

1983 MAY 16

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1983 May 16, 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 and Community Services
Mr. E.E. Olson, Director Engineering
Mr. D.G. Stenson, Assistant Director - Current Planning
Mr. J.G. Plesha, Administrative Assistant to Manager
Mr. C.A. Turpin, Deputy 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 May 09 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 1983 May 09 be now adopted."

CARRIED UNANIMOUSLY

B Y L A W S

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 17, 1983'

#8057

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 DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED

OPPOSED: MAYOR LEWARNE, ALDERMEN
BROWN, McLEAN AND NIKOLAI

The Council reconvened.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED

OPPOSED: MAYOR LEWARNE, ALDERMEN
BROWN, McLEAN AND NIKOLAI

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MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 17, 1983'

#8057

be now read a first time."

CARRIED

OPPOSED: MAYOR LEWARNE, ALDERMEN
BROWN, McLEAN AND NIKOLAI

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Lease Authorization Bylaw No. 1, 1983'

#8051

'Burnaby Street and Traffic Bylaw 1961,
Amendment Bylaw No. 1, 1983'

#8059

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 CONSTABLE:

"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 Lease Authorization Bylaw No. 1, 1983'

#8051

'Burnaby Street and Traffic Bylaw 1961,
Amendment Bylaw No. 1, 1983'

#8059

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. 53, 1982'

#7957"

CARRIED UNANIMOUSLY

1983 May 16

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

"THAT the Committee now rise and report the bylaw 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 Zoning Bylaw 1965, Amendment Bylaw No. 53, 1982' #7957

be now read a third time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 38, 1982' #7933

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 5, 1983' #8029

'Burnaby Lease Authorization Bylaw No. 2, 1983' #8058

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

CARRIED

OPPOSED: MAYOR LEWARNE, ALDERMEN BROWN
McLEAN AND NIKOLAI TO BYLAW #8029

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN CONSTABLE:

"THAT all of the following listed items of correspondence be received and those items of the Acting Municipal Manager's Report No. 36, 1983 May 16 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Gordon H. Dowding,
Re: Notice to vacate 6825 - 20th Avenue

A letter dated 1983 May 05 was received from Mr. Gordon H. Dowding, Barrister and Solicitor, written on behalf of his client, Mr. Hutton, who is currently the tenant of municipally owned property at 6825 - 20th Avenue. Mr. Hutton has received notice to vacate from the municipality. Mr. Dowding requested that Council grant further time for Mr. Hutton to arrange his affairs properly in vacating by extending the period of notice to a mutually agreeable date.

Item 10, Acting Municipal Manager's Report No. 36, 1983 May 16, pertaining to this subject was brought forward for consideration at this time.

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The Acting Municipal Manager submitted a report from the Municipal Solicitor advising that notice to vacate was served on the tenant, Mr. Hutton, who appealed to the Rentalsman. On 1983 April 07 the Rentalsman ruled in favour of the Corporation of Burnaby and upheld the notice to vacate. The tenant has appealed to the County Court for a review of the Rentalsman's decision and the matter will be heard on 1983 May 17.

The Acting Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN CONSTABLE:

"THAT notification be given to Mr. Hutton that Council agrees to extend his tenancy to 1983 October 31 subject to the receipt of a letter of compliance within two (2) weeks time, and further that the letter contain a provision which will save the municipality harmless with respect to the condition of the property."

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN BROWN:

"THAT the motion as moved by Alderman Emmott and seconded by Alderman Constable: 'That notification be given to Mr. Hutton that Council agrees to extend his tenancy to 1983 October 31 subject to the receipt of a letter of compliance within two (2) weeks time, and further that the letter contain a provision which will save the municipality harmless with respect to the condition of the property', be now tabled for a period of one week."

CARRIED
OPPOSED: ALDERMEN DRUMMOND
AND McLEAN

- (b) Willingdon "Dirty Dozen" Girls Soccer Team, Manager,
Re: Request permission to hold tag days on Friday,
Saturday, 1983 July 29, 30, and Friday, Saturday,
1983 September 16, 17
-

A letter dated 1983 May 04 was received requesting permission for the Willingdon "Dirty Dozen" Girls Soccer Team to hold tag days on 1983 July 29 and 30 and 1983 September 16 and 17 at the liquor distribution branches and Canada Safeway Stores at Willingdon and Hastings, Kensington Plaza, Old Orchard Shopping Centre, Royal Oak and Rumble and Middlegate Mall.

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN NIKOLAI:

"THAT Council grant approval to the Willingdon 'Dirty Dozen' Girls Soccer Team to hold tag days on 1983 July 29 and 30 and 1983 September 16 and 17 at the liquor distribution branches and Canada Safeway Stores as indicated below:

North Burnaby (Willingdon and Hastings)
Kensington Plaza
South Burnaby (Old Orchard)
Royal Oak and Rumble
Middlegate Mall"

CARRIED UNANIMOUSLY

1983 May 16

- (c) British Columbia Place, Vice President,
Corporate Relations, Re: Proposals for
overall development framework - B.C. Place

A letter dated 1983 May 09 was received enclosing a copy of Report No. 3, published by B.C. Place, which outlines the proposals for an overall development framework to guide the activities at B.C. Place over the next 25 years. It is expected that this plan will be presented to the Vancouver City Council later this month for approval and any comments that the Burnaby Municipal Council have would be greatly appreciated.

His Worship, Mayor Lewarne, advised that staff will be submitting a brief in response to the request contained in the letter from Mr. Paul Manning, Vice President, Corporation Relations, British Columbia Place.

R E P O R T S

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

- (a) Mayor W.A. Lewarne,
Re: Name for townhouse development
in Enclave 9 on Burnaby Mountain

His Worship, Mayor Lewarne, submitted a report advising that the Greater Vancouver Housing Corporation requested that the Burnaby Municipal Council recommend a name for the townhouse development in Enclave 9 on Burnaby Mountain.

His Worship, Mayor Lewarne, recommended:

- (1) THAT the name of "Ran Beamish" be forwarded to Mr. Lane of the Greater Vancouver Housing Corporation for the naming of the townhouse development in Enclave 9.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

- (b) Alderman V.V. Stusiak, Liaison
Finance Alderman, Re: Per Diem Rates

Alderman Stusiak submitted a report providing information in connection with Municipal Council members or delegates per diem rates when these persons are representing The Corporation of the District of Burnaby outside the limits of the municipality.

Alderman Stusiak recommended:

- (1) THAT effective immediately, the per diem rate be one hundred and thirty dollars (\$130.00).
- (2) THAT the per diem rate be reviewed 1984 May 01.
- (3) THAT the per diem rate of one hundred and thirty dollars (\$130.00) be United States funds when travelling outside Canada.
- (4) THAT any Municipal Council member or delegate, when travelling on municipal business, may request additional costs when a loss of wages or salary is incurred in the delegate's normal occupation. This additional per diem amount to a maximum of ninety-five dollars (\$95.00) per day be approved, and this rate be reviewed 1984 May 01.

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MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT the recommendations of Alderman Stusiak, Liaison Finance Alderman, be adopted."

CARRIED UNANIMOUSLY

(c) His Worship, Mayor Lewarne,
Re: 1984 B.C. Summer Games

His Worship, Mayor Lewarne, submitted a report advising that the first public meeting to discuss the 1984 B.C. Summer Games was held at the James Cowan Theatre, 6450 Gilpin Street on Thursday, 1983 May 12 at 20:00 h. The purpose of the meeting was to introduce Mr. Ron Butlin, General Manager and Managing Director of the British Columbia Games, and to elect a President of the Society as well as 12 Board Members, each of whom will be required to serve as Chairman of one of the 12 committees. The following persons were elected by acclamation to the positions indicated below:

President	-- Mr. David M. Mercier
<u>Committee Chairmen:</u>	
Accommodation	-- Mr. William Wescott
Administration	-- Mr. B.R. (Doc) Street
Ceremonies	-- Mrs. Raylene Burke
Communications	-- Mr. Ted Boresky
Culture and Special Events	-- Mrs. Fern Nikolai
Equipment and Facilities	-- Mr. Richard Smith
Food Services	-- Mr. Gary Thorne
Medical	-- Dr. Ian McGregor
Promotion and Public Relations	-- Mr. Jack Herrmann
Protocol	-- Mrs. Ursula Hubel
Security	-- Mr. William Copeland
Transportation (Local)	-- Mr. Mac Christie

His Worship, Mayor Lewarne, recommended:

- (1) THAT this report be received for information purposes and further that Council appoint His Worship, Mayor Lewarne, to serve as the Council Liaison to the 1984 B.C. Summer Games Board, with Alderman Emmott as the alternate.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

- (d) The Acting Municipal Manager presented Report No. 36, 1983 May 16 on the matters listed following as Items 01 to 10 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Retirement - Mr. Jack Peskett

The Acting Municipal Manager submitted a report from the Acting Personnel Director advising that Mr. J. Peskett will be retiring from employment with the Corporation on 1983 May 17 after 13 years of service.

The Acting Municipal Manager recommended:

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

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MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

2. Conferences for the Parks and Recreation Commission

The Acting Municipal Manager submitted a report from the Director Recreation and Cultural Services advising that it would be appropriate for Council to now consider a motion appointing members of the Parks and Recreation Commission as delegates of Council for the purpose of attending conferences as provided for in the Annual Budget.

The Acting Municipal Manager recommended:

- (1) THAT members of the Parks and Recreation Commission be appointed as delegates of Council for the purpose of attending conferences as provided in the 1983 Annual Budget.
- (2) THAT a copy of this report be sent to the Parks and Recreation Commission.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

3. Strata Title Application #1/83
Lot 29 and 30 of Lot 11, Block 2, D.L. 25, Plan 1210
8321/23 Sixteenth Avenue

The Acting Municipal Manager submitted a report from the Director Planning and Building Inspection advising that the Planning and Building Inspection Department is in receipt of an application for strata title approval of an existing and occupied two family dwelling at 8321/23 Sixteenth Avenue. Council approval is required where conversion of previously occupied buildings into strata title is requested, according to the provisions of Section 9(1) of the Condominium Act.

The Acting Municipal Manager recommended:

- (1) THAT Strata Titling of 8321/23 Sixteenth Avenue be approved subject to the following prerequisites:
 - (a) Complete satisfaction of the Guidelines for Conversion of Existing Occupied Two Family Dwellings into Strata Title Units.
 - (b) Consolidation of the two lots into one site.
 - (c) The owner to provide a letter undertaking to ensure that both stalls in the existing double carport are free and clear to enable the necessary off-street parking space for each unit.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

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4. Letter from Mr. and Mrs. P. Andru which appeared on the agenda for the 1983 May 09 Meeting of Council - Item 4(c)
Burning Garden Clippings at Stride Avenue Pit

The Acting Municipal Manager submitted a report from the Director Engineering written in reponse to a complaint received from Mr. and Mrs. P. Andru regarding burning by the Corporation of Burnaby at the Stride Avenue Pit.

The Acting Municipal Manager recommended:

- (1) THAT Mr. and Mrs. P. Andru of 5058 Carson Street, Burnaby, B.C., V5J 2Y7 be sent a copy of this report.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

5. Letter from Petitioners which appeared on the agenda for the 1983 May 02 Meeting of Council - Item 4(a)
Opening Portion of Wedgewood Street Road Allowance as Lane

The Acting Municipal Manager submitted a report from the Director Engineering in response to a petition received from property owners abutting the Wedgewood Street road allowance requesting the opening of the currently unopened 33 foot wide portion of Wedgewood Street for the purposes of constructing a lane.

The Acting Municipal Manager recommended:

- (1) THAT the portion of Wedgewood Street road allowance from the existing opened section to Fourth Street be constructed as a lane with a cul-de-sac or hammerhead at the Fourth Street end.
- (2) THAT the established local improvement procedure be utilized to construct the lane.
- (3) THAT a copy of this report be sent to the petitioners.

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

6. Contract #8312 - North Road Overhead

The Acting Municipal Manager submitted a report from the Purchasing Agent advising of the results of the tenders for Contract #8312 that were received up to 15:00 h on Tuesday, 1983 May 10. The principal items of work are the construction of a four lane steel overhead structure with a reinforced concrete deck over the Burlington Northern tracks, excavation and placing of approach fills and some pavement construction and replacement.

The Acting Municipal Manager recommended:

- (1) THAT the lowest tender received, MDM Enterprises Limited, in the amount of \$1,253,413.00 be accepted with final payment based on actual quantities and unit prices tendered.

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MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

7. North Road Overhead Construction

The Acting Municipal Manager submitted a report from the Director Engineering providing up-dated funding information concerning Contract #8312 - North Road Overhead. It is necessary to have engineering services performed for project supervision and inspection services in connection with this contract. The logical choice for appointment to carry out this work is N.D. Lea & Associates Ltd., who performed all the preliminary and final design work for the project.

The Acting Municipal Manager recommended:

- (1) THAT an Engineering Agreement be entered into with N.D. Lea & Associates Ltd., 1455 West Georgia Street, Vancouver, B.C., V6G 2T3 at rates approved by the Professional Engineers' Association of British Columbia, for project engineering supervision and inspection services.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

8. Hastings Street Parking

The Acting Municipal Manager submitted a report from the Director Engineering containing three (3) schemes to alter the parking along Hastings Street. At the present time the Engineering Department is in discussion with the Ministry of Transportation and Highways in an effort to decide which scheme should be presented to the Minister for his approval.

The Acting Municipal Manager recommended:

- (1) THAT Council endorse the consideration of only Schemes "A" and "B".

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN NIKOLAI:

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

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN DRUMMOND:

"THAT recommendation no. 1 be amended to read as follows:

'THAT Council endorse the consideration of only Schemes "A" and "B" and further that Council instruct staff to negotiate on the basis that Scheme "A" is preferable to the municipality.'"

CARRIED

OPPOSED: MAYOR LEWARNE AND
ALDERMAN BROWN

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A vote was then taken on the original motion as moved by Alderman Constable and seconded by Alderman Brown, "That the recommendation of the Acting Municipal Manager be adopted", AS AMENDED, and same was CARRIED UNANIMOUSLY.

9. Boundary Road and Rumble Street

The Acting Municipal Manager submitted a report from the Director Engineering advising that the Engineering Department has been advised by the City of Vancouver that the new signal at the intersection of Boundary Road and Rumble Street will be put on flash on Monday, 1983 May 16 and on three colour operation on Wednesday, 1983 May 18 at 14:00 h.

The Acting Municipal Manager recommended:

- (1) THAT this report be received for the information of Council.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

10. Letter from Gordon Dowding, Barrister and Solicitor
201 - 5314 Victoria Drive, Vancouver, B.C., V5P 3V7
Proposed Demolition
Lots 3 and 5, Block 4, Parcel "A" (R.P. 3131) of
Lot 4, D.L. 160, Group 1, Plan 992 (6825 - 20th Avenue)

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

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

N E W B U S I N E S S

MAYOR LEWARNE:

His Worship, Mayor Lewarne, advised that arrangements have now been made for Council to meet with Honourable Jack Davis and staff members from the Rapid Transit (1986) Committee in order to discuss the ALRT system in Burnaby. This meeting will be held on Tuesday, 1983 May 24 at 17:00 h in the Fourth Floor Committee Room.

E N Q U I R I E S

ALDERMAN BROWN:

Alderman Brown advised that the property at 7427 Fulton Avenue is in an unsightly condition and requested that staff look into this matter.

Alderman Brown enquired, with respect to the unloading of trucks at the Kentucky Fried Chicken outlet located on the southwest corner of Burlington Avenue and Kingsway, as to whether there is a regulation to prohibit the unloading of vehicles at 06:30 h.

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In response to Alderman Brown's enquiry, the Municipal Manager advised that he was not aware of any regulation to prohibit the unloading of trucks at 06:30 h, but staff will look into the matter and notify Alderman Brown of their findings.

Alderman Brown advised that the chain link fences surrounding Richmond Park and protecting the adjacent apartments from park activities are in a state of disrepair. Alderman Brown requested that the members of Council view the condition of the chain link fences surrounding Richmond Park.

In response to Alderman Brown's enquiry, Alderman Constable advised that this matter is the responsibility of the Parks and Recreation Commission.

His Worship, Mayor Lewarne, requested that each member of Council be provided with a copy of the Parks and Recreation Commission policy respecting the construction of fences.

ALDERMAN NIKOLAI:

Alderman Nikolai enquired as to why no action has been taken with respect to traffic signs that are presently located in the middle of the sidewalk on the north side of Rumble Street at Sussex Avenue.

In response to Alderman Nikolai's enquiry, the Director Engineering advised that the signs are in their specified position, that is 18 inches from the curb face. The Director Engineering advised that he will check to see if something can be done respecting this matter.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN CONSTABLE:

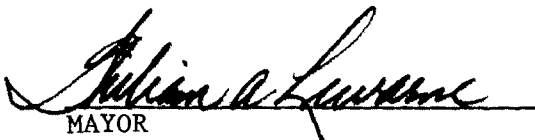
"THAT this regular Council Meeting do now adjourn."

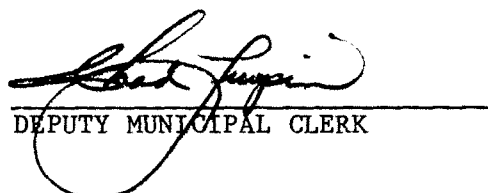
CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 20:24 h.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK