

AUGUST 29, 1977

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, August 29, 1977 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 D.A. Lawson
Alderman W.A. Lewarne
Alderman F.G. Randall
Alderman R.D. Stewart
Alderman V.V. Stusiak

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

M I N U T E S

The Minutes of the regular Council Meeting held on August 15, 1977 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the Minutes of the regular Council Meeting held on August 15, 1977 be now adopted."

CARRIED UNANIMOUSLY

The Minutes of the Public Hearing held on August 16, 1977 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the Minutes of the Public Hearing held on August 16, 1977 be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N

The following wrote requesting an audience with Council:

- a) Hean, Wylie, Prentice and Company
Arnold F.C. Hean, RE: Mr. and Mrs.
W.L. Love - Owners 8720 Government Road.
Spokesman - Arnold F.C. Hean

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STEWART:

"THAT the delegation be heard."

CARRIED UNANIMOUSLY

August 29, 1977

- a) Hean, Wylie, Prentice and Company,
Arnold F.C. Hean

Mr. Hean appeared before Council and spoke to the following brief:

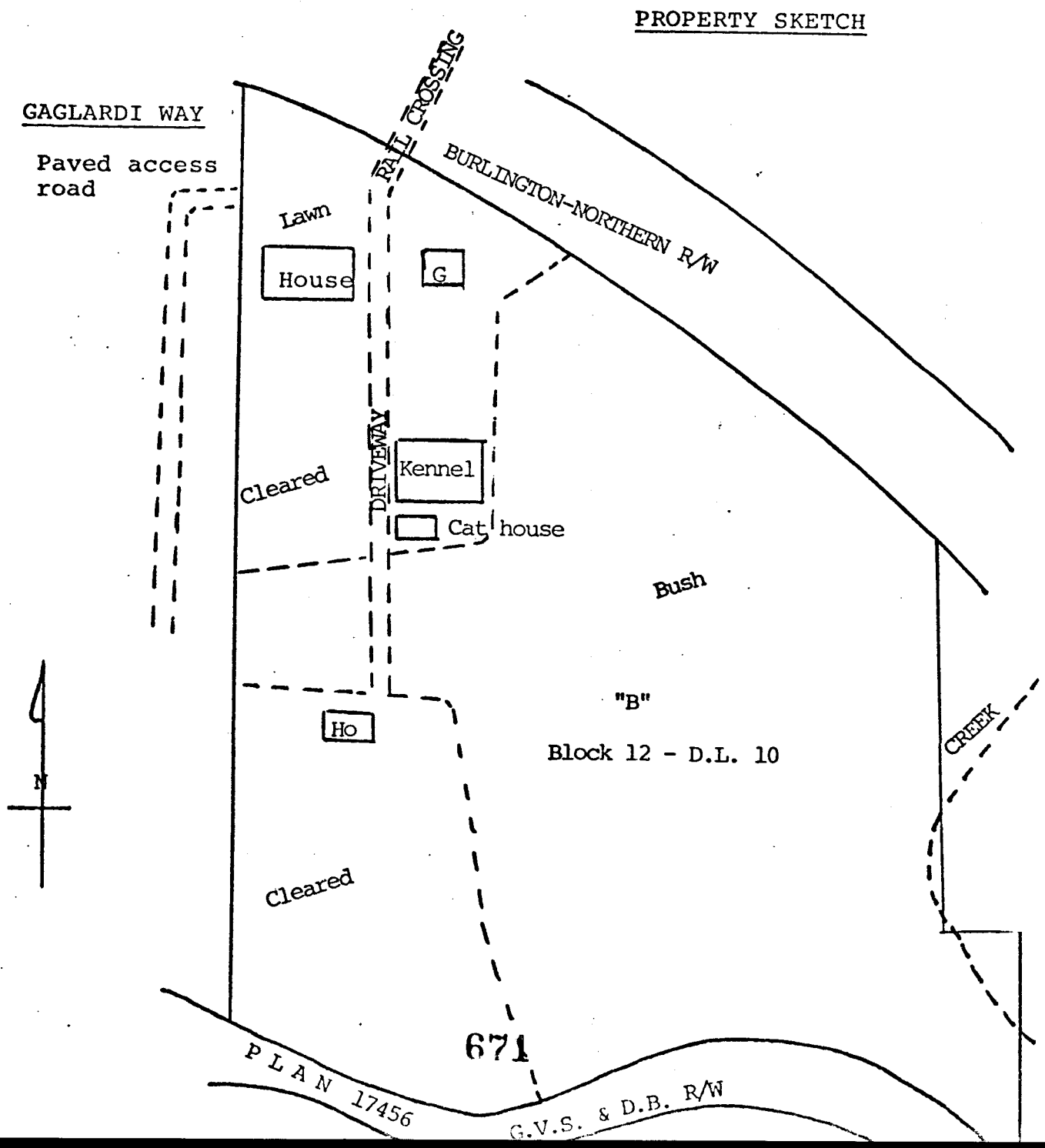
"Parcel B, Plan 17411, Block 12, D.L. 10, Plan 3054

The parcel of land which is the subject of this comment to Council is 8.78 acres in area and is zoned A2. It lies in the easterly end of Burnaby just east of Cariboo Road and between the Burlington Northern Right of Way and the Brunette River.

The Brunette River overpass and railway overpass connecting the Stormont Interchange on Highway 1 and Gagliardi Way at Lougheed Highway is presently being completed on the westerly boundary of the property and to the East of Cariboo Road. A major portion of the street connecting Cariboo Road and the Love property beneath the overpass is now paved and enters the Love property just to the front of their home from Gagliardi Way road allowance.

The property is approximately one-half cleared with the remainder in second growth and deciduous bush. The sketch following shows the property sites and present development layout.

The registered owners are V. Lloyd Love and Muriel W. Love, husband and wife.



August 29, 1977

'On November 17, 1976 the Director of Planning reported to you that "... the subject property was included as part of the Burnaby Lake Regional Park Complex in the North East study of 1966 and the Park Sites Review report of 1967, both of which were approved of by Council."

I have underscored the words "both of which were approved of by Council" to emphasize that those words as written clearly imply that the Councils of 1966 and 1967 actually and formally included the property of Mr. and Mrs. Love in the Burnaby Lake Regional Park Complex at that time.

Such an implication is totally wrong.

The Director of Planning to be complete and correct should have reported as he did in an earlier report of November 27, 1974, where he stated that the reports of 1966 and 1967 were merely adopted "...as a guide..." and nothing more!

In November 1976 he further stated, "Since that time" (presumably 1966 and 1967) a number of further actions have been taken which reaffirm these earlier decisions. The words. "Since that time" and "earlier decisions" seem almost to compel that Council would believe that the lands were legally, by by-law, included in parks in 1966 and 1967 and that subsequent Council decisions reaffirm the implied earlier by-law.

At best the wording of the Director's report of November, 1976 is unfortunate. At worst it could appear to be a deliberate attempt to mislead or confuse any person who had not had the opportunity or time to read the entire history of this matter into a false understanding of the situation. The concern I have that someone might be mislead is supported even more forcibly when the Director through inadvertence or deliberate intent failed to mention in his November 1976 report the resolution of Council of November 1, 1971 (which follows by four years the date when he implied by-law approval by Council)

In that resolution, of November 1, 1971, Council resolved the following which, because it is so important in the context of the Planning Department handling of the use of this land, I now quote from the letter of November 4, 1971 from the Municipal Clerk to our clients-

"...I would now advise you that Council on November 1st resolved to not:

- a) advance your application for RM3 zoning;
- b) consider the use of your property for park purposes and to instead allow you to negotiate with the Municipality for any use desired, bearing in mind the need of the Municipality for a portion of your property for a trail system that is intended to be developed in your area.

I would suggest you contact the Planning Department to discuss the matter of the future use of your property."

The Director of Planning - who received a copy of this resolution - either deliberately or inadvertently, did not inform last year's Council that in 1971, the Council resolved to "... allow you (Mr. and Mrs. Love) to negotiate with the municipality for any use desired...". He has left the impression that since 1966 and 1967 the land has been approved of for parks purposes.

August 29, 1977

While ignoring the Council resolution of 1971, the Director reported last November in a seemingly forthright manner that "These recommended park boundaries were adopted by Council on April 24, 1972 and subsequently confirmed..."

I cannot believe that the Director would deliberately distort a historical review by omission of important facts. However, I do suggest to you that the Director has carried out a pattern of reporting which is only supportive of his long held opinion - which predates decision of Council - that Parcel 'B' must form a part of the parks system.

It will indeed be interesting to hear the words of rationalization explaining either that the Council of 1976 did not need to be reminded of the resolution of November 1, 1971 or that the matter was inadvertently overlooked - or missed by reason of 'oversight' or that it was not of sufficient consequence to be reported upon.

In reading the history one could construe that the Planning Department, long before Council passed any by-law including this parcel of land in any park complex, had determined that it would block any and all attempts by the legal landowners to use the land (which of course they had paid for and have paid taxes on) other than for parks purposes. I submit this opinion is supported by the tactics, included the non-conforming procedure, which the Planning Department has used.

This story might almost be classified as the saga of "Love against the Planning Department" or the "Heroic Deeds of a Taxpayer." Whatever the description of this decade long fight, it has been a very costly one for the Loves who, differing from the Planning Director, are not supported by tax dollars from all over the citizenry of Burnaby. In my opinion, it is a shameful storey which goes a long way to bringing discredit to the management of municipal affairs within Burnaby.

It is a story which this Council can end now, with fair play and honest practice.

To assist you in your deliberations the following is a brief summary of what actually has happened since Mr. and Mrs. Love first bought what was hoped to be their nest egg in Burnaby.

Block "B" was purchased in 1955 by Mr. and Mrs. Love for the purpose of carrying on a commercial kennel business and of holding the land for future development as agricultural zone A2. At that time it was zoned A2 and uses in that zone were subsequently changed which made the land use non-conforming. During this period the Central Valley trunk sewer line was installed on the Brunette River side of the property.

Access to Parcel "B" has been by a dangerous and awkward crossing of the Great Northern Railway tracks from Government Road. New access, obtained by the skill and determination of Mr. and Mrs. Love in negotiation with the Provincial Highways Department, is from Cariboo Road under a freeway interchange overpass extension to Gagliardi Way through a 72 foot clear span providing for a possible 66 foot municipal road right-of-way.

In the mid and late 1960's, our clients discussed with officials of the Great Northern Railway the hope for provision of a safe, permanent crossing of the railway tracks and the possible provision of a spur railway line from the railway right-of-way onto the Love property. Their purpose at that time was to develop their land to its highest and best use potential through providing proper road and railway access if needed. Support for this did not seem to come forth from the Burnaby Planning Department.

August 29, 1977

In 1970 our clients met with Mr. Chilton of the Burnaby Planning Department who suggested that Burnaby would recommend to the Regional Park District that it start negotiations to acquire their property. At the suggestion of Mr. Chilton, Mr. and Mrs. Love met with a Mr. Gibbs of the Regional Park authority who advised that he knew of no proposal to use the land for park purposes and had not been able to gain any understandable information from Burnaby with regard to such a use.

Subsequently, later in the same year, Mr. Parr advised our clients that their property was part of a park plan.

In August 1971, Mr. and Mrs. Love applied to rezone their property and were turned down. It was claimed that the property was within a Regional Park Plan even though in October of 1971, the regional park district advised Burnaby that our client's property was "... outside of and east of the Regional Park boundaries shown on the plan mailed to you with our letter of September 27, 1971." In November of 1971, the Burnaby Planning Department commented that the Love property had not been included in the regional park plan due to "oversight". Mr. Parr in, his report of November, 1976, states that there may have been confusion because of the description 'regional'. No sarcasm intended, but this comment is interesting indeed when considering the Directors' full report which might be said to create further confusion or misunderstanding.

In November of 1971, as I mentioned earlier, Council resolved "not" to rezone but to negotiate with the owner for "any use" desired bearing in mind the desired, but only proposed, trail system.

In March of 1972, the Parks and Recreation Commission confirmed its previous recommendation for trail and creekbed. This was subsequently proposed as part of the Central Valley Park System and was then approved of by Council without the knowledge at that time of the property owners. Someone on Municipal staff suggested that the mail delivery system must have been at fault if my clients had not received notice. Another confusing incident.

In perusing the various and numerous staff reports and reports of the Parks and Recreation Commission, it appears obvious that the Love property was primarily thought of as capable of providing a portion of the trail system. As the Planning Director dutifully reported and included in Manager's report #80 of December 2, 1974 "This property is situated at the confluence of two major projected park-trail systems". He also stated that the property is suggested as a "stopover" point for hikers which could be developed ...". He suggests that the property "...offers possibilities ... to complement the future provision of park facilities at the easterly end of Burnaby Lake...".

He then stated that, "The only effective method of establishing the necessary controls and regulations...would appear to be for the Municipality or other public authority to own the site...".

In conclusion, the Planner in the Manager's Report #80, states "that the Council reaffirm the earlier actions which have been taken with respect to the establishment of the Central Valley Park System and the inclusion of Parcel 'B' (the Love property) in the Municipal portion of this system." Again, there was a request that Council support planning department procedures which were initially not within Council policy, but through Planning determination and effluxion of time became a part of that policy.

The Municipal Manager "reluctantly" approved of the Planner's Report and Council passed a resolution without intending, we would think, to approve of the seemingly at best sometimes misleading actions of municipal authorities in the earlier years. It must be remembered that these earlier actions included the Councils' definitive decision of November 1, 1971 to "...not consider the use of your property for park uses and to instead allow you to negotiate with the municipality for any use desired, bearing in mind... for a portion of your property for a trail system..." This determination of Council seems somehow to have been lost in the shuffle.

August 29, 1977

It surely must be of interest also to note that prior to our client's working with the Highways department for property access to their property from Cariboo the Planning Department had used the lack of proper road access as one reason why the property should be used for park. After Mr. and Mrs. Love had almost singlehandedly successfully obtained Highway Department agreement to full width road access under the new overpass, the Burnaby Planning Department happily acclaimed this excellent access as yet another reason justifying the use of the property for park use! Confusion abounds and the Planning Department more often than not seems the author of it.

The above briefly outlines the unfortunate situation in which Mr. and Mrs. Love have been attempting to resolve their future. By amendment to by-laws their land use was made non-conforming. When they wished to use their land for a higher use, they were told it was part of a park plan when it was not, very quickly thereafter, it was made part of a park plan even though Council by resolution had agreed that the land was not to be used for park purposes except for a possible trail system. Their attempt to rezone was rejected following strong opposition by planning with no opposition from the community. The municipality made offers of purchase ridiculously low in comparison to other land values. Because someone felt that the land, whether zoned or not, was being reserved for parks purposes it was suggested that the land be expropriated - obviously, this has not been carried out.

The Director of Planning when requested in October of 1974 to bring down a report on the desire and feasibility of rezoning the property for industrial or some other suitable use, responded on November 27, 1974 by writing a subjective report essentially ignoring other than public use which was fully supportive of his departments earlier, but at that time not approved, decision to use the Love property for park purposes only. He did write, in that report, that the least objectionable would be the development of a portion of the site for private recreational purposes. No one else has seen the economic viability contained in the opinion of the Director of Planning.

Surely it is not necessary for us to attempt to describe why persons who for 22 years have owned almost nine acres of land which they carefully selected before buying and who have operated a small business on it while dutifully paying all municipal assessments, should wish to use it for its best use. It has been their wish from the date of purchase and specifically for more than the last ten years to upgrade the use of the property so that they could obtain the most from it to enjoy a better life for themselves and their families. Surely this is the wish of all of us. It is both a moral and an honest wish.

In this wish they have been totally frustrated by the actions of the Planning Department which at first without authority determined and apparently acted on that determination, that it, not the owners or Council, should alone decide the future use of the land.

All of this has resulted in costly uncertainty and frustration for Mr. and Mrs. Love which is blatantly unfair. It has also been costly to the taxpayers of Burnaby and I dare say annoying to at least some members of this Council. It is time that a final, complete decision be made.

If it is the decision of this Council that the Love property shall be used for public use only, the land should in moral decency be rezoned immediately for such purposes and the Loves should be adequately compensated for their land.

If it is not the decision of Council that this land be used for parks, the Council should do all things necessary to enable it to be used for its highest potential use. In this case, rezoning to M1 could constitute, both from the municipal and our client's viewpoint possibly the highest use. The municipality would increase its tax

base meaningfully, a large number of persons would be gainfully employed both in development and in permanent employment, school facilities would not be required and Mr. and Mrs. Love would obtain a fair and appropriate return for their land.

I submit to you that it is totally unfair for this Council, or any other government body to create, as the Burnaby Council has permitted to happen, a No-Man's Land of the Love property. In its present circumstance, a circumstance under your direction and control, this otherwise valuable parcel of land could become the graveyard for all the hopes and aspirations for which Mr. and Mrs. Love have worked.

We respectfully request, on behalf of Mr. and Mrs. Love that Burnaby Council bring this matter to finalization now. We note that Council has for years carried out an active program of land purchase for parks. In the case of Mr. and Mrs. Love we suggest that you have imposed a 'Land Freeze' which we believe Council cannot have intended to do and we urge you to rectify that situation now.

The alternatives seem clear:

1. To rezone Block 'B' to zone P3 for Parks purpose which would be positive affirmation of Councils determination to live up to its responsibilities to own that which it has set aside for public use and to purchase the property.
2. To rezone Block 'B' to M1 for uses permitted within the zone. If you should determine this to be the course you will follow then I urge that it be done expeditiously and that the Planning Department be instructed to co-operate fully with Mr. and Mrs. Love in the maximum zone development of the land. Conditions for rezoning must not be so stringent as to destroy the fact of rezoning.

All of which is respectfully submitted."

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STEWART:

"THAT staff bring forward a report reviewing all the background material plus the brief presented this evening and further indicate the use the land could be put to."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN STUSTIAK:

SECONDED BY ALDERMAN STEWART:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1977'	-#7083
'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1977'	-#7084
'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1977'	-#7085
'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 47, 1977'	-#7087

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

CARRIED UNANIMOUSLY

August 29, 1977

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the words 'sons and daughters' be removed from by-law #7087."

FOR: Aldermen Ast and
Lawson

OPPOSED: Mayor Constable,
Aldermen Drummond, Emmott,
Lewarne, Randall, Stewart
and Stusiak.

MOTION DEFEATED

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 43, 1977' -#7083

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 44, 1977' -#7084

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 45, 1977' -#7085

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 47, 1977' -#7087

be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 46, 1977' -#7086

'BURNABY HIGHWAY RESERVATION BY-LAW 1977' -#7088

'BURNABY ROAD CLOSING BY-LAW NO. 4, 1977' -#7091

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

CARRIED UNANIMOUSLY

August 29, 1977

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

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

CARRIED

OPPOSED: Aldermen Drummond
and Randall to By-Law
#7086.

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

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

CARRIED

OPPOSED: Aldermen Drummond
and Randall to By-Law
#7086.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 46, 1977'

-#7086

'BURNABY HIGHWAY RESERVATION BY-LAW 1977'

-#7088

'BURNABY ROAD CLOSING BY-LAW NO. 4, 1977'

-#7091

be now read three times."

CARRIED

OPPOSED: Aldermen Drummond
and Randall to By-Law
#7086.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STEWART:

"THAT:

'BURNABY ROAD CLOSING BY-LAW NO. 3, 1977'

-#7044

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 41, 1977'

-#7081

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

CARRIED UNANIMOUSLY

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

"THAT all of the following listed items of correspondence be received, and
those items of the Municipal Manager's Report No. 57, 1977 which pertain
thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

August 29, 1977

- a) Ministry of Municipal Affairs and Housing,
Deputy Minister - Municipal Affairs
Re: "Model Mobile Home Park By-Law"

Correspondence under date of August 2, 1977 was received enclosing for possible use a copy of the "Model Mobile Home Park By-law".

The Municipal Manager advised that because existing Municipal regulations are adequate there is no reason for Burnaby to adopt any or all of the model by-law that has been offered for consideration by the Provincial Government.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- b) Columbia 4-Rinks Ltd., Vice-President and
General Manager.
Re: Tax Concession Equal to current
Burnaby Business and Property Taxes.

Correspondence under date of August 11, 1977 was received in regard to the above noted subject.

The Municipal Manager provided a report from the Parks and Recreation Administrator concerning a request for tax relief.

It was recommended that:

1. Council decline the proposal of the Columbian 4-Rinks and so advise them.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

"THAT the recommendation of the Municipal Manager be adopted and further that a copy of the correspondence be forwarded to the Burnaby School Board."

CARRIED UNANIMOUSLY

- c) Hardial Singh
Re: Subdivision of Lot 40, Block 5 of Lot 28,
Plan 24032 - 7922 12th Avenue

Correspondence under date of August 15, 1977 was received in regard to the above noted subject.

The Municipal Manager provided a report from the Director of Planning in connection with this request for permission to subdivide.

It was recommended that:

1. A copy of this report be sent to Hardial Singh.

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- d) Minister of Housing, Hugh A. Curtis
Re: Copy of a letter to Mr. Arthur
Cohen relative to the rejection by the
Burnaby Council of an Offer to Purchase
Municipally-Owned Properties

Correspondence under date of August 12, 1977 in regard to the above noted subject was received by Council outlining the Minister's position in regard to the above noted subject.

It was indicated that the Office of the Inspector of Municipalities has looked into the matter and that the Minister was advised that the procedure followed by Burnaby in this particular instance is in keeping with the usual practice, not only in Burnaby but in other municipalities as well.

- e) Downtown Eastside Residents' Association
Re: Newspaper Clippings - Guaranteed
Available Income for Need

Copies of Newspaper clippings under date of Wednesday, August 10, 1977 was received as well as related information as to endorsement by groups of the previous six recommendations forwarded to the Minister of Human Resources from the Downtown Eastside Residents' Association.

- f) Kodiak Signs Ltd., President
Re: Burnaby Sign By-Law

Correspondence under date of August 16, 1977 was received in regard to the above noted subject providing a comment as a result of being an observer at the Council Meeting of August 15, 1977.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the subject correspondence be received for information purposes."

CARRIED UNANIMOUSLY

- g) E.M. Lonergan
Re: Neighbourhood Improvement Program.

Correspondence under date of August 16, 1977 was received advising that Mr. Lonergan had had his home redecorated outside and internally under the Neighbourhood Improvement Program and enclosing photocopies of correspondence directed to Central Housing and Mortgage Corporation, his contractor and as well the Honourable Minister of Housing, Ottawa, expressing appreciation for the program.

It was requested that a copy of the correspondence be forwarded to the local N.I.P. office.

- h) Headquarters Militia Area Pacific, Commander,
RE: Reserve Forces Week in British Columbia -
Saturday, September 17 to Sunday, September 25, 1977

Correspondence under date of August 16, 1977 advising the week of September 17th to September 25 has been declared Reserve Forces Week in British Columbia was received.

Mayor Constable advised that he intended placing a proclamation before Council in regard to this subject.

- i) British Columbia Land Commission, Chairman
RE: Applications for additional dwellings
for Non-Farm Use in the Agricultural Land
Reserve

Correspondence under date of August 11, 1977 was received in regard to the above noted subject.

The Municipal Manager provided a report from the Director of Planning commenting on the subject circular. It was indicated that the administrative procedure contained therein has been noted, it will not be applicable within the Municipality of Burnaby in that the Municipal Zoning categories in effect for agricultural land reserve properties provide for no more than one residential dwelling per lot.

- j) Burnaby Haida Speedskating Club
Mrs. A. Brabander - RE:
1. Paper Drive - Saturday, September 17, 1977
Holdom, Sperling, Curtis, Loughheed area.
2. Chocolate Sale - Saturday and Sunday
October 15,16, 1977 - North Burnaby area

Correspondence under date of August 14, 1977 was received in regard to the above noted subject.

The Municipal Manager reported in regard to a postscript at the bottom of Mrs. Brabander's letter in which a recommendation is made to have paper drives controlled with a permit system.

It was indicated that correspondence related to paper drives, tag days, etc., is considered by Council on a routine basis when it comes forward as an item on the agenda. It was suggested that a more appropriate method of control would be for prospective contributors to be informed in the advance publicity which the club initiates of the problem and requested to give their papers only to members of the club who identify themselves at the time of pick-up.

It was recommended that:

1. The requests for a paper drive and chocolate sale be approved;
and
2. A copy of this report be sent to the Burnaby Haida Speedskating Club.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- k) Hean, Wylie, Prentice and Company,
Arnold F.C. Hean RE: R.N. Levasseur and
Proposed "Cold Food" Services Within M3 zone

Correspondence under date of August 18, 1977 was received in regard to the M3 zone not providing for a "Cold Food" service.

The Municipal Manager advised that a staff report would be available at the September 26th meeting of Council.

- 1) Ministry of Municipal Affairs and Housing
Deputy Minister RE: Burnaby Urban Renewal
Hastings Street East Project

Correspondence under date of August 18, 1977 was received requesting that the 76,500.00 forfeited deposit monies be paid out to the partners in question.

The Municipal Manager provided a report from the Director of Planning in regard to the above noted subject.

It was recommended that:

1. Council lift Recommendation #1, Item 6, Manager's Report #25, Council Meeting April 4, 1977 from the table; and
2. Council approve the subject recommendation which reads as follows:

THAT approval be given to distribute the \$76,500. security deposit that was forfeited by the previous developer to the partnership; 50% to CMHC, 25% to the Provincial Government, and 25% to the Municipality.

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN STUSIAK:

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

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the subject matter be tabled for a sufficient time for the partners to get together and the Mayor contact the Minister of Municipal Affairs and Housing."

CARRIED UNANIMOUSLY

- m) Government House, Ottawa, Ontario
Director of Honours RE: Mr. Paul Ruth,
Bravery Decorations Advisory Committee

Correspondence under date of August 16, 1977 was received in regard to the above noted subject.

It was indicated that steps are being taken to obtain full information about the incident and that the results of the investigation will receive careful attention by the Bravery Decorations Advisory Committee.

- n) Minister of Municipal Affairs and Housing,
Hugh A. Curtis RE: Assessment Amendment
Act 1977 (No. 2) Bill 31

Correspondence under date of August 22, 1977 was received drawing Council's attention to the fact that provisions of the act will not become operative until proclamation takes place later in the year in time to become effective for 1978. The proclamation is being delayed to enable municipalities ample time in which to examine the effects of adopting any one of the opinions available for general municipal purposes.

The Municipal Manager provided a report from the Municipal Treasurer in regard to the above noted subject.

It was indicated that data concerning the new assessment rolls will be available soon, however it is anticipated that it will take some time to analyse this data and advise Council on which of the four assessment options they should select. The options are:

1. School base with phase-in
2. School base without phase-in
3. Equalized status quo (no phase-in)
4. Full actual value (no phase-in)

It was suggested that a report on this matter should be available on or about October 17, 1977.

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

ENQUIRIES

Alderman Stewart

Alderman Stewart advised of a complaint received from residents in the area of Delta hill, north of Hastings Street. It was indicated trucks were turning in and out of the property without any one directing traffic.

The Municipal Engineer advised that he would look into the complaint.

August 29, 1977

Alderman Drummond

Alderman Drummond advised of several complaints received during the recent hot weather about the loading area and tank area of the Standard Oil refinery of a nauseating smell. The residents advised him that they had talked to the Greater Vancouver Regional District Pollution people and they were unable to indicate what the reason was for the smell.

It was requested that Mayor Constable check with Mr. F.R. Bunnell, Director of Operations, Greater Vancouver Regional District in regard to this subject and report back to Council.

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

- a) Alderman W.A. Lewarne
Re: The Triangular Area of Land bounded
by Boundary Road, Clydesdale Avenue and the
Trans Canada Highway

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

" WHEREAS there is considerable interest for development by the residents in the triangular area bounded by Boundary, Clydesdale and the Trans Canada Highway; and

WHEREAS the Planning Department sees the need for change of zoning for the development of this area to "M5"; and

WHEREAS the Council in 1975 considered a Commercial use for this area;

THEREFORE BE IT RESOLVED that this Council go on record as favouring either a Manufacturing or Commercial Zone for the development of this triangle."

The Mover and Seconder agreed to the rewording of the resolved portion of the resolution to read as follows:

"THEREFORE BE IT RESOLVED that this Council go on record as receiving suggestions or proposals for the development of this triangle."

A vote was then taken on the reworded motion and CARRIED UNANIMOUSLY.

The Council recessed at 9:00 P.M.

The Council reconvened at 9:15 P.M. with all members of Council present.

R E P O R T S

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- a) Mayor T.W. Constable
Re: Acting Mayor for the months of
September and October 1977

It was recommended that Alderman V.V. Stusiak be appointed Acting-Mayor for the months of September and October 1977.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN LEWARNE:

"THAT the recommendation of Mayor Constable be adopted."

August 29, 1977

- b) The Municipal Manager presented Report No. 57, 1977 on the matters listed following as items (1) to (34) either providing the information shown or recommending the courses of action indicated for the reasons given:

1. R.C.M.P. Monthly Report - July 1977

The Municipal Manager provided a report of the Officer-In-Charge, Burnaby Detachment, R.C.M.P. covering the policing of the Municipality for the month of July, 1977.

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

It was requested that Mayor Constable write the Attorney General, the Honourable G.B. Gardem enquiring as to the thirty-seven escapes during the first six months of 1977 and requesting an inquiry be held.

2. Building Department Report

The Municipal Manager provided a report from the Chief Building Inspector regarding the operations of his department from July 18 to August 12, 1977.

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

It was requested that the Municipal Manager review the revenue and expenditure statement and provide a forecast for the next three to four months.

3. Extension of Lease - Lower Mainland St. Leonard's Society

The Municipal Manager provided a report from the Land Agent regarding a request for the renewal of a lease involving municipal property on Roberts Street.

It was recommended that:

1. Approval be given to renewal of the subject lease for one year on the same terms and conditions as have been written into the current lease agreement.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

4. 7th Annual Municipal Finance Officers' Association Conference
Winnipeg, Manitoba

The Municipal Manager requested that the Municipal Treasurer be authorized to attend this conference.

It was noted that in addition to his being a speaker at a morning session on October 21, it is felt that he would benefit from this opportunity to exchange ideas and information with persons in his field, many of whom work for organizations in the larger centres of Western Canada.

August 29, 1977

It was recommended that:

1. The Municipal Treasurer be authorized to attend the 7th Annual Municipal Finance Officers' Association Conference in Winnipeg, Manitoba on October 19, 20 and 21, 1977.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

5. Claims

The Municipal Manager indicated present Council policy gave the Municipal Manager authority to approve claims that did not exceed \$ 300. a review of the claims account suggests that it would be appropriate for Council to amend the existing policy by increasing the amount that the Manager can approve from \$ 300 to \$ 375.

It was recommended that:

1. The Municipal Manager be authorized to approve payment of claims that do not exceed \$ 400., subject to the receipt of appropriate releases.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

6. Letter from the Ministry of Municipal Affairs and Housing - Model Mobile Home Park By-Law

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

7. Dissipation of SO2

Objection to the Granting of an Air Pollution Permit to B.C. Hydro for the Burrard Thermal Plant
(Item 22, Report No. 51, July 18, 1977)
(Item 10, Report No. 43, June 13, 1977)
(Item 32, Report No. 51, July 18, 1977)

The Municipal Manager advised that on June 30, 1977 Council in connection with a discussion on the subject application for an air pollution permit requested information as to the projected ground level concentration of SO2 that would result from an indicated stack emission of 1600 p.p.m. SO2 at the Burrard Thermal Plant.

It was noted that the information received from the Director of the Provincial Government's Pollution Control Branch has been referred to the Chief Public Health Inspector for his review and analysis and his comments concerning the projected effect on Burnaby will be provided to Council as soon as this review is completed.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"THAT the report of the Municipal Manager be received for information purposes and further that copies of this report be forwarded to previous correspondents to Council on this subject matter."

CARRIED UNANIMOUSLY

It was requested that the Chief Public Health Inspector include in his forthcoming report a comparison pertaining to ambient sulphur dioxide levels.

August 29, 1977

8. Letter from the Burnaby Haida Speedskating Club
6561 Halifax Street, Burnaby
Request for permission to conduct a Paper Drive and Chocolate Sale

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

9. Request to Purchase a Road Allowance.
Coquitlam Street adjacent to 8611 Armstrong Avenue

The Municipal Manager provided a report from the Director of Planning
requesting that a road closing by-law be passed covering the portion of
road which is redundant.

It was recommended that:

1. Council authorize the introduction of a road closing by-law for
the subject area; and
2. THAT the Engineering Department be authorized to prepare the
necessary road closing by-law plan.

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

10. Circular from B.C. Land Commission
dated August 11, 1977

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

11. Subdivision Servicing Agreement
Subdivision Reference #23/77 and #46/76

The Municipal Manager provided a report from the Director of Planning
regarding the proposed Servicing Agreement for Subdivision Reference
#23/77 and #46/76.

It was recommended that:

1. Council authorize the preparation and execution of the Servicing
Agreement for Subdivision Reference #23/77 and #46/76.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

12. Subdivision Reference #50/77
Restrictive Covenant

The Municipal Manager provided a report from the Director of Planning
dated August 18, 1977 which outlines the requirement for a restrictive
covenant to ensure adequate rear yard setbacks for the subject subdivision.

It was recommended that:

1. The Municipal Council authorize the preparation and execution of
a restrictive covenant pursuant to Section 24A of the Land
Registry Act, as more particularly described in this report.

August 29, 1977

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED

OPPOSED: Alderman Stusiak

13. Chevron Canada Limited
Green Belt/Buffer Strip Acquisitions
(Item 24, Report No. 51, July 18, 1977)
(Item 21, Report No. 53, August 2, 1977)

The Municipal Manager provided a report from the Land Agent in regard to the above noted subject including the number of land sales and the value of such sales in the area over the last three years.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

"THAT the report of the Municipal Manager be received for information purposes and further that a copy of the above noted report be forwarded to the North Slope Ratepayers Association."

CARRIED UNANIMOUSLY

14. Burnaby Metrotown Development Plan

The Municipal Manager provided a report from the Director of Planning containing recommendations concerning the Burnaby Metrotown Development Plan.

The report "Burnaby Metrotown, a Development Plan" has been provided to members of Council under separate cover.

It was recommended that:

1. The recommendations of the Director of Planning concerning the Burnaby Metrotown Development Plan be approved.

The Director of Planning recommended as follows:

1. THAT Council approve in principle the proposed development concept for Metrotown as outlined in the report.
2. THAT Council authorize staff to initiate the priority work program measures as outlined in Section 6.3 of the report.
3. THAT the Planning Department be authorized to generally distribute copies of the report for comment and discussion to include the following:
 - a) Appropriate Provincial and Federal Government Departments and Agencies
 - b) Greater Vancouver Regional District
 - c) Advisory Planning Commission
 - d) Parks and Recreation Commission
 - e) Participants of the Planning Information Program
4. THAT the GVRD, Council and staff, in accordance with the adopted policy of decentralization, actively encourage appropriate development to locate within the Burnaby Metrotown site.
5. THAT a copy of the report be forward to the Ministry of Municipal Affairs as a statement of Municipal policy for inclusion within their intended study of proposed Light Rapid Transit facilities within the Region.

August 29, 1977

6. THAT Council approve in principle the concept of a Municipal public land assembly program as outlined in the report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

"THAT the report 'Burnaby Metrotown, a Development Plan' be received with commendation to staff."

CARRIED UNANIMOUSLY

It was requested that major land holders in the area be forwarded copies of the report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT staff be authorized to generally distribute copies of the report for comment and discussion."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN LAWSON:

"THAT the subject report be tabled until the first week of November, 1977 at the call of the Chair."

CARRIED UNANIMOUSLY

15. Old Dwelling - Occupied by Watchman
Blenheim Place Development
5400 block Sperling Avenue, Burnaby

The Municipal Manager provided a report from the Chief Public Health Inspector in response to a complaint received in regard to a derelict house behind the property that is presently cut off from any access to the road due to a land trade.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: Alderman Stewart

16. Rezoning Reference #39/77
2210 Willingdon Avenue

The Municipal Manager provided a report from the Director of Planning requesting a rezoning in order to consummate the sale of the subject Municipally-owned property according to the terms outlined when it was tendered.

It was recommended that:

1. Council receive the report of the Planning Department and that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on September 26, 1977 as outlined in Section 2.0 of the Director of Planning's report.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

17. Contract #7715 - Repair and Maintenance of Ornamental
Street Lighting Systems and Traffic Signal Systems

August 29, 1977

The Municipal Manager provided a report from the Purchasing Agent regarding tenders for the subject contract.

It was recommended that:

1. A contract be awarded for the one year period extending from 1 September, 1977 to 31 August, 1978, to the low bidder, United Power Ltd., for the sum of \$ 27,099.00 with payments for services to be based on units serviced at unit prices tendered.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

18. Engineer's Special Estimates

The Municipal Manager provided a report from the Municipal Engineer covering special estimates of work in the total amount of \$823,146.

It was recommended that:

1. The estimates be approved as submitted.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

19. Bus Stop Landing Improvements for the Eastburn Neighbourhood Improvement Programme

The Municipal Manager provided a report from the Director of Planning regarding information on the cost and details of a proposed project to improve twelve bus stop landings in the NIP area.

It was recommended that:

1. Council authorize the Engineering Department to issue a work order for the construction of twelve bus stop landings at the locations noted on the sheet at a cost not to exceed \$ 8,000 under the terms of the Eastburn Neighbourhood Improvement Programme to be charged against NIP account #66-15.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

20. Proposed Land Exchange and Ditch Treatment Commonwealth Construction Property in Big Bend Area

The Municipal Manager provided a joint report from the Director of Planning and the Municipal Engineer in connection with a proposed land exchange and ditch treatment for the Commonwealth Construction property in the Big Bend area.

It was recommended that:

1. Council authorize the introduction of a road closing by-law for that portion of the redundant right-of-way which is shown on the Figure "A"; and

August 29, 1977

2. Council authorize the exchange of aforementioned closed right-of-way with a parcel which will be vested in the name of the Corporation as shown on the Figure "A"; and
3. Council authorize the granting of an access easement across the Municipal parcel to provide Commonwealth with access to their dock facilities as illustrated on Figure "A"; and
4. The Municipal Surveyor be authorized to prepare the requisite survey plans and that the Municipal Solicitor be authorized to prepare the requisite documentation providing Commonwealth Construction is responsible for the related costs; and
5. Council authorize the expenditure of \$33,500. to enclose a portion of the ditch within the proposed drainage easement as illustrated on Figure "A".
6. Council grant authorization to prepare and execute the easement agreements as outlined in this report.

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

21. Burnaby Hastings Street Urban Renewal Project
Correspondence dated August 18, 1977 from Mr. L.I. Bell,
Deputy Minister, Ministry of Municipal Affairs & Housing

This subject matter was considered previously under Item 5(1) - Correspondence and Petitions.

22. Addition to O-Lot Line House Type 2
4602 Garden Grove Drive - Lot 3, Plan 44533
CD District - Rezoning Reference #1/72
Greentree Village - Phase I

The Municipal Manager provided a report from the Director of Planning concerning proposed additions to a O-Lot line house in the Greentree Village Development. It was indicated that in future, unless Council direct otherwise, renovations and additions of this type will be handled at the administrative level.

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

23. Consideration of Zoning By-Law Text Amendments Related to Residential Occupancy Standards

The Municipal Manager provided a report from the Director of Planning concerning a possible ambiguity in the proposed zoning by-law text amendments related to residential occupancy standards.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

August 29, 1977

24. Contract #7717 - Storm Sewers, Sanitary Sewers and Local Improvement Work Dawson Street and Still Creek Street

The Municipal Manager provided a report from the Purchasing Agent concerning bids received on a tender for the above-noted contract.

It was recommended that:

1. The lowest tender in the amount of \$1,057,710.88 submitted by Jack Cewe Ltd. and Sonora Construction Ltd., a joint venture, be accepted with final payment to be based on actual quantities and the unit prices tendered; and
2. The Treasurer be directed to bring down a special Drainage By-Law for Norland from Douglas to Laurel in the amount of \$ 402,000.00

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

25. Letter from Hardial Singh
7922 12th Avenue, Burnaby
Request for permission to subdivide the property
at 7922 12th Avenue, Burnaby

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

26. Long Term Care Programme
(Item 5, Manager's Report No. 49, July 4, 1977)

The Municipal Manager provided a report from the Medical Health Officer concerning the Provincial Government's long term care programme together with a draft organization and administration plan and a letter from the Minister of Health dated August 3, 1977.

It was recommended that:

1. The Municipality agree with this programme in principle; and
2. THAT for this Municipality the local jurisdiction for budget and administration should be Burnaby rather than the Metropolitan area as stated in the accompanying draft on page 4; and
3. Before accepting responsibility for the programme there should be agreement on:
 - a) what exactly is the responsibility of the Municipality and staff as distinct from the responsibilities of the Community Care Facilities Licensing Board;
 - b) The number of staff required to carry out the programme;
 - c) The assurance of adequate funding from the Provincial Government to provide the necessary staff and associated costs; and
4. Coordinating and planning mechanisms for the programme in the Lower Mainland be worked out by the Medical Health Officers of not only Burnaby, Richmond, North Shore and City of Vancouver, but also Simon Fraser Health Unit and Boundary Health Unit which are Provincial Health Units, as people requiring long term care will likely move between these areas; and
5. Copies of this report item be forwarded to the Minister of Health, City of Vancouver, District of Richmond, District of West Vancouver, City of North Vancouver, District of North Vancouver, City of New Westminster, District of Coquitlam, City of Port Coquitlam, City of Port Moody, District of Surrey, Vancouver, Board of Health, 537 Carnarvon Street, New Westminster, V3L 1C2, Union Board of Health, 142 - 65th Avenue, Surrey, V3W 1J1 and the Metropolitan Board of Health.

August 29, 1977

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

27. Columbian 4 Rinks Relief from Taxes

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

28. Engineering Services for 1978
Local Improvement Program

The Municipal Manager provided a report from the Municipal Engineer concerning engineering services for design of proposed 1978 local improvement projects.

It was recommended that:

1. Robert F. Binnie Ltd. be retained to provide engineering services as outlined in the Municipal Engineer's letter dated 29 July, 1977, and the Consultant's letter dated 19 August, 1977, for Project "B" of the 1978 Local Improvement Program with fees not to exceed \$19,779., excluding Disbursements; and
2. Vector Engineering Services Ltd. be retained to provide engineering services as outlined in the Municipal Engineer's letter dated 29 July, 1977, and the Consultant's letter dated 19 August, 1977, for Projects "A" and "C" of the 1978 Local Improvement Program, with fees not to exceed \$9,800, excluding Disbursements for Project "A" and \$7,900, excluding Disbursements for Project "C"; and
3. Suitable Engineering Agreements be entered into with the aforementioned two firms.

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

29. Review of Residential Occupancy Standards - Water and Sewer Rates -
Enquiry at Special Council Meeting, 2 August, 1977
(Item 28, Manager's Report No. 51, July 18, 1977)

The Municipal Manager provided a report from the Municipal Treasurer dealing with the above noted subject.

It was recommended that:

1. Council affirm that the Municipal Treasurer be directed to apply duplex water and sewer charges to buildings containing in-law suites.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

30. Assessment Amendment Act 1977 (No. 2), Bill 31

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

31. Dental Coverage for Municipal Employees -
Change in Carrier

This subject matter was considered in conjunction with Item 33 -
Manager's Supplementary Report No. 57, 1977.

32. Discotheques
(Item 31, Manager's Report No. 53, August 2, 1977)

The Municipal Manager provided a report from the Director of Planning which proposes a definition of the term 'Discotheques' to be included in the by-law amendments to be forwarded to a Public Hearing on September 13, 1977.

It was recommended that:

1. The Council adopt the proposed definition of "discotheque"; and
2. This definition be added to the Public Hearing notice and, together with the previously adopted regulations, be incorporated into the proposed amending by-law for inclusion in the Public Hearing on September 13, 1977.

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN RANDALL:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

"THAT the subject be referred to the Attorney General or the Minister of Municipal Affairs to ascertain whether we have the power to enact this type of legislation."

FOR: Aldermen Lewarne,
Stewart and Stusiak.

OPPOSED: Mayor Constable,
Aldermen Ast, Drummond, Emmott,
Lawson and Randall.

MOTION LOST

A vote was then taken on the original motion and CARRIED

OPPOSED: Aldermen Lewarne,
Stewart and Stusiak.

It was requested that Mayor Constable write the Attorney General or the Minister of Municipal Affairs to clarify as to whether Burnaby has the power to enact this type of legislation.

33. Dental Plan Carrier

The Municipal Manager advised that the Report Item No. 31 and recommendations to Council on the above mentioned subject have raised a number of concerns which have led to a discussion between ourselves and the G.V.R.D. Labour Relations Department and recognition of a need to review the manner in which the G.V.R.D. municipalities are to maintain dental coverage for their employees.

Inasmuch as the findings of the analysis may develop new information which may affect the report and recommendations which are before you, it would be appropriate to defer action on the present report at this time.

It was recommended that:

1. The report and recommendations with respect to the dental plan for Burnaby employees be referred back to your Municipal Manager.

August 29, 1977

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN STEWART:

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

CARRIED

OPPOSED: Alderman Randall

34. 1978 Local Improvement Program

The Municipal Manager provided a report from the Municipal Engineer regarding the 1978 Local Improvement Program.

It was recommended that:

1. Council approve the 1978 Local Improvement Program as outlined in the following report.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY