

1979 JUNE 18

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1979 June 18 at 19:00 h.

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

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. B.D. Leche, Deputy Municipal Clerk

W E L C O M E

His Worship, Mayor Constable, welcomed Mr. Don Higgins of St. Mary's University, Halifax, Nova Scotia who was in attendance at the Council Meeting this evening. His Worship noted that Mr. Higgins is studying Municipal Government and expressed the wish that he would find the Council meeting interesting and informative.

M I N U T E S

The Minutes of the Council Meeting held on 1979 June 11 came forward for adoption.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the Minutes of the Council Meeting held on 1979 June 11 be now adopted."

CARRIED UNANIMOUSLY

P R O C L A M A T I O N

His Worship, Mayor Constable, proclaimed the week of 1979 June 25 to July 01 as "Canada Week".

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- a) Mrs. Margaret M. Taylor
Re: Hazardous Traffic Conditions On
Canada Way
Spokesperson - Mrs. M. Taylor
- b) W.J. Babcock
Re: Development Costs of 3887 Piper Avenue
Spokesman - Mr. W.J. Babcock
- c) Dr. Stuart K. Rulka
Re: Extension of Burnfield Crescent
To Sixth Street Delayed
Spokesman - Dr. S.K. Rulka

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the Delegations be heard."

CARRIED UNANIMOUSLY

- a) Mrs. Margaret M. Taylor then addressed Council on the subject of hazardous traffic conditions on Canada Way. Mrs. Taylor noted that she had written two letters on this subject to Council. The text of Mrs. Taylor's most recent communication is as follows:

"On behalf of my family I thank you for your attention to the above matter. We appreciate the problem as outlined in the Municipal Engineer's report. The summary of that report stating that rear access to our property at this time would be difficult, if not impossible, is understood. However, my primary protest concerned the closing of Sperling Avenue, Rugby Street, and Haszard Street to eastbound - Canada Way traffic, throwing the burden of local traffic, Deer Lake Park Traffic and New Westminster traffic (exiting off the freeway) on the residents of the 5000 Block Canada Way. These closures have further aggravated what was, for us, an already severe problem due to the limited access to our property.

The access problem to our property was created by the Municipality. When my husband and I purchased this property more than twenty years ago, the properties to the rear of ours were not then fully developed. At that time it was inconceivable that the Planning Department would cut us off as effectively as they have done. Our protest regarding this situation may appear to be belated, but the closure of the aforementioned streets has made our situation impossible and we have to appeal to you for help.

We, literally, cannot get out of our driveway owing to the heavy traffic pile-up from the lights at Burris Avenue to below Rugby Street at peak traffic periods. At 5:30 p.m. on Friday, May 19, I checked 300 cars in five minutes in a slow line-up travelling east past our property. This traffic pile-up had been steadily building up since around 3:00 p.m. that afternoon. At 2:00 p.m. on June 01, my husband and I were unable to get out of our driveway until allowed into the traffic tie-up which again stretched from the lights at Burris.

The severe Deer Lake area traffic problem mentioned in our correspondence could not have been more severe than the one we are now faced with. Deer Lake Park is a recreational area as residents well knew when purchasing there. It is extremely unfair to expect to place the whole traffic problem on the 5000 Block Canada Way. We are even barred from turning onto Haszard Street which is part of our own neighbourhood. Haszard Street from Canada Way to Gordon is now practically a private road. If residents want private roads, I suggest that they purchase the property and pay for them. In the meantime, may I respectfully suggest that the closed areas discussed be reopened and, in some measure, distribute the traffic burden a little more fairly and give us some form of relief from our present predicament."

Mrs. Taylor then requested specific answers to the following questions:

1. The rationale for erecting barricades in the Sperling Avenue/ Canada Way area.
2. Which Council members voted For or Against the barricades?
3. Did Council take the advice of the Traffic Supervisor and the Municipal Engineer and what was the nature of this advice?
4. How was the decision on the barricades in this area finally made?
5. When will the final decision on the retention of the barricades be made?

It was agreed that staff would provide Mrs. Taylor with answers to the aforementioned questions together with details of the Department of Highways plans for improvements to the intersection of Canada Way and Burris Street.

- b) Mr. W.J. Babcock then addressed Council and advised that he was representing Mrs. E.L. Destree concerning the subdivision of her property at 3887 Piper Avenue, Burnaby, B.C.

Mr. Babcock advised that he was here this evening to protest the encroachment of Mrs. Destree's property by properties surrounding her and by the Municipality of Burnaby. The encroachments have caused

Mrs. Destree's property to become a catch basin for all the drainage water from the surrounding area. Mr. Babcock also advised that he was here to protest the horrendous development costs involved in the proposed subdivision of Mrs. Destree's property which includes the full cost of providing a cul-de-sac plus storm and sanitary sewers. Mr. Babcock noted that a watercourse had been diverted on to Mrs. Destree's property compounding the water problem. The latest plan shows that easements are required on three sides of her property. Mr. Babcock requested Council to instruct the Planning Department and the Engineering Department to grant permission to build two houses facing Piper Avenue which would be serviced by a surfaced road, storm and sanitary sewers and water. This would help defray the costs of developing the two lots on the west side of her property.

It was agreed that staff would submit a further report on this subject containing information on the following points:

- a) Where does the watercourse in question originate?
- b) When was the subdivision which created Lots 106, 107 and 108 approved and what was the condition of the terrain at that time?
- c) Did fill placed on Lots 106, 107 and 108 create a catchment area for drainage water which required a catch basin to be installed on Lot 107?

It was further agreed that this matter would remain on the table until the information requested is available.

- c) Dr. Stuart Rulka then addressed Council on the proposed extension of Burnfield Crescent to Sixth Street.

Mr. Rulka presented a petition signed by fifteen (15) residents on Burnfield Crescent and Mayfield Place advising that they were not in favour of the proposed extension of Burnfield Crescent through to Sixth Street. Dr. Rulka reiterated the comments he had made on this subject during his appearance before Council as a Delegation on 1979 June 11.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN DRUMMOND:

"THAT this Council reaffirm the current plan for the extension of Burnfield Crescent to Sixth Street on the understanding that Linfield Drive will be cul-de-sac rather than developed as a through street."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT Item 3, Municipal Manager's Report No. 43, 1979 June 18, pertaining to this subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager recommended:

1. THAT a copy of this report be sent to Dr. Stuart K. Rulka, 6230 Field Place, Burnaby, B.C., V5E 3W1.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

"THAT the matter of a Tot Lot in this area be referred to the Parks and Recreation Commission for consideration and a subsequent report to Council."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Expropriation By-law No. 1, 1979'

-#7323

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 AST:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Expropriation By-law No. 1, 1979'

-#7323

be now read Three Times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

"THAT

'Burnaby Zoning By-law 1965, Amendment By-law No. 12, 1979'

-#7340

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 AST:
SECONDED BY ALDERMAN LAWSON:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 43, 1979 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- a) J.E. Jarvela
Re: Petition From Residents 7700 - 7800
Block Wedgewood Street And 7183 - 6th Street
For Barricade With Gate In Vicinity of 7773
Wedgewood Street

A letter dated 1979 June 07 was received requesting the installation of a barricade with gate in the vicinity of 7773 Wedgewood Street.

The proposed barricade with gate would replace the previous proposal to construct a cul-de-sac in this same vicinity.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN AST:

"THAT this item of correspondence be referred to the Traffic Safety Committee for consideration and a subsequent report to Council."

CARRIED UNANIMOUSLY

- b) The Kinsmen Rehabilitation Foundation of
British Columbia, Metro Unit Co-ordinator
Re: Request To Hold Kinsmen Mothers' March,
1980 Sunday, January 27 to Saturday, February 02

A letter dated 1979 June 07 was received requesting permission for the Kinsmen Rehabilitation Foundation of British Columbia to conduct a door-to-door campaign during the week of 1980 January 27 to February 02, known as the Kinsmen Mothers' March.

The Mothers' March will be conducted by volunteers who live in the neighbourhood which they canvass. The normal time is from 18:00 h to 21:00 h on weeknights and 13:00 h until 17:00 h on Sunday, January 27. Each marcher has an individually numbered kit and a lapel label to clearly identify her.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT permission be granted to the Kinsmen Rehabilitation Foundation of British Columbia to conduct their fund raising campaign as requested."

CARRIED UNANIMOUSLY

- c) Congregation Beth Israel, President
Re: Proposed Development Of The Eastern
Section Of The Masonic Cemetery Lands Which
Are Adjacent To The Beth Israel Cemetery

A letter dated 1979 June 06 was received expressing concern regarding the proposed development of the eastern section of the Masonic Cemetery lands which are adjacent to the Beth Israel Cemetery.

Congregation Beth Israel has reviewed correspondence between the Municipal Director of Planning and Canada Permanent Trust and members of the executive have discussed the proposed development with the Permanent Real Estate Division and Mr. Nat Bosa.

The Board of Directors of Congregation Beth Israel wished to express its opposition to any development of the Masonic Cemetery lands which would remove the said lands from the present designation and use as a cemetery.

It was respectfully requested that Council preserve the present use and designation of the cemetery lands adjacent to the Beth Israel Cemetery and that the congregation Beth Israel be kept fully informed of any meetings or hearings dealing with this matter.

Item 4, Municipal Manager's Report No. 43, 1979 June 18, pertaining to this subject, was brought forward for consideration at this time.

The Municipal Manager reported that the Planning Department has been approached by representatives of the Masonic Cemetery Association who wish to have considered the development of their lands which are not presently utilized for cemetery purposes.

The Planning Department is currently studying planning options for this area. As part of this study, the Planning Department has arranged to meet representatives of the Congregation Beth Israel to discuss their future plans for the utilization of their property. Upon discussion with Congregation Beth Israel and further study by staff, a report will be submitted to Council outlining planning proposals for this area.

The Municipal Manager recommended:

1979 June 18

1. THAT a copy of this report be sent to Mr. Michael James, President, Beth Israel Congregation, 4350 Oak Street, Vancouver, B.C., V6H 2N4.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- d) Greater Vancouver Regional District
Administrator, Regional Parks
Re: Motorized Recreation Trail Bike Sites

A letter dated 1979 June 04 was received enclosing copies of the report prepared by the Motorized Recreation Task Force. It presents a first round assessment of potential trail bike sites in the Greater Vancouver Regional District and includes a short list of the most promising sites.

The suggested solution to the trail bike problem is to designate several sites throughout the region and at the same time, to police illegal use of other problem sites. Effective policing should be possible under forthcoming Provincial Legislation which will require all off-highway motorcycles to be licenced and will institute fines for infractions.

Council was advised that a staff report on this subject will be submitted as soon as possible and further consideration of the matter was deferred until such time as this report is available.

- e) Province of British Columbia, Ministry
Of Municipal Affairs, Honourable W.N.
Vander Zalm, Minister
Re: Application For A Planning Grant In 1979 -
Part VI, Section 16, Revenue Sharing Act
Regulations

A letter dated 1979 June 06 was received advising that the Municipality's application for a Planning Grant in 1979 under Part VI, Section 16, Revenue Sharing Act Regulations, has been approved.

The approved grant is for the amount of \$16,677.00.

The Minister regretted that it has not been possible to grant the full amount of the Municipality's original request. The need to distribute a limited budget on an equitable basis has obliged his Ministry to adjust the allocation of several communities.

The grant will be made available to the Municipality of Burnaby upon completion of the Origin-Destination Travel Pattern Study, as outlined in the Municipality's application. If the program described has not been fully completed, a partial grant will be considered.

- f) L. Evelyn Matheson
Re: Object Very Strongly To The Closure
Of All Our Streets From Gilpin Street To
Burris Street

A letter dated 1979 June 08 was received strongly opposing the closure of all streets from Gilpin Street to Burris Street on Canada Way. As a taxpayer, the writer resented not being able to come into her street on Sperling Avenue or Rugby Street. It is ridiculous that she has to drive an extra half mile each time she goes out to Canada Way or return.

The writer could not understand how any thinking Council would allow such a closure in any area. It is no more dangerous going out from Rugby Street or Sperling Avenue than from any other access streets in the Municipality or anywhere in the Lower Mainland. A person must always use care and caution entering or crossing any road or highway.

- g) Keith R. Beedie
Re: Deep Concern In Regards To The
Zoning By-law That Permits A Single
Family Dwelling Or A Duplex Dwelling
To Be Constructed To A Height Of 35 Feet

A letter dated 1979 June 13 was received registering the writer's deep concern in regards to the zoning by-law that permits a single family dwelling or duplex residence to be constructed to a height of 35 feet. The writer was also very concerned with the interpretation regarding the first floor of a residential structure, as set out in the Burnaby Zoning By-law.

Council was advised that a staff report on this subject would be available on 1979 June 25 and further consideration of the matter was deferred until that time.

- h) Province of British Columbia, Ministry Of
Provincial Secretary And Government Services
Honourable H.A. Curtis, Minister
Re: Recreation Facilities Assistance Program

A letter dated 1979 June 11 was received advising that the Minister had approved the Municipality's request for a grant of up to \$66,666.67 for renovations to the James Cowan Theatre and the Burnaby Art Centre.

The Minister understood that this project has been phased over two years and he was confident that the renovations will permit the continued use of this 40 year old facility for many more years.

The Minister requested that Council indicate its acceptance of this grant by contacting his staff at the Recreation Facilities Assistance Program Office. They will provide information regarding the release of funds.

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

This Item was dealt with previously in the meeting as Item 3b) under Delegations.

E N Q U I R I E S

Alderman Drummond

Alderman Drummond noted that citizens living in the residential enclave bounded by Canada Way on the south, the Freeway on the north, Spurling Avenue on the west, and Rayside Avenue on the east had extremely limited access to Canada Way. Alderman Drummond enquired as to when the staff report on methods of providing alternate access from this area to Burris Street would be available for consideration by Council.

The Director of Planning advised that he would have to look into this matter.

Alderman Lewarne

Alderman Lewarne requested information as to whether the Planning Department had received an application for rezoning on the property at 5580 Marine Drive owned by the Hare Krishna Society.

The Director of Planning advised that no applications for rezoning on this property had been received. He noted that the property was already predominantly zoned P2 Institutional with a small portion zoned for agricultural purposes and a residentially zoned buffer strip along Marine Drive. The development proposed by the Hare Krishna Society could be approved providing the boundaries of the various zoning categories were adhered to.

Alderman Lewarne submitted a copy of the Federal Government List of Electors which showed a total of 23 people living at 5580 Marine Drive and expressed the view that this would appear to be in conflict with the Burnaby Zoning By-law. It was agreed that the Director of Planning would look into this particular aspect.

Alderman Mercier

Alderman Mercier noted that in Item 6, Municipal Manager's Report No. 41, 1979 June 11, concerning "Burnaby Expropriation By-law No. 3, 1978", By-law No. 7209, it was reported that Council on 1978 April 24 had unanimously adopted the Municipal Manager's recommendation that the Expropriation By-law be introduced and receive Three Readings.

Alderman Mercier was of the opinion that he had been opposed to this recommendation and requested that the matter be checked.

It was agreed that the Municipal Clerk would review the Minutes of the Council Meeting held on 1978 April 24 and advise Alderman Mercier accordingly.

Mayor Constable

Mayor Constable advised Council that the development of the second phase of the Marathon Realty Development on Canada Way would commence in the very near future. The development will comprise approximately 100,000 square feet of floor space and will cost 8 million dollars.

NOTICE OF MOTION

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"WHEREAS the Retail Merchants Association of Canada, British Columbia Division, submitted a brief entitled 'A Retail Store Closing Act For Sundays And Statutory Holidays' to the Attorney-General of the Province of British Columbia under date of 1978 June; and

WHEREAS by correspondence dated 1978 December 13 addressed to the District of Burnaby the said Attorney-General advised in part, 'It is anticipated that we will conclude our review of the Lord's Day Act within eight weeks. Until this review is completed, however, complaints involving the opening of stores on Sundays are not being furthered'; and

WHEREAS to date the Provincial review of the Lord's Day Act has apparently not been completed; and

WHEREAS the brief of the Retail Merchants Association of Canada, British Columbia Division, in the main recommended:

1. A Retail Business Holidays Act should be introduced in British Columbia.
2. This said Act should require that retail business establishments close on the following holidays:

Every Sunday
New Year's Eve
Good Friday
Victoria Day
Dominion Day
British Columbia Day
Labour Day
Thanksgiving Day
Remembrance Day
Christmas Day
Boxing Day

3. Exemptions should be granted for the following types of stores or businesses:

a) Small Stores Exemption - for stores selling:

Food
Newspapers and Periodicals
Tobacco
Antiques
Handicrafts

These stores should also meet two other conditions before they can open on a Sunday:

- (i) There must be no more than three people serving the public;
- (ii) The total area of the store used for serving the public must not exceed 2,400 square feet.

b) Drug Stores Exemption

Drug Stores would be exempt providing that:

- (i) The prescription counter is open;
- (ii) The principal business on the holiday is the sale of goods of a cosmetic, pharmaceutical, hygienic or therapeutic nature;
- (iii) No more than four people are serving the public.

c) Other Businesses Exemption

The following types of businesses should be allowed to remain open with no restrictions as to the size of the shopping area and the number of staff:

Service Stations
Car Washes
Plant Nurseries and Flower Stores
Fresh Fruit and Vegetable Stands
Restaurants and Take-outs
Licensed Tourist Establishments
Hotels and Motels
Laundromats
Boat and Vehicle Rentals
Boat and Vehicle Repair Shops
Photography Studios (only with prior appointments)
Recreational, Education and Amusements Establishments
Flea Markets; and

WHEREAS it is viewed that government regulation of uniform holiday and business hours in the retail trade is essential not only to the retailer and his staff, but also to the customers - the general public;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urge the Attorney-General of the Province of British Columbia to immediately act on the introduction of a Retail Business Holidays Act in British Columbia as recommended by the Retail Merchants Association, British Columbia Division;

AND FURTHER THAT if this resolution is endorsed it be forwarded to the 1979 76th Annual Convention of the Union of British Columbia Municipalities, to the Attorney-General of the Province of British Columbia and to the Retail Merchants Association of Canada, British Columbia Division."

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN GUNN:

"THAT Lumberyards and Building Supply Houses be exempt under Clause C 'Other Businesses Exemption'."

FOR: Aldermen Drummond and Gunn

OPPOSED: Mayor Constable, Aldermen As Emmott, Lawson, Lewarne, Mercier and Randall

MOTION DEFEATED

A vote was then taken on the original Motion as MOVED by Alderman Ast and SECONDED by Alderman Lewarne and same was CARRIED with Alderman Mercier OPPOSED.

R E P O R T S

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

- a) Grants and Publicity Committee
Re: Requests For Financial Assistance

The Grants and Publicity Committee submitted a report on the following requests for grants:

1. Boys' & Girls; Clubs of Greater Vancouver - \$2,500.00

The Grants and Publicity Committee recommended a grant in the amount of \$2,500.00 for the Boys' & Girls' Clubs of Greater Vancouver for 1979.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

2. Open House Canada Programme - \$500.00

The Grants and Publicity Committee recommended a grant in the amount of \$500.00 for the Open House Canada Programme for 1979.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED

OPPOSED: Alderman Lewarne

3. New Westminster and District Chamber of Commerce - \$500.00

The Grants and Publicity Committee recommended a grant in the amount of \$500.00 to the New Westminster and District Chamber of Commerce for 1979.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN MERCIER:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

4. United Way of Greater Vancouver (Burnaby Division) - \$9,500.00

The Grants and Publicity Committee recommended a grant in the amount of \$9,500.00 to the United Way of Greater Vancouver (Burnaby Division) for 1979.

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

5. Burnaby Unified Gymnastics Society - \$250.00

The Grants and Publicity Committee recommended a grant in the amount of \$250.00 to the Burnaby Unified Gymnastics Society to assist them in sending athletes who have qualified for the Western Canadian Gymnastic Championships in Edmonton this month and one participant to travel to the National Finals in Winnipeg.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

6. Burnaby Mountain Dance Theatre - \$2,000.00

The Grants and Publicity Committee recommended a grant in the amount of \$2,000.00 to the Burnaby Mountain Dance Theatre for 1979.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED

OPPOSED: Alderman Lewarne

7. Family Services of Greater Vancouver - \$5,000.00

The Grants and Publicity Committee recommended a grant in the amount of \$5,000.00 to the Family Services of Greater Vancouver for 1979.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN GUNN:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN MERCIER:

"THAT further consideration of this matter be postponed until such time as a meeting is held with the initiator of the request for a grant."

CARRIED UNANIMOUSLY

8. Citizens' Development Fund - NIL

The Grants and Publicity Committee recommended that no grant be given to the Citizens' Development Fund.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

9. Vancouver Kiwanis Pipe Band - NIL

The Grants and Publicity Committee recommended that no grant be given to the Vancouver Kiwanis Pipe Band.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

10. Eleventh National Wheelchair Games (1979) - NIL

The Grants and Publicity Committee recommended that no grant be given to the Eleventh National Wheelchair Games (1979).

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED

OPPOSED: Alderman Drummond

11. Canadian Pony Club National Rally Championship 1979 - NIL

The Grants and Publicity Committee recommended that no grant be given to the Canadian Pony Club National Rally Championship 1979.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

- b) The Municipal Manager presented Report No. 43, 1979 on the matters listed following as Items 1 to 17, either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Public Accounts

The Municipal Manager provided statements prepared in compliance with the Public Bodies Financial Information Act. The statements, which are for the financial year ended 1978 December 31 are as follows:

<u>Statements</u>	<u>Type of Information Contained</u>
(S)	All remuneration paid to each employee
(T)	Expenses paid on behalf of each employee
(U)	Individual accounts in an amount of \$500.00 or more

Council in 1962 established \$1.00 as the price per copy for the public purchase of the document. Unless directed otherwise, the practice of charging the public \$1.00 per copy will be continued.

The Municipal Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the price per copy for the public purchase of this document be increased from \$1.00 to \$2.00."

CARRIED UNANIMOUSLY

2. Noise in Deer Lake Park

The Municipal Manager provided a report from the Officer in Charge, Burnaby Detachment, Royal Canadian Mounted Police, containing information on complaints that had been received regarding excessive noise in the vicinity of Deer Lake Park after 22:00 h.

The Officer in Charge reported that R.C.M.P. Personnel made personal contact with the complainant, and with residents of the area under review to record first hand details concerning the reported noise complaints. It was possible to identify some individuals who contributed towards unnecessary noise and action has been taken.

All calls for assistance to the R.C.M.P. in the past had been individually responded to, however, in some instances parties apparently responsible had left the area, which prevented establishing identity. The R.C.M.P. will continue to respond to calls and, as time allows, preventive patrols will be directed into the area with a view of curbing disturbances.

In conclusion, it must be appreciated that this being a recreation area frequented by large numbers of people, particularly during warm weather, often spontaneous action on site during arrival or departure prevents curbing this type of problem entirely regardless of patrols, which can only devote a given percentage of time to any one area of the Municipality.

The Municipal Manager recommended:

1. THAT the report of the Officer in Charge be received for information purposes.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

The Council Meeting recessed at 21:05 h.

The Council Meeting reconvened at 21:20 h with Alderman Emmott absent.

3. Letter from Dr. K. Rulka Which Appeared
On The Agenda For The 1979 June 11 Meeting
Of Council
Completion of Burnfield Crescent to Sixth
Street

This item was dealt with previously in the meeting as Item 3c) under Delegations.

4. Letter from Congregation Beth Israel
4350 Oak Street, Vancouver, B.C., V6H 2N4
Cemetery Lands North of Halifax Street

This item was dealt with previously in the meeting as Item 5c) under Correspondence and Petitions.

5. Engineer's Special Estimates

The Municipal Manager provided a report from the Municipal Engineer concerning special estimates of work for his department in the total amount of \$11,000.00.

The Municipal Manager recommended:

1. THAT the estimates as submitted by the Municipal Engineer be approved.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

6. Request to conduct a Bicycle Race in
the Lake City Area
Italia Bicycle Club Race

The Municipal Manager provided a report from the Municipal Engineer concerning a request from the Italia Bicycle Club to conduct a bicycle race in the vicinity of the Lake City Industrial Park on 1979 July 01.

The Municipal Manager recommended:

1. THAT Council grant permission to the applicant to conduct the bicycle race, subject to the conditions contained within the Municipal Engineer's report.
2. THAT the applicant, Mario Brunoro, President, Italia Bicycle Club, 1408 Commercial Drive, Vancouver, B.C. be sent a copy of this report.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

7. Letter from Mr. Stuart J. U'Ren which appeared on the Agenda for the 1979 June 11 Meeting of Council
Request for a Street Dance on Holly Street

This item was WITHDRAWN.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN GUNN:

"THAT Item 15, Municipal Manager's Report No. 43, 1979 June 18 pertaining to this subject be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the recommendation contained in that report:

1. THAT Item 7, Municipal Manager's Report No. 43 which appears on the Agenda for the 1979 June 18 Meeting of Council be WITHDRAWN.

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

8. Letter from Minerva E.J. Thorne which appeared on the Agenda for the 1979 June 11 Meeting of Council
Bus Shelters

The Municipal Manager provided a joint report from the Director of Planning and the Municipal Engineer on bus shelters.

It was reported that the shelter type currently being installed is the design submitted in response to the Municipal proposal call. The other company (J.C. Decaux) which submitted a proposal had a very similar design in terms of bench size, weather protection (2 sides) and shelter size.

This same shelter type is being installed in several municipalities and cities throughout the Greater Vancouver Regional District and is the only type Seaboard is producing. A few prototypes having three sides were installed in North Vancouver, but these are no longer being manufactured.

It is recognized that a three-sided shelter offers better protection than a two-sided one and Seaboard has been encouraged to add a third side. However, the company is not prepared to modify its design for one Municipality. Mr. R. Sinclair, the Seaboard representative, is prepared to appear as a Delegation to discuss this matter if Council wishes.

Notice of the Municipal Bus Shelter Program has been made public. The proposal call was placed in three editions of the Vancouver Sun and Province Newspapers; reports were submitted to Council on several occasions in publically available Council agendas and numerous discussions took place with interested citizens outlining the program.

The Municipal Manager recommended:

1. THAT a copy of this report be sent to Minerva E.J. Thorne, Barnet Post Office, Barnet, B.C., VOM 1E0.

MOVED BY ALDERMAN GUNN:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN GUNN:

"THAT staff obtain information from the cities of Calgary, Alberta and Seattle, Washington on the function of Citizens' Advisory Committees on Transit as such Committees operate in those cities."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

"THAT Mr. R. Sinclair, representative of Seaboard Advertising Limited be invited to appear before Council as a Delegation to discuss the Bus Shelter Program."

FOR: Aldermen Drummond and
Randall

OPPOSED: Mayor Constable, Aldermen
Ast, Gunn, Lawson, Lewarne
and Mercier

MOTION DEFEATED

9. Subdivision Reference #16/79

The Municipal Manager provided a report from the Director of Planning regarding the proposed closure of a redundant road allowance and subsequent sale of two abutting properties by public tender.

The Municipal Manager recommended:

1. THAT Council authorize the preparation and introduction of a Road Closing By-law for the closure of Nathan Avenue, subject to the conditions outlined as follows:
 - a) consolidation of a portion of the closure area with proposed Lot 2.
 - b) consolidation of the remainder of the closure area with the Municipally owned property described as the Remainder of Block 12, D.L. 44, Plan 3049.
2. THAT Council authorize the preparation of road closing and subdivision plans by the Municipal Engineer and subsequent execution of same by the Mayor and Clerk on behalf of the Corporation.
3. THAT Council authorize the creation of proposed Lots 1 and 2 with their subsequent sale by public tender.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

10. Proposed Closure of Lakedale Avenue
North of Broadway
Road Closure Reference #8/79
D.L. 142/143/148

The Municipal Manager provided a report from the Director of Planning regarding the proposed closure of a redundant road allowance.

The Municipal Manager recommended:

1. THAT Council authorize the preparation and introduction of a Road Closing By-law for the closure of that portion of Lakedale Avenue abutting Lot 76, D.L. 142, Plan 51478.
2. THAT Council authorize the Municipal Engineer to prepare a Road Closing By-law plan and a Subdivision plan which consolidates the road closure area with Lot 76.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

11. Request for a Building Permit for a Two-Family Dwelling
Rem. of Lot 1, Except Plan 42939, D.L. 96,
Plan 23399
6116/18 Malvern

The Municipal Manager provided a report from the Chief Building Inspector regarding an application that has been received for a permit to construct a two-family dwelling on the subject property.

The Chief Building Inspector reported that the property which is the subject of this report is located on the northerly side of Malvern Avenue about midway between Burris Street and Stanley Street and is within the area being examined by staff for rezoning to a single family designation. It was recently acquired by Mr. Edward Maki of 5583 Neville Street, Burnaby, B.C., for the purpose of erecting thereon a semi-detached, two-family dwelling. Mr. Maki has indicated that he intends to reside with his family in one of the units and to derive revenue income from the rental of the second unit.

The architectural design of the proposed building, as read from the plans submitted for the Building Permit, is not considered to be in keeping with the design of the majority of homes in the neighbourhood and, strictly in a design sense, could have a depreciating value on other buildings in the area. Accordingly, Mr. Maki has been notified of provisions of Section 10(1) of the Burnaby Building By-law which authorizes the Building Inspector to withhold issuance of a Building Permit upon application for a building which in the Inspector's opinion, depreciates the value of other buildings in the area and to refer the application to Council for a decision.

In summary, under the present circumstances, the property qualifies as a site for a two-family dwelling. The Municipal Solicitor does not advise use of Section 707 of the Municipal Act providing Council with the power to withhold a Building Permit pending amendment of a zoning by-law, since Council is not yet seized with a by-law amendment for zoning change in the area. Checking of building plans will be completed as far as possible, but on the basis of plans submitted 1979 May 30, the Building Permit would be withheld under provisions of Section 10(1) of the Burnaby Building By-law and the application referred to Council for a decision. The Planning Department, incidently, will have its report on the possible rezoning of the section of Malvern Avenue ready for referral to Council on either June 25 or July 03.

The Municipal Manager recommended:

1. THAT a copy of this report be sent to Mr. Edward Maki, 5583 Neville Street, Burnaby, B.C. and Mr. and Mrs. Douglas Chow, 6085 Malvern Avenue, V5E 3E7 and the other petitioners.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN GUNN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN GUNN:

"THAT Item 17, Municipal Manager's Report No. 43, 1979 June 18, pertaining to this same subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager submitted a further report from the Chief Building Inspector in which it was indicated that he is now able to advise that Mr. Edward Maki has filed alternate building plans with the Municipal Building Department, supplementing the building design data which was missing from the previous set of drawings. Therefore, the department will be processing Mr. Maki's Building Permit application without the exercise of Section 10(1) of the Burnaby Building By-law No. 6333.

The Municipal Manager recommended:

1. THAT the report of the Chief Building Inspector be received for information purposes.
2. THAT a copy of this report be sent to Mr. Edward Maki, 5583 Neville Street, Burnaby, B.C., V5J 2H8, and Mr. and Mrs. Douglas Chow and the other petitioners.

MOVED BY ALDERMAN GUNN:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

12. Rezoning Reference #31/76A
Proposed Office Development

The Municipal Manager provided a report from the Director of Planning concerning Rezoning Reference #31/76A.

RZ#31/76A Application for the rezoning of:

Lots 40 and 41, D.L. 70, Plan 51755

FROM: COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

TO: AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT (AMENDED CD)

4405 Norfolk Street and 4370 Dominion Street

The Municipal Manager recommended:

1. THAT Council request a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on 1979 July 17 and that the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies to cover the costs of all services necessary to serve the subject site.
 - c) The granting of any necessary easements.
 - d) The satisfaction of all requisite conditions associated with the consolidation of the subject site into one (1) legal parcel.
 - e) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development and to any existing service.
 - f) Approval of the Ministry of Transportation, Communications and Highways.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

13. Rezoning Reference #38/77A
Hastings Street/Boundary Road/Albert Street/
Esmond Avenue

The Municipal Manager provided a report from the Director of Planning regarding Rezoning Reference #38/77A.

RZ#38/77A Application for the rezoning of:

Lot 2, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Pcl. "A" Expl. Pl. 12916 of Lot 19, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 19 exc. W. 18.75' Expl. Pl. 12916 and exc. E. 9", Blk. 8, D.L. 116 N $\frac{1}{2}$, Pl. 1236; Lot 18 W $\frac{1}{2}$ & 19 E. 9", Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 17, 16, 15, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 14 exc. Sketch 9453, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Pcl. "A" Expl. Pl. 9453, S.D. 13 & 14, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 13 E $\frac{1}{2}$, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 12, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 11, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lots 1, 2, 3, 4 and 5, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 6, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 7, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 8, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 9, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236; Lot 10, Blk. 8, D.L. 116 N $\frac{1}{2}$, Plan 1236.

FROM: GENERAL COMMERCIAL DISTRICT (C3) AND RESIDENTIAL DISTRICT (R5)
TO: COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

3703/07/09/13/19/21/31/55/57/63/65/85/91 East Hastings Street; 310 Boundary Road; 3706/24/34/36/56/66/76/86 Albert Street; and 311 Esmond Avenue.

The Municipal Manager recommended:

1. THAT Council authorize the introduction of a Lane Closing By-law according to the terms outlined in Section 3.6 of the Director of Planning's report contingent upon the granting by Council of First and Second Reading of the subject rezoning by-law.
2. THAT Council request that an amendment rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on 1979 July 17 and that the following be established as prerequisite conditions to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies to cover the costs of all services necessary to serve this site. All services are to be designed and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) 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.
 - d) 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.
 - e) The consolidation of the net project site into one legal parcel.
 - f) The granting of any necessary easements.
 - g) The dedication of any rights-of-way deemed requisite.
 - h) The completion of the requisite Road Closing By-law as outlined in Section 3.6 of this report.

- i) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
- j) The deposit of a levy of \$1,080 per unit to go towards the acquisition of proposed neighbourhood parks.
- k) Submission of applicant's schedule for the construction staging of the subject proposal.
- l) The preparation of a noise study assessing the site under the HUD guidelines should the Environmental Health Department ascertain that ambient noise levels on the site indicate that such a study is warranted.
- m) The undergrounding of all existing overhead lines on all perimeter streets flanking the subject site from property line to curb.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: Alderman Gunn

14. Rezoning Reference #62/75E
Proposal for Office Building
Eastbrook Executive Park (Phase 6)

The Municipal Manager provided a report from the Director of Planning concerning Rezoning Reference #62/75E.

RZ#62/75E Application for the rezoning of:

Lot 43, D.L. 70, Plan 55092

FROM: COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

TO: AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT (AMENDED CD)

4510 Still Creek Avenue

The Municipal Manager recommended:

1. THAT Council request that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on 1979 July 17 and that the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The granting of any necessary easements.
 - 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.
 - d) The installation of all electrical, telephone and cable servicing, and all other wiring underground serving the development and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - e) The approval of the Ministry of Transportation, Communications and Highways to the rezoning application.
 - f) The concurrence of the Greater Vancouver Sewerage and Drainage District with the rezoning proposal.
 - g) The deposit of sufficient funds to provide a landscaped public walkway on the north side of Still Creek adjacent to the subject site.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

15. Letter from Mr. Stuart J. U'Ren which appeared on the Agenda for the 1979 June 11 Meeting of Council (Item 5p)
Request for a Street Dance on Holly Street

This item was dealt with previously in the meeting in conjunction with Item 7, Municipal Manager's Report No. 43, 1979 June 18.

16. Comprehensive General Liability Insurance

The Municipal Manager provided a report from the Municipal Solicitor concerning Comprehensive General Liability Insurance for the Corporation.

The Municipal Solicitor reported that the Corporation's Insurance Broker, Block Bros. and Robertson Limited, has secured quotations for replacement policies and recommends that the Comprehensive General Liability Insurance for The Corporation of Burnaby be placed with Allstate Insurance Company of Canada and Gerling Global at a total premium of \$39,969.00.

The Municipal Manager recommended:

1. THAT the recommendations of Block Bros. and Robertson Limited be approved.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

17. Request for a Building Permit for a Two-Family Dwelling
Rem. of Lot 1, Except Plan 42939, D.L. 86,
Plan 23399
6116/18 Malvern Avenue

This item was dealt with previously in the meeting in conjunction with Item 11, Municipal Manager's Report No. 43, 1979 June 18.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the Committee now rise and report."

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

CARRIED UNANIMOUSLY