

1980 OCTOBER 20

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1980 October 20 at 19:00 h.

PRESENT: Mayor D.M. Mercier, In the Chair
Alderman G.D. Ast
Alderman D.N. Brown
Alderman D.P. Drummond
Alderman D.A. Lawson
Alderman F.G. Randall
Alderman V.V. Stusiak (19:33 h)

ABSENT: Alderman A.H. Emmott
Alderman W.A. Lewarne

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

M I N U T E S

The minutes of the Council Meeting held on 1980 October 06 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN BROWN:

"THAT the minutes of the Council Meeting held on 1980 October 06 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) David Fairey, Jack Woodward, 1980 October 08,
Re: Request that Council initiate a "Stated Case" to
the Supreme Court - 1980 Shellburn Refinery Assessment
Spokesman - Jack Woodward
- (b) Barbara Gudmundson, 1980 October 08,
Re: Illegal Suites
Spokesperson - Barbara Gudmundson
- (c) R.A. Sward, 1980 October 14,
Re: Annacis Island Bridge
Spokesman - R.A. Sward

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN RANDALL:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Jack Woodward, 1871 East Pender Street, Vancouver, B.C., advised Council that he was representing Mr. David Fairey in the matter of Mr. Fairey's appeal to the Assessment Appeal Board of the assessment of the Shellburn Refinery in Burnaby.

The Assessment Act provides that every individual taxpayer when he receives notice of his property assessment can appeal that assessment to a Court of Revision and then from there to the Assessment Appeal

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Board. The Act also provides that a taxpayer can take an appeal to the Court of Revision and to the Assessment Appeal Board on someone else's property. In this case, Mr. Fairey has appealed the assessment of the Shellburn Refinery, the largest taxpayer in Burnaby. The Shellburn Refinery, owned by Shell Canada Ltd., was assessed by the Assessment Authority at something in the neighbourhood of \$47 million for the purposes of taxes in this year. Mr. Fairey appealed to the Court of Revision and from there went to the Assessment Appeal Board saying that this was not an appropriate figure for the value of their land, improvements and machinery. The appeal has been heard by the Assessment Appeal Board on three separate dates, August 20, September 23 and October 08. The evidence presented in support of Mr. Fairey's appeal included about forty exhibits, the explanation of those exhibits by Mr. Fairey, and Mr. Fairey's expert opinion evidence qualified as an economist.

During the hearings before the Assessment Appeal Board, the Assessment Authority saw fit not to enter any evidence. The position of the Assessment Authority was that they had no responsibility to provide Mr. Fairey with the information on which the appeal was based. The refusal of the Assessment Authority to produce this evidence placed Mr. Fairey in a most difficult position.

Mr. Fairey feels that the procedure adopted by the Assessment Appeal Board has deprived him of his right to know the information upon which the assessor based his opinion. Throughout the proceedings, every possible attempt was made to obtain from the assessor the booklet or binder referred to in Rule 8 of the Rules of Practice and Procedure of the Assessment Appeal Board.

Mr. Woodward pointed out that the Assessment Act has a provision which permits a Council to appeal any point of law to the Supreme Court for a ruling.

Mr. Woodward requested that the Municipal Council of The Corporation of the District of Burnaby pass a resolution pursuant to Section 75 (2) of the Assessment Act requiring the Assessment Appeal Board to submit a case for the opinion of the Supreme Court. The decision of the Board challenged is the ruling that the respondent Assessment Authority is not required to place before the Assessment Appeal Board the particulars which set out the basis for the assessment appealed from. The question for the Court, therefore, could be framed as follows:

"Did the Board err in refusing to require the respondent assessor to produce the materials referred to in Section 68 (e) of the Assessment Act and paragraph 8 (2) of the Rules of Practice and Procedure of the Assessment Appeal Board made pursuant to the Assessment Act?"

Mr. Woodward pointed out that they are facing an October 24 deadline and were hoping for an early decision from Council on this matter.

- (b) Mrs. Barbara Gudmundson then addressed Council on the subject of illegal suites in Burnaby. Mrs. Gudmundson outlined, for the benefit of Council, her experience and that of thousands of other Burnaby residents obliged by circumstances to live in illegal accommodation.

Mrs. Gudmundson recommended to Council that a moratorium be placed on the enforcement of the Burnaby Zoning By-law insofar as illegal suites in the municipality is concerned in order that she and thousands of other residents of illegal suites in Burnaby can live a normal life without the constant fear of eviction hanging over their heads. The proposed moratorium would remain in effect until such time as a system, possibly similar to that in effect in Surrey, could be implemented in Burnaby.

- (c) Mr. R.A. Sward, 3766 Oxford Suite, Burnaby, B.C., then addressed Council on the subject of the Annacis Island Crossing. The following is the text of Mr. Sward's submission:

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"My name is Ron Sward, I live at 3766 Oxford Street, North Burnaby. I'm making a presentation on behalf of a group of concerned residents in Burnaby Heights and myself. The presentation concerns the selection of Annacis crossing and Council's decision to abolish the Transportation Committee.

The Annacis crossing, according to Highways Department estimates, will cost \$130 million based on 1979 cost estimates. This does not include any escalation costs. If you do some elementary mathematics and use Burnaby's cost escalation figure of 16% per year, one can see that the \$130 million figure is very misleading. For example, if the crossing is started next year the cost will be approximately \$170 million. If it takes another three years to complete, the cost could be \$230 to \$270 million. This does not include the direct cost to Burnaby taxpayers for "network improvements" to and from the crossing. The total cost including the "network" could be well over \$300 million and that is a very modest guess.

But what is very perplexing to the citizens I represent in the Heights area is the total absence of any studies to alternatives by the Highways Department. Also, in all of the Transportation's submissions to Council, that we have seen, nowhere is there mentioned the G.V.R.D.'s study of a combined LRT, freight train and road crossing of the Fraser River near the Pattullo Bridge, a route, I might add, that is currently under study by the Canadian National Railways. This route presently being studied by the G.V.R.D. and C.N.R. will cost \$30 million less than the Annacis crossing with, I suggest, more direct benefits to citizens in the Lower Mainland. The route would use networks presently in place with a direct saving to the municipality because there would not be any network costs other than the improvements already considered in the Comprehensive Transportation Plan. Whilst reading through Council's agendas, concerning the Transportation Committee, nowhere can we find where Council has asked the Transportation Committee to either review the G.V.R.D.'s study or asked to see the alternatives that the Highways Department rejected. Could it be that Council was surprised at the timing of the Highways Department announcement as suggested by the Mayor on a recent T.V. program on Burnaby Cable 10? This we reject because later on in the same program the Mayor said "Burnaby is in tune with the Provincial Government".

Meanwhile, on the same T.V. program the Mayor stated he did not anticipate any increase in traffic on Burnaby's streets due to the Annacis proposal. Is the Mayor naive enough to think that if a new crossing is built no one will use it? Both G.V.R.D. and Highways Engineers state that no matter whose crossing is built, vehicular traffic will plug the crossing by 1986. So where does all this traffic go once it crosses the Pattullo Bridge and the Annacis crossing? On to Burnaby streets. But the Transportation Committee said in a submission to Council that it feels that the Comprehensive Transportation Plan adopted by Council can handle the expected increase in traffic. Yet not one part of that plan has been implemented to date.

The Burnaby Transportation Committee was the organization which was to implement the Comprehensive Transportation Plan and who was also to monitor the impact of traffic on Burnaby's streets if Annacis is built. Since Council has decided to abolish the Transportation Committee, who will perform these tasks? Kindly Alex Fraser?

The Mayor claims public support for the Annacis Crossing because no groups or citizens have rejected the plan. We in Burnaby Heights feel that this is only tacit approval. We feel that if the Mayor and the Transportation Committee had been more honest and open about its decision to accept the Annacis Crossing perhaps that might be a true statement. But given the facts that we have found we feel there would have been a ground swell of protest from Burnaby residents once they realize that, as part of the improved network to and from Annacis the "routes of the future", could conceivably be their street. We believe that if the cost of "improved networks" was revealed there would be even more interest by citizens. We in the Heights area wonder why Council was so quick to accept the Annacis Crossing. The question we ask ourselves is: Given the two choices we have mentioned and realizing that neither route with what we feel

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is the panacea, why did Council select the most expensive route with what we feel is the least benefit to Burnaby residents? We wonder if the keen competition for Provincial funds clouded the vision and deafened the ears of Council.

The citizens I represent tonight do not feel Council has acted in our best interests and we strongly protest the selection of the Annacis Crossing until the full costs are in, including network costs to and from the crossing. We strongly protest the selection of Annacis until all viable alternatives have been investigated and rejected. We strongly object to the abolition of the Transportation Committee until another organization is in place to perform the tasks of implementing the Comprehensive Transportation Plan and monitoring the impact of increased traffic flows if the Annacis Crossing is built.

Thank you for your attention and listening to our concerns."

B Y L A W S

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Refuse Bylaw 1967, Amendment #7569
Bylaw No. 1, 1980'

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the Committee now rise and report the Bylaw complete."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT

'Burnaby Refuse Bylaw 1967, Amendment #7569
Bylaw No. 1, 1980'

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT Council do now resolve itself into a Committee of the Whole to consider and report on Bylaws

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 3, 1980' #7469
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 15, 1980' #7497
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 23, 1980' #7518

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report the Bylaws complete."

CARRIED

OPPOSED: ALDERMEN AST AND
DRUMMOND TO BYLAW #7497

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: ALDERMEN AST AND
DRUMMOND TO BYLAW #7497

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 3, 1980'	#7469
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 15, 1980'	#7497
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 23, 1980'	#7518

be now read a third time."

CARRIED

OPPOSED: ALDERMEN AST AND
DRUMMOND TO BYLAW #7497

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. 64, 1980 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Province of British Columbia, Ministry of Provincial Secretary and Government Services, Recreation and Fitness Branch, Acting Chief Recreation Division,
Re: Recreation Facilities Assistance Program

A letter dated 1980 September 30 was received expressing regret that the Ministry of the Provincial Secretary and Government Services was unable to consider the municipality's grant requests of \$163,549.67 for the construction of the Barnet Marine Park Beach Pavilion and \$31,800.00 for the Bonsor Park sportsfield expansion.

These projects were previously reviewed by the Minister and were denied funding 1979 July 24, due to the tremendous demands on the Provincial program. The municipality's submissions have again been reviewed, in light of new applications, and after careful consideration, it has been found Burnaby's requests cannot be accommodated.

- (b) City of Kitchener, Commissioner of General Services & City Clerk, Re: Klu Klux Klan Organization not welcome in Kitchener

A letter dated 1980 September 22 was received advising that the Kitchener City Council on 1980 September 15 had adopted a resolution calling on the Attorney General of Canada to amend the Criminal Code to provide that a person would be guilty of an offence for being a member of an organization where the sole or primary purpose of such organization was to harass or intimidate any person or groups on the grounds of race.

- (c) Union of British Columbia Municipalities, Assistant Executive Director, Re: Holiday Shopping Regulation Act - Bill No. 56

A letter dated 1980 October 07 was received advising that Bill No. 56, the Holiday Shopping Regulation Act, was passed by the Legislature and received Royal Assent on 1980 August 22. This Act comes into force on 1981 January 01, except that a Council or Regional Board may enact a bylaw pursuant to Section 3 which shall not come into effect until 1981 January 01. This enables the assent of the electors to be sought for such a bylaw at the upcoming municipal and regional district elections this November.

It was pointed out that if a bylaw is not enacted prior to 1981 January 01, only those businesses listed in Schedule "A" or those permitted under the "Lord's Day Act" may open on holidays and Sundays following that date.

The U.B.C.M. office requested that it be advised whether or not a bylaw is being contemplated this November in the Municipality of Burnaby and the particulars of same.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the Union of British Columbia Municipalities be advised that this Council is not considering a bylaw pursuant to Section 3 of Bill No. 56 at this time."

CARRIED UNANIMOUSLY

- (d) Willingdon "Dirty Dozen" Girls Soccer Team, Manager Re: Permission to hold Tag Days - Friday and Saturday, 1981 February 06 and 07

A letter dated 1980 October 07 was received requesting authority for the Willingdon "Dirty Dozen" Girls Soccer Team to hold Tag Days in Burnaby on 1981 February 06 and 07.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT permission be granted to the Willingdon "Dirty Dozen" Girls Soccer Team to conduct their fund raising campaign as requested."

CARRIED UNANIMOUSLY

- (e) Lanny and Carol Honour Re: Request decision to locate glass enclosed bus shelter adjacent to 8483 - 16th Avenue be reconsidered

A letter dated 1980 October 14 was received requesting that the decision of the Municipal Engineering Department to locate a glass enclosed bus shelter adjacent to 8483 16th Avenue be reconsidered.

Item 16, Municipal Manager's Report No. 64, 1980 October 20, pertaining to this subject, was brought forward for consideration at this time.

The Municipal Manager provided a report from the Municipal Engineer on the matter of the bus shelter on 16th Avenue at Cumberland Street.

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The Municipal Engineer noted that the arguments presented in this correspondence are typical of those who feel that bus shelters are desirable but "not in front of my house". As stated previously, the Municipal Engineer felt that to relocate this proposed bus shelter or completely abandon it will result in similar requests where others find bus shelters adjacent to their properties objectionable and the entire bus shelter program will be jeopardized. The Municipal Engineer will continue to be sensitive in the siting of bus shelters in relation to private property while providing this important component of transit services.

The Municipal Manager recommended:

- (1) THAT the subject bus shelter location be maintained.
- (2) THAT Mr. and Mrs. Honour, 8483 16th Avenue, Burnaby, B.C., V3N 1S4, be sent a copy of this report.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN BROWN:

"THAT further consideration of this matter be tabled."

CARRIED UNANIMOUSLY

- (f) Century Park Museum Association, President
Re: Collective thoughts on future management of Heritage Village

A letter dated 1980 October 03 was received submitting for Council's consideration the collective thoughts of the Century Park Museum Association on the future management of Heritage Village.

The Century Park Museum Association realizes that the decision that Council will reach will affect thousands of people for many years to come and will also have a great bearing on the taxpayers of Burnaby. In light of these facts, the Century Park Museum Association has sincerely put forth their intentions, hopeful that they will assist Council in reaching an appropriate decision.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT this item of correspondence be tabled."

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

- (a) Mayor D.M. Mercier
Re: Commercial and Industrial Development in Burnaby

His Worship, Mayor Mercier, submitted a report concerning commercial and industrial development in Burnaby.

His Worship, The Mayor, recommended:

- (1) A senior member of the planning staff be designated Commercial and Industrial Co-ordinator, and devote within the organizational framework of the Planning Department a major portion of his time and expertise to the above objective.
- (2) A promotional literature folder of the type enclosed with this report be developed to emphasize the commercial and industrial sites with potential for development in Burnaby.
- (3) The folder developed in (2) be widely circulated under the direction of the Planner.
- (4) The Commercial and Industrial Co-ordinator, under the direction of the Planner:
 - (a) Set forth a program for attracting the development to specific sites owned by the municipality.
 - (b) Be the liaison staff member from Burnaby to the Greater Vancouver Regional District Economic Development Liaison Committee (or Industrial Development Commission) as recently contemplated and approved in principle by the Greater Vancouver Regional District Board.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (b) Municipal Clerk
Re: Certificate of Sufficiency - Local
Improvement - Fell Avenue from Hastings
Street to Pandora Street - Fell Avenue
From Pandora Street to Dundas Street

The Municipal Clerk provided his Certificate of Sufficiency covering the 11 metre pavement with curbswalks on both sides of Fell Avenue from Hastings Street to Pandora Street and 8.5 metre pavement with curbswalks on both sides of Fell Avenue from Pandora Street to Dundas Street, storm sewers and the planting of trees as required.

The Municipal Clerk recommended:

- (1) THAT Council receive the Municipal Clerk's Certificate of Sufficiency covering the 11 metre pavement with curbswalks on both sides of Fell Avenue from Hastings Street to Pandora Street and 8.5 metre pavement with curbswalks on both sides of Fell Avenue from Pandora Street to Dundas Street, storm sewers and the planting of trees as required.
- (2) THAT Council authorize the preparation of a Local Improvement Construction Bylaw for the above described project.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (c) Municipal Clerk
Re: Certificate of Sufficiency - Construction
and paving of lane bounded by Clinton Street,
Nelson Avenue, Neville Street and western
property line of Lots 1 and 2, Block B, D.L.
157, Plan 10253 extended southward

The Municipal Clerk provided his Certificate of Sufficiency covering the construction and paving of the subject lane.

The Municipal Clerk recommended:

- (1) THAT Council receive the Municipal Clerk's Certificate of Sufficiency covering the lane bounded by Clinton Street, Nelson Avenue, Neville Street and the western property line of Lots 1 and 2, Block B, D.L. 157, Plan 10253 extended southward.
- (2) THAT Council direct the Municipal Treasurer to prepare a cost report under Section 662 of the Municipal Act.
- (3) THAT on receipt of the cost report, the Municipal Solicitor be authorized to prepare a Local Improvement Construction Bylaw for this project.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

- (d) Municipal Clerk
Re: Certificate of Sufficiency - Construction
and paving of lane bounded by Endersby Street,
Armstrong Avenue, Cumberland Street and northern
property line of Lot 75, D.L. 11, Plan 21666
extended eastward

The Municipal Clerk submitted his Certificate of Sufficiency covering the construction and paving of the subject lane.

The Municipal Clerk recommended:

- (1) THAT Council receive the Municipal Clerk's Certificate of Sufficiency covering the lane bounded by Endersby Street, Armstrong Avenue, Cumberland Street and northern property line of Lot 75, D.L. 11, Plan 21666, extended eastward.
- (2) THAT Council direct the Municipal Treasurer to prepare a cost report under Section 662 of the Municipal Act.
- (3) THAT on receipt of the cost report, the Municipal Solicitor be authorized to prepare a Local Improvement Construction Bylaw for this project.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

- (e) The Municipal Manager presented Report No. 64, 1980 on the matters listed following as Items 1 to 16 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Cost Report - Construction and Paving of Lanes
 - A. Lane bounded by Mahon Avenue on the west,
Atlee Avenue on the east, S.P.L. of 4449 Atlee Avenue
 - B. Lane bounded by Elwell Street and Goodlad Street from
S.W.P.L. extended north of Lot 374 to Fourth Street

The Municipal Manager provided a report from the Municipal Treasurer containing the cost report prepared pursuant to Section 662 of the Municipal Act covering the construction and paving of the subject lanes.

The Municipal Manager recommended:

- (1) THAT a construction bylaw for each of the subject lanes be brought forward.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

2. School and Municipal Option Studies 1981

The Municipal Manager provided a report from the Municipal Treasurer concerning School and Municipal Option Studies for 1981.

The Municipal Manager recommended:

- (1) THAT Option "A" assessments be used for general purpose tax levies in the year 1981.
- (2) THAT the B.C. Assessment Authority be so advised.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

3. Traffic Related Matters in the Hastings/Boundary Area

The Municipal Manager provided a report from the Municipal Engineer on the attempts that are being made to resolve traffic related problems in the Hastings/Boundary area.

The Municipal Manager recommended:

- (1) THAT the report of the Municipal Engineer be received for information purposes.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

4. Building Department Report No. 10 -
1980 September 01 to September 28

The Municipal Manager provided a report from the Chief Building Inspector covering the operations of his department from 1980 September 01 to September 28.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

5. Authority for Capital Expenditures
- Parks and Recreation

The Municipal Manager provided a report from the Parks and Recreation Administrator regarding authority for capital expenditures.

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The Parks and Recreation Administrator reported that on 1980 September 03 the Parks and Recreation Commission approved the procedures for approval of capital expenditures as set out in the report "Authority for Capital Expenditures" (Item 5, Municipal Manager's Report No. 52, 1980 August 18).

The Municipal Manager recommended:

- (1) THAT the report of the Parks and Recreation Administrator be received for information purposes.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

6. Business Licence Fees

The Municipal Manager provided a report from the Chief Licence Inspector regarding business licence fees for 1981.

The Municipal Manager recommended:

- (1) THAT an average increase of 7.5% rounded to the licence fees as set out in:
 1. Burnaby Trades Licence Bylaw, #3089
 2. Burnaby Cab and Commercial Vehicle Bylaw, #3102
 3. Burnaby Cabaret Regulation Bylaw, #1481
 4. Burnaby Club Regulation Bylaw, #3065
 5. Burnaby Automatic Vending Machine Bylaw, #1914

be adopted for application in 1981.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

"THAT the recommendation of the Chief Licence Inspector be adopted."

CARRIED UNANIMOUSLY

7. Engineer's Special Estimates

The Municipal Manager provided a report from the Municipal Engineer concerning special estimates of work for his department in the total amount of \$23,000.00.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

8. Residential Growth Management Study for Burnaby
Relationship to Community Plan Areas

The Municipal Manager provided a report from the Director of Planning containing information that Council requested on Residential Growth Management in Burnaby.

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The Director of Planning noted that the application of the proposed revised residential framework to the existing Community Plan Areas results in a reduction in the total multi-family housing stock potential of approximately 10%, compared to the potential under the existing framework. This reduction is the result of the potential for medium density apartment accommodation increasing by approximately 11% and the overall high density potential decreasing by approximately 22%.

The Municipal Manager recommended:

- (1) THAT Council authorize the preparation and distribution of appropriate materials, to enable members of the public associated with those Community Plan Areas proposed for change, to review and discuss the designated role and general amendments for their particular Community Plan Area.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN BROWN:

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

CARRIED
OPPOSED: ALDERMAN DRUMMOND

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT the method of distribution of the appropriate materials to the public be determined by the Mayor, Municipal Manager and the Director of Planning."

CARRIED UNANIMOUSLY

9. Rezoning Reference #25/80
Portion of Government Road Allowance

The Municipal Manager provided a report from the Director of Planning concerning the proposed closure of a portion of Government Street in conjunction with Rezoning Reference #25/80.

The Municipal Manager recommended:

- (1) THAT the portion of Government Street to be closed in conjunction with Rezoning Reference #25/80 be consolidated with the lot immediately north, landscaped by the developer of the subject rezoning and utilized for parks purposes as outlined in previous reports related to this rezoning.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

Mayor Mercier retired from the Council Chamber at 20:30 h and Acting-Mayor Ast then took the Chair.

10. Rezoning Reference #26/80
3960/70/78/92 Regent Street
3951/61/71/77/87 Grandview Highway

Application for the rezoning of:

Lots 4, 6, 7, E $\frac{1}{2}$ Lots 5, 8 and 9 and W $\frac{1}{2}$ Lots 5, 8 and 9,
D.L. 69, Plan 1321

From: R5 - Residential District
To: M5 - Light Industrial District

Address: 3960/70/78/92 Regent Street
3951/61/71/77/87 Grandview Highway

The Municipal Manager recommended:

- (1) THAT Council authorize the introduction of a Highway Exchange Bylaw according to the terms outlined in Section 3.3 of the Director of Planning's report, contingent upon the granting of Second Reading of the subject rezoning bylaw.
- (2) THAT Council approve the sale of municipal property for inclusion in the development site according to the terms outlined in Section 3.4 of the Director of Planning's report.
- (3) THAT a rezoning bylaw be prepared and advanced to First Reading on 1980 November 03 and to a Public Hearing on 1980 November 18 at 19:30 h.
- (4) THAT the following be established as prerequisites to the completion of rezoning:
 - (a) The submission of a suitable plan of development to reflect the vehicular access requirements outlined in Section 3.5 of the Director of Planning's report.
 - (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 Bylaw. 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.
 - (h) The completion of the requisite Road Exchange Bylaw as outlined in Section 3.3 of the Director of Planning's report.
 - (i) The completion of the Municipal Land Sale as outlined in Section 3.4 of the Director of Planning's report.
 - (j) The Approval of the Ministry of Transportation and Highways to the rezoning application.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

1980 October 20

Mayor Mercier returned to the Council Chamber and took his place at the Council table at 20:32 h as Chairman of the meeting.

11. Rezoning Reference #31/80
4678, 4686 and 4694 Hazel Street

Application for the rezoning of:

Lots 17, 18 and 19, D.L. 153, Block 6, Plan 1768

From: R5 - Residential District

To: CD - Comprehensive Development District
(based upon C3 and RM5 guidelines)

Address: 4678, 4686 and 4694 Hazel Street

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to First Reading on 1980 November 03 and to a Public Hearing on 1980 November 18 at 19:30 h, and that the following be established as pre-requisites to the completion of the rezoning:
- (a) The submission of a suitable plan of development.
 - (b) The deposit of sufficient monies to cover the costs of all services necessary to serve the 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 and 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 bylaw. 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 right-of-way deemed requisite.
 - (h) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
 - (i) The deposit of a levy of \$1,080 per residential unit to go towards the acquisition of proposed neighbourhood parks.
 - (j) The deposit of a levy of \$.50 per square foot of commercial floor area to go towards the acquisition of public open space in Metrotown.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT an increase in the open space and park levies be evaluated and a report thereon be brought forward to Council for consideration."

CARRIED UNANIMOUSLY

12. Rezoning Reference #32/80
6815 Lougheed Highway

Application for the rezoning of:

Lot C, D.L. 44, Plan 7070

From: A2 - Small Holdings District

To: CD - Comprehensive Development District

Based on the RMI Multiple Family Residential District
with a Unit Density of 10 - 12 Units per acre

Address: 6815 Lougheed Highway

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to First Reading on 1980 November 03 and to a Public Hearing on 1980 November 18 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 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.
 - (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 bylaw. 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 granting of any necessary easements.
 - (f) The dedication of any rights-of-way deemed requisite.
 - (g) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
 - (h) The deposit of a levy of \$1,080 per unit to go towards the acquisition of proposed neighbourhood parks.
 - (i) The approval of the Ministry of Transportation and Highways to this rezoning application.

- (j) The preparation of an acoustical study of the site as per Section 3.2 of the Director of Planning's report and the incorporation of the study recommendations in the suitable plan of development, the Preliminary Plan Approval application drawings and construction drawings.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

13. Rezoning Reference #45/80
8500 Forest Grove Drive

Application for the rezoning of:

Lot 79, D.L. 148, Plan 51478

From: CD - Comprehensive Development District
To: Amended CD - Amended Comprehensive Development District
Utilizing the RMI District and the adopted Burnaby 200
Community Plan as guidelines

Address: 8500 Forest Grove Drive

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to First Reading on 1980 November 03 and to a Public Hearing on 1980 November 18 at 19:30 h, and that the following be established as pre-requisites to the completion of the rezoning:
 - (a) The submission of a suitable plan of development.
 - (b) The deposit of sufficient monies to cover the costs of all services necessary to serve the 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. The design of services is to be completed and approved prior to Final Adoption of the rezoning.
 - (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 granting of any necessary easements.
 - (e) The provision of a public pedestrian walkway easement across the enclave and the construction of a walk to the approval of the Municipal Engineer.
 - (f) The retention of as many existing mature trees as possible on the site.
 - (g) The approval of the Ministry of Transportation and Highways to the rezoning application.
 - (h) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
 - (i) Applicant's schedule for the construction staging of the subject proposal.

- (j) The submission of appropriate guarantees or the completion of an operational agreement towards the provision of park improvements outlined in the Community Plan for the P3, P4, P6 and P7 areas.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

14. Small Lot Subdivision for Single Family Residential Development in Burnaby

The Municipal Manager provided a report from the Director of Planning on small lot subdivision for single family dwelling residential development in Burnaby.

The Municipal Manager recommended:

- (1) THAT the Council receive the report of the Planning Department and authorize the preparation of a bylaw to permit the establishment of a new zoning category and the introduction of the necessary Zoning Bylaw Text Amendments, as outlined in Section "C" into the Burnaby Zoning Bylaw, and that these amendments be advanced to a Public Hearing on 1980 November 18.
- (2) THAT Council give approval to the process of implementing small lot development for single family dwellings in this municipality as proposed in Section "D" of the Director of Planning's report.

The amendments proposed to the regulations of the Burnaby Zoning Bylaw in order to permit small lot subdivision for single family dwelling purposes will now be as follows:

(1) Establishment of Zoning Districts and Schedules

The addition to Section 5.1 (Designation of Districts) of the following:

District Title	Short Designation
Residential	R9

(2) Residential District (R) (Schedule No. 1)

The addition of a new residential zoning district with regulations as set forth below:

109. Residential District (R9)

This District provides for the inclusion of compact single family dwellings in the mature and developing residential areas of the municipality.

109.1 Uses Permitted:

- (1) Single family dwellings
- (2) Home occupations
- (3) Accessory buildings and uses

109.2 Height of Buildings

The height of a building shall not exceed 10.5 m (34.45 feet) nor 2½ storeys.

109.3 Lot Area and Width

- (1) Each lot for a single family dwelling shall have an

area of not less than 372 m² (4,000 square feet) and a width of not less than 12.2 m (40 feet).

(2) Notwithstanding anything in this section contained existing lots of record may be subdivided in accordance with the following provisions:

(a) In cases where existing lots of less than 372 m² (4,000 square feet) in area, and less than 12.2 m (40 feet) in width predominate, in that they occupy in the order of 75 per cent in length of any one block front, any existing lot of record may be subdivided into two lots, each with a width compatible with the prevailing lot width in the block front.

(b) An existing lot of record located in an existing R4 or R5 Residential District which meets the required standards to experience two family dwelling development, may be subdivided into two single family residential lots in accordance with the following table:

<u>Existing Zoning</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
R4	400m ² (4,305.7 sq.ft.)	11m (36.09 ft.)
R5	335m ² (3,600 sq. ft.)	9.25m (30.35 ft.)

109.4 Lot Coverage

The maximum coverage shall be 35 per cent of the lot area.

109.5 Front Yard:

A front yard shall be provided of not less than 6.0m (19.69 feet) in depth.

109.6 Side Yards:

(1) A side yard shall be provided on each side of the building of not less than 1.2m (3.94 feet) in width, except that where the width of the lot is reduced below 12.2m (40 feet), the required side yard on each side of the building may be reduced to a minimum of 10 per cent of the lot width, provided that the minimum side yard on any one side shall be not less than 900 mm (2.95 feet).

(2) In the case of a corner lot the side yard adjoining the flanking street shall be not less than 2.4m (7.87 feet) in width, except that where the width of the lot is reduced below 12.2m (40 feet), the required side yard adjoining the flanking street may be reduced to a minimum width of 1.8m (5.91 feet), provided that for every unit of length reduction in required side yard width the required front yard shall be increased by such unit of length.

109.7 Rear Yard

A rear yard shall be provided of not less than 7.5m (24.61 feet) in depth.

109.8 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this bylaw.

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN RANDALL:

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT

1. Section 'C' paragraph 1. of the Director of Planning's report 'Proposed Zoning Bylaw Text Amendments' be amended by deleting the word 'predominant' and substituting the word 'evident' and by deleting the last sentence, 'In order to do this it is necessary to establish what is meant by predominant and our conclusion is that not less than 75 per cent of the linear frontage of a block should be already developed with small lots'.
2. The proposed Section 109.3(2)(a) be deleted and the following substituted:
 109.3(2)(a) In cases where existing lots of less than 372m² (4,000 square feet) in area, and less than 12.2m (40 feet) in width are in evidence of previous settlement and planning patterns they may be subdivided into two lots, each with a width compatible with the established lot width in the block front."

CARRIED

OPPOSED: ALDERMEN AST AND
LAWSON

It was agreed that each of the aforementioned recommendations of the Municipal Manager would be voted on separately:

RECOMMENDATION NO. 1, as amended

CARRIED

OPPOSED: ALDERMEN AST AND
LAWSON

RECOMMENDATION NO. 2, as amended

CARRIED:

OPPOSED: ALDERMEN AST AND
LAWSON

15. Proposed Changes to the Municipal Vehicular Fleet

The Municipal Manager submitted a report in which it was indicated that the 1980 Capital Improvement Program provided for the replacement of 14 mini cars and the purchase of two new mini cars in the Municipal Vehicular Fleet. These have been purchased.

It is also periodically necessary to replace the two cars in the Municipal Vehicular Fleet that are primarily used by the Mayor and the Municipal Manager. Unfortunately, no provision was made for the replacement of one of these cars in the 1980 C.I.P. The 1976 Mercury Montego has been driven 40,000 miles and from a maintenance point of view we should look at disposing of it.

Sufficient funds are available for this purpose as the Fleet Reserve Account currently has a balance of \$170,283.00 in it. The proper accounting will be reflected in the Recast Budget if the Municipal Council authorizes the necessary amendment to the budget at this time. The Purchasing Agent has the authority to purchase the vehicle once the Municipal Council agrees with this modification of the budget.

The Municipal Manager recommended:

- (1) THAT the 1980 Fleet requirements be increased by one vehicle as provided in this report item.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

16. Letter from Mr. Lanny and Mrs. Carol Honour,
8483 - 16th Avenue, Burnaby, B.C., V3N 1S4
Bus Shelter at 16th Avenue and Cumberland Street

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

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

E N Q U I R I E S

ALDERMAN LAWSON:

Alderman Lawson reported that she had received a complaint that eastbound traffic on Edmonds Street was having difficulty crossing 6th Street during the morning rush hour. It had been suggested that the traffic signal at 16th Avenue and 6th Street be placed on full operation during the morning rush hour in order to provide gaps at this intersection.

It was agreed that this matter would be referred to the Municipal Engineer for a report to the Traffic Safety Committee.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY