

1983 MAY 30

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 30, 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  
Mrs. M. Pasqua, Committee Secretary

M I N U T E S

The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1983 May 24 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 May 24 be now adopted."

CARRIED UNANIMOUSLY

P R O C L A M A T I O N

(a) His Worship, Mayor Lewarne, issued the following proclamation in recognition of "Daycare Week":

"NOW THEREFORE I, WILLIAM A. LEWARNE, MAYOR OF BURNABY, DO HEREBY PROCLAIM the week of Monday, 1983 June 06 to Sunday, 1983 June 11 as

'DAYCARE WEEK'"

B Y L A W S

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Development Cost Charges Reserve Fund Expenditure Bylaw 1983' #8062

'Burnaby Road Acquisition and Dedication Bylaw No. 1, 1983' #8063

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 Development Cost Charges Reserve Fund Expenditure Bylaw 1983'	#8062
'Burnaby Road Acquisition and Dedication Bylaw No. 1, 1983'	#8063

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND:  
SECONDED BY ALDERMAN CONSTABLE:

"THAT

'Burnaby Lease Authorization Bylaw No. 3, 1983'	#8060
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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 McLEAN:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 39, 1983 May 30 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Clef Society of Burnaby, Corresponding Secretary,  
Re: Thank you for very generous support given us in the past

A letter dated 1983 May 16 was received whereby the writer expressed appreciation for the generous support received in the past and hoped that in the future when the economy has changed for the better the Clef Society of Burnaby will have another opportunity to apply for financial assistance.

- (b) Touche Ross & Co., Chartered Accountants  
Re: Overexpenditures

A letter dated 1983 May 18 was received whereby the municipality's external auditors advised that Section 391(5) of the Municipal Act requires the auditor to report separately each disbursement, expenditure, liability, or other transaction lacking proper authority under an act, bylaw, or resolution.

Item 8, Municipal Manager's Report No. 39, 1983 May 30, pertaining to this subject was brought forward for consideration at this time.

1983 May 30

The Municipal Manager submitted a report from the Director Finance written in response to a letter received from Touche Ross & Co. concerning some budget items which were overspent during 1982. As pointed out by the auditors, there is no overexpenditure in total, but some line items are overexpended when actual results for the year are compared with the 1982 Recast Budget.

The Municipal Manager recommended:

- (1) THAT this report be received for information purposes.
- (2) THAT a copy be sent to the Inspector of Municipalities.

MOVED BY ALDERMAN CONSTABLE:  
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (c) East Burnaby Ratepayers' Association, President,  
Re: Suggest disarmament vote next municipal election

A letter dated 1983 May 17 was received whereby the writer advised that the following motion was passed 1983 March 29 by the Executive of the East Burnaby Ratepayers' Association:

"THAT the President of the East Burnaby Ratepayers' Association write to the Burnaby Council suggesting that a disarmament vote be included on the ballot for the next municipal election."

- (d) Hastings - Sunrise Citizens' Planning Committee, Chairwoman,  
Re: Cambridge Street to Cassiar Street access closure

A letter dated 1983 May 19 was received whereby the writer requested continuing support regarding the closure of the Cambridge Street access ramp onto Cassiar Street and requested Burnaby Council to reiterate their position directly to the Minister of Highways.

MOVED BY ALDERMAN CONSTABLE:  
SECONDED BY ALDERMAN EMMOTT:

"THAT Council reaffirm, by letter to the Minister of Transportation and Highways, the resolution passed by Council at the regular Council Meeting held on 1983 February 21 which reads:

'THAT Council indicate their concurrence with the concept of closing the westbound Cambridge Street to Cassiar/Second Narrows Bridge "on-ramp" as one of the measures that will reduce the commuter traffic flow through the Vancouver-Burnaby Heights neighbourhoods and request that Vancouver Council expedite a request to the Ministry of Transportation and Highways to implement the ramp closure.'

CARRIED

OPPOSED: ALDERMAN STUSIAK

#### R E P O R T S

MOVED BY ALDERMAN CONSTABLE:  
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (a) Alderman D.N. Brown, Chairman,  
Sign Bylaw Committee, Re: Review of Sign Bylaw

This item was dealt with later in the meeting in conjunction with Item 7, Municipal Manager's Report No. 39, 1983 May 30.

- (b) The Municipal Manager presented Report No. 39, 1983 May 30 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. Strata Title Application #5/82  
Lot B of 7 and 8, Block 35, D.L. 34, Plan 19977  
4274/76 Bond Street

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 an existing and occupied two family dwelling at 4274/76 Bond Street.

The Municipal Manager recommended:

- (1) THAT strata titling of 4274/76 Bond Street 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) The provision of two off-street parking spaces.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

2. Rezoning Reference #11/83  
Lot 54, D.L. 38, Plan 52707  
4378 Halley Avenue

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that notwithstanding the negative recommendation of the Planning and Building Inspection Department as outlined in the rezoning report considered on 1983 May 24, Council determined to advance the subject application to a Public Hearing. Pursuant to the policy of Council regarding the processing of rezoning applications, it is necessary to establish the prerequisite conditions of rezoning associated with the subject application and instruct that a bylaw be prepared and advanced accordingly.

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw to cover the above referenced rezoning application be prepared and advanced to first reading on 1983 June 06 and to a Public Hearing on 1983 June 21 at 19:30 h and that the following be established as prerequisites to the completion of rezoning:
- (a) The satisfaction of all necessary subdivision requirements.
  - (b) The submission of a Neighbourhood Parkland Acquisition Charge of \$933.00 per unit.

MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND  
AND LAWSON

3. Rezoning Reference #10/83  
Lot 40, Block 5, D.L. 28, Plan 24032  
7922 Twelfth Avenue

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that notwithstanding the negative recommendation of the Planning and Building Inspection Department as outlined in the rezoning report considered on 1983 May 24, Council determined to advance the subject application to a Public Hearing. Pursuant to the policy of Council regarding the processing of rezoning applications, it is necessary to establish the prerequisite conditions of rezoning associated with the subject application and instruct that a bylaw be prepared and advanced accordingly.

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw to cover the above referenced rezoning application be prepared and advanced to first reading on 1983 June 06 and to a Public Hearing on 1983 June 21 at 19:30 h and that the following be established as prerequisites to the completion of rezoning:
- (a) The satisfaction of all necessary subdivision requirements.
- (b) The submission of a Neighbourhood Parkland Acquisition Charge of \$933.00 per unit.

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN BROWN:

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND  
AND LAWSON

4. Rezoning Reference #29/82  
Lot 1, Block 2, D.L. 69, Plan 1558  
3754 Still Creek Street

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that on 1982 July 26, Council authorized that Rezoning Reference #29/82 be advanced to first reading on 1982 August 09 and to a Public Hearing on 1982 August 24. The report made reference to Road Closing Bylaw No. 2, 1977, which closed the existing 10 foot east-west lane allowance for future consolidation with adjacent properties in order to facilitate industrial development. Further, Council authorized the Legal and Lands Department to establish a price for the sale of the 10 foot lane allowance.

The Legal and Lands Department have provided a current market value of \$5.00 per square foot for the lane allowance. The applicant's concurrence, in writing, has been received to this amount.

The Municipal Manager recommended:

1983 May 30

- (1) THAT Council authorize the sale of the lane allowance adjacent to the above referenced property in the amount of \$5.00 per square foot subject to its consolidation with Lot 1.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

5. Rezoning Reference #17/83  
Lot 6, Blocks 27 & 28, D.L. 34, Plan 1355  
4064 Brandon Street

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that notwithstanding the negative recommendation of the Planning and Building Inspection Department as outlined in the rezoning report considered on 1983 May 24, Council determined to advance the subject application to a Public Hearing. Pursuant to the policy of Council regarding the processing of rezoning applications, it is necessary to establish the prerequisite conditions of rezoning associated with the subject application and instruct that a bylaw be prepared and advanced accordingly.

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw to cover the above referenced rezoning application be prepared and advanced to first reading on 1983 June 06 and to a Public Hearing on 1983 June 21 at 19:30 h and that the following be established as prerequisites to the completion of rezoning:
- (a) The satisfaction of all necessary subdivision requirements.
- (b) The submission of a Neighbourhood Parkland Acquisition Charge of \$933.00 per unit.

MOVED BY ALDERMAN CONSTABLE:

SECONDED BY ALDERMAN BROWN:

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND  
AND LAWSON

6. Rezoning Reference #22/83  
W. 75.62 Ft. of 4, Block 2, D.L. 206, Plan 22020  
6560 Union Street

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that notwithstanding the negative recommendation of the Planning and Building Inspection Department as outlined in the rezoning report considered on 1983 May 24, Council determined to advance the subject application to a Public Hearing. Pursuant to the policy of Council regarding the processing of rezoning applications, it is necessary to establish the prerequisite conditions of rezoning associated with the subject application and instruct that a bylaw be prepared and advanced accordingly.

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw to cover the above referenced rezoning application be prepared and advanced to first reading on 1983 June 06 and to a Public Hearing on 1983 June 21 at 19:30 h and that the following be established as prerequisites to the completion of rezoning:

- (a) The satisfaction of all necessary subdivision requirements.
- (b) The submission of a Neighbourhood Parkland Acquisition Charge of \$933.00 per unit.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND  
AND LAWSON

7. Burnaby Sign Bylaw Review  
Topics referred on 1983 April 25 for further report

The Municipal Manager submitted a report from the Director Planning and Building Inspection advising that in the review process, staff have sought to appreciate the point of view of the Chamber of Commerce and the sign industry, and have been able to recommend to Council that numerous amendments be made to the bylaw. In other cases, including several of the remaining seven items, the proposals have such serious negative ramifications with respect to the quality of the environment of the municipality that they must be firmly opposed.

The Municipal Manager recommended:

- (1) THAT the recommendations contained in Section 3.0 of this report be adopted.

At this point in the meeting the report of Alderman D.N. Brown, Chairman, Sign Bylaw Committee, was before Council for its consideration in conjunction with this item of the Manager's Report.

The Sign Bylaw Review Committee submitted a report advising that the Committee accepts the recommendations contained in Sections 3.0, 3.4, 3.5, 3.15 and 3.18 as contained in Item 7, Municipal Manager's Report No. 39, 1983 May 30. The Committee rejected the recommendations contained in Sections 3.12 and 3.17 of the subject report.

The Sign Bylaw Review Committee recommended:

- (1) THAT Sections 5.1(b) to 5.3(3) of the Burnaby Sign Bylaw be amended to provide that the support structure of a projecting sign shall not extend vertically more than 12 inches above the roof line or top of parapet, that the support structure be fully enclosed, and that the enclosure shall not be used for any message or display nor counted in the area measurement of the sign.
- (2) THAT Schedule 4, Section 1(2) of the Burnaby Sign Bylaw be amended to include "or projecting" as an additional permitted sign type in C2, C5, C6 and Industrial Districts M1, M2, M3, M5, M6 and M7.

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN LAWSON:

"THAT Item 7, Municipal Manager's Report No. 39, 1983 May 30 and the report of the Sign Bylaw Review Committee be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN CONSTABLE:

"THAT the recommendation contained in Section 3.3 of the report which reads as follows:

'THAT the Municipal Solicitor be authorized to prepare the appropriate text amendments to achieve the affect described in column (b) of the report'

be now adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN CONSTABLE:

"THAT the recommendation contained in Section 3.4 of the report which reads as follows:

'THAT the Municipal Solicitor be authorized to draft text amendments to define ICMS signs and to permit them as facia signs under Schedule V in the C3 District or in CD - based on C3, subject to a maximum height of 25 feet and a maximum area of 150 square feet'

be now adopted."

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT the recommendation contained in Section 3.4 of the report be amended to read as follows:

'THAT the Municipal Solicitor be authorized to draft text amendments to define ICMS signs and to permit them as facia signs under Schedule V in the C3, C4 and P2 Districts or in CD - based on C3, subject to a maximum height of 25 feet and a maximum area of 150 square feet.'

CARRIED

OPPOSED: ALDERMEN CONSTABLE,  
DRUMMOND AND LAWSON

A vote was then taken on the original motion as moved by Alderman Brown and seconded by Alderman Constable, "THAT the recommendation contained in Section 3.4 of the report which reads as follows: 'THAT the Municipal Solicitor be authorized to draft text amendments to define ICMS signs and to permit them as facia signs under Schedule V in the C3 District or in CD - based on C3, subject to a maximum height of 25 feet and a maximum area of 150 square feet' be adopted.", AS AMENDED, and same was CARRIED with Aldermen Constable, Drummond and Lawson OPPOSED.

MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN CONSTABLE:

"THAT the recommendation contained in Section 3.5 of the report which reads as follows:

'THAT the present definition of sign area be confirmed'

be now adopted."

CARRIED UNANIMOUSLY



MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN STUSIAK:

"THAT Sections 5.1(b) to 5.3(b) be amended to provide that the support structure of a projecting sign shall not extend vertically more than 12 inches above the roof line or top of parapet, that the support structure shall be fully enclosed, and that the enclosure shall not be used for any message or display nor counted in the area measurement of the sign."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN CONSTABLE:

"THAT the recommendation contained in Section 3.15 of the report which reads as follows:

'THAT the bylaw be amended to delete the M4 zone from Schedule III and insert it into Schedule IV'

be now adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN STUSIAK:

"THAT Schedule IV, Section 1(2) be amended to include 'or projecting' as an additional permitted sign type in C2, C5, C6 and Industrial Districts M1, M2, M3, M5, M6 and M7."

CARRIED

OPPOSED: ALDERMEN CONSTABLE,  
DRUMMOND AND LAWSON

MOVED BY ALDERMAN BROWN:  
SECONDED BY ALDERMAN STUSIAK:

"THAT the recommendation contained in Section 3.18 of the report which reads as follows:

'THAT the present provisions of the Sign Bylaw regulating the maximum number of freestanding signs per street frontage be confirmed.'

be now adopted."

CARRIED UNANIMOUSLY

8. Correspondence from Touche Ross & Co.

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

9. Sale of Lot 54, D.L. 70, Group 1, Plan 65869 N.W.D. to Her Majesty the Queen in Right of Canada

The Municipal Manager submitted a report from the Municipal Solicitor who advised that on 1983 March 07 Council authorized the sale of the above captioned land to Her Majesty the Queen in Right of Canada, subject to the caveat that Council could not bind itself in advance to rezone the land. The form of resolution accepting the offer to purchase which was forwarded to Public Works Canada does not comply with their requirements and Council has been requested to pass the resolution shown in the this report.

The Municipal Manager recommended:

- (1) THAT Council pass the attached resolution.
- (2) THAT a certified copy of the resolution be forwarded to the Vancouver Regional Officer of the Department of Justice Canada.

MOVED BY ALDERMAN CONSTABLE:  
SECONDED BY ALDERMAN STUSIAK:

"THAT Council authorize the transfer from The Corporation of the District of Burnaby to Her Majesty the Queen in Right of Canada of that certain parcel or tract of land situate, lying and being in the District of Burnaby, Province of British Columbia, more particularly known and described as: Lot 54, District Lot 70, Group 1, Plan 65869, New Westminster District, for the sum of \$740,520.00, as the said land is not required for municipal purposes, has not been reserved and has not been dedicated;

THAT the affixing of the Corporate Seal of the Corporation of the District of Burnaby by the Mayor and Clerk of the said Corporation to the Agreement of Purchase and Sale, the Land Transfer Form and any other documentation deemed necessary to effect the transfer of the said land from The Corporation of the District of Burnaby to Her Majesty the Queen in Right of Canada, is hereby authorized."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE:  
SECONDED BY ALDERMAN STUSIAK:

"THAT recommendation no. 2 of the 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 STUSIAK:  
SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

#### E N Q U I R I E S

ALDERMAN BROWN:

Alderman Brown enquired as to the possibility of completely closing off Broadway between Sperling and Kensington Avenues, and leaving an opening at the small triangle at Kensington Avenue because of complaints received regarding the problem of dust levels.

In response to Alderman Brown's enquiry, the Director Engineering advised that the contractor has been requested to take the necessary measures to reduce the dust level and that steps are being taken to remedy the traffic problem in the area.

ALDERMAN DRUMMOND:

Alderman Drummond enquired as to when the next issue of Information Burnaby would be printed. As a reminder to dog owners, Alderman Drummond requested that an article be placed in every spring edition of Information Burnaby concerning the rules and regulations regarding dogs in public places in Burnaby.

In response to Alderman Drummond's enquiry, the Municipal Manager advised that the 1983 spring edition of Information Burnaby has already been printed, but it will be possible to include such information in future spring issues of the newsletter.

Alderman Drummond further enquired as to whether or not S.P.C.A. vehicles are permitted to travel through municipal parks.

In response to Alderman Drummond's enquiry, the Municipal Manager advised that he was unsure of whether or not the animal control vehicles would be considered service vehicles and therefore permitted to travel on park pathways. The Municipal Manager advised that he would look into this matter and advise Alderman Drummond accordingly.

Alderman Drummond further enquired as to whether municipal staff were aware of the recent spillage of petroleum products into Still Creek.

In response to Alderman Drummond's enquiry, the Municipal Manager advised that to his knowledge no advice of this spillage has been communicated to municipal staff, but the matter will be looked into immediately.

ALDERMAN McLEAN:

Alderman McLean enquired as to whether or not accommodation reservations have been made for Council members attending the 1983 U.B.C.M. Convention in September.

In response to Alderman McLean's enquiry, His Worship, Mayor Lewarne, advised that the necessary reservations have been made for Council members attending the U.B.C.M. Convention.

ALDERMAN STUSIAK:

Alderman Stusiak enquired as to why the advertisement giving notice of the Public Hearing to be held on 1983 May 31 appeared twice in the editions of the Vancouver Sun on 1983 May 24.

In response to Alderman Stusiak's enquiry, the Deputy Municipal Clerk advised that he would look into this matter and report back to Alderman Stusiak.

MOVED BY ALDERMAN CONSTABLE:  
SECONDED BY ALDERMAN NIKOLAI:

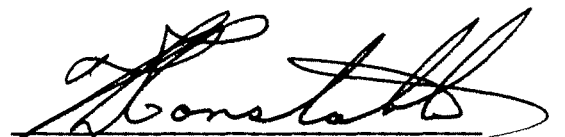
"THAT this regular Council Meeting do now adjourn."

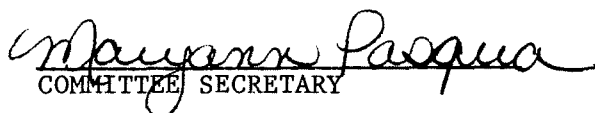
CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 19:35 h.

Confirmed:

Certified Correct:

  
ACTING MAYOR

  
COMMITTEE SECRETARY