL INFORMATION: This work order is to cover charges for Contract #7602 which is before Council on this agenda (see item 2, p. 103). This contract comes under By-law #6706, which has been approved by Council."

It was recommended:

1. THAT the estimate be approved as submitted.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANPALL:

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

CARRIED UNANIMOUSLY

(4) Medical Health Quarterly Report

The Municipal Manager provided a report of the Medical Health Officer covering the activities of his Department for the months of October, November, and December 1975.

February/2/1976

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

- (5) Restrictive Covenant
Rezoning Reference #38/75
4247/63/77/91 Grange Street
5649 Halley Avenue

The Municipal Manager provided a report of the Director of Planning, as follows:

"On October 27, 1975 Council gave Two Readings to the subject rezoning request for development of a three storey strata title apartment complex. Requisites to the completion of rezoning include the dedication and construction of an east-west lane along the northerly portion of the apartment site through to Halley Avenue. Consequently, this lane would separate off a portion of the site thereby creating a new parcel of land of approximately 3,430 square feet

As the site thus produced will have less than the frontage and area required under the regulations for the R5 zoning district, it is necessary to ensure that this parcel be created not for separate development, but only as a temporary, intermediate step in achieving the eventual subdivision pattern. Since the remainder of the block has been designated for future medium density apartment development it is necessary to ensure that this small parcel does not in any way interfere with appropriate assembly of the remaining lots on the northeast corner of the block.

EXISTING SITUATION:

The Planning Department is now in receipt of the required survey plans illustrating appropriate lane dedication and consolidation of the apartment site. It is therefore necessary to obtain Council's authority for the preparation and execution of a covenant to be registered against the lot described as Rem. "A" under Section 24A of the Land Registry Act to include the following condition:

The subject lot is not to be developed separately, but rather only as an integral part of a new consolidated site to include the following properties, in addition to the subject site:

Rem. "A", Expl. Pl. 8842, Blk. 34, D.L. 34,
E. 50' of N.1/2 7, Blk. 34, D.L. 34,
Rem. N.1/2 8, Blk. 34, D.L. 34

The owner/developer has been informed of this concern and has agreed to the foregoing condition.

It was recommended:

1. THAT Council authorize the preparation and execution of a covenant as outlined in the Planner's report in conjunction with the proposed subdivision and rezoning of properties north of the lane.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

February/2/1976

(6) Armenian Cultural Association of B.C.
Provision of Parking Facilities

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

"At the Council meeting of December 8, 1975, a report on the subject matter was tabled pending discussion between the Planning Department and representatives of the Armenian Cultural Association concerning alternative proposals to meet that group's parking needs. A progress report was advanced on December 29 advising that discussions were continuing, but that the Royal Bank's Real Estate Resources Section had studied the original proposal to sublease a portion of its lot to the Association, and declared that it would not in fact enter such arrangements, as a matter of policy.

We have therefore directed our attention to assisting the Association to locate the required number of off-street parking spaces in a legal situation within 400 feet of their proposed new hall on the upper floor of 6016 McKay. Possibilities included nearby commercial properties such as the Astor Hotel or other users with major parking provisions on their sites, and the Municipally-owned existing paved parking lot between Cassie and McKay Avenues a portion of which is presently leased to the Royal Bank branch at McKay and Kingsway.

This latter possibility had been studied earlier, but the Association's position was that they, as a relatively small group with limited funds and with infrequent actual demands for parking, could in no way afford to pay a normal market-value lease rate for the number of spaces required. On further discussion however, the nature of their use and their particular circumstances related to frequency of use and limited means as a non-profit organization have led the Land Agent to conclude that a recommendation is warranted, to offer the use of the existing facility without compensation, on a limited term basis, in line with the Association's request.

The existing lot in question occupies Lot 5 and Remainder of 4, shown on the attached sketch, and is a fully paved, Municipally-owned lot that has been used for parking in support of the adjacent commercial area for several years. Until June 30, 1975, the Royal Bank held a 10-year lease on the entire facility; however, the lease with the Bank was renewed in late 1975 only for the easterly portion of Lot 5. The balance of the lot is not leased and therefore provides no revenue, but is used on a casual basis by the general public. The lot is within 400 feet of the proposed hall, and accommodates 29 cars outside the area leased to the Bank.

From a planning point of view, it would be unfortunate to commit major additional areas of land for the creation of additional surface parking lots in this area for the benefit of such an existing older building, as the site falls within the Metrotown area and is designated for major redevelopment. The accommodation of these parking needs on an existing lot will allow the utilization of an existing resource and avoid the need to commit further land areas to parking, thereby avoiding undue impediment to the change that is being advocated for this area.

The Association has not yet prepared a detailed plan for the renovations to the top floor of the building for their use, and consequently no final parking requirement figure can be given at this time. However, a preliminary assessment of their proposal suggests a maximum of 18 spaces could be needed. The Association's lease of the hall is for a five year period, but in view of the possibility that redevelopment of the block between Cassie and McKay may be advanced within that period of time, it is recommended that any agreement to allow the group to use the Municipal lot be on a short term, year-to-year basis only, as is the case with the Royal Bank's parking lease. If redevelopment were to occur and the arrangement not be renewed, it would be the responsibility of the Association to make suitable alternative arrangements at that time."

The Planning Department and the Land Agent are therefore prepared to recommend in this instance that the Municipality agree to allow the Association to use up to a maximum of 18 spaces on the existing Municipally-owned parking lot occupying the westerly $\frac{1}{2}$ of Lot 5, on a year-to-year basis commencing February 1, 1976, without compensation, and subject to being provided with assurances acceptable to the Municipal Solicitor to hold the Municipality harmless in case of damage, injury or the like on the property."

It was recommended:

1. THAT the Armenian Cultural Association of B.C. be granted a licence to use parking spaces on the subject parking lot with the said licence to be revocable by the Municipality at any time, subject to the condition that the licensee provide public liability and property damage in amounts that are satisfactory to the Municipal Solicitor joining the Municipality as an additional insured.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

- (7) Correction of Error in Fee Schedule
"Burnaby Electrical By-law 1974,
Amendment By-law No. 2, 1975"
By-law No. 6772

This subject matter was considered previously under Item 4(a) - By-Law No. 6815

- (8) Proposed Storage Facilities in the Ioco Area

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

"It has been brought to the attention of the Planning Department that the Ioco tank farm proposal referred to in Manager's Report No. 5, item 17, Council meeting January 26, 1976 is going before the Regional District in the form of a Public Hearing at 7:30 p.m., February 18, 1976 at the Ioco Hall.

In that the Municipality has expressed concern with this proposal, it would seem wise for Council to appoint a representative to present the Burnaby viewpoint in the context of the impending and adjacent Marine Park development. Staff would be pleased to accompany the designated representative should this be considered necessary."

It was recommended:

1. THAT a member of Council and a member of the Planning Department be selected to represent the Municipality at the Public Hearing that is scheduled to take place at the Ioco Hall at 7:30 p.m. on February 18, 1976.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

February/2/1976

It was agreed that Mayor Constable would attend the meeting in question to represent the Municipality in this matter.

- (9) Request for Approval to Issue P.P.A. #3507
D.L. 155 Rem. Thereof Lease Pt., Plan 3077
8335 Meadow Avenue, Burnaby

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

"Application has been received by the Planning Department for the development of hog fuel hopper and storage facilities on the subject property. Council will note that this location is within the Big Bend Study Area

The existing zoning is M3a, Heavy Industrial, and the Big Bend Development Plan has designated this area for future M3 zoning and use. This use is permitted in the M3 zoning district providing the other requirements of the bylaw are met.

The proposal involves the construction of three separate structures connected by conveyor belts. A hog fuel hopper, a hogger pit, and a hog fuel bunker are to replace an older existing hog fuel operation. The hog fuel bunker, being the most visible, structure has been sheathed with 1" x 4" diagonal cedar siding.

The Engineering Department has informed us that the minimum design elevation is 104.2' above Burnaby datum and the applicant has been advised of this."

It was recommended:

1. THAT the Planning Department be given authorization to grant Preliminary Plan Approval to the proposed development at 8335 Meadow Avenue.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (10) New Loading Rack for Gulf Oil Co.
9950 Barnet Highway
Preliminary Plan Approval #3198

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

"At the Council meeting on July 12, 1975, it was reported that a great deal of construction activity was taking place on the Gulf Oil bulk loading facility site on the Barnet Highway, and information was requested on the scope and purpose of the construction.

On July 21, 1975 the Planning Department issued PPA #3198. The application was made by Gulf Oil Canada Ltd. This approval did not increase the storage capacity of the plant. Rather, the improvement consists of the addition of two top loading and two bottom loading racks at a new location, 200 feet south of Barnet Highway and west of the previous loading rack. Some of the existing crossings were to be removed and new pipelines and underground wiring are to be installed.

As a condition of PPA a 20' landscaping strip and screen fencing were required in order to screen the industrial activities from the Barnet Highway."

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:"

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

CARRIED UNANIMOUSLY

(11) Tax Exemptions - Elderly Citizens' Housing

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

"On 18 November 1974, Council received Item 20, Manager's Report No. 76, and directed:

"That no grants to defray 1974 taxes be given the Finnish Canadian Rest Home Association, the Central Park Housing Society, and the Society for Christian Care of the Elderly on properties owned by them on Canada Way, Inman Avenue and Salish Court respectively, and that by-laws to give tax exemptions for the year 1975 be not considered by Council; and

That tax exemption by-laws at the rate of four-fifths exemption for 1975 be brought down for:

B.C. Christian Institute
Action Line Housing Society
The New Vista Society; and

That resolutions permitting tax exemption at the rate of four-fifths of the taxes payable on lands which may be exempted by Council pursuant to Section 327 of the Municipal Act be brought down for:

Norwegian Old People's Association
West Canada Danish Old People's Home Association
Swedish Canadian Rest Home Association
United Church of Canada
The New Vista Society; and

That Council adopt the principle of phasing out tax exemptions over a five year period on such establishments."

Subsequently, Council forwarded a brief to the Minister of Housing, Province of B.C., with a copy to the Minister of State for Urban Affairs, Government of Canada, which recommended:

"That the Province make representations to the Federal Government to bring all new elderly citizens' housing projects under the terms of Sections 15 and 44 of the National Housing Act whereby municipalities can be paid taxes on such properties; and

That the Provincial Government make grants to the several organizations that are having a partial cutback in tax exemptions, sufficient to enable them to pay the taxes that will be levied in 1975 and subsequent years; and

That the Provincial Government make grants to the three organizations in Burnaby which have been refused tax exemptions by the Council of Burnaby, sufficient to enable these organizations to pay the taxes as levied; and

That the Provincial Government cancel existing tax exemptions on elderly citizens' housing by the repeal of Section 327(1)(i) of the Municipal Act and that the Province make grants to these organizations sufficient to pay their taxes."

The Finnish Canadian Rest Home missed out on statutory exemption of taxes on their building and the ground on which it stands for the reason that Section 327 of the Municipal Act was amended in 1974 to put a stop to this practise for organizations in receipt of financial assistance received after 31 March 1974. The Finnish Canadian Rest Home Association received their grant a few days after the deadline. They appealed their case before the Court of Revision, which granted tax exemption on the building and the land on which it stands and directed that four-fifths of the remaining land be granted exemption for 1975 in the manner similar lands were being treated by Council.

This was reported to Council on 3 November 1975, Item 12, Manager's Report No. 70, and Council directed that an appeal be made before a Supreme Court judge on a question of law.

In the meantime, the Assessment Authority has continued exemption for the main parcel on the 1976 assessment roll and is showing the balance as being three-fifths taxable in the same manner as other properties of like nature exempted by Municipal by-law.

The Solicitor has filed a notice of appeal with the Court of Revision.

In the meantime, also, the Finnish Canadian Rest Home Association has qualified for a subsidy in whole or in part under Section 44(1)(b) of the National Housing Act. Under this Section, the Federal and Provincial Governments subsidize in whole or in part the costs of these establishments in excess of an approved rate per diem.

The Central Park Housing Society, the Society for the Christian Care of the Elderly, the B.C. Christian Institute, the Action Line Housing Society and the New Vista Society projects are being reviewed by the Provincial Department of Housing for possible subsidies. If they do not qualify for all or part subsidies, it will be because their rental rates exceed acceptable limits as set down by Central Mortgage & Housing Corporation.

At the moment, the balance of the projects which enjoy statutory exemption on buildings and the land on which they stand are not being considered for subsidies to help them pay the taxes on lands which are taxable by the Municipality. It is considered by the Department of Housing that the minimal taxes involved will not be sufficient to appreciably affect the levels of rents."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

- (12) Letter from MacMillan Bloedel Limited that Appeared on the Agenda for the January 26, 1976, meeting of Council (Item 4d)
Easement Agreement

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

" Appearing on the Council agenda of January 26, 1976 was a letter dated January 13, 1976 from MacMillan Bloedel Ltd. requesting termination of an easement granted by the Municipality which permitted that company to construct and maintain an overhead pipe across Boundary Road in the Big Bend area of the Municipality.

Under terms 6 and 7 of the agreement executed on April 6, 1975 it is the responsibility of MacMillan Bloedel Ltd. to assume all costs associated with the removal of the overhead pipe works. Following termination of the lease, it would be necessary for MacMillan Bloedel Ltd. to remove the overhead pipe within three months, or by August 1, 1976. However, due to present labour problems being experienced at the site, it may not

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be possible for the company to meet this deadline. In view of the extenuating circumstances, this department would have no objection to the termination of the lease on April 30, 1976 subject to MacMillan Bloedel providing the Municipality with a letter of undertaking that it will remove the overhead pipe from the subject easement area at their sole expense as soon as the labour situation permits or when required by the Municipality, whichever occurs first. The Land Agent agrees with this position."

It was recommended:

1. THAT the easement agreement with MacMillan Bloedel Ltd. be terminated on April 30, 1976 as requested subject to that company providing the Municipality with a letter of undertaking that it will remove the overhead pipe from the subject easement area at their sole expense as soon as the labour situation permits or when required by the Municipality, whichever occurs first.

MOVED BY ALDERMAN MCFEAN:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

"That the subject matter be tabled until clarification is obtained from the International Woodworkers of America on the question of permission to remove the overhead pipe in question."

CARRIED UNANIMOUSLY

** See minutes of February 9, 1976 for correction

(13) Proposed Road Closures

1. Dellawn Drive at Springer Avenue
2. Halifax Street at Woodway
Apartment Area "D"

The Municipal Manager provided a report of the Director of Planning wherein it was indicated:

"The preliminary estimate of the cost to place barricades on Dellawn Drive at Springer Avenue and on Halifax Street at Woodway Place, complete with "No Exit" signs and checker-board signs, is \$1,500. The preliminary estimate of the cost to install a hydrant on the southeast corner of Halifax Street and Woodway Place, and to relocate an existing hydrant to the southeast corner of Dellawn Drive and Crestlawn Drive, is \$4,500.

The proposed closure facilities are transitional structures similar to the ones utilized on the effected road closures in the Sullivan Heights area. After the road closures have been in effect for a length of time, say, minimum one year, so that their degree of success can be assessed, and when funds are available, permanent road closing structures including appropriate landscaping could be designed and instituted in due course.

Upon the approval of Council to the proposed road closures and to the expenditure of necessary funds to achieve these closures, the Municipal Engineer will pursue any operational procedures necessary to complete the required work. The source of funds will be the Special Roads Projects, Account 15-06, of the Capital Improvement Program. The work to be done will be included in the 1976 annual budget which will be submitted to the Capital Improvement Program Committee at the end of February by the Municipal Engineer. However, we would request permission to expend the necessary funds and to complete the required work at this time, prior to the approval of the annual budget. The work would be carried out as soon as practically possible."

It was recommended:

1. THAT Council authorize the closure of a. Dellawn at Springer and b. Halifax at Woodway as outlined in the adopted amended Community Plan East of Delta; and
2. THAT Council approve the expenditure of the necessary funds in the amount of approximately \$6,000. prior to the approval of the Annual Budget, with such amount to be charged to account 15-06, for work to be performed in connection with the proposed road closures and fire hydrant installations; and
3. THAT the Municipal Engineer be authorized to proceed with the work immediately.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (14) Eastern Burrard Inlet Marine Park Design
(Item 18, Manager's Report No. 81, December 15, 1975)

The Municipal Manager reported as follows:

"On December 15, 1975, Council received a planning report on the Eastern Burrard Inlet Marine Park Design and adopted the following recommendation contained therein:

- "1. THAT the subject report be tabled and referred to the Parks and Recreation Commission and the Capital Improvement Program Committee for study and comment, and as well to the Advisory Planning Commission for information purposes."

Following is a report from the Parks & Recreation Administrator on this matter. The applications as noted in the Administrator's reports are contained in the development plan for the Marine Park and in the report that Council tabled on December 15, 1975.

The Commission on January 28, 1976 approved the master plan concept in principle as the basis for the staged ultimate development of the Marine Park System. The Commission in granting approval recognized the need to pursue the various applications that are necessary for implementation (the applications are procedural and not capital cost items) and recommended accordingly.

The Planning Department concurs with the action that has been recommended by the Commission

The Parks and Recreation Administrator forwarded the following recommendations to Council to authorize the following action:

- "1. To make application to construct pedestrian overpass over C.P.R. right-of-way to recreation core.
2. To make application to construct pedestrian overpass over C.P.R. right-of-way to Barnet Beach.
3. To make application to the Department of Highways for Barnet Highway widening and channelization at main park entrance.
4. To make application for public use of Kapoor crossing.
5. To make application for long term leases of required water lots for recreational purposes.
6. To make application to the Federal Government for long term recreational lease of upland park area situated at 9149 Barnet Road.
7. To make application to the National Harbours Board for foreshore reclamation permits.
8. To make application to Allied Chemical Ltd. and the National Harbours Board for the long term lease of the water lot at 8634 Burrard Inlet for marine purposes."

It was recommended:

1. THAT Council authorize staff to make the applications as specifically outlined in the Administrator's report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"That the recommendation be amended in reference to Item 3, so as to read 'to make application to the Department of Highways for Barnet Highway widening and channelization at park entrances'."

CARRIED UNANIMOUSLY

A vote was then taken on the motion, as amended and same was

CARRIED UNANIMOUSLY

- (15) Letter dated January 20, 1976 from Sculpture Symposium Society of British Columbia, 249 Dunsmuir Street, Vancouver
Proposed Urbanart Concept Symposium

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

"Appearing on the Council Agenda is an item of correspondence from G. Lemarchand, Chairman of the Organization Committee for Urbanart, concerning the proposed Concept Symposium which is to be held in this area in the summer of 1976.

From the information that has been presented to the Planning Department it is apparent that the efforts represented by this Symposium could provide a very real benefit of heightening public consciousness of the contribution that various forms of art can make to the urban experience.

It is felt that the proposal represents a worthwhile endeavor that is consistent with recent expressions of interest by the Municipal Council relating to the provision of art in public places, and the emerging Metrotown development proposal would be greatly enhanced by the incorporation of the ideas which might stem from such a Symposium. It is our recommendation that the Council express its support in principle for the proposal.

With such support in principle and upon the authority being given by Council, the Planning Department would propose to work in the area of defining the competition area or areas in Burnaby that would be appropriate, studying ways in which participation by the Corporation could be best offered, and the other matters mentioned by Ms. Lemarchand.

As members of Council may be aware, the first meeting of the Burnaby Beautification Committee took place on January 26, 1976 and this project may be one in which their participation may be appropriate and welcomed."

It was recommended:

1. THAT Council express its support in principle for the proposed Urbanart Concept Symposium and its involvement in this Municipality; and
2. THAT the Parks and Recreation Commission be requested to have its "Beautification Committee" work with the Planning Department to pursue matters raised in the submission from the Sculpture Symposium Society of British Columbia with the understanding that a further report on specifics will be referred to Council in due course.

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCFEAN:

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

CARRIED UNANIMOUSLY

- (16) Proposed Closure and Sale of Lane Allowance on the North/South Lane West of the Willingdon Avenue/East Pender intersection.
(Rezoning Reference #52/75)

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

"On November 17, 1975 Council considered a rezoning report requesting the development of a 3-storey office facility on 4 properties shown on the sketch. One of the prerequisites of rezoning was the closure of the existing but undeveloped north/south lane allowance adjacent to the properties, with the applicant purchasing and consolidating this area for inclusion with the development site.

The subject lane cancellation proposal has been circulated to all concerned parties. The Land Agent has prepared an estimate of the area involved in the amount of \$14,640 based on \$6.00 per sq. ft. (20' x 122 = 2,440 x \$6.00).

Sale of the subject lane allowance has been forwarded to the applicant, Burrard Brokerage Co. Ltd., and they have notified the Planning Department of their acceptance of the following items:

1. Compensation to be paid to the Corporation in the amount of \$14,640 for the 2,440 sq. ft. being sold at \$6.00 per sq. ft.
2. The provision of all requisite easements to protect any existing services or the deposit of sufficient funds to guarantee relocation of any services.
3. The provision of all explanatory plans and consolidation plans by the developer.
4. Consolidation of the subject area with lots to the east."

It was recommended:

1. THAT Council authorize the introduction of a closure by-law for the subject 20' lane allowance subject to the following conditions;
 - (a) Compensation to be paid to the Corporation in the amount of \$14,640. for the 2,440 sq ft. being sold at \$6.00 per sq. ft; and
 - (b) The provision of all requisite easements to protect any existing services or the deposit of sufficient funds to guarantee relocation of any services; and
 - (c) The provision of all explanatory plans and consolidation plans by the developer; and
 - (d) Consolidation of the subject area with lots to the east.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (17) Letter from the North Slope Ratepayers Association that Appeared on the Agenda for the January 26, 1976 meeting of Council (Item 4h)
Montrose Park

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

"Appearing on the Council agenda was a letter from the captioned Association inquiring into the situation surrounding reported spoil dumping within Montrose Park. This correspondence was directed to the Municipal Engineer for reply, but there is one matter on which the Planning Department is able to provide information for Council.

The Engineer provided Council with a report on the spoil dumping situation in response to a letter from Mr. J.H. Bradbury under Item 7, Manager's Report #5, January 26, 1976, and the contents apply to the inquiry by the North Slope Ratepayers Association. It would be appropriate to furnish the Association with a copy of that report in reply.

With reference to the question in the fourth paragraph of the Association's letter, referring to inclusion of Blocks 39 and 40 into Montrose Park, Council will recall that this subject was treated in the Planning Department's response to the Association's February 28, 1975 Brief, in a departmental report submitted to the April 8 Special Meeting of Council. The report stated, in part:

"It has been suggested that.... the Municipal lands south of Montrose Street between Gilmore and Boundary be incorporated within Montrose Park and similarly designated. The Planning Department would comment as follows:

- 1) The Municipality has a policy of using the Reserved Park category for designating lands for park use. At this time, the procedure that is followed requires that the Planning Department report annually, recommending that Reserved Park status be given when all land assembly for a given park site is complete, and when all other criteria are met...."
- 2) In connection with Montrose Park and the properties lying to the south, it is confirmed that it is intended that the Municipal properties in question are considered to be a part of the ultimate park site, and that the property should eventually be thus designated. However, as has been noted by the respondent, one property is currently in private ownership. This lot is not included in the current Parks Acquisition Program but the question of acquisition will be looked into when the Program is reviewed. When site assembly is complete, it will be appropriate to consider recommending Reserved Park Designation."

This department affirms that the position stated continues to apply, and that while the Municipal lands in Block 39 and Block 40 are considered part of the ultimate park site, there is no necessity for now advancing to Reserved Park designation, nor would such a step be consistent with present policy."

It was recommended:

1. THAT a copy of this report and of Item 7, Manager's Report No. 5, January 26, 1976 be forwarded to the North Slope Ratepayers Association.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"That the Director of Planning bring forward a report on the question of the proposed service road east of Willingdon Avenue."

CARRIED UNANIMOUSLY

- (18) Letter from the North Slope Ratepayers Association that
Appeared on the Agenda for the January 26, 1976 meeting
of Council (Item 41)
Chevron Canada Limited - Project Implementation

The Municipal Manager provided a report of the Director of Planning
commenting on the following:

- (1) Development Related to Buffer Zone.
- (2) Acquisition of Property in Green Belt.
- (3) Impact of Development.

It was recommended:

1. THAT a copy of this report item be forwarded to the North Slope
Ratepayers Association.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

It was requested that a report be prepared by the Municipal Manager on
the question of Project Implementation and Land Sales in the area in
relation to Chevron Canada Ltd., and particularly information indicating
sales of properties this past year.

- (19) Letter dated January 22, 1976 from Public Freightways Ltd.
Post Office Box 5300, Vancouver
Preliminary Plan Approval Application #3505
Proposal to enclose Portion of Still Creek Watercourse.

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN 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