

1982 SEPTEMBER 07

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1982 September 07 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 A.H. Emmott
Alderman D.A. Lawson
Alderman G.H.F. McLean
Alderman E. Nikolai
Alderman V.V. Stusiak

STAFF: Mr. M.J. Shelley, Municipal Manager
Mr. J.E. Fleming, Director Administrative & Community Services
Mr. W.C. Sinclair, Acting Director Engineering
Mr. A.L. Parr, Director Planning & Building Inspection
Mr. J.G. Plesha, Administrative Assistant to Manager
Mr. James Hudson, Municipal Clerk
Mr. C.A. Turpin, Deputy Municipal Clerk

P U B L I C H E A R I N G

"Burnaby Highway Exchange Bylaw No. 3, 1982" - Bylaw No. 7949

A bylaw to authorize the stopping up and closing to traffic of a portion of road in District Lot 30, Group 1, shown on Plan 3036 containing 0.0353 ha (7321 Britton Street) in exchange for a portion of Parcel "A" (Explanatory Plan 929) of Lot 3, Plan 301 containing 0.0330 ha (7310 Edmonds Street) and for a portion of Lot 8, Blocks 1 and 3, Plan 556 containing 0.0439 ha (7342 Kingsway).

There were no submissions received in connection with "Burnaby Highway Exchange Bylaw No. 3, 1982", Bylaw No. 7949.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT this Public Hearing be now terminated."

CARRIED UNANIMOUSLY

M I N U T E S

(a) The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1982 August 23 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 August 23 be now adopted."

CARRIED UNANIMOUSLY

(b) The minutes of the Public Hearing (Zoning) held on 1982 August 24 came forward for adoption.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

"THAT the minutes of the Public Hearing (Zoning) held on 1982 August 24 be now adopted."

CARRIED UNANIMOUSLY

1982 September 07

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Mohawk Oil Co. Ltd., Manager, Property Division,
Re: Combined service station and grocery store
facility at 975 Willingdon Avenue.
Spokesman - Claude S. Hazle
- (b) Ian Sinclair, 1982 August 31,
Re: Burnaby Metrotown Area Eleven
Spokesman - Ian Sinclair
- (c) Trans Mountain Pipe Line Company Ltd.,
Secretary and General Counsel, 1982 September 01,
Re: Recommendations Director - Fire Services
Spokesman - Mr. D.T. Durrant

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN STUSIAK:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Claude S. Hazle, Manager, Property Division, Mohawk Oil Co. Ltd., then addressed Council on the subject of a combined service station and grocery store facility at 975 Willingdon Avenue.

Mr. Hazle advised the members of Council that in 1982 April, Mohawk Oil Co. Ltd. applied for a change of use regarding property the company owns on the northwest corner of the intersection of Parker Street and Willingdon Avenue. The company wished to be permitted to sell convenience grocery items. This use is only permitted in Burnaby where the site exceeds 18,000 square feet. This requirement is made up of 12,000 square feet for service station use and 6,000 square feet to be used for the sale of groceries. Mr. Hazle advised that the Planning Department is opposed to making any concessions to the square footage requirements, even though such things as landscaping and setbacks are obvious duplications of space. The speaker advised that on 1982 May 28 Council requested that the Planning Department re-examine square footage requirements where the two uses were combined. The Planning Department refused to concede that any changes were warranted. Mr. Hazle suggested that to insist on a duplication of space is neither logical nor reasonable. Further, to suggest that a service station/grocery outlet cannot operate safely on less than 18,000 square feet is ridiculous, as this very thing is happening in literally hundreds of locations on a daily basis. Mr. Hazle stated that the suggestion that the Ministry of Highways has a 20,000 square foot requirement for such an operation is not factual according to the research done by Mohawk Oil Co. Ltd. Mr. Hazle submitted that unrealistic land requirements cost the developer a great deal of money. In this case, the difference between the 18,000 square foot requirement and the proposed 16,000 square foot facility establishes a minimum cost difference of \$30,000.00. The speaker advised that based on the number of Planning Department reports written on this subject over the past five months it is safe to say that there is no area of compromise between that department and Mohawk Oil Co. Ltd. Mr. Hazle stated that a further Planning Department report would be of no benefit and requested that Council direct the Planning Department to prepare a bylaw amendment similar to the one contained in their letter that appears on the agenda for tonight's Council meeting.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN BROWN:

"THAT Item 6.(a) of Tabled Matters, being Item 7, Manager's Report No. 45, 1982, be now lifted from the table and brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the recommendation contained in that report:

- (1) THAT Council not amend the Burnaby Zoning Bylaw to reduce the prevailing development standards for combination grocery store/gas station facilities.

The following motion was then before Council for consideration:

"MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

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

A vote was then taken on the aforementioned motion and same was DEFEATED with Mayor Lewarne, Aldermen Brown, Emmott, Lawson, McLean, Nikolai and Stusiak opposed.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT the text amendments to the service station zoning which would utilize a grocery facility on it be brought forward which would be based upon the 12,000 square foot minimum of the Gasoline Service Station District (C6) and (C6a) zoning, plus 50 percent of the minimum appropriate commercial zoning into a combined site."

CARRIED

OPPOSED: ALDERMEN CONSTABLE
AND DRUMMOND

- (b) Mr. Ian Sinclair, 5649 Inman Avenue, then addressed the members of Council on the subject of Burnaby Metrotown Area Eleven. The following is the substance of Mr. Sinclair's submission:

"Some weeks ago I put together a little proposal for the area known as Burnaby Metrotown Area Eleven as I have envisioned it. I submitted the proposal to Council and I am sure you are all familiar with it. I have since received a copy of the Manager's Report item that dealt with my submission and I see that largely everything I had to say has been turned down. I was at one time quite fearful that the area would be zoned RM3 only. This would not allow for any of the existing facilities along Kingsway. However, the plan now seems to allow some considerable commercial enterprise along Kingsway. This to me is quite necessary. I can see that the park is a lovely setting for many facilities, such as a restaurant on top of the higher buildings that I had proposed. I have been to the top of several of the buildings along Patterson overlooking the park and the view is fantastic, and by not using this along Kingsway we are missing the boat. I also noticed in the recent issue of Burnaby Today where it said, 'No stopping illegal suites', says to me that if you can't stop illegal suites, then certainly there must be an awful lot of people looking for a place to live. If at this point we allow a much higher density in the area of Kingsway, we will provide more accommodation for the people. In the report staff mentioned the low rise buildings that are contained in that area as if I had not observed these buildings. Yes, the buildings are there and I fully realize that. I also see the highrises that are existing. It is hard to convince someone that when he sees such highrise buildings it is impossible to have more of them. My whole proposal really dealt with the fact that the A.L.R.T. was passing through the area and it seems to me that when you have a system like that going in it should be a priority to have the mass of the people as close to the rapid transit line as possible. As I see it with the lower rise buildings, Council is not taking the opportunity to put the maximum number of people as close to the rapid transit line as possible. It is my understanding that B.C. Tel did not provide a certain number of required parking spaces on the assumption that the A.L.R.T. was coming into the area. That, in itself, is an indication that people will be using the A.L.R.T. system. In reading the report, the Planning Department is recommending to Council that the lower

densities be accepted and if a decision has been reached supporting this then my appearance here tonight has been a little waste of my time as well as yours. In conclusion, all I want to say is I prepared my submission and submitted it to you for your consideration."

- (c) Mr. D. Trevor Durrant, Manager, Public and Governmental Affairs for Trans Mountain Pipe Line Company Ltd., Suite 800, 601 West Broadway, Vancouver, B.C. then addressed the members of Council on the subject of a report from the Director - Fire Services regarding the railroad transport of dangerous goods in the Greater Vancouver area, and operations at specific sites, including Trans Mountain Pipe Line Company Ltd.'s Westridge Terminal.

Mr. Durrant referred to a letter dated 1982 September 01 in which Mr. G.A. Irving, Secretary and General Counsel for Trans Mountain Pipeline Company Ltd. responded to the recommendations of the Director - Fire Services as contained in Item 9, Municipal Manager's Report No. 48, appearing on the Council agenda for the 1982 August 23 Council Meeting. Mr. Durrant then advised that the proposal to add to the existing facility required appearance before regulatory bodies and the obtaining of all permits that were necessary at that time. The speaker advised that the change to the facility was in the form of an addition where application was made to permit the continuance of the loading of crude oil from the Burnaby Tank Farm through the Westridge facility to vessels. The addition simply permitted the addition of the propane plant. Mr. Durrant advised that there are many visits to the Westridge plant from interested parties and at the time of the Director - Fire Services visit, plant officials considered it a normal visitation and did not notify management of the visit. The speaker advised that closing down the plant should rail service be denied would be catastrophic to the company. Mr. Durrant stated that a report is forthcoming from the company's consultants as to what may be done to the existing facilities in order to upgrade the safety precautions. Mr. Durrant requested additional time in order to study the consultant's report and determine the financial impact of any proposed changes. Mr. Durrant believed that the company always was willing to cooperate with any governing body and wished to meet with the municipal officials to further discuss this matter. In closing, Mr. Durrant advised that regardless of what the company might do, it is unable to obtain any guarantees from the regulatory bodies that the changes are sufficient.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT Item 12, Municipal Manager's Report No. 49, 1982, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following are the recommendations contained in that report:

- (1) THAT Item 9, Report No. 48, dated 1982 August 23 be lifted from the table.
- (2) THAT no action be taken by Council on the motion moved and seconded on 1982 August 23 to adopt the recommendations of the Acting Municipal Manager (this being in reference to the recommendations in Item 9, Report No. 48).
- (3) THAT with respect to Trans Mountain Oil Pipe Line Ltd.'s Westridge Terminal, the following be adopted as the municipality's official position for referral to the Canadian Transport Commission's Railway Transport Committee:
 - (a) The overhead pipe lines crossing the CP main tracks be placed underground.

- (b) A *Jordan Guard rail be installed on the main tracks adjacent to the two spur lines.

* An extra track rail running parallel with the rails in service to maintain the cars in an upright position if derailed.

Terminology: CPR - Jordan Rail
CNR - Guard Rail

- (c) The current speed limit of 20 mph be retained if overhead pipe lines are placed underground and a Jordan Guard rail is installed, if this is not done, that the speed limit be reduced to 10 mph.

- (d) If such changes cannot be completed by 1983 December 31, the Canadian Transport Commission consider ordering the discontinuance of rail service to the plant as proposed in the report of the Railway Transport Committee.

- (4) THAT Council endorse the preparation of a Transportation Plan relative to the movement of hazardous materials subject to the understanding that potential funding assistance be pursued in accordance with terms as contained in the Rail Relocation and Crossing Act.

- (5) THAT a copy of this report be sent to Trans Mountain Pipe Line Company Ltd., the G.V.R.D. and the B.C. Fire Commissioner.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT this matter be now tabled."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

Council approved the tabling being for three weeks.

B Y L A W S

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 49, 1982'

#7952

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED

OPPOSED: ALDERMAN BROWN

The Council reconvened.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED

OPPOSED: ALDERMAN BROWN

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 49, 1982' #7952

be now read a first time."

CARRIED

OPPOSED: ALDERMAN BROWN

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN BROWN:

"THAT Item 11 of the Municipal Manager's Report No. 49, 1982, pertaining to

'Burnaby Tax Sale Lands Reserve Fund Expenditure
Bylaw No. 3, 1982' #7950

be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the recommendation contained in that report:

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

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Tax Sale Lands Reserve Fund Expenditure
Bylaw No. 3, 1982' #7950

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

"THAT

'Burnaby Tax Sale Lands Reserve Fund Expenditure
Bylaw No. 3, 1982'

#7950

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN STUSIAK:

"THAT Item 10 of the Municipal Manager's Report No. 49, 1982 pertaining to

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1982'

#7938

be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the recommendation contained in that report:

(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

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 37, 1982'

#7932

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1982'

#7938

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 1982'

#7941

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 1982'

#7942

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 44, 1982'

#7943

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 1982'

#7944

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 46, 1982'

#7945

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 1982'

#7946

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 48, 1982'

#7947

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 CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND AND LAWSON
TO BYLAW #7932

ALDERMAN BROWN TO BYLAW #7938

ALDERMAN LAWSON TO BYLAW #7945

The Council reconvened.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND AND LAWSON
TO BYLAW #7932
ALDERMAN BROWN TO BYLAW #7938
ALDERMAN LAWSON TO BYLAW #7945

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

"THAT

- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 37, 1982' #7932
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1982' #7938
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 1982' #7941
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 1982' #7942
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 44, 1982' #7943
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 1982' #7944
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 46, 1982' #7945
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 1982' #7946
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 48, 1982' #7947

be now read a second time."

CARRIED

OPPOSED: ALDERMEN DRUMMOND AND LAWSON
TO BYLAW #7932
ALDERMAN BROWN TO BYLAW #7938
ALDERMAN LAWSON TO BYLAW #7945

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

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

- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 107, 1981" #7769
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 136, 1981' #7808"

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 107, 1981" #7769

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 136, 1981' #7808

be now read a third time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 61, 1981' #7714

'Burnaby Highway Exchange Bylaw No. 3, 1982' #7949

'Burnaby Lease Authorization Bylaw No. 3, 1982' #7951

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. 49, 1982 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Province of British Columbia, Ministry
of Municipal Affairs, Minister,
Re: Fifth Installment 1982 Unconditional Grant

A letter dated 1982 August 16 was received enclosing a Province of British Columbia cheque in the amount of \$636,550.00, which represents payment to the Municipality of Burnaby of the fifth installment of the 1982 Unconditional Grant pursuant to Part VIII of the Revenue Sharing Act Regulations.

- (b) Greater Vancouver Regional District, Chairman
- Transit Committee, G.V.R.D. Transit
Re: A Common Sense Approach to Transit

A letter dated 1982 August 18 was received attaching a brief entitled A Common Sense Approach to Transit. The Transit Committee of the Greater Vancouver Regional District has developed the brief perspective on transit issues for the municipality's review inviting comments, continued counsel and advice.

- (c) A. Mochinski,
Re: Concerns about residence
being built at 7480 Curtis Street

A letter dated 1982 August 19 was received confirming the writer's concerns regarding the residence being built at 7480 Curtis Street. The writer could not understand why, when building his home, he was forced to observe regulations that do not appear to be required by the builder of the home at 7480 Curtis Street. The writer further advised that the elevation of the main floor and basement of the new home appears to be high in relation to the original grade of the property prior to excavation. Mr. Mochinski and some of his neighbours were required to dismantle and relocate framework in order to meet the building standards at the time their houses were built and as a result he insists on the situation being investigated and corrected as well as an immediate reassessment of his property with an appropriate refund of taxes.

Item 3, Municipal Manager's Report No. 49, 1982, pertaining to this subject was brought forward for consideration at this time.

The Municipal Manager provided a report from the Chief Building Inspector concerning the residence under construction at 7480 Curtis Street.

The Chief Building Inspector, for the information of Council, provided the following details concerning the residence under construction at 7480 Curtis Street:

- (1) A building permit was issued 1982 July 21 for construction of a two-storey home over cellar on the above described property.
- (2) The subject property is located at the southeast corner of Burnwood Drive and Curtis Street as shown on map attached to report, and although nearly half an acre in extent, the westerly 90 feet of the property is restricted from building use by a covenant for landscape buffer and building setback from Burnwood Drive.
- (3) The subject property is flanked on its east side by two properties facing onto Ayshire Drive, and hence the side yard of the subject property abuts the rear yards of 1031 and 1041 Ayshire Drive which accounts for the differing setbacks from the common property line by the subject dwelling and the home of Mr. Mochinski.
- (4) The home under construction is sited on the 7480 Curtis Street property within the setback requirements of Burnaby Zoning Bylaw for a Residential R2 District, and is observing cellar configuration with respect to street and grades of adjacent properties at higher elevations on Ayshire Drive.
- (5) Investigation of matters related by Mr. Mochinski was carried out by site inspection made 1982 August 23, but contact with Mr. Mochinski could not be established on that date.
- (6) Return visit was made to 1031 Ayshire Drive on 1982 August 31, but again no contact could be made with Mr. Mochinski.

The Municipal Manager recommended:

- (1) THAT a copy of this report be forwarded to Mr. A.W. Mochinski, 1031 Ayshire Drive, Burnaby, B.C., V5A 3Z8.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

- (d) Province of British Columbia, Ministry
of Education, Minister,
Re: Enjoyed stint as Minister of Municipal Affairs

A letter dated 1982 August 19 was received advising that the writer was taking this opportunity to state that he enjoyed his stint of Minister of Municipal Affairs and that probably the main reason for this feeling was the good working relationship he had with so many local government representatives. The writer advised that he encouraged the Ministry staff to provide good service to municipalities and regional districts and he believes that they did so while he was the Minister, and will continue to do so while working with his successor, the Honourable Jack Heinrich.

- (e) Union of British Columbia Municipalities, President,
Re: "A Partnership in Restraint"

A letter dated 1982 August 23 was received advising that the U.B.C.M. Table Officers met with the Premier and the Minister of Municipal Affairs, where at the Premier outlined the government's thinking on the economic situation and in particular the provincial revenue position.

During the meeting the Premier invited the U.B.C.M. to submit its ideas on local government financial restraint for 1983. Rather than be faced with the imposed restraint program, the Premier requested that the U.B.C.M. Table Officers develop a proposal that they felt local government could work within and present their proposal to the government for its consideration. Subsequently, the U.B.C.M. Table Officers met and consulted with other local government representatives and arrived at a proposal that was forwarded to the Premier and presented to the Minister of Municipal Affairs on 1982 August 20.

In conclusion, the writer asked for the support of the proposal by the U.B.C.M. members.

- (f) Union of British Columbia Municipalities,
Executive Director, Re: Bill #72 - Land Use Act

A letter dated 1982 August 24 was received whereupon the writer advised that the newly appointed Minister of Municipal Affairs, the Honourable Jack Heinrich, had indicated that he intends to advise the U.B.C.M. at its convention of his intentions with respect to the Land Use Act. To assist the Minister in understanding local government's concerns, the Minister has requested, and the U.B.C.M. has agreed, that the U.B.C.M. review its general position in respect to the Bill and to advise him of any specific parts of the Bill that the U.B.C.M. can support. The writer requested that the municipality forward its comments to the U.B.C.M. office as soon as possible so that a composite U.B.C.M. response can be prepared and submitted.

Item 14, Municipal Manager's Report No. 49, 1982, pertaining to this subject was brought forward for consideration at this time.

The Municipal Manager provided a report from the Director Planning & Building Inspection detailing the municipality's concerns with the proposed Land Use Act - Bill 72.

The Director Planning & Building Inspection advised that apart from the deletion of the transit service levy, a limited reduction in the centralization of planning powers at the provincial level and the introduction of some slight recognition of the need for provisions for inter municipal and regional planning, there is little in Bill 72 that can be cited as an improvement over its predecessor. Accordingly, the Director Planning & Building Inspection must convey the view that there is nothing in Bill 72 that would warrant Burnaby Council changing its position on the Land Use Act.

The Municipal Manager recommended:

- (1) THAT Council reiterate its overall objection to the Land Use Act as now expressed in Bill 72.

- (2) THAT a copy of this report be directed to Mr. C.S.J. McKelvey,
Executive Director, Union of British Columbia Municipalities, 313 Sixth
Street, New Westminster, B.C., V3L 3A7.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

- (g) Mrs. Amy Pollen to British Columbia Attorney General
Re: Phase out prisons, penitentiaries and mental hospitals

A letter dated 1982 August 26 was received advising that the writer was opposed to future plans calling for the construction of more maximum prisons and mental hospitals and incarcerating more and more people.

Council did not request any further action to be taken regarding this item of correspondence.

- (h) Lower Mainland Municipal Association, President,
Re: Some aspects of Lower Mainland Municipal Association

A letter dated 1982 August 23 was received whereby the writer reviewed some of the aspects of the Lower Mainland Municipal Association for the benefit of new members of Council. The writer also advised that the next meeting of the Lower Mainland Municipal Association will be held on 1982 October 14 at the Copper Kettle Restaurant, District of Matsqui.

- (i) Pacific National Exhibition, President,
Re: Miss P.N.E. and Miss Lady Fair for 1982

A letter dated 1982 August 25 was received whereby the writer advised that Miss Katrina Ostrihoff, who represented Burnaby as a candidate in the Miss P.N.E. contest, was a credit to all. The writer wished to thank the Council and the whole community for sending such a charming young lady.

- (j) Province of British Columbia, Ministry
of Transportation and Highways, Minister,
Re: Paving of Marine Way and utility relocations at Byrne Road

A letter dated 1982 August 24 was received advising that the Ministry of Transportation and Highways is advertising tenders on 1982 August 25 for paving of Marine Way between Greenall and Byrne Road and is proceeding with utility relocations at Byrne Road.

The following items of correspondence (k) through (t) were received in opposition to the removal of vehicular parking on East Hastings Street between the hours of 15:00 h and 18:00 h:

- (k) The Contact List of Electronic Music, Alex Douglas, 1982 August 15
(l) R.G. Moffat, 1982 August 17
(m) Peter D. Starkey, 1982 August 14
(n) Mrs. Ethel M. Yeo, 1982 August 17
(o) Mr. H. Thorpe, Mrs. M. Thorpe, 1982 August 17
(p) Symphony Hair Styling, J. Braacx, 1982 August 23
(q) Douglas L. Miller, 1982 August 25
(r) Mrs. E. Dyck, 1982 August 23
(s) Birthright, Mrs. M. Soet, 1982 August 24

(t) Eileen Williams, 1982 August 25

Item 6, Municipal Manager's Report No. 49, 1982, pertaining to this subject was brought forward for consideration at this time.

The Municipal Manager provided a report from the Director Engineering regarding correspondence from citizens to Council concerned with parking regulations on Hastings Street.

The Director Engineering advised that a number of citizens have expressed their viewpoints on the management of traffic along Hastings Street both at the Public Hearing that was held on 1982 August 17 and through individual letters to Council. The Engineering Department will, in the near future, report to Council and to the Traffic Safety Committee regarding this subject.

The Municipal Manager recommended:

- (1) THAT everyone who corresponds with Council on the management of traffic problems on Hastings Street be advised, by the Municipal Clerk, that Council received their letters and will consider this matter again when a report is received from staff.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN EMMOTT:

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

CARRIED UNANIMOUSLY

(u) School District No. 41 - Burnaby, Chairman,
Re: Community Health Services

A letter dated 1982 August 31 was received advising that the Burnaby School Board has been requested to drop its 1983 budgetary levels by \$6.2 million from the February approved 1982 level of expenditure. Given these severe restraints the School Board is examining all areas to determine the best expenditure on educational programs for children. The writer advised that one area which has been funded in the past by the School Board involved the provision of Community Health Services by a staff equivalent of approximately 15 nursing personnel. Together with associated support personnel, the annual cost of this service is between \$600,000 and \$700,000. In the past there were tax advantages gained by the municipal taxpayer due to differing cost sharing ratios enjoyed by the Board and the municipality with their respective ministries. This situation no longer exists.

The writer advises that the School Board must divest itself of this expenditure in 1983 in order to apply the funds to education programs. The writer requests that the respective staffs immediately be directed to undertake a joint approach to the various ministries involved in the problem with a goal of resolving the issue prior to 1982 October 31.

Item 13, Municipal Manager's Report No. 49, 1982, pertaining to this subject was brought forward for consideration at this time.

The Municipal Manager provided a report from the Medical Health Officer outlining staff response to the letter from the Burnaby School Board.

The Medical Health Officer provided details of the preventive health programs now in existence, outlining those programs that will be continued by the School Board, and those programs which the Board no longer wishes to fund.

The Municipal Manager recommended:

- (1) THAT staff assess the impact of the School Board's proposal to divest itself of the employment of community health nurses.

- (2) THAT staff be directed to work with senior officials of School District No. 41 in order to develop recommendations to the School Board and Council for the continuation of acceptable levels of community health services in this municipality.
- (3) THAT the Council support the recommendation of the Board and direct staff to join Board officials in approaching the appropriate provincial ministries regarding funding.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

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

- (a) Combined Service Station and Grocery Store Facility
975 Willingdon Avenue - Mohawk Oil Co. Ltd.
Council 1982 July 26, Item 7, Manager's Report
No. 45, 1982, Minutes - Page 20

This item was dealt with previously in the meeting in conjunction with Item 3.(a) under Delegations.

- (b) Railroad transport of dangerous goods in the Greater Vancouver area; operations at specific sites including Trans Mountain Pipe Line Company Ltd.'s Westridge Terminal
Council 1982 August 23, Item 9, Manager's Report No. 48,
1982, Minutes - Page 14

This item was dealt with previously in the meeting in conjunction with Item 3.(c) under Delegations.

R E P O R T S

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

- (a) Mayor W.A. Lewarne,
Re: Sharing of Clerical Services
for Metropolitan Board of Health

His Worship, Mayor Lewarne, submitted a report in which it was recommended:

- (1) THAT approval be given to the municipality contributing up to \$600.00 as one-half of the Burnaby share of the cost of clerical services for the Metropolitan Board of Health for 1982.
- (2) THAT a copy of this report be sent to the Metropolitan Board of Health of Greater Vancouver, 1060 West 8th Avenue, Vancouver, B.C., V6H 1C4.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

The Council Meeting recessed at 21:10 h.

The Council Meeting reconvened at 21:25 h with Alderman Constable absent.

(b) The Municipal Manager presented Report No. 49, 1982 on the matters listed following as Items 1 to 15, either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Endorsement of decisions taken by Council
"In Camera" - 1982 August 09

The Municipal Manager provided a report from the Municipal Clerk regarding decisions that had been taken at a Caucus Meeting "In Camera" on 1982 August 09.

The Municipal Manager recommended:

- (1) THAT Council endorse at an "open" Council Meeting the decision that has been taken by Council at a Caucus Meeting "In Camera" 1982 August 09 as enumerated in the Municipal Clerk's report.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

2. The Corporate Planning Process: Priority Issues

The Municipal Manager provided a report attaching an appendix which provided a summary of the Socio-Economic and Financial Policy and Planning Issues currently before the municipality, along with starting and completion dates for each of the projects as indicated.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

3. Letter from Mr. A.W. Mochinski
1031 Ayshire Drive, Burnaby
Construction of a home at 7480 Curtis Street

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

4. Work Order - No. 60-70-086

The Municipal Manager provided a report from the Director Engineering regarding the cost of municipal services to the Teleglobe site. The work order is to cover the cost of servicing the municipal industrial subdivision at the northwest corner of Canada Way and Beta Avenue. The Corporation has sold a lot to Teleglobe for development and the work covered by this work order is to cover the servicing of that lot. The amount of Work Order No. 60-70-086 is \$165,000.

The Municipal Manager recommended:

- (1) THAT Work Order No. 60-70-086 be aproved.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

5. G.V.R.D. Transit - Implementation of the King Edward Crosstown Service

The Municipal Manager provided a report from the Director Planning & Building Inspection regarding the implementation of the King Edward Crosstown Transit Service.

The Municipal Manager recommended:

- (1) THAT Council approve the early implementation of a King Edward crosstown bus service that has a minimum operation seven days a week between the hours of 06:00 h and 24:00 h (in accordance with Option 3 of the G.V.R.D. Service Plan Implementation for 1982 December).
- (2) THAT Council recommend that the G.V.R.D., in consultation with member municipalities, adopt service standards which will define warrants for improving or curtailing the level of transit service throughout the Greater Vancouver transit system area.
- (3) THAT a copy of this report be forwarded to the G.V.R.D. Transit Committee.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

6. Correspondence from citizens to Council on parking on Hastings Street:
- (a) Letter which appeared on the 1982 August 23 Agenda (Item 3.(g))
 - (b) Letters appearing on the 1982 September 07 Agenda

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

7. Retirement - Mr. James Fraser

The Municipal Manager provided a report from the Acting Personnel Director regarding the retirement of Mr. James Fraser after twenty-six years of service with the Corporation.

The Municipal Manager recommended:

- (1) THAT the Mayor, on behalf of Council, send to Mr. Fraser a letter of appreciation for his many years of loyal and dedicated service to the municipality.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

8. Letter from the Vista Society which appeared on the Agenda for the 1982 August 09 Meeting of Council (Item 4.(j)) Exemption from Taxation

The Municipal Manager provided a report from the Treasurer setting out the statutory tax exemptions that the New Vista Society currently receives for their residential and care home facilities for elderly citizens, and reviews a 1974 Council resolution requiring the operators of such facilities to pay that portion of taxes not eligible for statutory exemption.

The Municipal Manager recommended:

- (1) THAT a copy of this report be forwarded to Mr. Fudge, Assistant Administrator, Director of Finance, The New Vista Society, 7550 Rosewood Street, Burnaby, B.C., V5E 3Z3.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

9. Proposed land exchange and sale of municipal lands to facilitate development of Salvation Army Community Church - Cariboo Study Area

The Municipal Manager provided a report from the Director Planning & Building Inspection providing recommendations that will, at this preliminary stage, enable the Salvation Army to exercise their option on private lands which will comprise a part of the overall development site.

The Municipal Manager recommended:

- (1) THAT Council adopt, in principle, the proposal to enter into an area for area land exchange and the sale of additional adjacent municipal lands to facilitate the proposed development of a community church for the Salvation Army as illustrated in the report.
- (2) THAT once firm arrangements have been made with respect to the foregoing, a further report be submitted to Council providing details on the actual areas to be involved, the amount of compensation required, and the requisite servicing considerations. At that time specific authority to finalize the proposed transaction will be requested.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

10. Proposed Text Amendment to Zoning Bylaw for provision of in-law suites in R9, R4 and R5 Residential Districts

This item was dealt with previously in the meeting in conjunction with Item 4.(d) "Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1982", Bylaw No. 7938.

11. Enquiry arising from bylaw to repay General Revenue Funds for acquisition and development of land

This item was dealt with previously in the meeting in conjunction with Item 4.(b) "Burnaby Tax Sale Lands Reserve Fund Expenditure Bylaw No. 3, 1982", Bylaw No. 7950.

12. Report of the Railway Transport Committee on:
 - (a) Railroad transport of dangerous goods in the Greater Vancouver area
 - (b) Operations at specific sites including Trans Mountain Pipe Line Company Ltd.'s Westridge Terminal

This item was dealt with previously in the meeting in conjunction with Item 3.(c) under Delegations.

13. Letter from G. Begin, Chairman, School District No. 41
5325 Kincaid Street, Burnaby, B.C., V5G 1W2
Preventive Community Health Services

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

14. Letter from Union of British Columbia Municipalities
313 Sixth Street, New Westminster, B.C., V3L 3A7
Bill 72 - Land Use Act

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

15. Transfer of municipal lands to B.C. Transit Authority for A.L.R.T. Maintenance Centre relative to provision of an elevated alignment between Gilley Avenue and Rumble Street

The Municipal Manager provided a report from the Director Planning & Building Inspection providing recommendations for the equitable transfer of municipal lands which reflects their value to B.C. transit; provides for revenue to the municipality through the development of the site by the Transit Authority and the subsequent payment of taxes; and the municipality thereby contributes to the construction of an elevated A.L.R.T. alignment between Gilley Avenue and Rumble Street.

The Municipal Manager recommended:

- (1) THAT Council authorize the transfer of title on 1983 December 31 of the municipal lands as shown on the report to B.C. Transit for the sum of \$1.00, subject to the elevation of the portion of the A.L.R.T. alignment between Gilley Avenue and Rumble Street by B.C. Transit at their cost.
- (2) THAT the transfer of the municipal lands be subject to their reverting to the municipality, at a negotiated price, in the event that they should cease to be required for the A.L.R.T. Maintenance Centre.
- (3) THAT Council authorize the Mayor and the Municipal Clerk to execute the appropriate documentation and agreements to effect the above recommendations.
- (4) THAT a copy of this report be forwarded to Mr. M.J. O'Connor, Project Administrator, B.C. Transit, Suite 874, Four Bental Centre, P.O. Box 49297, 1055 Dunsmuir Street, Vancouver, B.C., V7X 1P6.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED

OPPOSED: ALDERMAN NIKOLAI

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 McLEAN:

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

CARRIED UNANIMOUSLY

E N Q U I R I E S

ALDERMAN STUSIAK:

Alderman Stusiak enquired as to the format of the "Traffic Questionnaire for the Burnaby Heights Neighbourhood Area". Alderman Stusiak indicated that sketches 2, 3 and 4 on the questionnaire were very confusing and were perhaps causing the residents in the area some difficulty in responding to the questionnaire.

Alderman Brown, Chairman of the Traffic Safety Committee, responded to the enquiries of the members of Council and clarified the intent of the proposals as indicated on the questionnaire.

ALDERMAN BROWN:

Alderman Brown enquired as to when the Housing Committee would be reviewing the bylaw in conjunction with the subject of illegal suites.

Alderman Stusiak, Chairman of the Housing Committee, responded to the enquiry and advised that the Housing Committee would be meeting in September and at that time would be receiving a further report from the Planning Department. However, Alderman Stusiak advised that no further action will be taken until the computer has provided answers to a number of questions, including lot sizes and square footage requirements of existing properties in Burnaby. The program required in order to obtain this information from the computer is currently being prepared and it is hoped this particular function will be completed prior to the end of the year.

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN DRUMMOND:

"THAT this regular Council Meeting do now adjourn."

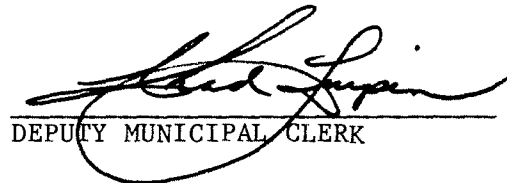
CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 22:00 h.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK