

1980 SEPTEMBER 08

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 08 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 A.H. Emmott  
Alderman D.A. Lawson  
Alderman W.A. Lewarne  
Alderman V.V. Stusiak

ABSENT: Alderman F.G. Randall

STAFF: Mr. M.J. Shelley, Municipal Manager  
Mr. E.E. Olson, 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 02 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN BROWN:

"THAT the minutes of the Council Meeting held on 1980 September 02 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) Wales McLelland Development Company Limited,  
President, 1980 August 26 and 1980 September 04,  
Re: 5152 Kingsway - Royal Oak Funeral Home  
Spokesman - Mr. Stanley J. Wales
- (b) Mary Nystrom, 1980 August 27,  
Re: Housekeeping Rooms - 7067 17th Avenue  
Spokesperson - Mary Nystrom
- (c) Burnaby Fish and Game Club, Herbert R. Karras,  
1980 August 28, Re: Burnaby Fish and Game  
Club Rifle Range  
Spokesman - Herbert R. Karras
- (d) Petition from Concerned Merchants of  
East Hastings Area  
Re: Proposed Parking Restrictions  
Spokesman - Ed Wood

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN STUSIAK:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

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- (a) Mr. Stanley J. Wales, President, Wales McLelland Development Company Limited, then addressed Council on the subject of the Royal Oak Funeral Home and its designation as a heritage site.

Mr. Wales advised Council that he was here this evening to determine if the site in question was to be declared a heritage site or not. If the structure is to be considered a heritage site his company would have no interest in the further development of the site. Wales McLelland Development Company is prepared to develop under the existing zoning. They are not, however, prepared to develop under Comprehensive Development and retain the building as a heritage site. Mr. Wales was of the opinion that this would be financial suicide. Mr. Wales advised that his company would be more than willing to donate the building to the municipality if it was possible to remove the house from the site.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT Item 11, Municipal Manager's Report No. 56, 1980 September 08, pertaining to this subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following are the recommendations contained in that report:

1. THAT Council advise Wales McLelland Development Company Limited that
  - (a) It is the intention of Council to preserve the Royal Oak Funeral Home and the major trees and portion of the surrounding wall.
  - (b) Council is prepared to support a rezoning of this site to Comprehensive Development as detailed in Section 3.3 of the Director of Planning's report.
  - (c) Council will proceed with a by-law to designate the house and certain portions of the site if an application is received for a demolition permit.
2. THAT a copy of this report be sent to the Century Park Museum Association.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

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

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN BROWN:

"THAT further consideration of this matter be referred back to the Municipal Manager for additional information on the questions raised in Council this evening."

CARRIED UNANIMOUSLY

- (b) Mrs. Mary Nystrom then addressed Council on the subject of housekeeping rooms at 7067 17th Avenue, Burnaby, B.C.

Mrs. Nystrom advised that she and her husband had purchased the property at 7067 17th Avenue in 1973. It is located on a sixty-six foot lot and has not been added to or altered since the date of purchase. On 1980 April 14 notice was received from the Chief Building Inspector requesting that the tenants living in the basement of the structure be given notice to vacate on 1980 May 01. Four out of the five of these tenants have not been able to find alternative accommodation and are still resident on the premises. Mrs. Nystrom requested that Council set aside the eviction notice issued by the Chief Building Inspector to permit her tenants to

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remain in their present accommodation. Mr. Nystrom also requested Council's permission to install an electric stove in the basement of the structure.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN BROWN:

"THAT this matter be referred to the Chief Building Inspector for a report as to the legal status of lodgers, boarders, etc., and that the Chief Building Inspector be requested to comment as to whether the situation at 7067 17th Avenue could be construed as a legal non-conforming situation."

CARRIED UNANIMOUSLY

- (c) Mr. Herbert R. Karras, Burnaby Fish and Game Club, then addressed Council on the subject of the lease of the club premises on the Barnet Highway from Simon Fraser University.

Mr. Karras advised that the Burnaby Fish and Game Club was a registered non-profit association which provided a most important contribution to the recreational opportunities to residents of the Lower Mainland through the use of their facilities on Barnet Road. All facilities are provided at no cost to the municipality and the Burnaby Fish and Game Club pays municipal taxes on their lands, which are leased from Simon Fraser University. The club's facilities are used extensively in the training of all types of peace officers in British Columbia. Mr. Karras further noted that as a result of recent noise tests taken by the Burnaby Health Department at the rifle ranges, it had been shown that the noise generated by the gun clubs was well within the allowable limits set forth in the Noise Abatement By-law. Mr. Karras further advised that to the best of his knowledge no complaints had ever been received concerning the operation of the gun clubs on the Barnet Highway. Mr. Karras advised that he was not aware that Simon Fraser University wished to terminate the lease, but was contemplating this action at the request of the municipality. Mr. Karras went on to say that the one year lease proposed in the Municipal Manager's Report which is before Council this evening was not sufficient to permit the club to carry out proper planning, and suggested that a five year lease with an option to review would be much more viable.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN BROWN:

"THAT Item 2, Municipal Manager's Report No. 56, 1980 September 08, pertaining to this subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following are the recommendations contained in that report:

1. THAT Council recommend to Simon Fraser University that they provide a renewable one year lease to the Rifle and Revolver Clubs, pending further negotiations and discussions between the Parks and Recreation Commission, staff and the gun clubs.
2. THAT a copy of this report be sent to the persons who have written to Council on this matter.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"THAT Recommendation No. 1, aforementioned, be amended to read as follows:

'THAT Council recommend to Simon Fraser University that they provide a renewable two year lease to the Rifle and Revolver Clubs, subject to the Mayor taking the initiative to bring the parties together, and pending further negotiations and discussions between the Parks and Recreation Commission, staff and the gun clubs.'

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MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN DRUMMOND:

"THAT this matter be referred to the staff with the proviso that they sit down with the gun clubs and they negotiate a lease in return for consideration of curtailing operations."

MOTION DEFEATED

OPPOSED: MAYOR MERCIER, ALDERMEN  
BROWN, EMMOTT, LAWSON,  
LEWARNE AND STUSIAK

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN BROWN:

"THAT Council recommend to Simon Fraser University that they provide a renewable three year lease to the Rifle and Revolver Clubs, subject to the Mayor taking the initiative to bring the parties together, and pending further negotiations and discussions between the Parks and Recreation Commission, staff and the gun clubs."

MOTION DEFEATED

OPPOSED: MAYOR MERCIER, ALDERMEN  
AST, DRUMMOND, EMMOTT  
AND LAWSON

A vote was then taken on the motion as moved by Alderman Emmott and seconded by Alderman Ast, "That Council recommend to Simon Fraser University that they provide a renewable two year lease to the Rifle and Revolver Clubs, subject to the Mayor taking the initiative to bring the parties together, and pending further negotiations and discussions between the Parks and Recreation Commission, staff and the gun clubs", and same was CARRIED with Aldermen Ast and Drummond opposed.

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

- (d) Mr. Ed Wood then addressed Council on the subject of the proposed parking restrictions on Hastings Street during the afternoon rush hours, 16:00 h to 18:00 h.

Mr. Wood advised that he and his fellow businessmen on Hastings Street were adamantly opposed to the proposed parking restrictions. If the proposed restrictions are put into effect it is doubtful if the businesses can survive. In his own case, Mr. Wood was of the opinion that he would lose at least fifty percent of his business if there was no parking allowed in front of his store at 4020 East Hastings Street during the two hours in question. Mr. Wood was also of the opinion that the parking restrictions would greatly increase the accident potential on Hastings Street. Mr. Wood further considered that the parking restrictions would not appreciably affect the volumes of traffic that can be handled on Hastings Street at the present time.

MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN STUSIAK:

"THAT a moratorium be placed on the installation of the 'No Parking' signs until a comprehensive investigation of off-street parking can be carried out."

MOVED BY ALDERMAN EMMOTT:  
SECONDED BY ALDERMAN AST:

"THAT the moratorium proposed in the aforementioned motion be for a period of two months pending a possible solution to the problems outlined by Mr. Wood."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

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A vote was then taken on the original motion as moved by Alderman Brown and seconded by Alderman Stusiak, "That a moratorium be placed on the installation of the 'No Parking' signs until a comprehensive investigation of off-street parking can be carried out", as amended, and same was CARRIED with Alderman Drummond opposed.

The Council Meeting recessed at 21:44 h.

The Council Meeting reconvened at 21:53 h with Alderman Randall absent.

B Y - L A W S

MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Local Improvement Temporary Financing By-law 1980' #7552

'Burnaby Development Cost Charges Reserve Fund Expenditure By-law 1980' #7553

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:  
SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report the by-laws 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 STUSIAK:

"THAT

'Burnaby Local Improvement Temporary Financing By-law 1980' #7552

'Burnaby Development Cost Charges Reserve Fund Expenditure By-law 1980' #7553

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Zoning By-law 1965, Amendment By-law No. 11, 1980' #7493

'Burnaby Zoning By-law 1965, Amendment By-law No. 28, 1980' #7528

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'Burnaby Capital Works, Machinery and Equipment  
Reserve Fund Expenditure By-law 1980' #7548

'Burnaby Road Acquisition and Dedication  
By-law No. 1, 1980' #7551

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. 56, 1980 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) The International Association of Fire  
Fighters, Burnaby Fire Fighters  
Association, Local 323, Secretary  
Re: Desire to open 1979-1980 Working Agreement

A letter dated 1980 August 27 was received advising that the Burnaby Fire Fighters Association, Local 323, I.A.F.F., wished to give notice to The Corporation of the District of Burnaby that the Association desires to open their 1979-1980 working agreement.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT this item of correspondence be referred to the 'In Camera' portion of the Council Meeting later this evening."

CARRIED UNANIMOUSLY

- (b) Mrs. C.A. Moore  
Re: Council vetoed building of 21 storey highrise

A letter dated 1980 August 29 was received in which the writer noted that Burnaby Council had recently vetoed the building of a 21 storey highrise in the Simon Fraser University District.

The writer enquired as to whether the citizens in Burnaby Heights, a much older residential area than the Simon Fraser area, would receive the same consideration.

- (c) Canadian Union of Public Employees, Burnaby Civic  
Employees' Local Union 23, Secretary, Re: Commence  
Collective Bargaining for renewal of Collective Agreements

A letter dated 1980 September 02 was received giving notice that pursuant to Section 62 of the Labour Code of British Columbia, requiring the Burnaby Civic Employees' Union, Local 23, to commence Collective Bargaining for the renewal of the Collective Agreements of the Outside, Inside and Foremen Divisions, entered into the 1st day of January 1979.

Council was advised that a staff report on this subject would be available on 1980 September 15 and further consideration of the matter was deferred until that time.

- (d) The Corporation of the Township of  
Richmond, Municipal Clerk  
Re: Voter Qualification for Municipal Election

A letter dated 1980 August 27 was received advising that the Municipal Council of The Corporation of the Township of Richmond on 1980 August 25

had adopted the following resolutions relative to the matter of voter qualification for municipal elections:

1. BE IT RESOLVED that the Government of British Columbia be requested to repeal those sections of the Municipal Act that permit tenants in occupation of land to vote in municipal elections;
2. BE IT RESOLVED that the Government of British Columbia be requested to repeal that section of the Municipal Act (Section 36) that permits non resident property owners to vote in municipal elections.

The Municipal Council of The Corporation of the Township of Richmond requested that other municipalities support these resolutions.

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN BROWN:

"THAT the Municipal Council of The Corporation of the District of Burnaby support the resolutions from The Corporation of the Township of Richmond regarding voter qualifications for municipal elections.

FOR: ALDERMEN AST, BROWN,  
DRUMMOND AND LAWSON

OPPOSED: MAYOR MERCIER,  
ALDERMEN EMMOTT,  
LEWARNE AND STUSIAK

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

- (e) Southwestern British Columbia Tourist Association, President, Re: Bring you up-to-date on role of our organization

A letter dated 1980 August 12 was received providing Council with up-to-date information on the role of Southwestern British Columbia Association.

- (f) Mart's Barber Shop, 1980 September 02  
Re: Not in favour of proposed parking restrictions for Hastings Street
- (g) Adele-Rae Florist Ltd., Vera C. Banner, 1980 August 28, Re: Submit protest re proposed parking restrictions on East Hastings
- (h) Symphony Hair Styling, Jan Braacx, 1980 September 02, Re: Protest proposed parking restrictions - East Hastings Street
- (i) Charlton Insurance Agencies, Charles H. Morgan, 1980 August 29, Re: Upcoming parking restrictions for Hastings Street
- (j) Robertson Hardware Ltd., President, 1980 August 26, Re: You are killing shopping on East Hastings Street
- (k) The Valley Bakery Ltd., President, 1980 September 03, Re: Parking restrictions - Hastings Street - Boundary Road to Delta Avenue
- (l) Friesen's Jewellers Ltd., R. Schwenneker, 1980 September 02, Re: Opposition to No Parking on Hastings Street from Boundary Road to Delta Avenue
- (m) Canadian Mr. Muffin Ltd., C.D. Hudson, 1980 September 02, Re: Protest against further parking restrictions in 4000 block East Hastings Street

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- (n) Azzara's Italian & Canadian Delicatessen,  
Duilio Azzara, 1980 September 02, Re: Proposed  
parking restrictions 4000 block East Hastings

Correspondence items (f) to (n), aforementioned, were dealt with previously in the meeting in conjunction with Item 2.(d) under Delegations.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN LAWSON:

"THAT the matters referred to in Items 4.(f) to 4.(n) be referred to the Engineering Department in order that that department may communicate directly with the occupiers of the premises concerned."

CARRIED UNANIMOUSLY

- (o) John C.H. Laudan, 1980 August 25,  
Re: Reconsider request that Simon Fraser  
University not renew gun club leases
- (p) Art Edwards, 1980 August 27,  
Re: Simon Fraser University asked to  
refuse to renew leases of three gun clubs
- (q) Mrs. B. Morberg, 1980 August 21,  
Re: Proposal to cancel lease of Barnet  
Rifle Club
- (r) Leonard Cichecki, 1980 August 26,  
Re: Reconsider petition not to renew  
lease of Barnet Rifle Club
- (s) Vancouver Citizens Association, Secretary,  
1980 August, Re: Barnet Highway Marine  
Park/Gun Clubs
- (t) H.L. Thompson, 1980 August 25,  
Re: Deep regret heard of proposal not  
to renew lease of Barnet Rifle Club
- (u) B.C. Wildlife Federation, Member Services  
Co-ordinator, 1980 September 02, Re: Enclosing  
37 letters protesting any attempt to cancel  
leases to Barnet Rifle Club

Correspondence items (o) to (u), aforementioned, were dealt with previously in the meeting in conjunction with Item 2.(c) under Delegations.

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

- (a) Municipal Manager  
Re: Park Acquisition Program - 1980 May  
Item 14, Municipal Manager's Report No. 46, 1980 July 07  
Council Meeting 1980 July 07

This matter was left on the table.

R E P O R T S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY



- (a) Mayor D.M. Mercier  
Re: Advisory Planning Commission

His Worship, Mayor Mercier, presented a report concerning the proposed restructuring of the Advisory Planning Commission.

His Worship, Mayor Mercier, recommended:

- (1) THAT the Municipal Solicitor prepare draft amendments to the said by-law to give effect to the following:
  - (a) The members of the Commission be increased from nine to eleven to accommodate the appointments noted later in this report. Selection process to be handled through Mayor's Office and appointments made by Council following the procedures in place for other Committee and Commission appointments.
  - (b) That area representation be achieved by having six appointees selected, one from each of the six areas outlined in the map attached to this report which was taken from various alternatives submitted by the Director of Planning.
  - (c) There be no ex officio members but such staff members as may be required or requested by the Commission to attend meeting be authorized to do so.
  - (d) That the other five members of the Commission be appointed as follows:
    - 2 from the community at large
    - 1 from Council (Planning Liaison Alderman)
    - 1 from Parks and Recreation Commission (not an Alderman)
    - 1 from Burnaby School Board
  - (e) That all members be entitled to one vote each except that, while the six area representatives may discuss every issue, each of those members will not be entitled to vote on matters arising solely within the boundaries of the area that a member represents.
  - (f) That each item referred by Council to Public Hearing be at the same time referred to the Advisory Planning Commission for consideration of land use policy solely.
  - (g) That pursuant to (f) the Advisory Planning Commission have regular meetings to consider such matters and delegate the Chairman of the Committee, or alternate, at the option of the Commission, to address in writing or in person the Council at the Public Hearing at which each of the matters referred to in (f) are to be heard. The restriction in (e) above would apply for (g) also.
  - (h) Document the policy and/or procedure for inviting delegations to attend, and/or for dealing with requests to be heard, at Advisory Planning Commission meetings, while retaining the existing general policy or otherwise not having "open" meetings.
  - (i) Document the policy and/or procedure for the Advisory Planning Commission to approach Council, for instance, through the Mayor's Office, with subsequent approach to Council, with matters of concern to them, the objective being to provide a recognized avenue for communication.
  - (j) That the Commission consider a policy for holding and/or attending public meetings regarding planning matters at various locations in the community supplemental to and not in place of such meetings as Council may wish to hold. The Commission would request approval of Council before proceeding to arrange such meetings or may do so at the request of Council. The purpose of the meetings would be to assist the Advisory Planning Commission in its deliberations.

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MOVED BY ALDERMAN LAWSON:  
SECONDED BY ALDERMAN BROWN:

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

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN DRUMMOND:

"THAT

1. THAT Item (e), aforementioned, be amended to read as follows:

'That all members be entitled to one vote each.'

2. THAT Item (g), aforementioned, be amended by deleting the following sentence:

'The restriction in (e) above would apply for (g) also.'

CARRIED

OPPOSED: ALDERMAN LAWSON

A vote was then taken on the original motion as moved by Alderman Lawson and seconded by Alderman Brown, "That the recommendations of His Worship, Mayor Mercier, be adopted", as amended, and same was CARRIED with Alderman Stusiak opposed.

(aa) Mayor D.M. Mercier

Re: Proposal for "Burnaby Terry Fox Cancer Research Fund"

His Worship, Mayor Mercier, submitted a report on a proposal for "Burnaby Terry Fox Cancer Research Fund".

In recognition of this exceptional and valiant man and in co-operation with the Area Co-ordinator for the Canadian Cancer Society, His Worship, Mayor Mercier, recommended that:

1. Council sponsor the "Burnaby Terry Fox Cancer Research Fund" with the address c/o the Burnaby Municipal Hall.
2. A trust bank account be opened in that name to receive donations.
3. The Mayor, together with a member of Council or the Municipal Treasurer be the authorized signatories for the trust bank account.
4. The proceeds of the trust fund to be paid to the Canadian Cancer Society specifically for research in the name of Terry Fox.
5. A reasonable amount, at the discretion of the Mayor, be used to notify the public of this campaign, said amount to be from the Municipal Budget.

This will be in recognition of the effort of Terry Fox. We will have a special Terry Fox day and the Mayor sought Council's guidance for such further means of recognition as Council may wish.

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

Alderman D.N. Brown then presented the Municipal Clerk with a cheque for \$100.00 as the initial donation to the "Burnaby Terry Fox Cancer Research Fund" and challenged all other Mayors and Aldermen in the Lower Mainland to match or exceed his donation.

- (b) Burnaby Justice Building Committee  
Re: Proposed Expansion of Royal Canadian  
Mounted Police Detachment Area Burnaby  
Justice Building

The Burnaby Justice Building Committee submitted a report concerning the proposed expansion of the Royal Canadian Mounted Police Detachment area in the Burnaby Justice Building.

The Burnaby Justice Building Committee recommended:

- (1) THAT Council approve the working drawings prepared by the consultant.
- (2) THAT Council adopt the schedule outlined in this report and authorize the respective calls for tenders for the general contractor's work and for subtrades' work as outlined.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN BROWN:

"THAT the recommendations of the Burnaby Justice Building Committee be adopted."

CARRIED UNANIMOUSLY

- (c) The Municipal Manager presented Report No. 56, 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. Council Requested Report Items

The Municipal Manager provided a status report from the Director of Planning on reports which have been specifically requested by Council. The list of projects does not reflect the total work load in the department, but is merely a collection of assignments that are directly related to Council's request for information on various matters.

The Health Department is the only other department that is working on a report that has been requested by Council. The matter currently under review is the discharge of polychlorinated biphenyls into the Fraser River by Belkin Paperboard Limited. The Federal Government has conducted a survey which includes resident fish and bottom sediment. Staff is now following up to insure that this information is forwarded to us as soon as possible.

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 EMMOTT:

"THAT the recommendation of the Municipal Manager be adopted and that this report be referred to the 'Reports Pending Review Committee' comprised of Alderman Stusiak as Chairman and Aldermen Drummond and Lawson as members."

CARRIED UNANIMOUSLY

2. Barnet Highway Outdoor Rifle and Revolver Ranges

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

3. Proposed Sale and Development of Municipal Lands  
N.E. Quadrant - Canada Way and Willingdon Avenue  
Rem. Lot 45, D.L. 70, Plan 56349 (4545 Canada Way)

The Municipal Manager provided a report from the Director of Planning regarding the proposed sale of the subject municipally owned property at Canada Way and Willingdon Avenue.

The Municipal Manager recommended:

- (1) THAT Council authorize the Municipal Engineer to prepare the terms of reference and invite proposals for a Soils Consultant to provide specific recommendations on the proposed development of the subject lands. The cost of the Consultant is to be charged to Code 70, Land Assembly and Development, of the Capital Improvement Program.
- (2) THAT, upon receipt and analysis of the Soil Consultant's report, staff submit a report outlining the parameters for a proposal call to acquire and develop the subject lands.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

4. Absence of the Municipal Manager  
1980 September 15 - 17, inclusive

The Municipal Manager provided a report in which it was indicated that he will be attending the American Public Works Association Conference in Kansas City, Missouri on 1980 September 15, 16 and 17. Mr. A.L. Parr will be Acting-Manager in this instance.

The Municipal Manager recommended:

- (1) THAT this report be received for information purposes.

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

5. Proposed Amendment to By-law No. 5533  
"Burnaby Unsightly Premises By-law 1969"

The Municipal Manager provided a report from the Municipal Solicitor on a proposed amendment to the subject by-law.

The Municipal Solicitor reported that Section 2 of By-law No. 5533 presently provides that "no owner or occupier of real property shall allow the said real property to become untidy or unsightly". A prosecution based on this section of the by-law was dismissed by a Provincial Court judge on the ground that while the property in question was certainly unsightly, the prosecution had not proved that it was the defendant who had permitted it to become unsightly. Following this decision, we recommended an amendment to the then Section 870(h) of the Municipal Act empowering Council to prohibit owners or occupiers of real property from allowing the property to remain untidy or unsightly. The recommended amendment received support of the U.B.C.M. and it was included in Bill 54, the Municipal Amendment Act, 1980, which received Royal Assent on 1980 August 22. It is recommended that Council adopt the proposed amendment, now authorized by Section 932(h) of the Municipal Act, that "no owner or occupier of real property shall allow the said real property to become or to remain untidy or unsightly".

The Municipal Manager recommended:

- (1) THAT the recommendation of the Municipal Solicitor be adopted.

MOVED BY ALDERMAN LAWSON:  
SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

6. Lower Mainland Archery Association  
Taxes on land used by Association

The Municipal Manager provided a report from the Parks and Recreation Administrator regarding the Lower Mainland Archery Association taxes on land used by that Association.

The Parks and Recreation Administrator reported that although the activities of the Lower Mainland Archery Association are recognized as being of value, staff feel that based on available information, there would be little benefit to the residents of Burnaby if the Association was financially supported by the Corporation.

Because of the high tax levy on this land and little chance of the club increasing in size, the club will not be able to finance its operation in the future.

Presently, tax exemption to regional sports associations is not provided unless there is a direct service or benefit to Burnaby.

In view of the Association's make-up and mandate and the ultimate weak viability of the group at its present location, it is recommended to not provide financial support. Staff feel that the associations should pursue support from the provincial and national bodies.

The Municipal Manager recommended:

- (1) THAT the recommendation as contained in the report from the Parks and Recreation Administrator be adopted.
- (2) THAT a copy of this report be sent to Mr. Phil Talbot, Secretary-Treasurer, Lower Mainland Archery Association, 1923-7th Avenue. New Westminster, B.C., V3M 2L4.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: ALDERMAN BROWN

7. Burnaby Beautification Committee  
Development Projects

The Municipal Manager provided a report from the Parks and Recreation Administrator on the financing of projects that had been finalized by the Burnaby Beautification Committee.

The Municipal Manager recommended:

- (1) THAT Council approve the proposed Burnaby Beautification Committee's projects outlined in the report of the Parks and Recreation Administrator.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

8. Contract #8015 - Still Creek Phase II

The Municipal Manager provided a report from the Purchasing Agent regarding tenders for Contract #8015.

The Municipal Manager recommended:

- (1) THAT the lowest tender submitted by B.A. Blacktop Limited in the amount of \$126,170.00 be accepted with final payment to be based on unit prices tendered and actual quantities used.

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

9. Fire Services - Discovery Parks Incorporated and Simon Fraser University  
(Cross Reference: Rezoning Reference #9/80)

The Municipal Manager provided a report from the Director of Planning regarding fire protection relative to Discovery Parks Incorporated and Simon Fraser University.

The Director of Planning reported that it is proposed that, after due consideration of the overall Fire Prevention Control Study criteria and recommendations, Council would pursue the appropriate fire protection services for the S.F.U./D.P.I. area without the attendant haste of necessarily attaching this issue to the S.F.U. site D.P.I. rezoning. Therefore, fire protection arrangements would not be included as one of the prerequisites to a reintroduced S.F.U. site D.P.I. rezoning proposal. Council should realise that in these circumstances the municipality will be responsible for the costs of providing fire protection at a future date for the D.P.I. site whether this fire protection takes a form of a firehall on the mountain or other appropriate form. Since S.F.U., by its proximity, will benefit from any additional fire protection services on the mountain, it would be appropriate to pursue the co-operation of S.F.U. in providing as much assistance as they are able on this matter.

The Municipal Manager recommended:

- (1) THAT, in the light of the Director of Planning's report, Council permit the S.F.U. site Discovery Parks rezoning to proceed on the basis that adequate fire protection would be provided in due course following completion of the "Fire Prevention Control Study and Master Plan".

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN BROWN:

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

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN BROWN:

"THAT the aforementioned recommendation of the Municipal Manager be amended by deleting all words after the word 'proceed'".

CARRIED

OPPOSED: ALDERMEN AST AND  
DRUMMOND

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

10. Parcel "B", Plan 17411, Block 12, D.L. 10, Plan 3054  
8760 Government Road - "Love Property"

The Municipal Manager provided a report from the Director of Planning concerning the proposed acquisition of the subject property.

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The Municipal Manager advised that in his opinion negotiations at this time be commenced for only that portion of the property that is required for the development of the Municipal Trail System, i.e. Stage 1, and that this be pursued on the basis of the current A-2 zoning designation. The Manager supports the eventual purchase of the entire property but is not prepared to recommend that such action be taken at this time, given the timing projected for the need for the property.

At the same time, the Municipal Manager is of the view that none of the property should be rezoned from Agricultural District (A2) to Light Industrial District (M5) as requested by Mr. Hean on behalf of Mr. and Mrs. Love.

The following are the recommendations contained in this report:

- (1) THAT authority be given to:
  - (a) advance in priority the "First Stage",
  - (b) negotiate for the purchase of the "First Stage" portion only of the subject property.
- (2) THAT a copy of this report be forwarded to the Parks and Recreation Commission for information.
- (3) THAT a copy of this report be sent to Mr. Arnold F.C. Hean, Q.C., Hean, Wylie and Company, 600 Burnaby Centre, 4211 Kingsway, Burnaby, B.C., V5H 2A8.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

"THAT the Planning Department be instructed to work with the applicant to come forward with a project under the Light Industrial District (M5) or Comprehensive Development (CD) under M5 guidelines to go to a Public Hearing and at the same time obtain a dedication as a prerequisite on the Stoney Creek alignment to connect with the Deer Lake Park Trails System."

CARRIED

OPPOSED: ALDERMEN AST,  
DRUMMOND AND LAWSON

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STUSIAK:

"THAT this Council Meeting extend beyond 22:30 h."

CARRIED

OPPOSED: ALDERMAN AST

11. Royal Oak Funeral Home  
5152 Kingsway  
Request for Information on Development Potential  
from Wales, McLelland Development Company Limited

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

12. Rezoning Reference #28/80  
4305 Halifax Street and 1770 Douglas Road

The Municipal Manager provided a report from the Director of Planning with respect to the height of the highrise building in this proposed development relative to the height of the existing highrise building on a site south of Halifax Street.

The highrise tower proposed under Rezoning Reference #28/80 consists of 22 typical apartment floors plus a plaza level and communal amenity level and a partial storey penthouse level, for a total of 24 floors. The penthouse level contains four dwelling units and its perimeter walls are set back considerably from the principal walls of the tower, so that it is perceived as a part of the roof form, rather than as an additional storey. The total overall height of the building from plaza level is 72.6 m (238 feet).

The Brentwood House building to the south of Halifax, at 1850 Rosser Avenue, consists of a single tower, 18 storeys in height, with a total overall height of 65.8 m (216 feet).

The Municipal Manager recommended:

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

MOVED BY ALDERMAN EMMOTT:  
SECONDED BY ALDERMAN BROWN:

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

CARRIED  
OPPOSED: ALDERMAN DRUMMOND

13. A New Financial Administration Act -  
Discussion Paper 1980 August

The Municipal Manager reported that a letter dated 1980 August 22 had been received from the Deputy Minister, Ministry of Finance, addressed to all British Columbia municipalities on September 04. Attached to the letter was a discussion paper on a proposed new Financial Administration Act. The Deputy Minister requested that municipal comments on this discussion paper be received in his office not later than September 30.

The Municipal Manager was of the opinion that comprehensive comments could not be forwarded to the Deputy Minister by the requested deadline.

The Municipal Manager recommended:

- (1) THAT the Mayor request the Honourable Hugh A. Curtis, Minister of Finance, to extend the review date of this proposed legislation to 1980 October 31.

MOVED BY ALDERMAN LEWARNE:  
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

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



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E N Q U I R I E S

ALDERMAN LEWARNE:

Alderman Lewarne enquired as to whether any member of the Municipal Council was considering running for a position on the Executive of the Union of British Columbia Municipalities.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

"THAT authority be given to the members of the Burnaby Municipal Council to stand for election to the Executive of the Union of British Columbia Municipalities if they so desire."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY