

1983 OCTOBER 17

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1983 October 17 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. A.L. Parr, Director Planning and Building Inspection
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

- (a) The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1983 October 11 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 October 11 be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Denis W. Ottewell, 1983 October 11,
Re: Referendum for disarmament.
Spokesman - Mr. Denis W. Ottewell
- (b) Burnaby Coalition - Referendum for Peace,
Chairman of the Steering Committee,
1983 October 11, Re: Request Council
support "yes" vote on Peace Referendum.
Spokesperson - Ms. Gayle D. Gavin
- (c) Burnaby Peace Committee, Secretary,
1983 October 11, Re: Request Council
support "yes" vote on Peace Referendum.
Spokesperson - Ms. Beverley G. Stone

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN McLEAN:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Denis W. Ottewell, 6174 Malvern Avenue, then addressed the members of Council and advised that he was speaking on behalf of the Teachers for Peace Action Committee.

Mr. Ottewell provided several reasons why the municipality should hold a referendum on disarmament. The speaker felt that a genuine effort towards disarmament will force the governments of the world to strive for new solutions and develop appropriate political organizations that would initiate those policies and attitudes required to make the world truly a more secure place to live. A world in which resolution would not be by extinction of the human race.

- (b) Ms. Gayle D. Gavin, 3746 Cambridge Street, then addressed the members of Council on behalf of the Burnaby Coalition - Referendum for Peace. Ms. Gavin requested that she be permitted to hand out to each member of Council a copy of the court decision permitting the District of Oak Bay to hold a referendum on disarmament. The partial text of Ms. Gavin's presentation is contained hereunder:

"I am representing the Burnaby Coalition - Referendum for Peace. This is a coalition of peace, church, community, labour and educational groups within the municipality concerned with the very grave threat to human life which is posed by the present escalation of nuclear weapons systems. We formed shortly after April 25 when Council agreed to hold a referendum on peace in the November 19th election. Our purpose was to effect the strongest possible "yes" vote on the referendum. We met over the summer and we formulated very solid plans to campaign for the "yes" vote, including the preparation and distribution of a leaflet on the issue to every household in the municipality, and placing posters in stores, shops, and other centres of Burnaby life. We believe that peace is everybody's business, particularly in these very threatening times. We speak to you today to ask you as Mayor, and as Council, to support the "yes" vote, and by that I mean to go on record as supporting this initiative for peace and to provide leadership to the residents of Burnaby in these very critical times for peace and human preservation. It has been said that the hands of the doomsday clock are fast approaching midnight and that the deployment of cruise and Pershing missiles in Europe jumps the hands forward. It is time for us in this municipality to go on record as active participants in the struggle to defuse this critical international situation."

Ms. Gavin then went on to refer to the decision of the Supreme Court of British Columbia to allow the District of Oak Bay to conduct a referendum on disarmament.

- (c) Mr. Henry D. Schnee, 3724 Cambridge Street, then addressed the members of Council and advised that he was speaking on behalf of the Burnaby Peace Committee and for the Secretary, Ms. Beverley G. Stone. Mr. Schnee further advised that he was the Treasurer of the Burnaby Peace Committee. The speaker stated that the question of peace is too important to ignore. Mr. Schnee urged Council to go on record as supporting a "yes" vote on the referendum, but further that each individual member of Council should encourage their political organizations to also support the "yes" vote.

B Y L A W S

CONSIDERATION AND THIRD READING:

#8066 4378 Halley Avenue

RZ #11/83

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN EMMOTT:

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

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 20, 1983'

#8066"

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

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

CARRIED
OPPOSED: ALDERMEN DRUMMOND,
LAWSON AND McLEAN

The Council reconvened.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

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

CARRIED
OPPOSED: ALDERMEN DRUMMOND,
LAWSON AND McLEAN

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 20, 1983' #8066

be now read a third time."

CARRIED
OPPOSED: ALDERMEN DRUMMOND,
LAWSON AND McLEAN

RECONSIDERATION AND FINAL ADOPTION:

#8067	4345 Hurst Street	RZ #13/83
#8070	4064 Brandon Street	RZ #17/83

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN EMMOTT:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 21, 1983' #8067

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 24, 1983' #8070

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

CARRIED
OPPOSED: ALDERMEN DRUMMOND,
LAWSON AND McLEAN

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 Municipal Manager's Report No. 62, 1983 October 17 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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- (a) Rick Bennett, Re: Bill 5 -
Proposed new Residential Tenancy Act

A letter dated 1983 October 04 was received whereby the writer provided a history of residential tenancy matters in the province, details regarding the proposed new Residential Tenancy Act, Bill 5, and concluded the letter by submitting three motions for Council's consideration.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN CONSTABLE:

"THAT Council adopt the motions contained in the item of correspondence dated 1983 October 04 from Mr. Richard L. Bennett as follows:

- "(1) WHEREAS the Office of the Rentalsman has offered quick and efficient redress to both landlords and tenants, be it therefore resolved that this Council urge the Provincial Government to reconsider its decision to eliminate the Office of the Rentalsman.
- (2) WHEREAS there may be some landlords in the province who would abuse the right to evict without cause, be it therefore resolved that this Council urge the Provincial Government to consider some form of appeal from eviction without cause.
- (3) WHEREAS there exist in Burnaby and British Columbia many people not able to bear sudden and dramatic increases in rent, be it therefore resolved that this Council urge the Provincial Government to reinstate rent review in the Residential Tenancy Act."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LAWSON:

"THAT the Municipal Solicitor be requested to comment on those points contained in this item of correspondence that pertain entirely to legal matters."

CARRIED UNANIMOUSLY

- (b) Union of British Columbia Municipalities,
Executive Director - Re: Bill 9 - Municipal
Act Amendment Act, 1983

A memorandum dated 1983 October 05 was received from the Executive Director of the Union of British Columbia Municipalities providing information respecting the Municipal Act Amendment Act, 1983 - Bill 9.

- (c) Greater Vancouver Regional District, Chairman,
G.V.R.D. Board of Directors, Re: Bill 9 -
The Municipal Amendment Act (1983)

A letter dated 1983 September 22 was received from the Chairman of the Greater Vancouver Regional District Board of Directors requesting that Council endorse the following resolution adopted by the Union of British Columbia Municipalities at its recent convention:

"WHEREAS the Government of British Columbia introduced Bill 9 - The Municipal Act (1983) in the Legislature on July 7, 1983;

AND WHEREAS this legislation would amend the Municipal Act by removing regional planning as a function of regional districts and making Official Settlement Plans optional;

AND WHEREAS the present provisions of the Municipal Act have permitted rural and resource communities to establish effective means for planning of electoral areas and for the solution of development problems in urban fringe areas;

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AND WHEREAS the same provisions have enabled communities in the Lower Mainland and capital regions to coordinate their development in cooperation with their neighbours in a cost-effective way with maximum local autonomy;

THEREFORE BE IT RESOLVED that Bill 9 - The Municipal Amendment Act (1983) is unacceptable and inappropriate to the needs of British Columbia's communities and that section 2 to 6 of Bill 9 should be withdrawn forthwith;

AND BE IT FURTHER RESOLVED the the Minister of Municipal Affairs be requested to meet with a Special Committee composed of Regional District Directors on the U.B.C.M. Executive and the Table Officers of the Union of B.C. Municipalities to determine acceptable and appropriate ways of improving planning legislation."

Item 5, Municipal Manager's Report No. 62, 1983 October 17 was brought forward for consideration at this time."

The Municipal Manager submitted a report from the Director Planning and Building Inspection written in response to the letter received from Mayor Ross, Chairman of the Greater Vancouver Regional Board of Directors, requesting that Council endorse a U.B.C.M. resolution passed at the U.B.C.M. convention which supports the need for regional planning, opposes the passage of Bill 9 in its present form and requests a meeting with the Minister of Municipal Affairs.

The Municipal Manager recommended:

- (1) THAT Council endorse the U.B.C.M. resolution passed at the U.B.C.M. convention and attached to the letter from Mayor Ross, Chairman of the Greater Vancouver Regional Board of Directors dated 1983 September 22.
- (2) THAT the Premier, the Minister of Municipal Affairs and the Burnaby Members of the Legislature be advised of Council's endorsement of the U.B.C.M. resolution.
- (3) THAT the Premier, the Minister of Municipal Affairs and Burnaby Members of the Legislature be forwarded a copy of the Manager's Report No. 50, Item 14, Council Meeting of 1983 July 25; and be advised of Council's adoption of the recommendations contained therein.

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

- (d) R.C. Lupton, Re: Traffic hazard at the
intersection of Portland Street and Sussex Avenue

A letter dated 1983 October 12 was received whereby the writer expressed his annoyance regarding the action taken by the Traffic Safety Committee with respect to an alleged traffic hazard at the intersection of Portland Street and Sussex Street, and further the writer was annoyed over the fact that a report from the Director Engineering dated 1983 September 30 was placed on the Council agenda for the Council Meeting to be held on 1983 October 11 without allowing the writer the opportunity to address the disputable aspects of this report. The writer attached the presentation which he intended to make to Council, as a delegation, at the Council Meeting held on 1983 October 11.

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN STUSIAK:

"THAT this item of correspondence be referred to the next meeting of the Traffic Safety Committee."

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

The Municipal Manager presented Report No. 62, 1983 October 17, on the matters listed following as Items 01 to 07, either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Demolition of fire damaged house
7368 - 15th Avenue

The Municipal Manager submitted a report from the Director Finance advising that on 1983 October 06, a corporation owned home at 7368 15th Avenue was extensively damaged by fire. The cause of the fire has been determined to be accidental. There is a policy that corporation rental houses are not insured against loss by fire because the costs are prohibitive, and they will be torn down when the project for which they were acquired goes ahead. The entire main level of the house is beyond repair and is in a hazardous condition. The Chief Building Inspector's survey report recommends demolition. Therefore, arrangements for a contractor to demolish the remainder of the building and clean up the property have been implemented.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

2. Quarterly Summary - Planning Applications
Third Quarter (July - September)

The Municipal Manager submitted a report from the Director Planning and Building Inspection attaching the Planning and Building Inspection Department's quarterly tabulation of the number of planning applications of various types which were initiated and concluded during the third quarter of 1983 (July 01 - September 30).

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

3. Strata Title Application #9/83
7549 Humphries Court
Lot 90, D.L. 29, Plan 51875

The 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 to strata title 72 residential units located within the two storey apartment project located at 7549 Humphries Court.

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The application must be processed as a strata title conversion since the building has been occupied since it was constructed.

The Municipal Manager recommended:

- (1) THAT Council grant strata title approval to the subject application subject to the following prerequisite conditions:
 - (a) The submission of five paper copies of the strata survey plans.
 - (b) Certification by a qualified engineer or architect that the building is structurally and mechanically sound.
 - (c) Certification from an independent health consultant that the units are free from any infestation.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

4. Request for a Building Permit and Siting Approval for a new house at 3722 Dominion Street Apartment Study Area "I", Community Plan 8

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that in situations where applications for redevelopment are made for properties which conflict with the municipality's community plans, it is the practice of the Planning and Building Inspection Department to report on any such applications to Council.

On 1983 September 28, a building permit application was made by the owner of the property at 3722 Dominion, to construct a new single family dwelling. In this case, it is concluded by staff that a permit for a new house could be issued.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN BROWN:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

5. Bill 9 - Memo dated 1983 September 22 from Mayor Don Ross, Chairman, G.V.R.D. Board of Directors

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

6. Traffic Implications of Church Development Central Administrative Area

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that arising out of its consideration of Rezoning Reference #46/83 Council requested that statistics relating to traffic in the area of this rezoning application be brought forward for Council's consideration.

Churches typically generate peak traffic demand on Sundays when traffic congestion due to travel demand exceeding road capacity is not an issue. In the Central Administrative Area, however, the concentration of church uses has apparently been perceived as a concern by the existing church because of potential localized traffic congestion.

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Our conclusion is that traffic congestion will not be an issue although coincident peaking of Sunday parking demand may result in some competition for on-street parking space. The issue of parking and congestion is further discussed in the report.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

7. Proposed Text Amendments
Burnaby Sign Bylaw, 1972

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that the text of the amendments to the Burnaby Sign Bylaw have now been received from the Municipal Solicitor's office, reflecting the intent of the various amendments as approved by Council. Additional clarifying adjustments and amendments to keep the bylaw current have been introduced only as housekeeping items where needed.

The amending bylaw is intended to be placed before Council for first, second and third readings at the regular Council Meeting to be held on 1983 October 31.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN NIKOLAI:

SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN STUSIAK:

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

MAYOR LEWARNE:

His Worship, Mayor Lewarne, advised that in response to a question from Alderman Drummond several weeks ago regarding the capacities on the King Edward/25th Avenue crosstown bus service, the matter was discussed by the Greater Vancouver Regional District Transit Committee on Thursday, 1983 October 13. The loads that the bus service along this route are carrying are in excess of capacity between 08:00 h and 09:30 h and the headway is being reduced from 15 minutes to ten minutes so that the capacity between 08:00 h and 08:30 h may be decreased from 80 passengers per load to 50

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passengers per load and the capacity between 08:30 h and 09:30 h maybe reduced from 70 passengers per load to approximately 47 passengers per load. This route is now running in a good competitive position with other crosstown routes.

The other matter which came up during the G.V.R.D. Transit Committee pertinent to Burnaby was the matter of some time adjustments that will affect service in the North Burnaby area. His Worship, Mayor Lewarne, advised that the whole area of North Burnaby is under review right now regarding proposed routing changes. This review has resulted from density changes in the area as the bus service has not been altered for the past twenty-five years.

His Worship, Mayor Lewarne, advised that he would provide Alderman Drummond with the route changes proposed for the North Burnaby area.

E N Q U I R I E S

ALDERMAN DRUMMOND:

Alderman Drummond enquired as to whether the letter had been sent to the Minister of Municipal Affairs respecting the motion adopted by Council at the Council Meeting held on 1983 October 11 in connection with the Property Tax Reform Act (No. 1) 1983 Bill 7, and further whether the Minister has replied to that letter.

In response to Alderman Drummond's enquiry, the Deputy Municipal Clerk, Mr. C.A. Turpin, advised that the letter had been sent to the Minister of Municipal Affairs, but a reply to that letter has not yet been received.

ALDERMAN McLEAN:

Alderman McLean enquired as to whether any action had been taken with respect to a matter he has referred to the Municipal Manager regarding an individual living in an automobile in the municipality for the past five years. Alderman McLean advised that he had more information respecting this matter.

His Worship, Mayor Lewarne, requested that Alderman McLean provide that additional information to the Municipal Manager.

MOVED BY ALDERMAN CONSTABLE:
SECONDED BY ALDERMAN NIKOLAI:

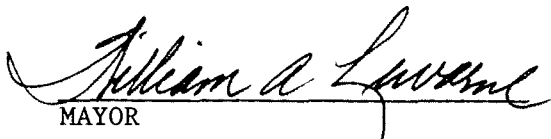
"THAT this regular Council Meeting do now adjourn."

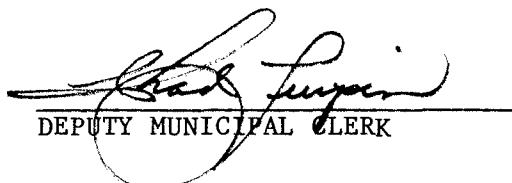
CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 19:37 h.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK