

1979 FEBRUARY 19

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1979 February 19 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. J.G. Plesha, Administrative Assistant to Manager
Mr. B.D. Leche, Deputy Municipal Clerk
Mr. C.A. Turpin, Municipal Clerk's Assistant

M I N U T E S

The Minutes of the Council Meeting held on 1979 February 12 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"THAT the Minutes of the Council Meeting held on 1979 February 12 be now adopted."

CARRIED UNANIMOUSLY

The Minutes of the Public Hearing (Zoning) held on 1979 February 13 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

"THAT the Minutes of the Public Hearing (Zoning) held on 1979 February 13 be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N

The following wrote requesting an audience with Council:

Westridge Concerned Citizens' Association, Secretary
Re: Proposed Neighbourhood Public House At 7174
Barnet Road - Data Showing How Council Is
Extending Major Economic Favouritism Under This
Unique Comprehensive Development Rezoning Manipulation

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN GUNN:

"THAT the Delegation not be heard."

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Zoning By-law 1965, Amendment By-law No. 2, 1979'	-#7314
'Burnaby Zoning By-law 1965, Amendment By-law No. 3, 1979'	-#7315
'Burnaby Zoning By-law 1965, Amendment By-law No. 4, 1979'	-#7316
'Burnaby Zoning By-law 1965, Amendment By-law No. 5, 1979'	-#7317

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: Aldermen Drummond, Emmott
and Gunn - By-law #7314

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: Aldermen Drummond, Emmott
and Gunn - By-law #7314

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT

'Burnaby Zoning By-law 1965, Amendment By-law No. 2, 1979' -#7314

'Burnaby Zoning By-law 1965, Amendment By-law No. 3, 1979' -#7315

'Burnaby Zoning By-law 1965, Amendment By-law No. 4, 1979' -#7316

'Burnaby Zoning By-law 1965, Amendment By-law No. 5, 1979' -#7317

be now read Two Times." .

CARRIED

OPPOSED: Aldermen Drummond, Emmott
and Gunn - By-law #7314

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT

'Burnaby Zoning By-law 1965, Amendment By-law No. 1, 1979' -#7313

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 RANDALL:

"THAT the Committee now rise and report the By-law 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 Zoning By-law 1965, Amendment By-law No. 1, 1979' -#7313

be now read Three Times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

"THAT

'Burnaby Tax Sale Lands Reserve Fund Expenditure By-law No. 3, 1978' -#7273

'Burnaby Polling Divisions By-law 1979' -#7321

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 RANDALL:

"THAT all of the following listed items of Correspondence be received and those items of the Municipal Manager's Report No. 14, 1979 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- a) Hean, Wylie And Company, A.F.C. Hean
Re: The "Love" Property, 8720 Government
Road - Request To Meet With A Committee
Of Council

A letter dated 1979 February 06 was received requesting that the writer be permitted to meet with a Committee of Council to discuss, and hopefully arrive at, an agreement relating to the sale of the "Love" property to the Municipality for parks purposes.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

"THAT the Municipal Solicitor be authorized to negotiate the possible acquisition of the 'Love' property."

FOR: Aldermen Lewarne and Mercier

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

MOTION DEFEATED

It was unanimously agreed that the Municipal Manager be directed to discuss with Mr. Arnold F.C. Hean the contents of the letter Council received this evening with reference to the "Love" property and to submit a report on this subject to Council as soon as possible.

- b) Province of British Columbia, Ministry of Consumer
And Corporate Affairs, Liquor Control and Licensing
Branch, Director of Licensing
Re: Proposed Neighbourhood Public House
7174 Barnet Road - Approve Site and Application
For Pre-Clearance

A letter dated 1979 February 05 was received advising that the General Manager, Liquor Control and Licensing Branch, has considered all aspects of the application for the "D" Neighbourhood Public House at 7174 Barnet Road and the survey done by Watts Marketing Research Limited and now approved the site and application for pre-clearance, and accepts the result of the petition indicating 67 percent in favour within a 900 foot radius.

- c) British Columbia Telephone Company
Director of Public Affairs
Re: Support Greater Vancouver Visitors
And Convention Bureau

A letter dated 1979 February 08 was received urging Council to support the Greater Vancouver Visitors and Convention Bureau in its forthcoming campaign for funds to support its activities during the year ahead.

- d) Fraser River Estuary Study, Federal-
Provincial Steering Committee, Chairman,
Re: Initial Comments On Proposals

A letter dated 1979 February 06 was received. The Chairman of the Steering Committee advised that should Council wish to provide any observations, he would be pleased to make them available to the Federal - Provincial Steering Committee. Council's comments, and those from other agencies, public groups and interested parties, will greatly assist in developing the most appropriate course of action in the preparation of the management plan for the Fraser River Estuary.

Item 6, Municipal Manager's Report No. 14, 1979 February 19, pertaining to this subject, was brought forward for consideration at this time.

The following is the recommendation contained in that report:

1. THAT a copy of this report and Item 11, Municipal Manager's Report No. 83, 1978 November 27 be sent to Mr. G.E. Simmons, Chairman, Steering Committee, Fraser River Estuary Study, Study co-ordinator - Environment and Land Use Committee Secretariat, Parliament Buildings, Victoria, B.C. V8V 1X4

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- e) Greater Vancouver Regional District
D.J. Elsie
Re: Distribution of Information Pamphlet

A letter dated 1979 February 05 was received requesting that Council consider permitting the Greater Vancouver Regional District to distribute a small information pamphlet with the Municipal tax bills.

Item 15, Municipal Manager's Report No. 14, 1979 February 19, pertaining to this subject, was brought forward for consideration at this time.

The following is the recommendation contained in that report:

1. THAT authority be given to comply with the Greater Vancouver Regional District request.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- f) Greater Vancouver Regional District, Chairman,
Greater Vancouver Regional District Board of
Directors,
Re: Report Of The Greater Vancouver Regional
District Sub-Committee On Float Homes

A letter dated 1979 January 31 was received enclosing a copy of the report of the Greater Vancouver Regional District Sub-Committee on Float Homes,

1979 February 19

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN RANDALL:

"THAT the Director of Planning be requested to prepare a short report containing his comments on the report of the Greater Vancouver Regional District Sub-Committee on float homes."

CARRIED UNANIMOUSLY

- g) Eileen Dailly, Member Legislative Assembly,
Burnaby North
Re: Increase In The Basic Taxation Mill Rate

A letter dated 1979 February 07 was received acknowledging with thanks receipt of Council's resolution concerning the increase in the basic taxation mill rate.

- h) Canadian Diabetic Association, Vancouver
And District Branch, Executive Director
Re: Fifth Annual Canadian Diabetic Association
Bike-A-Thon, Sunday 1979 May 06-08:00 h to 12:00 h

A letter dated 1979 January 16 was received requesting permission for the Canadian Diabetic Association to hold a Bike-A-Thon in Burnaby on Sunday, 1979 May 06 from 08:00 h to 12:00 h.

Council was advised that a staff report on this subject would be available for consideration on 1979 February 26 and further consideration of the matter was deferred until that time.

- i) Kensington Minor Baseball Association, Secretary
Re: Annual Tag Day - Friday and Saturday, 1979
June 01 and 02.

A letter dated 1979 February 09 was received requesting permission for the Kensington Minor Baseball Association to hold their annual Tag Days on 1979 June 01 and June 02.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN MERCIER:

"THAT permission be granted to the Kensington Minor Baseball Association to hold their annual fund raising campaign as requested."

CARRIED UNANIMOUSLY

- j) Petition
Re: Strongly Object To The Application By
The Admiral Hotel (1977) Ltd. To Extend
The Hours Of Operation Of The Class "A"
Pub Section

A petition dated 1979 February 06 was received strongly objecting to the application dated 1979 January 18 by the Admiral Hotel (1977) Limited to extend the hours of the operation of the Class "A" Pub Section to the same hours as the beverage room section.

The petitioners recommended that the request be denied and that Council consider reducing the present hours of operation of the beverage room from 01:00 h to 24:00 h.

Item 13, Municipal Manager's Report No. 14, 1979 February 19, pertaining to this subject, was brought forward for consideration at this time.

The Municipal Manager recommended:

1. THAT a copy of this report item be referred to Mr. George H. Coles and the Management of the Liquor Control and Licensing Branch.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN GUNN:

"THAT this Council recommend to the Liquor Control and Licensing Branch that the 'Pub' in the Admiral Hotel be not permitted to remain open beyond 23:00 h and that the beverage room in the Admiral Hotel also be required to close at 23:00 h."

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN MERCIER:

"THAT further consideration of this matter be tabled until such time as the Director of Planning submits a final report on this subject."

CARRIED UNANIMOUSLY

- k) International Lions Club, Burnaby Host Club,
Chairman, Carnation Day Committee
Re: Permission To Hold Annual Carnation Tag
Day Friday And Saturday, 1979 May 11 and 12

A letter dated 1979 January 30 was received requesting permission for the Burnaby Host Lions Club to hold its annual Carnation Tag Day on Friday and Saturday, 1979 May 11 and 12.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

"THAT permission be granted to the Burnaby Host Lions Club to conduct its annual Carnation Tag Day as requested."

CARRIED UNANIMOUSLY

- 1) Centennial International Lions Club
Burnaby Lions Club, Secretary
Re: Permission To Sell Carnations Friday
and Saturday, 1979 May 11 and 12

A letter dated 1979 February 07 was received requesting permission for the Centennial International Lions Club to hold its Carnation Tag Day on Friday and Saturday, 1979 May 11 and 12.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

"THAT permission be granted to the Centennial International Lions Club to hold its annual fund raising campaign as requested."

CARRIED UNANIMOUSLY

- m) Douglas P. Drummond
Re: Draft Transit Service Agreement Between
The Greater Vancouver Regional District
And The Urban Transit Authority Of
British Columbia

Mr. Douglas P. Drummond provided a copy of the draft Transit Service Agreement between the Greater Vancouver Regional District and the Urban Transit Authority of British Columbia.

His Worship, Mayor Constable, advised that the following resolution had been adopted by the Board of Directors of the Greater Vancouver Regional District earlier today:

1979 February 19

"THAT we recommend that the Minister of Municipal Affairs and the Board of Directors of the Urban Transit Authority be advised that without the assurances requested of the Minister of Municipal Affairs, the Board of Directors of the Greater Vancouver Regional District is not prepared to request a supplementary letters patent pursuant to Section 8(5) of the Urban Transit Authority Act."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT this Council endorse the aforementioned resolution of the Board of Directors of the Greater Vancouver Regional District and that the Greater Vancouver Regional District be so advised with copies to the Minister of Municipal Affairs and the Members of the Legislative Assembly representing Burnaby."

CARRIED UNANIMOUSLY

- n) Vandervelden & Company, N. Vandervelden,
Re: Community Recreational Development Edmonds
Street - Richmond Park Area

A letter dated 1979 February 08 was received requesting information on the status of the writer's property relative to the community recreational development in the Edmonds Street - Richmond Park Area. Clarification was requested as to what Burnaby's intentions are for this property.

Item 2, Municipal Manager's Report No. 14, 1979 February 19, pertaining to this subject, was brought forward for consideration at this time.

The following is the recommendation contained in this report:

1. THAT a copy of this report be sent to Mr. N. Vandervelden, Vandervelden and Company, 7443 Edmonds Street, Burnaby, B.C., V3N 1B1 and to the Parks and Recreation Commission.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- o) Daphne Dulson
Re: Institute A By-law Which Would
Endeavor To Preserve Our Trees

A letter dated 1979 February 12 was received requesting the Municipality of Burnaby to institute a by-law which would endeavor to preserve our trees.

Item 17, Municipal Manager's Report No. 14, 1979 February 19, pertaining to this subject, was brought forward for consideration at this time.

The following are the recommendations contained in that report:

1. THAT Council authorize the Director of Planning to introduce into the departmental work program a study of the available legislative means to affect a true preservation program in the Municipality and alternative methods of implementation, which would be the subject of a future report to Council.
2. THAT a copy of this report be sent to Ms. Daphne Dulson of 4842 Inman Avenue, Burnaby, B.C. V5G 2Y4.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

"THAT further consideration of this matter be tabled."

FOR: Aldermen Lewarne and Mercier

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

MOTION DEFEATED

A vote was then taken on the original Motion as MOVED by Alderman Lawson and SECONDED by Alderman Drummond "THAT the recommendations of the Municipal Manager be adopted", and same was CARRIED with Aldermen Lewarne and Mercier OPPOSED.

- p) Milinda Los
Re: Views As To Proposed Closure Of
Sperling Avenue, Chiselhampton
Street and Rugby Avenue
- q) Donald A. Matheson And L. Evelyn Matheson
Re: Closure Of Sperling Avenue At Canada
Way
- r) Mr. and Mrs. P. Magnolo
Re: Matter Of Street Closures In
Deer Lake Area Under Further
Consideration
- s) Mrs. Carol Shank
Re: Opposition To The Proposed Blockade
At Canada Way And Sperling Avenue
- t) W.F. Baldwin
Re: Withdrawn Name From Petition Supporting
Traffic Barricade At Sperling Avenue And
Canada Way

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN AST:

"THAT Correspondence Items p) to t) inclusive be referred to the Traffic Safety Committee for consideration in conjunction with other submissions received on this same subject."

CARRIED UNANIMOUSLY

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

Council, 1979 February 12
Item 7, Municipal Manager's Report No. 12, 1979 February 12
Proposed Closure of a Portion of Lane North of Frances
Street between Grove and Sperling Avenues - D.L. 206 -
Road Closure Reference #14/78

It was agreed that this matter would be left on the table.

E N Q U I R I E S

Alderman Drummond

Alderman Drummond noted that when the Provincial Sales Tax had been reduced from 7 percent to 5 percent at the instigation of the Federal Government, the Provincial Government had been reimbursed by the Federal Government for this loss of revenue. Alderman Drummond enquired as to whether the money thus received from the Federal Government had been included as revenue under the Revenue Sharing Act for disbursement to the Municipalities.

Alderman Drummond requested that he be supplied with this information.

Alderman Lewarne

Alderman Lewarne advised that it had come to his attention that there was some delay in the landscaping of the Edmonds Loop and enquired as to the reasons for this delay. Alderman Lewarne stated that it was his understanding that part of the delay was attributed to alignment of the intersection at this point.

The Municipal Engineer stated that he would investigate this matter and submit a report.

Alderman Lewarne indicated that he would be introducing a Notice of Motion at the next Council Meeting concerning the road patterns in the Big Bend Area adjacent to the new Marine Way.

Alderman Randall

Alderman Randall noted that the right of The Corporation of Delta to bargain individually with its civic workers was being challenged before the Labour Relations Board by the Labour Relations Department of the Greater Vancouver Regional District and requested information on this subject.

His Worship, Mayor Constable, advised that The Corporation of Delta had not given the required one years notice of their intention to bargain separately with their employees outside of the Greater Vancouver Regional district.

Alderman Gunn

Alderman Gunn noted that on several playing fields where lights are in position, that these lights are not grouted and enquired if this was a safe condition.

It was agreed that staff should check the lights referred to by Alderman Gunn.

Alderman Gunn noted that there had been a recent notice published in the Columbian regarding an application submitted by Shell Oil Company to establish some sort of oil refuge on Burnaby Mountain.

Alderman Gunn requested that staff obtain further information on this application and report to Council accordingly.

R E P O R T S

- a) Refineries Fire/Security Committee
Re: Fire, Safety and Security of
Refineries Located within Burnaby

The Refineries Fire/Security Committee submitted a report on the initial meeting of that Committee which was held on 1979 February 07 to review the fire, safety and security of the refineries located within Burnaby.

The Refineries Fire/Security Committee recommended:

1. THAT Council give authorization for the Refineries Fire/Security Committee to hold a public information meeting on Wednesday, 1979 March 14 in the Council Chamber, Municipal Hall, to allow citizens or citizens' groups an opportunity to voice their concerns regarding the safety and security of the refineries located within the Municipality of Burnaby.
2. THAT Council give authorization for the Refineries Fire/Security Committee to place an advertisement in the local newspaper advising of the Public Information Meeting to be held on Wednesday, 1979 March 14.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN LEWARNE:

"THAT the recommendations of the Refineries Fire/Security Committee be adopted."

CARRIED UNANIMOUSLY

- b) The Municipal Manager presented Report No. 14, 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. Restaurant Facilities in Industrial Areas

The Municipal Manager provided a report from the Director of Planning regarding the establishment of restaurants in industrial areas in the Municipality.

The Municipal Manager recommended:

1. THAT the Council receive the report of the Planning Department and request the preparation of a by-law by the Municipal Solicitor to permit the introduction of the proposed amendments, as described in Section D into the Burnaby Zoning By-law, and that these amendments be advanced to a Public Hearing on 1979 March 20.
2. THAT the Council give approval to the proposed locational guidelines for evaluating rezoning proposals as set out in Section E.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: Alderman Lewarne

2. Letter dated 1979 February 08 from Mr. N. Vandervelden, Vandervelden and Company,
7443 Edmonds Street
Property Acquisition for Eastburn Community Facility

This Item was dealt with previously in the meeting as Item 4n) under Correspondence and Petitions.

3. Refuse Disposal
Council Enquiry - Council Meeting 1978 October 02

The Municipal Manager provided a report from the Municipal Engineer. The Municipal Engineer reported that because of concerns with future refuse disposal, the Municipal Manager arranged a meeting with Commissioner Frank Bunnell, P. Eng., and his Chief Engineer, Mr. Doug McKay, P. Eng., and The Corporation of Burnaby was represented at this meeting by the Municipal Manager, the Municipal Engineer and the Assistant Municipal Engineer. All aspects of the future problems of refuse disposal were discussed and at the conclusion of this meeting we came away feeling confident that the Greater Vancouver Sewerage and Drainage District were fully aware of the problems being faced and were dealing with them in a business like and responsible manner.

Notwithstanding, careful planning for future land fill sites, we may be forced by energy requirements and environmental considerations to abandon sanitary land fill operations and, therefore, we feel that it is important that Burnaby's staff as well as that of the Greater Vancouver Sewerage and Drainage District should continue to research alternative disposal methods so that we may be prepared for major changes which could occur in the not too distant future.

The Municipal Manager recommended:

1979 February 19

1. THAT a copy of this report be sent to the Greater Vancouver Sewerage and Drainage District, 2294 West 10th Avenue, Vancouver, B.C., V6K 2H9.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

4. Discharge of Municipal Easement
East Half of Lot 6, Block H
D.L. 127, 5116 Frances Street

The Municipal Manager provided a report from the Municipal Engineer concerning the discharge of a Municipal Easement over the subject property.

The Municipal Manager recommended:

1. THAT the Municipal Solicitor be directed to make the arrangements necessary to effect the discharge of the easement.
2. THAT the Mayor and Municipal Clerk be authorized to sign the necessary documents.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

5. Upgrading the Mechanical Repair Facilities
No. 1 Firehall, 4867 Sperling Avenue

The Municipal Manager provided a report from the Director - Fire Services regarding the upgrading of the mechanical facilities in No. 1 Firehall, 4867 Sperling Avenue.

The Municipal Manager recommended:

1. THAT Council approve the upgrading of the mechanical repair facilities at No. 1 Firehall as detailed in the summary of the Director - Fire Service's Report.
2. THAT Council approve the expenditure of \$22,780.00 for the upgrading of the mechanical repair facilities of No. 1 Firehall, prior to Council's approval of a 1979 Annual Budget.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

6. Letter from the Fraser River Estuary Study
Steering Committee, c/o Study Co-ordinator -
Environment and Land Use Committee Secretariat
Parliament Buildings, Victoria, B.C. V8V 1X4
Fraser River Estuary Study

This Item was dealt with previously in the meeting as Item 4d) under Correspondence and Petitions.

7. Rezoning Reference #28/73A
3836 Carrigan Court - 65 Unit Frame
Apartment Proposal
Community Plan Area "H"

The Municipal Manager provided a report from the Director of Planning concerning rezoning reference #28/73A.

The Municipal Manager recommended:

1. THAT Council approve an amendment to Community Plans 5 and 10 (Area "H") to permit the development of a medium density Comprehensive Development apartment proposal on this subject site as outlined in Section 5.0 of this report.
2. THAT Council request that a rezoning by-law be prepared, and that the rezoning be advanced to a Public Hearing on 1979 March 20 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. 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.
 - d) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - e) The deposit of monies for the acquisition of neighbourhood parkland as outlined in Section 4.4 of this report.
 - f) The retention of as many existing trees as practicable.
 - g) The approval of the Ministry of Transportation, Communication and Highways to the rezoning application.
 - h) An indication of the applicant's construction schedule.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

8. Proposed Closure of Portions of Kitchener Street
East of Phillips Avenue - D.L. 138
Road Closure Reference #8/78

The Municipal Manager provided a report from the Director of Planning regarding the proposed closure of portions of Kitchener Street east of Phillips Avenue.

The Municipal Manager recommended:

1. THAT Council authorize the preparation of a Road Closing By-law and Right-of-way plans by the Municipal Engineer.
2. THAT Council authorize the introduction of a Road Closing By-law for portions of the Kitchener Street Road allowance subject to the conditions outlined in the Director of Planning's report.
3. THAT Council authorize the preparation and execution of an easement agreement covering the interest of Trans-Mountain Pipeline Company Limited, Trans-Mountain Enterprises of British Columbia Limited, and Chevron Canada Limited.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

9. Rezoning Reference #45/76A
86-Unit Frame Rental Apartment
Woodway/Delta - Community Plan Area "D"

The Municipal Manager provided a report from the Director of Planning regarding rezoning reference #45/76A.

The Municipal Manager recommended:

1. THAT Council request a Rezoning By-law be prepared and the rezoning be advanced to a Public Hearing on 1979 March 20, and that the following be established as prerequisites to the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The consolidation of the project site into one legal parcel.
 - c) Dedication of any rights-of-way deemed requisite.
 - d) The granting of any necessary easements.
 - e) 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.
 - f) 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.
 - g) Completion of the land exchange outlined in Section 3.3 of this report.
 - h) The retention of as many existing mature trees as possible on the site.
 - i) The demolition and removal of all buildings and foundations on lands involved in the transfer prior to the land transfer taking place.
 - j) The approval of the Department of Transportation, Communications and Highways to the rezoning application.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

10. Rezoning Reference #62/75D
Office/Warehouse Building
Phase of Eastbrook Executive Park

The Municipal Manager provided a report from the Director of Planning regarding rezoning reference #62/75D.

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 March 20 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 and resulting from a subdivision application. 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.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

11. Policy for Municipal Lands Designated for Public Use - Policy for use of the Tax Sale Moneys Reserve Fund and the Capital Works, Machinery and Equipment Reserve

The Municipal Manager provided a report from the Municipal Treasurer regarding the policy for municipal lands designated for public use - policy for use of the tax sale moneys reserve fund and the capital works, machinery and equipment reserve.

The Municipal Manager recommended:

1. THAT tax sale lands existing at the date of this report be allocated to public use, when designated within an adopted Community Plan, without payment for same being made from the annual budgets of the Parks and Recreation Commission, the Library Board or Municipal department, as the case may be.
2. THAT the proceeds from the sale of tax sale or Corporate lands, as the case may be, be used to finance specific land assembly and development programs or loaned to the Parks and Recreation Commission or the Library Board for the acquisition of lands when the Commission or Board annual budget allocations are insufficient for the purpose due to an unforeseen need to acquire said lands, to be repaid together with interest at the prevailing rate over a ten year period - such repayment to be placed in the Capital Works, Machinery and Equipment Reserve.
3. THAT if a public space - parks, library or whatever, forms an integral part of a Municipal land development project, it be turned over to the Commission, Board or Municipal department concerned without charge, in the same manner that would happen if the development were privately owned. (In effect, the public space is part of the development expense of the project, recoverable in the sale of the land).
4. THAT when the future use of land being assembled from the Tax Sale Moneys Reserve Fund or the Capital Works, Machinery and Equipment Reserve is unclear at the time of purchase, the portions eventually coming into public use, with the exception of items falling within recommendation No. 3 be charged to the Commission, Board or Municipal department concerned, together with interest at the prevailing rate over a ten year period, the repayment to be placed in the Capital Works, Machinery and Equipment Reserve, payments to commence with the year the land comes into public use or the year it is turned over to the custody and control of the Commission, Board or Municipal department concerned.

5. THAT land, the subject of recommendation No. 4 be valued on the year of transfer to public use at its purchase price plus the prevailing interest rate accumulated to the year of transfer.
6. THAT where tax sale lands given into the custody and control of the Parks and Recreation Commission or the Library Board become surplus to need, the said lands be returned to the inventory of tax sale lands.
7. THAT where land is purchased from funds allocated for the purpose becomes surplus and the proceeds from its sale have been deposited in the Reserve for Capital Works, Machinery and Equipment, as the law required, a credit be given to the land acquisition account of the Commission or the Board concerned to be drawn by by-law as and when the need arises.
8. THAT moneys advanced from the Tax Sale Moneys Reserve Fund or the Capital Works, Machinery and Equipment Reserve for the purchase of land for conservation areas be repaid by the annual Municipal budget separate and apart from the Parks and Recreation portion of the budget, together with interest at the prevailing rate over a ten year period.
9. THAT the prevailing rate of interest referred to above be set at the bank prime rate less one percentage point prevailing on the first business day of January in the year concerned, recalculated annually.
10. THAT a copy of this report be sent to the Parks and Recreation Commission and the Library Board.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

"THAT further consideration of this matter be tabled to allow the Municipal Treasurer to provide additional information on this subject."

CARRIED UNANIMOUSLY

12. Lease of Municipal Land - 4575-4581 Pender Street
Lots 20 & 21, Block 9, D.L. 122, Group 1, Plan 1308
McDonald's Restaurants of Western Canada Limited

The Municipal Manager provided a report from the Municipal Solicitor regarding the lease of the subject properties to McDonald's Restaurants of Western Canada Limited. The Municipal Solicitor noted that on 1979 February 12, Council received a report regarding the proposed lease of the subject properties.

The recommendations submitted and adopted by Council was that the said lease be reviewed for a further five (5) years commencing the first day of May, 1979. This was an error and should be amended to read as follows

"THAT the said lease of Lots 20 & 21, Block 9, D.L. 122, Group 1, Plan 1308, be renewed for a further period of five (5) years commencing the first day of May, 1978 at an annual rental of \$8,055.00 with a renewal option for a further period of five (5) years. All other terms and conditions as contained in the former lease."

The Municipal Manager recommended:

1. THAT the recommendation adopted in dealing with Item 24 (Supplementary) Municipal Manager's Report No. 12, 1979 February 12 be rescinded.
2. THAT the said lease of Lots 20 & 21, Block 9, D.L. 122, Group 1, Plan 1308 be renewed for a further period of five (5) years commencing the first day of May, 1978 at an annual rental of \$8,055.00 with the renewal option for a further period of five (5) years. All other terms and conditions as contained in the former lease.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

13. Petition dated 1979 February 06 from Mr. George H. Coles, #106 - 4129 Albert Street, Opposing the Extension of Hours of Operation of the Admiral Hotel's Class "A" Pub Licence

This Item was dealt with previously in the meeting as Item 4j) under Correspondence and Petitions.

14. Tenders for Ductile Iron Water Pipe

The Municipal Manager provided a report from the Purchasing Agent concerning tenders for ductile iron water pipes.

The Municipal Manager recommended:

1. THAT a purchase order be issued to the lower bidder, Stanton Pipes Limited, for the supply and delivery of 5,994 feet of six inch ductile iron water pipe as specified, for the sum of \$25,678.30 including applicable taxes.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

15. Letter from Greater Vancouver Regional District 2294 West 10th Avenue, Vancouver, B.C., V6K 2H9 Information Pamphlet for Distribution with 1979 Tax Notices

This Item was dealt with previously in the meeting as Item 4e) under Correspondence and Petitions.

16. Proposed New Building for "Mr. Donut" at 7342 Kingsway Parcel "A", Expl. Pl. 929, Block 3, D.L. 95, Plan 301 and Lot 8, Blocks 1 & 3, D.L. 95

The Municipal Manager provided a report from the Director of Planning on a proposed new building for "Mr. Donut" on the subject properties.

The Director of Planning advised that his department is in receipt of a Preliminary Planning Application to develop the above site for a permitted C4 use as a donut restaurant with "Take-out" facilities. The building will be single storey, approximately 2,000 square feet in area and will observe all relevant conditions of development in future road widening schemes on Kingsway and Edmonds Street.

Unless Council otherwise directs, it is the intention of this Department that approval be granted for the above development under normal Preliminary Plan Approval procedure.

The Municipal Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN GUNN:

"THAT the Director of Planning investigate the idea of a simple land swap between the unused footage on Britton Street for an equal amount of land from the applicant's site."

CARRIED UNANIMOUSLY

17. Letter dated 1979 February 12 from
Mrs. Daphne Dulson, 4842 Inman Avenue
Burnaby, B.C., V5G 2Y4
Regarding Tree Preservation in Burnaby

This Item was dealt with previously in the meeting as Item 4o) under Correspondence and Petitions.

NEW BUSINESS

His Worship, Mayor Constable, advised Council that an article in the Delta Optimist had come to his attention wherein the Director of Planning for The Corporation of Delta was of the opinion that the proposed Annacis Island Crossing could be built further to the west so as not to interfere with the existing residential area in North Delta. The article made no mention of what would happen to residential areas on the north end of the proposed crossing.

His Worship indicated that he considered this typical of Delta Council's thinking with regard to the Annacis Island Crossing and noted that Burnaby Council is currently opposed to the proposed Annacis Island Crossing. The Mayor considered that Delta Council should take into consideration the affect of such a crossing on the north side of the River.

Alderman Drummond expressed appreciation to Mayor George Ferguson, President, Union of British Columbia Municipalities, for his prompt action in responding to the most recent action of the Minister of Municipal Affairs.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN MERCIER:

"THAT permission be granted to Alderman F.G. Randall to introduce a further item of new business."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN MERCIER:

"THAT "Burnaby Zoning By-law 1965, Amendment By-law No. 19, 1978," By-law #7243, pertaining to Rezoning Reference #12/78 on the proposed Neighbourhood Pub at 7174 Barnet Road not come forward for further consideration until the appeal of the Westridge Concerned Citizens' Association to the Liquor Control and Licensing Branch in this connection has been heard."

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN LAWSON:

"THAT consideration of aforementioned motion be tabled."

CARRIED

OPPOSED: Aldermen Ast and Randall

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN EMMOTT:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

1979 February 19

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY