

1981 APRIL 21

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1981 April 21 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 F.G. Randall
Alderman V.V. Stusiak

STAFF: Mr. M.J. Shelley, Municipal Manager
Mr. E.E. Olson, Municipal Engineer
Mr. A.L. Parr, Director of Planning
Mr. J.G. Plesha, Administrative Assistant to Manager
Mr. James Hudson, Municipal Clerk
Mr. B.D. Leche, Deputy Municipal Clerk

M I N U T E S

The minutes of the Regular Council Meeting and the Caucus Meeting "In Camera" held on 1981 April 06 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN BROWN:

"THAT the minutes of the Regular Council Meeting and the Caucus Meeting 'In Camera' held on 1981 April 06 be now adopted."

CARRIED UNANIMOUSLY

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

- (a) Mayor D.M. Mercier, Re:
"Mental Health Week" -
1981 May 04 to 1981 May 09

His Worship, Mayor Mercier, issued the following Proclamation relative to "Medical Health Week".

"WHEREAS THE CANADIAN MENTAL HEALTH ASSOCIATION is a non-profit organization working nationally, provincially and locally to promote positive mental health and to ensure that proper care and treatment is extended to persons disabled by mental health problems;

AND WHEREAS tension and anxiety are normal reactions to events in our lives which threaten our well-being but often the pressures of home, work and community are overwhelming;

AND WHEREAS the theme for MENTAL HEALTH WEEK 1981 as determined by the National Office of the Canadian Mental Health Association is "COPING - PUTTING YOUR LIFE BACK IN YOUR OWN HANDS";

AND WHEREAS the VANCOUVER-BURNABY BRANCH of the Canadian Mental Health Association would like more people to be aware of their work and to recognize the need for more volunteers to assist them and help remove the stigma attached to mental illness so that with time and hard work many of the mental and emotional problems surrounding us today might be prevented;

NOW, THEREFORE, I, MAYOR OF BURNABY, DO HEREBY PROCLAIM the week of Monday, May 4th to Saturday, May 9th, 1981 as

"MENTAL HEALTH WEEK"

1981 April 21

(b) Mayor D.M. Mercier, Re:
"Beta Sigma Phi Day" -
1981 April 30

His Worship, Mayor Mercier, issued the following Proclamation relative to "Beta Sigma Phi Day".

"WHEREAS 'BETA SIGMA PHI' is primarily a cultural and social organization nevertheless it has donated hundreds of dollars to charitable organizations, cancer and kidney research, scholarships, and many hours of volunteer work are performed by its members; and

WHEREAS the first Chapter of Beta Sigma Phi was formed on April 30th, 1931 in Abilene, Kansas, with a total of seven members and today, fifty years later, there are 12,000 chapters in 32 countries throughout the world with a total membership of over 300,000; and

WHEREAS some forty years ago the first Chapter outside the United States was formed in Vancouver, British Columbia, making Beta Sigma Phi an international organization and, since that time, many OUTSTANDING CANADIAN WOMEN have become INTERNATIONAL HONORARY MEMBERS of the Sorority including the Wife of the Governor General of Canada; and

WHEREAS the NEW WESTMINSTER CITY COUNCIL OF BETA SIGMA PHI consisting of 14 Chapters, totalling 320 members (who are to be commended for their community efforts), has requested April 30th, 1981 be proclaimed as "BETA SIGMA PHI DAY" throughout this municipality; and

WHEREAS the Provincial Government of British Columbia has proclaimed April 30th, 1981 as "BETA SIGMA PHI DAY" in celebration of the 50TH ANNIVERSARY of this organization;

NOW, THEREFORE, I MAYOR OF BURNABY, DO HEREBY PROCLAIM

THURSDAY, APRIL 30TH, 1981

AS

"BETA SIGMA PHI DAY"

B Y L A W S

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:

Bylaw Number

'Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 46, 1980'"

7577

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: ALDERMAN DRUMMOND

The Council reconvened.

1981 April 21

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: ALDERMAN DRUMMOND

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT:

Bylaw Number

'Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 46, 1980'

7577

be now read a third time."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT:

Bylaw Number

'Burnaby Zoning Bylaw 1965, Amendment
Bylaw No. 48, 1980"

7579

be now reconsidered and finally adopted, signed by the Mayor and the Clerk and the Corporate seal affixed thereto."

CARRIED UNANIMOUSLY

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT all of the following listed items of correspondence be received and those items in the Municipal Manager's Report No. 20, 1981 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Stanley H. Churchill, Re: Ending
Liquor Advertising in "Westworld",
the motor magazine of the British
Columbia Automobile Association.

A letter dated 1981 March 31 was received requesting that Council reconsider its previous decision regarding the advertising of liquor in "Westworld", the motor magazine of the British Columbia Automobile Association.

The writer considered that it was a matter of major importance that liquor advertising in "Westworld" be stopped.

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN BROWN:

"THAT the Municipal Council of The Corporation of the District of Burnaby advise the British Columbia Automobile Association Board of Directors that this Council is opposed to liquor advertising in "Westworld" magazine.

CARRIED

OPPOSED: MAYOR MERCIER,
ALDERMEN EMMOTT,
LEWARNE AND STUSIAK

1981 April 21

- (b) Walter J. Booth, Re: No Restrictions
on Height of Fill Permitted on Land
Being Developed.

A letter dated 1981 April 01 was received noting that the Municipality has a restriction on the maximum height of fences but apparently no restrictions exist on the height of fill permitted on land being developed.

It was agreed that the Municipal Engineer would contact Mr. W.J. Booth and discuss the matter of concern to him in greater depth.

- (c) Strataco Management Ltd., Property
Manager, on behalf of Owners of Strata
Plan N.W. 655, Re: Landscaping -
Village Del Ponte - Strata Plan N.W. 655
Millburn Court, Millbrook Lane, Belfriar
Drive and Bridgewater Crescent.

A letter dated 1981 March 26 was received in which it was noted that the landscaping of the property adjacent to the north west perimeter of the Village Del Ponte has not been completed by the developer.

The writer reported that he had contacted the developer in this regard but would appreciate receiving whatever assistance the Municipal staff can provide in ensuring that the developer meets his obligations to the owners of Strata Plan N.W. 655.

Council was advised that the Municipal staff was pursuing this matter with the developer, Bosa Bros., to ensure that the landscaping in question will be completed in the not too distant future.

- (d) Province of British Columbia, Ministry
of Environment, Waste Management Branch,
Manager, Resource Recovery Section, Re:
Recovery of Resources from Solid Wastes
in British Columbia.

A letter dated 1981 March 24 was received advising that the Waste Management Branch of the Ministry of the Environment had commissioned Stanley Associates Engineering Ltd. to carry out a study of municipal recycling in British Columbia. This study has now been completed.

This report is being distributed to Municipal Authorities, recycling groups and others concerned with this subject in British Columbia. The writer requested that Municipal comments be received before 1981 April 30.

Council was advised that the Municipal Engineer will forward his comments on this subject directly to the Ministry of Environment, Waste Management Branch, and will also submit a report to Council incorporating his comments to the Waste Management Branch for information purposes.

- (e) Municipal Administration Education Council,
Chairman, Re: Brochure "Municipal Education
Programs in British Columbia".

A letter dated 1981 April 02 was received enclosing a copy of a brochure entitled "Municipal Education Programs in British Columbia". It was requested that Council make this brochure available to Municipal staff in order that they may be aware of the opportunity for employees in the Municipality to upgrade and enhance their administrative skills.

1981 April 21

- (f) Union of British Columbia Municipalities,
Executive Director, Re: Royal Canadian
Mounted Police Contract Negotiations.

A letter dated 1981 April 02 was received advising that the current R.C.M.P. contract agreement, which officially ended on 1981 March 31, has been extended on an interim basis for three months until 1981 June 30, with all terms and conditions contained therein remaining unchanged.

The reason for this extension of time of the current contract is that negotiations for a new contract have not yet been concluded. Discussions between the Federal government and the Provincial Attorney General's Department will continue until final agreement is reached with the expectation that agreement can be reached before 1981 June 30.

As and when the new contract is finally settled, its terms and conditions will be made retroactive to 1981 April 01.

- (g) Federation of Canadian Municipalities,
Executive Director, Re: Consent Form.

A letter dated 1981 April 02 was received enclosing "Consent Forms" to be completed by members of Council wishing to serve on the Board of Directors of the Federation of Canadian Municipalities.

His Worship, Mayor Mercier, advised that he would be submitting a further report on this matter to Council within the next week or two.

- (h) James G. Lorimer, Member Legislative
Assembly, Burnaby - Willingdon, Re:
Proposed Street Realignment from
Willingdon Avenue to Patterson Avenue.

A letter dated 1981 April 07 was received expressing concern with the proposed realignment of Willingdon Avenue to Patterson Avenue. The opinion was expressed that it will generally become part of the highway system for the proposed Annacis Island crossing.

The Director of Planning advised that he hoped to have a report on this subject available for the next meeting of Council on 1981 May 04.

- (i) Province of British Columbia, Ministry
of Municipal Affairs, Minister, Re:
Inspector of Municipalities to Undertake
Investigation into Expropriation at 9637
Cameron Street.

A letter dated 1981 April 10 was received advising that the Minister has asked the Inspector of Municipalities to undertake an investigation into the District of Burnaby's expropriation of the property at 9637 Cameron Street in Burnaby, belonging to Mrs. Lillian Mann. The Minister advised that he was concerned about the District of Burnaby's conduct of the expropriation. He suggested that the District of Burnaby not proceed with the expropriation until the Inspector of Municipalities has completed his investigation.

Item 4, Municipal Manager's Report No. 20, 1981 April 21, pertaining to this subject, was brought forward for consideration at this time.

The Municipal Manager reported that staff is completely satisfied that the Corporation has conducted itself properly during the entire expropriation procedure, in accordance with all applicable legislation, and would confirm that the property is still required for Municipal purposes.

Council is aware that Mrs. Mann's property was acquired, not only to meet current parking requirements in the most optimum manner, but also to provide for Library expansion. The property is also included in the area designated in the Cameron Road Community Plan for public recreational use.

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Should Council abandon the acquisition of 9637 Cameron Street, the Corporation could be faced with costs totalling \$100,000 to compensate Mrs. Mann for her costs and to pay our own legal costs, and then still be faced with reinitiating the acquisition of the property in the not too distant future for Municipal purposes at a considerably increased cost.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT Burnaby Municipal staff and members of the Municipal Council cooperate fully with the Inspector of Municipalities to get a speedy and factual report on the proceedings on the expropriation of the Mann property at 9637 Cameron Street, Burnaby, B.C."

CARRIED UNANIMOUSLY

- (j) Petition, Residents of Burnaby,
Re: Monitor Assessed Values of
Large Industrial and Commercial
Properties.

A petition bearing nine signatures of Burnaby residents was received requesting that Burnaby Municipal Council adopt a policy of monitoring more closely the assessed value of large industrial and commercial properties to ensure an equitable tax assessment base between residential, commercial and industrial properties and that the Burnaby Lands Department:

- (1) Be charged with responsibility to conduct independent appraisals of large industrial and commercial properties, compare their appraisals with B.C. Assessment Authority appraisals as appear on the Assessment Roll and report comparisons made to Burnaby Council prior to January 20 each year.
- (2) Initiate appeals of assessments as they appear on Assessment Rolls where they appear too low.
- (3) Actively intervene in other assessment appeals when the claim is that large industrial or commercial property assessed values should be reduced.

- (k) Petition, Resident Taxpayers of Burnaby,
Re: Burnaby Municipal Council Participate
in Appeals Against Assessed Values of Oil
Refinery Properties in Burnaby.

A petition signed by eight resident taxpayers of Burnaby was received advising that the petitioners do fully support the application and/or appeal of David Fairey against the assessed actual values that appear on the 1981 Assessment Roll for all properties in Burnaby owned or occupied by Shell Oil Company, Chevron Oil Company and Gulf Oil Company.

The petitioners also called on the Burnaby Municipal Council and Burnaby School Board to support and participate in appeals against assessed values of oil refinery properties in Burnaby on the basis that they are too low.

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MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN STUSIAK:

"THAT the Municipal Treasurer report on the merit of the suggestions contained in the aforementioned petitions."

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) Grants and Publicity Committee,
Re: Grant Applications.

1. Vancouver Symphony Society

The Grants and Publicity Committee submitted a report on a request received for a grant in the amount of \$9,000 from the Vancouver Symphony Society.

The Grants and Publicity Committee recommended that a grant in the amount of \$6,000 be made to the Vancouver Symphony Society for 1981.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED

OPPOSED: ALDERMAN LEWARNE

2. Big Brothers of Burnaby

The Grants and Publicity Committee submitted a report on a request received for a grant in the amount of \$20,000 from the Big Brothers of Burnaby for 1981.

The Grants and Publicity Committee recommended that a total grant of \$18,729 to include the amount of \$4,729 approved by Council on 1981 January 26 which was to be applied against their 1981 lease rental.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

3. New Westminster Chamber of Commerce

The Grants and Publicity Committee submitted a report on a request for a grant in the amount of \$550 from the New Westminster Chamber of Commerce.

The Grants and Publicity Committee recommended that a grant in the amount of \$550 be made to the New Westminster Chamber of Commerce for 1981.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the recommendation of the Grants and Publicity Committee be adopted."

CARRIED UNANIMOUSLY

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- (b) The Municipal Manager presented Report No. 20, 1981 on the matters listed following as Items 1 to 7, either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Port of Vancouver Master Plan

The Municipal Manager provided a report from the Director of Planning concerning the Port of Vancouver Master Plan.

The Director of Planning reported that the commencement of work on a Master Plan for the Port of Vancouver was recently announced by Transportation Minister Jean Luc Pepin. Planning staff had a previous initial meeting with Mr. Ray Gainer, Project Manager for the Master Plan, to explore mutual concerns. It was agreed that Burnaby Council should be fully apprised of this project including the study terms of reference as soon as possible.

It was also agreed that municipal participation on this project including representation on the Liaison Committee will be the responsibility of the Commercial/Industrial Coordinator, who is Mr. P. Bloxham of the Burnaby Planning Department.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

2. Proposed Business Park
N.E. Quadrant
Canada Way and Willingdon Avenue

The Municipal Manager noted that during the "In Camera" meeting of Council on 1981 April 06, a sum in the amount of \$1,100,000 was established as the upset price for the sale of a serviced site containing 3.0 acres of land as shown on the sketch attached to the Director of Planning's report.

The recommendation as adopted on that occasion is now being brought forward for adoption in open Council.

The Municipal Manager recommended:

- (1) THAT Council establish a figure of \$1,100,000 as the upset price for the sale of a serviced site containing 3.0 acres located within the above business park as shown on Figure C attached to the Director of Planning's report.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

3. Water Booster Pumping Station -
Burnaby Mountain

The Municipal Manager provided a report from the Municipal Engineer regarding the subject pumping station.

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The Municipal Manager recommended:

- (1) THAT Council rescind the motion contained in Item 2, Municipal Manager's Report No. 13, Council Meeting 1981 February 23.
- (2) THAT Council approve that the cost sharing arrangements for construction of the pumping station be on a 50/50 basis between the developer of Subdivision Reference #93/79 and the Corporation of the District of Burnaby, as further detailed in the Municipal Engineer's report.
- (3) THAT the developer of Subdivision Reference #93/79 (Sunshine Mortgages Ltd.) be required to construct the pumping station as a part of his Servicing Agreement with the Corporation of the District of Burnaby for this subdivision.
- (4) THAT a purchase order be issued to Sunshine Mortgages Ltd. in the amount of \$52,425.00 for the Corporation's share of the cost of the station.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

4. Mann Expropriation
9637 Cameron Street

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

5. 1981 C.U.P.E. Negotiations

The Municipal Manager submitted a report outlining the details of the various proposals which the Greater Vancouver Regional District has submitted to the Canadian Union of Public Employees Joint Committee via Ken Albertini.

The Municipal Manager also provided a Summary of Employers' Proposals to End the Current Dispute dated 1981 April 16.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

6. Budgets and Bylaws Status Report

The Municipal Manager provided a report from the Municipal Treasurer concerning the 1981 Budgets and Bylaw Status.

The Municipal Treasurer pointed out that the capital budget is being prepared and should be ready for distribution to Council before May 01. The 1981-1985 capital budget will simply be the 1981 Provisional Capital Improvement Program which was received by Council on 1980 December 08 with the years 1982 to 1985 taken from last year's Capital Improvement Program.

1981 April 21

The Municipal Manager recommended:

- (1) THAT this report be received for information purposes.
- (2) THAT Council meetings be held on 1981 May 04 and May 11.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

7. Municipal Manager's Absence

The Municipal Manager submitted a report in which it was indicated that he will be conducting a session in a Municipal Management Seminar at the Banff Centre from 1981 May 03 to May 08.

Mr. A.L. Parr, Director of Planning, will be Acting Manager during this time.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

NOTICE OF MOTION

MOVED BY ALDERMAN BROWN:

"WHEREAS by Bylaw No. 7209 cited as 'Burnaby Expropriation Bylaw No. 3, 1978' which received reconsideration and final adoption 1979 June 11 The Corporation of the District of Burnaby expropriated real property vested in The Director, The Veterans' Land Act, being Lot 1, Block 23, District Lot 6, Group 1, Plan 6991, New Westminster District, except the West 80 feet thereof; and

WHEREAS the Council deemed it desirable and in the public interest to expropriate the real property described for pleasure, recreation and community uses of the public and in particular for the Northeast Burnaby Recreation/Library Complex:

THEREFORE BE IT RESOLVED that:

1. Bylaw No. 7209 cited as 'Burnaby Expropriation Bylaw No. 3, 1978' be repealed;
2. Section 558 of the Municipal Act be put into effect immediately;
 558. (1) Notwithstanding this Act, whenever at any time before the compensation money has been actually paid, the acquisition of a parcel of land or real property, or any interest in them, taken or expropriated for municipal purposes, or any portion of it, is determined by bylaw of the council to be unnecessary, or if the council determines by bylaw to abandon the work, purpose or undertaking in respect of which the land, real property or interest has been taken or expropriated, the council may, by the same or another bylaw, declare that the land, real property or portion of it, or the estate, right, title or interest in it, is not required and is abandoned by the municipality.
 - (2) On a certified copy of the bylaw being filed in the land title office for the district in which the land or real property is situate, the land or real property or interest declared to be abandoned shall revert in the person from whom it was taken or expropriated, or in the persons entitled to claim under him.
 - (3) Notwithstanding abandonment or revesting, compensation shall be made by the municipality to the owner or occupiers of or other persons interested in the land or real property for any loss, costs or damage sustained by them in consequence of the taking or expropriation, and its amount shall be determined under this Division.
 - (4) The compensation made or awarded under subsection (3) shall be in lieu of any compensation which would otherwise be payable under section 544, and its payment constitutes full satisfaction and discharge of all demands by the claimant in relation to the expropriation or taking by the municipality of the land, real property or interest.
3. The matter of compensation as referred to in subsections (3) and (4) to include all costs, and punitive damages, to the owner of the real property as aforementioned."

There being no seconder to the aforementioned Motion, as moved by Alderman Brown, no further action was taken on this matter at this time.

NEW BUSINESS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the Regular Meeting of Council scheduled for Monday, 1981 April 27, be cancelled."

CARRIED UNANIMOUSLY

1981 April 21

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN STUSIAK:

"THAT this Regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

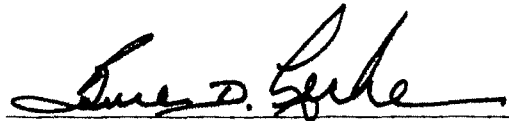
The Regular Council Meeting adjourned at 19:58 h.

Confirmed:



D.M. Mercier, MAYOR

Certified Correct:



B.D. Leche, DEPUTY MUNICIPAL CLERK