

1981 JANUARY 05

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1981 January 05 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 W.A. Lewarne
Alderman F.G. Randall
Alderman V.V. Stusiak

ABSENT: Alderman D.A. Lawson

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. B.D. Leche, Deputy Municipal Clerk
Mr. C.A. Turpin, Municipal Clerk's Assistant

M I N U T E S

The minutes of the Council Meeting held on 1980 December 22 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN EMMOTT:

"THAT the minutes of the Council Meeting held on 1980 December 22 be now adopted."

Alderman Brown noted that on page 2 of the minutes of the Council Meeting held on 1980 December 22 he had been shown as voting in favour of the motion "That the Ismaili Council, the North Central Burnaby Ratepayers Association, and the Planning Department work together to bring forward a suitable plan of development for the Mosque", when, in fact, he had been opposed to this motion.

A vote was then taken on the original motion as moved by Alderman Ast and seconded by Alderman Emmott, "That the minutes of the Council Meeting held on 1980 December 22 be now adopted", as amended, and same was CARRIED UNANIMOUSLY.

D E L E G A T I O N

The following wrote requesting an audience with Council:

- (a) Hean, Wylie and Company, Arnold F.C. Hean,
1980 December 30, Re: Parcel "B", Reference
Plan 17411, Block 12, District Lot 10, Plan 3054,
8720 Government Road, Rezoning Reference #46/80
Spokesman - Mr. A.F.C. Hean

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN BROWN:

"THAT the delegation be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Arnold F.C. Hean then addressed Council on the subject of Rezoning Reference #46/80 covering the Love Property. The following is the text of Mr. Hean's submission:

"Thank you for giving me the opportunity once again to appear before you on this matter.

1981 January 05

My comments tonight are very brief. I understand that you have each received a copy of my letter, with its enclosures, of last December 30th to Mr. Hudson, the Municipal Clerk.

At this time I would like to sum up my clients' position and that of Imperial Ventures Ltd., the company which will be developing the property upon rezoning.

1. Last August 15th I presented a brief to you which included a map showing clearly the Stoney Creek and Brunette River alignments as they relate to the Love Property. These two waterways were marked in blue and the property which my clients considered appropriate for parks purposes within their property was marked in green. (I have attached a copy of that map for your information.) The creek and river alignments are vastly different, in fact, than the alignments which each successive map given to you by the Planning Department has shown. (I have attached a copy of that map for comparison purposes.) It is apparent that planning has inadvertently given Council a map which shows an incorrect alignment of both waterways which may have influenced Council to come to an erroneous conclusion and decision with respect to the area required for trail purposes.
2. The Planning Director has requested that both restrictive covenants and a development permit agreement be required with respect to the rezoned portion of the Love Property. It is our opinion that the development of the property should be carried out under restrictive covenants only, agreed to in their entirety before final passage of the rezoning bylaw, so that there will be absolute certainty with respect to the completed project. The development permit agreement proposal is unnecessary and could lead to changes after rezoning beyond Council's immediate control and would create an element of uncertainty in the development of the property.
3. My clients have agreed in principle with the development requirements proposed by Planning for the rezoned area and all of those matters would be settled and finalized prior to the final passage of the bylaw.

It is our opinion that items 1 and 2 above - the matters of an appropriate area for trail use and restrictive covenants covering development - will ensure the municipality of an excellent M5 project broadening the tax base and creating employment related to it while at the same time completing the municipal park area and trail system which lies at the south and east boundaries of the Love Property.

We respectfully suggest that both matters be considered in the circumstances."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN BROWN:

"THAT Item 4, Municipal Manager's Report No. 1, 1981 January 05, pertaining to this subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager provided a report from the Director of Planning providing his department's comments on the points raised by Mr. Hean in his letter dated 1980 December 30, which also appears on the agenda for this evening's Council Meeting.

The Municipal Manager recommended:

- (1) THAT Council accept this report as clarifying the processes under which the adopted zoning prerequisites will be completed and as confirming the configuration of the industrial and public open space zoning boundaries, and that a copy of this report be sent to Mr. Arnold F.C. Hean.

1981 January 05

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

B Y L A W S

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 59, 1980' #7623

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 60, 1980' #7624

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report progress on the bylaws."

CARRIED

OPPOSED: ALDERMEN AST,
DRUMMOND AND RANDALL
TO BYLAW NO. 7623
ALDERMAN DRUMMOND
TO BYLAW NO. 7624

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: ALDERMEN AST,
DRUMMOND AND RANDALL
TO BYLAW NO. 7623
ALDERMAN DRUMMOND
TO BYLAW NO. 7624

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 59, 1980' #7623

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 60, 1980' #7624

be now read a first time."

CARRIED

OPPOSED: ALDERMEN AST,
DRUMMOND AND RANDALL
TO BYLAW NO. 7623
ALDERMAN DRUMMOND
TO BYLAW NO. 7624

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Surplus Funds Bylaw 1981' #7625

'Burnaby Highway Exchange Bylaw No. 1, 1981' #7626

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the Committee now rise and report the bylaws 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 Surplus Funds Bylaw 1981' #7625

'Burnaby Highway Exchange Bylaw No. 1, 1981' #7626

be now read three times."

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 of the Municipal Manager's Report No. 1, 1981, which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) C.N. Hiebert, Branch Manager, Royal Canadian Legion,
Re: Burnaby Taxi is not giving the proper service
to our senior veterans that they deserve

A letter dated 1980 December 22 was received advising that in the opinion of the writer, Bonny's Taxi is not providing proper service to senior veterans in the municipality.

- (b) Mrs. D.S. Cox, Executive Director, Community
Homemaker Service Association of Greater Vancouver,
Re: Bonny's Taxi Limited, 5522 Imperial Street

A letter dated 1980 December 24 was received advising that the Community Homemaker Service Association of Greater Vancouver has been using Bonny's Taxi for some years, but over the past few months the service has deteriorated. The Association wish to add its voice to the complaints already received by Council.

1981 January 05

Item 5, Municipal Manager's Report No. 1, 1981 January 05, pertaining to correspondence items (a) and (b) was brought forward for consideration at this time.

The Municipal Manager provided a report from the Chief Licence Inspector regarding taxi cab operations in the municipality.

The Municipal Manager recommended:

- (1) THAT a copy of this report be forwarded to Mr. C.N. Hiebert, Branch Manager, The Royal Canadian Legion No. 148, 4356 Hastings Street, Burnaby, B.C., V5C 2J9 and Mrs. D.S. Cox, Executive Director, Community Homemaker Service Association of Greater Vancouver, 1628 West 7th Avenue, Vancouver, B.C., V6J 1S5.
- (2) THAT copies of the letter from the above organizations be forwarded to Bonny's Taxi Ltd., 5525 Imperial Street, Burnaby, B.C., V5J 1E8 for their consideration.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

- (c) Svend J. Robinson, Member of Parliament, Burnaby
Re: Community Services Contribution Program

A letter dated 1980 December 17 was received recommending that Council still make its feelings known to Paul Cosgrove, the Minister responsible for the Community Services Contribution Program. Mr. Robinson pointed out that the decision to discontinue the program has met with much opposition from across the country. Mr. Robinson was of the opinion that the Liberal Government might reconsider their position if an effort is made to demonstrate the concern of those affected by this decision.

- (d) Federation of Canadian Municipalities,
Executive Director, Re: Request for resolutions
to be considered at the 1981 Annual Conference

A letter dated 1980 December 17 was received inviting the submission of resolutions to be considered at the 1981 Annual Conference of the Federation of Canadian Municipalities. This year's Conference will be held in Regina from June 7 to 11.

Any resolution which this municipality wishes to submit must be received in the F.C.M. national office by 1981 March 02.

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: Municipal Appreciation Dinner - 1981 April 10

His Worship, Mayor Mercier, submitted a report advising that tentative arrangements had been made for the Annual Municipal Appreciation Dinner at the Sheraton Villa Inn on Friday, 1981 April 10, at an estimated cost of \$4,675.00.

His Worship recommended that Council authorize the payment of the cost of this function.

1981 January 05

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

"THAT Items 1 and 2, Municipal Manager's 'In Camera' Report No. 2, 1981 pertaining to the Royal Oak Funeral Chapel be brought forward to the open agenda of the Council Meeting this evening."

CARRIED UNANIMOUSLY

NOTE: The aforementioned report items will now be considered as items 6 and 7 of Municipal Manager's Report No. 1, 1981.

- (b) The Municipal Manager presented Report No. 1, 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. Temporary Financing Bylaws

The Municipal Manager provided a report from the Municipal Treasurer concerning temporary financing bylaws.

The Municipal Manager recommended:

- (1) THAT bylaws be brought down to permit borrowing to a maximum of \$22 million repayable on or before 1981 July 17; and, that for the period 1981 January 01 to December 31 borrowing to a maximum of \$1 million be permitted, repayable 1981 December 31.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

2. Proposed Zoning Bylaw Text Amendments
Photocopy and Duplicating Services

The Municipal Manager provided a report from the Director of Planning concerning proposed text amendments to the Burnaby Zoning Bylaw to allow photocopy and duplicating services as a permitted use in the C1, C2 and C3 commercial districts.

The Municipal Manager recommended:

- (1) THAT Council request the preparation of a bylaw by the Municipal Solicitor to permit the introduction of the text amendments as outlined in Section "C" of the Director of Planning's report, into the Burnaby Zoning Bylaw and that these amendments be advanced to a Public Hearing on 1981 February 17.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

3. Engineer's Special Estimate

The Municipal Manager provided a report from the Municipal Engineer regarding a special estimate of work in the total amount of \$7,000.00.

1981 January 05

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

4. Letter from Hean, Wylie and Company
600 Burnaby Centre, 4211 Kingsway, Burnaby, B.C. V5H 2A8
Rezoning Reference #46/80 - "Love Property"

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

5. Letters from the Royal Canadian Legion No. 148 and
Community Homemaker Association of Greater Vancouver
Bonny's Taxi

This item was dealt with previously in the meeting in conjunction with Items 4.(a) and (b) under Correspondence and Petitions.

6. Royal Oak Funeral Home

The Municipal Manager provided a report from the Director of Planning concerning the Royal Oak Funeral Home at 5152 Kingsway.

The Municipal Manager recommended:

- (1) THAT Council, by resolution, order that, for a period of thirty days, no person shall alter, damage or destroy the buildings, structures and land at 5152 Kingsway, known as the Royal Oak Funeral Chapel.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

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

MOTION DEFEATED

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT Item 7, Municipal Manager's Report No. 1, 1981 be received and referred to the 'In Camera' portion of the Council Meeting later this evening."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

1981 January 05

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

E N Q U I R I E S

ALDERMAN LEWARNE:

Alderman Lewarne enquired as to the current policy of Council with regard to the provision of street lighting on a street such as Stratford Avenue between Hastings Street and Pandora Street, where all services are located underground, and the distance between existing street lights is more than the prescribed 700 feet.

The Municipal Engineer advised that there was no policy covering such a situation.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN STUSIAK:

"THAT Council receive a report on the cost and the best location for a street light on Stratford Avenue approximately midway between Hastings Street and Pandora Street."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY