

1982 APRIL 19

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1982 April 19 at 19:00 h.

PRESENT: Mayor W.A. Lewarne, In the Chair  
Alderman D.N. Brown  
Alderman T.W. Constable  
Alderman D.P. Drummond  
Alderman D.A. Lawson  
Alderman G.H.F. McLean  
Alderman E. Nikolai  
Alderman V.V. Stusiak

ABSENT: Alderman A.H. Emmott

STAFF: Mr. M.J. Shelley, Municipal Manager  
Mr. E.E. Olson, Director Engineering  
Mr. A.L. Parr, Director Planning & Building Inspection  
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 1982 April 13 came forward for adoption.

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN NIKOLAI:

"THAT the minutes of the regular Council Meeting and Caucus Meeting 'In Camera' held on 1982 April 13 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) Dean Nontell, 1982 April 06,  
Re: 5608 Halley Avenue -  
designated as a road allowance  
Spokesman - Dean Nontell
- (b) Sullivan Heights Ratepayers' Association,  
President, 1982 April 05, Re: Sullivan  
Heights' role in overall Community Plan  
Spokesman - Kenneth Cox
- (c) Walter Mielke, 1982 April 13,  
Re: Installation of a summer  
kitchen - 7070 Dunblane Avenue  
Spokesman - Walter Mielke

His Worship, Mayor Lewarne, advised Council that Mr. Walter Mielke would not appear as a delegation this evening, but would appear on 1982 April 26.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN BROWN:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Dean Nontell, 5608 Halley Avenue, then addressed Council concerning the possible acquisition of his property at the aforementioned address. The following is the substance of Mr. Nontell's submission:

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"My objective this evening is to get a commitment from the Municipality of Burnaby to purchase the property at 5608 Halley Avenue, which is owned jointly by myself and my wife. I realize that this is an unusual request, but I believe that after being made aware of the circumstances, you will agree with our request. We have been frustrated over the past few months in trying to sell our property on the open market. This frustration has not been caused by the change in the real estate market. The frustration has been caused due to the following reasons, all of which have been out of our control.

1. The proposed rezoning to Metrotown 11;
2. Under the proposed rezoning our subject property at 5608 Halley Avenue and the property located directly behind us at 5587 Chaffey Avenue were designated for road allowance;
3. In September 1981, the municipality saw fit to purchase the property at 5587 Chaffey Avenue, not taking into consideration the adverse affect this acquisition would have on the sale of my own property.

By the municipality purchasing the property at 5587 Chaffey Avenue, they made it impossible for us to sell our property on the open market. The question to ask yourself is this; would you purchase a piece of property if you knew the following facts:

1. Under the proposed new development, the property was designated for road allowance;
2. That the municipality had already acquired the other half of the property which is required for the road allowance. Only the municipality has now a vested interest in the property at 5608 Halley Avenue due to their acquisition of the property at 5587 Chaffey Avenue.

I believe that Burnaby municipality should now purchase the property at 5608 Halley Avenue, and, in doing so, obtain all the property that has been designated as road allowance.

I believe that the municipality has, in fact, set a precedent in this matter and should now proceed with rectifying the uneasy position they have placed my family in."

- (b) Mr. Kenneth Cox, Sullivan Heights Ratepayers Association, then addressed Council on the subject of the traffic network in northeast Burnaby - Sullivan Heights area. The following is the text of Mr. Cox's submission:

"Your Worship, having had the opportunity to briefly review the Director of Planning's report respecting traffic flows through our neighbourhood, the Sullivan Heights Ratepayers Association concurs with the Director's proposed recommendations. Namely, that community representatives receive copies of the report to study in more detail, and secondly, that a public meeting be held at which residents can voice their concerns.

Furthermore, it is our understanding that a tour of the Sullivan Heights area was conducted on 1982 April 13 by the Traffic Safety Committee, chaired by Alderman Don Brown. It would be appreciated if their report on the area could also be forwarded to this Association, preferably before the public meeting is held.

Lastly, Your Worship, it is felt that it would be beneficial if it could be arranged to have representatives from both the municipal and provincial level present at the public meeting. Residents wishing to express their concerns would then have the opportunity to address the proper body respecting proposed changes to the streets and highways in and around this neighbourhood."

In reply to a question from a member of Council, Mr. Cox advised that he would be making a presentation at the public meeting to be held in the Cameron School on 1982 May 12.

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B Y L A W S

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN STUSIAK:

"THAT

'Burnaby Temporary Borrowing Bylaw No. 1, 1982,  
Amendment Bylaw 1982' #7905

'Burnaby Highway Exchange Bylaw No. 1, 1982' #7919

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 DRUMMOND:  
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Temporary Borrowing Bylaw No. 1, 1982,  
Amendment Bylaw 1982' #7905

'Burnaby Highway Exchange Bylaw No. 1, 1982' #7919

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN CONSTABLE:

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

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 117, 1981' #7779"

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON:  
SECONDED BY ALDERMAN BROWN:

"THAT Council establish as an additional prerequisite condition of rezoning the registration of a restrictive covenant pursuant to Section 215 of the Land Title Act against the title of the proposed lots for the purpose of limiting building height to 22 feet as described in the report of the Director Planning & Building Inspection dated 1982 April 13."

MOTION DEFEATED

OPPOSED: MAYOR LEWARNE, ALDERMEN  
BROWN, CONSTABLE,  
NIKOLAI AND STUSIAK

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MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN CONSTABLE:

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

MOTION DEFEATED

OPPOSED: ALDERMEN BROWN, DRUMMOND  
LAWSON AND McLEAN

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

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 77, 1981'	#7733
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 110, 1981'	#7772
'Burnaby Lease Authorization Bylaw No. 2, 1982'	#7902
'Burnaby Road Acquisition and Dedication Bylaw No. 1, 1954, Amendment Bylaw 1982'	#7918

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. 26, 1982, which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Bradson Management Services Inc.,  
Property Manager,  
Re: Bell Avenue Closure

A letter dated 1982 April 06 was received concerning the closure of Bell Avenue at the Lougheed Highway. The letter was written on behalf of the Owners, Strata Plans N.W. 319, 475 and 519 Timberlea Towers.

The writer has been requested to express the strongest possible objections to the closure of Bell Avenue on behalf of the 389 condominiums units represented by the above Strata Corporations. The closure of Bell Avenue will require the residents of this area to experience considerable inconvenience in reaching their home, as access will be restricted from Production Way through Simon Fraser Hills and/or from North Road through Cameron Street.

The writer strongly suggested that the municipality entertain immediate discussions with the Provincial Government to consider alternatives to the closure of Bell Avenue, including the development of a left hand turn lane at Bell Avenue heading east, and the installation of a traffic control light, to avoid the recurring accidents which have been reported at this intersection.

Item 8, Municipal Manager's Report No. 26, 1982, pertaining to this subject, was brought forward for consideration at this time.

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The Municipal Manager recommended:

1. THAT Council approve the arrangements outlined in Section 3.0 of the report of the Director Planning & Building Inspection for a Council sponsored public meeting in the Cameron Elementary School Gymnasium at 19:00 h on Wednesday, 1982 May 12.
2. THAT a copy of this report be sent to those four persons representing various residents in the area who have been in recent contact with Council as outlined in Section 3.5 of the report of the Director Planning & Building Inspection and further that a copy of this report be forwarded to the Advisory Planning Commission and Mrs. Eve Smith, Secretary, The Lougheed Village.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

- (b) The Corporation of the Township  
of Langley, Mayor W.C. Blair,  
Re: Solid Waste Management

A letter dated 1982 April 02 was received advising that at a meeting of the Langley Municipal Council held on 1982 March 29 a resolution dealing with solid waste management was adopted. A copy of that resolution was enclosed for the information of the Municipal Council.

His Worship, Mayor Blair, noted that a comprehensive approach to this subject is recommended with the wording of the resolution and requested that Burnaby Municipal Council give this matter consideration and support.

His Worship realized that there may be many suggestions and proposals for dealing with this subject. However, he felt the comprehensive approach as envisaged by the wording of this resolution would be productive of a more satisfactory solution.

Item 6, Municipal Manager's Report No. 26, 1982, pertaining to this subject, was brought forward for consideration at this time.

The Municipal Manager provided a report from the Director Engineering on the subject of solid waste management.

The Director Engineering reported that insofar as Burnaby is concerned, the Greater Vancouver Regional District is addressing the subject of concern and the imposition of a further study which would amount to a considerable area of duplication of purpose is not warranted.

The Municipal Manager recommended:

- (1) THAT a copy of this report be sent to The Corporation of the Township of Langley, 4914 - 221st Street, Langley, B.C. V3A 3Z8.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- (c) TEC Management Ltd., President,  
Re: Municipal lands proposed for rezoning and  
sale by public tender namely a site at the  
southeast corner of Regent Street and Ingleton Avenue

A letter dated 1982 April 13 was received concerning the rezoning and sale by public tender of municipally owned land at the southeast corner of Regent Street and Ingleton Avenue.

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The letter received did not object to the proposed rezoning which conforms with the 1967 Myrtle Street Study which proposed industrial uses in this area.

The letter did, however, express concern regarding the impact the proposed sale may have on two possible industrial sites to the east of the municipal site.

Council was advised that a staff report on this subject would be available on 1982 April 26 and further consideration of the matter was deferred until that time.

R E P O R T S

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

- (a) Exempt Staff Committee of Council  
Re: Management System and Organization  
Review - Job Evaluation of Director Positions

The Exempt Staff Committee of Council submitted a report concerning a Job Evaluation of Director Positions.

The Exempt Staff Committee of Council recommended:

- (1) THAT the point value of the Director Planning & Building Inspection position be raised as recommended by the Executive Group, Job Evaluation Committee, effective 1981 October 26, with the actual change to be implemented at the earliest opportunity in light of the Provincial Compensation Stabilization Program.
- (2) THAT the point values for the Director Engineering, Director Recreation & Cultural Services and Treasurer positions remain unchanged from those set for the former Municipal Engineer, Parks & Recreation Administrator and Municipal Treasurer positions.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN CONSTABLE:

"THAT the recommendations of the Exempt Staff Committee of Council be adopted."

CARRIED UNANIMOUSLY

- (b) The Municipal Manager presented Report No. 26, 1982 on the matters listed following as Items 1 to 9, either providing the information shown or recommending the courses of action indicated for the reasons given:
1. Quarterly Summary of Planning Applications  
First Quarter - 1982 January - March

The Municipal Manager provided a report from the Director Planning & Building Inspection containing the quarterly summary of planning applications for the first quarter, 1982 January-March.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

2. Letter from Mr. H.V. Elliott which appeared on the Agenda for the 1982 April 13 Meeting of Council - Excessive Noise Emission - Band Practicing 4040 Triumph Street

The Municipal Manager provided a report from the Chief Public Health Inspector regarding a complaint received of excessive noise emissions from the residential premises at 4040 Triumph Street.

The Chief Public Health Inspector reported that his department had served notice to the occupants of 4040 Triumph Street on 1982 April 08 requesting that they immediately cease excessive noise emission resulting from band practicing. Mr. Elliott was advised to contact the Municipal Health Department using the office or emergency callout numbers should the disturbance continue unabated.

The Municipal Manager recommended:

- (1) THAT a copy of this report be sent to Mr. H.V. Elliott, 4030 Triumph Street, Burnaby, B.C. V5C 1Z2.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

3. Municipal Management Seminar  
The Banff Centre - 1982 May 02 to 08

The Municipal Manager submitted a report on the Municipal Management Seminar to be held at the Banff Centre from 1982 May 02 to May 08.

The Municipal Manager noted that this is the fifth year that this seminar has been offered. It was initially developed as the result of extensive discussions by staff at the Centre and several municipal officials in B.C. and Western Canada, including the Municipal Manager. It has always been well attended and is considered to have achieved its objective of enhancing the skills of municipal administrators.

Mr. D. Gaunt, Director Recreation & Cultural Services, will be the Acting Manager for the period that the Manager is away at this seminar.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

4. Contract #8207  
Portland Cement Concrete Supply

The Municipal Manager provided a report from the Purchasing Agent regarding Contract #8207 - Portland Cement Concrete Supply.

The Municipal Manager recommended:

- (1) THAT the lowest tender submitted by Kask Bros. Ready Mix Limited for the sum of \$123,275.98 be accepted with the final payment to be based on the actual quantities received and the unit prices tendered.

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

5. Local Improvement Frontage Tax Bylaws

The Municipal Manager provided a report from the Treasurer concerning Local Improvement Frontage Tax Bylaws.

The Treasurer reported that annually it is necessary to pass a bylaw to impose frontage taxes for local improvement works. Generally, the bylaw covers those works which were completed in 1981, or which will be substantially completed by 1982 June 01. The first billing will appear on the 1982 tax statement.

The Municipal Manager recommended:

- (1) THAT a frontage bylaw be brought down to impose a local improvement frontage tax on the projects listed in Schedules 1 to 18 of the Treasurer's report.

MOVED BY ALDERMAN CONSTABLE:  
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

6. Letter from The Corporation of the Township of Langley  
Municipal Hall, 4914 - 221st Street, Langley, B.C.  
V3A 3Z8 - Solid Waste Management

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

7. Budget - Final Recast 1981

The Municipal Manager provided a report from the Treasurer concerning the final recast budget for 1981.

The Treasurer advised that this report summarizes the operating results for the year 1981 which ended with an operating surplus of \$1,061,442.00 after \$770,000.00 was placed into specific reserves over and above that which was budgeted at recast. The report also calls for a bylaw to amend the 1981 budget to reflect the actual operating results for the year.

The Municipal Manager recommended:

- (1) THAT a bylaw be brought down to amend Burnaby Budget Authorization Bylaw No. 7647, in accordance with Schedule "A" attached to the Treasurer's report.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY



8. Correspondence appearing on the agenda for the 1982 April 19 Meeting of Council:
- (a) Letter from Mr. Kenneth Cox dated 1982 April 05
  - (b) Letter from Mr. J.P. Daem dated 1982 April 06
- Traffic network in northeast Burnaby area generally bounded by North Road, Broadway, Production Way, Trans Canada Highway Sub Areas:
- (a) Community Plans 5 and 10 - Lougheed Town Centre
  - (b) Sullivan Heights/Lyndhurst
  - (c) Simon Fraser Hills/Stoney Creek
  - (d) Burnaby 200 (Harold Winch Park)
- 

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

9. 1982 Operating Budget

The Municipal Manager provided a report from the Treasurer concerning the 1982 Operating Budget.

The Treasurer advised that this is a progress report on the 1982 operating budget. Information concerning Revenue Sharing Grants, 1981 surplus, and 1982 assessments, which was not available at the time the provisional budget was prepared is now available and is presented here for the information of Council.

The Treasurer further reported that the final operating and capital budgets are now in their final stages of preparation. It is intended that these budgets be presented to Council no later than 1982 May 03.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN McLEAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

E N Q U I R I E S

ALDERMAN BROWN:

Alderman Brown enquired as to the length of time required for an application for R9 zoning to proceed from second reading to third reading.

The Director Planning & Building Inspection advised that any delay encountered in this respect was usually the result of the applicant failing to fulfill the prerequisites established by Council for the completion of the rezoning. Once the prerequisites have been completed the bylaw is returned to Council immediately for third reading.

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Alderman Brown further enquired as to whether there were specific regulations in the municipality governing the use of video machines. Alderman Brown suggested that it may be advisable to give consideration to introducing such regulations.

Alderman Brown noted that he would introduce a "Notice of Motion" in this regard in the near future.

ALDERMAN CONSTABLE:

Alderman Constable requested that he be supplied with the date and the supporting documents when the proposed Annacis Island Crossing System was accepted into the Burnaby Comprehensive Transportation Plan.

It was agreed that the Director Planning & Building Inspection would supply Alderman Constable with this information.

N E W B U S I N E S S

Alderman Brown noted that the Burnaby Winter Club Travellers Midget Hockey Team had recently won the Air Canada Cup in Victoria, B.C.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN CONSTABLE:

"THAT His Worship, Mayor Lewarne, write to Mr. Al Patterson, the Coach of the Burnaby Winter Club Travellers Midget Hockey Team, congratulating the team on their outstanding achievement in winning the Air Canada Cup."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN CONSTABLE:

"THAT this regular Council Meeting do now adjourn."


CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 20:15 h.

Confirmed:

Certified Correct:

  
MAYOR

  
DEPUTY MUNICIPAL CLERK