

MAY 25, 1976

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, May 25, 1976 commencing at 7:00 P.M.

**PRESENT:**

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

**STAFF:**

Mr. M.J. Shelley, Municipal Manager  
Mr. E.E. Olson, Municipal Engineer  
Mr. A.L. Parr, Director of Planning  
Mr. J. Hudson, Municipal Clerk  
Mr. R.W. Watson, Deputy Municipal Clerk  
Mr. J. Plesha, Administrative Assistant to the Manager

M I N U T E S

The Minutes of the Council Meeting held on May 17, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"THAT the Minutes of the Council Meeting held on May 17, 1976 be now adopted."

CARRIED UNANIMOUSLY

The Minutes of the Public Hearing held on May 18, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"THAT the Minutes of the Public Hearing held on May 18, 1976 be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Mr. J.M. Doane, May 12, 1976 - Re: Proposed Neighbourhood Pub - Parkcrest Shopping Centre
- (b) Mr. Ralph Wolloschuk, May 17, 1976 - Re: Neighbourhood Pub Application - Parkcrest Plaza

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- (c) Mr. Wally Wolfe, May 20, 1976 - Re: Proposed Neighbourhood Pub - Parkcrest Plaza
- (d) Mr. S.A. Whitman, May 20, 1976 - Re: Proposed Neighbourhood Pub - Parkcrest Plaza
- (e) Mr. Len Bentley, May 20, 1976 - Re: Proposed Neighbourhood Pub - Parkcrest Plaza
- (f) Mr. A.J. Perkins, May 20, 1976 - Re: Proposed Neighbourhood Pub - Parkcrest Plaza
- (g) Marguerite Mitchell, May 20, 1976 - Re: Proposed Neighbourhood Pub - Parkcrest Plaza
- (h) Mr. Robert C. Harris, May 20, 1976 - Re: Proposed Neighbourhood Public House - Parkcrest Plaza
- (i) Messrs. W.M. Dodds and K.R. Brown, May 20, 1976 - Re: Neighbourhood Pub Parkcrest Plaza Shopping Centre - Spokesman Mr. Dodds

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. J.M. Doane, 2186 Fell Avenue, Burnaby, B.C.

Mr. Doane advised that he had appeared before Council previously on the same subject of the proposed Neighbourhood Pub and reiterated the following major concerns:

1. Traffic in the area;
2. Noise from vehicles in the area;
3. The possible loss of investment in the homes immediately adjacent to the Pub;
4. School children walking in the vicinity of the Pub during daytime hours;
5. The credence of the survey as done by Watts Marketing.

Mr. Doane then presented the Municipal Clerk with a Petition representing 512 households, taken by residents in the area. In summary, Mr. Doane suggested that the Neighbourhood Pub concept could be better located in a more clearly defined commercial area.

- (b) Mr. Ralph Wolloschuk, 9985 Sumas Street, Burnaby, B.C.

Mr. Wolloschuk indicated that he had lived in the area since 1957 and had been in the real estate industry for the past 10 years. Mr. Wolloschuk suggested that the site in question could be more easily converted to a possible 21 lot residential subdivision rather than a proposed highrise or the current use as a small commercial shopping centre. Mr. Wolloschuk then reviewed several comments of the applicant's solicitor of the previous meeting and suggested that many of the comments on the previous Petitions received were, in fact,

neutral although the person was indicated as being in favour of the Pub application.

(c) Mr. Wally Wolfe, 5940 East Broadway, Burnaby, B.C.

Mr. Wolfe indicated that he too was in the real estate industry and lived directly across from the proposed entrance to the Neighbourhood Pub. Mr. Wolfe indicated the proposed Pub would be an upgrading in the physical appearance including the proposed landscaping of the existing shopping centre that the owners were committed to. Mr. Wolfe indicated that the prospective owners of the Pub had been to a meeting at his residence to give their views to the group of interested persons present. In review, Mr. Wolfe suggested that the Pub in question would be an asset to the area and that the traffic generated from such an operation would not be that great.

(d) Mr. S.A. Whitman, 5920 East Broadway, Burnaby, B.C.

Mr. Wolfe advised that Mr. Whitman was not able to attend this evening and read a letter from Mr. Whitman indicating that he had previously signed a Petition against the proposal but now, after hearing new information on the subject, was in favour of the proposal.

(e) Mr. Len Bentley, 6210 Parkcrest Drive, Burnaby, B.C.

Mr. Bentley appeared before Council and advised that he had lived in his present home for 9 years. Mr. Bentley advised that he was in favour of the Neighbourhood Pub and there would be a substantial upgrading to what presently exists in the shopping centre. It was indicated that the centre had gone downhill substantially when Safeway moved out 5 or 6 years ago. Mr. Bentley advised that he had experience in Pubs over the past 40 years and generally patrons were well behaved in relation to Beer Parlours. Mr. Bentley advised that he had been in attendance in Pubs in the Vancouver area and had been satisfied with the atmosphere.

(f) Mr. A.J. Perkins, 6210 Parkcrest Drive, Burnaby, B.C.

Mr. Perkins appeared before Council and advised that he too was in favour of the Neighbourhood Pub and his comments had been expressed by others previously in support of the application.

(g) Marguerite Mitchell, 6161 Halifax Street, Burnaby, B.C.

Mrs. Mitchell advised that she had lived at the present location for the past 16 years. It was suggested that the Neighbourhood Pub would be a good social amenity for those people over 30 not wanting the noise associated with Beer Parlour operations. It was suggested that the current shopping plaza as a commercial zone was of no great asset to the area and the Pub would upgrade the current facilities. In summary it was indicated that a Neighbourhood Pub in the area would be a social asset.

(h) Mr. R.C. Harris, 5770 East Broadway, Burnaby, B.C.

Mr. Harris appeared before Council and indicated that he was not against a Neighbourhood Pub as such but only the specific location

in this case. Mr. Harris advised that he had attended another operating Pub twice in this past little while and indicated that there were many cars coming and going from the Pub in question. They were apparently not from the immediate neighbourhood. It was suggested that there would be substantial traffic generated from this operation. It was indicated that the neighbourhood generally was quiet after 6:30 P.M. in the evenings and that the Pub would raise the noise level. It was suggested that the applicant relocate his proposal to the other side of the Loughheed Highway. Mr. Harris questioned the impartiality of the previously conducted survey and suggested that the new Petition received more clearly indicated a majority vote opposed to the application. It was also suggested that drinking habits in the lower mainland area would not be changed by the Pub operation and that residents could expect noise and disruption from the facility, possibly not from the present owners but perhaps a future owner.

(1) Mr. W.M. Dodds

Mr. Dodds appeared before Council as a co-applicant with Mr. K.R. Brown for the Neighbourhood Pub. Mr. Dodds indicated that as applicants, they could probably obtain a Petition with names for the Pub based on door-to-door canvassing which would reflect the sales ability rather the impartiality obtained by the Watts Marketing survey. Mr. Dodds indicated that substantial time and money had been spent on the design of the proposed Pub at this specific location in question. It was indicated that the sound system referred to background music and music for a small dance floor. It was indicated there was no intent to establish loud music or discotheque type operation. It was suggested that the traffic generated by 50 to 55 cars would not be significant in the area in relation to present traffic flows. It was indicated that a market survey had been done and indicated an adequate population density in the area to support such a Pub. Mr. Dodds reiterated that the previous market survey done was done on the request of the District of the Municipality of Burnaby and in a manner requested by Burnaby. It was indicated that the original balloting was based on an impartial survey and that no selling job has been done by himself as applicant. Mr. Dodds confirmed their intention to provide speed bumps, soundproofing and air conditioning within the facility under general intent to run a good operation compatible with the neighbourhood.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

"THAT Item 4(f) - Correspondence and Petitions and Item 10 - Municipal Manager's Report No. 35, 1976, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Item 4(f)

A letter under date of May 20, 1976 was received from Mrs. Joan Carter of 5890 East Broadway indicating her name was on a Petition opposing the proposed Neighbourhood Pub in the Parkcrest Plaza. It was indicated that after hearing and seeing the plans of the Pub that she was now in favour of the application. It was also pointed out that her residence was directly across from the proposed entrance.

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MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT Recommendation number 2 of Item 10, Manager's Report No. 35, 1976 be adopted."

CARRIED UNANIMOUSLY

Recommendation number 1 was "THAT Item 6, Report No. 31, dated May 10, 1976 be lifted from the table".

The following Manager' recommendations were then before the Council:

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

Item 10, Municipal Manager's Report No. 35, 1976

" Council on May 10, 1976 tabled for two weeks further consideration on the subject application. The additional information that Council requested on the occasion is contained in the following comments from the Municipal Engineer and the attached report from the Director of Planning.

With respect to the use of the Parkcrest Plaza area by operators of trucks having 30,000 or more pounds gross vehicle weight, the Engineer advises that his department has received complaints about truck traffic on both Holdom Avenue and Broadway, both of which are not classified as Truck Routes.

The majority of trucks entering the complaint area come via Holdom Avenue either from Hastings Street or from the Lougheed Highway. In an effort to alleviate the complaints, and for the information of new truckers to the area, the Engineering Department posted truck route signing in November of 1974 on both highways informing operators of trucks that they are not permitted to enter onto Holdom Avenue.

Prior to the signing of the truck routing, the department's checks indicated only a minor truck violation problem and the posting of the signs has not appeared to have really done much to lessen the complaints nor the volume of trucks that use the area.

It is the opinion of staff that the major deterrent will be enforcement of the routes, and this is now being done by the R.C.M.P."

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN AST:

"THAT Item 1 of the previously tabled Manager's recommendation be amended by the addition of the following words and figures 'with the understanding that the commitments and controls as outlined in Sections 3, 7 and 10 of the Planner's report are to be implemented as part of the Preliminary Plan Approval process'."

MOVED BY ALDERMAN GUNN:  
SECONDED BY ALDERMAN STUSIAK:

"THAT the applicant hire a noise consultant and that the design be done in a fashion that the noise generated from the highest possible use from that project be contained within that establishment so that same cannot be heard in the surrounding residential area.

FOR: Aldermen Drummond, Gunn and Randall  
OPPOSED: Mayor Constable, Aldermen Ast,  
Emmott, Lawson, McLean and Stusiak

MOTION DEFEATED

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Mr. W.M. Dodds, speaking on behalf of himself and Mr. K.R. Brown indicated that he would be willing to give a letter of confirmation to Council that they would be prepared to hire an independent noise consultant relating to adequate soundproofing for the highest possible use of the facility. It was also indicated in the letter already submitted to Council that the speed bumps are already committed whenever Council ask for them.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN STUSIAK:

"THAT the speed bumps be put in prior to the development taking place."

CARRIED UNANIMOUSLY

The vote was then taken on the Motion as moved by Alderman Stusiak and seconded by Alderman Ast in reference to commitments and controls as outlined in Sections 3, 7 and 10 and same was CARRIED. Opposed: Alderman McLean.

The vote was then taken on the original Motion as moved by Alderman Stusiak and seconded by Alderman Randall at the Council Meeting of May 10, 1976 "THAT the recommendations of the Municipal Manager be adopted" as amended.

FOR: Mayor Constable, Aldermen Ast,  
Emmott, Gunn and Stusiak

OPPOSED: Aldermen Drummond, Lawson, McLean  
and Randall

MOTION CARRIED

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT Recommendation number 2 of Item 6, Manager's Report No. 31, 1976, 'THAT a copy of this report be sent to all persons who corresponded with Council on this matter' be adopted."

CARRIED UNANIMOUSLY

The Meeting recessed at 8:50 P.M.

The Meeting reconvened at 9:08 P.M. with Aldermen Gunn and Lawson absent.

BY - LAWS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT:

'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 23, 1976'

- #6851

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'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 24, 1976'

- #6852

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 progress on By-laws #6851 and #6852."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT:

'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 23, 1975'

- #6851

'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 24, 1976'

- #6852

be now read two times."

CARRIED UNANIMOUSLY

At 9:11 P.M. Alderman Lawson returned to the Council Chamber and took her place at the Council Table.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN AST:

"THAT Council do now resolve itself into a Committee of the Whole to consider and report on:

'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 40, 1975'

- #6725

'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 41, 1975'

- #6726

'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 42, 1975'

- #6727"

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 ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 40, 1975' - #6725
- 'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 41, 1975' - #6726
- 'BURNABY ZONING BY-LAW 1965,  
AMENDMENT BY-LAW NO. 42, 1975' - #6727

be now read a third time."

CARRIED UNANIMOUSLY

At 9:13 P.M. Alderman Gunn returned to the Council Chamber and took his place at the Council Table.

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN RANDALL:

"THAT:

- 'BURNABY CAPITAL EXPENDITURE PROGRAMME  
BY-LAW 1976' - #6858
- 'BURNABY CAB AND COMMERCIAL VEHICLES  
BY-LAW 1951, AMENDMENT BY-LAW 1976' - #6859
- 'BURNABY ROAD ACQUISITION AND DEDICATION  
BY-LAW NO. 2, 1975, REPEAL BY-LAW 1976' - #6860
- 'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 1, 1976' - #6864
- 'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 2, 1976' - #6865
- 'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 3, 1976' - #6866
- 'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 4, 1976' - #6867
- 'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 5, 1976' - #6868
- 'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 6, 1976' - #6869
- 'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 7, 1976' - #6870



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'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 8, 1976' - #6871

'BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 9, 1976' - #6872

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

CARRIED

OPPOSED: Alderman Stusiak to By-law #6858

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 the following listed items of correspondence be received and those items in the Municipal Manager's Report No. 35, 1976 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Mrs. Kathleen McBurnie, Re: Young Bicyclists -  
Face Oncoming Traffic and Rear View Mirrors

A letter under date of May 12, 1976 was received expressing concern at the sight of young bicyclists riding on the right hand side of the road which was indicated to be a very great hazard both to the riders themselves and to the motorists. It was suggested that bicycle riders be required to ride on the left hand side of the road where they could face oncoming traffic or perhaps a ruling to have rearview mirrors as compulsory.

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

"In reply to Mrs. McBurnie's suggestion that bicycles be required to ride on the left hand side of the street facing traffic, we would advise that the riding of bicycles on any highway in the Province of British Columbia is covered under Section 173 (1) of the Motor Vehicle Act.

173(1) In addition to the duties imposed by this section a person operating a bicycle upon a highway has the same rights and duties as a driver of a vehicle.

173(1) (a) He shall not ride on a sidewalk.  
(b) Subject to Clause (a), he shall ride as near as practicable to the right side of the roadway.

The Municipality of Burnaby has no powers to pass any bylaw that would contravene existing Provincial or Federal legislation."

It was recommended by the Municipal Manager that Mrs. McBurnie be sent a copy of this report.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

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(b) Mr. Joseph Uzelac, Re: Petitioning that name  
"Velebit Court" be given to Street

A letter under date of May 17, 1976 was received suggesting that the name "Velebit Court" be given to the street of a recently completed subdivision in Plan 14476 which is presently called "Baytree Court".

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

"The subject street is located southwest of the intersection of Royal Oak Avenue and Gilpin Street as shown on the attached sketch.

#### BACKGROUND

The Council has been petitioned by one of the owners involved in the above referenced subdivision to change the street name from "Baytree Court" to "Velebit Court". The petitioner is of the opinion that this change is warranted in view of the fact that he and his family have resided on the property for some time and should, therefore, be involved in naming the street.

The Planning Department has been charged with the responsibility for street naming in Burnaby. When an appropriate name has been chosen, it is checked against the Lower Mainland master file for duplication and if the name is not in use, it is inserted on the subdivision plan. A letter is then sent to the B.C. and Yukon Postal District advising them that this particular name has been assigned and copies are sent to the Fire Department, Clerk's Office, Engineering Traffic Supervisor, Assessment Department, Building Department, Lands Department, R.C.M.P., and Vancouver City Clerk's Office. The Vancouver City Clerk then advises the various Lower Mainland Municipalities and Cities that this name has been used.

The Planning Department endeavours, whenever possible, to use street names which have been suggested by land owners or developers of a particular subdivision. In the subject case, the developer was asked to suggest suitable names, however, an application was not received. The subject street was, therefore, named "Baytree Court" by the Planning Department.

#### EXISTING SITUATION

While we are sympathetic to the petitioner's request for a change in the street name, we are of the opinion that such a change would not be in the interest of the Municipality or the many other agencies which have been advised of the existing name and have taken the appropriate action. In our view, the time for input from the owners has passed."

that the initial efforts to wisely preserve the natural green and water spaces in the urban area be continued. In particular, concern was expressed in the increasing encroachment of motorized vehicles on the sports of naturalists, walkers, joggers, climbers, equestrians, bird and animal watchers and in effect, all of those who enjoy the outdoors in an unspoiled state. It was hoped that all-purpose nature trails be extended to encompass the 99 miles of the proposed plan and that suitable separate areas be made available for recreational vehicles in order to minimize danger and destruction of natural resources.

MOVED BY ALDERMAN McLEAN:  
SECONDED BY ALDERMAN STUSIAK:

"THAT the correspondence be received for information purposes."

CARRIED UNANIMOUSLY

(f) Mrs. Joan Carter - Re: Proposed Neighbourhood Pub  
Parkcrest Plaza

This subject matter was considered previously under Item 2 - Delegations.

(g) Minister of Housing - Re: Federal/Provincial Municipal  
Incentive Grant

A letter under date of May 14, 1976 was received indicating that agreement had been reached with the Federal Government with regard to Municipal incentive grants and that an additional \$500.00 grant has now been approved by the Province. It was indicated that the primary purpose of these grants is to expedite the production of affordable housing. It was indicated that in order to designate the municipality as eligible for the grants, a resolution of Council undertaking to use the funds received through the Federal/Provincial Municipal Grants Programmes to encourage and facilitate production of housing would have to be received.

MOVED BY ALDERMAN LAWSON:  
SECONDED BY ALDERMAN AST:

"THAT the subject matter be referred to the Municipal Manager for a report."

CARRIED UNANIMOUSLY

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

Neighbourhood Public House Application #7/74 - 5901 East Broadway  
Parkcrest Plaza

This subject matter was considered previously under Item 2 - Delegations.

E N Q U I R I E S

On a question of Alderman Drummond in relation to the Health Department reporting on an application for a Permit under the Pollution Control Act, 1967, Emissions, by Shell Canada Limited, Mayor Constable advised that the subject matter could be considered under New Business or as a Notice of Motion.

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On a question of Alderman Stusiak it was agreed that current copies of the "Strata Titles Act" be provided for Council members.

On a question of Alderman Gunn the Director of Planning advised that a Staff report would be available in the next week or two on the Shell Oil Modernization proposal. Alderman Gunn then advised that he would be bringing a Notice of Motion forward on the question of one pick-up per week for containerized garbage from High Rise and Condominium developments.

On a further question of Alderman Gunn Mayor Constable advised that the question of the Budget letter addressed to The Honourable W.R. Bennett, Premier, would be discussed later in the Agenda.

Alderman Gunn noted that a bulldozer had been used to make a switchback road and fill a ravine adjacent to Confederation Park property of the Standard Oil Tank Farm.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN LAWSON:

"THAT a Staff report be provided on the question of the bulldozing of a switchback road and filling of the ravine on the Confederation Park property adjacent to the Standard Oil Tank Farm."

CARRIED UNANIMOUSLY

On an enquiry of Alderman Gunn it was agreed a Staff report be provided updating the current position relative to the Standard Oil Company of B.C. Ltd. exchange of lands, buffer strips and other related questions.

#### R E P O R T S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

(a) Mayor T.W. Constable Re: Meeting with the Minister of Highways

Mayor Constable reported that:

"On Tuesday, May 18th at 11:00 a.m., Mr. Shelley and myself met with the Minister of Highways, the Honourable Alex Fraser, the Deputy Minister of Highways, and other members of the staff to discuss proposed road developments in Burnaby.

Our first concern discussed with the Minister was the proposed new Marine Way. We expressed the opinion that Marine Way had been promised by successive governments in the past and that in fact the last government had committed itself to going ahead with construction of Marine Way commencing somewhere around June of this year, 1976. In addition, it was our understanding that the Department of Highways would be 100% responsible for construction costs. We argued on Burnaby's behalf that the proposed Marine Way is in the top priority category as a replacement for the existing Marine Drive facility which carries a large percentage of regional truck movement and a great inter-municipal east-west traffic flow during certain periods of the day. We felt that the proposed Marine Way will be serving a regional function rather

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than as a connector for local traffic. Because of the aforementioned, we suggested to the Minister that the proposed Marine Way should be classified as an arterial highway rather than a secondary highway. This in effect would make the Department of Highways responsible for the cost of acquisition for the right-of-way and 100% of construction costs.

The design work for the Marine Way west of Byrne has been completed but the thinking of the department seems to have changed. The Minister informed us that a review of the project is still currently taking place. His department has been re-evaluating justification of classification of the road. Their thinking appears to be that in the absence of a crossing (i.e. Annacis Crossing) that the proposed Marine Way should be considered as a secondary rather than arterial highway. This would mean that Burnaby would be responsible for the cost of acquisition for right-of-way and in addition for 50% of construction costs. The Minister then summed up the position of the department by informing us that regardless of the classification, etc. that there are no funds available in the budget for 1976 and he "would not hazard a guess as to when construction would start".

The next item on the agenda was the link from Gaglardi Way at Loughheed near the Stormont Inter-change to Derby Lands and Newcombe

Street to McBride at 10th Avenue. We put forward the views of Burnaby very strongly that this link in the provincial arterial road system is long overdue. We reviewed the traffic problems being experienced; namely traffic going through residential areas because of the absence of this arterial link.

Essentially, though our review of this link took up a considerable amount of time, the response of the Minister and his staff was very brief and apparently very firm. There seemed to be no argument on the classification to arterial status but only north from Stormont to Gaglardi. The Deputy Minister felt that work on the Gaglardi-Stormont connection could take place next year but did not know whether funds would be available. There was no commitment of any sort with regards to the connection south to Newcombe and, in fact, a statement was made to the effect that it is low down on the list of priorities of the department and may be ten years away.

Broadway Extension:- North Road to Gaglardi. There did not seem to be any problem here with the Department of Highways progressing with its commitment to be responsible for the cost of construction but they asked if we would be prepared to accept the Department of Highways' taking on the design as they have found that they have staff available. We felt that this could be supported subject to our staff being able to check the design.

Mr. Shelley will be reporting on this subject matter in an additional item.

City Status:- We discussed with the Minister the situation with regards to our responsibilities if we accepted city status. After an overall discussion, the Minister agreed that he would talk to the Minister of Municipal Affairs and would get back to us.

As can be seen, it was not a very productive meeting but we must be prepared to pursue all of these items vigorously, both at the staff level and also at the political level. It is my intention to discuss all of the above items with our three M.L.A.'s and seek their co-operation and support."

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It was recommended that an invitation be extended to the Minister of Highways to meet in Burnaby with Council members and the three Burnaby Members of the Legislative Assembly to discuss the foregoing subjects.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

"THAT the recommendation of Mayor Constable be adopted."

CARRIED UNANIMOUSLY

(b) Traffic Safety Committee

A report of the Traffic Safety Committee under date of May 19, 1976 was received indicating the following recommendations:

1. Truck Routes

Your Committee would recommend:

- (a) THAT the present method of truck routing be maintained without special preference to one route over another; and
- (b) THAT the Engineering Department continue to work with the complainants and the trucking industry in lessening the impact of living on a truck route.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"THAT the recommendation of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

2. Lane East of Boundary Road from Grandview to Dominion Street

Your Committee would recommend:

- (a) THAT a "Do Not Enter" sign, be installed facing east, at the entrance to the lane on Grandview to prohibit westbound vehicles on Grandview from turning left into the lane; and
- (b) THAT the R.C.M.P. be requested to enforce the 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. left turn restriction at Esmond Avenue and Grandview, and if installed, the "Do Not Enter" sign on the lane.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"THAT the recommendations of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

3. Home and School/Parent-Teacher Representation on Traffic Safety Committee

Your Committee would recommend that the question of an appointment to the Traffic Safety Committee from the Burnaby Parent-Teacher Council be referred to the Mayor and Council.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"THAT the question of an appointment to the Traffic Safety Committee from the Burnaby Parent-Teacher Council be referred to Mayor Constable for a report."

CARRIED UNANIMOUSLY

4. Canada Way and Edmonds Street

Your Committee would recommend:

- (a) THAT the Edmonds Elementary School be requested to devise a traffic safety program for the needs of its own students and in conjunction with this, a request be made to the Department of Highways to have the two second delay incorporated in the "walk" indication.
- (b) THAT no action be taken on the request to install a fence or railing at the curb to act as a barrier between the traffic and the pedestrian.
- (c) THAT the question of supplying adult patrol guards at the intersection be referred to the Board of School Trustees for action.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"THAT the recommendations of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

5. Intersection of Boundary Road and Rumble Street  
Intersection of Boundary Road and 45th Avenue

Your Committee would recommend that Mr. J. Vance be notified of the status of his requests and that he be informed of any changes on the subjects when reviewed in the near future.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"THAT the recommendation of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

6. Request for Pedestrian Signal - Marine Drive and Gilley Avenue

Your Committee would recommend that as the warrants for a pedestrian signal are not met at this time, the School Board consider the hiring of an adult patrol for this intersection and that Mr. Guttman be advised accordingly.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"THAT the recommendation of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

7. Lakeview School

Your Committee would recommend:

- (a) THAT the matter of supplying an adult at the signalized crosswalk at Canada Way and Imperial be referred to the School Board for action.
- (b) THAT the existing school advance sign and 20 M.P.H. tap on Mayfield Street just west of Sixth Street be relocated to Sixth Street approximately 100' south of Mayfield.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"THAT the recommendations of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

8. Duncan Avenue and Hastings Street - School Crosswalk

Your Committee would recommend that the petitioners be notified of these findings.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN McLEAN:

"THAT the recommendation of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

(c) Self Serve Service Station Committee

A report was received from the Self Serve Service Station Committee which concluded as follows:

"The Committee comments as follows:

- (a) THAT the points made by the Oil Companies about the specialty shops taking business from service stations are true and that the economic impact is such that some service stations may fail.
- (b) THAT the self serve service station has a place in the market to serve those people who wish to buy at a discounted price and are prepared to do their own service.
- (c) THAT there are a number of people such as aged, handicapped, inexperienced and others who require or desire to be served gasoline and repairs.
- (d) THAT Burnaby has adequate regulations for self serve service stations regarding public safety and community value and appearance.
- (e) THAT regulation of self serve service stations if necessary should be by zoning categories.
- (f) THAT some action should be initiated to investigate what should or could be done about empty lots created by closed down service stations.
- (g) THAT a split service facility with service bays seems to be the most desirable type of service station outlet.



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It is the view of the Committee that it would be best if the Oil Companies through their marketing plans could provide in each area of the Community facilities that could serve all members of our Community. The Committee recognizes the need to be competitive but questions whether the marketing policies should be directed only to those who can take care of themselves.

It is also the observation of the Committee that the marketing policies just a short time ago were to have a service station on every corner.

Your Committee recommends to Council the following:

- (a) THAT Council take no action at this time to limit the number of self serve service stations;
- (b) THAT the Director of Planning bring down a report to suggest a zoning category for self serve gas bars and split service gas and service outlets;
- (c) THAT the Director of Planning advise what changes have to be made to existing zoning categories;
- (d) THAT the Director of Planning advise Council what text amendments would be required and the timing required for public hearings;
- (e) THAT the Director of Planning keep Council informed of all applications to convert to or create self serve service stations;
- (f) THAT the subject of self serve gas stations should be reviewed by Council in April 1977, or before if deemed necessary;
- (g) THAT a copy of this report be sent to all interested parties.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"THAT the report of the Self Serve Service Station Committee be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"THAT an additional recommendation number (c-1) be added as follows:  
'THAT the Director of Planning submit a report suggesting possible uses for presently closed down vacant service station sites'."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

(d) Mayor T.W. Constable

Mayor Constable advised that correspondence had been received from the Shell Oil Company in Burnaby extending an invitation to the Council members to tour through the Refinery to afford an opportunity to see the current work being done. It was agreed a 4:00 P.M. meeting be set up by Mayor Constable for this purpose.

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(e) Municipal Manager -- Report No. 35, 1976

The Municipal Manager presented Report No. 35, 1976 on the matters listed following as Items 1 to 16 either providing the information shown or recommending the courses of action indicated for the reasons given.

1. City Status

The Municipal Manager reported on the question of City status reviewing concerns relating to several roads projects -

- (i) Kingsway-Boundary Road to Patterson Avenue
- (ii) Kingsway-Willingdon to Royal Oak
- (iii) Kingsway-Edmonds to 10th Avenue
- (iv) North Road-Trans-Canada Highway No. 1 to New Westminster Boundary
- (v) Link from Gagliardi Way at Lougheed via Stormont interchange, George Derby Lands and Newcombe Street to McBride at 10th Avenue
- (vi) Linkage of Hastings to Curtis at Centennial Way
- (vii) Broadway-Gagliardi Way Interchange
- (viii) Marine Drive relocation-Boundary Road to Fenwick Street, and Connection to Annacis Island Crossing of the Fraser River

as well as other concerns relating to the R.C.M.P. Policing Contract, Drainage System, Financing Development and Improvement Capital Costs of Arterials. It was indicated that in conclusion, "we are deeply concerned about the present and long-term ramifications of a change of status from District to that of City. Our concern is based upon the fact that no one from the Government has clearly outlined what financial impact this will have on the Municipality. Obviously, the subject is quite complex and because of the ambiguities involved, many of the statements made in this report are broad and sweeping. Many of the points raised may not be a problem because the Government may not have intended to change some of the conditions that we have envisaged. Nevertheless, an attempt has been made to give as clear a picture as possible of the situation as seen by the Municipality. The conclusions and requests made are somewhat inter-related and, in some cases, dependent on one another so the picture must be looked at in its total concept. Basically, the highway problems will be solely dependent upon a decision by the Province as to which highways it will continue to construct and maintain as Provincial Highways."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

2. Proposed reconstruction and extension of Broadway between North Road and Gagliardi Way

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

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"Council at it's meeting of May 17, 1976 approved recommendation #3 of Item 22 of the Manager's report #33 1976 which stated "THAT an agreement be entered into with McElhanney Surveying and Engineering Ltd. to provide services of contract preparation and construction supervision on the extension of Broadway Avenue from Gaglardi Way to North Road and also on D.L. 86, Stage 1VB in accordance with our letter of May 3, 1976 and McElhanney's letter of May 12, 1976."

On the morning of May 18, 1976 the Municipal Manager met with Mr. H.F. Sturrock, Deputy Minister of the Department of Highways and was requested by Mr. Sturrock to consider the possibility of the Department of Highways assuming the responsibility of contract preparation, tender call, complete design, survey layout and construction supervision for the Broadway extension as at this point in time they now had personnel available to perform this task. The commitment on the part of the Department of Highways was confirmed that afternoon with Mr. Sturrock in a three way telephone conversation with the Municipal Manager and Municipal Engineer."

It was recommended by the Municipal Manager that:

1. Council rescind approval of the second recommendation in Item 22, Report No. 33 dated May 17, 1976;
2. An agreement be entered into with McElhanney Surveying and Engineering Ltd. to provide services of contract preparation and construction supervision on D.L. 86, Stage IVB; and
3. A copy of the report item be forwarded to the Minister of Highways.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

3. Information on retirement of Mr. Roy Holloway

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

"Mr. Holloway will be retiring from employment with the Corporation on June 30, 1976 after almost 24 years of service.

He commenced employment with Burnaby on October 29, 1952 as a Labourer. On January 4, 1960 he became a Foreman 1 and, after holding other foreman positions, he became Foreman 1 - Water on January 1, 1970, the position he has held since that time.

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

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

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4. Information on retirement of Mr. R. (Curly) Janelle

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

"Mr. Janelle will be retiring from employment with the Corporation on June 30, 1976 after over 30 years of service. His last day at work will be Wednesday, June 2, 1976.

He commenced employment with Burnaby on November 5, 1945 as a Labourer. In January 1952 he became an Assistant Foreman, in October 1954 a Foreman 2, in January 1970 a Foreman 3 - Roads & Drainage, and in October 1973 he became Superintendent 1 - Roads & Surface Drainage, the position he has held since that time.

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

It was recommended by the Municipal Manager that a letter of appreciation from Council be presented to Mr. R. (Curly) Janelle for his many years of loyal and dedicated service to the Municipality.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

5. Reduction of the width of a Right-of-Way to facilitate Subdivision Reference #132/75 in D.L. 74

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

"The subject properties are located at the northeast corner of the intersection of Banff Avenue and Woodsworth Street as shown on the attached sketch.

BACKGROUND

The Planning Department received an application to subdivide the subject properties in September of 1975. In examining the subdivision proposal it became apparent that the majority of the existing homes fronting on Hardwick Street were sited such that subdivision in conformance with requisite rear yard setbacks was not possible.

The two alternatives available were, therefore, to require the relocation of these houses as a condition of subdivision or to reduce the right-of-way width of Woodsworth Street from 66 feet to 50 feet, thereby adding 16 feet to the proposed lot depth. Inasmuch as the subdivision guide plan for this area provides for a cul-de-sac at the eastern end of Woodsworth Street, the more viable approach is to reduce the right-of-way width to 50 feet and sell the redundant 16 foot portion to the adjacent owners for consolidation and re-subdivision.

To this end, the Planning Department processed the proposed closure. There are no facilities which will be affected by the proposed closure. The Land Agent has estimated the value of the partial closure to be \$4.30 per square foot, or \$9,145. for the 16' X 131.9' which is proposed to be closed.

The developer has agreed in writing to pay this amount and provide the Planning Department with the requisite By-law plan to accompany the Road Closing By-law."

It was recommended by the Municipal Manager that the Council authorize the introduction of a Road Closing By-law for that portion of Woodsworth Avenue shown on the attached sketch subject to the following conditions:

1. Payment of \$9,145. for that portion of the road to be closed;
2. Submission of the requisite By-law plans by the developer; and
3. Consolidation with the adjacent properties.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

6. Letter dated May 17, 1976 from Mr. Joseph Uzelac, 5336 Gilpin Street, Burnaby - Request to rename a Street in Subdivision Reference #13/76

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

7. Proposed Sale of Municipal Land - Subdivision Reference #47/75 and #52/75, D.L. 207

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"THAT Item 13, Manager's Report No. 33, 1976 - Council Meeting May 17, 1976 be lifted from the table."

CARRIED UNANIMOUSLY

The following resolution was then before the Council:

"THAT the Council authorize the development and sale by public tender of those Municipal lots shown on the attached sketch subject to the following conditions:

1. preparation of the requisite Engineering Drawings and survey plans.
2. preparation of a landscape plan by a Landscape Architect for the landscape buffers adjacent to Graystone Drive.
3. preparation and execution of a covenant pursuant to Section 24A of the Land Registry Act to protect the landscape buffers.
4. preparation and registration of any easements required to protect Municipal and other public services.
5. dedication of the balance of the Graystone Drive right-of-way as shown on the attached sketch.
6. the deposit of \$5,210. as a parkland acquisition levy in neighbourhood planning area 12.

Upon the vote being taken the Motion was DEFEATED UNANIMOUSLY.

The Municipal Manager by means of Item 7, Manager's report No. 35, 1976 provided the following report of the Director of Planning:

"The Council, on May 17, 1976 received the attached report on development of certain Municipal lands northeast of the intersection of Cliff Avenue and Union Street. This report was tabled for clarification on the amount of the

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parkland acquisition levy to be applied to this development.

#### EXISTING SITUATION

The Planning Department has applied the parkland acquisition levy to Municipal subdivisions in the same manner as private subdivisions. That is to say, a credit is given to the subdivider for each existing legally established lot. The levy is intended to be a per unit levy for each additional subdivided lot created from the original lot(s).

In the subject case, Burnaby will be creating 16 residential lots from 6 legally established parcels. (Lot 17 is not developable and will be held for future disposition). The levy was, therefore, established at \$5,210. (10 X 521.). The attached sketch No. 1 shows the original 6 lots which are being subdivided.

This approach is a literal interpretation of the guidelines for application of the parkland acquisition levy. In reviewing this particular subdivision, a more practical interpretation might be to credit the Municipality with the number of lots which front on developed road rights-of-way and on which a dwelling could be constructed. This proposal is shown on the attached sketch #2. In this instance, the levy would be \$7,773. (13 X 521.).

This subdivision differs from most subdivisions as the lots which are being subdivided are the residue from the dedications for the Graystone Drive right-of-way. In retrospect, we are of the opinion that the more viable approach is to credit the Corporation with the number of lots which front on developed road rights-of-way. The levy would, therefore, be \$7,773. (13 X 521.).

#### RECOMMENDATION

THAT Council authorize the development and sale by public tender of those Municipal lots shown on the sketch accompanying the Manager's report #33, dated May 17, 1976 subject to the following conditions:

1. preparation of the requisite Engineering Drawings and survey plans.
2. preparation of a landscape plan by a Landscape Architect for the landscape buffers adjacent to Graystone Drive.
3. preparation and execution of a covenant pursuant to Section 24 A of the Land Registry Act to protect the landscape buffers.
4. preparation and registration of any easements required to protect Municipal and other public services.
5. dedication of the balance of the Graystone Drive right-of-way as shown on the attached sketch.
6. the deposit of \$7,773. as a parkland acquisition levy in neighbourhood planning area 12."

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

8. Letter dated May 12, 1976 from Mrs. Kathleen McBurnie,  
7267 Pandora Street, Burnaby - Bicycles on Streets

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

9. Boat Rental Service at Deer Lake

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

"As a result of a request to operate a boat rental concession  
at Burnaby Lake, which request the Parks and Recreation  
Commission denied, advertisements were placed in the  
Vancouver Sun and Province requesting tenders for a boat  
rental concession at Deer Lake.

The only submission received was from Mrs. S. Fisher, 4295  
Sophia Street, Vancouver, B.C. (see attached letter). Mrs.  
Fisher received permission from the Commission in June, 1973  
to operate a Water Fun Cycle concession at Deer Lake provided  
she co-operated with the Burnaby Y.M.C.A. who were already  
operating a boat rental in that location. Since then the  
Y.M.C.A. gave up their rental service as they could no longer  
afford the capital investment.

Staff have discussed with Mrs. Fisher the question of some  
revenue being received by Burnaby from this rental concession.  
She has advised that in 1975 her gross receipts were \$1,700  
and in addition to the capital costs of purchasing boats,  
she had to pay \$150 for insurance and \$25 for a licence fee.  
This year she has been quoted \$315 for insurance and \$27.50 for  
a licence fee. If she is required to pay any further fee to  
the Corporation, she would not be in a position to continue  
to provide this rental service.

The Legal Department has verbally recommended that Mrs. Fisher  
be required to obtain a public liability insurance policy in  
the amount of \$500 within which the Corporation of Burnaby be  
named, as well as public liability coverage of \$500,000 on her  
automobile insurance policy.

The Commission, at its meeting of May 19, 1976 granted  
permission to Mrs. Fisher to operate a boat rental service  
at Deer Lake under a three-year contract, and recommends  
that Council authorize such a contract."

It was recommended by the Municipal Manager that:

1. Council concur with the Commission's recommendation that  
Mrs. S. Fisher be allowed to operate a boat rental service  
at Deer Lake under a three year contract with no revenue  
being returned to the Corporation, subject to the condition  
that the Municipality be advised in writing of the financial  
status of the service at the end of each year's operation;
2. Council authorize the Legal Department to draw up a legal  
contract for a three year period including the liability  
and insurance clauses.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN McLEAN:

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

10. Neighbourhood Public House Application #7/74  
5901 East Broadway/Parkcrest Plaza

This subject matter was considered previously under Items 2(a) to 2(i) inclusive - Delegations.

11. Lower Mainland of B.C. Gun Association

The Municipal Manager provided a report of the Acting Parks & Recreation Administrator including a summary of events since 1971 in regard to the Lower Mainland of B.C. Gun Association use of a Rifle Range at the Burnaby Lake Regional Park.

It was recommended by the Municipal Manager that:

1. The Commission approve the decision to invoke Clause 7(e) of the Lower Mainland of B.C. Gun Association lease which states:  
"That if the Lessee shall hold over after the expiration of the term hereby granted and the Lessor shall accept rent, the new tenancy thereby created shall be a tenancy from month to month and not a tenancy from year to year, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to a tenancy from month to month";
2. The month-to-month tenancy remain in effect until the Council and the Commission reach a decision on the Burnaby Lake Regional Park report; and
3. A copy of this report be sent to the Lower Mainland of B.C. Gun Association.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

12. R.C.M.P. Monthly Report

The Municipal Manager provided a report of the Officer in Charge, Burnaby Detachment, Royal Canadian Mounted Police, covering the policing of the R.C.M.P. for the month of March, 1976.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

13. The B.C. Sports Federation Proposed Development within  
the Burnaby Lake Sports Complex, Kensington/Spratt

The Municipal Manager provided a report of the Parks and Recreation Administrator wherein it was concluded as follows:

"The B.C. Sports Federation have been waiting some time for the completion of the Burnaby Sports Complex Development Plan,



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and a decision whether to locate in Burnaby is scheduled to be made at their annual general meeting on June 18, 1976. The Development Plan is slated for completion by the end of May and the area plan is sufficiently advanced to assure the Commission and Council that the B.C. Sports Federation proposal would be an ideal use in the subject site and of considerable benefit to the community of sports facilities to be located there."

It was recommended by the Municipal Manager that:

1. Approval in principle be given to the proposed land use at this location;
2. Council agree to lease the necessary land by phases and authorize the Land Agent to negotiate a suitable lease arrangement with a commitment on timing for all phases; and
3. Council authorize the Planning Department to initiate the rezoning process for the Phase I site.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

14. Letter from Mr. Edward Buckley that appeared on the Agenda for the May 17, 1976 Meeting of Council (Item 5(f)) Local Improvement Project 76-021, (Certificate of Sufficiency that was received by Council on May 3, 1976)

The Municipal Manager reported on a letter received from Mr. Edward Buckley regarding his opposition to the subject Local Improvement Project on Spruce Street as received at the May 17, 1976 Meeting of Council.

It was recommended by the Municipal Manager that:

1. A vehicle crossing over the proposed curb walk be granted for the reasons as stated in the Engineer's Report; and
2. A copy of this report be sent to Mr. Edward Buckley.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

15. Interim Funding - Fraser River Foreshore Park Project

The Municipal Manager reported as follows:

"Following is a report from the Acting Parks and Recreation Administrator regarding a request for interim funding for the Fraser River Foreshore Park Project. A copy of the North Fraser Recreation Study is attached.

The suggestion of possible repayment of any interim funding from a referendum by-law must be considered in the light that no decision at this time has been made by Council to have a by-law and even if a by-law were placed before the voters this fall and was successful, it would be 1977 before the final situation would be known. Further, if money is advanced, consideration should be given to repayment of an annual payment in 1976. One can

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therefore conclude that we should look closely at a re-assignment of funds in the 1976 Parks and Recreation Department budget as the most viable of the two alternatives proposed. However, since there are so many unknowns before us and since this is a jointly funded project of great significance to the Municipality, the Manager recommends that we undertake the interim funding of the \$40,913 from the Capital Works Financing Reserve for the time being and that the matter of final disposition of cost be referred back to the Parks and Recreation staff for a more precise recommendation with respect to payment. The point is we must know now where the money will come from if all else fails. At or near the Recast Budget time we can re-evaluate our options and make whatever changes are necessary if the picture changes."

It was recommended by the Municipal Manager that:

1. The Municipality interim fund the amount of \$40,913. for Burnaby's share of the 1976 Park Development in the Big Bend area as per the North Fraser Recreation Study;
2. The Parks and Recreation Commission be asked to reassess the possibility of a re-assignment of its budget to include the cost of the work on the understanding that the matter be again reviewed at or near the time of the Recast Budget; and
3. A copy of this report be forwarded to the Parks and Recreation Commission.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

16. Traffic Conditions at Cameron Street and North Road

The Municipal Manager reported as follows:

"The following is the report of the Municipal Engineer dated May 20, 1976 regarding the above, the contents of which are self-explanatory.

Council will recall that the District of Coquitlam as well as Burnaby each established a small committee to meet to discuss this subject. The committees have met and the staff has prepared this report based on the conclusions reached."

It was recommended by the Municipal Manager that:

1. The signs affecting left turn movements off Cameron Street onto North Road be removed;
2. The right turn restriction 7 - 9 A.M. prohibiting southbound to westbound traffic remain in effect;
3. The signal timing be adjusted to discourage commuter traffic on Cameron Street by limiting left turn movements at this intersection to local traffic needs only; and
4. A copy of this report be forwarded to the Municipal Council of the District of Coquitlam.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

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NEW BUSINESS

Application for a permit under the Pollution Control Act, 1967 (Emissions)  
Shell Canada Limited - Refinery

Alderman Drummond advised that it had been brought to his attention that there was a legal notice under date of May 6, 1976 relating to an application by Shell Canada Limited for permission to discharge pollutants into the air from the Shellburn Refinery located at 201 Kensington Avenue, Burnaby, B.C. It was noted that there was 30 days from the serving of a copy of the application to file an objection with the Director in writing to the granting of the permit which in this case would be June 6, 1976.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN GUNN:

"THAT the Chief Public Health Inspector submit a report on the Application For A Permit Under The Pollution Control Act, 1967 (Emissions) by Shell Canada Limited to discharge or emit contaminants into the air from Shellburn Refinery located at 201 Kensington Avenue, Burnaby, B.C. as advertised on May 6, 1976."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY