

JUNE 28, 1976

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Monday, June 28, 1976 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 Manager

M I N U T E S

The Minutes of the Public Hearing held on June 22, 1976, came forward for adoption.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN GUNN:

"THAT the Minutes of the Public Hearing held on June 22, 1976 be now adopted."

CARRIED UNANIMOUSLY

Mayor Constable

Mayor Constable advised that the Minutes of the Council Meeting held on June 21, 1976 had not been circulated and would be coming forward at the next regular meeting of Council for adoption.

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Mr. Augustino Martin, Re: Not allowed to have two crossings for U-Drive Entrance Driveway
- (b) Burnaby Fire Fighters' Association, Local 323, Secretary, Re: Grievance with Municipality

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN GUNN:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

1.

June 28, 1976

(b) Burnaby Fire Fighters' Association, Local 323
Re: Grievance with hiring of Fire Chief

Your Worship and Members of Council. I am Gordon Anderson, Vice-President of the International Association of Fire Fighters and I am presenting a petition on behalf of the Burnaby Fire Fighters and concerned citizens of Burnaby.

This petition reads: "That we the undersigned support the Burnaby Fire Fighters in their efforts to have the Burnaby Council rescind the appointment of a non-departmental member to the position of Fire Chief". I would ask that the members deliver those to the City Clerk and I might say that in just ten days over eleven thousand citizens have signed this petition requesting this Council to rescind the appointment of a non-departmental member to the position of Fire Chief.

This issue is no longer just a grievance between the Burnaby Fire Fighters and the Council but a clear indication of the dissatisfaction of the citizens in the action that the majority of this Council took when it engaged an outsider as Fire Chief. We would urge Council to rescind the previous action and not ignore the signers of this petition. The very least position that Council should take is to postpone the hiring of Mr. Nairn until such time as the legal question in this dispute is settled. We are not in any sense supporting the candidacy for the position of Fire Chief for any one individual, however the principle involved and the attack on the Collective Agreement is of greatest concern to the Fire Fighters. Council must recognize that emotions are running high amongst their Fire Fighters in this community, and on this issue. The effects of your decision on the morale of the Fire Fighters is very detrimental to the present and future operation of your Fire Department.

The Fire Fighters would submit, without fear of contradiction that there are within the Department highly qualified people who if given the opportunity and means would be able to satisfy any criteria established and would provide a progression of leadership and administrative potential within the Department.

The Fire Fighters wish to make it clear that as a body they deplore the necessity of having to entertain a grievance of this nature. However, we wish to assure the citizens of Burnaby that we recognize responsibility to protect the life and property in this community and would hope that Council will recognize the impact of their previous decision and rescind that action. Feeling that, then we urge you to postpone the hiring of Mr. Nairn until such time that the legal question in this dispute is settled.

Thank you, Mr. Mayor and Members of Council.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN DRUMMOND:

"In view of the concerns expressed by our Burnaby Fire Fighters Be It Resolved that a Committee of Council be appointed by the Mayor to meet with the Executive of Burnaby Fire Fighters Association, Local 323, to discuss those concerns."

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN STUSIAK:

"THAT the matter of the meeting as a Committee of the Whole with the Burnaby Fire Fighters be tabled until the question before the Labor Relations Board has been resolved."

CARRIED

OPPOSED: Mayor Constable
Aldermen Drummond,
Gunn and Randall.

June 28, 1976

(a) Mr. Augustino Martin,
Re: Not allowed to have two crossings for U-Drive Entrance Driveway

Mr. Martin apologized to Council for being late due to poor airline connections. Mr. Martin then spoke to the following submission:

"I have applied for building a single family dwelling at 4050 Price Street. I was in contact with the engineering department at the City Hall and they informed me that I was not allowed to have two crossing for my U-Drive entrance driveway. Since this regulation does not appear in any by-law and that this lot is a duplex lot, I feel that the engineering department is being unjust in their decision and therefore I am appealing their decision and I would like a hearing and appear in person at the next Council Meeting on Monday June 28, 1976, Thank you."

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

"Reference the submission from Mr. A. Martin dated June 15, 1976.

The property in question is presently occupied by an older single family home that has an existing vehicle crossing of the curb and sidewalk off Price Street on the easterly side of the lot. Mr. Martin apparently is going to tear down this existing house and build a new single family home on this lot although as he has noted in his letter it is zoned (R5) which would permit the construction of a duplex.

When Mr. Martin made application for a new crossing on the west side of his property he was advised that he would have to pay for the removal of the existing crossing on the east side that would then be redundant. When Mr. Martin advised us that he wished to retain this existing crossing to provide a loop driveway, he was informed that under our existing sidewalk crossing policy his development did not meet the requirements for such treatment.

As Council is aware from past submissions, the subject of vehicle accesses can be a very contentious issue. In many cases we have had to deal with home owners who have wanted two, three and even four vehicle crossings for a single home, one for each vehicle, camper and trailer they own. As a result of our investigations and reports on many of these requests that come to Council, a policy evolved that set the guidelines for the placement of loop driveways.

Attached for the information of Council is a copy of that policy.

The request for a loop driveway by Mr. Martin was refused under Section 7 of the attached policy and the fact that he is building a single family home not a duplex."

It was recommended that:

1. Council reaffirm its approval of its past decisions on loop driveways as contained in Appendix "B" of the crossing manual, and
2. A loop driveway for 4050 Price Street be refused; and
3. Mr. Martin be sent a copy of this report.

MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN LAWSON:

"THAT the subject matter be tabled pending a policy review."

CARRIED UNANIMOUSLY

It was requested that the Municipal Engineer report particularly on the question of frontages less than the current 80 foot standard.

June 28, 1976

BY - LAWS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 25, 1976"

- #6880

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 GUNN:

"THAT the Committee now rise and report progress on the By-law."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 25, 1976'

-#6880

be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 19, 1975'

-#6655

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 GUNN:

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

CARRIED

OPPOSED: Mayor Constable,
Aldermen Ast, Lawson,
and McLean.

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

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

CARRIED

OPPOSED: Mayor Constable
Aldermen Ast, Lawson
and McLean.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 19, 1975'

-#6655

be now read three times."

CARRIED

OPPOSED: Mayor Constable
Aldermen Ast, Lawson
and McLean.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 27, 1976'

-#6882

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 28, 1976'

-#6883

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 29, 1976'

-#6884

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 30, 1976'

-#6885

'BURNABY LEASE AUTHORIZATION BY-LAW NO. 4, 1976'

-#6887

'BURNABY LEASE AUTHORIZATION BY-LAW NO. 5, 1976'

-#6888

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 GUNN:

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

CARRIED

Aldermen McLean and Stusiak opposed to By-law #6884.

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

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

CARRIED

Aldermen McLean and Stusiak opposed to By-law #6884.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

"THAT:

- 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1976' -#6882
- 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 28, 1976' -#6883
- 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1976' -#6884
- 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 30, 1976' -#6885
- 'BURNABY LEASE AUTHORIZATION BY-LAW NO. 4, 1976' -#6887
- 'BURNABY LEASE AUTHORIZATION BY-LAW NO. 5, 1976' -#6888

be now read three times."

CARRIED

Aldermen McLean and Stusiak opposed to By-law #6884.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

"THAT the 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. 53, 1975' -#6751
- 'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 18, 1976'." -#6837

CARRIED UNANIMOUSLY

The foregoing By-laws provide for the following proposed rezonings

- (a) Rezoning Reference #41/75
Lot A North 131.68 feet, D.L. 30, Plan 4680
Lots 1 and 2, D.L. 30, Plan 22919
Lot 95, D.L. 30, Plan 38962
(7210 Mary Avenue; 7137, 7187 and 7211 Canada Way)
FROM RESIDENTIAL DISTRICT (R5) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)
- (b) Rezoning Reference #5/76
D.L. 135, Exc Plans 3234 and 4484, Plan 3072
(1551 Phillips Avenue)
FROM RESIDENTIAL DISTRICT (R4) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN GUNN:

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

CARRIED

Alderman McLean opposed to By-law #6837.

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED

Alderman McLean opposed to By-law #6837.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 53, 1975' -#6751

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 18, 1976' -#6837

be now read a third time."

CARRIED

Alderman McLean opposed to By-law #6837.

MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN GUNN:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 1, 1976' -#6806

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 19, 1976' -#6838

'BURNABY TAX SALE LANDS RESERVE FUND EXPENDITURE
BY-LAW NO. 1, 1976' -#6873

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 MCLEAN:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 44, 1976 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Mr. K. Dhanoa
Re: Protest Wayburne-Nelson Diversion being planned by the
Municipal Council.

A letter under date of May 11, 1976 was received expressing his protest to the Wayburne-Nelson Diversion being planned by the Municipal Council. It was indicated that his residence was very close to the park and he was opposed to the construction of the roadway which would pass within about 200 feet of his property.

June 28, 1976

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT copies of correspondence items (a), (b), (c), (d), (e), (f) and (g) be forwarded to the Parks and Recreation Commission for information purposes and the correspondents receive a copy of Item 16, Manager's Report No. 27, April 26, 1976; Item 11, Manager's Report No. 16, March 15, 1976 and Item 4, Manager's Report No. 21, April 5, 1976."

CARRIED UNANIMOUSLY

The following correspondence was also received in connection with the proposed Wayburne-Nelson Diversion:

- (b) Mr. and Mrs. D. Crawford, 5696 Nelson Avenue;
- (c) Mr. and Mrs. Gordon Lockhart, 4931 Buxton Street;
- (d) Mr. Ken McLean, 4955 Sardis Crescent;
- (e) Mrs. E.A. Williams, 4627 Burke Street;
- (f) Mrs. Paula A. Holt, 5289 Kira Court;
- (g) Mr. Albert J. Rolheiser, 5672 Nelson Avenue;
- (h) Village of Tahsis, Re: Additional Monthly Per Capita Charges for Social Welfare

A letter under date of June 14, 1976 was received drawing attention to a letter circulated on Union of British Columbia Municipalities notepaper under date of May 17, 1976 regarding the above subject and taking exception to several statements contained therein.

- (i) Mr. and Mrs. C. Janelle, Re: Thank Each one of you for Remarkable Send Off given Husband on his Retirement

A letter under date of June 17, 1976 was received thanking Mayor Constable and Members of Council for the memorable send off given on Mr. Janelle's recent retirement from the Municipal Staff.

- (j) Mrs. Charlotte Rozman
Re: Rezoning #15/75 - 6483 Trapp Avenue

A letter under date of June 23, 1976 was received requesting Council come to a decision regarding the subdivision and/or sewer hookup with New Westminster for the property located at 6483 Trapp Road.

The Municipal Manager advised that a Staff Report would be available at the July 5th, 1976 meeting of Council.

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN MCLEAN:

"THAT Item 16, Manager's Report No. 44, 1976 be tabled until July 5, 1976."

CARRIED UNANIMOUSLY

The Municipal Manager's recommendations in Item 16 were:

1. THAT Item 23, Report No. 33 dated May 17, 1976 be lifted from the table; and
2. THAT any proposals for rezoning and subdivision in this area be held in abeyance pending the preparation of a community plan; and
3. THAT a copy of this report be sent to Charlotte Rozman.

June 28, 1976

(k) Mrs. Audrey J. McKinnon
Re: Alderwood Crescent - Storm Sewers and Curbs without sidewalks

A letter under date of June 23, 1976 was received enclosing a petition requesting storm sewers and curbs without sidewalks and the related costs for these projects.

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

"On the Council Agenda for 28 June are two petitions requesting work usually carried out under Local Improvement procedures. The petition submitted by Mr. Ken Rockford of 6420 Napier Street is for paving, curbs and sidewalks. The petition submitted by Mrs. A.J. McKinnon of 4286 Alderwood Crescent is for paving, curbs and storm sewers, and asks that the petitioners be advised of the cost of the work.

Both the petitions conform to the present Council policy for inclusion in the succeeding year's L.I. Program. The petitions have been submitted prior to 30 June deadline, and both contain in excess of ten signatures of property owners abutting the projects.

The Engineering Department will make every effort to accommodate the specific requests contained in the petitions. In the case of the Alderwood petition, the initiative notices will be prepared for curbs only, unless the Engineering Department is apprised by other Departments of a valid reason for not doing so. The notice will include the cost to the individual property owner. If the L.I.P. initiative is successful, Alderwood will be added to the schedule of the 1976 Drainage By-law. The initiative notices for Napier will be prepared to include sidewalks as requested. Storm sewer exists on Napier Street!"

It was recommended that:

1. Napier Street, Kensington to Fell, be added to the 1977 L.I.P. program, and
2. Alderwood Crescent south of Moscrop be added to the 1977 L.I.P. program, and
3. A copy of this report be sent to the petitioners.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

(1) Burnaby Tennis Club
Re: Burnaby Tennis Club Plans

A letter under date of June 22, 1976 was received in regard to Burnaby Tennis Club plans associated with the construction of the six court air-supported structure at the Burnaby Lake Sports Complex.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN MCLEAN:

"THAT the subject matter be tabled until a meeting with the Parks and Recreation Commission tentatively scheduled for Wednesday, July 7th, 1976."

CARRIED UNANIMOUSLY

9.

June 28, 1976

- (m) Brentwood Park Ratepayers Association
Re: Matter of Parking on Brentlawn, Ridgelawn, Beta,
particularly during the Christmas Season

A letter under date of June 21, 1976 was received enclosing material received from Mr. A.W. Battryn, Manager, Brentwood Mall and indicating it does not appear that the Mall assumes any responsibility in the matter. Information was requested on what alternatives are proposed by the Traffic Department during the Christmas season in order to solve a potential safety problem.

The Municipal Manager advised that a staff report would be available for the July 5th meeting of Council.

- (n) Brentwood Park Ratepayers Association
Re: Brentwood Apartment Project, Community Plan Area "D"

A letter under date of June 21, 1976 was received reviewing the Ratepayers' understanding of the current situation and asking as to when would be a convenient time for some meetings with the Planning Department to resolve Phase II of the project.

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

"The Planning Department has been requested to reply to a letter from Mr. D. Holmes of the Brentwood Park Ratepayers Association.

The following clarification of the comments noted in Point 1 of Mr. Holmes' is outlined:

- a) The Public Hearing on May 18, 1976 was held for Rezoning Reference #9/74, a specific apartment development within the Community Plan directly to the east of Delta. Rezoning Reference #9/74 was given First and Second Reading of the Bylaw on May 28, 1976 and the rezoning applicant is now pursuing the completion of his prerequisites. The Ratepayers Association attended the Public Hearing.
- b) Delta Avenue is shown closed and as a pedestrian park strip in the adopted Community Plan sketch. The project design for Rezoning Reference #9/74 allows no access onto Delta. The road closures at Dellawn and Halifax are almost completed and are being pursued.

With regard to the comments noted in Point 2 of Mr. Holmes' letter, the Planning Department will be pursuing the further examination of the Community Plan area west of Delta Avenue as soon as possible within the constraints of day-to-day priorities and the overall reporting work program. In gauging the staff time required to pursue this study, it is noted that the previous Community Plan report which resulted in the adoption of the area east of Delta on November 10, 1975 was the result of an extensive series of meetings with the Ratepayers Association and area residents and continuous staff consideration of various proposals and options throughout the spring and summer of 1975. These further discussions had in turn resulted from a comprehensive planning report on the Community Plan submitted to Council on March 3, 1975.

With respect to the comments on the Frontage Road and Walkway, the Planning Department would state that discussion of these matters is tied into the determination of a suitable revised Community Plan for the area west of Delta and the consideration of possible alternatives and options. The adopted Community Plan east of Delta constitutes a given situation, and any Community Plan amendments for the area west of Delta should respect and provide a suitable continuity with major existing or adopted community plan edge conditions."

June 28, 1976

It was recommended that a copy of this report be sent to the Brentwood Park Ratepayers Association.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- (o) Residents 6100, 6200, 6300, 6400 Blocks Napier Street
Re: Curbs, Sidewalks and Street Repaving.

A petition under date of June 23, 1976 was received from residents on Napier Street bounded by Kensington and Fell Streets indicating interest to have curbs, sidewalks and street repaving done on their block.

This subject matter was considered previously under item 4(k) - Correspondence and Petitions.

- (p) Renfrew-Burnaby Heights Football Club,
Re: Permit to hold a parade on July 11, 1976 - Willin
-Willingdon Park/Boundary Road

A letter under date of June 24, 1976 was received requesting permission to hold a parade on Sunday, July 11, 1976 in the Willingdon Park/Boundary Road area for their Flagball Division, which consists of approximately 200 boys aged 7 to 10 years.

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

"This Department anticipates no major problems arising from the parade while using the Municipal Streets.

The applicant is to be advised that the parade must be conducted in accordance with Section 23 of the Burnaby Street and Traffic By-law.

The R.C.M.P. concur with this report."

It was recommended that:

1. Marla A. Smith be advised that the request for permission to use the streets as outlined in her correspondence is approved, subject to the condition that the parade is to be conducted in accordance with Section 23 of the streets and traffic by-law.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (q) Mrs. Joyce Preis, Re: Disturbed by Dissatisfaction
that there is in Our Fire Department

A letter under date of June 17, 1976 was received asking Council to seriously reconsider its decision and appoint the new Chief from within the ranks of the Burnaby Fire Department.

- (r) Mr. and Mrs. Charles Watt, Re: Strongly Object to Recent
Hiring of a Fire Chief from Outside of the Burnaby Area

A letter under date of June 22, 1976 was received indicating a strong objection to the recent hiring of a Fire Chief from outside the Burnaby area.

11.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN MCLEAN:

"THAT the Municipal Clerk respond to correspondence items (q), (r) and reference number 1 of item (s) providing previousl available information on this subject matter."

CARRIED UNANIMOUSLY

- (s) Mrs. Lillian E. Mann
Re: 1. Wonder if Council's Decision re Our New Fire
Chief Could be Classified as Fair Play
2. Cameron Street High Volumes of Traffic

The Municipal Manager reported as follows:

Appearing on the agenda for the June 28, 1976 meeting of Council is a letter from Mrs. Lillian E. Mann. Of the three items contained in her correspondence, following are comments on the one pertaining to traffic counts on Cameron Street:

1. Council in a report that was received on March 29, 1976 (Item 1, Report No. 20) was advised that the Engineering Department plans to update the counts in the Sullivan Heights area at approximately six month intervals, and if appreciable changes become evident, to report accordingly.
2. The Engineering Department will be taking counts in July, and will thereafter be submitting a report to Council. This report will include information on the results of the altered traffic control conditions at the intersection of Cameron Street and North Road.
3. A copy of the report referred to in Item 2 above will be sent to Mrs. Mann."

It was recommended that a copy of this report be sent to Mrs. Mann.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

ENQUIRIES.

Alderman McLean

On a question of Alderman McLean, the Municipal Engineer advised that the cost of power poles damaged in Motor Vehicle accidents are usually recovered through the parties involved placing the costs through Insurance Corporation of British Columbia claim procedures.

Alderman Gunn

On a question of Alderman Gunn, Alderman Stusiak advised that a draft report of the Election Procedures Committee would be placed before the next meeting of Council for consideration.

On a further question of Alderman Gunn, the Director of Planning advised that the Department of Housing had had to provide a few more parking spaces at the MacInnis Place Complex in order to meet the requirements. They also met the requirements of unit size by a method of averaging.

Mayor Constable reported that he had been in contact with the Deputy Minister of Housing this past Monday and that public response to the first day was that more than 200 people responded and that 22 sales had been made.

Alderman Drummond

On a question of Alderman Drummond, the Municipal Manager advised that a report would be forthcoming from staff on the upset experienced by the Standard Oil Refinery last Sunday at approximately 3:00 p.m.

Alderman Stusiak:

On a question of Alderman Stusiak, the Director of Planning advised that the open space levy report for the Kingsway Town Centre Area was nearing completion and would be to Council soon.

R E P O R T S

MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

- (a) Mayor T.W. Constable
Re: Acting-Mayor for July and August, 1976.

It was recommended that Alderman V.V. Stusiak be appointed Acting-Mayor for the Months of July and August 1976.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN MCLEAN:

"THAT the recommendation of Mayor T.W. Constable be adopted."

CARRIED UNANIMOUSLY

- (b) The Municipal Manager presented Report No. 44, 1976 on the matters listed following as Items (1) to (21) either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Engineer's Special Estimates

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

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

W.O. #

12-006	Construct retaining walls in lanes - sundry locations. CHARGE: Special Roads Code 15-06 ADDITIONAL INFORMATION: This item approved in 1976 Capital Budget.	\$ 10,000.
52-094	Overlay Pavements as Listed: William Douglas - Boundary 6th Street Edmonds - Mayfield 16th Avenue Kingsway - Britton Arcola Sperling - Kingsway Nursery Canada Way - Freeway Elwell Canada Way E. to Robert Burnaby Park 10th Avenue Willard - R.R. Tracks Stanley Walker - Lakeview Sperling Canada Way - Deer Lake Drive Malvern Haszard - Burris	

Punnett Close Malvern - cul-de-sac
 Buckingham Sperling - Burris
 Randolph Bryant - Imperial
 North Road Freeway Overpass -
 N/W Broadway

Others where necessary due to winter damage.
 CHARGE: Street and Lane Rehabilitation
 Code 15-03 \$200,000.

ADDITIONAL INFORMATION: This item
 approved in 1976 Capital Budget.

62-064

Sundry extras to Storm Sewer work
 orders which have been closed -
 for the year 1976.

CHARGE: Code 30-03 \$ 10,000.

ADDITIONAL INFORMATION: This cost is
 provided in 1976 Budget. The funds
 are required to cover late charges
 submitted after work orders have been
 closed.

62-065

Sundry extras to Road work orders
 which have been closed - for the year
 1976.

CHARGE: Special Roads Projects
 Code 15-06 \$ 5,000.

ADDITIONAL INFORMATION: This cost is
 provided in 1976 Budget. The funds
 are required to cover late charges
 submitted after work orders have been
 closed.

62-069

Sundry extras to Street Lighting work
 orders which have been closed - for
 the year 1976.

CHARGE: Code 15-09 \$ 1,000.

ADDITIONAL INFORMATION: This item
 approved in 1976 Capital Budget. The
 funds are required to cover late charges sub-
 mitted after work orders have been closed.

\$226,000."

It was recommended that the Municipal Engineer's estimates be approved as submitted.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

2. Building Department Report

The Municipal Manager provided the report of the Chief Building Inspector covering operation of his Department from May 24, 1976 to June 18, 1976, which indicated 1234 permits had been issued this year to date and a total amount of \$63,284, 486.00.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

It was requested that information be supplied as to the makeup of the "New Work" item of \$6,100,000.00 indicated on the report.

3. Bus Stop - Eastbound Hastings Street at Holdom Avenue

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

"The existing bus stop at the captioned intersection is located approximately 50 feet east of Holdom Avenue on the south side of Hastings Street between two driveways to a service station.

Frequently there are two buses stopped at this location, which creates congestion within the intersection in that the last bus projects into the north bound traffic lane of Holdom Avenue.

In order to overcome this hazardous situation, it is recommended that a bus zone be established to the east of the driveways. This zone would eliminate approximately four on-street parking spaces in front of the apartment block at 5740 Hastings Street. The apartment block appears to have ample off-street parking and there is unlimited on-street parking to the east of the proposed zone."

It was recommended that:

1. Council approve the establishment of a new bus zone to accommodate two eastbound buses on Hastings Street at Holdom Avenue as more specifically outlined in the Engineer's report.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

4. Garden Plot Program

The Municipal Manager reported as follows:

"Attached is a report from the Parks and Recreation Administrator regarding the Burnaby Garden Plot Program.

In November, 1974, Council approved in principle the establishment of a provincially administered and funded garden plot program on 14.2 acres of municipally owned land in the Big Bend area. Council as the result of further deliberations on this matter resolved that the rental rate for the land be set at \$1.00 per year, exclusive of taxes, and that at the end of the lease period, Council would: (a) review the merits of the program, (b) assess the desirability of extending the term of the lease, and (c) re-examine the appropriateness of the nominal lease rate.

The lease will expire on July 1, 1978.

There is no interest in having the Garden Plot Program expanded beyond its present size at this time. We are aware, however, that there may be a future proposal to use land that has been acquired by the Land Commission on Royal Oak for an expansion of the program in Burnaby next year. Should this or any other proposal for expansion be advanced for consideration, Council would of course be advised accordingly.

Staff, in accordance with the direction that Council wishes to have followed in this regard, will submit a report on the entire program prior to the expiration of the lease in 1978."

It was recommended that:

1. The Parks and Recreation Administrator's report be referred to the Planning Department for consideration when a review of the Garden Plot Program is conducted in 1978; and
2. A copy of this report be sent to the Parks and Recreation Commission.

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 Planning Department consider and report to Council on amending the Deer Lake plans to allow for garden plots on the Okalla lands."

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN LAWSON:

"THAT the subject matter of garden plots on Okalla lands be referred to the Parks and Recreation Commission for comment."

CARRIED

OPPOSED: Alderman McLean

5. Subdivision Reference #154/75
 Road and Lane Closures
Vicinity of Burnfield Crescent and 6th Street

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

"One of the requirements of the above-noted subdivision was the closure and purchase of two redundant road allowances for inclusion in the three lots being created. (See Sketch attached) The developer has agreed to provide the following items in order to accomplish the necessary closure:

- (1) All necessary by-law plans and consolidation plans.
- (2) Compensation to the Corporation in the amount of \$4,062.00.

It has been determined that there are no existing utilities on the allowances to be closed.

It is therefore in order that Council authorize the introduction of a road closing by-law as outlined."

It was recommended that Council authorize the introduction of a road closing by-law as outlined in the Director of Planning's report.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

6. Interim Funding for Work connected with the Kaymar/Suncrest Ravine

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

June 28, 1976

The Municipal Council on 19 January, 1976, received an extensive report on the Kaymar/Suncrest Ravine erosion and approved the course of action as follows:

1. THAT Council adopt alternative No. 6 which includes repair of the eroded invert and piping of the watercourse with a quantity of water equivalent to minimal summer flow permanently diverted into an open lined channel of dimensions 4 feet wide by 1 foot water depth L. 1504, and stabilization of slopes in failed areas at an estimated cost of \$435,000;
2. THAT the Municipal Treasurer be authorized to proceed immediately with a special Drainage By-law to finance the work;
3. THAT the consulting firm of Golder Brawner & Associates Ltd. be engaged to immediately proceed with the final design and preparation of plans ready to call for tenders for alternative No. 6 with the understanding that the cost for this engineering work would be approximately \$20,000;
4. THAT immediately upon receipt of the plans and specifications, the construction of alternative No. 6 be put to tender with a completion date for the work to be October 31, 1976;

Subsequently we engaged the consulting engineering firm of Golder Brawner & Associates Ltd. to prepare the design and specifications for the work and they have advised us that this design will be completed in two weeks at which time we propose to call tenders for the work. However, the Municipal Treasurer advises us that the completion of the necessary financing by-law for the work will take another two months. If we wait for this by-law approval before commencing work, it will undoubtedly mean that the work cannot be completed by the established deadline of October 31, 1976. The October 31, 1976 deadline was chosen as it was not advisable to plan on working in a ravine during the winter period when stream flows will be high. We therefore considered that it is essential to commence the work

at an early enough date in the summer that the work could be completed by October 31, 1976. Our consulting engineers have advised that they have been in touch with Contractors that do this type of work and the opinion has been expressed that if the work could be commenced no later than mid July it could be completed by the end of October 1976. The two month delay in preparation of a money by-law would prohibit this sort of time schedule.

The Municipal Treasurer has advised that a method of financing the project which would permit a start on the work as soon as the design drawings are ready would be to use interim financing from the "reserve for capital works".

It was recommended that:

1. The project to resolve erosion in the Kaymar/Suncrest Ravine proceed as soon as design drawings and specifications are available, and
2. The project be financed on an interim basis from the "reserve for capital works" with the necessary transfer of funds back to the reserve upon completion of the necessary borrowing by-law.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

7. Triangular Area bounded by Boundary Road, 401 Freeway and Clydesdale Street

The Municipal Manager reported on the background, past history and land use considerations as well as redevelopment of the area as follows:

"It should be noted that the Freeway and Clydesdale Street are under senior government jurisdiction. Clydesdale serves as one of the prime access points between the Vancouver Street system and the Freeway.

A plan showing the original road system proposed for this sector by the firm of Phillips, Barratt, Hillier, Jones and Partners for the City of Vancouver in 1971 is attached. Had this been implemented, the isolation of this section of the municipality would have been further increased. While the plan has not been proceeded with, it is apparent that the problems of the area have been largely created by the arterial road programs of the Federal and Provincial Governments. In view of this, the municipality would be justified in seeking financial assistance for the assembly of land within the subject area.

With respect to the first recommendation below, it is intended that we now proceed to make an application for funding with the understanding that if the application is approved, Council will subsequently decide on whether or not to proceed with acquisition and development on the basis of the amount of funds received and other relevant information that will become available.

It was recommended that:

1. The Council authorize the making of an application by the Corporation to the appropriate departments or agencies of Senior Governments (e.g. the B.C. Development Corporation) for funding to acquire and redevelop the triangular area bounded by Boundary Road, 401 Freeway and Clydesdale Street, with the understanding that submission of such an application is not intended or to be interpreted as a firm commitment on the part of Council to proceed with acquisition and redevelopment at this time; and
2. The Council give approval in principle to the designation of the subject area for future M5 (Light Industrial) District development; and
3. A copy of this report be sent to all of the residents and property owners in the subject area.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

8. U.B.C.M. Resolutions

The Municipal Manager provided a report of the Director of Planning indicating eight proposed U.B.C.M. Resolutions:

1. The Provision of Land or Funds for Public Use in Residential Subdivisions;
2. The Provision of Underground Wiring and Boulevard Treatment as a Condition of Approval for New Development;
3. Landscaping Covenants Providing for Earth Berms and Natural Screening between Areas of Incompatible Land Uses;
4. The Provision of a Trust Fund for Required Services as a Condition of Subdivision Approval;
5. The Requiring of Community Care Facility Developments to Conform with Municipal Electrical, Plumbing, Building and Zoning Regulations and By-laws;
6. Provision for the Establishment of Building Lines along Major Streets;

7. The Including of the Cost of Parking for Apartment Buildings in the Rent;
8. Off-Street Recreational Vehicles - "All-Terrain Vehicles Act".

It was also agreed that the two following resolutions be considered as well:

9. All Public Health Departments be given sufficient funds to cover the salaries of speech therapists and nutritionists that are presently on staff, and that such funding be extended to cover any additional services of an ancillary nature as may be required in the future;
10. That the Municipal Act of the Province of British Columbia be amended to allow an option of placing candidates names for office on the ballot paper either alphabetically or by draw.

It was recommended that:

1. The subject resolutions be referred to the U.B.C.M.; and
2. The U.B.C.M. be sent a copy of this report; and
3. The Metropolitan Board of Health and the Associated Boards of Health (an organization which represents all Health Departments in the Province) be advised of the resubmission of the resolution pertaining to funds for ancillary health service.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

9. Proposed Demolition of Property - Bonsor Park
6779 Jubilee Avenue

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

"The Parks and Recreation Commission wishes to provide access to Bonsor Park from Jubilee Avenue. There is a lane between 6779 and 6763 Jubilee Avenue leading into 6692 Lily Avenue which is a park-land vacant lot (see attached sketch). The building at 6779 Jubilee Avenue contains one second storey apartment and a store on the main floor. At the present time, the building is unoccupied and requires extensive repairs to bring it to a reasonable condition for continued rental purposes. The attached letter from the Chief Building Inspector outlines these repairs.

The Curator at Heritage Village had expressed interest in the preservation of the building, but, as will be noted in the attached letter of May 26, 1976, they do not have any funds at this time to relocate the building and do not appear overly concerned about it.

The Commission, therefore, wishes to have the building demolished and thus create adequate public access to Bonsor Park from Jubilee Avenue."

It was recommended that:

1. The Council authorize the demolition of the building at 6779 Jubilee Avenue with the costs being charged to the Park Land Acquisition account.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

It was requested that the Municipal Manager report on the question of storage, office or workshop space for use by the Heritage Village Operation.

10. Letter Dated June 21, 1976 from Mrs. Lillian E. Mann
9637 Cameron Street, Burnaby
Traffic Counts on Cameron Street

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

11. Proposed Condominium Development
1551 Phillips Avenue
Rezoning Reference #20/76

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

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

- a) The submission of a suitable plan of development.
- b) Completion of all prerequisite conditions of Rezoning Reference #5/76.
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
- e) The deposit of a per unit levy to go towards the acquisition of proposed neighbourhood parks.
- f) The retention of as many existing mature trees as possible on the site.
- g) Applicant's schedule for the construction staging of the subject proposal."

It was recommended that the Director of Planning's recommendation be adopted.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

12. Request for Refund on Permits
Distinctive Home Fixtures Ltd.

The Municipal Manager reported as follows:

"On June 21, 1976, Council received a letter from Mr. Peter A. Crichton, President of Distinctive Home Fixtures Ltd., regarding a request for a refund on permits that have been issued to his firm by the Building Department. Council tabled a report from staff pending receipt of additional information on the number of such requests that are received from holders of permits after work on a project has commenced. This additional information is contained in the following report from the Chief Building Inspector.

If a firm should for any reason decide to proceed with construction after a permit has become void under the terms of the building by-law (see Section 4.(5) (a) and (b)), it would have to reapply for a new permit. A fee for the new permit would be charged as per the existing schedule, in the same manner as if the permit were being issued for the first time. The primary reason for this is because the fee structure is based on services rendered, and the administrative costs for issuance of a permit and related inspectional work is about the same for an original permit and any superseding permits that have to be issued because the original was allowed to become void.

It was recommended that:

1. Item 16, Report No. 42 dated June 21, 1976 be lifted from the table; and
2. The terms of Building By-law No. 6333, Section 4(4) be upheld; and
3. Mr. Peter A. Crichton be advised accordingly.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN GUNN:

"THAT Item 16, Report No. 42 dated June 21, 1976 be lifted from the table."

CARRIED UNANIMOUSLY

Recommendations numbered 2 and 3 were now before the meeting for adoption and were voted on and

CARRIED UNANIMOUSLY

13. Letter from Mr. F.J. Owens that was on the Agenda for the June 7, 1976 meeting of Council (Item 3e)
Vandalism

The Municipal Manager provided a report from the Officer-In-Charge, R.C.M.P., Burnaby Detachment.

It was recommended that:

1. No further action be taken at this time with respect to the suggestion from Mr. Owens that vandalism be controlled by the enactment and enforcement of a curfew involving youth; and
2. A copy of this report be sent to Mr. Owens.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

14. Letter dated June 24, 1976 from Renfrew-Burnaby Heights Football Club, Box 82308, Burnaby
Request for Permission to conduct a Parade

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

15. Anti-Inflation Board; Federal-Provincial Agreement

The Municipal Manager reported as follows:

"On Wednesday, June 23rd the Minister of Finance, the Hon. Evan Wolfe announced that the Provincial government had signed an agreement with the Federal government to extend the authority of the Anti-Inflation Board to the public sector in British Columbia. As a part of this agreement, all contracts and/or salary decisions reached after October 14, 1975 in the municipal sector are subject to the wage guidelines.

At this time, no official notice has been received from either the Department of Municipal Affairs or from the Board. However, we have discussed the situation with the Regional Manager of the Board and we are advised that we are required to file our reports on compensation for 1976 by July 13, 1976; that is, fifteen working days from the date the Federal-Provincial agreement was signed.

Because of the terms of the guidelines, it will be necessary to file reports only on our Senior Exempt Employees and Council at this time. In addition it will be necessary to file reports on the Firefighters group within 15 days of signing a collective agreement or memorandum of understanding. Reports on our Junior Exempt Employees and C.U.P.E. groups will not be required until 1977.

The necessary materials have been obtained from the Board to enable us to file the required reports and, though the regulations are unfortunately vague in certain respects we do not anticipate any problems either in meeting the deadline or in gaining approval of our salary program.

However, we are concerned about the extra workload that this will place on our staff. While the exempt group can be handled because of the small number of positions, major changes to computer programs and payroll systems will most likely be required to handle the larger employee groups."

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT a request be made to the Province for funds to cover the extra costs to the Municipality for filing these reports. If no funds are provided - no priority be given to filing these reports. That work on the reports be carried out only when staff are free from other duties."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

"THAT the subject matter be referred to the Municipal Manager for report as to what penalties there are for not complying with the filing of reports on compensation."

CARRIED UNANIMOUSLY

16. Letter from Charlot Rozman that was on the Agenda for the June 14, 1976 Meeting of Council (Item 4A) Rezoning Reference #15/75 - 6483 Trapp Avenue

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

17. Letter dated June 21, 1976 from the Brentwood Ratepayers Association - Brentwood Community Plan - Area "D"

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

18. Two Petitions for L.I.P.'s That Appear on this Week's Agenda
(a) Mr. Ken Rockford, 4286 Napier Street

This item was considered previously at Item 4(o) - Correspondence and Petitions.

(b) Mrs. Audrey J. McKinnon, 4286 Alderwood Crescent

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

19. Funding for Bus Stop Improvements

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

"Recent improvements to the Transit Services in Burnaby have required the addition and improvement of a number of stops, particularly on Marine Drive. The estimated cost of these improvements is \$4,850.00.

Our present bus stop improvement Work Order 11-032 has a balance of \$4,436.00, which would normally be required for maintenance to the end of 1976.

In view of the above, we are requesting that an additional \$5,000.00 be drawn from contingency of Code 90 and added to Work Order 11-032."

It was recommended that:

- 1. An additional \$5,000.00 be drawn from contingency (code 90) and added to work order 11-032.

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

20. Letter dated June 15, 1976 from Mr. A. Martin
949 E. 24th Avenue, Vancouver
Vehicular Crossing to a dwelling at 4050 Price

The subject matter was considered previously under Item 2(a) - Delegations.

21. Proposed Amendment to Burnaby Fire Prevention By-Law No. 5096

The Municipal Manager reported as follows:

"The Fire Department frequently spends a considerable amount of time in the preparation of cases involving prosecution of violations under Burnaby Fire Prevention By-Law No. 5096. These involve, among other matters, the failure to obtain permits for the installation of underground storage tanks for propane and petroleum products and illegal burnings. The minimum penalty upon conviction for violations is \$25.00. Unfortunately, magistrates usually charge offenders with only the minimum penalty under law, and the \$25.00 so assessed for violations does not cover the cost involved in investigating and preparing cases for prosecution. It is therefore recommended that the minimum amount be increased to \$150.00. If this recommendation is adopted, the applicable section of the by-law would read as follows:

- 1.3.4.1 Every person who contravenes or fails to comply with this by-law or who fails to carry out an order made under this by-law or any condition attached to a permit or to which a permit is subject is guilty of an offence and where no other penalty is provided under this by-law is liable on summary conviction to a fine of not less than \$150.00 and not more than \$500.00 or to imprisonment for a term not exceeding six months or to both such fine and imprisonment and in default of payment of the fine to imprisonment for an additional term not exceeding six months.

June 28, 1976

The recommended minimum will not only serve to cover administrative costs, but will also serve to give more meaningful support to the deterrent factor that should be considered in connection with the establishment and assessment of fines. Following are the penalties for violations of fire prevention by-laws in four neighbouring municipalities:

Vancouver: The fine is a fixed amount - \$50.00. There is no provision for a jail term.

New Westminster:

The penalties are the same as in Burnaby at this time (\$25.00 to \$500.00 imprisonment not to exceed six months.)

Richmond: A fine up to but not exceeding \$100.00. Imprisonment not exceeding 30 days.

Surrey: A fine up to but not exceeding \$250.00 plus court costs. There is no provision for a jail term.

It was recommended that:

1. The minimum fine under the subject by-law be increased from \$25.00 to \$150.00, be become effective on August 1, 1976.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN GUNN:

"THAT the subject matter be tabled pending a further report of the Municipal Manager on enquiries raised, both as to individual and commercial applications and as well the policy on violation."

CARRIED

OPPOSED: Alderman Randall

22. Navigational Channel Fronting the Former Kapoor Properties

The Municipal Manager reported as follows:

On May 17, 1976, Council received a report on the lease of Kapoor Property to Noble Towing Ltd. (Item 24, Report No. 33). The report contained a letter dated May 12, 1976 from Capt. A.M. Ross, Harbour Master for the Port of Vancouver, advising that log booming activities on the Kapoor site was restricted to four boom widths only in order to retain the necessary navigation in the area. Apparently this has been a requirement of the Port in the past and we were not made aware of it.

The Municipal Manager and the Director of Planning on May 19, 1976 wrote to the National Harbours Board to inquire further about the boom width in the navigational channel, with the specific intention of obtaining clarification on this particular matter.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

June 28, 1976

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN MCLEAN:
SECONDED BY ALDERMAN EMMOTT:

"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