

SEPTEMBER 6, 1977

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, September 6, 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. D.G. Stenson, Assistant Director - Current Planning
Mr. James Hudson, Municipal Clerk
Mr. R.D. Seath, Committee Secretary
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 29, 1977 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

"THAT the Minutes of the regular Council Meeting held on August 29, 1977 be now adopted."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT:

'BURNABY LEASE AUTHORIZATION BY-LAW NO. 5, 1977'

-#7092

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

September 6, 1977

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT:

'BURNABY LEASE AUTHORIZATION BY-LAW NO. 5, 1977'

-#7092

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

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

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

-#7084

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

-#7085

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

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

The Council reconvened.

CARRIED UNANIMOUSLY

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. 44, 1977'

-#7084

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

-#7085

be now read a third time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT:

'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW
NO. 18, 1977'

-#7029

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

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CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 59, 1977 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- a) R.L. Loewen, M.L.A., Burnaby-Edmonds,
Re: 1978 B.C. Summer Games

Correspondence under date of August 19, 1977 was received advising in part that Burnaby has received an invitation to bid to host the 1978 B.C. Summer Games and that Mr. Elwood Veitch, M.L.A. for Burnaby-Willington and Mr. Loewen would be pleased to support Burnaby's application and that the applications are supposed to be in by September 21st, 1977.

The Municipal Manager provided a report advising therein that on April 18 in Manager's Report Item #5, the Council was advised that the Parks and Recreation Commission had considered the proposition by Mayor Constable that the staff examine and report back on the question of Burnaby making application to host the first B.C. Summer Games. The Commission tabled the matter pending receipt of the Provincial Guidelines for the Games. The comprehensive guidelines have been referred to the Parks and Recreation Administrator who will prepare a report for the consideration of the Commission and the Commission subsequently will submit its comments on this matter to Council.

It was recommended that:

1. A copy of this report be sent to Mr. R.L. Loewen.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- b) R.L. Foster
Re: Proposed Ornamental Lighting - Project 77-003

Correspondence under date of August 27, 1977 was received with the second last paragraph of the same advising:

'In summary I will concede that there are a few streets that are very poorly lighted and if you wish to upgrade them on the basis of dire need initiated by a REQUEST FROM THE RESIDENTS, then so be it, but lighting a whole area to gross excess whether needed or not- you must have lost your senses completely.'

The Municipal Manager provided a report from the Municipal Engineer advising in part that our present standard for residential streets is lights on only one side of the street. On collector streets our standard is lights on both sides of the street but staggered to give a better light distribution pattern.

It was recommended that:

1. A copy of this report be sent to Mr. R.L. Foster.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

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- c) Mrs. L.E. Mann,
Re: Dangerous Situation When Using Our Driveway

Correspondence under date of August 26, 1977 was received drawing to the attention of Council the very dangerous situation which now exists for Mrs. Mann and her family when using their driveway.

The Municipal Manager provided a report from the Municipal Engineer advising in summary that a stop sign on Erickson Drive at Cameron Street is not warranted.

It was recommended that:

1. A copy of this report be sent to Mrs. L.E. Mann

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

- d) J.W. Huff
Re: Subdivision Reference #138/74 - Loughheed
Highway and Phillips Avenue - Landscape Buffer

Correspondence under date of August 26, 1977 was received pointing out that Mr. Huff cannot agree (and his neighbours are of the same feeling) that the 40' buffer frontage of the Loughheed cannot sit incomplete until all the homes in the development are sold.

The Municipal Manager provided a report from the Director of Planning advising therein in part that the existing situation is that the Planning Department on April 5, 1977 wrote to the developer, DeCourcy Developments Ltd. requesting a projected date for completion of the work and received the reply that they were awaiting completion of all the houses. The Planning Department has received no reply, however, to their more recent letter of June 3rd, 1977 to DeCourcy requesting that they begin work immediately on the buffer. As a result of this it has been arranged that the Parks Department engage a landscape contractor to perform the works and that the letter of credit be drawn upon in the amount of the contract. It is expected that this work will be completed by early fall.

It was recommended that:

1. A copy of this report be sent to Mr. J.W. Huff.

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- e) Ministry of the Environment, Director,
Pollution Control Branch
Re: Application pursuant to Pollution
Control Act, on behalf of British Columbia
Hydro and Power Authority, located at Ioco,
dated April 4, 1977.

Correspondence under date of August 25, 1977 was received informing the District of Burnaby that the subject application has been adjudicated and the issuance of a permit has been refused; consequently a hearing based on the District of Burnaby's objection is deemed unnecessary. The Director further advised that the applicant has the right to reapply, and in the event that the District of Burnaby wishes to object to such an application, it will be necessary for the District of Burnaby to establish their position at that time.

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This correspondence was received by the Council.

- f) Mayor Constable placed before the meeting, correspondence dated August 30, 1977 received from the Minister of Highways and Public Works, the Honourable Alex V. Fraser in reference to the Oakalla property advising therein that the following are the terms of reference for the committee to be struck to study the Oakalla land in Burnaby:
1. The committee should recommend a phase by phase dismantling of the present Oakalla site, together with recommendations for the proper use and disposition of those lands as they become available.
 2. The Committee should recommend to the government the best possible use and disposition of those portions of land adjacent to Burnaby Lake and Royal Oak Avenue in Burnaby now now being used in connection with the prison. The recommendations could be consistent with proper use and the aims and aspirations of the citizens of Burnaby.

The correspondence further advised that this will be a citizens' committee made up of six people and chaired by the M.L.A. for the area, Elwood Veitch and that the Minister of Highways and Public Works would appreciate it if Mayor Constable would appoint one member of the Burnaby Council to this committee and that the committee will be totally voluntary with the Ministry supplying the secretarial help where necessary.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT the correspondence dated August 30, 1977 from the Minister of Highways and Public Works in reference to Oakalla property be received."

CARRIED UNANIMOUSLY

Mayor Constable recommended that he be the appointee from the Burnaby Municipal Council to the Oakalla property committee.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the recommendation of Mayor Constable be adopted."

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN STEWART:

"THAT the foregoing motion be amended by adding thereto the following:

'THAT the Burnaby Municipal Council have the opportunity to recommend the appointment of two members to the Oakalla property committee from the Burnaby Parks and Recreation Commission.'."

The amendment was voted on and CARRIED.

OPPOSED: Alderman Stusiak.

The original motion as amended was then voted on and CARRIED

OPPOSED: Alderman Stusiak

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

- a) Correspondence was received from the Minister of Human Resources under date of August 24, 1977 advising therein that the said Minister has now had the opportunity to fully assess the financial impact of the six point proposal of the Downtown Eastside Residents' Association and that the recommendations would involve an increase of 18 cents per capita per month to the District of Burnaby.

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The correspondence showed the per capita charges that would result based on the size of the municipality.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the correspondence from the Minister of Human Resources dated August 24, 1977 in reference to the financial impact of the six point proposal by the Downtown Eastside Residents' Association be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT this subject matter be now lifted from the table."

CARRIED UNANIMOUSLY

Alderman Drummond advised that there were only five recommendations now as the recommendation, 'to increase the comfort allowances for recipients in institutions had been looked after as the said comfort allowances have been increased.

The five recommendations that were now on the table are as follows:

"THAT the Ministry of Human Resources be urged to use the \$100,000,000. under expenditure in the Human Resources Department budget to raise the basic rate for handicapped persons and those aged sixty to sixty-four to \$ 284.00 per month; for singles \$ 230.00 per month and for couples to \$ 340.00 per month, to tie rates to the cost of living; to eliminate the four month waiting period for increased rates of assistance; and to make all recipients eligible for total shelter and utility allowance."

A vote was then taken on the five recommendations and CARRIED

OPPOSED: Aldermen Emmott,
Lewarne, Stewart and
Stusiak.

ENQUIRIES

Alderman Lewarne

With reference to Metric Conversions, Alderman Lewarne enquired as to whether all school signs are being changed to kilometres per hour for the speed limit or whether consideration had been given to keeping dual signs up.

The Municipal Engineer advised that to be consistent and avoid confusion, all municipalities have followed the Provincial Government lead and erected metric signs.

Alderman Randall

Alderman Randall enquired as to whether a map had been forwarded to the Liquor Control and Licensing Branch in reference to neighbourhood pub locations in Burnaby.

The Assistant Director - Current Planning advised that a letter and a blank map requesting detailed information as to neighbourhood pub locations in Burnaby had gone forward to the Liquor Control and Licensing Branch.

Alderman Randall pointed out that a neighbourhood pub site must still be approved by the General Manager of the Liquor Control and Licensing Branch.

Alderman Stusiak

Alderman Stusiak advised that September 1st has passed and enquired as to whether the Canadian Union of Public Employees, Local 23 has given notice that they wish to renew or open their collective agreement with the Municipality.

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The Municipal Manager was of the opinion that the time frame was not up until the end of September.

Alderman Stusiak advised that he would like to see the Municipality come to the contract bargaining date with some bargaining behind us rather than all before us.

Mayor Constable advised that he will discuss this with the Municipal Manager and the Labour Relations Committee of the Greater Vancouver Regional District.

Alderman Lawson

Alderman Lawson advised that she wished to challenge the right of Mayor Constable to cut off discussion before the question had been put.

Alderman Lawson cited Section 17 of the "Burnaby Procedure By-law 1971" being By-law No. 6023, as amended, which reads in part, "after a question is put by the Mayor, no member shall speak to the question".

Alderman Lawson advised that the question had not been put and any member of the Council should have the right to speak once and she did not have that right.

Mayor Constable advised that he did give every member of Council the right before he recognized Alderman Drummond and he would not recognize any person that has spoken once unless everybody else wishing to speak has been heard first, then he would allow the person to speak twice. In this case some members of Council spoke, Alderman Drummond indicated that he wanted to speak, Mayor Constable advised that he ignored Alderman Drummond until everybody else had spoken and that there was no one else who had indicated they wanted to speak and then his Worship stated that he was allowing Alderman Drummond to wind up the debate.

Alderman Lawson advised that she was aware of this but in essence this is in fact breaking the by-law of Council because the procedure by-law states that after a question is finally put by the Mayor no member shall speak to the question but the Mayor had not called for the question.

Following further discussion, Alderman Lawson withdrew her challenge to the Mayor's decision and the subject matter was referred to the Municipal Clerk for an answer - that is, that after the chair has ruled that a certain alderman is summing up whether the Chair then has the right to hear someone else.

Alderman Stusiak

Alderman Stusiak reported that under the heading "Transit Vehicles" being a report from the Provincial Department of Municipal Affairs for the period ended December 31, 1976 - page 31 - it states that no new vehicles were ordered in 1976.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT we ask of the Minister of Municipal Affairs whether in effect this means that there is no further expansion to the bus fleet as the Council would be interested to know this."

CARRIED UNANIMOUSLY

Alderman Stusiak

Alderman Stusiak enquired of the Municipal Manager as to whether he had heard from Stuttgart on the water falls.

The Municipal Manager advised that he had not received a reply as yet.

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Alderman Lewarne

Alderman Lewarne enquired of his Worship, the Mayor as to the status of the Kensington Overpass grant.

Mayor Constable advised that he will be meeting with the Honourable O.E. Lang the Federal Minister of Transport this coming Friday.

Alderman Randall

Alderman Randall enquired as to whether correspondence dated August 25, 1977 addressed to the individual members of Council in reference to "1977 Taxes - Greentree Village Community Centre, 4295 Garden Grove Drive, Burnaby, B.C." would be on the agenda for the next regular meeting of Council.

The Clerk was directed to place this correspondence on the agenda for the Council meeting of September 12, 1977.

R E P O R T S

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- a) The Municipal Manager presented Report No. 59, 1977 on the matters listed following as Items (1) to (8) either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Fire Department Quarterly Report
(Item 3, Manager's Report No. 55, August 15, 1977)

The Municipal Manager provided a report from the Director - Fire Services responding to the following three matters:

1. The adequacy of equipment and procedures relating to rescue and safety matters;
2. The question of a temporary replacement for the present apprentice mechanic who has become disabled due to an arm injury; and
3. The extent of injuries that were suffered by 40 fire fighters who were referred to in the quarterly report as being injured as a result of fighting fires during the first half of 1977.

MOVED BY ALDERMAN STEWART:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

2. Application for Strata Titles Approval on an Existing Duplex
Lot 187, D.L. 95, Group 1, Plan 36459 NWD
7177/79 16th Avenue

The Municipal Manager provided a report from the Director of Planning regarding a request for Strata Title Approval on a duplex at 7177/79 16th Avenue.

It was recommended that:

1. 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.

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MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

3. Letter from Mr. J.W. Huff
3135 Chrisdale Avenue, Burnaby
Landscape Buffer - Subdivision Reference #138/74

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

4. Proposed Zoning By-Law Text Amendments
Residential Occupancy Standards
(Item 23, Report No. 57, August 29, 1977)

The Municipal Manager provided a report from the Director of Planning in reference to proposed zoning by-law text amendments - Residential Occupancy Standards and recommending therein revisions to the definition of "In-law Suites", and the corresponding provisions for such under the definition "Accessory Use", as follows:

1. Amend the definition of "In-law suite" in Section 3 of the Zoning By-Law to read:

"In-law suite means one or more habitable rooms used for living and sleeping purposes by the parents, grandparents, sons or daughters (including their spouses and dependent children) of the owner-occupier of the dwelling".
2. Add the phrase

"(including their spouses and dependent children)" following the phrase "sons and daughters" in clause (3)(e) of the definition of 'accessory use' in Section 3 of the Zoning By-Law.

It was recommended that:

1. The revisions as noted in the Director of Planning's report to the previously presented Zoning By-law amendments be approved with the understanding the necessary amendment by-law will be prepared and
2. These further amendments to the Zoning By-law be submitted to a public hearing to be held on September 13, 1977.

MOVED BY ALDERMAN STEWART:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

5. Letter from Mrs. L.E. Mann
9637 Cameron Street, Burnaby
Traffic on Cameron Street

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

6. Letter from Mr. R.L. Loewen, M.L.A.
Parliament Buildings, Victoria
1978 British Columbia Summer Games
(Item 5, Report No. 29, April 18, 1977)

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

7. Letter from Mr. R.L. Foster
6498 Buchanan Street, Burnaby
1977 Ornamental Street Lighting Program

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

8. Signing for Municipal Hall Complex

The Municipal Manager provided a report from the Director of Planning and the Chief Building Inspector regarding a proposal to construct a directional sign at Canada Way and Deer Lake Place with the total project costing \$ 9,773. which includes underground wiring and all other related work that is necessary to make the sign and lighting operational.

It was recommended that:

1. The project budget amounting to \$9,773. be authorized for this work and
2. The total cost of this work be charged to the Municipal Hall Renovations Account and
3. Bird Construction Co. Ltd. be authorized to construct the subject sign.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT the subject matter be tabled for one week."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Municipal Council receive the Annual Report of the Health Department for the year 1976."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY