

1979 MARCH 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 March 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. James Hudson, Municipal Clerk
Mr. B.D. Leche, Deputy Municipal Clerk

M I N U T E S

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- a) Cloverlawn Investments Limited, Marketing Manager, Re: Commercial Development - McGowen Holdings Limited - 5757 Lougheed Highway
Spokesman - Mr. J. Alekson
- b) Urban Design Group, Thomas Thompson, Re: Commercial Development For McGowen Holdings Limited - 4727 Willingdon Avenue
Spokesman - Mr. J. Alekson
- c) Deer Lake Traffic Committee, W.A. Lindsay, Re: Barricades Sperling Avenue And Canada Way Area
Spokesman - Mr. John Friesen
- d) Warren L. Keating
Re: Barricades At Sperling Avenue And Canada Way, Rugby And Sperling Avenue, Rugby And Canada Way
Spokesman - Warren L. Keating

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN RANDALL:

"THAT the Delegations be heard."

CARRIED UNANIMOUSLY

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Mr. Jim Alekson, Marketing Manager, Cloverlawn Investments Limited, then addressed Council on the subject of the rezoning proposal for the property located at 5757 Lougheed Highway.

Mr. Alekson noted that his company had made two submissions in the past with regard to the rezoning of the property at 5757 Lougheed Highway.

The Planning Department, through conversation and correspondence, has expressed a willingness to support a C1 designation for a commercial development and Council has indicated a willingness to hear a delegation on this property. The problem seems to be in the method which we use to develop this particular property whether it be under a C1 or a CD proposal.

It seems that the Planning Department seems to think that we are trying to circumvent the objectives and the intent of the zoning by-law by going to CD. This is not true. What we are basically doing is looking for a vehicle by which we can promote a commercial development on the property to satisfy the Municipality with regard to the zoning of that property. We feel that the Planning Department is interpreting the CD Zoning by tradition rather than by content. We feel that this particular type of designation is a vehicle that has to be used to get a commercial development on this site. If we rely on strict compliance with the C1 Zoning, then we will end up with a building that is totally uneconomic to develop.

Mr. Alekson went on to describe steps that had been taken to make the planned development fully compatible with the site itself and with the surrounding area including parking, landscaping, etc., taking into consideration grade levels and other factors. Mr. Alekson reviewed the various setbacks from the property lines which are proposed for the development.

Mr. Alekson noted that their efforts to develop this particular piece of property seems to be frustrated by the fact that they are being asked to comply specifically with the C1 Zoning requirements. A zoning under the CD designation is required and Mr. Alekson requested that this proposal be advanced to a Public Hearing so that it could be adequately discussed at that time.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

"THAT Item 6, Municipal Manager's Report No. 22, 1979 March 19, pertaining to this subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following are the recommendations contained in that report:

1. THAT Council not approve the use of the Comprehensive Development (CD) for the subject development proposal which does not reflect the intent of the C1 District, and that Council confirm its previous indication of willingness to proceed with the rezoning application on the basis of the Neighbourhood Commercial District (C1).

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN LEWARNE:

"THAT this matter be referred back to the Planning Department for the purpose of clarifying the specific shortcomings of the applicant vis-a-vis the Planning Department's desires.

FOR: Aldermen Emmott, Lewarne,
and Mercier

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

MOTION DEFEATED

208 2.

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

"THAT Item 5 of Item 9, Municipal Manager's Report No. 22, 1979 March 19, pertaining to Rezoning Reference No. 8/79, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following are the recommendations contained in this report:

1. THAT Council not give favourable consideration to the subject CD zoning request.
2. THAT the applicant be directed to pursue rezoning on the basis of the C1 zoning district with full compliance with the By-law regulations and that a rezoning by-law be prepared and advanced to a Public Hearing on 1979 April 24 and that the following be established as prerequisites to the completion of rezoning:
 - a) The submission of a suitable plan of development demonstrating full compliance with the C1 zoning regulations.
 - b) The dedication of any rights-of-way deemed requisite.
 - c) The granting of any easements that may be required.
 - d) The deposit of sufficient monies to cover the cost of all services required to serve the subject site. All services to be designed and constructed to the approval of the Municipal Engineer.
 - e) The installation of all electrical, telephone and cable servicing and all other wiring underground throughout the development and to the point where sufficient services are available to serve the site.
 - f) The approval of the Ministry of Transportation, Communication and Highways.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"THAT this matter be referred back to the Planning Department to work with the applicant towards a comprehensive development proposal using C1 guidelines."

FOR: Mayor Constable, Aldermen
Ast, Emmott, Lawson, Lewarne,
Mercier and Randall

OPPOSED: Aldermen Drummond and Gunn

MOTION CARRIED

- b) Mr. Jim Alekson, Marketing Manager, Cloverlawn Investments Limited, did not address Council on the subject of Rezoning Reference No. 6/79 at this time.
- c) Mr. John Friesen, representing the Deer Lake Traffic Committee, then addressed Council on the subject of the barricades in the Sperling Avenue and Canada Way Area.

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The following is the text of Mr. Friesen's address:

"I would like to apologize to Council for the frequent number of times that the Deer Lake Traffic Committee has had to appear before you in order to resolve the problem of commuter traffic through our streets.

However, serious objections and agitation has been mounting for the removal of the barricades at Sperling and Canada Way and the other related intersections and these objections will be presented to Council tonight.

As members of this Council are aware, the Deer Lake Area Traffic Committee together with many of the residents of the area have worked long and hard, together with yourselves, the Burnaby Traffic Safety Committee and members of staff for a positive solution to the problem. Because of all the effort that has gone into this solution that is now in effect, we feel that these objections to the barricades require an answer.

Every possible solution to the problem of commuter traffic has been under active consideration by Council and staff for a period of over one year before the decision to barricade certain streets was put into effect. All related problems to surrounding neighbourhoods arising out of the barricades were also carefully studied. The final placement and configuration of the barricades incorporated these considerations and we commend Council and staff for their thoroughness.

In the agenda for tonight's meeting is a petition requesting, and I quote, 'the immediate removal' of the barricades. The petition lists 177 names, but a closer examination reveals that approximately 50 of these names are people who do not reside in the closed off area, but rather on Canada Way and on other streets. Further to this, I would like to point out that 11 people who signed the petition against the barricades also wrote letters to Council in favour of the barricades. Most of these last 11 indicated to our committee that they signed the removal petition in haste, based on inaccurate information and/or because of a very persistent petitioner. In any case, these people have re-considered their opposition and are now in favour of retaining the barricades.

As members of this Council know from past experience in dealing with petitions, a large percentage of people will sign almost any petition if the person conducting the petition is very forceful and persistent.

However, Council received 27 letters last week, in favour of the barricades and a further 68 letters in tonight's agenda in favour and I offer a further 45 letters in favour which were received after the Wednesday noon deadline for inclusion in tonight's agenda. I would suggest to Council that a person's firm convictions regarding the barricades is indicated much more convincingly by a person taking the time, and thought, to write a letter, than by a person merely signing a petition in order to avoid a confrontation with a persistent caller at the door.

The arguments used by the people objecting to the barricades can be summarized as follows:

1. Increased travel time and distance (up to one mile).
2. Possible delays incurred by emergency vehicles and problems created by snowy weather.
3. Increased congestion of traffic on Canada Way.

The reply to the first objection relating to the extra travel time and distance is best given by a Gordon Ave. Mother, Mrs. Margaret Reimer whose letter is in tonight's agenda and I quote:

'Dear Mayor and Members of Council

March 13, 1979

I am extremely relieved that Council has acted promptly to the requests of the citizens of the Deer Lake area, regarding the closure of access streets to through traffic. You have now put to rest the fears of safety for my children as they walk to the school and to the park. Already, I have noticed a complete drop of cars speeding in the area and feel that your courageous action will bear much fruit in preventing loss of life due to careless and speeding vehicles. Although some are upset at the extra distance they may have to travel, I believe that my child's life or anyone else's is worth much more than a few minutes of extra travelling time. Once again, thank you from the bottom of my heart for completing the wishes of the residences of this neighbourhood.

Signed "Margaret Reimer" 5440 Gordon Ave., Burnaby, B.C. 526-8885'

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This is only one of many letters from Mothers and Fathers expressing the same thoughts and concerns as Mrs. Reimer.

The second objection to the barricades relates to the possible time delay that emergency vehicles might face in opening the Sperling barricade gate.

I would like to point out that the Burnaby #1 Firehall is located right at the intersection, within 100 metres of the gate. The inhalator and emergency vehicles that answer any call in Central Burnaby are based in the #1 Firehall. They get the first call in any matter relating to a swimming accident, a cardiac arrest, a fire and most other emergencies. It is true that they will experience a slight delay in unlocking the Sperling gate. However, relative to any other location in Burnaby because of the very close proximity of the #1 Firehall to the Deer Lake Area, we will continue to get immediate service. I would also point out that with little or no traffic on our streets, the emergency vehicles can get to the destination much more quickly and safely once they are through the gate.

We are told that the hill approaching the intersection of Buckingham and Burris will get priority in sanding, salting and snow removal in periods of snowy weather. Also, local traffic can exit from our area without climbing the Buckingham hill if they use the Rugby exit onto Canada Way on those one or two days per year when this might be necessary.

In reply to the third objection to the barricades; that Canada Way is now more congested, we would like to point out that the problem is largely caused by inadequate right and left turn lanes and signals at the Burris and Canada Way intersection. However, we are told by the Municipal Engineer, Mr. Olson, that his department is addressing the feasibility of realigning this intersection and we have confidence that the Traffic and Engineering Department will resolve this problem.

We would also ask Mr. Olson and his staff to examine the possibility of providing recessed bus stops so that transit busses can stop without impeding the entire flow of traffic.

The citizens of our area who are in favour of the barricades, all feel that the minor inconvenience that the barricades present are much more than off-set by the greatly improved safety and quality of life in our neighbourhood.

A year ago February, Council appointed a Special Committee of three Aldermen, and 2 Community representatives to formulate the transportation policies of Burnaby. Under the chairmanship of Alderman Gunn, and with the support from the members of the committee, Aldermen Ast and Lewarne, a draft of the policies and philosophies relating to transportation and traffic has been written as a guide to developments and improvements in this area in the coming years.

These Aldermen are to be highly commended for the thoroughness and the extremely well written policy guide. If Council in their wisdom will follow these policies in decisions relating to traffic and transportation, we will all see many improvements in these areas.

The commentaries and resolutions and implementation actions in this draft relate very directly to the Deer Lake Area neighbourhood.

In conclusion, I would like to point out that as a Committee, it is not our intention to generate a confrontation within our neighbourhood of people for and against these barricades. We direct our fight not against our neighbours but rather with them against commuter traffic. To those people opposed to the barricades, I would like to quote a proverb that says:

'It is better to be on the construction crew than the wrecking gang'.

Everyone, and I repeat, everyone in our neighbourhood is opposed to non-resident commuter traffic. However, some people are opposed to the methods used in keeping them off of our streets, namely the barricades.

We would invite our neighbours who are against the barricades to come to Council not with a negative request for the demolition of this positive solution, but rather with an alternative solution that is just as effective but with less inconvenience.

I am sure that this Council has experienced situations in the past where changes in traffic patterns have required a period of adjustment before they become totally acceptable, ie: the barricade program in the Brentwood area is a particularly good example.

We would respectfully ask you, Mr. Mayor and your Council to maintain the barricade program for its entire six month trial period."

- d) Mr. Warren L. Keating then addressed Council on the subject of the barricades in the Sperling Avenue, Canada Way area.

The following is the text of Mr. Keating's address:

"Your Worship, Mayor Constable, and members of Council: My name is Warren L. Keating, and I have lived at 5510 Rugby Street for twenty years.

I am here to represent a number of residents who live in the Sperling Avenue - Buckingham district and who wish to express their opposition to the barricades that have been erected in their district.

I almost feel I should apologize to Council for bringing this matter before you one more time. I can sympathize with those of you who may feel you have heard quite enough about the matter. However, previous representations to Council have implied that all, or nearly all of the residents in the area in question (namely that bounded by Canada Way, Burris, Buckingham, Sperling and Deer Lake Drive), were in favour of the barricades being erected. In fact, that is not so. The petition submitted Wednesday included 177 names of persons residing within the area who are not in favour of the barricades and who are asking Council to have them removed immediately. These names represented 94 properties in the area. Since then we have obtained signatures representing 20 additional properties. For the benefit of Council, we have prepared maps of the area in question, marking the properties whose owners have expressed their opposition, and also showing those properties represented by the signers of the petition in favour of barricades.

We oppose the barricades for many reasons:

They jeopardize the health and safety of the community by frustrating the efficiency of the Fire Department, Doctors, Ambulances, and Police services by adding significantly to the response time required to answer a call due to added distance, congestion, and difficulty in locating an address.

- We are concerned about the safety of swimmers and other potential accident victims at Deer Lake, for whom the delay of even a few seconds in the arrival of emergency vehicles could cause serious brain damage, or death.
- Those of us who have reached an age in life where we are subject to the possibility of coronary attacks, or are, in fact, already suffering from coronary disease, are concerned about the inevitable delay in the arrival of emergency vehicles to our homes.
- We are also concerned that because of the barricades we will have to go that extra mile or more out to the hospital in the event of an emergency. Not only that, on icy days it may be simply impossible for a car to get up the hill past Haszard on Buckingham. We have been told that we will be given high priority for street sanding in slippery weather, but no streets are sanded in the middle of the night when an emergency might occur. If our area was a building, it would be condemned by the Municipal Building Inspector for failure to have two exits!
- We are concerned about the safety of children. With Sperling Avenue blocked all traffic now goes up and down Burris right through the school cross walk at the corner of Buckingham and Burris, and all local traffic coming out of our district now has to exit at that intersection where the school crossing is located. One of the mothers in our neighbourhood recently counted 265 vehicles going through this intersection between 08:40 and 09:00 h on a school day.

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- Some of our residents also fear that with the lake traffic now forced to come up and down Buckingham, children are now more in danger than they were from commuter traffic. Commuter traffic at least is predictable; mothers know that the traffic will be bad between 16:30 h and 17:30 h on Sperling and Buckingham. Lake traffic runs all day, right through the holiday period when children are out of school and out of doors, and lake traffic tends to be more careless.
- We also oppose the barricades because they increase our travel distance to and from our homes on every outing we take (up to a mile and a fifth each way). That is not only an inconvenience and an added expense, it makes a mockery of any effort at conservation of gasoline.
- Some of our residents now oppose the barricades because they earlier signed a petition asking for barricades that could be opened by all police and emergency vehicles and that would be opened in time of snow or inclement weather. They now find they have a gate that opens only enough to provide a narrow access through the middle one third of the road and which can only be opened by the Fire Department and not by the Police, and which will not be opened in time of inclement weather. Council was told last week that 'the police did not want keys' and that the Fire Department vehicles reach the scene of an emergency first anyway. What if someone is robbing my house and it is the police I call? Must I call the Fire Department first so they can open the gate for the Police to come?
- We oppose the barricades also because all local traffic must now remain on Canada Way until it can wind its way fully up the hill to Burris Street, thus adding to the commuter traffic which is forced to stay on that street. What happens if an accident occurs on Canada Way with no exits available to relieve the traffic flow?
- We are concerned also for the residents on Canada Way who now have no access to their driveways unless they approach them from the west, and have no way to turn around so that they can approach them from the west between four and six.
- We also feel that the streets simply do not belong only to those who reside alongside them, and that all people ought to have access to them, especially when at the centre of the district is a public park that ought to be easily accessible to the citizens of Burnaby who pay for it. In this connection we know that the Parks Board is on record as opposing the barricades.
- We oppose the barricades also because we feel that closing off the entire district seven days a week three hundred and sixty-five days a year, is simply too drastic a solution to a commuter problem that exists for two hours a day at the most for five days a week.

Several of the people who signed this petition, earlier signed one asking for stop signs and warning signals as a possible solution to the commuter traffic problem. The fact that that solution was not accepted by Council does not in any way imply that those persons were in favour of the alternate solution proposed - the barricades. You will also note that some who now oppose the barricades had earlier signed the petition in favour of them. Some of these have written directing that their names be removed from the earlier petition. Some of these people felt under some duress when asked to sign the earlier petition in the name of 'safety to children'. Now with the practical experience of the past few weeks, these people have found that the barricades have created serious new problems and potential new dangers for children and adults alike, and consequently have changed their view on the matter.

The decision to block off our streets was not a minor thing. We are not talking about a barricade that makes people drive an extra block; we have here four barricades that block off an entire district. The barricade at Haszard may well be justified, but closure of the entire district, though solving a commuter traffic problem, has created a host of new ones.

We recognize that the traffic problem through and around our district is a difficult one. If the solution was easy Council would not have to consider it so frequently. But we contend that the erection of barricades closing off the entire district is far too extreme to the problem. We were told that stop signs at Sperling Avenue and Buckingham were not warranted by the volume

of traffic or the number of accidents that might have been prevented by such signs. If there isn't enough traffic to require stop signs, then why do we have barricades?

We believe that a better solution can be worked out. We recognize that some good-sounding suggestions have been made in the past that had to be set aside as impractical. But we do believe that a solution can be worked out that will be acceptable to the residents without creating more problems than it solves. If the barricades are taken down we will be happy to work with the rest of the neighbourhood and the Council and its committees and departments in working out a solution that would significantly cut down commuter traffic, but leave the area open to local residents, people trying to get to the lake, and others who have legitimate reason to come in and out of the area.

A month ago Council took action erecting the barricades, largely on the basis of a contention that the residents and the homeowners of the Deer Lake area were 'virtually unanimous in their approval of these blockades'. That premise was false. Our petition and the accompanying map show that, in fact, more of the residents of the area in question oppose the barricades than favour them. Contrary to the purported 90 to 95 percent support for closure indicated to Council in the submission that prompted the closing of our area, a check of the names and properties on our submission requesting removal of the barriers will show that, of the 205 properties in the area, 114 properties and 188 responsible adults living in these homes are against the closing of the area; 8 are undecided leaving only 83 properties represented by the petition for closure or wishing to see it maintained for the 6 month trial period.

Hence, having 56 percent of the registered property owners of the area against the barricades, we respectfully request that Your Worship, Mayor Constable, entertain a motion to remove the barriers at Sperling Avenue and Canada Way, Sperling and Rugby, and Rugby and Canada Way; and we would ask members of Council to support such action."

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN RANDALL:

"THAT representatives from the two concerned citizens groups be invited to meet with Municipal staff with the results of those discussions to be referred to the Traffic Safety Committee who would then bring it back to Council."

FOR: Aldermen Lewarne and Randall

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

MOTION DEFEATED

BY - L A W S

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"THAT

'Burnaby Parks Regulation By-law 1979'

-#7331

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

OPPOSED: Aldermen Drummond and
Mercier

The Council reconvened.

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MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: Aldermen Drummond and
Mercier

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT

'Burnaby Parks Regulation By-law 1979'
be now read Three Times."

-#7331

CARRIED

OPPOSED: Aldermen Drummond and
Mercier

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 22, 1979 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- a) Union Of British Columbia Municipalities,
Assistant Executive Director,
Re: Appointments To The Board
Of Directors - British Columbia Assessment
Authority

A letter dated 1979 March 07 was received advising that the By-laws of the British Columbia Assessment Authority provide that vacancies which occur by expiry of an appointment shall be filled by the Lieutenant Governor-in-Council from among persons recommended by the Board of Directors and/or the Union of British Columbia Municipalities.

The terms of two of the Board of Directors expire on 1979 June 30 and the U.B.C.M. Executive expects to put forward recommendations to the Provincial Cabinet to fill these upcoming vacancies in the very near future. In order that the U.B.C.M. Executive may have a number of names to select from, it was requested that the Municipality forward to the U.B.C.M. Office, names of persons who would be willing and well suited to perform as a Director of the British Columbia Assessment Authority for a three-year term commencing 1979 July 01.

His Worship, Mayor Constable, requested members of Council to advise him of the names of people who could be considered as a candidate for these positions.

- b) Retail Merchants Association Of Canada,
B.C. Division, General Manager
Re: Legislation To Control Sunday Shopping

A letter dated 1979 March 08 was received advising of the results of a survey undertaken by the Retail Merchants Association of Canada, B.C. Division, with regard to Sunday shopping. It was noted that the majority of Municipalities which took a stand on the issue supported the Associations recommendation that Provincial Legislation is needed to control Sunday shopping on a Province wide basis.

- c) Province Of British Columbia, Department
Of The Attorney-General, Corrections
Branch Director,
Re: The Number Of Escapes From The
Willingdon Youth Detention Centre.

A letter dated 1979 March 09 was received regarding the number of escapes from the Willingdon Youth Detention Centre and containing comments on Council's request for information regarding security arrangements at the institution.

A cordial invitation was extended to the Burnaby Municipal Council to come and tour the Willingdon Youth Detention Centre and to meet with the staff so that Council can see and hear, first hand, what the situation is and why it is as it is.

His Worship, Mayor Constable, advised Council that he would arrange for a tour of the Youth Detention Centre for the benefit of Council.

- d) Union Of British Columbia Municipalities,
Assistant Executive Director
Re: Brief Presented To The U.B.C.M. By
George Manuel, President Of The Union
Of B.C. Indian Chiefs

A letter dated 1979 March 08 was received enclosing a copy of a brief submitted to the U.B.C.M. Executive by George Manuel, President of the Union of British Columbia Indian Chiefs concerning their concepts of Indian Government.

- e) Burnaby Minor Lacrosse Division 6, Tier 1,
Team Manager
Re: Permission To Hold Tag Days - Thursday,
Saturday, Friday, Saturday - 1979 April 12,
14, 27 and 28

A letter dated 1979 March 12 was received requesting permission for the Burnaby Minor Lacrosse Division 6, Tier 1, Team Manager, to hold Tag Days on Thursday, Saturday, Friday and Saturday - 1979 April 12, 14, 27 and 28.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT permission be granted to the Burnaby Minor Lacrosse Division 6, Tier 1, to hold their Tag Days as requested."

CARRIED UNANIMOUSLY

- f) Willingdon Park Soccer Association,
Dirty Dozen Girls Soccer Team, Manager
Re: Permission To Hold Tag Days - Friday
and Saturday - 1979 March 30 and 31

A letter dated 1979 March 13 was received requesting permission for the Willingdon Park Soccer Association, Dirty Dozen Girls Soccer Team, to hold Tag Days on Friday and Saturday - 1979 March 30 and 31.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN LEWARNE:

"THAT permission be granted to the Willingdon Park Soccer Association to hold their Tag Days as requested."

CARRIED UNANIMOUSLY

- g) Anglia - Norco Bicycle Club, Race
Organizer
Re: Permission For Bicycle Races At Lake
City On Sunday, 1979 April 29

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A letter dated 1979 March 07 was received requesting permission for the Anglia-Norco Bicycle Club to organize bicycle races at Lake City in Burnaby on Sunday, 1979 April 29 between the hours of 10:00 h and 16:00 h.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN RANDALL:

"THAT permission be granted to the Anglia-Norco Bicycle Club to hold bicycle races at Lake City on Sunday, 1979 April 29, subject to the approval of the Municipal Engineer."

CARRIED UNANIMOUSLY

- h) Fifteen Items Of Correspondence In
Opposition To Barricades Sperling
Avenue At Canada Way

Fifteen items of correspondence and a petition bearing eleven signatures were received expressing opposition to barricades in the Sperling Avenue at Canada Way area.

- i) One Hundred and Thirteen Items of Correspondence
In Favour Of Barricades Sperling Avenue At
Canada Way Area

One Hundred and Thirteen items of correspondence expressing support for the barricades in the Sperling Avenue Canada Way Area were received.

ENQUIRIES

Alderman Lewarne

Alderman Lewarne noted that it had come to his attention that the Greater Vancouver Regional District would be constructing a 42 inch trunk sewer in the Big Bend Area and enquired if consideration had been given to having the G.V.R.D. sewer service this area rather than the Byrne Creek alignment.

The Municipal Engineer advised that this trunk sewer is required in any event and it is of such a size and nature and serving such a wide area, and it was determined many years ago that it would be a trunk and serve an entirely different area than the sewer that would be on Byrne Road. They are two completely different and separate sewer systems.

Alderman Randall

Alderman Randall enquired as to what action Council could take to improve the appearance of closed down service station sites.

It was unanimously agreed that a letter would be sent to various oil companies expressing Council's concern over the appearance of closed down service station sites in the Municipality and requesting the companies' co-operation in maintaining these sites in a satisfactory manner.

REPORTS

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

The Council recessed at 21:00 h.

The Council reconvened at 21:17 h with all Council members in attendance.

The Municipal Manager presented Report No. 22, 1979 on the matters listed following as Items 1 to 9, either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Building Department Report

The Municipal Manager presented a report from the Chief Building Inspector covering the operations of his department for the period 1979 January 29 to 1979 February 23.

The Municipal Manager recommended:

1. THAT the report of the Chief Building Inspector be received for information purposes.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

2. Engineer's Special Estimates

The Municipal Manager provided a report from the Municipal Engineer covering special estimates of work in the total amount of \$91,490.00.

The Municipal Manager recommended:

1. THAT the estimates as submitted by the Municipal Engineer be adopted."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

3. Pollution Control Board Application AR5476
Shell Canada Ltd. Tank Farm
Underhill Avenue, Burnaby

The Municipal Manager provided a report from the Chief Public Health Inspector on the action taken by his department relative to Pollution Control Board Application AR5476.

The Municipal Manager recommended:

1. THAT the report of the Chief Public Health Inspector be received for information purposes.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

4. Tax Adjustments - Section 376 -
Municipal Act

The Municipal Manager provided a report from the Municipal Treasurer regarding tax adjustments under Section 376 of the Municipal Act.

The Municipal Manager recommended:

1. THAT Council ratify the adjustments to the tax roll and authorize the adjustments necessary to the circumstances.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

5. Restititional Sentencing

The Municipal Manager submitted a report on the matter of restititional sentencing.

The Municipal reported that it is apparent that the governments in Victoria and Ottawa are, either through the design of legislation or the implementation of meaningful programs, actively involved with matters pertaining to restititional sentencing. In view of this activity, it is suggested that the only action required by Council at this time is the adoption of the following recommendations. The Manager would then follow up on a periodic basis to keep abreast of further developments in this area of concern, and to keep Council informed accordingly. If nothing of significance occurs within the next year, it would be appropriate for Council to request endorsement of a resolution on this matter at the U.B.C.M. and F.C.M. Conventions in 1980.

The Municipal Manager recommended:

1. THAT the Attorney-General be advised that Burnaby Council:
 - a) strongly endorses restititional or reparative sentencing, and more particularly, as it applies to juvenile offenders who have been convicted for acts of vandalism; and
 - b) encourages his Ministry to take whatever steps may be required to ensure that this form of sentencing is applied in a consistent manner throughout the Province; and
2. THAT a copy of this report and a statement of the endorsement noted immediately above be sent to The Honourable Marc Lalonde, Minister of Justice and Attorney-General of Canada; and
3. THAT a copy of this report be sent to the U.B.C.M. executive for information.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN AST:

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

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN LAWSON:

"THAT a copy of this report and Council's motion in this respect, be forwarded to the Board of School Trustees, School District No. 41 - Burnaby, with a request that the Board of School Trustees endorse Council's action in this regard."

CARRIED UNANIMOUSLY

A vote was then taken on the original Motion as MOVED by Alderman Lewarne and SECONDED by Alderman Ast "THAT the recommendations of the Municipal Manager be adopted", as amended, and same was CARRIED UNANIMOUSLY.

6. Letter from Cloverlawn Investments Limited,
Suite 112, 250 - 18th Street, West
Vancouver, B.C. V7V 3V5
Proposed Commercial Development for a Site at
5757 Lougheed Highway
Lot 2, Block 2 Pt, D.L. 130, Plan 11990
Rezoning Reference #8/79

This item was dealt with previously in the meeting as Item 2a) under Delegations.

7. Rezoning Reference #22/77
9784/9848 Lougheed Highway & 9868
Government Street

The Municipal Manager provided a report from the Director of Planning containing information on an enquiry that was made by Council on 1979 February 26.

The Director of Planning advised that his Department has advanced this proposal and developments of this type on past occasions on the understanding that buildings with four levels of habitable accommodation executed in frame construction have been accepted under the National Building Code by the Building Code Appeal Board in Victoria. Also, Building Permits for similar developments have been approved in this Municipality in recent years. Nevertheless, it is recognized that matters concerning the Building Code and physical construction are the domain of the Chief Building Inspector and it is understood that he is presently considering the question of the permissibility of frame construction for such types of developments. The manner in which the development can be constructed and receive Building Permit approval is a matter for further consultation between the applicant and the Chief Building Inspector.

In summary, the form, siting, and height of proposed buildings can be approved under the zoning by-law and had been recommended by the Planning Department as representing an appropriate solution for this site. At the same time, the matter of building material and structural type will need to be resolved to the satisfaction of the Chief Building Inspector.

The zoning aspects are to be considered at a Public Hearing scheduled for 1979 March 20 and there is no reason to delay this step. At the same time, it would be appropriate for Council to receive a report concerning the construction and structural aspects involving the National Building Code prior to Third Reading of the amended by-law.

The Municipal Manager recommended:

1. THAT the report of the Director of Planning be received for information purposes.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

8. Eighty-One Letters on Barricades
Sperling Avenue and Canada Way

The Municipal Manager provided a report on 81 items of correspondence which appear on this evenings agenda concerning the barricades in the Sperling Avenue Canada Way area.

A few of the letters contain comments which are deserving of specific reply, eg., what is the effect of the locked gates on emergency vehicles responding the emergencies within the barricaded area? Staff, in accordance with the direction that was given by Council when similar letters were considered last week, will ensure that these particular items of correspondence are properly acknowledged. The Deputy Municipal Clerk will, in this regard, obtain from other departments whatever additional information may be needed for satisfactory reply.

The Municipal Manager recommended:

1. THAT this report be received for information purposes.

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MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

9. Rezoning Applications

The Municipal Manager provided a report from the Director of Planning covering various rezoning applications.

The Municipal Manager recommended:

1. THAT Council set a Public Hearing for this group on Tuesday, 1979 April 24, except where noted otherwise in the individual reports.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

Item #1 Application for the rezoning of:
RZ 3/79 Lots 4, 5, 6 & 7, Block 28, D.L. 32, Plan 18143

FROM: Residential District R5
TO: Multiple Family Residential District RM3

Addresses: 5090/5140/5160 and 5180 Sanders Street

The Municipal Manager recommended that Council request that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on 1979 April 24 and that the following be established as prerequisites to the completion of rezoning.

- a) The submission of a suitable plan of development.
- b) The consolidation of the net project site into one legal parcel.
- c) The granting of any necessary easements.
- d) The dedication of any rights-of-way deemed requisite.
- e) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. All services to be designed and constructed to the approval of the Municipal Engineer
- f) The installation of all electrical, telephone and cable servicing and any other wiring underground throughout the site and to the point of connection to the existing service where sufficient facilities are available to serve the site.
- g) The deposit of \$1,125 per unit levy to go towards the acquisition of proposed neighbourhood parks.
- h) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being completed, but not prior to Third Reading of the By-law.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Item #2 Application for the rezoning of:
RZ 5/79 Lot 76, D.L. 142, Plan 51478; Lot 80, D.L. 143/148, Plan 51478;
Lot 84, D.L. 15/148, Plan 51478; Lot 83, D.L. 148, Plan 51478;
Lot 86, D.L. 143, Plan 51478; Lot 96, D.L. 143, Plan 51478;
Lot 92, D.L. 148, Plan 51478; Lot 88, D.L. 15/100, Plan 51478;
Lot 97, D.L. 143, Plan 51478

FROM: Heavy Industrial District M3, Small Holdings District A2,
Residential and CD Comprehensive Development District
TO: Park and Public Use District P3

Addresses: 2451 Lakedale Avenue, 8401 and 8900 Broadway, 9150/
9160/8501 Forest Grove Drive, 8801 and 9251 Ash Grove
Crescent, 8301 Forest Grove Drive

1979 March 19

The Municipal Manager recommended that Council request that a rezoning by-law be prepared and advanced to a Public Hearing on 1979 April 24 and that the following be established as prerequisites to the completion of the rezoning:

- a) The approval of the Ministry of Transportation, Communications and Highways.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Item #3 Application for the rezoning of:
RZ 6/79 Lot 14 exc. E 14', Lots 15 and 16 exc. ref. pl.
37072, Block 68, D.L. 34, Plan 2801
FROM: Gasoline Service Station District C6
TO: Neighbourhood Commercial District C1
Address: 4727 Willingdon Avenue

The Municipal Manager recommended that Council receive the report of the Planning Department and request that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on 1979 April 24 and that the following be established as prerequisites to the completion of the rezoning:

- a) The submission of a suitable plan of development incorporating those design considerations outlined in Section 3.4 of this report.
- b) The consolidation of the net project site into one legal parcel.
- c) The granting of any necessary easements as may be required.
- d) The dedication of any rights-of-way deemed requisite.
- e) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. All services to be designed and constructed to the approval of the Municipal Engineer.
- f) The installation of all electrical, telephone and cable servicing and all other wiring underground throughout the site and to the point of connection where sufficient facilities are available to serve the development.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

Item #4 Application for the rezoning of:
RZ 7/79 Lot 8 Ex. Pcl. A, BL - Pl. 6168, Block 22,
D.L. 30, Plan 3036
FROM: Service Commercial District C4
TO: Neighbourhood Commercial District C1
Addresses: 7637/7639/7641 Edmonds Street

The Municipal Manager recommended that Council request that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on 1979 April 24 and that the following be established as prerequisites to the completion of the rezoning:

- a) The submission of a suitable plan of development demonstrating complete satisfaction of the C1 zoning regulations.
- b) The dedication of any rights-of-way deemed requisite.
- c) The granting of any necessary easements.
- d) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. All services to be designed and constructed to the approval of the Municipal Engineer.
- e) The installation of all electrical, telephone and cable servicing and any other wiring underground throughout the site and to the point of construction when sufficient facilities are available to serve the site.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Item #5 Application for the rezoning of:
RZ 8/79 Lot 2 part of Block 2, D.L. 130, Plan 11990
FROM: Gasoline Service Station District C6
TO: Comprehensive Development District CD
Address: 5757 Loughheed Highway

This item was dealt with previously in the meeting as item 2a) under Delegations.

Item #6 Application for the rezoning of:
RZ 9/79 Lots 4 and 5, Block 3 of Lot 12, D.L. 95, Plan 1796
FROM: Residential District R5
TO: Comprehensive Development District CD
Addresses: 7250 and 7264 Arcola Street

The Municipal Manager recommended:

1. THAT Council authorize the Planning Department to work with the applicant towards a suitable plan of development for this site which incorporates the principles outlined in this report to be the subject of a further detailed report at a later date.
2. An acoustical study be conducted on this site in accordance with the terms outlined in Section 4.7 of this report.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Item #7 Application for the rezoning of:
RZ 3/74B Lot 38, D.L. 166A, Plan 45841
FROM: Comprehensive Development District CD
TO: Amended Comprehensive Development District (Amended CD)
Address: 7442 Fraser Park Drive

The Municipal Manager recommended that Council request that a rezoning by-law be prepared and that the rezoning be advanced to a Public Hearing on 1979 April 24 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 easements as may be required.
- c) The installation of all electrical, telephone and cable servicing and all other wiring underground throughout the development and to the point where sufficient services are available to serve the site.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

1979 March 19

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 EMMOTT:

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

CARRIED UNANIMOUSLY

44-1-80

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