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1978 JANUARY 3

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1978 January 3 at 1900 h.

Present: Mayor T.W. Constable, in the Chair  
Alderman G.D. Ast  
Alderman D.P. Drummond  
Alderman B.M. Gunn  
Alderman D.A. Lawson  
Alderman W.A. Lewarne  
Alderman D.M. Mercier  
Alderman F.G. Randall  
Alderman A.H. Emmott

Absent: Mr. M.J. Shelley, Municipal Manager  
Staff: Mr. E.E. Olson, Municipal Engineer  
Mr. J.G. Plesha, Administrative Assistant to Manager  
Mr. D.G. Stenson, Assistant Director - Current Planning  
Mr. B.D. Leche, Deputy Municipal Clerk  
Mr. C.A. Turpin, Municipal Clerk's Assistant

40  
Jan - June  
1978

M I N U T E S

The Minutes of the Council Meeting held on 1977 December 19 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT the Minutes of the Council Meeting held on 1977 December 19 be now adopted."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT:

'BURNABY SEWER CONNECTION BY-LAW 1961, AMENDMENT BY-LAW 1977'	-#7159
'BURNABY SEWER CHARGE BY-LAW 1961, AMENDMENT BY-LAW 1978'	-#7160
'BURNABY LOAN AUTHORIZATION REFERENDUM BY-LAW 1971, AMENDMENT BY-LAW 1977'	-#7161
'BURNABY EXPROPRIATION BY-LAW NO. 6, 1977'	-#7162
'BURNABY EXPROPRIATION BY-LAW NO. 7, 1977'	-#7163
'BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT BY-LAW NO. 1, 1978'	-#7164
'BURNABY PARK ACQUISITION BY-LAW 1978'	-#7165
'BURNABY WATERWORKS REGULATION BY-LAW 1953, AMENDMENT BY-LAW 1978'	-#7166

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

CARRIED UNANIMOUSLY

1978 JANUARY 3

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:

'BURNABY SEWER CONNECTION BY-LAW 1961, AMENDMENT BY-LAW 1977'	-#7159
'BURNABY SEWER CHARGE BY-LAW 1961, AMENDMENT BY-LAW 1978'	-#7160
'BURNABY LOAN AUTHORIZATION REFERENDUM BY-LAW 1971, AMENDMENT BY-LAW 1977'	-#7161
'BURNABY EXPROPRIATION BY-LAW NO. 6, 1977'	-#7162
'BURNABY EXPROPRIATION BY-LAW NO. 7, 1977'	-#7163
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'BURNABY PARK ACQUISITION BY-LAW 1978'	-#7165
'BURNABY WATERWORKS REGULATION BY-LAW 1953, AMENDMENT BY-LAW 1978'	-#7166

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN MERCIER:

"THAT:

'BURNABY LOAN AUTHORIZATION BY-LAW NO. 1, 1976, AMENDMENT BY-LAW 1977'	-#7123
'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 58, 1977'	-#7137
'BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1977'	-#7144
'BURNABY SEWER CHARGE BY-LAW 1961, AMENDMENT BY-LAW NO. 2, 1977'	-#7149

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

CARRIED UNANIMOUSLY

CORRESPONDENCE AND PETITIONSMOVED BY ALDERMAN AST:SECONDED BY ALDERMAN MERCIER:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 1, 1978 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- a) Associated Boards Of Health Of British Columbia  
Chairman, RE: Appointees To Union Boards Of  
Health

A letter dated 1977 December 13 was received advising that this year, in view of the added responsibilities of the Union Boards of Health of the Province which will occur with the 1978 January 1 implementation of the new Long Term Care Programme of the Ministry of Health, the Executive of the Associated Boards of Health of British Columbia would stress the importance of appointing persons to the Boards who are truly concerned with the health needs of their communities.

The Chairman therefore urged, on behalf of the Executive of the Associated Boards of Health of British Columbia, that special consideration be given to the 1978 appointments to the Union Board.

- b) Killarney Champlain Citizens For Action, President,  
RE: Bus Cutbacks Implemented 1977 October 28.

A letter dated 1977 December 15 was received advising that the Killarney Champlain Citizens for Action Society is strongly opposed to the cutbacks that were implemented on 1977 October 28. Many buses are not running on time and their schedules change frequently - one such bus being the #28 - Smith which serves both Vancouver and Burnaby.

The Society understood that additional cutbacks will be implemented in 1978 and the Society would like to state their opposition to them and any further changes to be implemented without full citizen participation.

- c) North Fraser Harbour Commission, Secretary,  
RE: Three-Year Term Of Office Of Commissioner  
K.F. Fraser Due To Expire 1978 January 13.

A letter dated 1977 December 16 was received advising that the three year term of office of Commissioner K.F. Fraser of 8125 Angus Drive, Vancouver B.C. as one of the two appointed representatives of the City of Vancouver and of the Municipalities of Burnaby and Richmond to the North Fraser Harbour Commission is due to expire on 1978 January 13.

The other municipal appointed representative is Commissioner R.J. Guerin, whose term of office carries through to 1978 December 15.

The Secretary of the North Fraser Harbour Commission has requested that this matter be advanced to the Mayor and Council of the Corporation of the District of Burnaby with a request that following consultation with the Mayor and Councils of the Municipality of Richmond and the City of Vancouver an appointment or reappointment be made in accordance with the provisions of subsections 1(c), 4, 5 and 6 of the Harbour Commissions Act, 1964.

His Worship, Mayor Constable, advised Council that former Commissioner K.F. Fraser had passed away on 1977 December 19.

His Worship, Mayor Constable further requested that Council Members who may have recommendations on naming a new Commissioner advise him accordingly.

His Worship, Mayor Constable further recommended that he be authorized to consult with the Mayor of the City of Vancouver and the Mayor of the Municipality of Richmond with a view to naming a new appointee to the North Fraser Harbour Commission.

MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN MERCIER:

"THAT the recommendation of His Worship, the Mayor, be adopted."

CARRIED UNANIMOUSLY

- d) Fred Kranz, 8710 Montcom Street, Vancouver, B.C.  
 V6B 4R2, RE: 6381 Hardwick Street - Application  
For A Building Permit For A Duplex

This item of correspondence will be considered later in the meeting in conjunction with Item 3, Municipal Manager's In Camera Report No. 2, 1978.

- e) Province of British Columbia, Ministry of Municipal  
 Affairs and Housing, Honourable H.A. Curtis, Minister,  
RE: 1977 Revenue Sharing Programme

A letter dated 1977 December 16 was received enclosing Province of British Columbia cheque in the amount of \$ 255,137.00 which represents payment to the Corporation of the District of Burnaby of the last installment of the Municipality's portion of the \$ 22,500,000. provided under the Provincial Interim Revenue Sharing Programme which is being distributed on a formula of \$11,250,000. on a per capita basis and \$11,250,000. on the operating expenditure formula.

The Minister advised that on behalf of the Government of the Province of British Columbia it is a pleasure to transfer these funds to the Municipal Government.

- f) Union Of British Columbia Municipalities, Executive  
 Director, RE: Appointments to the Board of  
Directors - B.C. Assessment Authority

A letter dated 1977 December 14 was received advising that two vacancies will occur on the Board of Directors of the British Columbia Assessment Authority on 1978 June 30. The Union Of British Columbia Municipalities expects to put forward recommendations to fill these upcoming vacancies next spring. The Union of British Columbia Municipalities requested that suggested names be forwarded to the Union of British Columbia Municipalities office of persons whom it is believed would be willing and well suited to perform the functions of the Director of the Assessment Authority for a three year term starting on 1978 July 1.

His Worship, Mayor Constable suggested that he be advised if individual members of Council knew of any persons who would be willing and well suited to perform the functions of the Director of the Assessment Authority for a three year term to commence on 1978 July 1.

- g) Union of British Columbia Municipalities,  
 Executive Director  
 RE: (1) Education Costs;  
 (2) Report of the Law Reform Commission Of British  
Columbia on Tort Liability Of Public Bodies.

A letter dated 1977 December 14 was received on the following points:

1. Education Costs - Recent announcements made by the Provincial Government that the school tax mill rate will increase from 37.5 mills (1977) to 42.5 mills in 1978 were discussed at length with the Minister. This appears to indicate approximately an increase of 19% throughout the Province in school taxes for the next year and the impact of such an added tax burden was strongly opposed by the Executive.

The letter received enclosed a copy of the president's statement to the News Media on this matter.

2. Report of the Law Reform Commission on Tort Liability of Public Bodies - It was advised that the subject report which has recently been issued, recommends a variety of changes which, if implemented by the Provincial Government, would greatly extend the liability of local governments.

Union of British Columbia Municipality members will recall that when these proposals were first indicated by the Law Reform Commission two years ago in their Working Paper #11, the Union of British Columbia Municipalities placed strong objections to the Commission's Chairman, as did numerous individual municipalities. It now appears that the final Report of the Commission is not noticeably changed from its working paper, despite the many objections submitted, and the Union of British Columbia Municipalities informed the Minister of its continuing opposition to the principles being advocated. Union of British Columbia Municipalities members are requested to give early attention to the final Report on the Commission and to review the possible impact of the major recommendations, particularly with regard to inspection services which would be required and the difficulties and costs of obtaining adequate liability insurance coverage if these recommendations are introduced as legislation.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN RANDALL:

"THAT Council receive a report on the sharing of educational costs over the last four years between the Municipality and the Provincial Government with the dollar and percentage increases by year with the report also to forecast the effect on the municipality of the recently announced five mill increase in the school tax mill rate."

CARRIED UNANIMOUSLY

- h) Union Of British Columbia Municipalities,  
Executive Director RE: Conflict Of Interest  
Proposals

A letter dated 1977 December 20 was received concerning a report on Conflict of Interest Proposals which the Union of British Columbia Municipalities Executive had earlier submitted to the Minister of Municipal Affairs and Housing. Following the distribution of that report, it was brought to the attention of the Union of British Columbia Municipalities that the wording of Section 3(c) of the proposals contained on page 4 could be interpreted to mean that the Department Heads might be legally liable for the action of the employees of the respective departments in terms of possible conflict of interest situations. The particular section in the report has therefore been rewritten as follows and the Minister so informed:

New Wording            3(c)    that Department Heads, as applicable, should be responsible for ensuring that the staff or employees within their respective Departments are familiar with the principles and intent of this procedure and the requirement that they may be included within the appropriate by-law of the Council or Board.

- (i) British Columbia Police Commission,  
Commissioner, RE: Task Force to Examine  
Cost Sharing among Municipal, Provincial  
and Federal Governments in matters of policing

A letter dated 1977 December 19 was received advising that the Minister of Municipal Affairs and Housing and the Attorney General have recently created a Task Force under very broad terms of reference to examine the entire area of cost sharing among Municipal, Provincial and Federal Governments in matters of policing. The specific terms of reference for the Task Force were attached to the letter received.

A small core of research staff has been hired, and they have begun to collect data related to the terms of reference. After initial background papers have been prepared (by mid-February 1978) it is planned to have senior representatives of the Task Force available to meet with representatives of Municipalities in each region to discuss issues, problems and concerns related to policing costs in their municipalities. It is projected that a number of alternative proposals related to the terms of reference will be outlined by the summer of 1978. These will be circulated to municipalities and other interested groups for feedback and reaction. Final recommendations will be made by the policy board in late 1978 or early 1979 in the light of presentations made by municipalities, regional districts and others.

- (j) Fred D. Lee, 1375 Eastlawn Drive,  
RE: Roadblocks on Springer Avenue at Parklawn  
Drive, Lorilawn Drive and Halifax Street

A letter dated 1977 December 19 was received requesting that the subject roadblocks be removed. Mr. Lee noted that the roadblocks created special problems during severe winter conditions and suggested that the blockades be removed even until the springtime when the roads will be clearer for safe driving again.

Council was advised that a staff report on this subject will be available for consideration on 1978 January 9 and further consideration of the matter was deferred until that time.

- (k) Honourable J.C. Munro, Minister of Labour,  
RE: Mediator - British Columbia Telephone  
Company - Telecommunications Workers Union  
Labour Dispute

A telegram dated 1977 December 19 was received thanking Council for its support for the recent action taken by the Federal Minister of Labour to provide further assistance to the parties in the British Columbia Telephone Company Telecommunications Workers Union Labour dispute.

- l) Province of British Columbia, Ministry of  
the Provincial Secretary and Travel Industry,  
Honourable G.M. McCarthy, RE: 1978 Captain  
Cook Bi-Centennial

A letter dated 1977 December 22 was received advising that the 1978 Captain Cook Bi-Centennial plans are now reaching a final stage and noting that we will all share an exciting year as we celebrate this important event.

The Minister further noted that Ed Sweeney, Executive Director of the Captain Cook celebrations, had already informed all concerned of our Committee's idea to ring in the bi-centennial celebrations at midnight, December 31 by requesting the co-operation of churches, schools and private citizens to join together in a symbolic welcome to this year of festivities. The Minister hoped that the Municipality would join in the celebrations as a gesture of community spirit.

#### ENQUIRIES

##### Alderman Mercier

Alderman Mercier suggested that a copy of the letter recently written to the Burnaby School Board concerning the proposed increase in the membership of the Burnaby School Board from five members to seven members be sent to the Minister of Education for information purposes.

Council agreed that this should be done.

##### Alderman Randall

Alderman Randall noted that in the Tax Exemption By-laws adopted by Council in late 1977 the Burnaby Horsemen's Association had been deleted from the list of properties entitled to a tax exemption in 1978. Alderman Randall noted that due to the large number of properties involved in the tax exemption by-laws, deletions of this type are not readily apparent to Council. Alderman Randall suggested that in future where properties are added to or deleted from the list of properties entitled to a tax exemption such additions or deletions be drawn specifically to the attention of Council in the covering report.

Council agreed that this procedure would be followed in future.

Alderman Drummond

Alderman Drummond requested information on the present status of the installation of a traffic signal at the intersection of Halifax Street and Willingdon Avenue which was authorized by Council on 1976 November 22.

The Municipal Engineer reported that the contract for the installation of the traffic signal at Halifax Street and Willingdon Avenue had now been let and that the work should be completed in six to seven weeks.

Alderman Gunn

Alderman Gunn requested that the Municipal Engineer review the current snow removal policy of the municipality.

The Municipal Engineer advised that there had been no recent changes in the current municipal snow removal policy. The general policy is that arterial and collector streets receive first priority and that local streets do not get attention automatically unless the Engineering Department receives specific instructions in this respect and unless provision is made in the budget for this type of snow removal. An exception to this is where streets go downhill to a dead end and where the people living on this street require special assistance to permit access to their property. The Municipal Engineer noted that before this policy would be broadened to provide snow removal on local streets he would seek special authority from the Municipal Manager or from Council.

R E P O R T S

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- a) His Worship, Mayor Constable reported that it has been usual each year for Council to authorize the Mayor to undertake any business of the Corporation deemed necessary during the current year which will involve travel beyond the Municipality on the basis that he will be entitled to normal allowances for such trips.

His Worship recommended that this authorization be made for the year of 1978.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the recommendation of His Worship, the Mayor be adopted."

CARRIED UNANIMOUSLY

- b) The Municipal Manager presented Report No. 1, 1978 on the matters listed following as Items (1) to (7) either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Municipal House - 3897 East Pender Street  
Lot 11, Block 10N $\frac{1}{2}$ , D.L. 116, Plan 1236

The Municipal Manager provided a report from the Land Agent concerning the proposed demolition of the residence on the subject property.

The Municipal Manager recommended:

1. THAT the subject residence be demolished as soon as it is vacated by Mr. and Mrs. Stone.

MOVED BY ALDERMAN MERCIER:  
SECONDED BY ALDERMAN RANDALL:

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

FOR: Mayor Constable,  
Aldermen Ast, Drummond, Lawson  
Mercier and Randall.

OPPOSED: Aldermen Gunn and  
Lewarne.

MOTION CARRIED

- 2. Chevron Canada Limited  
Green Belt/Buffer Strip Acquisitions  
Lot 24, Block 33, D.L. 187, Plan 1282  
4147 Yale Street

The Municipal Manager provided a report from the Director of Planning regarding the proposed acceptance and registration of a deed for conveyance of a property to the Municipality.

The Municipal Manager recommended:

- 1. THAT Council authorize the acceptance and registration of the Deed of Land for Lot 24, Block 33, D.L. 187, Plan 1282 and that the necessary documents be processed to transfer title to the Corporation of Burnaby, with adjustment for taxes to be as of 1977 December 31.
- 2. THAT a copy of this report be sent to the Parks and Recreation Commission.

MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- 3. Applicability of Parkland Acquisition Levy

The Municipal Manager provided a report from the Director of Planning on the applicability of the Parkland Acquisition Levy.

MOVED BY ALDERMAN RANDALL:  
SECONDED BY ALDERMAN LEWARNE:

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

MOVED BY ALDERMAN GUNN:  
SECONDED BY ALDERMAN LAWSON:

"THAT this matter be referred back to staff for a further report and additional information on all of the points raised during the discussion of this subject this evening."

CARRIED UNANIMOUSLY

- 4. Local Improvement Fund

The Municipal Manager provide a report from the Municipal Treasurer on the Local Improvement Fund.

The Municipal Manager recommended:

- 1. THAT a by-law be brought down to permit the expenditure of moneys from the Local Improvement Fund to temporarily finance the works recited in Schedule "A" of the Municipal Treasurer's report.



MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

5. Rebates of Penalty Additions under Section 411 of the Municipal Act

The Municipal Manager provided a report from the Municipal Treasurer regarding rebates of penalty additions under Section 411 of the Municipal Act.

The Municipal Manager recommended:

1. THAT a by-law be brought down to formalize the rebates given as above.

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

6. Antrim-Irmin Street Extension

The Municipal Manager provided a report from the Director of Planning regarding the proposed Antrim Avenue - Irmin Street extension.

MOVED BY ALDERMAN LAWSON:  
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN MERCIER:

"THAT this matter be reviewed by individual members of Council and be brought forward in three weeks time."

CARRIED UNANIMOUSLY

7. Strata Title Approval #16/77  
Lot 41, D.L. 75, Plan 44710  
3222/23 Douglas Road (Acme Ventures Ltd.)

The Municipal Manager provided a report from the Director of Planning concerning an application to convert an existing unoccupied duplex at the above address to Strata Title.

The Municipal Manager recommended:

1. THAT the subject application for strata titling be granted approval by Council 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 LAWSON:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON:  
SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

1978 JANUARY 3

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

CARRIED UNANIMOUSLY