

1983 APRIL 11

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1983 April 11, 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 G.H.F. McLean
Alderman E. Nikolai
Alderman V.V. Stusiak

ABSENT: Alderman D.A. Lawson

STAFF: Mr. M.J. Shelley, Municipal Manager
Mr. J.E. Fleming, Director Administrative and Community Services
Mr. E.E. Olson, Director Engineering
Mr. R.B. Chilton, Assistant Director-Long Range Planning and Research
Mr. J.G. Plesha, Administrative Assistant to Manager
Mr. James Hudson, Municipal Clerk
Mr. R.D. Seath, Municipal Clerk's Assistant

M I N U T E S

The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1983 April 05 came forward for adoption.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the minutes of the regular Council Meeting and Caucus Meeting 'In Camera' held on 1983 April 05 be now adopted."

CARRIED UNANIMOUSLY

B Y L A W S

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN BROWN:

"THAT Item 7, Municipal Manager's Report No. 27, 1983 April 11 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Municipal Manager submitted a report from the Director Engineering with respect to the North Road Grade Separation advising that time is of the essence in proceeding with the required contract in order for the work to be completed by the U.T.A.P. deadline of 1984 March 31; advertisements are already out inviting tenders to be submitted by 1983 May 05. The contract cannot be awarded until both bylaws (and corresponding ones in Coquitlam) have received final readings.

The Municipal Manager recommended:

- (1) THAT Bylaw No. 8048, being "Burnaby North Road Widening Bylaw 1983", and Bylaw No. 8050, being "Burnaby Capital Works, Machinery and Equipment Reserve Fund Bylaw No. 3, 1983", be now considered for first, second and third readings.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

1983 April 11

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby North Road Widening Bylaw 1983'	#8048
'Burnaby Capital Works, Machinery and Equipment Reserve Fund Bylaw No. 2, 1983'	#8049
'Burnaby Capital Works, Machinery and Equipment Reserve Fund Bylaw No. 3, 1983'	#8050

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 BROWN:
SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby North Road Widening Bylaw 1983'	#8048
'Burnaby Capital Works, Machinery and Equipment Reserve Fund Bylaw No. 2, 1983'	#8049
'Burnaby Capital Works, Machinery and Equipment Reserve Fund Bylaw No. 3, 1983'	#8050

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BROWN:
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. 7, 1983' #8031"

FOR: MAYOR LEWARNE, ALDERMEN
CONSTABLE, EMMOTT, AND STUSIAK

OPPOSED: ALDERMEN BROWN, DRUMMOND,
McLEAN AND NIKOLAI

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

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 34, 1982' #7929

'Burnaby Fire Services Bylaw 1983' #8047

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

CARRIED

OPPOSED: ALDERMAN STUSIAK
TO BYLAW #8047

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 27, 1983 April 11, which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Norman Thyer, Re: Pedestrian safety in Burnaby, especially in the neighbourhood of Canada Way

A letter dated 1983 March 28 was received thanking Council for their correspondence dated 1983 February 03 in response to the writer's correspondence on the matter of pedestrian safety in Burnaby, especially in the neighbourhood of Canada Way. Further, the writer expressed concern with the statement that "every intersection has two legal crosswalks across Canada Way".

In addition, the writer expressed further concern with respect to the traffic signals at the intersections of Willingdon Avenue and Gilmore Diversion with Canada Way.

Council was advised that there is to be a staff report submitted for their consideration with respect to these concerns at the Council Meeting on 1983 April 18.

- (b) City of Saint John, Mayor, Re: Invitation to attend Canadian Parks and Recreation Association Annual Conference in Saint John, New Brunswick - Sunday to Thursday, 1983 August 14 to 18

A letter dated 1983 March 18 was received inviting the Mayor and members of Council to attend the Canadian Parks and Recreation Association Annual Conference in Saint John on 1983 August 14 to 18.

The Conference theme, "Passages to Tomorrow; Changing Times, Changing Directions", will provide invaluable information for municipal administrators and communities of all sizes. Keynote speakers will deal with economics, quality of life, demographics and technology that will lead to a series of workshops and group sessions.

- (c) Province of British Columbia, Ministry of Municipal Affairs, Senior Administrative Officer, Administrative Services, Re: Proposed Partial Plans Cancellation - East of Hedley Avenue and North of Prenter Street

A letter dated 1983 March 24 was received advising that the Ministry of Attorney General has taken action under Part 8 of the Land Title Act to cancel portions of a plan together with the lane as noted above, and to have the portion of land vested in the name of the petitioners, Weiser Inc.

1983 April 11

The Hearing required under sub-section (1)(b) of section 124 of the Land Title Act will be held on 1983 May 16.

The writer requested that Council provide them with their views on this matter by 1983 April 18 at the latest.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

"THAT the following information be forwarded to Norman A. McCrimmon, Senior Administrative Officer, Administrative Services, Ministry of Municipal Affairs, Parliament Buildings, Victoria, B.C., V8W 3E1, namely:

A review of records discloses that no utilities exist in the lane allowance, and no expenditure of public money has ever been made on improvements. In that there are no grounds on which to object to the proposed closure, the municipality has no reason to appear at the scheduled hearing on 1983 May 16."

CARRIED UNANIMOUSLY

- (d) Robert C. Burns, Evelyn Burns,
Re: Broadway widening to 46 feet
Kensington Avenue to Sperling Avenue

A letter dated 1983 April 04 was received expressing opposition to the widening of Broadway to 46 feet between Kensington and Sperling Avenues.

- (e) E. Scotton, Re: Petition from residents of East Broadway
to have street upgraded to 36 feet rather than 46 feet

A letter dated 1983 April 05 was received expressing concern with Council's decision to construct Broadway to a 46 foot standard between Sperling and Kensington Avenues rather than a 36 foot standard.

- (f) Ken R. Wilson, Anna Wilson,
Re: Objection in regards to widening of East Broadway

A letter dated 1983 April 05 was received expressing opposition to the widening of Broadway to a 46 foot standard between Kensington and Sperling Avenues.

- (g) G.V. Topiwala, L.G. Topiwala,
Re: Have the street remain 36 feet as the rest of Broadway

A letter dated 1983 April 04 was received requesting Council to reconsider their decision to widen Broadway to a 46 foot standard between Sperling and Kensington Avenues.

- (h) Mrs. G. Trentalance and Family,
Re: Maintain Broadway between Sperling Avenue and
Kensington Avenue at 36 feet rather than widen it to 46 feet

A letter dated 1983 April 05 was received requesting Council to reconsider their decision made on 1983 March 14, and maintain Broadway between Sperling and Kensington Avenues at 36 feet rather than widen it to 46 feet.

- (i) H.E. Heim, Re: Broadway widening to 46 feet
from Kensington Avenue to Sperling Avenue

A letter dated 1983 April 05 was received requesting Council to reconsider their decision to widen Broadway to a 46 foot standard between Kensington and Sperling Avenues.

- (j) Sid Shivji,
Re: Broadway widening to 46 feet from
Kensington Avenue to Sperling Avenue

A letter dated 1983 April 05 was received requesting Council to reconsider their decision to widen Broadway to a 46 foot standard between Sperling and Kensington Avenues.

1983 April 11

- (k) Jack Heinrich, Minister of Municipal Affairs,
Re: Municipalities 1983 Revenue Sharing
Unconditional Grant will be \$5,665,754.00

A letter dated 1983 March 30 was received advising that the Municipality of Burnaby's 1983 Revenue Sharing Unconditional Grant will be \$5,665,754.00, exclusive of the basic grant and any other revenue sharing entitlements. This amount will be conveyed to the municipality in nine regular installments, beginning shortly.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT the letter dated 1983 March 30 received from the Honourable Jack Heinrich, Minister of Municipal Affairs, regarding the Municipality of Burnaby's 1983 Revenue Sharing Unconditional Grant, be officially received."

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

- (a) Mayor W.A. Lewarne,
Re: 1984 Summer Games

His Worship, Mayor Lewarne, submitted a report advising that the Board Selection Committee of David Mercier, Richard Smith and Mayor Lewarne have been appointed to seek out a President and twelve Directors, each being responsible for administering their particular areas of responsibility to officially start the 1984 Games. In this regard, a public meeting will be held at the Cowan Theatre on Thursday, 1983 May 12 at 20:00 h to nominate the Board.

His Worship, Mayor Lewarne, recommended:

- (1) THAT this report be received for the information of Council, Parks and Recreation Commission and the School Board.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- (b) The Municipal Manager presented Report No. 27, 1983 April 11 on the matters listed following as Items 01 to 09, either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Solid Waste Management Plan for the Lower Mainland

The Municipal Manager submitted a report advising that he had attended a meeting on behalf of Mayor Lewarne that was called by the Honourable Stephen Rogers, Minister of Environment, on Wednesday, 1983 March 16 in the Cabinet Office at Robson Square to discuss the merits of his office assisting with the development of a Solid Waste Management Plan for the entire Lower Mainland, including the G.V.R.D. jurisdiction.

1983 April 11

As a first step, the Minister has proposed that a Technical Committee be set up to look at the global picture from a strictly technical point of view, and to make some specific technical recommendations. As a second step, the Minister proposed that these technical recommendations then be considered by the political bodies concerned to determine which ones would be acceptable.

The objective of the Technical Committee will be to develop a Waste Management Plan based on the nature and the extent of the problem, and to propose technical and financial solutions not restrained by political jurisdiction.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN CONSTABLE:

"THAT this Council do petition the Minister of the Environment on behalf of the District of Burnaby and the affected municipalities for an interim permit for the use of the Burns Bog site, pending a full report of the Minister's Committee.

CARRIED UNANIMOUSLY

2. Demolition of Property
7072 Cariboo Road

The Acting Municipal Manager submitted a report from the Director Recreation and Cultural Services advising that the Parks and Recreation Commission at its meeting of 1983 April 06 approved the demolition of 7072 Cariboo Road.

The Acting Municipal Manager recommended:

- (1) THAT Council approve the demolition of 7072 Cariboo Road.

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

3. This item was withdrawn from the agenda for the Council Meeting this evening.
4. B.N.R. Overpass

The Acting Municipal Manager submitted a report from the Director Finance advising that it is required by the Municipal Act to have sufficient funds identified and in place to finance additional work on the B.N.R. Overpass before any contracts can be let. Therefore, it is appropriate to transfer additional funds from the Capital Works Reserve by way of a further appropriation bylaw, designated for further B.N.R. Overpass spending.

The 1983-1987 Capital Budget will identify that the projected B.N.R. Overpass expenditure of \$12,680,413.00 in 1983 will be financed, in part, by Capital Works Reserves of \$2,475,758.00 for which the passage of a bylaw is required.

1983 April 11

The Acting Municipal Manager recommended:

- (1) THAT a bylaw be brought forward to appropriate \$2,475,758.00 from the Capital Works, Machinery and Equipment Reserve for the B.N.R. Overpass.

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED

OPPOSED: ALDERMEN BROWN
AND DRUMMOND

5. Delegation - Mr. Ian Beveridge who appeared at the 1983 February 14 Meeting of Council Hazardous Driveways on Broadway at North Road

The Municipal Manager submitted a report from the Director Engineering which addressed the proposal as put forth by Mr. Ian Beveridge at the 1983 February 14 Council Meeting, that the municipality acquire the as yet undedicated and unconstructed portion of Rathburn Drive road allowance to the rear of the affected properties in order to relocate access onto Rathburn Drive. Mr. Beveridge further stated that he would be prepared to construct the allowance if it were acquired by the municipality.

The Municipal Manager recommended:

- (1) THAT a copy of this report be sent to Mr. Ian Beveridge, 9884 Rathburn Drive, Burnaby, B.C., V3J 7L1.

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

6. Proposed Byrne Creek Relocation

The Acting Municipal Manager submitted a report from the Director Engineering advising as to the potential to relocate Byrne Creek out of the Byrne Road right-of-way to permit the upgrading of Byrne Road to an acceptable industrial standard and to relieve the potential for future flooding. The relocated creek would incorporate measures to provide a suitable habitat for fish enhancement as well as providing an opportunity for the future development of recreational opportunities as part of the open space network for the Big Bend area. There are, however, even further benefits to be derived from creek relocation in such forms as considerable energy cost savings in the frequency of pumping required and in being able to get away from the inherent and incessant water flow obstructions caused by the myriad number of necessary access culverts in the existing ditch on Byrne Road.

The Acting Municipal Manager recommended:

- (1) THAT Council approve, in principle, the relocation of Byrne Creek as outlined in the report.
- (2) THAT Council authorize the Director Engineering to proceed with arranging for the preparation of final engineering drawings for the creek relocation, including provision of an estimated cost of constructing the required works.

1983 April 11

- (3) THAT Council authorize staff to pursue negotiations with Canadian National Railways on a land exchange involving lands which are required for the creek relocation shown on Figure 4 attached to the report.
- (4) THAT Council authorize the Legal and Lands Department to negotiate the acquisition of the additional private lands required for the creek relocation as shown on Figure 4.

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

"THAT a report to Council be prepared showing therein the cost of the new Byrne Road, the cost of the possible realignment of the major industrial road going into the Big Bend area rather than Byrne Road, being a total cost report with all its implications when this subject matter next comes back to Council, including road, drainage and all the others including the land exchange."

CARRIED UNANIMOUSLY

7. North Road Grade Separation

This item was dealt with previously in the meeting in conjunction with Items 2.(a) and 2.(b) under Bylaws No. 8048 and 8050.

8. Municipal Land Sale
Lot 149, D.L. 163, Plan 62524 N.W.D.
Nelson and Marine

The Municipal Manager submitted a report from the Municipal Solicitor advising that the Legal and Lands Department has received another request from Mandeville Gardens to repost the property at an upset value of \$48,000.00 subject to consolidation with their holdings. The value was arrived at in an appraisal prepared by ARC Appraisals Ltd., agricultural land appraisers for Mandeville Gardens Ltd. Of the five comparable land sales used in their report, four were in Richmond and one in Burnaby, adjacent to Mandeville Gardens to the east, sold 1981 March for an appraised value of \$43,622.00 per acre.

On 1982 December 08 the municipality retained Collingwood Appraisals Ltd. to prepare a report on agricultural land owned by the municipality. Comparables from outside the municipality and some from local sales were used to reach a conclusion of value -- 12.10 acres of uncleared land \$327,500.00 or \$27,066.00 per acre (\$0.621 per sq. ft.).

The Municipal Manager recommended:

- (1) THAT the subject municipal-owned property be posted, consolidated, and subsequently sold to the adjacent owner subject to the conditions outlined in the report.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

1983 April 11

9. Endorsement of decisions taken by Council "In Camera"

The Acting Municipal Manager submitted a report from the Municipal Clerk regarding decisions that had been taken at the Caucus Meetings "In Camera" held on 1983 February 21, March 14, 21 and 28.

The Acting Municipal Manager recommended:

- (1) THAT Council endorse at an "open" Council Meeting the decisions that have been taken by Council at the Caucus Meetings "In Camera" on 1983 February 21, March 14, 21 and 28 as enumerated in the Municipal Clerk's report.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN CONSTABLE:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

N E W B U S I N E S S

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN EMMOTT:

"THAT under authority of Section (9) of Schedule No. 1 of 'Burnaby Sign Bylaw 1972', as amended, permission be granted to the political organizations and independent candidates involved in the current Provincial Election to erect temporary signs on municipal property in the possession or control of the municipality, except public property designated for parks purposes and under the jurisdiction of the Parks and Recreation Commission."

CARRIED UNANIMOUSLY

His Worship, Mayor Lewarne, advised that the Lougheed Highway will be closed from 18:00 h to 02:00 h on Sunday, 1983 April 17 and 24 in order for the beams for the Burlington Northern Overpass to be installed. The industries in the area have been so advised, and if the works cannot be completed on these dates then there is a possibility that a further closure may take place on 1983 May 01.

E N Q U I R I E S

ALDERMAN NIKOLAI:

Alderman Nikolai enquired whether the estimate of \$2,168,212.00 as contained in Item 7, Municipal Manager's Report No. 27, 1983 April 11, which represents the estimated cost of the North Road Overhead project, was in fact a valid estimate and who had prepared the estimate.

In response to Alderman Nikolai's enquiry, Mr. E.E. Olson, Director Engineering, advised that the estimate was, in his opinion, a valid estimate and had been prepared by N.D. Lee and Associates Ltd., and Mr. John Garland, an independent professional consulting engineer appraiser.

1983 April 11

ALDERMAN BROWN:

Alderman Brown enquired as to whose responsibility it is to ensure that streets within the municipality are cleaned up when an excavation of land is taking place. There has been an excavation proceeding in the Taralawn Court area which has resulted in muddy roads in the area for the past six months.

In response to Alderman Brown's enquiry, His Worship, Mayor Lewarne, advised that a Bylaw Enforcement Officer would contact the contractor doing the work and request that the streets be cleaned. However, if this is not successful, the municipality will clean the streets and bill the contractor directly.

In response to Alderman Brown's enquiry, Mr. E.E. Olson, Director Engineering, advised that he would have a Bylaw Enforcement Officer investigate this matter.

ALDERMAN NIKOLAI:

Alderman Nikolai enquired whether B.C. Transit has expropriation authority.

In response to Alderman Nikolai's enquiry, Mr. M.J. Shelley, Municipal Manager, replied in the affirmative.

Alderman Nikolai further enquired whether the municipality in any way assists B.C. Transit in acquiring property for the A.L.R.T. right-of-way through Burnaby.

In response to Alderman Nikolai's enquiry, Mr. M.J. Shelley, Municipal Manager, advised that the municipality has not been requested to participate in this process.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN CONSTABLE:

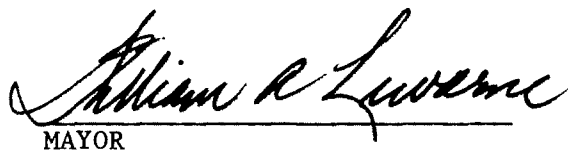
"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 21:14 h.

Confirmed:

Certified Correct:


MAYOR


MUNICIPAL CLERK'S ASSISTANT