

1981 NOVEMBER 09

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1981 November 09 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, Director Engineering
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 Caucus Meeting "In Camera" held on 1981 November 02 came forward for adoption.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the minutes of the regular Council Meeting and Caucus Meeting 'In Camera' held on 1981 November 02 be now adopted."

CARRIED UNANIMOUSLY

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

- (a) His Worship, Mayor Mercier, issued the following proclamation relative to "Red Cross Winter Safety Week":

"WHEREAS activities in and around the water constitute a major part of the recreational enjoyment of Burnaby residents; and

WHEREAS the RED CROSS WATER SAFETY SERVICE is dedicated to the prevention of drownings and the promotion of health and physical fitness; and

WHEREAS we are in strong support of these objectives;

NOW THEREFORE I, MAYOR OF BURNABY,

DO HEREBY PROCLAIM the week of

Sunday, November 15th to Saturday, November 21st, 1981

as 'RED CROSS WINTER SAFETY WEEK'."

- (b) His Worship, Mayor Mercier, issued the following proclamation relative to "Children's Book Festival Week":

"WHEREAS THE CHILDREN'S BOOK CENTRE, a national, non-profit, registered, charitable organization mainly funded by the Canada Council, acts as a promotional agency and information service for CANADIAN CHILDREN'S BOOKS and each year sponsors a national Children's Book Festival; and

WHEREAS the Festival brings children into libraries, schools, book stores and community centres to meet Canada's literary heritage firsthand AND during the FESTIVAL WEEK the emphasis is on PARENTS AND CHILDREN reading together; and

WHEREAS HER EXCELLENCY, MRS. EDWARD SCHREYER, E.C., will be serving as Patron of this year's Festival at which more than 600,000 children will be participating in the various activities;

NOW THEREFORE I, MAYOR OF BURNABY, DO HEREBY PROCLAIM the week of
NOVEMBER 16 - 21, 1981

AS - "CHILDREN'S BOOK FESTIVAL WEEK"

throughout the District of Burnaby."

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) B.C. Coalition of the Disabled, Human Rights Researcher, 1981 October 28,
Re: Redrafting B.C. Human Rights Code
Spokesman - Dave Jaffe
- (b) David B. Fairey, 1981 November 04,
Re: Property Assessments and Taxation
Spokesman - David B. Fairey

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN BROWN:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. David Jaffe, representing the B.C. Coalition of the Disabled, then addressed Council concerning the inclusion of disabled persons in the British Columbia Human Rights Code. The following is the substance of Mr. Jaffe's submission:

"The British Columbia Coalition for the Disabled, is an advocacy group with between 280 and 330 members. The organization has been in existence for about six years. The Coalition considers it very important to include disabled persons in the Human Rights Act. The Human Rights Act has not been amended since 1973 and although some minority groups are included in the Act, disabled persons are not. Mr. Jaffe had researched various Human Rights Codes currently in existence in other jurisdictions and he had found that disabled people were in most of the Codes, but were not included in the British Columbia Human Rights Code. In the International Year of the Disabled Persons, disabled people are not even mentioned in the British Columbia Human Rights Code. They are protected under the category, "Discrimination without reasonable cause", in the following sections of the Code:

Publishing signs and notices motivating discrimination (Section 2);

Public facilities, accommodation or services (Section 3);

Employment (Section 8);

Trade Unions and occupational associations.

Disabled persons are not protected in purchasing property (Section 4);

Leasing property (Section 5);

Renting an apartment or any form of tenancy (Section 5);

Wages (Section 6);

Requesting information on application forms (Section 7).

Canada has signed the United Nations General Assembly 3447 Section 3, endorsing the right of disabled persons to have the same rights as their fellow citizens. It is time to include the disabled in the Human Rights Code.

Mr. Jaffe then presented Council with a list of recommendations prepared by the British Columbia Coalition of the Disabled concerning the inclusion of disabled persons in the British Columbia Human Rights Code.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

"THAT the Municipal Council support the intent of the recommendations of the British Columbia Coalition of the Disabled and the principles embodied in the report and to request that the Municipal Council has the opportunity to review any proposed legislation in this respect."

CARRIED

OPPOSED: ALDERMAN STUSIAK

- (b) Mr. David B. Fairey, then addressed Council on the subject of property assessments and taxation, particularly relating to oil refinery properties in Burnaby. The following is the substance of Mr. Fairey's submission:

"Mr. Fairey advised Council that he was present this evening to discuss Item 12, Municipal Manager's Report No. 53, 1981 November 02, which had been prepared as a result of questions raised by Mr. Fairey when he appeared as a delegation before Council on October 26. Mr. Fairey was of the opinion that the minutes of the Council Meeting held on 1981 October 26 did not accurately reflect the proceedings of that meeting. It was Mr. Fairey's contention that commitments given by His Worship, Mayor Mercier, on behalf of Council with reference to Mr. Fairey's request were not recorded. Mr. Fairey further advised Council that the statement contained in the Municipal Treasurer's letter to Alderman Lewarne that, "David Fairey's appeal of the 1980 Shell Oil assessment to the Court of Revision resulted in a reduced assessment, which reduced taxes by about \$8,000.00 in 1980", was an untrue statement.

His Worship, Mayor Mercier, advised Mr. Fairey that Council was presently waiting for written confirmation from the British Columbia Assessment Authority as to whether or not Mr. Fairey's appeal had been instrumental in reducing the 1980 Shell Oil assessment.

Mr. Fairey noted that the Lieutenant Governor in Council on 1981 October 31 had reduced the residential "Actual Value" to ten percent from eleven percent for 1982. This means that the residential assessment has been reduced by only 9.1 percent. Such a reduction will do nothing to reduce the impact of taxation on the residential properties in Burnaby. Mr. Fairey was of the opinion that this municipality should go on record now and advise the Provincial Government that this reduction is not a sufficient adjustment. Mr. Fairey was of the opinion that it is not too late for the Municipal Council to appeal to the Provincial Government for such a change. Mr. Fairey urged Council to make representations to the Provincial Government that they further reduce the distribution of the burden of taxes to residential properties, otherwise they allow this municipality to set a variable mill rate.

With respect to his current assessment appeal, Mr. Fairey noted that in the report of November 02, the Municipal Solicitor had informed the Municipal Treasurer that he does not have the staff available to work on Mr. Fairey's briefs. If the municipality wished to work on those briefs, consultants would have to be retained. The Municipal Treasurer indicated that he would pursue the availability and costs of such consultants and report to Council when the information is available.

Mr. Fairey enquired as to when a decision in this respect will be known. Mr. Fairey noted that the Municipal Treasurer regards his appeal as a private matter. This is not the case. The success of his appeal will have an impact on every taxpayer of this municipality. It is for that purpose that he has lodged his appeal. It is certainly not for his personal benefit. Mr. Fairey stated that it was his understanding that the municipality is interested in pursuing its own appeal and would like to review his appeal in that light. Mr. Fairey enquired as to whether this was a true reflection of the Mayor's position on this subject.

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MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

"THAT the municipal staff work with Mr. David B. Fairey in preparing his information and help on his 1981 assessment appeals."

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT the foregoing motion be referred to the Municipal Solicitor for a report on the legal implications that might accrue to the municipality through the suggested action."

MOTION DEFEATED

OPPOSED: MAYOR MERCIER, ALDERMEN
BROWN, DRUMMOND, EMMOTT,
LAWSON AND RANDALL

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN LAWSON:

"THAT the foregoing motion be amended by adding -- 'subject to the advice of the Municipal Solicitor with respect to the legalities, timing, etc.'."

CARRIED

OPPOSED: ALDERMEN LEWARNE
AND STUSIAK

A vote was then taken on the original motion as moved by Alderman Drummond and seconded by Alderman Randall, "That the municipal staff work with Mr. D.B. Fairey in preparing his information and help on his 1981 assessment appeals", as amended, and same was CARRIED with Aldermen Ast and Stusiak opposed.

B Y L A W S

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Frontage Tax Bylaw 1981'	#7816
'Burnaby Local Improvement Charges Bylaw 1980, Amendment Bylaw No. 1, 1981'	#7817
'Burnaby Highway Exchange Bylaw No. 6, 1981'	#7835
'Burnaby Highway Exchange Bylaw No. 7, 1981'	#7836

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

OPPOSED: ALDERMEN BROWN AND
DRUMMOND TO BYLAW #7835
ALDERMAN DRUMMOND
TO BYLAW #7836

The Council reconvened.

1981 November 09

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: ALDERMEN BROWN AND
DRUMMOND TO BYLAW #7835
ALDERMAN DRUMMOND
TO BYLAW #7836

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Frontage Tax Bylaw 1981'	#7816
'Burnaby Local Improvement Charges Bylaw 1980, Amendment Bylaw No. 1, 1981'	#7817
'Burnaby Highway Exchange Bylaw No. 6, 1981'	#7835
'Burnaby Highway Exchange Bylaw No. 7, 1981'	#7836

be now read three times."

CARRIED

OPPOSED: ALDERMEN BROWN AND
DRUMMOND TO BYLAW #7835
ALDERMAN DRUMMOND
TO BYLAW #7836

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. 59, 1980'	#7623
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 16, 1981'	#7666
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 21, 1981'	#7671
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 75, 1981'	#7731
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 101, 1981'	#7761"

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BROWN:

"THAT

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

MOTION DEFEATED

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

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: ALDERMEN AST, DRUMMOND AND RANDALL
TO BYLAW #7623
ALDERMAN AST TO BYLAW #7666
ALDERMEN AST AND LAWSON TO BYLAW #7671
ALDERMEN BROWN AND DRUMMOND TO BYLAW #7761

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 #7623
ALDERMAN AST TO BYLAW #7666
ALDERMEN AST AND LAWSON TO BYLAW #7671
ALDERMEN BROWN AND DRUMMOND TO BYLAW #7761

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. 16, 1981' #7666
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 21, 1981' #7671
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 75, 1981' #7731
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 101, 1981' #7761

be now read a third time."

CARRIED

OPPOSED: ALDERMEN AST, DRUMMOND AND RANDALL
TO BYLAW #7623
ALDERMAN AST TO BYLAW #7666
ALDERMEN AST AND LAWSON TO BYLAW #7671
ALDERMEN BROWN AND DRUMMOND TO BYLAW #7761

It was agreed that before "Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 59, 1980", Bylaw No. 7623, comes back for reconsideration and final adoption, the Director Engineering submit a report on the floodplain potential of the site in question and the affect of the proposed rezoning on adjoining municipalities.

His Worship, Mayor Mercier, pointed out to Council that after a rezoning application has been before a Public Hearing anyone who wishes to make further representations should be advised, and members of Council should advise people, that Council cannot legally accept any submissions after a rezoning application has been to a Public Hearing.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN RANDALL:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 66, 1981'	#7719
'Burnaby Lease Authorization Bylaw No. 4, 1981'	#7742
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 125, 1981'	#7787
'Burnaby Sewerage System Parcel Tax Bylaw 1973, Amendment Bylaw 1981'	#7815

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

CARRIED

OPPOSED: ALDERMAN AST TO BYLAW
#7719

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. 55, 1981 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) David B. Fairey, Re: Appeals before the Assessment Appeal Board - Burnaby Refinery properties of Gulf Canada Ltd., Shell Canada Ltd., and Chevron Canada Ltd.

A copy of a letter addressed to Mr. F. David Vernon, Assessment Appeal Board Chairman, dated 1981 October 27, was received advising that Mr. Fairey did not wish to proceed with the appeal hearings on the subject properties as scheduled for 1981 November 25 and 26 and 1981 December 01, 02, 03, 04, 08, 09 and 10.

- (b) Province of British Columbia, Ministry of Municipal Affairs, Minister
Re: Lillian Mann Expropriation

A letter dated 1981 October 23 was received concerning the Lillian Mann expropriation. The Minister noted that he keeps reviewing the material available to him and the bits and pieces that he is still receiving from various sources, but it appears very obvious that the parties could never fully agree on value, since so much depends on expectation rather than what exists today, and more especially, since any appraiser would base his calculations on what is, rather than what might be.

The Honourable Minister offered one further option as follows:

"Would the Municipal Council of Burnaby agree to de-expropriation of the property on the basis that the municipality and Mrs. Mann enter into an agreement to sell and purchase at the time the property is actually required by the municipality, at a price to be determined by a formula set forth in that agreement?"

Item 10, Municipal Manager's Report No. 55, 1981, pertaining to this subject was brought forward for consideration at this time.

The Municipal Manager noted that he had reported orally to the Municipal Council on 1981 November 02 that he had had one meeting with Mrs. Mann, but she had had to go north for approximately ten days to attend to a problem, and that arrangements had been made for him to contact Mrs. Mann again on Monday, November 09, when she is expected to return to Burnaby.

1981 November 09

The Municipal Manager recommended:

- (1) THAT the letter dated 1981 October 23 from the Honourable Minister, William N. Vander Zalm be acknowledged as being received by the Municipal Council.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED UNANIMOUSLY

The Municipal Manager reported verbally that he had contacted Mrs. Mann as outlined in the aforementioned report. Arrangements had been made for him to contact her again re a further meeting on this subject on Friday, 1981 November 13.

- (c) 100 Huntley Street Ministerial Team, Rally Committee Chairman, Re: Permission to sell books, records and tapes - Saturday, 1982 January 23

A letter dated 1981 October 29 was received advising that the 100 Huntley Street Ministerial Team is holding a rally in the McPherson Convention Centre, 7325 McPherson Avenue, Burnaby, B.C. on Saturday evening, 1982 January 23. As is usual at religious gatherings such as this, they wish to have books, records and tapes on display and for sale during the evening and request permission from Council to do so.

Item 12, Municipal Manager's Report No. 55, 1981, pertaining to this subject, was brought forward for consideration at this time.

The Municipal Manager provided a report from the Chief Licence Inspector on this subject.

The Chief Licence Inspector reported that the rally at the McPherson Centre will be a non-denominational religious function. Proceeds from the sale of books, records and tapes will go to the organization. No entrance fee will be charged, however, participants will have the opportunity to make financial contributions. As a non-profit religious group no business licence will be required.

The Municipal Manager recommended:

- (1) THAT a copy of this report be forwarded to H.V. Jones, 100 Huntley Street, 1-3130 Kingsway, Vancouver, B.C., V5R 5J9.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED UNANIMOUSLY

- (d) Federation of Canadian Municipalities, Executive Director, Re: Resolutions from the Town of Granby - High Interest Rates

A letter dated 1981 October 28 was received enclosing a resolution recently adopted by the Town Council of the Town of Granby, Quebec, concerning high interest rates.

The letter received requested that this resolution be drawn to the attention of the Municipal Council for whatever action may be deemed appropriate.

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, Chairman
Re: Boys' and Girls' Clubs of Greater
Vancouver (North Burnaby Club) - 1981 Grant Request

The Grants and Publicity Committee submitted a report providing a historical resume of grants that have been given to the Boys' and Girls' Clubs of Greater Vancouver since 1974 November 04.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN AST:

"THAT the report of the Grants and Publicity Committee, which had been considered by Council on 1981 November 02 and which was referred back to the Grants and Publicity Committee for additional information on historical grants that have been given the Boys' and Girls' Clubs of Greater Vancouver be now brought forward."

CARRIED

OPPOSED: ALDERMAN RANDALL

The following motion as moved by Alderman Ast and seconded by Alderman Stusiak, "That the recommendation of the Grants and Publicity Committee be adopted", was then before Council for consideration.

A vote was then taken on the aforementioned motion and same was CARRIED with Aldermen Brown, Drummond and Randall opposed.

The Council Meeting recessed at 21:00 h.

The Council Meeting reconvened at 21:15 h with all Council members in attendance.

- (b) The Municipal Manager presented Report No. 55, 1981 on the matters listed following as Items 1 to 12, either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Exemptions from Taxation

The Municipal Manager provided a report from the Municipal Treasurer on properties eligible for exemption from taxation in 1982.

The Municipal Manager recommended:

- (1) THAT bylaws be brought forward to exempt from taxation in 1982 those properties listed in Sections 2 and 3 of the Municipal Treasurer's report.
- (2) THAT the properties listed in Section 4 of the Municipal Treasurer's report be exempted from taxation in 1982.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

2. State and Utility of Computer-Assisted
Map and Chart Production
Government Conference Centre, Ottawa
1981 November 17 - 19

The Municipal Manager provided a report from the Director Engineering requesting authority for the Director Engineering to attend the State and Utility of Computer-Assisted Map and Chart Production, Ottawa, Ontario on 1981 November 17 to 19 at an estimated cost of \$970.00.

The Municipal Manager recommended:

- (1) THAT the Director Engineering be authorized to attend the State and Utility of Computer-Assisted Map and Chart Production - Ottawa, Ontario, 1981 November 17 to 19, at an estimated cost of \$970.00.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

3. Proposed Zoning Bylaw Text Amendment
Bay Windows

The Municipal Manager provided a report from the Director of Planning concerning a proposed text amendment to the Burnaby Zoning Bylaw in connection with bay windows.

The Municipal Manager recommended:

- (1) THAT Council request the preparation of a bylaw to be advanced to first reading on 1981 November 23 to permit the introduction of the proposed amendment, as described in Section "C" of the Director of Planning's report, into the Burnaby Zoning Bylaw, and that this amendment be advanced to a Public Hearing on Tuesday, 1981 December 08 at 19:30 h.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

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

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN AST:

"THAT this matter be referred back to the Planning Department for additional information and a subsequent report to Council."

CARRIED

OPPOSED: MAYOR MERCIER, ALDERMEN
DRUMMOND AND LEWARNE

4. Building Department Report No. 9,
1981 September 28 to October 25

The Municipal Manager provided a report from the Chief Building Inspector covering the operations of his department for the period 1981 September 28 to October 25.

The Municipal Manager recommended:

- (1) THAT the report of the Chief Building Inspector 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. Termination of Engineering Agreement #E3/79
with Pheonix Engineering Services Ltd.

The Municipal Manager provided a report from the Director Engineering regarding the termination of Engineering Agreement #E3/79.

The Municipal Manager recommended:

- (1) THAT Engineering Agreement #E3/79 with Pheonix Engineering Ltd. be terminated at its present point in provision of required services in a total amount of \$21,524.00, out of the originally proposed fixed fee of \$25,213.00.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

6. Oakalla Feasibility Study

The Municipal Manager submitted a report regarding the status of redevelopment that might be under consideration with respect to the Oakalla lands.

The Municipal Manager had been advised by the Assistant Deputy Minister of Support Services in the Office of the Attorney General that this question is under active consideration by the Attorney General and that the Attorney General will be meeting with the Mayor and Council of the Corporation of Burnaby concerning the Ministry's intentions with regard to the Oakalla lands.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN RANDALL:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

7. Refuse Disposal

The Municipal Manager submitted a report from the Director Engineering regarding refuse disposal.

The Director Engineering reported that he was convinced that for environmental reasons the municipality will eventually be forced to adopt thermal treatment for solid waste disposal, he considers that the high capital costs, the prohibitive amortization costs due to present day interest rates, and the difficulty of selling recoverable energy in the B.C. market, make the use of thermal treatment economically unsound at this time.

The Municipal Manager recommended:

- (1) THAT the report of the Director Engineering be received for information purposes and referred to the Water and Waste Committee of the Greater Vancouver Regional District and to the Burnaby Pollution, Refineries' Safety and Security Committee.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT this item be placed on the agenda as one of the items of priority for the new Council for some form of resolution."

CARRIED UNANIMOUSLY

8. Business Licence Fees

The Municipal Manager provided a report from the Chief Licence Inspector regarding an increase in business licence fees for 1982.

The Municipal Manager recommended:

- (1) THAT an average increase of 15 percent rounded, to the licence fees as set out in:
 - (a) Burnaby Trades Licence Bylaw No. 3089
 - (b) Burnaby Cab and Commercial Vehicle Bylaw No. 3102
 - (c) Burnaby Cabaret Regulation Bylaw No. 1481
 - (d) Burnaby Club Regulation Bylaw No. 3065
 - (e) Burnaby Automatic Vending Machine Bylaw No. 1914

be adopted for application on 1982 January 01.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

9. Proposed Amendment to Bylaw No. 3325
19 mm Water Connection Rate

The Municipal Manager provided a report from the Director Engineering regarding an increase in the fee for water connections of a diameter up to and including 19 mm.

The Municipal Manager recommended:

- (1) THAT a bylaw be brought down to amend Schedule A of Bylaw No. 3325, being the "Burnaby Waterworks Regulation Bylaw 1953" as amended by Bylaw No. 7330, being "Burnaby Waterworks Regulation Bylaw 1953, Amendment Bylaw 1979", to increase the fees from \$400.00 to \$550.00 for installation of water connections of a diameter up to and including 19 mm.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

10. Letter from William N. Vander Zalm,
Minister of Municipal Affairs
9637 Cameron Street (formerly Mann Property)

This item was dealt with previously in the meeting in conjunction with Item 5.(b) under Correspondence and Petitions.

11. Rezoning Applications

The Municipal Manager provided a report from the Director of Planning concerning a group of rezonings proposed for a Public Hearing on 1981 December 08.

The Municipal Manager recommended:

- (1) THAT Council set a Public Hearing for this group of rezonings on Tuesday, 1981 December 08, except where noted otherwise in the individual reports.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Item 1, RZ #167/81

Application for the rezoning of:

Lot D, Block 49, D.L. 189, Plan 21946

From: Residential District (R5)
To: Residential District (R9)

94 N. Ellesmere Avenue

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to first reading on 1981 November 23 and to a Public Hearing on 1981 December 08 at 19:30 h and that the following be established as prerequisites to the completion of rezoning:
 - (a) The satisfaction of all necessary subdivision requirements.
 - (b) A Neighbourhood Parkland Acquisition Charge is applicable to this subdivision. It is the intent of the Municipal Council that the current charge of \$521.00 per unit be increased to \$933.00 per unit upon adoption of the amending bylaw.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: ALDERMAN AST

Item 2, RZ #170/81

Application for the rezoning of:

Lot 5, Block 3, D.L. 116 W $\frac{1}{2}$, Plan 1439 exc. W. 33'.

From: Residential District (R5)
To: Residential District (R9)

3995 Georgia Street

The Municipal Manager recommended:

- (1) THAT a bylaw be prepared and advanced to first reading on 1981 November 23 and to a Public Hearing on 1981 December 08 at 19:30 h and that the following be established as prerequisites to the completion of rezoning:

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- (a) The satisfaction of all necessary subdivision requirements.
- (b) A Neighbourhood Parkland Acquisition Charge is applicable to this subdivision. It is the intent of the Municipal Council that the current charge of \$521.00 per unit be increased to \$933.00 per unit upon adoption of the amending bylaw.
- (c) The consent required to close the MacDonald Avenue road allowance adjacent to the site as outlined in Section 4.4 of the Director of Planning's report.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

Item 3, RZ #173/81

Application for the rezoning of:

Parcel "A", Expl. Plan 11055, Block 41, D.L. 98, Plan 573

From: Residential District (R5)
To: Residential District (R9)

5107 Watling Street

The Municipal Manager recommended:

- (1) THAT a bylaw be prepared and advanced to first reading on 1981 November 23 and to a Public Hearing on 1981 December 08 at 19:30 h and that the following be established as prerequisites to the completion of rezoning:
 - (a) The satisfaction of all necessary subdivision requirements.
 - (b) A Neighbourhood Parkland Acquisition Charge is applicable to this subdivision. It is the intent of the Municipal Council that the current charge of \$521.00 per unit be increased to \$933.00 per unit upon adoption of the amending bylaw.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: ALDERMAN AST

Item 4, RZ #160/81

Application for the rezoning of:

Lots 15 and 16, Block 28, D.L. 186, Plan 1124

From: Residential District (R5)
To: Residential District (R9)

4045 McGill Street

The Municipal Manager recommended:

- (1) THAT Council not give favourable consideration to this rezoning request.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN RANDALL:

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

CARRIED

OPPOSED: ALDERMAN STUSIAK

Item 5, RZ #161/81

Application for the rezoning of:

Lot 8, Block "J", D.L. 127, W 3/4, Plan 1254

From: Residential District (R4)
To: Residential District (R9)

875 Springer Avenue

The Municipal Manager recommended:

- (1) THAT Council not give favourable consideration to this rezoning request.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

Item 6, RZ #164/81

Application for the rezoning of:

Lot 40, Block 5, D.L. 28, Plan 24032

From: Residential District (R5)
To: Residential District (R9)

7922 - 12th Avenue

The Municipal Manager recommended:

- (1) THAT Council not give favourable consideration to this rezoning request.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT a rezoning bylaw be prepared and advanced to first reading on 1981 November 23 and to a Public Hearing on 1981 December 08 at 19:30 h."

CARRIED

OPPOSED: MAYOR MERCIER, ALDERMEN
DRUMMOND, LAWSON AND
RANDALL

Item #7, RZ #168/81

Application for the rezoning of:

Lot 9, Block 13, D.L. 32, Plan 1667

From: Residential District (R4)
To: Residential District (R9)

4725 Sardis Street

The Municipal Manager recommended:

- (1) THAT Council not give favourable consideration to this rezoning request.

MOVED BY ALDERMAN RANDALL:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED

OPPOSED: ALDERMEN LEWARNE
AND STUSIAK

Item 8, RZ #169/81

Application for the rezoning of:

Lot 19, Block 38, D.L. 25, Plan 14524

From: Residential District (R3)
To: Residential District (R9)

7861 Cumberland Street

The Municipal Manager recommended:

- (1) THAT Council not give favourable consideration to this rezoning request.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN LEWARNE:

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

CARRIED

OPPOSED: ALDERMAN BROWN

Item 9, RZ #172/81

Application for the rezoning of:

Lot 1, Block A, D.L. 96, Plan 1349

From: Residential District (R5)
To: Residential District (R9)

6824 Colborne Avenue

The Municipal Manager recommended:

- (1) THAT Council not give favourable consideration to this rezoning request.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED

OPPOSED: ALDERMEN BROWN, EMMOTT,
LAWSON AND STUSIAK

Item #10, RZ #162/81

Application for the rezoning of:

Lot 18, Block 2, D.L. 29, Plan 3036

From: Drive-In Restaurant District (C7) and Residential District (R5)
To: Service Commercial District (C4)

7585 Kingsway

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to first reading on 1981 November 23 and to a Public Hearing on 1981 December 08 at 19:30 h and 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 and the completion of a servicing agreement covering all requisite services. All services are to be designed and constructed to the approval of the Director Engineering. 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 granting of any necessary easements.
 - (e) The dedication of any rights-of-way deemed requisite to include those dedications outlined in Section 3.4 of the Director of Planning's report.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

Item #11, RZ #163/81

Application for the rezoning of:

Parcel A, Expl. Plan 9625 and Parcel B, Expl. Plan 9626 of 1 and 2, Block 10, D.L. 151/153, Plan 2389; Lot 3, 4, 5 and 6, Block 10, D.L. 151/153, Plan 2389.

From: Manufacturing District (M1)
To: Comprehensive Development District (CD), based upon the C3 guidelines

4330 and 4360 Kingsway

The Municipal Manager recommended:

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

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Item 12, RZ #166/81

Application for the rezoning of:

Portion of Lot 19 of 17, S.D. 13, Block 1, D.L. 130, Plan 21055

From: Neighbourhood Commercial District (C1)
To: Residential District (R5)

5901 East Broadway

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to first reading on 1981 November 23 and to a Public Hearing on 1981 December 08 at 19:30 h and that the following be established as prerequisites to the completion of rezoning:
 - (a) The submission of a suitable plan of development reflecting the concerns outlined in Section 4.2 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 Director Engineering. 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 satisfaction of all conditions necessary to obtain subdivision approval.
 - (e) The granting of any necessary easements.
 - (f) The dedication of any rights-of-way deemed requisite.
 - (g) The approval of the Ministry of Transportation and Highways to the rezoning application.
 - (h) The registration of a Restrictive Covenant under Section 215 of the Land Title Act against the title of the proposed lots to prohibit vehicular access to Broadway as outlined in Section 4.3 of the Director of Planning's report.

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

Item 13, RZ #39/76B

Application for the rezoning of:

Lot 163, D.L. 77, Plan 42281

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

6501 Sprott Street

The Municipal Manager recommended:

- (1) THAT upon final adoption of the subject rezoning that Council forward in writing a favourable resolution regarding the subject Class "A" Liquor Facility Expansion to the General Manager of the Liquor Administration Branch.
- (2) THAT a rezoning bylaw be prepared and advanced to first reading on 1981 November 23 and to a Public Hearing on 1981 December 08 at 19:30 h and that the following be established as prerequisites to the completion of rezoning.
 - (a) The submission of a suitable plan of development.
 - (b) The approval of the Ministry of Transportation and Highways to this rezoning.
 - (c) The submission of a statement from the applicant regarding the manner in which the use of the liquor facility will continue to be restricted to those patrons of the recreation complex.
 - (d) The granting of any necessary easements.
 - (e) The dedication of any right-of-way deemed requisite to include the minor truncation of the southwest corner of the site as described in Section 3.8 of the Director of Planning's report.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND
AND RANDALL

Item #14, RZ #174/81 (Site 1)

Application for the rezoning of:

Lot 3, D.L. 125, Plan 57063

From: Residential District (R2)
To: Park and Public Use District (P3)

Brentwood Area Neighbourhood Park

The Municipal Manager recommended:

- (1) THAT Council request the preparation of a bylaw to be advanced to first reading on 1981 November 23 for the rezoning to the P3 (Park and Public Use) District category of the properties described in the Director of Planning's report and shown on the maps attached thereto and that this rezoning be advanced to a Public Hearing on Tuesday, 1981 December 08 at 19:30 h.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Item 14, RZ #174/81 (Site 2)

Application for the rezoning of:

Westerly portion of Lot 266, D.L. 136, Plan 50473

From: Small Holdings District (A2)
To: Park and Public Use District (P3)

Montecito Area Neighbourhood Park

The Municipal Manager recommended:

- (1) THAT Council request the preparation of a bylaw to be advanced to first reading on 1981 November 23 for the rezoning to the P3 (Park and Public Use) District category of the properties described in the Director of Planning's report and shown on the maps attached thereto and that this rezoning be advanced to a Public Hearing on Tuesday, 1981 December 08 at 19:30 h.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Item 14, RZ #174/81 (Site 3)

Application for the rezoning of:

Lot 88, D.L. 100, Plan 51478

From: Small Holdings District (A2)
To: Park and Public Use District (P3)

Burnaby 200 Project Area (East Park Site)

The Municipal Manager recommended:

- (1) THAT Council request the preparation of a bylaw to be advanced to first reading on 1981 November 23 for the rezoning to the P3 (Park and Public Use) District category of the properties described in the Director of Planning's report and shown on the maps attached thereto and that this rezoning be advanced to a Public Hearing on Tuesday, 1981 December 08 at 19:30 h.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Item 14, RZ #174/81 (Site 4)

Application for the rezoning of:

Northeasterly portion of Blocks 23 and 24, D.L. 152/153, Plan 46976;
Lots 7, 8, 11, 12, 15, BN¹/₂, BS¹/₂, 20, D and E, Block 25, D.L. 152,
Plan 2000

From: Residential District (R5) and Community Commercial District (C2)
To: Park and Public Use District (P3)

Bonsor Park

1981 November 09

The Municipal Manager recommended:

- (1) THAT Council request the preparation of a bylaw to be advanced to first reading on 1981 November 23 for the rezoning to the P3 (Park and Public Use) District category of the properties described in the Director of Planning's report and shown on the maps attached thereto and that this rezoning be advanced to a Public Hearing on Tuesday, 1981 December 08 at 19:30 h.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Item 14, RZ #174/81 (Site 5)

Application for the rezoning of:

Lot 40, D.L. 81, Plan 43519

From: Cemetery District (P4)

To: Park and Public Use District (P3)

Greentree Village Neighbourhood Park

The Municipal Manager recommended:

- (1) THAT Council request the preparation of a bylaw to be advanced to first reading on 1981 November 23 for the rezoning to the P3 (Park and Public Use) District category of the properties described in the Director of Planning's report and shown on the maps attached thereto and that this rezoning be advanced to a Public Hearing on Tuesday, 1981 December 08 at 19:30 h.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN AST:

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

CARRIED UNANIMOUSLY

Item 16, RZ #176/81

Application for the rezoning of:

Properties outlined in sketch attached to Director of Planning's report.

From: Residential District (R5) and

Regional Institutional District (P6)

To: Park and Public Use District (P3)

Northern Portion of George Derby Hospital Lands

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to first reading on 1981 November 23 for the rezoning to the P3 (Park and Public Use) category of the properties outlined in Figure 1 of the Director of Planning's report and that the rezoning be advanced to a Public Hearing on Tuesday, 1981 December 08 at 19:30 h.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

12. Letter from Mr. H.V. Jones, Rally
Committee Chairman, 100 Huntley Street
1 - 3103 Kingsway, Vancouver, B.C. V5R 5J9
100 Huntley Street Ministerial Team Rally
1982 January 23

This item was dealt with previously in the meeting in conjunction with Item 5.(c) under Correspondence and Petitions.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

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 LAWSON:

Alderman Lawson advised Council that she had recently toured the Brunette Basin and had noted that large concrete blocks had been placed in Stoney Creek above Broadway. Alderman Lawson enquired as to the reasons for this activity.

Alderman Lawson further noted that along the Stoney Creek trail system some property owners have constructed fences and planted trees which appear to encroach into the trail system. When the trees mature real difficulty will be caused to users of the trail system.

Alderman Lawson further reported that it was her understanding that there is a proposal by the staff of the G.V.R.D. to change the bottom of the Brunette River by scouring it out. Alderman Lawson was concerned that this would be in conflict with the current Salmonoid Enhancement Program and requested that municipal staff check with the G.V.R.D. staff as to their intentions.

It was agreed that the Director Engineering would submit a report on the matters of concern to Alderman Lawson.

ALDERMAN DRUMMOND:

Alderman Drummond enquired as to whether the Director Engineering had received complaints in the last week concerning outdoor burning of garden refuse in the municipality. Alderman Drummond suggested that it may be advisable for Council to examine alternatives to outdoor burning.

The Director Engineering reported that his department had received no complaints in this regard. He further noted that his department had the capability and flexibility to pick up all such refuse at source.

It was agreed that the Director Engineering would submit a report on this subject outlining additional costs and other implications of discontinuing the current policy of permitting outdoor burning of garden refuse.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANDALL:

"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

1981 November 09

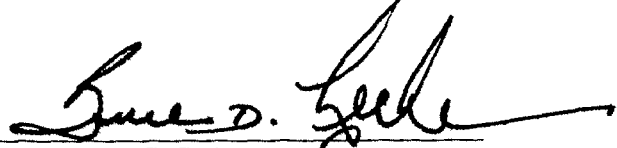
The regular Council Meeting adjourned at 22:20 h.

Confirmed:

Certified Correct:



MAYOR



DEPUTY MUNICIPAL CLERK