

1980 SEPTEMBER 15

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1980 September 15 at 19:00 h.

PRESENT: Mayor D.M. Mercier, In the Chair
Alderman D.N. Brown
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman W.A. Lewarne
Alderman F.G. Randall
Alderman V.V. Stusiak

ABSENT: Alderman G.D. Ast
Alderman D.A. Lawson

STAFF: Mr. A.L. Parr, Acting Municipal Manager
Mr. V.D. Kennedy, Deputy Municipal Engineer
Mr. D.G. Stenson, Assistant Director-Current 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 1980 September 08 came forward for adoption.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN BROWN:

"THAT the minutes of the Council Meeting held on 1980 September 08 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) Costas Alexakis, 1980 September 08,
Subdivision of 4330 Pandora Street
Spokesman - Costas Alexakis
- (b) Joe J. Bayer, 1980 September 08,
Re: Local Improvement Project #79-032 - McKay
Avenue - Greta Street to Rumble Street
Spokesman - Joe J. Bayer

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN STUSIAK:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Costas Alexakis then addressed Council on the subject of the possible subdivision of his property at 4330 Pandora Street.

Mr. Alexakis explained that he would like to build two single family dwellings on the subdivided property or a side by side duplex dwelling on the property as it now stands. Mr. Alexakis did not agree with the requirement that the basement of the proposed structure be excavated to a depth of four feet. Such a requirement would lead to possible future flooding and heating problems.

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MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT Item 6, Municipal Manager's Report No. 58, 1980 September 15, pertaining to this subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager provided a report from the Approving Officer regarding the subdivision of the property at 4330 Pandora Street.

The Approving Officer reported that the Planning Department has never received a subdivision application for this property. Due to the size of the subject property, it is not possible to approve a subdivision into two lots. However, the construction of a two family dwelling is permitted and Mr. Alexakis should contact the Building Department in order to be informed on how to go about obtaining a Building Permit.

The Municipal Manager recommended:

- (1) THAT a copy of this report be forwarded to Mr. C. Alexakis, 4330 Pandora Street, Burnaby, B.C., V5C 2B7.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (b) Mr. Joe J. Bayer, 7326 McKay Avenue, then addressed Council to request that Local Improvement Project #79-032, McKay Avenue from Greta Street to Rumble Street, be deleted from the 1980 Local Improvement Program.

B Y - L A W S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT Item 5.(a) Tabled Matters, "Burnaby Zoning By-law 1965, Amendment By-law No. 32, 1980", By-law No. 7533, be now lifted from the table."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

"THAT

'Burnaby Unsightly Premises By-law 1969,
Amendment By-law 1980' #7554

'Burnaby Lease Authorization By-law No. 6, 1980' #7555

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 STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT the Committee now rise and report the by-laws complete."

CARRIED UNANIMOUSLY

The Council reconvened.

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MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT

'Burnaby Unsightly Premises By-law 1969,
Amendment By-law 1980' #7554

'Burnaby Lease Authorization By-law No. 6, 1980' #7555

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

"THAT

'Burnaby Local Improvement Construction
By-law No. 17, 1980' #7556

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 EMMOTT:
SECONDED BY ALDERMAN BROWN:

"THAT Item (a) - McKay Avenue from Rumble Street to Greta Street, be deleted
from 'Burnaby Local Improvement Construction By-law No. 17, 1980', By-law
No. 7556."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT the Committee now rise and report the by-law, as amended, complete."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT

'Burnaby Local Improvement Construction
By-law No. 17, 1980' #7556

as amended, be now read three times."

CARRIED UNANIMOUSLY

1980 September 15

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT

'Burnaby Zoning By-law 1965, Amendment
By-law No. 32, 1980'

#7533

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 STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT the Committee now rise and report progress on the by-law."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: ALDERMAN DRUMMOND

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT

'Burnaby Zoning By-law 1965, Amendment
By-law No. 32, 1980'

#7533

be now read a second time."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN BROWN:

"THAT

'Burnaby Development Cost Charges
Reserve Fund Expenditure By-law 1980'

#7553

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 STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 58, 1980 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) The Banff Centre for Continuing Education, Program Manager, Municipal Management Development Seminar,
Re: Express sincere appreciation for allowing Mr. Shelley to participate in Municipal Management Development Seminar

A letter dated 1980 August 29 was received expressing the sincere appreciation of the Banff Centre for Continuing Education, Municipal Management Development Seminar, to the Municipal Council, for permitting Mr. Melvin J. Shelley, Municipal Manager, to participate in the Municipal Management Development Seminar.

- (b) Union of British Columbia Municipalities, Executive Director, Re: Draft Legislation
"A New Financial Administration Act"

A letter dated 1980 September 03 was received advising that the U.B.C.M. President has already established a special committee consisting of the U.B.C.M.'s Table Officers who will meet within a few days to examine the material and prepare a U.B.C.M. response for consideration by the U.B.C.M. Convention on 1980 September 17 of the Draft Legislation with supporting discussion papers entitled "A New Financial Administration Act" recently issued by the Ministry of Finance.

- (c) Student Association of B.C. Institute of Technology, Treasurer, Student Association
Re: Maintaining healthy neighbourly relationship

A copy of a letter dated 1980 August 29 addressed to all residents of Greentree Village was received advising that the Student Association of the B.C. Institute of Technology will do everything possible to ensure that problems which may arise as a result of the commencement of fall classes at the Institute will be kept to an absolute minimum.

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN BROWN:

"THAT the Student Association of the B.C. Institute of Technology be complimented on the stand they have taken with regard to neighbourhood relations."

CARRIED UNANIMOUSLY

- (d) The Red Door Rental Aid Society, Service Administrator
Re: Funded by meeting criteria for Community Services

A copy of a letter dated 1980 September 03 addressed to Alderman W.A. Lewarne was received pointing out that the operation of the Red Door Rental Aid Society is very different from that of profit making businesses, as it is funded by meeting the criteria for community services - i.e. social services as opposed to business functions.

The Red Door Rental Aid Society has an excellent reputation with both the City's Social Planning Department and the Ministry of Human Resources, as substantiated by the hundreds of letters of support received from social workers in Vancouver, and we hope that this letter will be of some value in dispelling the misconception of this organization.

- (e) The Kinsmen Rehabilitation Foundation of British Columbia, Metro Unit Co-ordinator,
Re: Permit to conduct door-to-door campaign
1981 Wednesday January 28 to Tuesday, February 03

A letter dated 1980 September 04 was received requesting permission for the Kinsmen Rehabilitation Foundation of British Columbia to conduct a door-to-door campaign in Burnaby from 1980 January 28 to February 03. This annual campaign, known as the Kinsmen Mothers' March is the main source of revenue for the Kinsmen Rehabilitation Foundation of British Columbia.

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The "Mothers' March" will be conducted by volunteers who normally live in the neighbourhood that they canvass. The normal time is from 18:00 h to 21:00 h on week nights and from 13:00 h to 17:00 h on the weekend. Each Marcher has an individual kit and a clearly marked lapel label to identify her/him.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT permission be granted to the Kinsmen Rehabilitation Foundation of British Columbia to carry out its annual fund raising campaign as requested."

CARRIED UNANIMOUSLY

- (f) Development Process Committee, Chairman,
Re: Development Process Committee

A letter dated 1980 September 05 was received outlining the membership and objectives of the Development Process Committee.

While the composition of the Committee is purposely private sector, all members have been vitally concerned from the outset that the results of our efforts have positive benefit for both public and private sectors. We are conscious of the need of objectivity in conducting our assessment and intend to seek the input of others throughout the process in keeping with Mr. Vander Zalm's intentions that "... the various municipalities, regional districts, the Province, the Federal Government, developers, and interest groups participate in the project". We will be attempting to meet with Mr. Geof. McKelvie, Executive Director of U.B.C.M., in light of this policy prior to the Annual Meeting of the U.B.C.M.

- (g) William Turner, Re: My residence involved
in dispute surrounding Illegal Suites

A letter dated 1980 September 08 was received advising that the writer's existing residence has been involved in the dispute involving illegal suites.

Mr. Turner was happy with his present accommodation. It is centrally heated and close to work and school. It is modern and reasonably priced. Mr. Taylor could not find accommodation that could equal or surpass this in the same area or price range, and before he would be evicted he asked that Council find him such accommodation.

Council was advised that a staff report would be available on this subject on 1980 September 29 and further consideration of the matter was deferred until that time.

- (h) Lucy's Fashions, Mrs. Lucy Laity,
1980 September 04, Re: Object to proposed
parking restrictions 4000 block East
Hastings Street
- (i) Tru Vu Optical, President, 1980 September 08,
Re: Objection to proposed changes in parking
regulations on Hastings Street

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT the matters referred to in correspondence items 4.(h) and (i) be referred to the Engineering Department in order that the department may communicate directly with the occupiers."

CARRIED UNANIMOUSLY

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

- (a) "Burnaby Zoning By-law 1965, Amendment
By-law No. 32, 1980" - By-law No. 7533

This item was dealt with previously in the meeting in conjunction with Item 3.(d) "Burnaby Zoning By-law 1965, Amendment By-law No. 32, 1980", By-law No. 7533.

- (b) Park Acquisition Program - 1980 May
Item 14, Municipal Manager's Report No. 46, 1980 July 08

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

"THAT Item 14, Municipal Manager's Report No. 46, 1980 July 07, pertaining to the Park Acquisition Program - 1980 May be now lifted from the table."

CARRIED

OPPOSED: ALDERMEN DRUMMOND
AND LEWARNE

The following is the recommendation contained in that report:

- (1) THAT the Council adopt the Park Acquisition Program dated 1980 May as a current guide to parkland acquisitions in the municipality.

The following motion was then before Council for consideration:

"MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN STUSIAK:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT the proposed acquisition as shown on map 47 of the Park Acquisition Program dated 1980 May (Love Property) be deleted from the Park Acquisition Program."

CARRIED

OPPOSED: ALDERMEN DRUMMOND
AND RANDALL

A vote was then taken on the original motion as moved by Alderman Randall and seconded by Alderman Stusiak, "That the recommendation of the Municipal Manager be adopted", as amended, and same was CARRIED with Aldermen Drummond and Randall opposed.

R E P O R T S

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (a) Mayor D.M. Mercier
Re: Burnaby Pioneers"

His Worship, Mayor Mercier, presented a report to Council in which he recommended that Council give support to a project he has in mind that our seniors could participate in during the fall and winter months of 1980. This would take the form of an essay-writing competition with a prize (or prizes) to be given for the best historical account of life in Burnaby over fifty years ago. The project could be co-ordinated by the Mayor's Office.

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The Mayor also recommended that Council authorize the expenditures that would be involved covering the cost of advertising an invitation to the earliest residents of the municipality to participate in the competition and an amount not exceeding \$2,000.00 for prizes.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN RANDALL:

"THAT the recommendations of His Worship, Mayor Mercier, be adopted."

CARRIED UNANIMOUSLY

(b) The Municipal Manager presented Report No. 58, 1980 on the matters listed following as Items 1 to 13 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Proposed relocation of a bus shelter
From Westbound Canada Way East of Willingdon Avenue
to Eastbound Canada Way East of Sperling Avenue

The Municipal Manager provided a report from the Municipal Engineer concerning the proposed relocation of a bus shelter from westbound Canada Way east of Willingdon Avenue to eastbound Canada Way east of Sperling Avenue.

The Municipal Manager recommended:

- (1) THAT Council approve the relocation of the existing Seaboard bus shelter at westbound Canada Way east of Willingdon Avenue to eastbound Canada Way east of Sperling Avenue.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN STUSIAK:

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

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN DRUMMOND:

"THAT further consideration of this matter be tabled."

CARRIED

OPPOSED: ALDERMAN STUSIAK

2. Letter from Burnaby Civic Employees' Local Union 23 which appeared on the agenda for the 1980 September 08 Meeting of Council
1981 Negotiations

The Municipal Manager provided a report from the Personnel Director regarding the letter received by Council on 1980 September 08 from the Burnaby Civic Employees' Local Union 23 concerning 1981 negotiations.

The Personnel Director reported that the appropriate steps are being taken to commence collective bargaining for the 1981 agreements, and further reports and recommendations will be made as matters progress.

The Municipal Manager recommended:

- (1) THAT a copy of the Burnaby Civic Employees' Local Union 23 letter dated 1980 September 02 be forwarded to the Administrator of the G.V.R.D. Labour Relations Department.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

3. Building Department Report - No. 9, August

The Municipal Manager provided a report from the Chief Building Inspector covering the operations of his department during the period 1980 August 05 to August 31.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

4. Rezoning Reference #25/80

Application for the rezoning of:

Lots 87 and 88, D.L. 2, Plan 57544

From: Small Holdings District (A2)

To: Comprehensive Development District (CD)
(Utilizing the RM5 District as a guideline)

Address: 9625 and 9587 Manchester Drive

The Municipal Manager recommended:

- (1) THAT Council favourably consider rezoning the subject site to Comprehensive Development (CD), utilizing the RM5 District as a guideline, and that a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21.
- (2) THAT the following be established as prerequisites to the completion of the rezoning:
 - (a) The submission of a suitable plan of development.
 - (b) The deposit of sufficient monies to cover the cost of all services necessary to serve the site and the completion and approval of the design of these services.
 - (c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - (d) The undergrounding of overhead wiring along Government Street as discussed in Section 3.3 of this report.
 - (e) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the by-law.

In the event that existing improvements on the site are vacant and considered to be a hazard to life or property, the Fire Prevention Office may issue an order to demolish such improvements and remove the resultant debris prior to Third Reading.
 - (f) The consolidation of the net project site into one legal parcel.
 - (g) The granting of any necessary easements.

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- (h) The dedication of any rights-of-way deemed requisite.
- (i) The retention of as many existing mature trees as possible on the site.
- (j) The landscaping of the redundant section of Government Street as noted in Section 3.4 of this report.
- (k) The approval of the Ministry of Transportation and Highways to the rezoning application.
- (l) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
- (m) The deposit of a levy of \$1,080.00 per unit to go towards the acquisition of proposed neighbourhood parks.
- (n) The deposit of a levy of \$50 per unit to go towards the cost of construction of the pedestrian underpass of Lougheed Highway.
- (o) Applicant's schedule for the construction staging of the subject proposal.
- (p) Compliance with the Council adopted sound criteria.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

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

CARRIED

OPPOSED: ALDERMAN DRUMMOND

5. Letter from Mr. & Mrs. L.J. Homey which appeared on the agenda for the 1980 September 02 Meeting of Council - Broadview Park

The Municipal Manager provided a report from the Officer In Charge, Burnaby Detachment, R.C.M.P. concerning complaints received from Mr. and Mrs. L.J. Homey relative to Broadview Park.

R.C.M.P. members met with the authors of the letter and also spoke with other neighbours in the area. When examining the park, the empty containers and broken glass confirmed evidence of liquor consumption in the area.

A suggestion put forth, which our members support, is to cut back the undergrowth near the Dominion Street entrance to permit greater exposure into the park. This generally discourages persons from gathering because of the non-seclusion.

There is no method of establishing a connection between break-ins, vandalism, etc. in the area to persons frequenting the park. Our members invited the residents to report incidents as they were occurring so our patrols could react while incidents are reportedly taking place. During the interim, the patrol personnel have been made aware of the concerns and as time permits, will be devoting attention to the area.

The Municipal Manager recommended:

- (1) THAT a copy of this report be forwarded to Mr. and Mrs. L.J. Homey, 3876 Dominion Street, Burnaby, B.C., V5G 1C2.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

6. Letter from Mr. Costas Alexakis
4330 Pandora Street, Burnaby, B.C., V5C 2B7
Request for permission to subdivide property

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

7. Rezoning Reference #27/80

Application for the rezoning of:

Portion of Lot 80, D.L. 10, Plan 34201

From: M3 Heavy Industrial District
To: CD Comprehensive Development District

Address: 3250 Production Way

The Municipal Manager recommended:

- (1) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h.
- (2) THAT the following be established as prerequisites to the completion of rezoning:
 - (a) The submission of a suitable plan of development.
 - (b) The dedication of any rights-of-way deemed requisite.
 - (c) The granting of any necessary easements to include the sanitary and storm sewer facilities as outlined in Section 3.8 and a reciprocal access easement outlined in Section 3.9.
 - (d) The approval of the Ministry of Transportation and Highways to this rezoning request.
 - (e) The deposit of sufficient monies to cover the cost of all services necessary to serve the site to include the upgrading of Production Way as described in Section 3.3. All services are to be designed and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - (f) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - (g) The approval and registration of the requested subdivision.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

8. Rezoning Applications

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

The Municipal Manager recommended:

- (1) THAT Council set a Public Hearing for this group of rezonings on Tuesday, 1980 October 21, except where noted otherwise in the individual reports.

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MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Item #1 - RZ #32/80

Application for the rezoning of:

Lot C, D.L. 44, Plan 7070

From: A2 Small Holdings District
To: CD Comprehensive Development District

6815 Loughheed Highway

The Municipal Manager recommended:

- (1) THAT Council favourably consider the subject rezoning request and authorize the Planning Department to work with the applicant towards the preparation of a suitable plan of development to be the subject of a further Council report.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Item #2 - RZ #33/80

Application for the rezoning of:

- Pcl. "D" Expl. Plan 27425 of "A & B", Blk. 11, D.L. 68, Plan 11090
- Lot "A" exc. Expl. Plan 27425, Blk. 11, D.L. 68, Plan 11090
- Lot 12, D.L. 68, Plan 3131
- Lot 10, D.L. 68, Plan 3431

From: R5 Residential District
To: CD Comprehensive Development District

3506/36/64/66 Curle Avenue

The Municipal Manager recommended:

- (1) THAT Council authorise the Planning Department to work with the applicant towards the preparation of a suitable development plan for the subject site, to be the subject of a further more detailed report prior to advancement to a Public Hearing.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT Item 4.4 of the Director of Planning's report relative to the provision of a pedestrian overpass across Canada Way at Curle Avenue be deleted."

CARRIED

OPPOSED: ALDERMEN DRUMMOND
AND RANDALL

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A vote was then taken on the original motion as moved by Alderman Stusiak and seconded by Alderman Randall, "That the recommendation of the Municipal Manager be adopted", as amended, and same was CARRIED UNANIMOUSLY.

His Worship, Mayor Mercier, welcomed Mr. J.G. Lorimer, M.L.A., Burnaby-Willingdon, to the Council Meeting this evening.

Item #3 - RZ #34/80

Application for the rezoning of:

Portion of Lot 137, D.L. 157/163, Plan 45779; Portion of Lot 111 exc. Plans 40401 and 42708, D.L. 157/163, Plan 26519.

From: P3 Park and Public Use District
To: A3 Truck Gardening District

4697 Marine Drive and 4677 Ingram Street

The Municipal Manager recommended:

- (1) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h, and that the following be established as prerequisite to completion of the rezoning:
 - (a) Final Adoption of the rezoning by-law prior to offering the property for sale in a selective public tender.
- (2) THAT upon sale of the subject 0.45 ha portion of Portion of Lot 137, D.L. 157/163, Plan 45779; Portion of Lot 111 exc. Plans 40401 and 42708, D.L. 157/163, Plan 26519, the Corporation undertake the required consolidation.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Item #4 - RZ #35/80

Application for the rezoning of:

Lot "B" of "A", Block 1, D.L. 58, Plan 6239

From: P1 Neighbourhood Institutional District and
R1 Residential District
To: R1 Residential District

3426 Piper Avenue

The Municipal Manager recommended:

- (1) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h, and that the following be established as prerequisites to completion of the rezoning:
 - (a) The granting of any necessary easements.
 - (b) The deposit of sufficient monies to cover the costs of all services necessary to serve the site.
 - (c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.

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- (d) The approval of the Ministry of Transportation and Highways to the rezoning application.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

Item #5 - RZ #36/80

Application for the rezoning of:

Lot 7, Block 37, D.L. 159, Plan 2585

From: C6 Gasoline Service Station District

To: R5 Residential District

6270 Rumble Street

The Municipal Manager recommended:

- (1) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h, and that the following be established as prerequisites to the completion of rezoning:
 - (a) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. All services are to be designed and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - (b) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - (c) The granting of any necessary easements.
 - (d) The dedication of any rights-of-way deemed requisite.
 - (e) The deposit of a levy of \$521 per unit to go towards the acquisition of proposed neighbourhood parks.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

Item #6 - RZ #37/80

Application for the rezoning of:

D.L. 175, E $\frac{1}{2}$ of E $\frac{1}{2}$ of S.E. $\frac{1}{4}$, Lot 2 Exc. N. 66', Plan 3261

From: C6 Gasoline Service Station District

To: R2 Residential District

4095 Marine Drive

The Municipal Manager recommended in part:

- (1) THAT Council not favourably consider the subject rezoning request to the R5 District.

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- (2) THAT Council favourably consider rezoning the subject site to R2 Residential District and that a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

"THAT RZ #37/80 be advanced to a Public Hearing under Residential District (R5) and that a rezoning by-law be prepared and advanced to First Reading on 1980 September 29, and to a Public Hearing on 1980 October 21."

CARRIED

OPPOSED: ALDERMAN RANDALL

The Municipal Manager further recommended that the following be established as prerequisite conditions of rezoning:

- (a) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. All services are to be designed and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- (b) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- (c) The granting of any necessary easements.
- (d) The dedication of any rights-of-way deemed requisite.
- (e) The deposit of a levy of \$521 per unit to go towards the acquisition of proposed neighbourhood parks.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

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

CARRIED

OPPOSED: ALDERMAN RANDALL

Item #7 - RZ #38/80

Application for the rezoning of:

Lots 18, 19 exc. N. 16 ft., and 20, Blk. 30, D.L. 152, Plan 1520

From: C4 Service Commercial District

To: CD Comprehensive Development District, utilizing the General Commercial District (C3) and a maximum 2.5 Floor Area Ratio as a guideline

5066 Kingsway

The Municipal Manager recommended:

- (1) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h, and that the following be established as prerequisites to the completion of the rezoning.
- (a) The submission of a suitable plan of development.

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- (b) The deposit of sufficient monies to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- (c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- (d) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the by-law.

In the event that existing improvements on the site are vacant and considered to be a hazard to life or property, the Fire Prevention Office may issue an order to demolish such improvements and remove the resultant debris prior to Third Reading.

- (e) The consolidation of the net project site into one legal parcel.
- (f) The granting of any necessary easements.
- (g) The dedication of any rights-of-way deemed requisite along the Kingsway frontage.
- (h) The deposit of a levy of \$.50 per square foot to go towards the acquisition of public open space in Metrotown.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Item #8 - RZ #39/80

Application for the rezoning of:

Lots A & B, Block 4, S.D. 1, D.L. 116, Plan 19144 and adjacent
20 m MacDonald Avenue Road Allowance

From: R5 Residential District
To: P3 Park and Public Use District

624 and 630 MacDonald Avenue and adjacent 20 m
MacDonald Avenue Road Allowance

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT Item 12 of Municipal Manager's Report No. 58, 1980, pertaining to this subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the recommendation contained in that report:

- (1) THAT Council authorize the deletion of the last sentence in the first paragraph of Section 3.0 of the Director of Planning's report, namely, "It should be noted that the overall plan is envisioned to comprise a total of four acres upon completion (as shown on attached Sketch #3), however, Phase 1 only is being advanced at this time".

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In addition, Sketch #3 is to be also deleted from the Director of Planning's report.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

The Municipal Manager recommended:

- (1) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h, and that the following be established as prerequisites to the completion of the rezoning:
 - (a) The provision of any necessary servicing to serve the site.
 - (b) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED

OPPOSED: ALDERMAN LEWARNE

Item #9 - RZ #40/80

Application for the rezoning of:

Lot 434, D.L. 138, Plan 54890

From: A2 Small Holdings District

To: CD Comprehensive Development District

1405 Greystone Drive

The Municipal Manager recommended:

- (1) THAT Council authorize the Planning Department to work with the applicant towards a plan of development suitable for presentation at a Public Hearing as outlined in Section 3.3 of the Director of Planning's report on the understanding that a more detailed report will be submitted which requests a Public Hearing.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

Item #10 - RZ #8/80A - Withdrawn

Item #11 - RZ #30/80

Application for the rezoning of:

Lot 119, D.L. 32, Plan 39167

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From: CD Comprehensive Development District
To: CD Amended Comprehensive Development District

6175 Nelson Avenue

The Municipal Manager recommended:

- (1) THAT Council authorize the introduction of a Road Closing By-law for the adjacent lane allowance as described in Section 4.3 of this report, contingent upon the granting by Council of Second Reading of the subject rezoning by-law.
- (2) THAT Council abandon "Burnaby Zoning By-law 1965, Amendment By-law No. 59, 1974", By-law No. 6548.
- (3) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h, 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 completion of the requisite Road Closure By-law.
 - (c) The consolidation of the net project site into one legal parcel.
 - (d) The granting of any necessary easements.
 - (e) The dedication of any rights-of-way deemed requisite.
 - (f) The deposit of sufficient monies to cover the costs of all services necessary to serve the site. All services are to be designed and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - (g) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - (h) The deposit of a \$1,080 per unit levy to be applied towards the acquisition of proposed neighbourhood parks.
 - (i) The preparation of an acoustical study of the site as per Section 4.6 of this report and the incorporation of the study recommendations in the suitable plan of development, the Preliminary Plan Approval application drawings and construction drawings.
 - (j) The submission of a statement from the applicant acknowledging and agreeing to the future closure of Miller Avenue as described in Section 4.7.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

9. Rezoning Reference #42/80

Application for the rezoning of:

Lots 11, 12, 13 and 14, D.L. 71 and 72, Group 1, Plan 59477

1980 September 15

From: P6 Regional Institutional District
To: CD Comprehensive Development District

3715 Gilmore Way and 4330, 4383 and 4460 Sanderson Way

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN BROWN:

"THAT Item 13, Municipal Manager's Report No. 58, 1980, pertaining to RZ #42/80 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager submitted a report from the Director of Planning providing additional information and clarification on RZ #42/80.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

The Municipal Manager recommended:

- (1) THAT Council approve the proposed adjustments to the Willingdon Site Discovery Parks Community Plan as outlined in Section 5.1(a) and (b) of this report.
- (2) THAT Council approve the Willingdon Site Discovery Park Community Plan as a development permit area and provide for the issuance of development permits within the context of this subject zoning by-law in accordance with Section 7.3(3) and Section 700 of the Burnaby Zoning By-law 1965, By-law No. 4742.
- (3) THAT Council authorize the introduction of a Road Exchange By-law according to the terms outlined in Section 4.0 of this report contingent upon the granting by Council of First and Second Readings of the subject rezoning by-law.
- (4) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h, and that the following be established as prerequisites to the completion of the rezoning:
 - (a) Agreement by Discovery Parks Incorporated to comply with the Willingdon Site Discovery Park Community Plan (the "Community Plan") which is the Comprehensive Plan for the subject rezoning.
 - (b) Agreement by Discovery Parks Incorporated that no development will be undertaken or permitted and no building permit issued unless a development permit has been issued pursuant to application in accordance with the provisions of the Municipal Act and the by-laws of Burnaby.
 - (c) The deposit of sufficient monies to cover the costs of construction of all services necessary to serve the site. All such services to be designed to the satisfaction of the Municipal Engineer. The agreement of Discovery Parks Incorporated to construct such services in accordance with such design to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.

- (d) The entering into a Servicing Agreement covering the matters set forth in Section 7.0 of this rezoning reference.
- (e) The agreement by Discovery Parks Incorporated to install or cause to be installed all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- (f) The creation of legal parcels encompassing the Discovery Park development site.
- (g) The dedication of any rights-of-way deemed requisite.
- (h) The granting of any necessary easements.
- (i) The provision of a realigned public pedestrian walkway easement south of Sanderson Way to the Spruce/Huxley intersection as specified in the Willingdon Site Discovery Park Community Plan and the agreement of Discovery Parks Incorporated to construct concrete walks and associated lighting to the approval of the Municipal Engineer.
- (j) Agreement by Discovery Parks Incorporated to retain as many existing mature specimen trees as possible on the site.
- (k) The approval of the Ministry of Transportation and Highways to the rezoning application.
- (l) The agreement of Discovery Parks Incorporated to pay any requisite municipal taxes in connection with the subject site and development.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

10. Rezoning Reference #9/80

Application for the rezoning of:

A portion of Lot 145 of D.L.'s 31,101,102,141,144,147,209,210,211, 212,213,214, Group 1, Plan 27774, containing 30.01 hectares, more or less

From: P6 Regional Institutional District
To: CD Comprehensive Development District

8888 Barnet Road

The Municipal Manager recommended:

- (1) THAT Council approve the proposed adjustments to the SFU Site - Discovery Park - Community Plan as outlined in Section 4.1 (a), (b), (c) and (d) of this report.
- (2) THAT Council approve the SFU Site - Discovery Park - Community Plan as a development permit area and provide for the issuance of development permits within the context of this subject zoning by-law in accordance with Section 7.3(3) and Section 700 of the Burnaby Zoning By-law 1965, By-law No. 4742.
- (3) THAT a rezoning by-law be prepared and advanced to First Reading on 1980 September 29 and to a Public Hearing on 1980 October 21 at 19:30 h, and that the following be established as prerequisites to the completion of the rezoning:

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- (a) Agreement by Discovery Parks Incorporated to comply with the SFU Site - Discovery Park - Community Plan (the "Community Plan") which is the Comprehensive Development Plan for the subject rezoning.
- (b) Agreement by Discovery Parks Incorporated that no development will be undertaken or permitted and no building permit issued unless a development permit has been issued pursuant to application in accordance with the provisions of the Municipal Act and the by-laws of Burnaby.
- (c) The deposit of sufficient monies to cover the costs of construction of all services necessary to serve the site. All such services to be designed to the satisfaction of the Municipal Engineer. The agreement of Discovery Parks Incorporated to construct such services in accordance with such design to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- (d) The entering into of a Servicing Agreement covering the matters set forth in Section 7.0 of this rezoning reference.
- (e) The agreement by Discovery Parks Incorporated to install or cause to be installed all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- (f) The legal site definition of the Discovery Park development site.
- (g) The granting of necessary easements to provide for the services required under the Servicing Agreement prerequisite (d) above. Such easements to be granted for at least the length of term of the lease of the Discovery Park site from Simon Fraser University and any renewal thereof. Such easements are to be registered in the Land Title Office prior to Final Adoption of the rezoning.
- (h) The granting of a right-of-way over Gagliardi Way, the Gagliardi Way Ring Road Intersection, and the proposed University Ring Road from southern boundary of Simon Fraser University property to the main entry to the Discovery Park site. Such right-of-way shall be registered in the Land Title Office prior to Final Adoption of the rezoning.
- (i) The granting of an easement for public pedestrian purposes over Mel's Trail which traverses the subject site. Such easement shall be registered in the Land Title Office prior to Final Adoption of the rezoning.
- (j) Agreement by Discovery Parks Incorporated to retain as many mature specimen trees as possible on the site.
- (k) The agreement of Discovery Parks Incorporated to comply with the provisions of the Community Plan in respect of existing water courses within the site and to provide at the time of application for a development permit registrable easements in respect of such water courses where required by the Municipal Engineer.

Any required watercourse improvements are to be designed and constructed to the satisfaction of the Municipal Engineer.

The submission of a viable schematic arrangement to disperse collected storm water from the development down Burnaby Mountain utilizing the natural drainage system on a zero-increase of water pressure basis.

- (l) The agreement of Discovery Parks Incorporated to pay any requisite municipal taxes in connection with the site and development.
- (m) The entering into and registration of restrictive covenants in form registerable in the Land Title Office protecting the conservation and recreation areas outlined on the Community Plan (Comprehensive Development Plan).
- (n) The determination that sufficient water supply will be available to the municipality's Kingsgate Pumping Station to satisfy the demands of the proposed Discovery Parks Incorporated development.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN BROWN:

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

CARRIED

OPPOSED: ALDERMAN DRUMMOND

11. By-law No. 6333, "Burnaby Building By-law 1973"

The Municipal Manager provided a report from the Municipal Solicitor concerning a proposed amendment to By-law No. 6333, "Burnaby Building By-law 1973".

The Municipal Solicitor noted that By-law No. 6333 currently requires the applicant for a moving permit to deposit a policy of public liability and property damage insurance in the all-inclusive limits of \$250,000.00 to insure against damage arising out of the moving of a building. It is considered that, having regard to the risks involved, the limit of \$250,000.00 is inadequate by today's standards and should be increased to \$1,000,000.00.

The Municipal Manager recommended:

- (1) THAT By-law No. 6333, being the "Burnaby Building By-law 1973", be amended as set out in the Municipal Solicitor's report.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

12. Rezoning Reference #39/80
624 and 630 MacDonald Avenue and adjacent
20 m MacDonald Avenue Road Allowance

This item was dealt with previously in the meeting in conjunction with Item #8 of Item 8, Municipal Manager's Report No. 58, 1980 September 15.

13. Rezoning Reference #42/80
Willingdon Site-Discovery Park
Clarification on information contained in Item 9,
Supplementary Report No. 58, 1980 September 15

This item was dealt with previously in the meeting in conjunction with Item 9, Municipal Manager's Report No. 58, 1980 September 15.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

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The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

E N Q U I R I E S

ALDERMAN BROWN

Alderman Brown enquired as to the future traffic plans for Cameron Street, with particular reference to the intersection of Bell Avenue and Loughheed Highway. Alderman Brown noted that he had received complaints about intolerable traffic conditions in this area.

Alderman Brown further indicated that he would take this matter up with the Municipal Engineer directly.

ALDERMAN RANDALL:

Alderman Randall noted that the pub at the Four Rinks was open on Sunday and requested information as to the type of licence held by the Four Rinks which would permit operation of the pub on Sundays.

It was agreed that the Director of Planning would check into this matter and advise Alderman Randall accordingly.

N E W B U S I N E S S

ALDERMAN LEWARNE

Alderman Lewarne suggested that, in connection with Item 4, Municipal Manager's Report No. 58, 1980, that the redundant portion of Government Street be sold to the developer and developed as part of the landscaping of the proposed development.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"THAT the Planning Department examine the possibility of selling the redundant portion of Government Street to the developer of Lots 87 and 88, District Lot 2, Plan 57544."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY