

JUNE 7, 1976

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

PRESENT:

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

STAFF:

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

M I N U T E S

The Minutes of the Council Meeting held on May 31, 1976 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the Minutes of the Council Meeting held on May 31, 1976 be now adopted."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT:

'BURNABY LEASE AUTHORIZATION BY-LAW NO.2, 1976'	- #6801
'BURNABY LEASE AUTHORIZATION BY-LAW NO.3, 1976'	- #6875
'BURNABY ROAD CLOSING BY-LAW NO. 5, 1976'	- #6876
'BURNABY ROAD CLOSING BY-LAW NO. 6, 1976'	- #6877
'BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW NO. 2, 1976'	- #6878

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT:

'BURNABY LEASE AUTHORIZATION BY-LAW NO. 2, 1976'	- #6801
'BURNABY LEASE AUTHORIZATION BY-LAW NO. 3, 1976'	- #6875
'BURNABY ROAD CLOSING BY-LAW NO. 5, 1976'	- #6876
'BURNABY ROAD CLOSING BY-LAW NO. 6, 1976'	- #6877
'BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW NO. 2, 1976'	- #6878

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 8, 1976'	- #6813
'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 10, 1976'	- #6824"

The foregoing By-laws provide for the following proposed rezonings:

a) Rezoning Reference #66/75

Lot 31, D.L. 94, Group 1, Plan 720, N.W.D.
5259 Lane Street
From Special Industrial District (M4)
To Service Commercial District (C4)

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The Director of Planning, by memorandum dated May 31, 1976 advised that the prerequisites previously established by Council in connection with this rezoning proposal have been completed.

b) Rezoning Reference #26/75

Easterly 98,490 square feet of D.L. 2 and 12, Lot 128, Plan 47920, 9380, 9390 Sandlewood Crescent - from SMALL HOLDINGS DISTRICT (A2) to COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

The Director of Planning, by memorandum dated June 2, 1976, advised that the prerequisites previously established by Council in connection with this rezoning proposal are nearing completion.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: Alderman McLean - By-law #6824

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED

OPPOSED: Alderman McLean - By-law #6824

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 8, 1976' -- #6813

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 10, 1976' - #6824

be now read a third time."

CARRIED

OPPOSED: Alderman McLean - By-Law #6824

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN STUSIAK:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1975' - #6725

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1975' - #6726

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 42, 1975' - #6727

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 9, 1976' - #6817

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

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT all of the following listed items of correspondence be received and

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those items of the Municipal Manager's report No. 39, 1976 which pertain thereto, be brought forward for consideration at this time including: Letter dated June 2, 1976 from The Norwegian Government Seamen's Service; Letter dated June 4, 1976 from the Office of the Governor-General; and Letter dated June 2, 1976 from Collingwood Appraisals Ltd.

CARRIED UNANIMOUSLY

(a) Withdrawn.

(b) Lilian M. Ewen - Re: Proposal that fees for licensing dogs be based on Body Weight Scale

A letter under date of May 22, 1976 was received suggesting a proposal to consider categorizing dogs in a registered pure-bred and unregistered groups, either neutered or intact.

The Municipal Manager provided the following report of the Chief Licence Inspector:

"Appearing on Council's agenda for 7 June 1976 is a letter from Lilian M. Ewen, 1706 Delta Avenue, Burnaby, requesting Council to consider setting a scale of dog licence fees based on the weight of dogs, and to provide preferential licence fees for the owners of registered purebred dogs.

The current dog licence fees are:

Male dog	\$21.00
Neutered male dog	6.00
Female dog	21.00
Spayed female dog	6.00

The Municipal Act empowers Council by by-law to impose dog licence fees and to prohibit dogs from running at large on a highway or public place.

Section 458K provides,

"The Council may by by-law fix, impose, and provide for the collection of licence fees from and the issuance of licences to

(a) any person who owns, possesses, or harbours any dog, and may require a separate licence for each dog, and may vary the amount of the fee according to the sex, age, size, or breed of the dog;"

The Burnaby Dog Tax and Pound and Animal Regulation By-law provides for the licencing of dogs and favours the owners of sterilized dogs with a lesser licence fee. Eligibility for the reduction in the licence fee is proof of sterilization, generally in the form of a veterinarian's certificate.

With respect to item 1, dogs on a highway or public place are required to be on a leash. Nuisance, damage and fecal contamination caused by dogs is a problem of irresponsible dog ownership. Damage and contamination are no less objectionable if caused by small or large dogs, or whether the dogs are owned by an immediate neighbour or someone located some distance away. The solution to these problems is acceptance of the responsibility of ownership by dog owners, and adequate provision for punitive action for violations.

With respect to item 2, the Municipal Act does not empower Council to set preferential licence fees for the owners of registered purebred dogs.

In considering the licencing of dogs by weight, it must be understood that a dog's weight will vary extensively according to breed and age. The majority of dogs are crossbred to some extent and, therefore, could not be reliably categorized by average breed weight. Also, with many breeds there are two or more strains, i.e. toy poodles, miniature poodles and standard poodles. Also, the weight of a dog is not stable and there is a substantial weight difference between young and mature dogs. Consequently, licencing dogs by weight would require annual certification of the weight of every dog. Enforcement of a scale of fees based on a combination of weight and sterilization could be costly and impractical to administer and, therefore, is not recommended.

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A check of dog licence fees applicable in the Greater Vancouver area revealed that none of the areas licence dogs by weight."

It was recommended by the Municipal Manager that:

1. The current dog licence fees be retained; and
2. Lilian M. Ewen receive a copy of this report.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

(c) Mr. and Mrs. John Fair - Re: Nelson-Wayburne Diversion

A letter under date of May 25, 1974 was received in opposition to the proposed Nelson-Wayburne Diversion through Forest Glen Park. It was requested correspondence Items (c), (f), and (h) receive copies of Item 16, Manager's report No. 27, April 26, 1976, Item 11, Manager's report No. 16, March 15, 1976, Item 4, Manager's report No. 21, April 25, 1976.

(d) Young Men's Christian Association, Executive Director - Re: Approval of Burnaby Family Y.M.C.A. Expansion Project

A letter under date of May 19, 1976 was received indicating the Burnaby Family Y.M.C.A. has expanded its facility with an addition costing approximately \$50,000. and that Municipal Council have supported this project financially and indicating their sincere thanks and appreciation. It was also indicated that application had been made to the Provincial Government "Community Recreational Facilities Fund" for a grant of \$12,000. to help support this project and that certified Minutes of Burnaby Municipal Council indicating approval of this project were requested.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN STUSIAK:

"THAT a certified copy of Council Minutes indicating Council's approval of the expansion of the Burnaby Family Y.M.C.A. with an addition costing approximately \$50,000. be forwarded to the Burnaby Family Y.M.C.A. organization."

CARRIED UNANIMOUSLY

(e) F.J. Owens - Re: Vandalism and Thefts - Proposed Curfew

A letter under date of May 29, 1976 was received indicating concern with vandalism and thefts that have been taking place in the neighbourhood over the past few years and suggesting that consideration be given by Council to placing a curfew on young people for the evening hours as this is the time that most of the trouble happens.

The Municipal Manager advised that a Staff report would be available at the June 14, 1976 Meeting of Council.

(f) Dr. D.L. McDonald - Re: Forest Glen Park - Nelson-Wayburne Diversion

This subject matter was considered previously under Item 3(c) - Correspondence and Petitions.

(g) Jane C. MacGregor - Re: Tennis as an Organized Sport

A letter under date of June 1, 1976 was received in regard to the Burnaby Tennis Club delegation to the Council Meeting on June 1, 1976. It was indicated that Tennis is an organized sport such as Hockey, Soccer and Swimming. It was indicated that the Burnaby Tennis Club was a functional group run by the general public with excellent volunteer leaders to regulate and organize teams within the community.

(h) Mr. and Mrs. R. Wheway - Re: Forest Glen Park Association

This subject matter was considered previously under Item 3(c) - Correspondence and Petitions.

(i) W. Jang - Re: Proposed Nelson-Wayburne Diversion

This subject matter was considered previously under Item 3(c) - Correspondence and Petitions.

(j) Norwegian Government Seamen's Service

A letter under date of June 2, 1976 was received indicating that there was to be a luncheon at the Roald Amundsen Centre for Members of Council. It was indicated that the most suitable day would be June 14, 1976, Monday, at 12:00 o'clock, 6540 Thomas Street, Burnaby, B.C.

(k) Their Excellencies, The Governor-General and Madame Leger

A letter under date of June 4, 1976 was received expressing the Governor-General and Madame Leger's thanks for the warm reception given to them at the City Hall on June 3, 1976. It was also indicated that they were particularly pleased to meet with the Aldermen to have an occasion to chat with them. Thanks was expressed for the beautiful framed photograph of the District of Burnaby.

(l) Collingwood Appraisals Ltd.

A letter under date of June 2, 1976 was received in reference to Mandeville Gardens, 4746 Marine Drive, requesting that the subject property be deleted from the By-law until some satisfactory arrangement has been made.

E N Q U I R I E S

On a question of Alderman Gunn Mayor Constable advised that Thursday, June 10 1976 at 4:00 P.M. had been set as the date to meet with Shell Oil representatives to tour the Shell Oil Refinery.

On a question of Alderman McLean the Municipal Manager advised that a Staff report was forthcoming in the next short while on the question of property acquisition and proposed action to be taken on the triangular area abutting Boundary Road and the Freeway.

N O T I C E S O F M O T I O N

Alderman B.M. Gunn - Re: Garbage Pickup from Strata Title Dwellings

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN RANDALL:

"WHEREAS the Corporation of Burnaby is now responsible for the pickup of garbage from Strata Title Units;

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AND WHEREAS the cost of this pickup is directly proportional to the frequency of service;

AND WHEREAS a large proportion of Strata Title Units now in existence have only enough room for containers such that their garbage must be picked up on a tri-weekly or bi-weekly basis;

AND WHEREAS once a week pickup can be incorporated into the design of all Strata Title developments thus saving the Corporation considerable dollars;

THEREFORE BE IT RESOLVED that the Council instruct the Planning and Engineering Departments to prepare the necessary authority requiring that all Strata Title developments be built so that there is enough space for three-yard containers such that the frequency of pickup need only be once a week."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the subject Notice of Motion be referred to the Municipal Manager for a report on the feasibility and desirability of requiring that all Strata Title developments be built so that there is enough space for three-yard containers such that the frequency of pickup need only be once a week."

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

The Municipal Manager presented Report No. 39, 1976 on the matters listed following as Items 1 to 15 either providing the information shown or recommending the courses of action indicated for the reasons given.

1. Engineer's Special Estimate

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

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

W.O. #

22-176

Water Main Renewals:

7th Street16th Ave. - Graham

BetaNorthlawn - Fairlawn
and Fairlawn - Westlawn

DundasGilmore - Carleton

CarletonAlbert - Triumph

EllesmereHastings - Capitol

CHARGE: New Mains 20-02 \$90,000.

ADDITIONAL INFORMATION: These water main renewals are required to be installed prior to 1976 Local Improvements construction. Funds are provided in 1976 Budget 20-02."

It was recommended by the Municipal Manager that the estimate be approved as submitted.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

2. Building Department Report

The Municipal Manager provided a report of the Chief Building Inspector covering the operations of his Department from April 26, 1976 to May 21, 1976 and indicating that from January 2 to May 21, 1976, 1028 Permits for a total value of \$50,495,801. had been issued.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

3. Eastburn Neighbourhood Improvement Programme

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

- "1. A working group called the Eastburn Neighbourhood Improvement Programme Resident Planning Committee has been set up and is meeting weekly to prepare recommendations for improvements to their area.
2. Meetings between the Planning Department staff and other departments are being held to ensure co-ordination with existing municipal policies.
3. One hundred and nineteen residents, mainly senior citizens, have made applications for the Residential Rehabilitation Assistance Programme to date.
4. A study of the changes or additions to Burnaby's present maintenance By-laws to bring them to the standards required by C.M.H.C. has commenced."

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

4. Letter dated May 22, 1976 from Lilian M. Ewen, 1706 Delta Avenue, Burnaby - Re: Animal Control

This subject matter was considered previously under Item 3(b) - Correspondence and Petitions.

5. Landscape Covenant - Subdivision Reference #115/75

The Municipal Manager provided the following report of the Director

of Planning:

"The Planning Department currently has a subdivision application for property at the southeast corner of Phillips and Curtis Street. One of the conditions governing the subject development is the provision of a 40 foot landscape area at the rear of Lots 146, 147 and 148 to buffer these lots from proposed road construction to the east of the subdivision. The firm of Dan Matsushita Associates Ltd., Landscape Architects, have submitted a landscape plan which uses existing vegetation along with supplemental planting to achieve an adequate screen. The developer has submitted a bond in the amount of the landscaping value to guarantee completion of the buffer scheme in a suitable manner. It is recommended that a restrictive covenant under Section 24A of the Land Registry Act be registered over the 40 foot area to protect this planting."

It was recommended by the Municipal Manager that the Council authorize preparation and execution of a restrictive covenant under Section 24A as more particularly described in the Director of Planning's report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

6. Proposed Lease of Municipally Owned Property - Lot 22,
Block 25, D.L. 152, Plan 2000 - 6755 Jubilee Avenue.

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

"The above described property was recently acquired for inclusion in the Bonsor Park expansion project. There is a building on the property which is being occupied as a butcher shop and is rented to the Battle River Meat Co. Ltd. at a monthly rental of \$300.00. The principal of this company is anxious to acquire a lease for either three or five years with the right of renewal. A map showing the location of the property is attached.

At its meeting of June 2, 1976, the Parks and Recreation Commission approved the granting of a lease for three years only."

It was recommended by the Municipal Manager that:

1. Council approve the granting of a lease on the building at 6755 Jubilee Avenue for three years only to the Battle River Meat Co. Ltd.
2. Council authorize the Land Agent to negotiate this lease.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

7. Tenders for Sixteen (16) Compact Automobiles

The Municipal Manager provided the following report of the Purchasing

Agent:

"Tenders for the subject vehicles were received up to 3:00 p.m. local time, Wednesday, June 2, 1976.

All tenders were opened in the presence of Messrs. Constable and Hagen of the Purchasing Department and representatives of the firms bidding.

These vehicles are required to replace 1970 Volkswagens; funds have been provided in the 1976 Capital Budget.

The low tender meets or exceeds all of our requirements."

It was recommended by the Municipal Manager that the low tender as submitted by Brentwood Imports Ltd. for the sum of \$48,877.60 including applicable taxes, for the supply of sixteen (16) 1976 Model KE030K Toyota Corolla two door sedans be accepted.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

8. Lot 8, Blks. 1 and 2, D.L. 97, Plan 3425 - Rezoning Reference #56/73 - Kingsway-Gilley Apartment Development Area; Area "N"

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

"Although allowing interim access to Kingsway does not present an ideal solution to apartment development of the site at this time, successful implementation of the foregoing design solution to be incorporated by the applicant's Architect will allow for the ultimate implementation of the previously presented development alternatives and, most importantly, will promote the adopted development objectives outlined in the 1969 Apartment Study and provide a positive incentive for adjacent properties to similarly realize their apartment development potential."

It was recommended by the Municipal Manager that Council authorize the Planning Department to work with the applicant's Architect towards a suitable plan of development for a three-storey apartment on Lot 8 separately, subject to the design provisions noted, with the understanding that a more detailed report will be presented to Council at a later date.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

9. Proposed Improvements to Bus Service on Canada Way

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

"At the Council meeting of May 31, 1976 during discussion of proposed improvements to bus services in Burnaby (Manager's Report #37, Item 5) a question was raised on the effect of these changes in service to Canada Way. As a more detailed response is now possible following further planning by the B. C. Hydro Transportation Planning Division, a complete description of this service change is outlined for the information of Council.

For some time now B. C. Hydro has been concerned about the decreasing travel times of their two fastbus services #619 SCOTT" and #621 KING GEORGE" passing through Burnaby. This occurs because of the identical pick-up and discharge characteristics presently operating on these two services through Burnaby, which in fact serve as a partial local bus service within Burnaby on what should be a long distance fastbus service.

The present #619 and #621 service characteristics through Burnaby are:-

- (1) Westbound to Downtown Vancouver. Pick-up and discharge at fastbus stops on Canada Way i. e. at Edmonds, Imperial & Burris and Ledger Avenue (Municipal Hall). Further west discharge only at stops at Willingdon/Canada Way (B. C. I. T.) Willingdon/Halifax (Brentwood), Willingdon/Hastings.
- (2) Eastbound from Downtown Vancouver. Pick up only at stops at Willingdon/Hastings, Willingdon/Halifax, Willingdon/Canada Way. Further east, pick up and discharge from fastbus stops i. e. Ledger Avenue, Burris, Imperial, Edmonds.

As can be appreciated from these characteristics the two fastbuses act in Burnaby, completely as a local bus service east of the Municipal Hall and partially as a local bus service west of Municipal Hall.

In an effort to eliminate local trips from the fastbus service (but still serve legitimate trip demands between Burnaby and the Surrey/North Delta areas) boarding and discharging restrictions will be imposed on these two services. These restrictions will prevent internal Burnaby trips being made on these services but will still provide access to and from Surrey/North Delta from the existing fastbus stops.

At the same time a new local bus service #820 will be available to serve Canada Way. This new service will run as a local bus from New Westminster via Canada Way and Willingdon.

Between the New Westminster boundary and the Willingdon/Halifax stop this service will permit pick ups and discharges at all stops. Between Willingdon/Halifax and downtown this service will serve as a fastbus i. e. within Burnaby the only stop will be at Willingdon/Hastings.

The introduction of this local bus service on Canada Way will provide a more complete service to Burnaby residents adjacent this route, and at the same time improve the characteristics of regional travel.

This description of these service changes is consistent with the recommendations put forward by the Planning Department in their related report of May 31st, 1976 and this report is therefore submitted for the further information of Council."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

10. Request for Approval to Issue P.P.A. 3676 - 8255 Wiggins Street,
D.L. 167, Lot 48, Plan 48061

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

"Application has been received by the Planning Department for the

development of a baling building at the above address. Council will note that this location is within the Big Bend Study area.

Preliminary Plan Approvals have been granted in the past for various structures related to the manufacture of cardboard and paper products. The existing zoning is M3A (Heavy Industrial), and the Big Bend Development Plan has designed this area for future M3 zoning and use. This type of operation is permitted in both M3A and M3 districts, therefore the expanded use would also be permitted, provided that the other requirements of the By-law are met.

The proposed shed-like building totals 14,400 sq. ft. and is harmonious with other buildings on the site. This addition will help to increase the efficiency of the present plant and hence will be beneficial toward the desired upgrading of existing facilities."

It was recommended by the Municipal Manager that the Planning Department be given authorization to grant Preliminary Plan Approval to the proposed development at 8255 Wiggins Street.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

11. Refuse Service - Reimbursement to Strata Title Properties

The Municipal Manager reported as follows:

"On May 3, 1976, Council, in connection with a report on the collection of containerized refuse from strata title properties (Item 15, Report No. 29, May 3, 1976), tabled the following recommendation:

"THAT reimbursement to strata title owners be continued at the present rate in the amount of \$32.53 per unit per year until such time that the Municipality is in a position to commence the pick-up of containerized refuse."

Council on May 10, 1976 left the recommendation on the table upon advice from staff that a report on this particular matter would be forthcoming at the next meeting of Council. That report was submitted on May 17, (Item 19, Report No. 33) at which time the following recommendations were put forward for consideration:

- "1. THAT reimbursement to strata title owners be continued at the present rate in the amount of \$32.53 per unit per year until such time that the Municipality is in a position to commence the pick-up of containerized refuse; and
2. THAT a copy of this report be sent to the president of the management company representing the administration of those strata title units shown in Appendix B."

Council on that occasion heard a presentation from Mr. J.P. Daem, President of Conse-C Enterprises Ltd., brought forward Item 19, and then passed the following motion:

"THAT the subject matter be referred to the Municipal Manager to study the presentation and report back and to consider the request on the basis of equity with the original costs as costs have gone up."

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN MCLEAN:
"

"THAT the two recommendations of the Municipal Manager contained within Item 19, Manager's Report No. 33, Council Meeting May 17, 1976 be adopted."

FOR - Aldermen Drummond and
McLean

CONTRARY - Mayor Constable,
Aldermen Ast, Emmott, Gunn,
Lawson, McLean and Stusiak

LOST

It was recommended by the Municipal Manager that:

1. Reimbursement to strata title units be increased to \$35.62 per unit per year effective June 1, 1976; and
2. Mr. J.P. Daem and affected developments be advised accordingly.

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

12. Proposed Sale of Municipal Property, Lot "C", Block 2,
D.L. 162, Plan 18927, 8655 Royal Oak Avenue

The Municipal Manager reported as follows:

"Attached is a report from the Land Agent regarding the proposed sale of the subject property.

It will be recalled that the property was purchased in 1970 for the Riverway Sports Complex and then became redundant to the needs of the Municipality when the complex was subsequently relocated to a site further west.

Council on May 3 authorized to have the property reoffered for sale when the successful bidder (F & A Construction Ltd.) forfeited a deposit for failure to comply with the terms of agreement, to have the purchaser either demolish the building or have it brought up to acceptable standards, to credit all revenue derived from the sale to the Parks and Recreation Commission's Land Acquisition Account and to have the report presented on that occasion sent to the Parks and Recreation Commission. As noted in the Land Agent's report, the bids that have been received as a result of the property having been reoffered for sale are not high enough to deserve favourable consideration.

The Treasurer has advised that it would not be appropriate for the revenue to be credited to the Commission's Land Acquisition Account. Instead, the proper procedure is to have the proceeds derived from this sale credited to Tax Sale Lands Account, and to subsequently enact a by-law to have them used for parks land acquisitions."

It was recommended by the Municipal Manager that:

1. The two bids from I. Erickson and F. & A. Construction be rejected;
2. Authority be given to have the building on the lot demolished;
3. The Land Agent be authorized to negotiate the sale of the property for a price not less than \$28,000;
4. All revenue derived from the sale of the property be credited to the Tax Sale Lands Account, and a By-law then brought forward to have the revenue used for parks land acquisitions; and
5. A copy of this report be sent to the Parks and Recreation Commission.

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MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the subject matter be tabled for one week in order to determine the servicing available and size of the lot."

CARRIED UNANIMOUSLY

13. Reported Filling in Ravine East of Willingdon Avenue -
Chevron Refinery Site

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

"At the May 25 meeting of Council an enquiry was received concerning the reported activities in the ravine east of the foot of Willingdon Avenue, between Chevron Canada Limited's area number 1 and Confederation Park.

In response, staff have visited the site and discussed the activities that have taken place in this area with a representative of the oil company, and we are able to report as follows.

The construction activities that have taken place over the winter months and which have recently been concluded have been related to the placement of additional pipelines within Chevron's 66' right-of-way through Confederation Park between its 2 refinery areas, and the construction of the Pipeline Protection System associated with the existing pipeways.

These works are both a part of the expansion program which was approved in principle on January 14, 1974 and the construction activity at this location had been anticipated from the outset. The work in question occurs within Chevron's 5.7 acre parcel which is to be the subject of a partial lease to the Corporation for park purposes, and a portion of the graded area to which reference is made falls within that portion of the parcel that is to be incorporated as part of the park.

The specific works have involved the burial of underground lines, the placement of an underground catch basin and manhole for the collection of subsurface waters, and the placement of a drainage line in a north-westerly direction from the lowest portion of the pipeway, under the Canadian Pacific Railroad right-of-way, through Chevron's newly created tank car loading rack area to a discharge point at the site of the proposed foreshore basin, adjacent the existing refinery loading dock. The purpose of the sump and storm water line is to conduct drainage waters which in the event of an underground failure of one of the pipelines which might become contaminated with refinery products, to the foreshore basin to provide a safeguard against oily runoff water being discharged to the waters of Burrard Inlet as a result of leakage in the pipelines. The catch basin and drainage line are a replacement for what was previously contemplated, which was an open holding pond at the bottom of the ravine with an infrared sensor to detect oil on the surface, and with a discharge to the existing natural streamcourse. The system which has been constructed is more fool-proof than the former method, and ensures against contamination of the natural stream.

We are informed by Chevron that the grading which has taken place at the foot of the ravine consists only of material from that area which has been redistributed as a result of the construction and the preservation of the main streamcourse; the only additional fill material brought into the site consisted of a bed of sand for the actual pipes themselves. Consequently it should not be considered that this has been a land fill area but rather that the surface has been regraded upon completion of the construction work.

With reference to the reported bulldozing of a switch-back road through Confederation Park, we are advised that contractor's equipment used in the construction operation used a portion of an existing trail through a portion of Confederation Park to gain access to the lower part of the ravine. According to both Parks Department personnel and Chevron officials, this path has been used from time to time over the course of many past years for access, maintenance, and emergency purposes, without objection, and accordingly the contractor did not seek special permission. It would be advisable to have the path examined by Parks and Recreation staff to determine whether there has been any extraordinary damage done to the lands within the park, and if so, to have Chevron held responsible for any restorative work necessitated.

While it is anticipated that natural regeneration of vegetation will occur in time, such that the construction area will become more visually acceptable than it is at present, it is felt that in some areas at least where natural daylight penetration is minimal due to existing tree growth, it would be desirable to encourage regeneration through planting, seeding, or other means. We would therefore recommend that staff of the Parks and Recreation Department be asked to view the location and advise as to what means should be applied to assist in the restoration of this area such that it will be an attractive and useful adjunct of the park. We would propose that the recommendations of Parks and Recreation staff be incorporated as part of the landscape work to be undertaken by Chevron in completion of this project.

For the information of Council, a separate report will be presented within the next few weeks providing an updated statement on the status of the project and related matters including land exchange, landscape treatment, and other topics. The landscape master plan proposed by Chevron has been reviewed by staff and is being considered by the North Slope Ratepayers Association for comment."

It was recommended by the Municipal Manager that:

1. Parks and Recreation staff be asked to work with the Planning Department in determining what if any restorative planting treatment should be applied in the ravine east of Willingdon Avenue, and what, if any, restorative work is necessary to be undertaken by Chevron in connection with the trail through the park; and
2. The Planning Director be authorized to work with Chevron Canada Ltd. toward a suitable treatment as indicated.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN DRUMMOND:

"THAT recommendation number 1 of the Municipal Manager be amended to read 'that Parks and Recreation staff be asked to work with the Planning Department and the North Slope Ratepayer's Association be consulted in determining what, if any, restorative planting treatment should be applied in the ravine east of Willingdon Avenue, and what, if any, restorative work is necessary to be undertaken by Chevron in connection with the trail through the park.' "

The amendment was voted on and CARRIED UNANIMOUSLY.

June 7, 1976

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

14. Shellburn Refinery - Proposed Modernization Project.

The Municipal Manager provided a report of the Director of Planning on a proposed modernization project at the Shellburn Refinery wherein it was concluded as follows:

" In the Planning Director's report to the March 22, 1976 meeting of Council, the recommendations included the provision that the directive to report to Council upon receipt of an application for expansion continue to remain in effect, that Council endorse adherence to Level 'A' standards, and that the Environmental Division bring forward a report upon receipt of an application for a discharge permit.

Since that date, the oil company has made its application for Preliminary Plan Approval for modernization of its facilities without expansion, and an application for a permit under the Pollution Control Act has been received from Shellburn Refinery by the Director, Pollution Control, Greater Vancouver Regional District. The Chief Public Health Inspector has collaborated with Planning Department staff in the review of this application and in formulating the statements made in this report with respect to pollution control objectives.

In accordance with Council's instruction, the Deputy Municipal Clerk has registered an objection to the issuance of permits to Shell, Gulf, and Imperial, and the Municipal Manager has followed up with a letter of specific objection to the Shellburn Refinery Application, in line with the provisions of the Pollution Control Act, Section 13(3). Both these letters appear as attachments, labelled Attachment "E".

This position is considered warranted in view of the fact that there is manifest, demonstrated air quality impairment in the northerly portion of the Municipality, that refinery operations in urban areas may be significant contributors to air quality impairment for large populations where high standards of emission control are not in effect, and that the emissions proposed in Shell's submission for several sources do not meet the high performance standards set out as Level 'A' objectives in the Pollution Control Objectives for this type of industry.

For these reasons, we have recommended that the Municipality register as an objector on behalf of its citizens in this instance. As Council will recall, the Corporation supported adherence to Level 'A' standards in connection with the Chevron Canada application in 1973, with specific reference to Bay Area Pollution Control District standards as an interim, minimum level in that instance due to previous negotiations.

The proposed modernization program will introduce only one new source of atmospheric emissions, a stack associated with the new Reformer Furnace to be installed in conjunction with the catalytic reformer used in the production of higher-octane, lead-free gasoline. The stated emissions from this furnace consist of Particulate solids - 0.002 GR/SCF, and Sulphur Dioxide - 30 ppr.

Both components from this source, while not directly subject to the objectives defined in the table for Level 'A', are well within the limits set for other sources in the plant, and are considered to be acceptable. Hence we can see no reason why Municipal approval should be held up for this installation.

Two options would appear to be available to the Council at this point:

1. Agree to authorize issuance of Preliminary Plan Approval for the works as described for the current modernization program, and pursue the establishment of Level 'A' standards in the matter of the Pollution Control Permit application, separately, or
2. Instruct staff to withhold approval of the Preliminary Plan Approval at this time, pending satisfactory resolution of the air emission question.

In view of the fact that the property is appropriately zoned and capable of this type of development, and that a period of several months may transpire before a decision is made by the Director, Pollution Control on the emission permit application, dependent on the processing of applications for the other refineries on the Inlet (Gulf, Imperial), and of the fact that the works proposed in the modernization program do not involve any sources that exceed the Level 'A' values, the Planning Department would recommend that the first option be adopted. Using this approach, approval of the PPA will be forthcoming subject to conformance with both normal bylaw requirements and the additional environment controls applied by the respective control agencies to this specific application."

It was recommended by the Municipal Manager that:

1. Council's directive to be notified immediately upon receipt of any application for refinery expansion continue to remain in effect;
2. Council continue to support adherence to the high standard of emission control set forth as Level 'A' in the Pollution Control Objective for the Chemical and Petroleum Industries of British Columbia as the basis for any permit to allow emission to the atmosphere by the Shellburn Refinery; and
3. The matter of the modernization project be referred to the Municipal Manager to meet with Shell Oil officials to discuss the timing that the company has in mind to bring its plant into conformance with Level 'A' standards.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN LAWSON:

"THAT the subject matter be tabled for a two week period."

It was requested that the Municipal Solicitor comment on the following Item 2 as contained on Page 145 of the Manager's Report No. 39, 1976:

"Instruct staff to withhold approval of the Preliminary Plan Approval at this time, pending satisfactory resolution of the air emission question", as contained in Item 14, if the Council takes this action.

15. Tennis and Racquets Club Proposals - Central Valley Area

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

"The Planning Department has been asked by a member of Council to provide information regarding proposals that have been advanced in the development of permanent tennis or racquets club service facilities in the Municipality. Reference to two such proposals was made in attachments to the report item received by Council at its May 31, 1976 meeting in connection with Item No. 8, Manager's Report No. 37, 1976 regarding covered tennis courts for winter play at the Burnaby Lake Sports Complex.

In the past several months numerous enquiries have been received with reference to prospects for developing indoor racquets sports facilities. Of these, two have taken the form of proposal submissions and have been dealt with as such by staff.

One submission presented was in the form of a letter offering to purchase a parcel of Municipal land within the area of the Central Sports Complex for the purpose of developing an extensive indoor tennis facility. In the other case a firm of architects was commissioned to conduct a feasibility study and to prepare sketch plans for a racquets club complex. In this latter case the submission was received in the form of preliminary sketch plans.

Both proposals involve Municipality-owned lands within the boundaries of the Central Sports Complex Study Area, and our staff have advised both proponents that we would not be in a position to make recommendations until such time as Council has dealt with the forthcoming Planning Report on the area. Moreover, we have indicated that it is our belief that offers to sell or lease the Municipal lands in question should be by way of an appropriate proposal call and tendering procedure.

The area study is nearing completion at this time and we anticipate being able to advance this matter for Council's consideration in approximately one month. Following Council's consideration of the plan and adoption of guidelines for the area, it will be possible to advance the specific proposals for zoning and sale or lease consideration."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

16. Mayor T.W. Constable

Mayor Constable advised that in discussion with Eileen Dailly, M.L.A., Burnaby North, a question had been asked in the House in relation to the timing of the takeover of the Human Resources Department. It had been indicated by The Honourable Minister that it would probably be summer or early fall.

It was requested that Mayor Constable look into the question of an additional plaque in relation to the Kushiro Garden.

It was also requested that the Municipal Manager review the information contained in the letter received from the City Clerk of Vancouver with regard to the Kingsway-Boundary Road improvements, particularly the figures as they relate to the District of Burnaby's share.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

July 7, 1976

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

CARRIED UNANIMOUSLY