

APRIL 5, 1976

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Monday, April 5, 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 V.V. Stusiak

ABSENT: Alderman G.H.F. McLean
Alderman F.G. Randall

STAFF: Mr. B. McCafferty, Acting Municipal Manager
Mr. V.D. Kennedy, Deputy Municipal Engineer
Mr. J. Plesha, Administrative Assistant to Manager
Mr. D. Stenson, Assistant Director - Current Planning
Mr. J. Hudson, Municipal Clerk
Mr. R.W. Watson, Deputy Municipal Clerk

MINUTES

The Minutes of the Council Meeting held on March 29, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Minutes of the Council Meeting held on March 29, 1976 be now adopted."

Alderman Gunn indicated that the third amending Motion on Page 24, as moved by Alderman Lawson and seconded by Alderman Ast, was carried with Aldermen Gunn and Drummond opposed.

A vote was then taken on the Motion as amended and CARRIED UNANIMOUSLY.

PROCLAMATION

Mayor T.W. Constable proclaimed April 1976 as "Conquer Cancer Month" in the District of Burnaby as a gesture of its citizens' acknowledgment of the efforts of the doctors, workers and volunteers who are in the front line of the war on cancer, and urged our people to give generous support to the 1976 "Conquer Cancer Campaign".

DELEGATIONS

The following wrote requesting an audience with Council:

- (a) Vancouver Mill Machinery (1968) Ltd. - President, March 25, 1976
Re: Brentwood Town Centre - Western Sector Community Plan 9A
- (b) Haul Away Disposal Ltd., President, March 30, 1976
Re: Garbage Collection

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- (c) Lougheed Auto Court, April 1, 1976 - M. Pavich
Re: Brentwood Town Centre - Western Sector Community Plan 9A

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Delegations be heard."

CARRIED UNANIMOUSLY

- (a) Vancouver Mill Machinery (1968) Ltd. - President March 25, 1976
Re: Brentwood Town Centre - Western Sector Community Plan 9A

Mr. A.S. Rendell, President of Vancouver Mill Machinery appeared before Council and commented as follows:

"We own the property at 1904 Gilmore Avenue. We have submitted a letter of objection to Community Plan 9A because this plan detrimentally affects us and includes the area we occupy. I am referring to the circulated Brentwood Town Centre Western Plan headed 'Community Plan 9A'. I will not read our letter of objection to you. I would like to explain our position which we have taken. Present zoning on our property has been, for some time, M1 and we conform to this zoning. We are part of Site 9 on Sketch 3 of the subject development plan. To the south of us is a White Spot Restaurant and although on the plan it is shown as "existing development to remain", I would like to point out the site is not all developed; that is, only the two-thirds to the south of us to the Lougheed Highway is developed. The balance is vacant. I am a little puzzled by the meaning 'existing development to remain', however, I read the plan to read the existing development and the vacant property will be able to remain in the zoning it is presently in. Page 3 of the proposal shows Site 9 is proposed to be rezoned as M5 against the present zoning, M1. The only effect of this zoning that I can locate is that it will appear to limit our ability to expand in the future and give us better premises than we presently have in terms of working area, particularly in view of the proposed closing of the redundant lane which is right behind us. This redundant lane has never been opened due to the grades which make it almost impossible as the top of the back of the lane would end some fifteen feet above our back door which abuts right against us. We believe we should and we can expand our property within the rules applying to M1. We should be permitted so to do. Sketch 2 of the Plan shows our building as being over ten years of age and the condition as being poor. I feel the category, over ten years, is most misleading as there are four categories and the oldest one is over ten years. The reported condition as being poor is completely incorrect. The report does not categorize its heading as being appearance. It states that it is the condition. Now the building may or may not need a coat of paint but I do not agree that the condition of the structure is poor. In fact, it is excellent. Categorizing a cement block building as over ten years old and poor is misleading as it has a useful life expectancy of at least fifty years. I would say at this point that I am presently occupying an office building that is at least sixty years old and is in excellent condition. I think if we had attempted to tear it down, we would have been accused of removing a heritage building, so that the age of the building is somewhat immaterial; it depends upon its condition. The building, in fact, is only fifteen years old. We expect it to serve us for at least another thirty-five years. We are planning on such useage in life, therefore, any zoning change is not going to have any short or long term effect on the location where we are. It would

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not seem to affect whether or not the land is redeveloped; that is, if we continue to operate there, it cannot be redeveloped and only seriously curtail our ability to improve our land and expand it. We, in common with most businesses, hope to grow and expand. Our manufacturing operations have enough competition without added burdens of costs for moving. We therefore appeal to you to amend the plan to remove that zoning change from M1 to M5 which we feel can serve no useful purpose. Thank you."

(b) Haul-Away Disposal Ltd., President, March 30, 1976
Re: Garbage Collection

Mr. Len Remple, President of Haul Away Disposal Ltd., spoke to the following brief:

"On March 15, 1976, the Burnaby Council authorized the manager to start a new department in the sanitation service. This decision was made without comparative information. We wonder if this Council has lots of money 'burning a hole in its' pocket' like the proverbial young boy. We wonder why this Council wants to spend approximately half a million dollars to obtain the same results as at present. This will be an horrendous burden to the taxpayer who is already over-taxed! I ask this Council, is this fair to the taxpayer? What does this achieve? One thing it will very definitely achieve is to cause a serious layoff of our union men. It appears this Council is intent on this impending layoff of these union men. Is this fair? With Council's indulgence, I would like to illuminate a few points from reports submitted by your committee studying this subject. A few corrections will also be pointed out.

1. The report appears to be calculated on once-a-week service to the strata title residences. In practice, this will not be sufficient service. The Burnaby Health Inspector will require service 2 or 3 times per week. This demand by the Health Inspector will drive up costs most dramatically. The suggestion that more containers would solve the problem is not correct because there usually is not enough room on these premises for more containers, hence, service 2 or 3 times a week is necessary.

2. Alderman Gunn's report suggests a 3-yard container for \$200.00. Containers that can be bought for such a price provide a quality which Burnaby would not likely buy.

3. Nowhere in any reports have I seen an allowance of at least \$100.00 per container for casters. This is an additional expense not to be overlooked.

In the Manager's Report No. 16, dated March 15, 1976, the strata title unit cost is estimated at \$40.92 for the first year. And, we all know, estimates are usually exceeded!

I submit, here and now, a proposal that cannot be ignored!

1. Based on this estimate, we offer to:

- A. Provide the container service;
- B. Provide the service three times per week if required;
- C. Provide FREE containers;
- D. Provide the above at a 30% discount (off \$40.92)

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2. Based on Burnaby's present actual costs of servicing the residents for their weekly can pick-up service ... 1976 - \$31.59:
 - A. Provide the container service;
 - B. Provide the service three times per week if required;
 - C. Provide free containers;
 - D. Provide the above at 15% discount (off \$31.59);
 - E. Continue this pricing method for 5 years, based on your own costs less 15% discount.

OR

3. By means of the usual tendering system, enter into a long term, flat-rate per year.

I conclude by asking the question again; 'Isn't the added cost, which the taxpayer will bear unfair, and unreasonable? Doesn't the taxpayer deserve better care over the spending of his taxed income?'

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"THAT the proposal of Haul Away Disposal Ltd. because of its implications be referred to the Municipal Manager for his consideration and report."

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

MOTION DEFEATED

- (c) Lougheed Auto Court, April 1, 1976 - M. Pavich
Re: Brentwood Town Centre - Western Sector Community Plan 9A

Mr. W.E. Ellis appeared before Council as spokesman for the Lougheed Auto Court and commented as follows:

"We take a rather broader view of the problem as I would like to direct the Council's attention to the fact that what we are dealing with is a Community Plan which is only an expression of policy. It doesn't prohibit the use of or the development of the land in its present zoning but it does prohibit rezoning for construction of public works contrary to the plan if developed, so that in effect it will freeze the area. That is the principal thing which concerns my client. The Auto Court owns 2 1/2 acres in one solid block on the Lougheed Highway in this area. It is presently being used as an Auto Court which is described as being somewhat rundown and I think that this is probably a reasonable description.

If the effect of the plan is to freeze the area then, if the plan is not considered to be economically acceptable to the owners, or to the people who will eventually develop the land, it is highly likely that this area is going to remain in its present state. I respectfully submit that the factors that are going to be essential to the success of any town plan is going to have to be firstly a better economic use. It must be more profitable to the owners and if the owners do not then make application they become non-conforming owners in the area, which defeats the whole purpose of the plan. Secondly, it should economically compliment the surrounding areas. It is quite clear that this is one of the fundamental reasons for this plan - so that it will upgrade the

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area, particularly to benefit the Brentwood Shopping Centre. These areas should mutually nourish each other if they are going to develop properly. Thirdly, it should encourage the owners to subdivide and dedicate the road. The plan envisages cutting off Buchanan at its present short stub before it reaches Rosser and extending Buchanan to the east through three properties. Now unless the owners dedicate that property for that road, the road is going to have to be expropriated. That of course, will result in a cost to the community. Fourthly, the area should be developed in an orderly and not in a piecemeal fashion otherwise the current undesirable aspects of the area will continue to exist and this means it will have to be developed in a manner so that the three main properties to be cut by this proposed main road will have to be done from east to west or not at all unless, of course, the Municipality expropriates the land and builds the road.

The factors in the present Plan 9A are certainly not conducive to the owners developing the property along the lines that are suggested. First of all, its limited to specifications in the M5 zoning district as a non-retail commercial character with a floor ratio of not more than one to one. There is no reason to believe that such a use would either increase the value or the capital value of the land and fundamentally we are dealing with economics. There is no comparative economic feasibility study as part of this report so that the owners do not know nor is there any basis that the Planners know.

Now this is an area that is convenient to highway access, close to the City of Vancouver, close to shopping and close to schools and it may well be more productive if it was zoned for apartment use or high density office use and in fact, this was the former view of the Town Planner. If you look at the apartment study for 1969, Section D, dealing with Brentwood on Page 33, it was suggested that this should be a medium density apartment area. Now there are already mixed offices and warehouses on the south side of the Lougheed and there is room for more expansion. There is a proposal for the Lougheed Drive-In to be developed also into mixed offices and warehouses and that is in the report of the Town Planner, Page 4, so that there may well be a saturation in this area. There is no guarantee of the economic success in this particular area. Those areas, if so developed, would be in direct competition with this area. It seems to me that people are just going to wait and not proceed with development of this area.

Now the Brentwood Shopping Centre is to be fed by this area. It might feed some business in if it is to be what I believe the Town Planner suggested as 'people intensive'. It may not do it adequately or less adequately than if you had some other use. It is suggested that the proposed use would draw little benefit from the Shopping Centre itself to nourish it. The Shopping Centre and its businesses are of a nature that are pretty well self-contained. This area would not be nourished by them. It would have to look to outside sources. In this particular type of development the area in question is proposed so that it would not compete with the Brentwood Shopping Centre and I think this is probably fallacious thinking. It doesn't necessarily follow that they don't mutually nourish each other because they compete. For instance, if you look at all the car lots on Kingsway or all the music stores on West Broadway in Vancouver being clustered together where the businesses survive because they are close to each other because they attract people due to a variety of choice. I suggest this plan does little for Brentwood, does nothing for itself and may indeed clash with the south side of the Lougheed Highway. This once again would make it unlikely that the owners would develop along this way voluntarily.

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Now the suggested development is not even compatible with the surrounding areas. You have a Shopping Centre, a commercial area and at the east of it there is a proposed development for medium and high density apartments, immediately north there is already a high density area, so you have the core concept being developed in the area and then to the east of it suddenly we are going to get warehouses and low density office space with this older type of development. It seems to me that this development plan of the developers to plan that as an apartment area is far superior. Then you have all your living people oriented area on the same side of the street clustered together, on the south side you have what is already existing, an area where you have warehouses and industry, some office space which directly serves them and then room for expansion.

Perhaps some of the worst features in the plan I would submit, is the question of traffic. Any development at all in the area is going to increase the traffic. Now the problem will be to bleed off the traffic, particularly at rush hours. This plan undoubtedly chooses to cut off direct access to the Loughheed now as it exists from the various lots, truck access to beyond Halifax, so that means all automobile access is to be on the two extensions of the Buchanan cul-de-sac and they will feed down to Madison, a 400' strip of road and then onto the Loughheed Highway. Now Madison Avenue can allow for 20 cars to be backed up allowing 20 feet for each vehicle. There are seven acres of area west of Madison that would be under development even after you take out the new cul-de-sac and at a floor area ratio of one that requires 602 parking spaces in there alone plus whatever cars that come from the eastern cul-de-sac which would be approximately 400. At the intersection of Madison and Loughheed you are going to have to allow for a left-turn as well as a right hand turn because there is no other way out of the place. This is developed this way. Cars wanting to go north will have to go onto the Loughheed and then either turn left or right afterwards. It should then develop a somewhat magnificent traffic jam in rush hours when you get cars out of that one narrow place. It should also create a hazard for emergency vehicles. If you block that area and then you have a fire, how do you get in? You can only enter that whole area through Madison Avenue.

The report says that the plan is designed for pedestrian use which is rather rare these days I understand. The distance from the Brentwood Shopping Centre to Madison is 1,600 feet, about a third of a mile and it is 2,400 feet to the westerly end of the cul-de-sac or approximately one half a mile. That takes you just to the parking lot at Brentwood. If you close Buchanan off from Rosser Avenue it means the people won't likely walk, it just makes it more difficult for people to drive between the two points. Nobody wants to walk one half a mile, especially in the winter or in bad weather and through a not particularly attractive area as you are suggesting they walk past offices and warehouses and not shopping facilities.

The net effect of this plan is that it is likely to freeze the area if it is forced on the people by rezoning and claims for injurious expectation will arise. There will be high expropriation costs, there may be many long-term non-conforming uses and a traffic jam.

I respectfully submit that the matter should be referred back to the planners with a view to their considering the proposed rezoning to make a proposal attractive to the owners. After all, they are the ones that own this, they are the ones that will eventually develop it. They should be encouraged to do these things voluntarily because it would upgrade the property and derive more revenue both to them and the Municipality.

I would also respectfully submit that the proposed traffic pattern itself is desperately in need of revision and that inability to get reasonable access certainly detracts from the value of the property and the possibility that the plan would ever come into use. Thank you Your Worship.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT Item 15 of Municipal Manager's Report No. 21, 1976 be brought forth for

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consideration at this time."

CARRIED UNANIMOUSLY

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

"Council, at its Meeting of February 23, 1976 received the report of the Planning Department on the Brentwood Town Centre - Western Sector and referred the Planner's recommendations to the Advisory Planning Commission for study and recommendation. An additional resolution was adopted requesting that the proposed Community Plan be circulated to the property owners affected and that any replies received be forwarded to the Advisory Planning Commission for information.

In order to give property owners a greater time to respond, the Advisory Planning Commission meeting dealing with this Community Plan was rescheduled from March 11 to March 18. Six written replies were received and forwarded to the Advisory Planning Commission members. The two letters appearing on the Agenda were among these. Further, two property owners or their representatives appeared before the Commission to express their feelings related to the Community Plan.

Council, at its Meeting of March 29, 1976 received the report of the Advisory Planning Commission with respect to this Community Plan. The Plan was referred back to the Commission for elaboration on the concerns which it expressed related to traffic considerations.

Since the Commission will be reporting back to Council in the near future, further elaborating its opinions with respect to the Community Plan, it is appropriate that the Planning Department submit a comprehensive report dealing with all the correspondence received and the Commission's comments at the time the Advisory Planning Commission submits its report.

This approach will enable Council to consider all correspondence and the comments of the Advisory Planning Commission at one time."

It was recommended by the Municipal Manager that:

1. The Planning Department submit a comprehensive report with respect to all correspondence received related to this Community Plan and the Advisory Planning Commission's report at the time the Commission submits its report;
2. A copy of this report be sent to all those who corresponded with the Advisory Planning Commission with respect to this Community Plan.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the recommendations of the Municipal Manager be amended to add a recommendation No. 3 as follows:

'The Planning Department arrange to hold a Meeting with interested parties in the area in regard to the Brentwood Town Centre - Western Sector Community Plan 9A'."

CARRIED UNANIMOUSLY

The Motion, as amended, was then voted on and CARRIED UNANIMOUSLY.

BY - LAWS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT:

'BURNABY ROAD CLOSING BY-LAW NO. 4, 1976' - # 6842

'BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2,
1976' - # 6843

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT:

'BURNABY ROAD CLOSING BY-LAW NO. 4, 1976' - # 6842

'BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2,
1976' - # 6843

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN EMMOTT:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT
BY-LAW NO. 18, 1974' - # 6449

'BURNABY ZONING BY-LAW 1965, AMENDMENT
BY-LAW NO. 13, 1976' - # 6827

'BURNABY ROAD CLOSING BY-LAW NO. 3,
1976' - # 6832

be now reconsidered and finally adopted, signed by the Mayor and Clerk and

the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT Item No. 13, Manager's Report No. 21, 1976 be brought forward."

CARRIED UNANIMOUSLY

The following recommendations were then before the Council:

- "1. THAT Item 17, Manager's Report No. 20, 1976, March 29, 1976 be lifted from the table; and
2. THAT Council reaffirm the deposit of a Parkland Acquisition Levy of \$1,080. per unit to go towards the acquisition of neighbourhood parks as a prerequisite to the completion of Rezoning Reference No. RZ 26/75."

The Municipal Manager provided the following report of the Director of Planning being Item 13, Manager's Report No. 21, 1976:

"Appearing on the Council Agenda of March 29 was an item of correspondence from Dunhill Development Corporation and a report from the Director of Planning (Manager's Report No. 20, Item 17) related to the above captioned subject. At its March 25 meeting, Council requested further information on the applicability of the \$1,080. per unit Parkland Acquisition Levy to this rezoning proposal. Following are comments in this regard.

On December 29, 1975 Council adopted a number of recommendations with reference to the application of the Parkland Acquisition Levy to residential proposals on a more comprehensive basis than in the past. As outlined in the report on the Levy, the intent of the Parkland Acquisition Levy is to aid in the acquisition of parkland which is required due to an increase in population density as a result of new residential development. The monies will be placed in interest bearing reserve accounts with record accounts established corresponding to Neighbourhood Planning Areas. In past instances where new or revised development regulations have been instituted by the Municipality, care has been exercised to ensure that the regulations were not unfairly retroactive. In the case of the Parkland Acquisition Levy as it relates to rezoning proposals, Council on January 19, 1976, in line with previous precedents, adopted the following Resolution:

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

In line with this policy, two rezoning proposals, RZ #17/75 (second stage) and RZ #29/75, which were initiated prior to the adoption of the revised Parkland Acquisition Levy but were not previously presented to a Public Hearing were subjected to the revised Levy as a prerequisite to rezoning (Manager's Report No. 3, Item 13). The revised levy was also considered applicable to RZ #63/75 which constituted an amendment to RZ #74/73 (Manager's Report No. 13, Item 8) and was presented to a Public Hearing on February 17, 1976. While no monies have been received from the developers of these projects, they have been made aware of the prerequisite.

Council received the first report related to the subject rezoning on July 21, 1975. In that report it was stated that a per unit levy would be required

to go towards the cost of acquisition of the Keswick/Government Park/ School site. However, in line with Council adopted policy, this requirement was updated in the report of February 23, 1976 (Manager's Report No. 12, Item 2) to require the deposit of a Parkland Acquisition Levy of \$1,080./unit to go towards the acquisition of proposed neighbourhood parks. This recommendation was consistent with the policy adopted and enacted in the three similar cases referred to above.

In light of the above comments and the previous report related to Dunhill Development Corporation's correspondence on this subject (Manager's Report No. 20, Item 17) it is appropriate that the deposit of a Parkland Acquisition Levy of \$1,080. to go toward the acquisition of neighbourhood parks remain a prerequisite to the completion of Rezoning Reference #26/75."

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"THAT the subject matter be tabled one week pending receipt of further information requested.

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report, No. 21, 1976 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Minister of Municipal Affairs, March 22, 1976
Re: Appointment of Deputy Minister of Municipal Affairs and Inspector of Municipalities

A letter under date of March 22, 1976 was received advising of the recent appointment of Mr. R.W. Long to the offices of Deputy Minister of Municipal Affairs and Inspector of Municipalities.

- (b) Woman's Christian Temperance Union, Vancouver District,
South Burnaby Union, Secretary, March 24, 1976
Re: Neighbourhood Public House Application #4/75
5605 Kingsway

A letter under date of March 24, 1976 was received reviewing the March 22 report of the Director of Planning in regard to the proposed Neighbourhood Public House application. It was requested that reconsideration be given to the application, as no comment was made on the fact that alcohol is Canada's most serious drug problem and the evidence that alcohol related property damage, death, disease and injury, cost B.C. taxpayers \$250 million annually and further that there is an increase in teenage drinking and involvement in car collisions.

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

"Appearing on the Council Agenda is a letter from the Secretary of the

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South Burnaby Women's Christian Temperance Union regarding their concerns with respect to the subject application for a neighbourhood pub.

BACKGROUND:

On March 22, 1976 Council received the Planning Department report on the subject application which included the results of the public survey and the relevant comments submitted by the local traffic authorities, the Burnaby School Board, the R.C.M.P. and other institutions (churches, etc.) that were deemed affected by the subject proposal. Furthermore, Council received the detailed report of the survey results as prepared by Regional Marketing Surveys Ltd.

It was concluded that the subject application successfully fulfilled the necessary prequalifications for the establishment of the subject facility and that the residents of the area (within a six block radius) were in favour of the proposal (a 78% favourable response based on a 50% ballot return was determined). It was also determined that the R.C.M.P., Burnaby School Board and Municipal Engineer expressed no objection to the facility whereas a negative response was expressed by the Greater Vancouver Youth For Christ and the South Burnaby Women's Christian Temperance Union.

In the light of these conclusions, Council resolved to give favourable consideration to the subject application and forward in writing the Resolution to the General Manager of the Liquor Administration Branch.

GENERAL DISCUSSION:

The Planning Department respectfully acknowledges the concerns expressed by the South Burnaby Women's Christian Temperance Union and is of the opinion that these points may be valid in a general sense but are out of context in this specific situation. Alcohol associated incidents involving property damage, disease, injury, drunken driving and teenage drinking, etc. as expressed by this group should not be at issue in this specific General Licensed Public House Application but should rather be discussed at the Provincial level with respect to existing liquor legislation. The subject proposal must be regarded as a bona fide application to establish a General Licensed facility involving the sale of alcoholic beverages as a permitted activity provided for in the recently amended Provincial Liquor Act.

With respect to the number of ballots distributed between businesses and residents within the half mile radius of the proposed site, the Planning Department submits that the requisite public survey was conducted in strict accordance with the procedure approved by Council and set forth in the Provincial Liquor Act to include the heads of residential households and principal occupants of commercial, industrial and institutional premises within a half mile radius of the subject site. Survey results distinguishing between the types of persons, groups, etc. balloted was not required and would involve considerable added survey expense should the results and their specific implications be analyzed. The survey results as presented, however, do account for the full total of responses given, and any differentiation would not affect the outcome 'in favour' or 'opposed'.

With respect to the writer's concern regarding the unfavourable response from the Alta Vista Baptist Church not being included in the Planning Department Report, the Planning Department submits that a letter regarding the subject application was written and mailed to this group (letter of January 16, 1976) to which no written reply was received. However, a negative written response received from the Greater Vancouver Youth for Christ was included in the March 22 report.

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (c) Lougheed Auto Court, March 26, 1976
Re: Brentwood Town Centre - Western Sector
Community Plan 9A

A letter under date of March 26, 1976 was received in regard to the above noted subject. This subject matter was considered previously under Item No. 3(c) Delegations.

- (d) District of Maple Ridge, March 25, 1976
Re: Fraser River Raft Race - Sunday, May 23, 1976

A letter under date of March 25, 1976 was received challenging the Municipal Council to compete in this raft race from Mission to Haney on Sunday, May 23, 1976.

- (e) Ozzie and Lorie Hyland, March 22, 1976
Re: Strongly registered opposition to widening
of Boundary Road for a truck route and by-pass

A letter under date of March 22, 1976 was received expressing opposition to the widening of Boundary Road for a truck route and by-pass. It was indicated they had been property owners since 1965 and that the traffic has become progressively worse.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN AST:

"THAT the previous reports on this subject matter be forwarded to Mr. and Mrs. Hyland and that this correspondence be considered at the time of the next Planning Department report in reference to this subject matter to Council."

CARRIED UNANIMOUSLY

- (f) The Corporation of Delta, March 22, 1976
Re: Commercials on Cable Television

A letter under date of March 22, 1976 was received enclosing a copy of correspondence from Delta Council directed to Canadian Radio and Television Commission, in which the Delta Council expressed their opposition to the proposal by the Commission to require that Cable Television Operators should replace advertising originating in the United States.

- (g) Martin Periera, March 26, 1976
Re: Opening a new and used furniture and appliance
store at 7709 - 6th Street

A letter under date of March 26, 1976 was received requesting some changes or adjustments to enable him to operate a business to handle a new and used furniture and appliance store from premises at 7709 - 6th Street, Burnaby South.

The Acting Municipal Manager advised that a Staff report would be available

at the April 12, 1976 Meeting of Council.

- (h) Solicitor General of Canada, March 22, 1976
Re: R.C.M.P. Cost Sharing Formula

A letter under date of March 22, 1976 was received reviewing in detail the new revised Federal proposal, approved by Cabinet, and indicating that the Municipalities would cost share at the rate of 52% for each of the first five men and 77% for each additional man in the first year, commencing April 1, 1976. It was also indicated that the financial formula has been revised to identify more clearly the costs that are incurred by Municipal Police services to the Provinces. It was indicated the projected cost increases for the next fiscal year, under Municipal Policing Agreement are due mainly to increased expenditures and increased services, and not to the change in the financial formula or cost sharing ratio.

The Acting Municipal Manager advised that a Staff report would be available at the April 12, 1976 Meeting of Council.

- (i) Dunhill Development Corporation Ltd.
Re: MacInnis Place - Rezoning Reference #26/75
Proposed Comprehensive Development

A letter under date of March 31, 1976 was received in regard to the Park Acquisition Levy of \$1,080. per unit adopted by Council. It was suggested that this policy should not be made retroactive thereby influencing dedication and commitments previously made in Phase I of MacInnis Place. This subject matter was considered previously under Item 4 - By-Laws.

- (j) N. Hiriart, W.L. Dollman, V. Brocklehurst
Re: Forest Glen Park/ Nelson-Wayburne Diversion

A letter under date of March 27, 1976 was received restating their request to have the Forest Glen Park dedicated in its entire 16½ acre form without incursion of any road whatsoever.

The Acting Municipal Manager advised that a Staff report would be available at the April 12, 1976 Meeting of Council.

- (k) Greater Vancouver Regional District
Re: Complaints - Burnaby Area Residents
Council Enquiry, March 22, 1976

A letter under date of March 31, 1976 was received indicating the program the District had implemented since January 1 of this year on a 24 hour call-out system, whereby all calls received by the control center outside of normal office hours are immediately relayed to an Inspector for action.

- (l) East Burnaby Baseball Ladies' Auxiliary, March 30, 1976
Re: Tag Day - Saturday, May 1, 1976

A letter under date of March 30, 1976 was received requesting permission to hold a Tag Day, Saturday, May 1, 1976.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the request received from the East Burnaby Baseball Ladies' Auxiliary

to hold a Tag Day in Burnaby on Saturday, May 1, 1976 be approved."

CARRIED UNANIMOUSLY

- (m) Elwood Veitch, M.L.A., March 31, 1976
Re: Annual Opening/ Provincial Legislature

A letter under date of March 31, 1976 was received indicating that Mr. Veitch would be honoured to have His Worship, the Mayor of Burnaby, present at the Opening of the British Columbia Legislature and advising that he would do whatever possible to see that the oversight does not occur again.

- (n) Union of British Columbia Municipalities,
March 29, 1976 Re: 1976/77 Provincial Budget

A letter under date of March 29, 1976 was received, giving specific details of concern to local governments throughout B.C. contained in the Budget brought down on Friday, March 26, 1976.

MOVED BY ALDERMAN GUNN: -
SECONDED BY ALDERMAN AST:

"THAT a Staff report be prepared indicating the effects of the Municipal aid now available from the Provincial Government on the annual 1976 Budget of Burnaby."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the Municipal Treasurer review the Federal Government A.H.O.P. \$1,000. grant and the Provincial Government \$500. Housing Unit Incentive Grant and report back on the number of units that would qualify."

CARRIED UNANIMOUSLY

- (o) Boundary Road Area Residents' Committee,
March 30, 1976, J. Duvall, Chairman
Re: Public Meeting April 8 of the Standing
Committee on Planning and Development of the
City of Vancouver

A copy of a letter under date of March 30 was received addressed to the Chairman of the Standing Committee on Planning and Development, City of Vancouver expressing several recommendations concerning the proposed April 8 Meeting. The Assistant Director - Current Planning advised that the Planning Staff intended to be in attendance at the Meeting for information purposes and would report back.

- (p) Premier W.R. Bennett, Province of British Columbia
Re: Council Resolution Transit Service cuts and cost
increases of Transit Services

A letter under date of March 26, 1976 was received and indicated that the Resolution passed by the Council will be given consideration.

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

'BURNABY ZONING BY-LAW 1965, AMENDMENT
BY-LAW NO.10, 1976'

- # 6824

April 5, 1976

RZ #26/75 -- From Small Holdings District (A2)
to COMPREHENSIVE DEVELOPMENT DISTRICT (CD)
9380, 9390 Sandlewood Crescent.

This subject matter was considered previously under Item 4 - By-laws.

ENQUIRIES

Alderman Ast:

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"THAT a Staff report be prepared providing:

1. An updated status on the trail and walkway systems in Burnaby;
2. Information as to any possible means of controlling four wheel drive vehicles and motorcycles on privately owned property;
3. The results of discussions with officials from British Columbia Hydro and Power Authority, Simon Fraser University and Greater Vancouver Regional District in reference to this subject matter;
4. What authority the Municipality has to prosecute for trespass and damage to private property;
5. Comments of the Municipal Solicitor on a proposal to licence four wheel drive vehicles and motorcycles in a manner similar to which licences are issued within the framework of the "Burnaby Dog Tax and Pound and Animal Regulation By-law 1972" to travel on Municipal property and Municipal roads;
6. Information as to whether the Municipality has authority to erect signs prohibiting four wheel drive vehicles and motorcycles from using trails and walkways and if it is determined so then said signs be erected."

CARRIED UNANIMOUSLY

It was further requested that photographs of the damage done in the area be taken for information purposes. It was also agreed that copies of the above noted Resolution be forwarded to the Parks and Recreation Commission for consideration at their next meeting.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the question of trails maintenance be referred to the Parks and Recreation Commission for review and comment."

CARRIED UNANIMOUSLY

Alderman Stusiak:

On a question of Alderman Stusiak it was agreed that the Planning Department report on the question of possible abandonment of Rezoning By-law No. 76/71 which is currently outstanding.

Alderman Lawson:

On a question of Alderman Lawson it was agreed that the subject matter of the heavy traffic using the lane east of Boundary Road in the vicinity of Manor Street be forwarded to the Traffic Safety Committee for report and comment on the traffic count in the particular area in question.

REPORTS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

A. GRANTS AND PUBLICITY COMMITTEE

A report under date of March 31, 1976 was received indicating requests for financial assistance had been received and the following recommended:

- 1. Canadian Association of Fire Chiefs Annual Meeting \$ 400.00

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

- 2. Big Brothers of Burnaby \$12,000.00

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

- 3. Greater Vancouver Helpful Neighbour Society \$ 1,500.00

Quarterly allocation \$375.00

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED

OPPOSED: Alderman Stusiak

- 4. Canadian Arthritis and Rheumatism Society,
Burnaby Branch \$ 2,500.00

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

- 5. Greater Vancouver Convention and Visitors Bureau \$20,000.00

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

April 5, 1976

Alderman Lawson indicated that the \$20,000. referred to also included the publication of the Burnaby Black Book at no extra charge to Burnaby.

6. Kwanis Music Festival \$ 500.00

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

7. Playhouse Theatre Centre of B.C. \$ 5,000.00

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

Alderman Gunn requested information relative to Items 6 and 7 as to what municipalities do not furnish financial support. Mayor Constable advised he would obtain this information for Alderman Gunn.

B. The Municipal Manager presented Report No. 21, 1976 on the matters listed following as Item 1 to 17, either providing the information shown or recommending the courses of action indicated for the reasons given.

1. Burnaby/Vancouver Parks and Recreation Committee.

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

"During 1975 the Central Park Committee discussed the possibility of Vancouver Board Parks and Recreation withdrawing from the operation of Central Park in view of the fact that it was proposing to build a park on the Vancouver side of Boundary Road by Champlain Heights.

The members, however, did not wish to dissolve the Committee, but rather to expand its scope by becoming an Advisory Body to the Board and the Commission on Parks and Recreation matters of concern to both communities. On October 22, 1975, the Committee discussed the following suggestions:

1. The Committee be comprised of three members each from Burnaby Parks and Recreation Commission and Vancouver Board of Parks and Recreation;
2. The Committee elect a Chairman from among its members alternating from year to year between a Burnaby and Vancouver member;
3. The Committee meet a minimum of four times per year;
4. The Committee be advisory in nature, relaying its opinions and recommendations to the Burnaby Parks and Recreation Commission and the Vancouver Board of Parks and Recreation;
5. In matters affecting the scope, location, planning and constructing of specific parks and facilities, the Committee's activities be confined to within a reasonable radius of either side of Boundary Road.
6. The Committee review programs offered by both authorities and make

recommendation on such programs and on ancillary matters such as the use of facilities, fees charged etc. so as to benefit the citizens of both authorities.

7. The Committee be known as the Burnaby/Vancouver Parks Committee.

At the same meeting the following Resolutions were passed by the Committee:

"That the Capital Expenses for the fiscal year 1976 be borne in total by the Burnaby Parks and Recreation Commission."

"That the Vancouver Board of Parks and Recreation and the Burnaby Parks and Recreation Commission review the operating agreement for Central Park with a view to the Corporation of Burnaby assuming total responsibility for the operating budget for the year 1978."

"That the Committee recommend to the Burnaby Parks and Recreation Commission and the Vancouver Board of Parks and Recreation that the role of the Committee be expanded beyond Central Park and that its name be changed to 'Burnaby/Vancouver Parks and Recreation Committee'."

"That the Committee recommend to the Burnaby Parks and Recreation Commission and the Vancouver Board of Parks and Recreation that the function of the Committee be expanded to cover the reviewing and advising on matters such as planning, programming, etc. of concern to both the Vancouver Board of Parks and Recreation and the Burnaby Parks and Recreation Commission."

The Burnaby Parks and Recreation Commission and the Vancouver Board of Parks and Recreation were accordingly advised of the Committee's recommendations and adopted them on November 19 and December 1 respectively. The Committee met on March 16 and agreed that from now on it would be known as Burnaby/Vancouver Parks and Recreation Committee.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

2. Letter from Mr. C.E. Lock that appeared on the Agenda for the March 29, 1976 Meeting of Council (Item 4)

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

"Mr. C. Lock in his letter of complaint undated, complained about four different situations and numbered these in his letter 1, 2, 3 and 4. We will reply to these points in the same order as they appeared in Mr. Lock's letter.

1. As a rezoning condition, Marlborough Avenue from Kingsway to Newton Street had to be widened from the west side and a new sidewalk installed with a curb return to the east sidewalk on Kingsway. When the excavation for the sidewalk was carried out it was found that the street light and the B.C. Telephone duct had to be lowered. During the construction at this corner, pedestrians were forced to walk at the edge of the street and

April 5, 1976

Mr. Lock is correct that this condition caused difficult and, sometime perhaps, dangerous walking. This matter was brought to the attention of the contractor and the problem has been corrected.

2. On McKercher Avenue from Kingsway to Hazel Street, the sidewalk is indeed very narrow and undoubtedly at times there is a possibility, as Mr. Lock suggests, of bumping into extended driving mirrors on the parked cars. The sidewalk is an old four foot curbed type and appears to be quite adequate although somewhat congested at certain points due to power poles and sign posts. The parked vehicles do not appear to present any unusual problem and we would not recommend any parking restriction.

The 'One Way' sign referred to is actually 'Do Not Enter' sign and appears to be fairly obvious to the eastbound movement on Hazel Street; however, we will install an additional sign in order to avoid any confusion to the westbound Hazel Street movement. Our records do not indicate any problems arising from wrong way driving on McKercher Avenue.

3. McMurray Avenue and McKercher Avenue do not intersect. The writer is probably referring to the pedestrian crosswalk at Kingsway and McMurray Avenue which has overhead pedestrian crosswalk signs and is only 300 feet from the signalized intersection of McKercher Avenue and Kingsway. It would not be advisable to install another signal at that location due to the close proximity of the existing signal at McKercher Avenue and Department of Highways input would also be required.
4. Please see attached copy of the Motor Vehicle Act, particularly Section 147, which in effect permits left turns over double solid lines. Left turns are legal."

It was recommended by the Municipal Manager that a copy of this report be sent to Mr. C.E. Lock.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

3. Subdivision Reference #13/76 - D.L. 83
Restrictive Covenant

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

"The subject property is located south of Gilpin Street and east of Royal Oak Avenue as shown on the attached sketch.

One of the conditions of final subdivision approval is the preparation of a landscape plan by a Landscape Architect for the 40 foot landscape buffer shown on the attached sketch. This buffer must be protected by a covenant pursuant to Section 24(a) of the Land Registry Act to ensure retention of the landscape materials.

The developer has provided the requisite landscape plan prepared by a Landscape Architect together with an explanatory plan to accompany

the covenant agreement. It is in order, therefore, to prepare the agreement.

It was recommended by the Municipal Manager that the Council authorize the preparation and execution of the covenant pursuant to Section 24(a) of the Land Registry Act as more particularly described in the Approving Officer's report.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

4. Nelson-Wayburne Diversion

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

"At their December 15, 1975 meeting, Council confirmed the Nelson Avenue alignment based on the Director of Planning's report and recommendation dated December 10, 1975. Subsequent to this confirmation, the Planning Department prepared a detailed sketch of an alignment which this Department used in its terms of reference to the Consultant.

As stated in the Director of Planning's report, the original replotting of the Forest Glen area made allowances for a wider right-of-way on an alignment which would provide improved grades without sever cuts and/or fills. Our current field work north of Bond Street now confirms that the various considerations made at the time of replotting were sound and that it still remains the best overall engineering solution to have the proposed 'Nelson-Wayburne Diversion' connect to Forglen Drive. This conclusion is based on the fact that such an alignment provides a better grade, improved geometrics and less severe fills because it more closely follows the existing contours.

Alignment studies, as shown on the attached sketch, included a third alternative "C" which attempted to avoid the entire ultimate Forest Glen Park area. This alternative is unacceptable as it results in excessive embankments or unacceptable grades of 13%."

It was recommended by the Municipal Manager that a copy of this report be sent to the Parks and Recreation Commission.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN GUNN:

"THAT a further copy of the report be sent to Mrs. Patricia Parliament, 4735 Curr Place, Burnaby, B.C."

CARRIED UNANIMOUSLY

A vote was then taken on the Motion as amended and same was CARRIED UNANIMOUSLY.

5. Letter from Mr. William Collier that appeared on the Agenda for the March 29, 1976 Meeting of Council
(Item 4(c)) Plans to widen Boundary Road

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

April 5, 1976

"The Corporation of Burnaby recently received an undated letter from Mr. W. Collier wherein Mr. Collier raises several questions emanating from the rumored widening of Boundary Road adjacent his property at Rumble Street.

With regard to Burnaby's involvement, the Planning Department would advise that there are no plans at this time for widening Boundary Road adjacent Mr. Collier's property. Any widening proposed would firstly need to be approved jointly by Vancouver and Burnaby Councils and because of the magnitude of construction cost involved (which is normally shared jointly by Vancouver and Burnaby) undoubtedly would require a referendum to be placed before the Burnaby electorate at some future date.

As an example of Burnaby's involvement and deep concern in the recent Vancouver proposal to improve the north-west corner of the Boundary Road - Marine Drive intersection to encourage a diversion of truck traffic from Knight Street in Vancouver, we would bring Mr. Collier's attention to the action taken by Burnaby Council during its regular meeting on Monday, March 29, 1976.

With regard to having a voice about any proposed improvements, the Planning Department would advise Mr. Collier to either contact the Clerk's Office to appear as a delegation before Council or to contact his area spokesman, Mr. Basil D. Whitehead of 3728 Clinton Street, Burnaby, who appeared before Council on March 15, 1976 and presented a "brief" on behalf of the Boundary Road Area Residents.

The Planning Department believes Mr. Collier's first question is particularly significant because of its implied breadth and because it could be raised repeatedly by residents along many of the "unfinished" streets throughout the Municipality which are subject to increases in traffic growth and are proposed for further widening and improvement with curbs, treed boulevards, street lighting, sidewalks, etc.

In our endeavor to reply to Mr. Collier's question on the effect road widening might have on his property, the Planning Department has assumed Mr. Collier is seeking a reply to the broad aspect of the query. Such a reply would require input from other Municipal departments and the B.C. Assessment Authority and should include comments on the potential effect on items such as the "market" or "resale" value of the property before and after road widening, the "before" and "after" value for tax assessment purposes; the physical effect on the property of widening the street, the relative change to the environment caused by the street widening (e.g. livability); the relative change in accessibility to the property and service provided by the street widening.

Although the Planning Department is not able to provide replies to all aspects of the question, we would offer the following comments.

Concerning the environmental aspect--Burnaby Council, on March 29, 1976, requested Vancouver to provide Burnaby with a report on the impact that additional truck traffic (diverted from Knight Street) would have on adjacent residential properties.

The Planning Department would add that normal street widening tends to facilitate the flow of all vehicles using the street and tends to more easily accommodate increases in traffic volume growth. The latter (traffic volume growth) could have a deteriorating effect on the residential environment as is known today, i.e. before street improvements are made, however, improved traffic flow along an improved standard facility tends to reduce very slow moving, long, queues of vehicles, congestion, delays at intersections, driver frustration and accident potential, tends to promote better public transportation service, conservation of energy and tends to reduce the pollutants emitted by individual vehicles.

Concerning the physical effect on the property and relative change in accessibility, the Planning Department would advise that Mr. Collier's lot would not be affected by widening of Boundary Road because all widening necessary will be made on the undeveloped Vancouver side of the street. It is proposed that the Rumble Street connection to Boundary Road be re-established as a "T" intersection, i.e. not continue directly into Vancouver. This proposal is recognized in the "Implementation Report Development of Areas E and F Champlain Heights."

Mr. Collier would retain his current access from the lane behind his property and parallel to Boundary Road."

It was recommended by the Municipal Manager that:

1. A copy of this report be sent to Mr. William Collier, and also to Mr. Basil D. Whitehead, the area spokesman for Boundary Street residents; and
2. The B.C. Assessment authority be requested to reply directly to Mr. Collier regarding any effect that a widening of Boundary Road would have on this property.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

6. Cancellation of Corner Truncation - Morley Street at Canada Way (West side) - Lot 11, Blk. "F", D.L. 91, Plan 1869 - 6493 Canada Way (Corrioni)

The Municipal Manager provided the following report of the Land Agent:

"On September 23, 1974, Council authorized the acquisition of the subject truncation for the sum of \$1.00.

On May 16, 1975, a Deed of Land from the subject owners to the Municipality, covering Parcel "A" (By-law Plan 48183) of Lot 11, Block "F" of District Lot 91, Group 1, Plan 1869, was filed in the Land Registry Office under #BY 29015.

The subject truncation was not required when Morley Street was improved. Therefore, the owners have requested that the 10 ft. x 10 ft. truncation be returned in their names. We circulated this request to the Engineering and Planning Departments, and have received confirmation that they have no objections to the truncation being cancelled and the land returned to the owners."

It was recommended by the Municipal Manager that:

1. The subject truncation be cancelled; and
2. The truncation be returned to the owners of the abutting property at 6493 Canada Way.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

7. Local Improvement Program - Spruce Street - McDonald to Carleton

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

"On 1 March 1976 Council approved the 1976 Local Improvement Program, Item 6, Manager's Report No. 13. One of the projects contained therein was #76-017 - Spruce Street from McDonald Avenue to Carleton Avenue - 28 feet of pavement with curb on the north side and 5 foot curbwalk on the south side. This standard of work was selected by the staff Sidewalk Committee representing the Planning and Engineering Departments.

The frontage tax applicable to the works was \$2.53 per front foot to the properties abutting the curbwalk, and \$2.26 to those abutting the curbs. Through a clerical error, the owners of properties abutting the curbwalks were advised that their rate would be \$2.26, and those abutting the curbs were advised \$2.53.

A re-initiation of the works is required to correct this error. However, some of the owners of property abutting the proposed curb work have indicated that they would prefer a curbwalk. In the ordinary course of events, their remedy is to petition against the works that have been initiated and separately to petition for curbwalks and pavement. Since there has been an error in the initiative, and as it will be necessary to re-initiate the works, it would be appropriate that the re-initiative be for pavement and curbwalks on both sides of the street. The Sidewalk Committee has no objection to this course of action.

The following is the information required by Council pursuant to Section 601 of the Municipal Act, appertaining to this new work:

28' of pavement with 5' curbwalk on both sides of Spruce Street from McDonald to Carleton

Length	590.00'
Taxable foot frontage	1,060.66'
Actual foot frontage	1,193.16'
Estimated cost	\$ 33,040.00
Owners' estimated cost	\$ 19,823.00
Frontage tax rate	\$ 2.53

The estimated extra cost to the Corporation for this change in works is \$727."

It was recommended by the Municipal Manager that:

1. The local improvement initiative for 28' of pavement with curb on the north side and curbwalk on the south side of Spruce Street from McDonald Avenue to Carleton Avenue be withdrawn by appropriate notice to affected owners; and
2. A local improvement for 28' of pavement with 5' curbwalks on both sides of Spruce Street from McDonald Avenue to Carleton Avenue be initiated.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

8. Boundary Road and Grandview Highway

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

"At the Council meeting of 29 March, 1976, the question was raised why there was no special left turn provision for Grandview traffic at the captioned intersection.

Recent revisions to the signal control at this intersection were made to provide a separate left turn phase to Boundary Road traffic, which already had protected left turn storage, but had to make their turns against heavy opposing flows.

The east and westbound flows on the Grandview do not have special lanes for left turns and such turns must be made from the centre lane. Because of the limited pavement width of the Grandview on the Burnaby side, we cannot provide a left turn storage lane without reducing the number of through lanes, which are presently overloaded during peak periods. What has been done to increase the capacity of the Grandview through movement has been the banning of left turns during the peak periods."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

It was requested that the Staff report on the possible solution to the traffic bottle-neck, particularly relating to the eastbound traffic from the Vancouver side that cannot turn north at the intersection in question.

9. Agreement with the City of Vancouver for Services Involving the Wet Tapping of Mains

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

"For a number of years now we have been enjoying excellent cooperation with the City of Vancouver Waterworks Department in the use of their wet tapping machine and crew. The City of Vancouver carry this work out for Burnaby on demand and the approximate cost of each tapping is \$294. To buy a tapping machine with all necessary fittings would cost \$25,000 and the cost of buying the tapping sleeve would be \$304. The City of Vancouver manufactures their own tapping sleeves and the cost of the tapping sleeve is included in the sum of \$294. Having looked into the matter of buying all the necessary equipment, we have concluded it is not economically viable since we are receiving the service from the City of Vancouver at cost.

The City of Vancouver has advised us that, because of a recent incident which happened in Eastern Canada involving considerable and expensive litigation, they wish to have a formal agreement with the Corporation of Burnaby which would indemnify and save them harmless from all claims, etc. The City Engineer has sent us a copy of this agreement and it has been forwarded to the Corporation Solicitor.

In view of the excellent service that we have enjoyed in using the City of Vancouver's equipment and considering the capital costs, etc., of doing the work ourselves, we would recommend that Council resolve to execute the agreement so that work may proceed in various locations where operations have been seriously delayed by the lack of a wet tapping machine."

It was recommended by the Municipal Manager that authority be given to execute the subject agreement on behalf of the Municipality.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

**10. Municipal Subdivision - D.L. 86 - Stage IV B
and Item 17 Supplementary - Municipal Subdivision
D.L. 86 - Stage IV B**

The Municipal Manager provided the two following reports
of the Director of Planning:

1. Item 10

"Over the past several years the Corporation has been developing the Municipal property within D.L. 86 on a staged basis. During 1975 Stage IV A of our subdivision was serviced. This was a 16 lot subdivision which resulted in the connection of the two sections of Buckingham Avenue in the general area east of Malvern Avenue. The lots were sold early in 1976 for \$811,851, an average of \$50,700 per lot.

In accordance with the law the receipts are placed in the Tax Sales Monies Fund, with which we continue to finance our Assembly and Development Program.

It is now our intent to proceed with what is virtually the final stage in the development of the D.L. 86 subdivision, to be known as Stage IV B. Stage IV B comprises the 32 lots indicated on Sketch #1. The purpose of this report is to obtain the authorization from Council to proceed with the development of Stage IV B this year, starting immediately authorization is received.

Staff considered that before proceeding with Stage IV B an assessment should be made of the potential of the market to absorb further lots of the D.L. 86 calibre. We believe the prices received for Stage IV A lots indicate the remaining lots in the subdivision will, in all likelihood, be well received by the market and so we now propose to proceed with the servicing of Stage IV B.

The design of Stage IV B has already been undertaken by consultants and an application for a grant for a storm sewer has been approved by C.M.H.C. The trees within Stage IV B were studied by landscape consultants concurrently with the trees in Stage IV A. The trees in Stage IV B are not considered by the consultants to be worthy of mandatory retention and so the imposition of restrictive covenants for purposes of controlling tree cutting within this subdivision will not be necessary.

Since the above steps with regard to Stage IV B have already been taken in anticipation of its development we are now in essence ready to call tenders for the construction of Stage IV B. We would like to do this as soon as possible in order to have the subdivision completed and ready for sale by late summer.

Referring to Sketch #1, it is intended that eventually a cul-de-sac will be constructed on the Humphries Avenue alignment. The vehicular access from Burris along the Humphries road allowance will then be terminated and a walkway constructed; there will also be some landscaping and minor driveway adjustments in connection with this improvement.

However, it is now necessary to omit this cul-de-sac from the subdivision because at the present time it has not been possible to obtain a commitment from Mr. Lesosky, the owner of Lots "A" and "B", on the south side of the cul-de-sac (see Sketch #1), that he will contribute his share of the cost of the services which will directly benefit his property. In this connection in 1971 when the Lesosky property was subdivided as shown on Sketch #1, a restrictive covenant was registered prohibiting development on the rear lot until it could be serviced in conjunction with this Municipal subdivision. The contribution to servicing which would apply to the Lesosky property is \$9,400 and it is clear that we

should not proceed with the cul-de-sac until we have a commitment on the cost contribution. However, every attempt is being made to contact and obtain a commitment from Mr. Lesosky, and if we are successful, the cul-de-sac and the related improvements described can then be included within the servicing contract.

In order to cancel that part of the Braemar Avenue road allowance which is not required in the development, and to arrange dedication of the property needed for the Lambeth Drive extension, it is necessary to undertake a highway exchange as indicated on Sketch #2. Accordingly, Council authorization is requested for the adoption of a highway exchange by-law to exchange the lands as shown.

The servicing of the 32 lots, excluding the cul-de-sac, has been estimated at \$382,000 and gross receipts have been estimated at \$1,536,000, an average of \$48,000 per lot."

2. Item 17 - Supplementary

"In our report dated April 1, 1976 entitled "Municipal Subdivision - D. L. 86, Stage IV B," it was recommended that the servicing of the subdivision exclude the Humphries Avenue cul-de-sac and related walkway and other improvements.

The reason given for excluding the cul-de-sac was described in detail in the fourth paragraph on page 2 of the April 1st report. In substance the reason was that no commitment had been received from Mr. Lesosky to pay his share of the cost of the services which will benefit his property.

However, on April 2, 1976 a cheque for the required amount (\$9,400) was received from Mr. Lesosky. And so now we recommend that the cul-de-sac on the Humphries Ave. alignment be included within the Stage IV B servicing contract, together with the construction of the walkway, the landscaping, the driveway adjustments and the related minor improvements indicated on the sketch attached to this report. The revised servicing cost estimate for the subdivision is now \$ 421,000."

It was recommended by the Municipal Manager that:

1. Council authorize the calling of tenders for the servicing of Municipal Subdivision Stage IV B as indicated on the sketch attached to this Supplementary report; and
2. Council authorize the introduction of a highway exchange By-law as indicated on Sketch #2 attached to Report Item 10, Report No. 21, subject to the execution of any easements which may be necessary to protect Municipal services.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN GUNN:

"THAT the subject matter be referred back to Staff for a possible method of retention of trees in the vicinity of Lots 11, 13, 3, 4 and 5 and retention of Deer Lake Creek No. 2 in the vicinity, and further, a report on any action

****See Minutes of April 12, 1976

April 5, 1976

that could be taken if a developer does not honour the restrictive covenant and retain the designated trees.

CARRIED UNANIMOUSLY

11. Building Department Inspection Report - March 1 - 26/76

The Municipal Manager provided a report of the Chief Building Inspector covering the operations of his Department from March 1 to March 26, 1976.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

12. Tenders for One Rescue Truck Body

The Municipal Manager provided the following report of the Purchasing Agent:

"Tenders were received for the subject body up to 3:00 p.m., local time, on the 8th day of March 1976.

This rescue body is to be fitted at the supplier's premises to a Ford C600 cab and chassis supplied by the Corporation of Burnaby.

Tenders were invited from seven companies who it was felt would be able to handle the work involved as well as by our regular notice of tender which appeared in the Vancouver Sun and the Journal of Commerce.

Two bids were received and opened in the presence of Messrs. Contable, Hagen and representatives of the bidding firms.

A tabulation of these tenders is attached.

The lowest tender was submitted by G.W. Ribchester and Son Ltd., a Burnaby firm of excellent reputation. This bid satisfactorily covers all of our specifications."

It was recommended by the Municipal Manager that a contract be awarded to G.W. Ribchester and Son Ltd. to supply and deliver one rescue truck body for the sum of \$7,231.49 including all applicable taxes.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

13. Applicability of Parkland Acquisition Levy to Rezoning Reference #26/75

This subject matter was considered previously under Item 4 - By-laws.

14. Letter from Columbian 4 Rinks Ltd. that appeared on the Agenda for the March 29, 1976 Meeting of Council (Item 4(f)) - Charges for Sewer Services

The Municipal Manager provided the following report of the Municipal

Treasurer:

" The two sections of By-law No. 4231, being "Burnaby Sewerage Charge By-law 1961", applicable to this case are:

- 2.(2) The Municipal Treasurer shall levy and collect the charge hereby imposed, either monthly or quarterly, in the same manner as he levies and collects water rates in respect of the same parcel of real property pursuant to the "Burnaby Waterworks Regulation By-law 1953" and amendments thereto.
- 4. Every user of the sewerage system who establishes that he discharges into the sewerage system less than 80 percent of the water delivered by the municipal water utility to his parcel of real property,
 - (a) by using in whole or in part the water so delivered in an industrial or commercial process or products, or in irrigation; or
 - (b) by discharging the water so delivered or part thereof directly into a natural water course or body of water, shall have reduced proportionately the charge which would otherwise be payable by him.

New metered customers are supplied with a copy of the regulations and if they believe they are entitled to relief under Section 4 of the by-law, they make application to the Treasurer. The Treasurer in turn looks to Engineering for advice. In this particular case, Engineering, about six months ago, suggested that the owner install a water meter in such a manner that the amount of water being discharged to the storm sewer could be measured. While the by-law stipulates "by discharging the water so delivered or part thereof directly into a natural water course or body of water", this has been interpreted to include a storm sewer, there being no special charge to property owners for use of same.

In the ordinary course of events, Columbian 4 Rinks have been granted a reduction in sewer rates effective 1 December 1975, and as it has taken some time and expense on the part of the Company to establish the appropriate charge, they would be refunded charges paid retroactive to the date the matter was drawn to our attention. However, on a number of occasions dating back to 1972, the Company has drawn our attention to the size of their water bill and has worked with Engineering staff to remedy any defects in their system without realizing that the sewer account which is shown separately on the bill was part of the problem. When it did come to their attention, they promptly, at their own expense, installed an appropriate meter as recommended by our Engineering Department."

It was recommended by the Municipal Manager that a retroactive adjustment in sewer rates be made to and including the year 1972, estimated at \$2,256.26 to Columbian 4 Rinks Ltd.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- 15. Letter dated March 25, 1976 from Vancouver Mill Machinery (1968) Ltd. - 1904 Gilmore Avenue, Burnaby
Letter dated April 1, 1976 from Lougheed Auto Court
4219 Lougheed Highway - Brentwood Town Centre, Western Sector

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

April 5, 1976

16. Letter dated March 24, 1976 from the Women's Christian Temperance Union, 7058 Royal Oak Avenue, Neighbourhood Public House Application #4/75 - 5605 Kingsway

This subject matter was considered previously under Item 5(b) - Correspondence and Petitions.

17. Supplementary - Municipal Subdivision D.L. 86 Stage IV B (Item 10, Report No. 21, April 5, 1976)

This subject matter was considered previously under Item 10, Manager's Reports.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY