

1979 OCTOBER 22

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1979 October 22 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 D.A. Lawson
Alderman W.A. Lewarne
Alderman D.M. Mercier
Alderman F.G. Randall

ABSENT: Alderman B.M. Gunn

STAFF: Mr. M.J. Shelley, Municipal Manager
Mr. V.D. Kennedy, Deputy 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

W E L C O M E

His Worship, Mayor Constable, welcomed students from the Kensington Junior Secondary School - Grade Nine Social Studies Class and their teacher, Mr. Don Peterson, to the Council Meeting this evening. His Worship expressed the wish that the students would find the Council Meeting both informative and interesting.

M I N U T E S

The Minutes of the Council Meeting held on 1979 October 15 came forward for adoption.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT the Minutes of the Council Meeting held on 1979 October 15 be now adopted."

CARRIED UNANIMOUSLY

The Minutes of the Public Hearing (Zoning) held on 1979 October 16 came forward for adoption.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT the Minutes of the Public Hearing (Zoning) held on 1979 October 16 be now adopted."

CARRIED UNANIMOUSLY

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

His Worship, Mayor Constable, issued the following proclamation concerning "Alcohol Awareness Week".

WHEREAS alcohol abuse is a problem that plagues people in all walks of life in all communities throughout this Province;

AND WHEREAS prevention is the key to combatting alcoholism and the more people understand about alcohol and its effect the better equipped they are to guard against this tragedy happening to them;

AND WHEREAS Alcohol Awareness Week is the Alcohol and Drug Commission's bid to get people everywhere in British Columbia to pause and consider how much they drink and what effect drinking has on their life, family and work, and to let them know that if their drinking is getting out of hand effective help is available through agencies across the Province;

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AND WHEREAS the Minister of Health, Mr. Bob McClelland, is declaring the week of October 22nd to 26th as "Alcohol Awareness Week" in British Columbia;

THEREFORE BE IT RESOLVED that I, Thomas William Constable, Mayor of the District of Burnaby, DO HEREBY PROCLAIM the week of October 22nd to October 26th, 1979 as:

"ALCOHOL AWARENESS WEEK"

D E L E G A T I O N S

- (a) K. Barrington-Foote, 1979 October 16,
Re: Decision Not To Proceed With Ornamental
Lighting Project On Augusta Avenue.
Spokesman - Mr. K.R. Barrington-Foote
- (b) North Burnaby Residents Association,
1979 October 16, Re: Traffic Problems In
Burnaby Heights.
Spokesman - Mr. Andrew Seary
- (c) Central Burnaby United Church, Chairman
Of The Board, 1979 October 16, Re:
Barricades At Sperling Avenue And Canada
Way, And Chiselhampton Street And Rugby Avenue.
Spokesman - Mr. Bruce Drew
- (d) Simon Fraser Hills Joint Council,
1979 October 17, Re: Revision To Community
Plan For Simon Fraser Hills Area.
Spokesman - Mr. A.D. Knight
- (e) Princess Patricia Canadian Light Infantry
Association, President, 1979 October 16,
Re: Presentation On Behalf Of Mrs. Lillian
Mann, 9637 Cameron Street, Burnaby, B.C.
Spokesman - Mel Parsons
- (f) Deer Lake Traffic Committee, 1979 October 17
Re: Barricades In Deer Lake Area.
Spokesman - Mr. John Friesen
- (g) Christian Sorensen, 1979 October 17,
Re: Representative Of Lillian Mann Home
Defence Committee
Spokesman - Christian Sorensen
- (h) Mrs. L.E. Mann, 1979 October 17,
Re: Matters Relating To 9637 Cameron Street.
Spokesperson - Mrs. L.E. Mann

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN RANDALL:

"THAT the Delegations be heard."

CARRIED UNANIMOUSLY

- (a) K. Barrington-Foote, then addressed Council on the subject of the Local Improvement Project, ornamental street lighting, which had been initiated by Council earlier this year on Augusta Avenue between Curtis Street and Ednor Street.

Mr. Barrington-Foote advised that he was here this evening to make an enquiry concerning the upholding of a petition to stop the ornamental street lighting project on Augusta Avenue between Curtis Street and Ednor Street. It was Mr. Barrington-Foote's understanding that this petition had been upheld in spite of the fact that it lacks the required fifty-one percent majority of signatures. Mr. Barrington-Foote advised that he wished to make one or two points clear in respect to this issue. Augusta Avenue is comprised of two halves, the upper half is older, the lower half is part of a new subdivision. There is one light at Curtis Street and Augusta Avenue and one light about halfway down the street, the lower end of the street has no lights whatsoever. There are a number of people who use public transportation and a number of small children at the bottom. Moreover there is a bush at the bottom of the street which makes it extremely dark and dangerous particularly in the winter months. The gentleman that circulated the petition passed along some information that Mr. Barrington-Foote had found to be incorrect. Mr. Barrington-Foote was of the opinion that some of the people that had signed the petition were not only misinformed but uninformed. It was the opinion of the gentleman that had taken the petition that the responsibility for street lighting in this area was that of the developer. Mr. Barrington-Foote had been informed that such was not the case at the time this subdivision was created. The petitioners were also concerned that this was a high price to pay for three street lights. Mr. Barrington-Foote had been advised by the Design Division of the Engineering Department that a total of five lights would be installed on this portion of Augusta Avenue. In view of the fact that there has been faulty information conveyed to some of the petitioners and in view of the fact that the petition contained less than a majority of the affected owners, Mr. Barrington-Foote and some of his neighbours would like to know why this petition was upheld. Mr. Barrington-Foote suggested that Council consider a re-evaluation of this Local Improvement Project for ornamental street lighting.

It was agreed that Mr. Barrington-Foote would discuss the matter of concern to him with the Municipal Clerk who will review the situation and if, he considers it warranted, the Municipal Clerk will submit a further report to Council.

- (b) Mr. Andrew Seary, speaking on behalf of the Burnaby Residents Association then addressed the Council on the subject of traffic problems in Burnaby Heights.

Mr. Seary noted that he had last appeared in front of Council on this subject on 1979 September 24. Council had agreed at that time to a meeting between the Transportation Committee, the Traffic Safety Committee and the North Burnaby Resident's Association to discuss the traffic problems in the Burnaby Heights area and, if possible, arrive at a suitable solution. On 1979 September 25, Vancouver City Council voted unanimously to close off all the streets along Cassiar Street. It had been subsequently decided by Mr. Seary and the Chairman of the Transportation Committee that it would be no longer necessary to hold the aforementioned meeting. Mr. Seary noted that four days after the installation of the barricades by the City of Vancouver the Department of Highways had ordered their removal from Cambridge Street and what exists now is something the equivalent of the proposed Cambridge Loop. Mr. Seary noted that Council had already stated its opposition to the Cambridge Loop. Mr. Seary advised that it was the hope of the North Burnaby Resident's Association that the meeting between the Burnaby Transportation Committee, the Traffic Safety Committee and the North Burnaby Resident's Association could be set up again.

It was agreed that the Chairman of the Transportation Committee and the Chairman of the Traffic Safety Committee would attempt to hold a joint meeting with the North Burnaby Resident's Association on the subject of traffic problems in the Burnaby Heights area as originally authorized by Council.

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- (c) Central Burnaby United Church, Chairman Of The Board, 1979 October 16, Re: Barricades At Sperling Avenue And Canada Way And Chiselhampton Street And Rugby Avenue.
Spokesman - Mr. Bruce Drew

His Worship, Mayor Constable, advised that this delegation had withdrawn.

- (d) Mr. A.D. Knight, representing the Simon Fraser Hills Joint Council, then addressed the Council concerning revisions to the Community Plan for Simon Fraser Hills Area. The following is the text of Mr. Knight's submission:

"We, the undersigned, on behalf of the residents of the Simon Fraser area (planning area 5), request the Community Plan for our area be opened, examined and updated.

The present plan is ten years old and since it was developed in 1970, the strata-title-condominium concept of residential living has evolved and we would like Council to examine the plan with a view to the preservation, improvement and enrichment of our neighborhood.

Some of the specific factors we would like to consider with you are:

- The visual aesthetic development of the area.
- The suitability of high rise apartments for the neighbourhood.
- Population density.
- Parks availability and development.
- Traffic and parking problems.
- Emergency vehicle access.

We would suggest a freeze on further development of the area until such time as the plan has been reviewed.

If Council grants this request, we suggest that a Public Hearing be held, preferably at Stoney Creek Community School, at which our neighbours can express their views. Prior to the public hearing, we are available to develop alternatives with Council and/or the Planning Department's assistance, that could be presented to the area residents to facilitate positive discussion.

To dogmatically follow a plan simply because that is what was decided ten years ago when the area was all second growth forest can result in increased social and economic costs to the Corporation as a whole."

- (e) Mr. Mel Parsons President, Princess Patricia Canadian Light Infantry Association, then addressed Council on behalf of Mrs. Lillian Mann, 9637 Cameron Street.

The following is the substance of Mr. Parson's address:

"As a veteran of the Canadian Armed Forces I wish to speak to you this evening on behalf of Mrs. Lillian Mann and what I consider to be a very serious situation facing Mrs. Mann. I first learned of this dilemma when I read the article in the Vancouver Sun dated October 10, 1979, and it gave me sort of a sick feeling because we are dealing with a family and a widow. My wife and I paid Mrs. Mann a visit whereupon I met a very nice lady in a very comfortable home on a beautiful piece of property.

Mrs. Mann showed me the correspondence involving her case. Mrs. Mann told my wife and I about her life and her family. Mrs. Mann is a widow, the widow of one of our veterans who lost his life as a result of wounds received while fighting for justice and freedom. Mrs. Mann was to be out of her home by the fifteenth of October. I saw her on the fourteenth. Both my wife and I saw the letters. However, I understand that Mrs. Mann has been granted a period of grace by Council and for that I thank you. She can now remain in her home until January and then what? At least this makes me feel good, she will be home for Christmas. I feel that as a veteran and a resident of Burnaby if I did not speak on Mrs. Mann's behalf I would be standing in the shadows of the principles for which I, as a veteran, fought and the principles for which her husband lost his life. I understand the meaning of the word expropriation and I appreciate the necessity for it. It is not a word we like to use because it depicts a last resort. However, when expropriation is necessary then, in my opinion, just compensation must be paid. We cannot have a person or persons standing in the way of progress. I ask you, and I have read the report, is this really progress? Will the success or failure of this complex depend on whether or not Mrs. Mann's property is converted to a parking lot, a home where she has lived for twenty-five years, raised her family, guided them through school and into university, where they are now carving themselves a place in society for themselves. I do not consider that the expropriation of Mrs. Mann's property was necessary but if it was necessary, Mrs. Mann should be justly compensated so that she can re-establish herself in a home on a piece of property equivalent to what she now owns at no extra expense to her. When this happens, in my opinion, the true cause of justice will be served. I ask you to please reassess this case keeping in mind, of course, the best interests of the community in that area but with the best interests of Mrs. Mann and her family at heart.

We are rapidly approaching that time of year when the people of this country go to cenotaphs and churches from coast to coast. When we pause for two minutes of silence who will you remember? I will remember the late husband of Mrs. Lillian Mann. I will remember Mrs. Lillian Mann and the plight of Mrs. Lillian Mann and her family. I hope you will too.

- (f) Deer Lake Traffic Committee, 1979 October 17,
 Re: Barricades In Deer Lake Area.
Spokesman - Mr. John Friesen

His Worship, Mayor Constable, advised that this delegation had withdrawn.

- (g) Mr. Christian Sorensen, 1979 October 17,
 Re: Representative Of Lillian Mann Home
 Defence Committee, then addressed the Council on the subject of the expropriation of the Mann property. The following is the text of Mr. Sorensen's address:

"Mr. Mayor and Council, my name is Christian Sorensen and I am Spokesman for the Mann Home Defence Committee. We come before you tonight in order to set the record straight concerning the expropriation of Mrs. Mann's home and to ask a small favour of the Corporation. My personal involvement in this matter began last week when, as a Member of the University of British Columbia Fraternity Society, I have demonstrated against the expropriation. I am opposed to the expropriation laws on principle as being neither necessary nor just, I suspect that the reasons for this expropriation case are typical of many. What made this case different enough to attract my attention is that Mrs. Mann is putting up a fight. Mrs. Mann has told me that she does not want to leave her home and never has. Any indication of negotiations which she has given to the Municipality of Burnaby was given under duress with the threat of expropriation over her head. Those threats started in January of 1978 when Council first tried unsuccessfully to take Mrs. Mann's property, thereafter, Burnaby began to pressure the Veteran's Land Administration which held Title under an Agreement For Sale to either consent to expropriation or to pressure Mrs. Mann to bargain with the Municipality.

For a time Mrs. Mann did attempt to co-operate to a limited extent fearing the consequences of outright resistance. However, negotiations broke down so a Functionary of the Veteran's Land Administration sent an ultimatum reading in part: "If something concrete cannot be finalized between the two parties by March 21st, 1979, I would feel obliged to put the matter up for expropriation." Thus was the pretense of these negotiations as being voluntary dropped and the guise behind the shotgun wedding revealed. The permission for Expropriations was granted on May 24th 1979, just two days after the defeat of the liberal administration and Burnaby Council moved quickly to pass the appropriate By-Law shortly thereafter on June 11th. Now that the City seems to have legal title to the property, Mrs. Mann's property, the law provides for the formation of an Arbitration Board to determine compensation. The fact that participation in this Board is not voluntary is made obvious by the Municipality's power to debar any claim for compensation if Mrs. Mann does not co-operate. Bravely Mrs. Mann has refused to authorize any price figure that would serve as a bargaining point despite the tremendous pressure on her to do so. Mrs. Mann's decision to fight these expropriation proceedings is quite momentous in view of the odds against her. She knows neighbours who themselves faced expropriation and were told that "you can't beat our battery of lawyers and if you try it will only cost you a lot more." Her motives are being questioned publicly by supposedly responsible officials. Mayor Constable has himself stated that the whole thing may be a question of someone's greed. The Municipality of Burnaby is powerful, it has lots of money, information and press contacts who would have the law on its side. What does Mrs. Mann have on her side? She has only determination, public support and physical possession of the property. She holds on despite a barrage of threats and intimidations from the Municipality. Threats and intimidations, and I do not use those words lightly and a notorious example is the letter Mrs. Mann received October 3rd, 1979, from Burnaby Solicitors telling her to move out by the 15th of October. Mayor Constable, after denying the existence of such a letter and this in front of Council and a full Gallery has said that he didn't interpret it as meaning that the Municipality wanted her and her belongings out by then. Yet, if that is so, then Burnaby must have wanted to start work with her belongings in place for the letter read in part: "We confirm that the Corporation of the District of Burnaby proposes to enter upon and commence site work at the subject property on or before October 15th, 1979." However, the letter goes on to state that: "We advise you now of Burnaby's intention with respect to entry on the property so that Mrs. Mann may take whatever steps are necessary for her relocation, removal of belongings, etc." The stated intention of the letter is clear enough to me as it was to Mrs. Mann but perhaps Burnaby never really did intend to move onto the site then, in which case, the letter can only realistically be described as a blatant attempt to intimidate Mrs. Mann. I suspect that such intimidation is standard practice for Burnaby in its expropriation cases only differing in degrees according to the amount of resistance put up. Expropriation is a dirty business by its nature so rather than holding individual officials or bureaucrats responsible for excesses, I see the standard workings of the law in crushing the individual is at fault. The process is often shrugged off as necessary, but I think that as human beings, we should recognize that the most important consideration of government should be with the rights and dignity of individuals. I therefore urge the City of Burnaby to stop intimidating Mrs. Mann, and I realize that the best way to do that is to reverse the expropriation proceedings. I certainly hope that such a procedure for reversal exists and so I am requesting that the Municipality answer in writing what the full procedure will be for reversal of expropriation. Please mail the answer to Mrs. Mann's home at 9637 Cameron Street. Thank You."

- (h) Mr. Robert Gardner, Solicitor for Mrs. Lillian E. Mann, then addressed Council on the subject of the Mann expropriation. The following is a text of Mr. Gardner's submission:

"Your Worship, I thought I would prepare this material in the light of the history that has been set out for the benefit of Council tonight which has been required, to clear the air. The reason I prepared this material is because Mrs. Mann's grievance is that really she has not been dealt with fairly by Council or those working under Council, those persons involved in the process of expropriation. I appreciate that Council may not be directly aware of what is going on and I thought it would be helpful for you to understand why she is a little bit upset and why she is concerned about the matter of fair and forthright disclosure by her Government. This property could only be expropriated by permission of the Director of the Veteran's Land Act and the relevant Director that you got permission from was Mr. Keene. That permission was obtained by means of permission from the Governor-In-Council. Council is probably aware that Mrs. Mann for some time resisted the expropriation on the basis that she wanted the Director of the Veteran's Land Administration to enquire as to whether this property was really required in the sense that the Director would feel that it was right to release the property from the protection of The Veteran's Land Act. The words of Mr. Parsons who commented to you just now ring in my ear because it is not likely that they would have released this land unless it was really needed for proper purposes. The first problem came about a letter from the Director in which he advised that in discussions he had had with Mr. Shelley, he had been assured that direct notice would be given to Mrs. Mann in advance of any date that had been set for Third Reading of the By-Law and that further effort would be made to negotiate a settlement. When the permission of the Governor In Council was obtained nobody gave Mrs. Mann any direct notice in advance of the date set for the Third Reading of the By-Law. The Veteran's Land Act people explained to me that they were assured that Mrs. Mann would be dealt with fairly before she was expropriated. In other words, she could discuss this matter on the basis of not having the gun already pointed at her head, that she would be to negotiate already in position and entitled to the property through her rights under the Veteran's Land Act. The expropriation was hurried through without any notice to her and so she never had her opportunity to negotiate a settlement without the expropriation already being accomplished. That was the first feeling that she was not being dealt with fairly. I think you can appreciate that from that point on she was somewhat circumspect of any negotiations when in fact this Council had already expropriated her property but had not kept their word with the Director of the Veteran's Land Act. Really, this Act allows this Council to expropriate her property on the basis that there would be negotiations before Third Reading of the By-Law which expropriated her property. From that point on she became a little bit cynical about the process of fair and open discussions with yourself. Next thing she knew there was a copy of a letter which was sent to Mr. Keene dated July 04 which you have in your material a copy of which was sent to her indicating that, in fact, this Council had expropriated her property. That was the first notice she had of the expropriation. That of course is the Notice of Expropriation to Mr. Keene who is in a sense the owner, the Veteran's Land Act is the owner of the property, that the owner has been expropriated.

From that point on Mrs. Mann took a very harsh attitude to this with a feeling that she wasn't being dealt with fairly. She hadn't had the opportunity at that stage of considering her position in the sense of getting an appraiser to look adequately into all the material particular into the planning for this particular location in which she lives. That is the reason why recently she has had more time and has withdrawn her first material which she had filed concerning the appraisal and she has now filed a new claim which is based upon information which our appraisers have obtained concerning long range plans of this property which were the before the property of Mrs. Mann was expropriated.

At the moment the property is theoretically expropriated and Mrs. Mann has been given notice to vacate in January. What is interesting is that sometime back someone came from my office, I think it was Mr. Svend Robinson, came to this Council and openly explained that he felt that the expropriation procedures had not been carried out properly. In order that it could be carried out properly bearing in mind Mrs. Mann's attitude that she was not going to leave that property unless she had to. I have the unfortunate task tonight of informing Council that as a result of information we have very recently received that it would appear that the report you have received concerning this expropriation and the history of the report is again remiss in another aspect. The undertaking that was given to the Director of the Veteran's Land Act is not set out in your report as you can see and there is one other aspect that is not set out in your report which is very material as to whether this expropriation is a valid expropriation. There are two copies from the British Columbia Gazette, one is dated July 12, 1979 and the other is dated June 28, 1979. You will notice that the date of the Notice of Expropriation to the Director of the Veteran's Land Act is July 4th, 1979. That is the notice that you have to send to the Director who is the owner *per se* saying that the property and the procedure that you have gone through is the proper procedure. What we have discovered is that the notice dated July 12, 1979, was defective. And you will notice that your report does not say anything about it being defective. Mrs. Mann has not been informed that it is defective. If you look down on July 12, 1979 you will see it says "Whereas the said real property is vested in the Director, the Veteran's Land Act". You look at the June 28th notice you will see that they cite the wrong Act concerning the vesting of the land. I think that becomes apparent by comparing the two Gazette copies. It is well known, of course, that this procedure must be strictly followed and the procedure has to be correct. Now what has happened is that somebody was aware that the procedure of expropriation was not properly carried out, there was an effort not to disclose what actually happened. Without our knowledge the July 12, 1979 notice in The Gazette was published. All the material to Mrs. Mann indicates that what in fact was published was on June 28, 1979. The reason for that was very simple. It was because Council cannot publish the material in The Gazette after they have given notice to the Director of the Veteran's Land Act. The notice was given on July 4th and the publication on July 12, 1979 would be too late. And that is very clear from a Reading on the Act. It is very clear that the procedure for expropriation must be carried out before notice is given to the Director of the Veteran's Land Act. I can wait in the reeds, Your Worship, and I can be, as it were, sneaky about this but I don't intend to be. I could wait until January 10 or whatever the date is that you have given to Mrs. Mann to clear out of her home and then come forward and perhaps go to a court and say that this Council, or those acting underneath it have not carried out the proper procedures, but I have decided not to as we have in the past decided not to by informing this Council of any problems in the procedure that has taken place. The reason that I have decided not to is because I hope that Council of their own volition will de-expropriate this property as is in your power and follow the undertaking that was given to the Director of the Veteran's Land Act that Mrs. Mann would be negotiated with without expropriation having taken place. In other words, the negotiations with her would be across a neutral table not with the fact of expropriation already in existence. I thought today I would come and inform you of the problem with your procedure, it goes more than a problem, it goes to a problem of disclosure. If you, and somebody obviously did, consider this to be an impediment that is why they published it twice. If there is a second publication, let us know about it. If there is a problem with the procedure, let us know about it, if it has been done properly then we, the people that have been expropriated, should know about it. If not, we had to dig to find this, and having found it, I thought I would let you know and maybe it will come as a surprise to you that this kind of thing is going on. I thought I would let you know and give you the opportunity to debate this and to de-expropriate the property by resolution and then we will start again and talk without the gun being held to Mrs. Mann's head.

Mrs. Lillian E. Mann then addressed Council on the expropriation of her property at 9637 Cameron Street.

The following is the text of Mrs. Mann's submission:

" I appreciate the opportunity of being heard. I have always maintained that I did not wish to leave my home even did I not wish to have it rezoned at any time. I must repeat the acquisition of my home and the property was a right that was granted my late husband through the Veteran's Land Act in recognition of his strenuous service to his country during the Second World War. Most of his service time was spent on the North Atlantic. His untimely death in 1958 which was attributed to his war disability left me to carry on with two infant children. We three have lived in and cherished our home for twenty-five years, in addition, as was the intent of the Veteran's Land Act, the property was provided me, has provided me with at least 25% of my living costs. I again repeat, at no time have I been anxious to leave my home under any zoning conditions. I have explained to Council before how important our land is to us. At zoning meetings in the past and indeed with respect to the rezoning of the land adjacent to me being used for this recreational project, I again appeal to Council for consideration to allow us to continue our established life style on our own property. My immediate appeal when faced with threats of expropriation to the Veteran's Land Administration to disallow permission for Burnaby to expropriate my property was on the basis of my vital need for my property also the fact that I could not believe a parking lot was a necessity, especially in view of the several acres of unused land which has now been acquired by the Municipality lying vacant and abutting this project. I had been misled by the Land Department of Burnaby with respect to pages 175 and 176 of what you have before you, the Supplementary Report prepared for this meeting, I had long ago received an apology from the Mayor due to its inaccuracies. Other inaccuracies also exist in this documentation. I have also been misled by the Planning Department and I have been intimidated and served with ultimatums and deadlines for more than one and a half years, all, while this Municipality was not in a legal position to proceed with these terrifying expropriation matters. Until August 21st of this year, I held every hope that the Veteran's Land Administration would not permit this expropriation, and especially for such a frivolous reason as a parking lot. It was my hope that as Burnaby's complex proceeded, a complex that was voted down twice by the citizens of Burnaby, that it would be abundantly clear that the parking lot they sought could be adequately accommodated on the several acres of land they had recently acquired, I still hope such can be the case. That there been other homes in our area obtained by Burnaby under extreme pressure of expropriation is another fact. I refer to a home at 3205 Noel Drive, a shocking example of the mis-use of power, the home never being used for the purpose so stated by the Land Department once it had been obtained.

I do not think this elected body has been exactly forthright with me, how can I hope to believe them? I have never been invited to view the plans for this structure. Community input has been nil, the people I have engaged have been checking into this and feel strongly that this expropriation is invalid and that de-expropriation is in order. In view of latest developments, I feel that should I be forced by law to negotiate for my property, such negotiations would not be held in good faith, I can see then that the only solution would be to de-expropriate my land in a show of good faith. I feel Council has been intent on removing me and my family from our home unnecessarily and perhaps, because they are hiding something. Again, I would ask that this expropriation be reversed and a full enquiry be established and only then, perhaps, only then, could I be on a more equal footing.

BY - LAWS

At 20:00 h Alderman Lewarne retired from the Council Chamber.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT

"Burnaby Zoning By-Law 1965,
Amendment By-Law No. 40, 1979" #7416

"Burnaby Zoning By-Law 1965,
Amendment By-Law No. 41, 1979" #7417

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 MERCIER:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

"Burnaby Zoning By-Law 1965, Amendment By-Law No. 40, 1979" - #7416
Be Tabled."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the Committee now rise and report the progress on By-Law #7417.

CARRIED

OPPOSED: ALDERMAN DRUMMOND

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: ALDERMAN DRUMMOND

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT

"Burnaby Zoning By-Law 1965,
Amendment By-Law No. 41, 1979" #7417

be now read Two Times."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

At 20:10 h Alderman Lewarne returned to the Council Chamber and took his place at the Council Table.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

"Burnaby Highway Exchange By-Law No. 8, 1979" #7418

be now lifted from the table."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

"Burnaby Highway Exchange By-Law No. 8, 1979" #7418

" Burnaby Zoning By-Law 1965,
Amendment By-Law No. 28, 1979" #7386

be now abandoned."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT

"Burnaby Deer Lake Park Dedication By-Law 1979 #7407

"Burnaby Zoning By-Law 1965,
Amendment By-Law No. 38, 1979 " #7414

"Burnaby Building By-Law 1973,
Amendment By-Law No. 2, 1979" #7422

"Burnaby Local Improvement Construction
By-Law No. 15, 1979" #7423

be now introduced and the 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 LEWARNE:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT

"Burnaby Deer Lake Park Dedication By-Law 1979 " #7407

"Burnaby Zoning By-Law 1965,
Amendment By-Law No. 38, 1979" #7414

"Burnaby Building By-Law 1973,
Amendment By-Law No. 2, 1979" #7422

"Burnaby Local Improvement Construction
By-Law No. 15, 1979" #7423

be now read Three Times."

CARRIED UNANIMOUSLY

1979 October 22

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN LEWARNE:

"THAT

"Burnaby Development Cost Charges
By-Law 1979, Amendment By-Law 1979"

#7421

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 LEWARNE:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 71, 1979 which pertain thereto be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

- (a) East Burnaby Ratepayer's Association,
President, 1979 September 24, Re: A
Comprehensive Transportation Plan For
Burnaby Reports.

A letter dated 1979, September 24 was received commending the Burnaby Transportation Committee for the hard work and diligence they have devoted to their task. The fact that they have failed to totally please hardly anybody, may be a left handed compliment as to their integrity.

The Association strongly supports virtually all the points raised in the first document (Transportation Policies For Burnaby). The fact Council has adopted these policies indicates a concern for citizens rarely found in the political world. If this and future Councils adhere to these policies they can certainly take pride in their conduct.

The East Burnaby Ratepayer's Association is, of course, not nearly so delighted with the actual plan, however, it too is now policy.

This being the case the East Burnaby Ratepayer's Association would stress some of the issues raised. The plan to be successful must be viewed as the total package. In order to develop it as a total package it is essential agreement be reached with adjacent municipalities and senior governments both in terms of transit and road networks. The type of thing occurring on Boundary Road or the proposed Kensington Overpass should not take place in isolation but as part of a systematic implementation. To try to achieve the concept on a piece meal basis is folly and doubly so when we have no political assurances of acceptance by other governments.

The East Burnaby Ratepayer's Association suggested the sequence of recommendations on page 59 of "A Comprehensive Transportation Plan For Burnaby" is sound and request Council to resist the temptation to bypass this sequence.

- (b) Petition, 1979 October 10, Re: Protest Excessive
And Hazardous Use Of Lane Behind Properties 6800
Blocks Carnegie Street And Union Street.

A petition dated 1979 October 10 was received protesting the excessive and hazardous use of the lane behind respective properties in the 6800 block Carnegie Street and 6800 block Union Street by the trucks serving Curtis Lumber Company Ltd., 840 Sperling Avenue.

The greatest concern is the number of fully loaded semi-trailer transport trucks which enter the lane from Duncan Avenue, on occasion these trucks have backed into Curtis Lumber Co. Ltd., from Duncan Avenue. The lane is also used extensively by loaded Curtis Lumber delivery trucks, some of whose drivers are very impatient and discourteous with residents attempting to enter or leave the lane. Some of the residents have had considerable property damage, i.e., fences and boulevards of the two corner properties at Duncan Avenue. On 1979 October 05 a fully loaded transport truck tried to enter the lane from Duncan Avenue and became stuck in the ditches behind 6840 Union Street and 6871 Carnegie Street. The lane was blocked for one hour and twenty minutes before the truck was enabled to move with the assistance of a forklift. The petitioner's concern is not only with courtesy and property damage but with the safety of the children using the lane and the proximity of all this truck traffic to Westridge Elementary School. They felt this problem is an invasion of their property and a lowering of the quality of life to which they are entitled. Their concerns have been brought to the attention of the management of Curtis Lumber Co. Ltd. In the past this has brought about only a temporary reprieve. It was requested, therefore, that steps now be taken to ensure an immediate and permanent halt to the misuse of this lane. If this cannot be done a suitable reduction in the petitioner's property taxes will be requested.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

- (c) The Corporation Of The Township Of Richmond,
Municipal Clerk, 1979 October 12, Re: Richmond
Strongly Oppose Release Of 626 Acres From
Agricultural Land Reserve.

A letter dated 1979 October 12 was received enclosing a copy of a Resolution adopted by the Richmond Council on 1979 October 09 strongly opposing the release by the Provincial Environment And Land Use Committee Of Cabinet of the 626 acre holding of Gloucester Properties from the Agricultural Land Reserve in the Aldergrove/Langley area.

- (d) Mrs. V. Bartrop, 1979 October 11, Re: Tremendous
Improvements Made At Barnet Marine Park.

A letter dated 1979 October 11 was received congratulating Council on the tremendous improvements that had been made at the Barnet Marine Park. The writer noted that there is only one thing that spoils the peace and quiet of the park and that is the noise which comes from the Rifle Range on the Barnet Highway.

- (e) Petition, Tenants Of Parkwood Terrace,
1979 October 07, Re: Petitioning For A
Playground And Baseball Diamond.

A petition containing 108 signatures dated 1979 October 07 was received petitioning for a playground and baseball diamond in the vicinity of Parkwood Terrace.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN MERCIER:

"THAT this petition be referred to The Parks And Recreation Commission for investigation and a subsequent report to Council."

CARRIED UNANIMOUSLY

- (f) Citizens For Rapid Transit,
Chairman, Re: Position Paper
In Regard To Current Transit
Negotiations.

A letter dated 1979 October 16 was received enclosing a Position Paper adopted by the Citizens For Rapid Transit in regard to the current transit negotiations taking place between the Greater Vancouver Regional District and the Provincial Government.

The Citizens For Rapid Transit requested that Council very seriously consider the content of this Position Paper and take one of two courses:

1. Insist that the entire funding formula and operating agreement be discussed at a series of well publicized meetings throughout the Greater Vancouver Regional District before ratification.
2. Simply recommend that the agreement not be signed in its present form.

- (g) Brentwood Racquetball Club,
Secretary, Re: Approval Of A Class
"A" Recreational Licence -
Brentwood Racquetball Club

- (h) Brentwood Lanes Ltd.,
Secretary, Re: Approval Of A
Class "A" Recreational Licence -
Brentwood Lanes Ltd.

Letters dated 1979 October 15 were received seeking approval of the Municipality of Burnaby for the operation of a Class "A" Recreational Licence in that portion of the recreational complex operated by Brentwood Lanes Ltd. known as the Brentwood Racquetball Club and a change from a Class "B" Licence to a Class "A" Recreational Licence in the dining room and holding area of Brentwood Lanes Ltd.

Item 16, Municipal Manager's Report No. 71, 1979 October 22, pertaining to the above subject, was brought forward for consideration at this time.

The following are the recommendations contained in that report:

1. That a further report on each of the two requests for Class "A" Liquor Licences be submitted when comments from the relevant departments are obtained.
2. That a copy of this report be forwarded to Mr. Baz Nagle, Secretary, Brentwood Lanes Ltd., 5502 Lougheed Highway, Burnaby, B.C. V5B 2Z8.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- (i) Daphne Dulson, Re: Not Allow A
Stadium To Be Built In Burnaby.

A letter dated 1979 October 15 was received urging that Council not allow a stadium to be built in Burnaby. The writer considered that Burnaby is used enough as a drive through community. A stadium would leave us with the traffic problems and be used mainly by Vancouver, Richmond and other surrounding areas.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

"THAT correspondence items (j) to (www) pertaining to the barricades in the Canada Way/Sperling Avenue area be referred to the Traffic Safety Committee."

- (j) Mrs. T.A. Govett, 1979 October 04, Re: Protest The Closure Of Sperling Avenue At Canada Way.
- (k) John D. McLeod, Joan E. McLeod, 1979 October 11, Re: Recommend Removal of Barriers.
- (l) C.R. Shank, 1979 October 11, Re: Express Opposition To Barricades.
- (m) Mrs. Pauline Rowat, 1979 October 12, Re: Remove The Barriers South of Canada Way.
- (n) Thomas S. Colbeck, 1979 October 15, Re: Reasons To Necessitate Immediate Opening Of Blockade.
- (o) Joanna Jack, 1979 October 14, Re: Protest Placement Of Barricades Off Canada Way.
- (p) Eileen Hall, 1979 October 15, Re: Keep Commuter Traffic Away From The Sperling-Buckingham Area.
- (q) Miss Olive Benedict, 1979 October 06, Re: Protest The Barricading Of Streets.
- (r) Coro Strandberg, 1979 October 15, Re: Opposed To Use Of Road Barricades.
- (s) Mr. Ronald W. McRae, 1979 September 08, Re: Support The Barricades.
- (t) Cosmo Pupo, 1979 September 09, Re: Allow Barricades To Remain.
- (u) Sandra Klimek, 1979 September 04, Re: In Favour Of Existing Closures.
- (v) Ken Woudstra, 1979 September 04, Re: Retain The Barricades.
- (w) Buddy McGrath, 1979 September 08, Re: Support The Barricade System.
- (x) M. Beth Lindsay, 1979 October 15, Re: Full Support Of Barricade Program.
- (y) Pat Gillan, Judy Gillan, 1979 September 07, Re: Thanks For The Barricades.
- (z) Peter G. Watson, 1979 September 10, Re: Barricade Is A Sound And Most Appreciated Project.

- aa) Margarete and Fred Holl, 1979 September 10,
Re: Preserve Present Status Of Controlled
Traffic Flow.
- bb) John Tancowny, 1979 September 09, Re: Hope
Barricades Become Permanent.
- (cc) Dr. C.F. Rideout, 1979 October 17, Re: Appreciation
Of Barricades
- (dd) Nicolaas A.M. Verbeek, 1979 September 08, Re: Hope
Closure Of Sperling Avenue Will Become Permanent.
- (ee) B.G. Hunter, 1979 August 25, Re: Keep The
Barricades In Place.
- (ff) Mrs. Gaynor M. Fox, 1979 August 27,
Re: May The Barricades Remain.
- (gg) Len and Evelyn Noort, 1979 October 17,
Re: Pleased With Road Closures
- (hh) G.W. Ingham, 1979 August 27, Re: Barricades
Are Very Necessary.
- (ii) John Fisher, 1979 October 17, Re: Keep
Roadblocks On Sperling Avenue.
- (jj) Jean S. Keating, 1979 October 17, Re: Protest
Against The Barriers.
- (kk) Leslie W. World, 1979 August 23, Re: Barricades
Be Removed.
- (ll) Robert H. Johnston, 1979 September 15, Re: Record
Objection To Closure Of Sperling Avenue And Rugby Avenue.
- (mm) George and Lena Clack, 1979 September 08,
Re: Remove The Barriers.
- (nn) Mrs. A. Patrick, 1979 October 17, Re: Not In
Agreement With Barriers Erected.
- (oo) John R. Jarman, 1979 September 11, Re: Remove
The Barricades.
- (pp) Don Wong, 1979 September 17,
Re: Opposed To Barricades.
- (qq) Richard McMillan, Deborah McMillan, 1979 September 06,
Re: Barricades Must Be Removed.
- (rr) Mrs. Doreen Mack, 1979 September 08, Re: Barricades
Have Not Alleviated Traffic Problems.
- (ss) Frances M. Jones, Herbert W. Jones, 1979 September 10,
Re: Ask That Barricades Be Removed.
- (tt) Brian Ball, 1979 October 02,
Re: Remove The Barricades.
- (uu) C.I. MacRitchie, E.R. MacRitchie, 1979 October 17,
Re: Hope That Closures Will Remain.

- (vv) V.C. Stemo, 1979 October 17, Re: Some Form Of Traffic Restriction Is Needed.
- (ww) W. Westwood, 1979 October 17, Re: Appreciated It When The Barricades Put Up.
- (xx) Carol Stubson, 1979 August 27, Re: Appreciation For Closure Of Sperling Avenue.
- (yy) I. Stubson, 1979 August 27, Re: Express Approval Retaining Sperling Barricade.
- (zz) Marion Stubson, 1979 August 27, Re: Thanks For Closing Sperling Avenue.
- (aaa) Mrs. Auline Blair, 1979 August 27, Re: In Favour Retaining Barricade On Sperling Avenue.
- (bbb) Willard Blair, 1979 October 17, Re: Barrier At Sperling And Canada Way Should Remain.
- (ccc) Stephanie Friesen, 1979 September 07, Re: Support Of The Barricades.
- (ddd) Rosalinda Verbeek, 1979 September 08, Re: Make Closure Of Sperling Avenue Permanent.
- (eee) Mrs. Dorothy Mills, 1979 September 08, Re: Now Traffic Has Been Significantly Reduced.
- (fff) E. Schillinger, 1979 August 27, Re: Do Not Remove Barricades.
- (ggg) Adam S. Little, 1979 August 28, Re: Hope Present Arrangement Will Be Continued.
- (hhh) Mae Riemersma, 1979 August 27, Re: Request That Barricade Will Stay.
- (iii) Mrs. Louise Stemo, 1979 August 28, Re: Favour Deer Lake Neighbourhood Barricades.
- (jjj) Mrs. N.R.S. Gangji, 1979 October 17, Re: Oppose Removal Of Road Block.
- (kkk) E.J. Byron, 1979 September 03, Re: Hope Barricades Will Remain.
- (lll) Laura Wright, William Wright, 1979 October 18, Re: Favour Continuation Of Barricades.
- (mmm) Mrs. Kathy Tobin, 1979 September 07, Re: Oppose Proposal To Open Sperling Street.
- (nnn) E.G. Stolorchuk, 1979 September 04, Re: Barricades Should Be Left Up Permanently.
- (ooo) Jocelyn M. Fisher, 1979 August 26, Re: Retrograde Step To Remove Barricades.
- (ppp) Tom Rutten, 1979 October 15, Re: Against The Barricades.
- (qqq) Rita Szentes, Zoltan Szentes, 1979 October 17, Re: Like To See Barriers Removed.
- (rrr) L. Hiemstra, Sj Hiemstra, 1979 September 18, Re: Do Away With Barricades.
- (sss) Mrs. June Street, 1979 September 09, Re: Congestion On Canada Way Attributed To Closing Of Sperling Avenue.

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- (ttt) P.M. Pennemann, 1979 October 07,
Re: Remove The Barricades.
- (uuu) Mrs. L. Gusola, 1979 October 16,
Re: Remove The Barricades.
- (vvv) Mr. G. Taylor, 1979 October 16,
Re: Remove The Barriers.
- (www) Paul R. Smith, 1979 October 02,
Re: Open The Barriers
- (xxx) Mrs. Monique Chamerlain, 1979 October 03,
Re: Remove The Barriers.
- (yyy) Dale Gibbs, 1979 October 02,
Re: Remove All Barriers.
- (zzz) Mrs. D.M. Mink, 1979 October 04,
Re: Remove The Barriers.
- (aaaa) Manuel Barlinha, 1979 October 03,
Re: Remove Barriers In Deer Lake Area.
- (bbbb) Michael B. Kerr, 1979 October 17, Re: Hope The
Barriers Will Be Allowed To Remain.
- (cccc) Mrs. Judy Gillan, 1979 September 10, Re:
Reaffirm Decision Concerning Barricade At
Sperling/Canada Way.
- (dddd) Mr. and Mrs. H. Krebs, 1979 August 28,
Re: In Favour With The Closure.
- (eeee) Velma M. Johnson, 1979 September 06,
Re: In Favour Of The Barricades.
- (ffff) Mike Jonker, 1979 September 11, Re: Support
For The Barricade Has Grown.
- (gggg) Sonya Wilcock, 1979 October 17,
Re: Still In Favour Of The Situation.
- (hhhh) Mrs. B.S. Yee, 1979 September 02, Re: Thanks
For Putting Up The Barricades.
- (iiii) Kelly Bloy, 1979 September 03, Re: Thank
You For Having The Barricades Put Up.
- (jjjj) Elaine M. Stubson, 1979 August 27, Re: Stand
In Favour Of The Barricade.
- (kkkk) Gulshan Dhanji, 1979 September 02,
Re: Please Leave The Barricades In Place.
- (llll) N.C. Byron, 1979 September 03,
Re: Hope The Barricades Will Remain.
- (mmmm) Mrs. Dixie Topham, 1979 September 07,
Re: In Favour Keeping Concrete Abutments
In Place.
- (nnnn) Vince Tobin, 1979 October 17, Re: Requesting
Roads Remain Closed Permanently.
- (oooo) Chew Kwan Onn, 1979 September 03,
Re: Urge Barricades Remain.
- (pppp) Florence Audrain, 1979 August 27,
Re: Leave Barricades In Place.

- (qqqq) Ranzanalis Gangji, 1979 October 17,
Re: Favour Letting Road Blocks Stand.
- (rrrr) Rainu Collins, 1979 September 09,
Re: In Approval Of Barricades.
- (ssss) E. Kozier, 1979 October 17, Re: Reconsider
Any Plan For Removal Of Barricades.
- (tttt) Mrs. W. Westwood, 1979 October 17,
Re: Hope Barricades Are Kept.
- (uuuu) Ed Stubson, 1979 August 27, Re: Thank
You For Closing Sperling At Canada Way.
- (vvvv) Doris Johnstone, 1979 October 15, Re: Protest
Against Barriers On Canada Way.
- (wwww) R. Schweneker, 1979 September 03, Re: Request
Immediate Removal Of Barricades.
- (xxxx) Shane Duckworth, 1979 October 02, Re: Remove
Barriers Immediately
- (yyyy) M.L. Astoria, 1979 October 04,
Re: Remove The Barricades.
- (zzzz) R.W. Glover, 1979 September 04,
Re: Take Away The Barricades.
- (aaaa) Mary Seath, John Seath, Linda Seath,
1979 August 15, Re: Streets Be Given Back
To All Taxpayers.
- (bbbb) Wenda Erickson, 1979 October 15,
Re: Protest Continuation Of Barricades.
- (cccc) Ron and Mildred Boileau, 1979 October 16,
Re: Down With Barricades.
- (dddd) Colleen Broughton, 1979 October 15,
Re: Remove These Barricades.
- (eeee) Garry Beatch, 1979 October 17, Re: Enough
Traffic On Canada Way As It Is.
- (ffff) T.B. Fenwick, 1979 September 08,
Re: Please Remove The Barriers.
- (gggg) Maureen Webb, 1979 September 15,
Re: Opposed To Road Closures.
- (hhhh) James McBride, 1979 August 10,
Re: Have Barriers Removed.
- (iiii) Phillip Lee, 1979 August 29,
Re: Barriers Should Be Removed.
- (jjjj) Therese Scholtz, 1979 September 07,
Re: Barricade Removed.
- (kkkk) Patricia M. Thompson, 1979 September 09,
Re: Remove These Barricades.

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- (11111) Jeannie Dechaine, 1979 September 12, Re: Barricades Removed As Soon As Possible.
- (mmmmmm) Pauline L. Bonney, 1979 October 17, Re: Impossible To Get Out Of My Driveway.
- (nnnnn) Mrs. V.A. Priest, 1979 October 09, Re: Petition Concerned About Barricade At Sperling Avenue And Canada Way.
- (ooooo) Mrs. D. Steele, 1979 October 16, Re: Disagree Placement Of Barricades Canada Way-Sperling Area.
- (ppppp) F.E. Willis, 1979 October 15, Re: Trust Barriers Deer Lake Area Will Be Removed.
- (qqqqq) Mrs. M.V. Adolph, 1979 October 15, Re: Installation Of Barriers Has Proved To Be An Error.
- (rrrrr) L.R. Klimek, 1979 September 05, Re: Favour Retaining Traffic Barricades.
- (sssss) Mrs. S. Banford, 1979 September 29, Re: Protest Terrible Disturbance To One Of The Most Beautiful Streets.
- (ttttt) Mrs. Margaret McCarthy, 1979 September 10, Re: Request The Barricades Be Removed.
- (uuuuu) W. Yuskow, 1979 October 13, Re: Removal Of Barriers Would Certainly Be In Order
- (vvvvv) C. Tredger, 1979 August 27, Re: Traffic Barriers At Sperling Should Be Continued.
- (wwwww) R. Cogan, 1979 September 11, Re: Detrimental To Reopen Sperling Avenue.

ENQUIRIES

Alderman Mercier

Alderman Mercier advised that he would not be able to attend the special meeting of Council called for Wednesday, 1979 October 24 to consider the location of a sports stadium in Burnaby. Alderman Mercier enquired as to whether the staff would have information available on the soil conditions on any other sites in Burnaby other than the one that was the subject of a report some years ago.

The Municipal Manager noted that the Engineering Department has soil studies in many areas of the municipality but whether these studies would cover the site of a proposed stadium is problematical.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN LAWSON:

"THAT this Council go on record as being not interested in having a stadium in Burnaby- the type of stadium for which Mr. Paul Manning is investigating possible sites on behalf of the Provincial Government."

CARRIED:

OPPOSED: ALDERMEN: EMMOT AND
RANDALL

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Alderman Randall

Alderman Randall enquired as to whether detailed information on the types of bus shelters that will be installed under Phase II of the Bus Shelter Program would be available to Council prior to the institution of Phase II.

It was agreed that the Municipal Engineer, following consultation with the City of Vancouver, would submit a report to the Transportation Committee on the types of bus shelters that will be utilized in Phase II of the Bus Shelter Program.

NOTICES OF MOTION

(a) Area Transit Operations

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN LAWSON:

"WHEREAS the recent transit negotiations between the Minister of Municipal Affairs and the Greater Vancouver Regional District Transit Negotiating Sub-Committee proposed changes in the following areas:

1. The cost sharing formula.
2. The method of financing the local share of the deficit.
3. The organization of a transit administration; and

WHEREAS the Citizens of the Lower Mainland have voiced reservations about the new proposals submitted for adoption by the Greater Vancouver Regional District Negotiating Sub-Committee;

THEREFORE BE IT RESOLVED THAT Burnaby Municipal Council:

1. Support the Greater Vancouver Regional District Transit Negotiating Sub-Committee in the results of their negotiations to date with respect to the financing formula and subject to (2) and (3) below.
2. Request the Greater Vancouver Regional District Transit Negotiating Sub-Committee provide information to show the projected impact of the proposed financing formula on fixed income residents and on commercial and industrial electricity and gasoline users; and
3. Request comment from the Greater Vancouver Regional District Transit Negotiating Sub-Committee with respect to placing limitations on the Revenue from Gasoline Tax and Electric Power Surcharge in connection with the concerns illustrated herein for fixed income residents, etcetera; and
4. Request by letter to the Minister of Municipal Affairs, Province of British Columbia, that he take action to simplify the organizational structure for providing transit service to the Greater Vancouver Regional District area by having a direct connection from the Urban Transit Authority and the Greater Vancouver Regional District to a single operating entity or other practical means.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

"THAT Items (1) to (6) as contained in "Notice Of Motion" proposed by Alderman Drummond and Recommendations (2) to (7) as contained in Item 13, Municipal Manager's Report No. 71, 1979, be added to the motion as moved by Alderman Mercier and seconded by Alderman Lawson.

CARRIED UNANIMOUSLY

At 21:05 h the Council Meeting recessed.

At 21:22 h the Council Meeting reconvened with Alderman Gunn absent.

21.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the two 'Resolved's' as contained in the "Notice of Motion" proposed by Alderman Drummond be also added to the motion as moved by Alderman Mercier and seconded by Alderman Lawson."

His Worship, Mayor Constable, ruled that the foregoing motion as moved by Alderman Randall and seconded by Alderman Drummond was out of order.

The following is the text of Items (1) to (6) of the "Notice of Motion" proposed by Alderman Drummond and referred to in the motion as moved by Alderman Ast and seconded by Alderman Randall:

1. THAT all new cost sharing would only apply to increased transit services;
2. THAT a Grant be given by the Provincial Government to replace antiquated transit vehicles;
3. THAT there be a complete review of the changes to the definition of Annual Operating Costs;
4. THAT the sources for the method of financing the local transit deficits be reviewed in respect to future inflation and the projected growth of future gasoline sales.
5. THAT there is a need for a strong local representation in the transit planning and operating decision process by individual municipalities, such as Burnaby.
6. THAT there is a need to re-organize the lines of authority between the Provincial Cabinet, Urban Transit Authority Board, Greater Vancouver Regional District, Metropolitan Transit Operating Company and Local Municipalities in order to provide a more efficient system of managing the transit services.

The following is the text of Recommendations (2) to (7) of Item 13, Municipal Manager's Report No. 71, 1979, referred to in the motion as moved by Alderman Ast and seconded by Alderman Randall:

2. THAT an on-going review be conducted by the GVRD on the overall political organizational format subsequently established by the Province .
3. THAT local municipal councils maintain a degree of say on new internal routes, service extensions, transit stops and transit priority measures involving traffic control; and
4. THAT objective criteria be developed to equitably allocate transit services throughout the GVRD region; and
5. THAT the organizational form for local municipalities to provide input into the GVRD decision-making process be studied by the GVRD Regional Administrative Advisory Committee (Committee of Managers) and recommended to the GVRD Board for its consideration; and
6. THAT a copy of this report be forwarded to the GVRD Board of Directors for its consideration; and
7. THAT a copy of this report be forwarded to the City of Vancouver and the Minister of Municipal Affairs for their information.

It was agreed that all of the aforementioned items would be voted on separately and in reverse order.

RECOMMENDATIONS (2) TO (7) ITEM 13, MUNICIPAL MANAGER'S REPORT NO. 71, 1979:

Recommendation No. 2 - CARRIED UNANIMOUSLY

Recommendation No. 3 - CARRIED UNANIMOUSLY

Recommendation No. 4 - CARRIED UNANIMOUSLY

Recommendation No. 5 - CARRIED UNANIMOUSLY

Recommendation No. 6 - CARRIED UNANIMOUSLY

Recommendation No. 7 - CARRIED UNANIMOUSLY

ITEMS (1) TO (6) "NOTICE OF MOTION" BY ALDERMAN DRUMMOND:

Item 1 -

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN LAWSON:

"THAT Item (1) in the Notice of Motion" by Alderman Drummond be tabled."

CARRIED.

OPPOSED: Alderman Randall

Item 2 - CARRIED - Opposed - Alderman Emmott.

Item 3 - CARRIED - Opposed - Alderman Emmott.

Item 4 - CARRIED UNANIMOUSLY.

Item 5 - CARRIED UNANIMOUSLY.

Item 6 - CARRIED UNANIMOUSLY.

ITEMS (1) to (4) "NOTICE OF MOTION" BY ALDERMAN MERCIER.

Item 1 - FOR: Aldermen Emmott, Lawson, Lewarne and Mercier

OPPOSED: Mayor Constable, Aldermen Ast, Drummond and Randall

The votes being equal for and against the motion, the question was declared negatived and LOST.

Item 2 - CARRIED UNANIMOUSLY

Item 3 - CARRIED UNANIMOUSLY

Item 4 - CARRIED UNANIMOUSLY

A vote was then taken on the original motion as moved by Alderman Mercier and seconded by Alderman Lawson and same was CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

"THAT the two (2) "Resolved's" as contained in the "Notice of Motion" as proposed by Alderman Drummond be now adopted."

1. THEREFORE BE IT RESOLVED THAT the Transit Negotiating Sub-Committee continue to negotiate transit operation agreements with the Minister of Municipal Affairs and the Urban Transit Authority Board until a more acceptable agreement has been reached.

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2. FURTHER BE IT RESOLVED THAT: The Corporation of the District of Burnaby go on record as opposing the Greater Vancouver Regional District Transit Negotiating Sub-Committee's most recent recommendations until the following items are incorporated into a transit service agreement.

It was agreed that each of the foregoing items would be voted on separately.

Resolve No. 1 - CARRIED - Opposed - Alderman Emmott

Resolve No. 2 - This Item was withdrawn by the Mover of the Motion.

- (b) Burnaby Zoning By-Law Text Amendments
- By-Law No. 7412

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

WHEREAS complaints were raised at the Public Hearing that should be investigated further; and

WHEREAS confusion was evident at the Public Hearing because of the number of changes proposed and of their complex nature; and

WHEREAS more in-depth study should be given to the ramifications of the proposed changes;

THEREFORE BE IT RESOLVED THAT the By-Law Text Amendments (By-Law No. 7412) be referred to the Housing Committee to discuss and review the effects of the proposed changes and respond to the concerns expressed at the Public Hearing;

AND FURTHER THAT the Housing Committee report back to Council on possible changes, with their recommendations.

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (a) Traffic Safety Committee

1. Dinner Meeting - 1979 December 06

The Traffic Safety Committee submitted a report in which it was recommended:

1. That Council authorize the Traffic Safety Committee to hold a Dinner Meeting on Thursday, 1979 December 06.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

"THAT the recommendation of the Traffic Safety Committee be adopted."

CARRIED UNANIMOUSLY

- (b) The Municipal Manager presented Report No. 71, 1979 on the matters listed following as Items 1 to 20. either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Retirement - Mr. Thomas Mc Kitrick

The Municipal Manager provided a report from the Personnel Director concerning the retirement of Mr. Thomas Mc Kitrick who has been employed by the Municipality for twenty-eight years.

The Municipal Manager recommended:

1. That the Mayor, on behalf of Council, send to Mr. Mc Kitrick Letter Of Appreciation for his many years of loyal and dedicated service to the Municipality.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

2. Building Department Report

The Municipal Manager provided a report from the Chief Building Inspector covering the operation of the Building Department from 1979 September 10 to 1979 October 05.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

3. Engineer's Special Estimate

The Municipal Manager provided a report from the Municipal Engineer covering a special estimate of work in the total amount of \$3,600.00

The Municipal Manager recommended:

1. That the estimate as submitted by the Municipal Engineer be approved.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

4. R.C.M.P. Monthly Report - 1979 September

The Municipal Manager provided a report from the Officer-in-Charge Burnaby Detachment, R.C.M.P. covering the policing of the Municipality for the month of 1979 September.

The Municipal Manager recommended:

1. That the report of the Officer-in-Charge Burnaby Detachment, R.C.M.P. be received for information purposes.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

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5. Letter From United Properties Limited Which Appeared On The Agenda For The 1979 October 15 Meeting Of Council. Re: Development Site At Government And Halston - Community Plans Five And Ten.

The Municipal Manager provided a report from the Director of Planning concerning a request for approval to develop a townhouse project which would have a higher density than that which is required by the adopted community plan for the area.

The Municipal Manager recommended:

1. That United Properties Limited be advised that any proposed development of the subject site must conform to the adopted Community Plans Five and Ten - Area "H", and the maximum outlined unit density.
2. That a copy of this report be sent to United Properties Limited.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

6. Letter From Pauline Mudrakoff Which Appeared On The Agenda For The 1979 October 15 Meeting Of Council. Storage Of Building Materials On A Site At Boundary Road And Hastings Street. Bosa Bros. Construction Limited Rezoning Reference Number 38/77A.

The Municipal Manager provided a report from the Director of Planning concerning building material that is being stored by Bosa Bros. Construction Limited on a site at Boundary Road and Hastings Street.

The Director of Planning advised that on 1979 October 16 a letter was received from Bosa Bros. Construction Limited advising that the materials in question would be removed from the subject site before 1979 October 19.

The Municipal Manager recommended:

1. That a copy of this report be sent to Ms. P. Mudrakoff, 3743 Albert Street, Burnaby, B.C. V5C 2C6.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

7. Sub-Division Reference No. 76/79 - Restrictive Covenant

The Municipal Manager provided a report from the Director of Planning regarding a restrictive covenant for Sub-Division Reference No. 76/79.

The Municipal Manager recommended:

1. That Council authorize the preparation and execution of a restrictive covenant pursuant to Section 24A of The Land Registry Act, as more particularly described in the Director of Planning's Report.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

8. Demolition Of Property That Is Required For The Beresford Street Road Allowance. Lot 6 except North 40', Block 15, D.L. 97, Group 1, Plan 3912 NWD. 7092 MacPherson Avenue.

The Municipal Manager provided a report from the Municipal Solicitor regarding the demolition of existing improvements on the subject property.

The Municipal Manager reported that the Legal And Lands Department, on being advised that a resident in the area might be interested in relocating the garage, gave to that resident the telephone number of the Demolition Firm so that if he desired, he could make his own personal arrangements for such relocation. To the best of our knowledge, that person never contacted the Firm and the buildings were demolished on 1979 October 13.

The Municipal Manager recommended:

1. That the report of the Municipal Solicitor be received for informational purposes.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

9. Impounding Of Vehicles

The Municipal Manager provided a report from the Chief Licence Inspector concerning a By-Law to regulate the impounding of vehicles from private property.

The Municipal Manager noted that in the latter part of 1976 and early part of 1977 a number of complaints were received by Council concerning vehicles impounded from parking lots and the difficulties by owners in redeeming their vehicles. The consequence was that on 1978 March 28, Council directed that Staff bring down a By-Law as described in the Chief Licence Inspector's report. However, since then, no complaints have been received from the public in this matter and a survey shows that the industry is policing itself. Under the circumstances, there appears to be no reason why a By-Law should be brought down at this time to control the industry insofar as it applies to Burnaby.

The Municipal Manager recommended:

1. That a By-Law to regulate the impounding of vehicles from private property not be brought down.

MOVED BY ALDERMAN MERCIER:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

10. Fire Underwriters Survey,
Municipality of Burnaby - 1980 April 07

The Municipal Manager provided a report from the Director - Fire Services on the subject survey. Council had requested information on the overall effect that the survey might have on premiums for insurance on properties located in Burnaby.

The Director - Fire Services reported that notwithstanding the proposed survey to be carried out in Burnaby, there is no expectation that the results will have any bearing on the present tariff structure for single family dwellings. At present Burnaby is enjoying the most favorable tariff in this particular area by the simple expedient of providing an organized

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fire department and a water supply sufficient in volume and pressure to suppress an advanced fire in a single family dwelling.

The Municipal Manager recommended:

1. That the report of the Director - Fire Services be received for information purposes.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

11. Tender To Supply And Plant Two Hundred And Seventy-Eight Trees

The Municipal Manager provided a report from the Purchasing Agent regarding tenders to supply and plant 278 trees.

The Municipal Manager recommended:

1. That the lowest tender submitted by Holland Landscapers Limited for the sum of \$25,388.00 be accepted.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

12. Number Two Fire Hall, 7578 Edmonds Street,
Addition For Accommodation For Aerial Ladder Truck Crew

The Municipal Manager provided a report from the Purchasing Agent concerning additions to Number Two Fire Hall to provide needed accommodation for fire fighters at Fire Hall Number Two at Edmonds Street.

The Purchasing Agent reported that Purchase Order Number 9620 has been issued to the lowest bidder, Art's & G. Contracting Limited for the sum of \$15,700.00 to carry out this work.

The Municipal Manager recommended:

1. That the report of the Purchasing Agent be received for information purposes.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

13. Report Of The Greater Vancouver Regional District Sub-Committee On
Transit Negotiations - 1979 October 02 - Presented To The Greater
Vancouver Regional District Board October 03

This Item was dealt with previously in the meeting as Item 8 under "Notice Of Motion".

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"THAT Item 13 in Municipal Manager's Report Number 71, 1979 be received for information purposes.

CARRIED UNANIMOUSLY

14. The Effect On Burnaby Of The Official Regional Plan Update.

The Municipal Manager provided a report from the Director of Planning on the Official Regional Plan Update and its effect on Burnaby.

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 LEWARNE:

"THAT the Municipal Manager's recommendation be adopted."

CARRIED UNANIMOUSLY

15. Barnet Marine Park, Retention Of Piles And Dolphins In Bestwood Waterlot Leasehold Area.

The Municipal Manager provided a report from the Director of Planning regarding the retention of piles and dolphins that were formerly the property of Bestwood Industries Limited.

The Municipal Manager recommended:

1. That Council authorize Staff to forward a letter of undertaking to the National Harbours Board stating that The Corporation of the District of Burnaby will remove the piles and dolphins in Lease No. V-573(3) upon receipt of a written request from the Board.
2. That a copy of this report be sent to the Parks and Recreation Commission.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

16. Letters From Mr. Baz Nagle, Secretary, Brentwood Racquetball Club and Brentwood Lanes Limited 5502 Lougheed Highway, Burnaby, B.C. V5B 2Z8 Class "A" Liquor Licences

This Item was dealt with previously in the meeting as Item 6(g) under Correspondence and Petitions.

17. Engineering Services For The Design Of Boundary Road Improvements - Frontage Road And Noise Abatement Berm

The Municipal Manager provided a report from the Municipal Engineer on engineering proposals for services relative to Boundary Road Improvements

The Municipal Manager recommended:

1. That The Corporation of Burnaby enter into an engineering agreement with Vector Engineering Services Ltd. to provide the engineering services as outlined in the Municipal Engineer's terms of reference dated 1979 September 28 and in accordance with the consultant's proposal dated 1979 October 12 for an upset fee of \$13,200.00 excluding disbursements.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

18. Northeast Burnaby Recreation/Library Complex
Property Belonging To Mrs. Lillian E. Mann -
9637 Cameron Street

The Municipal Manager provided a report which had been requested by Council on 1979 October 15 providing a chronological history of negotiations that have taken place with Mrs. Lillian E. Mann for the purchase of her property at 9637 Cameron Street.

It is realized that reports involving negotiations are referred to Council "In Camera". However, in this case, it is felt that it is appropriate for this report to be placed on the Open Agenda because the subject has been the result of extensive coverage in the media, and some of this coverage is inaccurate and may even be said to be misleading. A further consideration is that the offers which have been made by the Municipality have appeared in the newspapers so they are a matter of public record.

With the exception of Mrs. Mann's property, all of the other properties that are required for Phase I of the complex have been acquired. Purchase prices were all well below what Mrs. Mann is requesting. In fact, the property adjoining Mrs. Mann's property at 9611 Cameron Street which had the same dimensions as Mrs. Mann's property was sold to the Municipality for \$85,000.00 or \$4.12 per square foot on 1978 January 10 (the same day on which Mrs. Mann was first approached by the Municipality with an offer to purchase her property).

The Municipal Manager recommended:

1. That this report be received for information purposes.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

19. 1979 Recast Budget

The Municipal Manager provided the 1979 Recast Budget.

The Municipal Manager recommended:

1. That the 1979 Recast Budget be received, approved and the necessary budget amending By-Law be brought forward.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

Alderman Mercier retired from the Council Chamber at 22:15 h.

20. Sale Of Lots 1, 2 & 3, Block 19, D.L. 69, Plan 1321 NWD
4008/4048 Regent Street, Rezoning Reference No. 21/77
RZ No. 16/77, S.D. No. 59/77

The Municipal Manager provided a report from the Municipal Solicitor concerning the proposed cancellation of the sale of the subject property.

The Municipal Manager recommended that:

1. That the sale of lots 1, 2 and 3, Block 19, D.L. 69, Plan 1321 NWD to Tec Management Limited be cancelled and the deposit returned.

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MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Alderman Mercier returned to the Council Chamber at took his place at the Council Table at 22:17 h.

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

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY