

JANUARY 31, 1977

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, January 31, 1977 commencing at 7:00 P.M.

PRESENT:

Mayor T.W. Constable, in the Chair
Alderman G.D. Ast
Alderman D.P. Drummond
Alderman D.A. Lawson
Alderman W.A. Lewarne
Alderman F.G. Randall
Alderman R.D. Stewart

ABSENT:

Alderman A.H. Emmott
Alderman V.V. Stusiak

STAFF:

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

OUTSTANDING ATHLETIC TEAM OF THE YEAR AWARD

Representatives present from the Columbian Newspaper appeared before Council and with the assistance of Mayor T.W. Constable, presented Mr. John Buchanan, Coach of the Simon Fraser University Clansman Soccer Team with the 1976 Team Award.

VISITORS

Mayor T.W. Constable introduced members present of the Second Burnaby Mountain Scouts Troup.

MINUTES

The Minutes of the Council Meeting held on January 24, 1977 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the Minutes of the Council Meeting held on January 24, 1977 be now adopted."

CARRIED UNANIMOUSLY

DELEGATIONS

The following wrote requesting an audience with Council:

- a) Kensington Home-Owner Association, Patrick Serne Re: Clarification
Greater Vancouver Regional District Transportation Commission
- b) Sam's Tax Co., Marvin Wosk Re: Income Tax Discounting Business

January 31, 1977

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN STEWART:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

a) Kensington Home-Owner Association

Mr. Patrick Serne appeared before Council and spoke as follows:

"Good evening Mr. Mayor and Members of Council.

First of all I must apologize. Unfortunately our speaker and his brief could not be here tonight and therefore I will pose this enquiry personally. I will pose this enquiry briefly. On Monday last week a Motion was passed by Council adopting a report with recommendations that the G.V.R.D. would do planning in relation to transportation for Burnaby. If I do not sound clear to you, that is exactly the way we feel. At this point we do not feel sure on this matter as to the responsibilities of the G.V.R.D. Transportation Committee. Possibly someone on Council or Your Worship could explain to us what the proceedings would be in relation to our group as it relates to the G.V.R.D. Transportation Committee. At this point we feel there is a possibility that the efforts of the Kensington Home-Owners Association might not come to its worth unless we are represented on the G.V.R.D. Committee."

Mayor Constable advised that the G.V.R.D. Transportation Committee had come up with three documents relating to the question of transportation and had forwarded these along with recommendations to the various member Municipalities suggesting the Municipalities endorse, in principle, the three recommendations. It was further suggested that the G.V.R.D. Transportation Committee, in the future, would welcome any submissions from any local Associations interested in transportation.

b) Sam's Tax Co.

Mr. Marvin Wosk appeared before Council in regard to the above noted subject and spoke as follows:

"Mr. Mayor and Members of Council, Ladies and Gentlemen. I wish to thank you for allowing me to appear tonight. The reason I am here is to discuss the Income Tax discounter business. There is a great deal of misunderstanding about this business and I hope to resolve that by what I tell you and by answering any questions you may have. Since many of you are unaware of how our business works, I will briefly explain.

A customer comes into our store and presents all of his forms. After getting all the pertinent information and proper identification, we calculate and prepare his Return. If a refund is due, we then make an offer to the customer. If it is acceptable, all the necessary papers are signed and the customer receives his money. If our offer is not acceptable to our customer, he is under no obligation to us and pays nothing for our time and service. Firms such as Cantax and H. & R. Block charge approximately \$15.00 to \$30.00 to prepare an Income Tax form. The customer's papers are returned to him and he is free to go elsewhere or the form is sent to Ottawa for processing. As an individual the refund is usually processed automatically and returned to the individual within 8 to 12 weeks. As a discounter, our returns are processed separately and must comply with Revenue Canada Taxation Department requirements and these include:

- 1) A Notarized Federal Government Power of Attorney for each client;
- 2) Provide the local Taxation Office with a list, weekly, with the

January 31, 1977

names, addresses, Social Insurance numbers, and the amount of each refund claimed on a weekly basis;

- 3) Provide the District Taxation Office with a letter of undertaking guaranteeing to pay to the extent of any refund received, full debits resulting from a reassessment of the returns.

Needless to say, this can all result in our cheques being delayed. In addition to the above requirements, we also have requirements set down by the B.C. Discounters' Exchange. Over 90% of the discounters in the lower mainland belong to this Exchange. This Exchange was set up to monitor its members and protect prospective customers. An agreement is signed by all members and outlines a number of business ethics the members shall maintain. Last year approximately 9,000 Returns were bought by the B.C. Discounters' Exchange. You might ask why so many people would sell their Tax Refund at a discount. This time of the year finds many people short of money. They face a two to three month wait if their returns are mailed privately. Despite what the media says and some officials might have you believe, these people are not in a position to borrow money from Banks, Finance Companies and other lending institutions, nor will these institutions loan money against Tax Refunds. A number of our customers are employed in seasonal work and are now unemployed. They need the money for rent, car insurance, clothing and transportation to their new employment. Today, not in the future when they are back at work. Last year my two Vancouver locations had a total investment of \$165,000.00. This purchased approximately 700 Returns with a gross volume of \$245,000.00. Our expenses were between 9% and 12% and our losses between 9% and 13%. Our average to the customer for each return was approximately 62% to 64%. Our net profit for two partners, before taxes, was \$34,000.00. The media will tell you that we make this profit by gouging our customers. In fact, we have been called 'the lowest scum on earth', 'gangsters', 'snakes' or 'buff artists', etc., but in doing this they have looked at one side only. They have never asked us about our investment risk, losses, dishonest customers, etc. One out of every four Returns we purchase has a shortage. I would like to outline a few ways our losses are incurred.

- 1) Money owed to the Federal Government from previous years. Example: a refund claim of \$400.00 is sent to Ottawa. Upon checking their records the Department finds there is a previous debit owing of \$600.00. The Department notifies us that the \$400.00 credit has been applied to the account and there is no refund. The \$200.00 is still outstanding and that is the end of it;
- 2) Not declaring U.I.C. benefits or additional T-4 Slips. Example: a customer knowingly or unknowingly fails to declare U.I.C. benefits or additional T-4 Slips. When these are added onto his Return the refund is considerably less if there is any refund at all;
- 3) Fraudulent or stolen T-4 Slips. Example: There are groups of people who make up fraudulent T-4 Slips, phony identification and Social Insurance cards. They then come to our office and sell a non-existent Tax Return. There are also cases where lost or stolen T-4 Slips are used fraudulently;
- 4) Responsibility of re-assessment to Federal Government. On receipt of a refund claim, Ottawa does a brief check. The refund is mailed to us. Later on the Department does a more thorough check. If there are any errors or re-assessment notices mailed to us we are responsible for the return of the refund in part or in full, whether it be a month, a year or 4 years later.

A number of people, including some Bank and Government officials, are under the impression that once the customer signs over the Refund, our money is guaranteed. As you can see from the aforementioned examples, this is just not the case. Every Refund purchased is bought at a risk. I believe the preceding information applies to the majority of our members and I trust that this information has given you a better understanding of our business. Thank you Your Worship."

January 31, 1977

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN LEWARNE:

"THAT Item 21, Manager's Report No. 7 be brought forward."

CARRIED UNANIMOUSLY

The Municipal Manager provided a Report of the Chief Licence Inspector in regard to the question of Income Tax Discounters and Tax Refund Buyers.

It was recommended by the Municipal Manager that:

- 1) The By-law be brought forward; and
- 2) Copies of this report be sent to all Burnaby M.P.'s and M.L.A.'s with the request that each lend her or his support to resolving the problem of income tax discounters and tax refund buyers on the Federal and Provincial levels of Government; and
- 3) A copy of this report be sent to Mr. Vincent E. Forbes.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT:

'BURNABY EXPROPRIATION BY-LAW NO. 1, 1977'	- #6996
'BURNABY TRADES LICENCE BY-LAW 1950, AMENDMENT BY-LAW NO. 1, 1977'	- #6998
'BURNABY EXPROPRIATION BY-LAW NO. 2, 1977'	- #6999

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT:

January 31, 1977

'BURNABY EXPROPRIATION BY-LAW NO. 1, 1977' - #6996
'BURNABY TRADES LICENCE BY-LAW 1950, AMENDMENT
BY-LAW NO. 1, 1977' - #6998
'BURNABY EXPROPRIATION BY-LAW NO. 2, 1977' - #6999

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 37, 1976' - #6906
'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 1, 1977' - #6976
'BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW
NO. 1, 1977' - #6982
'BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW
NO. 2, 1977' - #6983
'BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW
NO. 3, 1977' - #6984
'BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW
NO. 4, 1977' - #6985
'BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW
NO. 5, 1977' - #6986
'BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW
NO. 6, 1977' - #6987
'BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW
NO. 7, 1977' - #6988

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

CARRIED

OPPOSED: Alderman Lewarne to By-laws
#6906 and #6976

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT all of the following listed Items of correspondence be received and
those Items of the Municipal Manager's Report No. 7, 1977 which pertain
thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

a) Ted Dubnyk Re: Commend Fire Department for the excellent job
they did on putting Fire out.

Correspondence under date of January 19, 1977 was received, advising

January 31, 1977

of a fire at his residence on December 20, 1976. It was indicated only through the alertness of a citizen and the professional service of the fire crew at the Hastings and Willingdon Hall were they able to relocate with most of their possessions rather than being left without anything.

b) Association for the Protection of Fur-Bearing Animals Re: Firm stand against proposal to trap fur-bearing animals

Correspondence under date of January 20, 1977 was received congratulating the Municipal Council on their stand against the proposal to trap fur-bearing animals in the District of Burnaby.

c) John and Rose Nystrom Re: Opposition of a Blockade at Norcrest Court and Broadway

Correspondence under date of January 22, 1977 was received indicating opposition of a blockade at Norcrest and Broadway by the people located on Norcrest Court in Burnaby and the surrounding Broadway area and including a petition on this matter.

The Municipal Manager provided a report of the Director of Planning on this subject matter.

It was recommended that the Director of Planning's recommendations be adopted. The Director of Planning's recommendations were as follows:

- 1) That Norcrest Court access to Broadway be retained, as currently developed, temporarily;
- 2) That the matter be reviewed periodically by the Engineer so as to assess any traffic problems that might arise;
- 3) That the petitioners be sent a copy of this report;
- 4) That the Sullivan Heights Ratepayers Association be sent a copy of this report.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

d) Burnaby Civic Employees' Local Union 23 Re: Stride Avenue Dump and Still Creek Avenue Filling operation

Correspondence under date of January 20, 1977 was received stating the Union's position on the contracting out of the Stride Avenue Dump and the Still Creek Avenue filling operation, and, raising several questions in regard to this subject.

The Municipal Manager advised that a Staff Report would be available at the February 7, 1977 Meeting of Council.

e) Mr. and Mrs. M. Sakich Re: Paving the 3700 Block Eton Street

Correspondence under date of January 18, 1977 was received advising they had been trying for a long time to get this block paved and curbed and expressing disappointment in the recent local improvement that was defeated.

The Municipal Manager provided a report of the Municipal Engineer in regard to the local improvement work on Eton Street.

It was recommended that the Municipal Engineer's recommendations be adopted.

January 31, 1977

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

The recommendations of the Municipal Engineer are as follows:

- 1) That a copy of Celest Redman's letter and petition be sent to Mr. and Mrs. Sakich;
 - 2) That Council Report No. 60, Item 18, 27 September, 1976 be sent to Mr. and Mrs. Sakich;
 - 3) That Council Report No. 64, Item 1, 12 October, 1976, and Council decision pertinent to the report be forwarded to Mr. and Mrs. Sakich.
- f) Kensington Minor Baseball Association Re: Annual Tag Day
Friday, Saturday, June 3rd and 4th, 1977

Correspondence under date of January 21, 1977 was received seeking confirmation of the date for their Annual Tag Day in the first weekend of June.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the request received from the Kensington Minor Baseball Association to have their Annual Tag Day on Friday, June 3rd and Saturday, June 4th, 1977 be approved."

CARRIED UNANIMOUSLY

- g) Mrs. Grace Wilson Re: Autow Towing Co.

Correspondence under date of January 21, 1977 was received in regard to their having their car towed away from behind Mac's Convenience Store at Sperling and Kingsway on the night of November 5, 1976.

The Municipal Manager reported as follows:

"Appearing on the agenda for the January 31, 1977 meeting of Council is a letter from Mrs. Grace Wilson regarding the impoundment of a vehicle by a private towing firm in Burnaby.

It will be recalled that Council in connection with another complaint has given direction to the Chief Licence Inspector and a member of the R.C.M.P. to meet with representatives of towing companies involved in impounding vehicles from commercial parking lots, and that the meeting is to be held for the purpose of ensuring that patrolled lots are adequately posted with signs and that vehicle owners are able to redeem their vehicles at any reasonable time without delay.

The Chief Licence Inspector advises that the meeting has been scheduled to take place at 10:00 a.m. on January 27, 1977. We will endeavour to have a full report for Council on this matter as soon thereafter as possible."

It was recommended that a copy of Item 24, Report No. 1, dated January 10, 1977 be sent to Mrs. Grace Wilson.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the recommendation of the Municipal Manager be adopted.

CARRIED UNANIMOUSLY

January 31, 1977

- h) Lower Mainland Municipal Association Re: Annual Election Meeting - Wednesday, March 9, 1977 at 6:00 P.M. Abbotsford-Matsqui Area

Correspondence under date of January 21, 1977 was received advising of the above noted meeting and indicating that the Minister of Municipal Affairs and Housing and his Deputies would be appearing at the next meeting as special Guest Speakers.

- i) Margaret H. Frederick Re: Sale of Chocolate Bars - Sunday, February 13 to Monday, February 28, 1977 and Council Contribution to Fund

Correspondence under date of January 24, 1977 was received advising that the Frederick Singers "Scottish Group" are going to participate in the Gathering of the Clans in Edinburgh, Scotland from April 27 to May 12, 1977 and further advised that this group consists of six girls ages 12 - 17 all of whom have won scholarships and Certificates in the local music festivals and honours in Royal Conservatory of Toronto examinations.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the request received to canvass for the sale of Chocolate Bars on Sunday February 13 to Monday, February 28, 1977 be approved and the request for a grant be referred to the Grants & Publicity Committee for consideration."

CARRIED UNANIMOUSLY

- j) Mrs. Marguerite Forbes Re: Stride #54 Bus - Strong complaint against Shuttle System

Correspondence under date of January 25, 1977 was received in regard to the above noted subject and voicing a very strong complaint against the shuttle system currently in use.

The Municipal Manager advised that a Staff Report will be available at the February 7, 1977 Meeting of Council.

- k) James A. Halco Re: Pedestrian Overpass at the Canada Way/Douglas Road Intersection

Correspondence under date of January 11, 1977 was received urging Council to respond to the request for a Pedestrian Overpass at the Canada Way/Douglas Road intersection.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN RANDALL:

"THAT Correspondence Items (k), (l) and (m) be referred to the Traffic Safety Committee and that previous Manager's Report Items on this subject matter be forwarded to the correspondents."

CARRIED UNANIMOUSLY

The following Correspondence was received as well in relation to the above noted subject:

- l) Shelley Halco, 5015 Woodsworth Street, Burnaby, B.C.
m) Mrs. Elsie Takasaki

January 31, 1977

ENQUIRIES

On a question of Alderman Stewart Mayor Constable advised that there was no statutory authority for the Mayor to say that "In Camera" Items cannot be discussed out of "In Camera" meetings.

On a question of Alderman Drummond it was agreed that a Staff Report would be provided indicating the effect the cutbacks of Provincial Grants to the British Columbia Assessment Authority would have on the Burnaby Taxpayers. It was also requested that a dollar figure be provided when available as to the total monies to be received this year from the Provincial Government.

It was requested by Alderman Lewarne that the Planning Department provide information on a possible subdivision of the Oakalla Lands for residential purposes and the possible dollar value that could be raised in that manner to assist the Attorney General's Department to locate the facility elsewhere. Mayor Constable advised that he would be reporting on this subject matter later on and would take the suggestion under advisement.

On a further question of Alderman Lewarne it was requested that the Municipal Manager report in regard to portable schools in the Burnaby School System not being connected underground but rather overhead between interconnecting buildings.

On a question of Alderman Randall the Municipal Clerk advised that 1/4 of the ballots printed for the Alderman Poll at the last election had been printed incorrectly and subsequently were reprinted free of charge by the Burnaby firm involved.

NOTICE OF MOTION

Alderman W.A. Lewarne Re Council Agendas

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN DRUMMOND:

"WHEREAS Council Agendas are normally delivered to the Council on Friday nights; and

WHEREAS this does not give adequate time to discuss the various items with the appropriate department heads; and

WHEREAS these discussions are essential to arrive at logical conclusions;

THEREFORE BE IT RESOLVED that Council Agendas be delivered to Council Members on Thursday in the future."

FOR: Aldermen Drummond, Lewarne and Randall
OPPOSED: Mayor T.W. Constable, Aldermen Ast,
Lawson and Stewart

MOTION DEFEATED

REPORTS

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

A. Oakalla Correctional Institute

Mayor Constable provided a verbal report indicating that he had recently met with the heads of the Oakalla operation, including

January 31, 1977

the Wardens, Deputy Wardens, two Padres and two other members of Staff. It was indicated he had not as yet met with the Attorney-General's Department on this problem.

Mayor Constable advised that he had put many questions to the Staff, particularly on the question of the 100 escapes this last two years. It was indicated 16 phone calls had been received by concerned citizens in the area on this problem of security. It was suggested that rather than being a lack of security it was a very clear lack of Staff and at times two Staff members had 143 prisoners under their care and control. It was further indicated the prison itself was badly worn out physically and it was easy for prisoners to create a diversion allowing others to work towards escaping. In review it was stated that the Staff were doing an excellent job of security under the circumstances and that approximately 30 more Staff members were needed to cope with the situation to round out 3 eight hour shifts.

It was recommended that Mayor Constable be authorized to meet with the Attorney-General to take a suggestion to him that they, as soon as possible, Number 1, as a short term solution, increase the number of Staff at Oakalla by 30 persons; Number 2, make a determined effort to relocate the Lower Mainland Regional Correctional Institute.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

B. The Municipal Manager presented Report No. 7, 1977 on the matters listed following as Items 1 to 22 either providing the information shown or recommending the courses of action indicated for the reasons given.

- 1) Letter from Lesley S. Blanchard which appeared on the Agenda for the January 24, 1977 meeting of Council (Item 4d)
Transportation in Burnaby

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

It was recommended by the Municipal Manager that:

1. The Director of Planning's and Municipal Engineer's recommendations be adopted; and
2. A copy of the report be sent to L. Blanchard.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

The Director of Planning's and Municipal Engineer's recommendations are as follows:

- a) That the Planning and Engineering Departments expedite a report on alternative designs for bus shelters giving full consideration to functional and aesthetic aspects as well as costs;
- b) That Council, on receipt of the report cited in recommendation 1, make a selection from the range of bus shelters that can be accommodated within existing and future budget appropriations;

January 31, 1977

- c) That the Planning and Engineering Depts. be instructed to meet with B.C. Hydro and jointly identify prime sites for the location of a limited number of bus shelters;
- d) That L. Blanchard be thanked for suggestions on ways to improve transit in Burnaby and that the correspondent be sent a copy of this report;
- e) That B.C. Hydro Transportation Division be sent a copy of this report.

It was requested that the Municipal Engineer comment on the question of people having trouble walking as contained in Item No. 6 of the letter dated January 13, 1977 from Lesley S. Blanchard.

2) Engineer's Special Estimate

The Municipal Manager provided a report of the Municipal Engineer covering a special estimate of work in the total amount of \$25,000. for installation of bus shelters at various locations.

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

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- 3) Letter from Mrs. Grace Wilson, 490 Boundary Road, Box 278, New Westminster - Impoundment of vehicles

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

- 4) Proposed sale of Municipal Properties - Lots 386 and 387, D.L. 87, Group 1, Plan 48101 - Burriss Street

The Municipal Manager provided a report from the Land Agent regarding the sale of two properties on Burriss Street.

It was recommended by the Municipal Manager that the subject properties be sold subject to the terms as outlined in the Land Agent's report.

The Land Agent advised that an offer of \$36,000.00 each for their purchase from Atlin Construction Ltd. of 4190 Atlin Street, Vancouver, B.C. had been received on terms of \$18,000.00 cash with the balance payable over a three year period with interest at 12% on the basis that they will be allowed to pay out their agreement if they so wish prior to the expiration of the three year period with no interest penalty for prepayment.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED

OPPOSED: Alderman Lewarne

- 5) Demolition of Municipal Property - Lot 10, Block 3, D.L. 29, Plan 3035 - 7641 - 13th Street

January 31, 1977

The Municipal Manager provided a report of the Parks and Recreation Administrator in regard to the above noted subject.

It was recommended by the Municipal Manager that the Parks and Recreation Administrator's recommendations be adopted.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

The Parks and Recreation Administrator recommended as follows:

- a) That Council authorize the demolition of the house at 7641 - 13th Street with cost to be charged against the Neighbourhood Improvement Program;
 - b) That Council authorize staff to call for tenders for the demolition of this house.
- 6) Burnaby Mountain Golf Course Coffee Shop - Beer and Wine Licence

The Municipal Manager provided a report of the Parks and Recreation Administrator regarding a proposed Beer and Wine Licence for the Burnaby Mountain Golf Course Coffee Shop.

It was recommended by the Municipal Manager that:

1. Council endorse the application of the Lessee of the Burnaby Mountain Golf Course Coffee Shop for a Beer and Wine Licence;
2. A levy of 10% be made of gross non-liquor sales in excess of \$40,000. under a separate agreement;
3. Renovations to the Burnaby Mountain Golf Course Coffee Shop, as outlined in Drawing \$32-33-1-A, be approved subject to Building, Health, Fire and other applicable regulations;
4. All costs of the named renovations, plus any others required by the regulatory bodies, shall be at the expense of the Lessee; and
5. The Mayor and Municipal Clerk be authorized to execute the necessary documents.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the subject matter be tabled pending receipt of information in regard to the number of seats after expansion and the question of total non-liquor sales."

CARRIED UNANIMOUSLY

- 7) Burnaby Lake Sports Complex Development Plan Concept Report of the Advisory Planning Commission

The Municipal Manager provided a report of the Director of Planning regarding the Burnaby Lake Sports Complex Development Plan Concept.

January 31, 1977

It was recommended by the Municipal Manager that:

1. A copy of this report be referred to the Advisory Planning Commission for endorsement of the Planner's comments as contained in the report; and
2. A copy of this report be sent to the Parks and Recreation Commission for information only.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

- 8) Petition from John and Rose Nystrom, 2450 Norcrest Court, Burnaby - Closure of Norcrest Court at Broadway

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

- 9) Burnaby Horsemen's Association - Lease (Item 1, Report No. 82, December 20, 1976) (Item 21, Report No. 1, January 10, 1977) (Item 10, Report No. 3, January 17, 1977)

The Municipal Manager provided a further report from the Parks and Recreation Commission regarding the subject Lease. It was indicated the Commission has resolved to delay any report to Council regarding execution of the various Burnaby Horsemen's Association's documents until further information is available following the February 8th meeting of the Association membership.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

- 10) Rezoning Reference #28/75 - Proposed Hotel Development Kingsway/Silver

The Municipal Manager provided a report from the Director of Planning regarding Rezoning Reference #28/75. The Director of Planning recommended as follows:

"It is recommended that Council receive the report of the Planning Department and request that a Rezoning By-law be prepared and that the rezoning be advanced to a Public Hearing and that the following be established as prerequisites to the completion of the rezoning.

- a) The submission of a suitable plan of development as a First Phase of a suitable Community Plan for the overall site;
- b) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the By-law;
- c) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. One of the conditions for the release of occupancy permits will be the completion of all requisite services;

January 31, 1977

- d) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development and to the point of connection to the existing service where sufficient facilities are available to serve the development;
- e) The dedication of any rights-of-way deemed requisite;
- f) Applicant's schedule for the construction staging of the subject proposal;
- g) The placement underground of any existing above ground wiring along the Kingsway and Silver Avenue frontages;
- h) Provisions for the acceptance of public pedestrian bridges tying into the podium of this project;
- i) The deposit of the determined levy to go towards the cost of acquisition of public open space on the basis of \$0.50 per sq. ft. of the proposed Phase I building area."

It was recommended by the Municipal Manager that:

- 1. The Director of Planning's recommendations be adopted;
- 2. The rezoning be advanced to a Public Hearing on March 15, 1977.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- 11) Application for Strata Title Approval on an existing Duplex Lot 118, D.L. 34, Plan 46918, S.T.A. #12/76 - 3972 and 3974 Moscrop Street

The Municipal Manager provided a report from the Director of Planning regarding a request for Strata Title approval on a Duplex at 3972 and 3974 Moscrop Street.

It was recommended by the Municipal Manager that the subject Strata Title be approved subject to the fulfillment of Sections 6.1 through 6.7 of the Guidelines for Duplex Condominiums and Conversions.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

- 12) Rebuilding of #5 Aerial Ladder

The Municipal Manager provided a report from the Director - Fire Services regarding the #5 Aerial Ladder that is now in service. It was indicated funds for the proposed work are in the 1977 Provisional Capital Improvement Program. The Director - Fire Services recommended as follows:

- a) That Council authorize the replacement of the present engine with a naturally aspirated Detroit diesel 6V92 285 net H.P. 768 ft. lbs. torque fan to flywheel assembly, complete with Jacobs engine brake LSUS governor;
- b) That Council authorize the replacement of the present transmission with an Allison 740 D transmission complete with air shift P.T.O. and engine mounted transmission cooler;

January 31, 1977

- c) That Council authorize the replacement of the rear axle assembly with an axle complete with 16½" x 7" "S" cam air brakes 4.63:1 ratio of if parts are available re-ratio existing axle and install the 16½" x 7" brakes on the existing housing;
- d) That Council authorize the replacement of the front axle assembly with an axle complete with 16½" x 5" "S" cam air brakes;
- e) That Council authorize the installation of a full air brake control system complete with primary/secondary system modulated spring brakes and protected third tank for emergency release of the spring brakes. This air system would also control the engine throttle pump shift P.T.O. shift radiator shutters as well as supply air for two air horns;
- f) That Council authorize the re-ratio of the pump transmission to establish the correct relationship of engine speed and impellor shaft speed;
- g) That Council authorize the lengthening of the front drive shaft and installation of an extra leaf in each spring to complete the installation. The rest of the drive line, drive shafts, universals, spring shackles and spring hangers are all adequate to accommodate the suggested repowering; and
- h) That Council authorize repainting of the unit.

It was recommended by the Municipal Manager that the Director - Fire Services recommendation be adopted.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- 13) Restrictive Covenant and Summary Petition - Subdivision Reference #26/75 Canadian Freehold - D.L. 79, Lots 50 & 51, Plan 48804

The Municipal Manager provided a report from the Director of Planning pertaining to the proposed removal of an existing Restrictive Covenant which guaranteed the reciprocal use of all facilities and access to each site of the subdivision.

It was recommended by the Municipal Manager that:

- 1. Council authorize the execution of the subject summary petition; and
- 2. Council authorize the release of the restrictive covenant registered over Lots 50 and 51.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

- 14) Malespina Printmakers Society - Licence Agreement

The Municipal Manager provided a report from the Parks and Recreation Administrator regarding a proposed Licence Agreement with the Malespina Printmakers Society.

It was recommended by the Municipal Manager that:

January 31, 1977

1. Council authorize the execution of the attached Agreement between the Corporation of the District of Burnaby and the Malespina Printmakers Society for the use of the lower floor of Mather House for a period of two years, commencing August 1, 1976 for a fee of \$1.00 per year; and
2. The attached agreement be amended to include a clause under which the Municipality could proceed to have the agreement nullified if the Malespina Society were to profit from its occupation of space at the Mather House in the Arts Center.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

15) Federal Government Make-Work Program

The Municipal Manager provided a report from the Parks and Recreation Administrator regarding a proposed application for a Grant under the Canada Works Program. It was indicated there are sufficient funds in the Budget to provide for the Municipal share of the work involved.

It was recommended by the Municipal Manager that:

1. Council approve the Canada Works Program outlined in Item 7 (Supplementary), Administrator's Report No. 2, dated January 26, 1977; and
2. The Treasurer be authorized to prepare and submit a detailed program and application.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

16) Siren Agreements

The Municipal Manager advised of a request by the Department of National Defence to renew four agreements which would allow attack warning sirens to be retained in their existing locations. The Agreement numbers and locations are as follows:

- No. 154: Lane west from Esmond Avenue and south of McGill Street
- No. 155: Lane north from Union Street and east of Duthie Avenue
- No. 156: Lane between Buchanan Street and Lougheed Highway
- No. 157: Lane east from Dufferin Street

Agreements for these sirens will soon expire and the Department of National Defence has requested that they be renewed for a further five year period commencing February 1, 1977. The Municipal Engineer and Director of Planning advise that they have no objections to the proposed extension of siren services at the subject locations for a further period of five years.

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

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

January 31, 1977

- 17) Proposed demolition of Municipal Property Graystone Drive, formerly Nation Way, Lot 19, S.D. 51, Blocks 1 & 2, D.L. 207, Pl. 4032, now known as Lot 7, D.L. 207 - 7055 Union Street

The Municipal Manager provided a report from the Land Agent regarding the dwelling on the subject property.

It was recommended by the Municipal Manager that the dwelling at 7055 Union Street be demolished when it becomes vacant on February 28, 1977.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN RANDALL:

"THAT the subject matter be tabled."

CARRIED UNANIMOUSLY

- 18) Letter from Mr. and Mrs. M. Sakich, 3765 Eton Street, Burnaby Local Improvement Work on Eton Street

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

- 19) Proposed 18 suite apartment development Brandford Investments Limited, 7945 - 12th Avenue

The Municipal Manager provided a report from the Director of Planning regarding the subject proposed development on 12th Avenue.

It was recommended by the Municipal Manager that staff be authorized to continue to work with the applicant toward a modified scheme that meets the Planning Department's concerns related to density, family-orientation, etc.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STEWART:

"THAT the subject matter be tabled for one week's time."

CARRIED UNANIMOUSLY

- 20) Notice of Motion - Council Agendas

This subject matter was considered previously under Item 6 - Notice of Motion.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- 21) Letter from the Better Business Bureau of the Mainland of British Columbia which appeared on the Agenda for the January 24, 1977 meeting of Council (Item 4e) Income Tax Discounters and Tax Refund Buyers

This subject matter was considered previously under Item 2(b) - Delegations and By-law No. 6998.

January 31, 1977

22) Kask Brothers Ready Mixed Concrete Ltd.
Proposed Conveyor System

The Municipal Manager provided reports of both the Director of Planning and the Parks and Recreation Administrator.

It was recommended by the Municipal Manager that:

1. A further report be prepared leading to the preparation of a Rezoning By-law for the rezoning of the appropriate park land from Park and Public Use District (P3) to Comprehensive Development District (CD);
2. The subject rezoning be advanced to a Public Hearing on April 19, 1977.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED

OPPOSED: Mayor T.W. Constable and
Alderman G.D. Ast

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STEWART:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY