

1985 JULY 29

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1985 July 29 at 7:00 p.m.

PRESENT: Mayor W.A. Lewarne (In the Chair)
Alderman D.N. Brown
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman D.A. Lawson (8:16 p.m.)
Alderman G.H.F. McLean
Alderman E. Nikolai
Alderman L.A. Rankin
Alderman V.V. Stusiak

STAFF: Mr. M.J. Shelley, Municipal Manager
Mr. J.E. Fleming, Director Administrative & Community Services
Mr. E.E. Olson, Director Engineering
Mr. H.B. Karras, Director Finance
Mr. A.L. Parr, Director Planning and Building Inspection
Mr. J.G. Plesha, Administrative Assistant to Manager
Mr. C.A. Turpin, Municipal Clerk
Mrs. M. Pasqua, Committee Secretary

M I N U T E S

- (a) The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1985 July 15 came forward for adoption.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN STUSIAK:

"THAT the minutes of the regular Council Meeting and Caucus Meeting 'In Camera' held on 1985 July 15 be now adopted."

CARRIED UNANIMOUSLY

- (b) The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1985 July 22 came forward for adoption.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN NIKOLAI:

"THAT the minutes of the regular Council Meeting and Caucus Meeting 'In Camera' held on 1985 July 22 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 regarding "Recycle Month"

"NOW THEREFORE I, William A. Lewarne, Mayor of Burnaby, join with other Lower Mainland Mayors and Regional District Chairmen in proclaiming the month of October as

'RECYCLE MONTH'

and encourage all citizens to actively participate in this worthwhile programme."

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Royal City Taxi Ltd, President,
1985 July 22,
Re: Burnaby Cab and Commercial
Vehicle Bylaw No. 3102
Speaker - Mr. Albert W. Basile
- (b) Burnaby Select Taxi Limited, President,
1985 July 23,
Re: Start up of new taxi service in
Burnaby
Speaker - Mr. Douglas Oldham
- (c) Realty World, Property Owner and Agent,
1985 July 24,
Re: Rezoning Application for 5031
Halifax Street - RZ #36/85
Speaker - Mr. Tony Verlaan

MOVED BY ALDERMAN BROWN:

SECONDED BY ALDERMAN NIKOLAI:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Albert W. Basile, 5451 Rawlins Crescent, Delta, read from a prepared brief submitted prior to this evening's Council Meeting, the text of which is as follows:

"Imperial Taxi Ltd. by its letter of May 28, 1985, to the Mayor and Council of the District Municipality of Burnaby, applied to have Burnaby Cab and Commercial Vehicle Bylaw No. 3102 amended 'to permit the licensing of fifteen (15) additional taxis.' Your Council has already heard submissions from Bonny's Taxi Ltd. (Allen G. Lacroix), and Bel-Air Taxi (1982) Ltd. The former argued against the amendment, whereas the latter supported the amendment in its self interest to get the necessary authority to service the Lougheed Mall. You have also tabled the Municipal Manager's recommendations regarding 'Taxi Cab Service'.

Imperial Taxi Ltd. is a wholly owned subsidiary of Royal City Taxi Ltd. Both of these companies are controlled by Duart S. MacLean and his son Gordon MacLean.

Duart S. MacLean has been in the taxi business since 1951; that is for thirty-four (34) years. Over this said time span he has seen many changes in the taxi industry of the lower mainland of this province. The most advanced development is the implementation of a fully automated computer dispatch by Royal City Taxi Ltd. The attached Schedule A lists the information available from the computer about each transaction serviced by Royal City Taxi Ltd.

Imperial Taxi Ltd., on February 11th, 1985, filed an Application for License to Operate a Limited Passenger with the Motor Carrier Commission; a copy of the application is attached hereto as Schedule B. The Commission, however, will not deliberate on the application until or unless the District of Burnaby amends its Burnaby Cab and Commercial Vehicle Bylaw No. 3102, to increase the number of taxi authorized to carry on business in Burnaby.

The Commission, I understand, has also received other taxi applications to serve Burnaby, which have received the same status as Imperial's.

Imperial Taxi Ltd. should like to submit that the Municipal Manager's recommendations regarding Taxi Cab Service should not be acted upon until after the requested amendment has been considered and voted upon by this Council. In support of this submission, Imperial Taxi Ltd. asserts the following answers to concerns expressed by this Council, and citizens and businesses in Burnaby.

- a) Imperial Taxi Ltd. believes in a local, neighbourhood taxi concept, which should come under municipal control. It does not intend, for example, to become licensed in Burnaby and then engage in an airport service. Royal City Taxi Ltd., it should be noted, does not have airport authority; it has never applied for airport authority, nor does it intend to apply for same. If Imperial Taxi Ltd. is licensed, it will remain a local taxi company, and will not apply to operate out of the airport.
- b) The history of taxi service in Burnaby shows that more than one taxi company has been licensed to operate within the municipality only to be swallowed up by Bonny's Taxi Ltd. The reason for the mergers has always been that Bonny's was the only company that could afford to maintain a dispatch office. Imperial Taxi Ltd. if licensed, intends to operate under the automated computer dispatch system of Royal City Taxi Ltd. The importance of this factor is that this Council has expressed the concern that in the past it licensed other taxi companies to provide competition, only to have them taken over by Bonny's. Imperial Taxi Ltd., by tying into Royal City's computerized dispatch system, will overcome the biggest obstacle to providing an independent competitor to Bonny's. It acknowledges that a fleet of fifteen (15) cars cannot survive by itself, but by tying into Royal City Taxi Ltd.'s computerized dispatch system the business become viable. In further answer to this concern, Imperial Taxi Ltd. is prepared to accept licensing of the fifteen (15) taxis upon the condition that the licenses shall not be transferable without the consent of the District of Burnaby and the Motor Carrier Commission. Imperial Taxi Ltd. is interested in going into the taxi business; it is not in the business of selling taxi licenses. It costs approximately \$15,000.00 per car to get on the road, which for fifteen (15) cars represents an investment of \$225,000.00.
- c) The citizens and businesses of Burnaby that have given support for Imperial's application, almost without exception, expressed the need for the licensing of a competitor to Bonny's Taxi Ltd. Imperial Taxi Ltd. believes that there is a need for a viable competitor. The experience on the North Shore with licensing of Sunshine Cabs Ltd. has demonstrated that competition does benefit the community, by creating a marked improvement in service to the public. A company that has a monopoly such as Bonny's, has a difficult task to motivate its employees to provide exemplary service. The threat of competition, to illustrate, has made Bonny's improve its service considerably in the last few months.

Imperial Taxi is of the view that the growth and maturity of Burnaby from a bedroom community of Vancouver to a competitor of that city, should not go unnoticed. The development, for example, of major shopping malls, Metrotown, and the ALRT, all demand more diversified ground transportation systems to service them.

Imperial Taxi Ltd. welcomes the arrival of ALRT. It views the advent of ALRT as good news for the taxi industry as a whole. When one studies taxi usage across North America, one sees that, almost invariably, cities with a commuter train system have very high taxi usage.

- d) Imperial Taxi Ltd. has the expertise to deal with the problems of transporting disabled persons. Mr. Duart MacLean has operated the North Shore Handy-Dart for the past five (5) years. Royal City Taxi Ltd. has had, for the same length of time, an agreement with B.C. Transit which provides for transportation of approximately 11,000 handicapped persons annually. Imperial Taxi Ltd. is prepared to operate a vehicle, at a loss, to provide specialized service to the disabled.

- e) This Council expressed the concern that if Bel-Air Taxi Ltd. is licenced to serve Burnaby, would it object to Bonny's serving Coquitlam. Imperial Taxi Ltd. is applying to operate fifteen (15) vehicles in Burnaby in competition to Bonny's. These fifteen (15) taxi licences, if granted, would represent about 20% of the expanded ninety-two (92) taxi licences issued in Burnaby. Royal City Taxi Ltd., which has thirty-three (33) licences in New Westminster, is in competition with Queen City Taxi Ltd., which is owned by Bonny's Taxi Ltd. Queen City Taxi has eight (8) licences in New Westminster, which represents about 20% of the forty-one (41) taxi licences issued by New Westminster.
- f) Imperial Taxi Ltd. has in its possession a report prepared by Multisystems, the Consulting Division of Multiplications Inc., titled 'Decontrol and Recontrol: Atlanta's Experience with Taxi Regulations'. This document may be of some use to the District of Burnaby.
- g) Imperial Taxi Ltd. commissioned a taxi survey to be done in Burnaby. The survey will be provided to this Council, upon the condition that it be used for internal use only, and that it is not to be given to other taxi companies. The purpose of the survey was to ascertain if Burnaby's taxi users are satisfied with the existing service, and to get an indication of whether or not there is an untapped taxi market in Burnaby.

The survey which is made up of 505 responses revealed that only 30% of those questioned use taxis. Of this 30%, 65% said they were satisfied with the existing service, and that 32% responded that they were dissatisfied. The 505 responses indicated that 54% of them would use taxis more often if an additional well run taxi company were licenced.

- h) The Municipal Manager's recommendation is that the licensing of taxis be referred to the GVRD and the Motor Carrier Commission to have the whole issue of regional licensing considered. The Commission has already held a forum and rendered its report on this matter; it also, on July 4, 1985, published that it will accept applications from taxi licence holders to add 'or vice versa (a) for charge customers only, or (b) when firm arrangements have been made beforehand.' A copy of the Commission's said publication is attached hereto as Schedule C.

The whole concept of regional licensing is very complex, and would, in all probability, necessitate amendments to the Municipal Act and Vancouver City Charter. One only has to ask the question whether or not the City of Vancouver will go along with regional licensing to understand how difficult it will be to institute regional licensing.

- i) Imperial Taxi Ltd. submits the immediate concern of the District of Burnaby should be to its citizens and businesses, which have expressed the need for licensing of a competitor to Bonny's Taxi Ltd. Attached to this brief, as Schedule D, is a list of ratios of persons per taxi for the areas arounds Burnaby. If the District of Burnaby licences the fifteen (15) cabs of Imperial Taxi Ltd., the ratio will be one (1) taxi per 1,536.63 persons, which would still be less than the GVRD average of one (1) taxi per 1,316.02 persons.

Imperial Taxi Ltd. affirms its requests that the Burnaby Cab and Commercial Vehicle Bylaw No. 3102 be amended to increase the number of taxi licences from seventy-seven (77) to ninety-two (92). It submits that if the bylaw is amended, that the public interest would best be served by issuing of the fifteen (15) new licences to Imperial Taxi Ltd. If, however, this Council feels that it does not want to be placed in a position where it must choose between competing taxi companies for the new licences, it is respectfully submitted that the matter be left with the Motor Carrier Commission to determine which company should be issued the new licences."

NOTE: A copy of the foregoing brief and attachments thereto is on file in the Municipal Clerk's Office.

- (b) Mr. Douglas Oldham, President of Burnaby Select Taxi Ltd., 109 - 2544 Douglas Road, addressed the members of Council regarding the proposed establishment of a new taxi service in the municipality. The text of the delegation's presentation is as follows:

"I was born and raised in Vancouver East and maintained honours standing throughout my education; I have trained and instructed military radio operating and driving. I have been driving taxi for the last 13 years in the Lower Mainland. In Burnaby I have been driving taxi for the last seven years without receiving a single driving infraction. I am proud to announce the start up of Burnaby Select Taxi Ltd., August 1st, 1985. My goal is to create a select fleet of taxis to service Burnaby with an emphasis on customer safety and satisfaction. I feel that as the owner of a small fleet of taxis I can personally maintain and guarantee the high level of safety and service that I demand of my taxis and drivers. I have been greatly encouraged by the public response to my concept of a small personal fleet with a high standard of operation. I have not encountered a single negative response. I have utilized the latest technology in radio/telephone communications to keep my overhead costs low and my efficiency high. Standardization of equipment has been and will continue to be an effective means to control cost efficiency and maintain safety standards.

Presently, the startup fleet of Burnaby Select Taxi Ltd. is limited to one taxi licence which Douglas Oldham Ventures Ltd. is transferring to Burnaby Select Taxi Ltd. There is also the future possibility of the transfer of two vehicles and licences of Douglas Oldham Enterprises to Burnaby Select Taxi Ltd. In addition to these vehicles and licences, Burnaby Select Taxi Ltd. has two cars propaned and ready for taxi service immediately if so licenced. Burnaby Select Taxi Ltd. is also negotiating the acquisition of already licenced Burnaby taxis. However, for the immediate present Burnaby Select Taxi is limited to one licenced taxi; therefore, in order to provide proper servicing of its customers, Burnaby Select Taxi is requesting the honourable Mayor and Council of Burnaby to permit the licensing of an additional seven taxi licences to Burnaby Select Taxi Ltd.

I would like to point out that according to the latest Manager's report it would be necessary to licence an additional four taxis to maintain the same ratio of taxis per population as in 1977 when there were 77 taxis; however, I feel that this is somewhat inaccurate as it was not mentioned that in 1977 all 77 licences serviced Burnaby and only Burnaby whereas the situation has now changed somewhat with virtually all of Burnaby's taxis holding airport licences, as was not the case in 1977. Therefore, at any given time one can witness numerous Burnaby taxis waiting at the airport for long periods of time. When the number of taxis en route to and from the airport is considered one can see that the ratio of cabs to service the population of Burnaby has greatly decreased; therefore, Burnaby Select Taxi feels that when this is tempered with the present economic situation, the licensing of seven additional licences is a conservative estimate for the number of cabs needed to upgrade Burnaby taxi service.

I would like to also mention that present drivers who are not driving for me as Burnaby Select Taxi but under Douglas Oldham Enterprises and/or Douglas Oldham Ventures have been driving in Burnaby as taxi drivers for 15 years. I might also mention that as I have been an owner/operator in Bonny's Taxi for the last two and one half years I have encountered no difficulties within the company and I have also witnessed an upgrade of Bonny's Taxi. I feel that Burnaby Select Taxi Ltd. will be a further impetus and constant stimulus in keeping the service to the high level which I personally wish for my company.

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As the matter of handicapped vehicles goes, I have been in discussion with Bonny's management and they informed that they are desirous of acquiring handicapped vehicles and they will be either using their existing licensing or perhaps if there are other licences available they will be taking care of the handicapped transportation, as it is recommended that 3 to 5% of the fleet's vehicles be for the handicapped. With my small fleet it wouldn't be feasible so I would leave the handicapped servicing to Bonny's Taxi.

I do feel, both as representative of Burnaby Select Taxi, a small Burnaby fleet, and a Bonny's shareholder that the licencing of a large fleet of taxi would be detrimental to Burnaby's taxi service in an economical sense. I have been and will continue to work very cooperatively with the present large fleet which is servicing Burnaby, Bonny's Taxi, and that is an integral part of my operation to work cooperatively with the other taxi companies in servicing the public. In summation I would like to repeat my steadfast desire to create this company and expand and grow. Friendly competition is my mandate as well as service and safety."

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT Items 20 and 21, Municipal Manager's Report No. 51, 1985 July 29 be now brought forward for consideration at this time."

CARRIED UNANIMOUSLY

20. Taxicab Service

The Municipal Manager submitted a report from the Director Finance written in response to further information requested by Council at its regular Council Meeting held on 1985 July 15 regarding the situation with respect to taxi licences in other major jurisdictions. The report lists studies and articles dealing with the taxicab industry in other parts of North America, copies of which are available for Council in the office of the Director Finance. The report advises that the majority of Canadian jurisdictions control the number of taxis either at the local government or provincial level, or both. The report provides details of the role of the Motor Carrier Commission, noting that the Commission controls or monitors fares/rates, safety, cleanliness and driver attitude.

A recent directive of the Motor Carrier Commission allows taxicab companies to make application to the MCC to expand service to the public in areas outside their normal jurisdictions. The report concludes with advice that progress in examining the issue of a regional taxi service by the GVRD and MCC, will be subject of a report to be presented to Council early in 1986. The report will include an overview of the effect on the taxi industry of the MCC's 1985 July 04 decision to allow taxis a wider range of pickup.

The Municipal Manager recommended:

- (1) THAT the 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

21. Taxicab Service: Role in Transporting the Handicapped

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to a Council enquiry regarding the potential role of taxicab service in transporting the handicapped/disabled. The report advises that the existing HandiDART and taxicab services provide for many of the essential trip needs of the disabled in Burnaby. The report also suggests that provision of taxicabs which meet the accessibility requirements of wheelchair users would be a positive addition to the overall transportation services in Burnaby and would serve to provide mobility opportunities which would otherwise be limited.

The Municipal Manager recommended:

- (1) THAT Council approve in principle that taxicabs with accessibility for wheelchair passengers be provided as part of the taxicab service in Burnaby.
- (2) THAT Council, when considering additional taxicab licences or a change in policy regarding existing licences, consider requiring that 3 - 5% of the taxicab licences issued in Burnaby, or serving Burnaby, be wheelchair accessible, and
- (3) THAT Council present this position to the Motor Carrier Commission (MCC) and the Greater Vancouver Regional District.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

- (c) Mr. Tony Verlaan introduced Mr. James R. Liddle, 5031 Halifax Street, who addressed the members of Council regarding his rezoning application for the subject property. The text of Mr. Liddle's submission is as follows:

"I am here tonight to make a submission in support of our request for the rezoning and subdivision of our present property, a matter which is of great importance to us as we seek to implement some of our plans for my retirement years which will be beginning, incidentally, at the end of August. I want, first of all, to express my appreciation for the opportunity of appearing before you to speak about our application. I want also to voice my appreciation to the staff of the Planning Department for their efforts on our behalf in seeking a way to rationalize their bringing this matter forward for your consideration. A technicality arising out of Burnaby's change to the metric system might have otherwise made it inappropriate for them to even process our application. I am also pleased that the Planning Department's report to Council last week supports our proposal and recommends its approval by Council subject to satisfactory resolution of the problem created by that technicality.

Notwithstanding the sincerity of my appreciation for the things that have been done thus far to facilitate our request, I find it extremely frustrating that such a technicality should threaten the approval of plans which otherwise appear to have the support of all concerned, including all of our immediate neighbours who signed the petition of support which was attached to our original application. In a society where regulations surely are intended to serve people not to enslave them it seems to me with all due respect to be totally absurd that two proposed lots which only a short time ago would have complied in every respect with R3 requirements for area and width should now be unacceptable only because of the rounded off figures adopted to more conveniently describe their dimensions in metric terms. The resultant increase in minimum area, incidentally, is less than half of 1% of the total lot size.

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I understand that at last week's Council Meeting someone asked if there were not discretionary powers available to approve such a minimal shortfall and was answered that some discretion was permitted with regard to lot width but none to area. I find this answer difficult to understand since the fifth and sixth houses east of our property are built on lots that, according to my understanding, were below even the imperial minimum requirements for both width and area for R3 zoning at the time of their subdivision. These lots were created by subdivision in April of 1977 and at that time it is my understanding that the minimum requirements for that area of rezoning was that they should have 60 feet by 120 feet with a 7,200 square foot minimum requirement of area. As it is they wound up with frontage of 59.81 feet for an area of 7,177 square feet which makes them as I see it just approximately the same amount short of area that our two proposed lots are at the moment. I wouldn't be surprised if we translated the base figures for those zonings into metric terms that maybe they are short by about the same amount exactly.

I really only request the exercise of the same discretionary authority in our situation as apparently was used in the subdivision of this neighbouring property. I would like to believe that I could safely rest my case at this point, confident that the same kind of favourable consideration already given to property in the same block surely cannot be denied to a couple who have paid their dues in Burnaby for such a long period of time, not only as taxpayers but as good neighbours and good citizens. Both of us are actively involved both in supportive and leadership roles in the church, school and community activities of our neighbourhood. However, if it should be your final judgement, and I certainly don't think it ought to be, that our application can only be approved if we acquire those few extra inches of land, then at least don't make its availability contingent upon Council's willingness to approve a permanent road closure and cul-de-sac construction. This should be a completely separate issue and might quite possibly be an extremely controversial one. I believe that the present traffic barrier is filling a real and continuing need but I can understand and respect some Councillors' feelings that it is still premature to make such an arrangement permanent. Rather, allow us to acquire from the municipality, hopefully at minimal or perhaps even at no cost, the few extra inches of footage required to create the necessary extra area. If at sometime in the future those few inches are needed again for a cul-de-sac or perhaps to even reopen the street to through traffic it should be a simple matter to annex the equivalent amount of land from the undeveloped park area across the street."

B Y L A W S

FIRST READINGS:

#8400	5945 Kathleen Avenue	RZ #86/83A
#8401	7160 Kitchener Street	RZ #35/85
#8402	5031 Halifax Street	RZ #36/85
#8403	4630 Bond Street	RZ #37/85
#8404	6979 East Hastings Street	RZ #38/85
#8405	4425 Halifax Street	RZ #39/85
#8406	5438 Manor Street	RZ #40/85
#8407	2251 Douglas Road	RZ #41/85
#8408	4330 Hurst Street	RZ #42/85
#8409	6668 Dufferin Avenue	RZ #44/85
#8410	7922 Twelfth Avenue	RZ #47/85
#8411	5058 Sidley Street	RZ #48/85
#8412	6699 Laurel Street and 2999 Sperling Avenue	RZ #49/85

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MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 40, 1985'	#8400
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1985'	#8401
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 1985'	#8402
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 1985'	#8403
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 44, 1985'	#8404
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 1985'	#8405
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 46, 1985'	#8406
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 1985'	#8407
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 48, 1985'	#8408
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 49, 1985'	#8409
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 50, 1985'	#8410
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 51, 1985'	#8411
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 52, 1985'	#8412

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 NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED

OPPOSED: ALDERMEN BROWN AND
McLEAN TO BYLAW #8401
ALDERMEN DRUMMOND AND
McLEAN TO BYLAW #8403
ALDERMEN DRUMMOND AND
RANKIN TO BYLAW #8404
ALDERMAN McLEAN TO
BYLAW #8408

The Council reconvened.

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED

OPPOSED: ALDERMEN BROWN AND
McLEAN TO BYLAW #8401
ALDERMEN DRUMMOND AND
McLEAN TO BYLAW #8403
ALDERMEN DRUMMOND AND
RANKIN TO BYLAW #8404
ALDERMAN McLEAN TO
BYLAW #8408

1985 July 29

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 40, 1985'	#8400
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1985'	#8401
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 1985'	#8402
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 43, 1985'	#8403
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 44, 1985'	#8404
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 45, 1985'	#8405
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 46, 1985'	#8406
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 1985'	#8407
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 48, 1985'	#8408
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 49, 1985'	#8409
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 50, 1985'	#8410
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 51, 1985'	#8411
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 52, 1985'	#8412

be now read a first time."

CARRIED

OPPOSED: ALDERMEN BROWN AND
McLEAN TO BYLAW #8401
ALDERMEN DRUMMOND AND
McLEAN TO BYLAW #8403
ALDERMEN DRUMMOND AND
RANKIN TO BYLAW #8404
ALDERMAN McLEAN TO
BYLAW #8408

CONSIDERATION AND THIRD READING:

#8333 3185 Willingdon Avenue

RZ #43/84A

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

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

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 1985' #8333."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

The Council reconvened.

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MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 1985' #8333

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

Item 4.(o) being, "Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 9, 1985", Bylaw No. 8336 was WITHDRAWN prior to this evening's Council Meeting.

#8379 Text Amendment - Recreational Vehicle Park

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 38, 1985' #8379

'Burnaby Recreational Vehicle Park Bylaw 1985' #8380

'Burnaby Taxation Exemption Bylaw No. 1, 1985' #8386

'Burnaby Taxation Exemption Bylaw No. 2, 1985' #8387

'Burnaby Taxation Exemption Bylaw No. 3, 1985' #8388

'Burnaby Taxation Exemption Bylaw No. 4, 1985' #8389

'Burnaby Taxation Exemption Bylaw No. 5, 1985' #8390

'Burnaby Taxation Exemption Bylaw No. 6, 1985' #8391

'Burnaby Taxation Exemption Bylaw No. 7, 1985' #8392

'Burnaby Taxation Exemption Bylaw No. 8, 1985' #8393

'Burnaby Taxation Exemption Bylaw No. 9, 1985' #8394

'Burnaby Taxation Exemption Bylaw No. 10, 1985' #8398

'Burnaby Street and Traffic Bylaw 1961, Amendment
Bylaw No. 1, 1985' #8399

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND AND
AND RANKIN TO BYLAWS
#8379 AND #8380

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 51, 1985 July 29 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Union of British Columbia
Municipalities, Mayor M.B. Couvelier,
1985 July 05,
Re: Local Government Liability.

A memorandum dated 1985 July 05 was received from U.B.C.M. President Mayor M.B. Couvelier regarding a comprehensive, three part program undertaken by the U.B.C.M. to deal with local government liability.

Item 25, Municipal Manager's Report No. 51, 1985 July 29 was brought forward for consideration at this time.

25. Letter from Union of British Columbia Municipalities,
313 Sixth Street, New Westminster, B.C., V3L 3A7
Local Government Liability

The Municipal Manager submitted a report from the Director Finance written in response to correspondence received from the U.B.C.M. concerning local government liability insurance. The report concludes with advice that changes occurring in the liability insurance market present very serious implications for Burnaby. As a result of probable increases in costs and more restrictive coverage availability, it was suggested that the creation of an insurance pool for B.C. municipalities by U.B.C.M. should be supported fully. It was suggested that legislative changes were needed to discourage and/or eliminate claims being made against municipalities and to provide local government some of the protection which the Provincial Government provides itself, its corporations, its officers and employees.

The Municipal Manager recommended:

- (1) THAT the Ministry of Municipal Affairs be requested to examine the issue of municipal liability, with a view to introducing legislation that would provide a greater degree of protection to local governments; and
- (2) THAT for information purposes a copy of this report be forwarded to:
 - . The Attorney General for the Province of British Columbia
 - . Rosemary Brown, MLA, Burnaby-Edmonds
 - . Eileen Dailly, MLA, Burnaby-North
 - . Elwood Veitch, MLA, Burnaby-Willington
 - . Union of British Columbia Municipalities

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT Recommendation No. 1 of the motion as moved by Alderman Drummond and seconded by Alderman Brown, being;

- '(1) THAT the Ministry of Municipal Affairs be requested to examine the issue of municipal liability, with a view to introducing legislation that would provide a greater degree of protection to local governments; and',

be **AMENDED** as follows:

- '(1) THAT the Ministry of Municipal Affairs be requested to immediately examine the issue of municipal liability, with a view to introducing legislation that would provide a safeguard for the protection of local government and elected officials; and'."

Alderman Lawson entered the Council Chamber at 8:16 p.m. and took her place at the Council Table.

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Alderman Drummond and seconded by Alderman Brown, **AS AMENDED** and same was **CARRIED UNANIMOUSLY**.

- (b) Federation of Canadian Municipalities,
President, 1985 July 03,
Re: Resource Centre for Municipal
Economic Development.

A letter dated 1985 July 03 was received from the Federation of Canadian Municipalities advising of the creation of inventory of economic development from member municipalities. The letter requests that profiles be forwarded to the F.C.M. as a base for developing a manual for municipalities that do not currently have them. It was also suggested that the manual may assist in proving the effectiveness of existing profiles.

Item 03, Municipal Manager's Report No. 51, 1985 July 29 was brought forward for consideration at this time.

3. Letter from Alderman Ron Cromwell, President,
Federation of Canadian Municipalities, Halifax,
Nova Scotia - Request for Economic Development
Materials from the Federation of Canadian
Municipalities

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to the request for economic development materials from the Federation of Canadian Municipalities. The report provides a response to the F.C.M. with reference being made to current work which is relevant to the request, together with notice that the subject materials will be forwarded to the F.C.M. as they become available. The report advises that requests will be made to the F.C.M. to keep the municipality informed as to the result of their survey and the operation of their resource centre.

The Municipal Manager recommended:

- (1) THAT a copy of the report be forwarded to Mr. John Hastings,
Director, Municipal Economic Development Program, Federation of
Canadian Municipalities.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

- (c) J.G. Baillie, 1985 July 11,
Re: Proposed Garbage Incinerator
Site.

A letter dated 1985 July 11 was received from J.G. Baillie, submitted on behalf of a number of homeowners located in the writer's immediate neighbourhood who are opposed proposed expansion of the G.V.R.D. refuse incinerator. The letter urges Council to not approve any further expansion of the incinerator or to delay decision until such time as the proper public meeting has been afforded to discuss the proposal.

- (d) Mark Lupton, 1985 July 12,
Re: Ban on Outdoor Burning.

A letter dated 1985 July 12 was submitted from Mr. Mark Lupton in which the writer expressed his opposition to outdoor burning in the municipality.

- (e) H.S. & H. Sangha, 1985 July 11,
Re: Elimination of weekend burning.

A letter dated 1985 July 11 was received from H.S. & H. Sangha expressing opposition to outdoor burning in the municipality.

- (f) Svend J. Robinson, M.P., Burnaby,
1985 July 09,
Re: 1986 Census Dwelling Classifications.

A letter dated 1985 July 09 was received from Mr. Svend J. Robinson, M.P. enclosing a copy of a letter recently sent to the Minister of Supply and Services in response to the municipality's concern about the proposed reduction in the number of 1986 Census Dwelling Classifications from nine to four. Mr. Robinson advises of his strong support for the municipality's position and notes that he will attempt to persuade the Minister to reconsider his decision.

- (g) Dogwood Lodges Intermediate Care,
Administrator, 1985 July 12,
Re: Bonny's Taxi service to Dogwood
Lodge.

A letter dated 1985 July 12 was received expressing support for Bonny's Taxi service to Dogwood Lodge at 3755 Willingdon Avenue. The letter advises that for the past several years, the Lodge has experienced no difficulty arising from the existing service provided largely by Bonny's Taxi Service.

- (h) Harry L. and Suzanne Penn, 1985 July 11,
Re: Council consideration of reinstating
burning weekends.

A letter dated 1985 July 11 was received from Harry L. and Suzanne Penn expressing concern at Council's proposed reconsideration of outdoor burning within the municipality.

- (i) Federation of Canadian Municipalities,
President, 1985 July 09,
Re: Municipal Infrastructure - What
You Can Do.

A letter dated 1985 July 09 was received from the Federation of Canadian Municipalities providing copies of reports for members of Council regarding Municipal Infrastructure. The correspondence advises that the F.C.M. has been seeking Federal and Provincial commitment to a long term funding program on a cost sharing basis in order to ameliorate the critical situation in updating municipal roads, bridges, sewer and water systems. The letter further advises how municipalities may assist in this effort to persuade the Federal and Provincial Governments and the public that national economic recovery is dependent upon sound municipal infrastructure.

Item 32, Municipal Manager's Report No. 51, 1985 July 29 was brought forward for consideration at this time.

32. Letter from Alderman Ron Cromwell, President
Federation of Canadian Municipalities,
Halifax, Nova Scotia,
Municipal Infrastructure - FCM

The Municipal Manager submitted a report from the Director Engineering written in response to correspondence received from the Federation of Canadian Municipalities regarding Municipal Infrastructure. The report advises that although measures outlined in the correspondence are worthy of support, staff will require additional facts to determine a more accurate figure for the total magnitude of the problem and in ascertaining some indication of priority needs by different regional areas of the country. The report suggests that the highest priority in the municipality is road pavement replacement management and the computer system is being used to compile the physical condition inventory. The report concludes that, as further progress is made on the assessment of Burnaby's infrastructure condition, it will become possible to meet the request of the F.C.M. for more specific examples of local infrastructure problems.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to Federation of Canadian Municipalities, 1318 - 112 Kent Street, Ottawa, Ontario, K1P 5P2.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

- (j) Barrie and Sian Sime, 1985 July 17,
Re: Dwelling to be constructed at
7080 Gray Avenue.

A letter dated 1985 July 17 was received from Barrie and Sian Sime in which the writers express their concerns regarding the pending plans for a dwelling to be constructed at 7080 Gray Avenue. The writers also submitted a petition consisting of thirty (30) signatures of residents of Gray Avenue expressing opposition to the subject construction.

Item 04, Municipal Manager's Report No. 51, 1985 July 29 was brought forward for consideration at this time.

4. Letter from B. & S. Sime, 7068 Gray Avenue,
Burnaby, B.C., V5J 3Y8 - Petition regarding
Proposed Single Family Dwelling at 7080 Gray
Avenue, Burnaby - Lot 6, Blk. 9, D.L. 99, Plan 1490

The Municipal Manager submitted a report from the Director Planning and Building Inspection written in response to the correspondence and petition received in connection with proposed construction of the single family dwelling at 7080 Gray Avenue. The report advises that the proposed new building complies with the requirements of the Burnaby Zoning Bylaw and, unless Council advised to the contrary, a Planning and Building Permit will be issued once the necessary documentation has been completed.

The Municipal Manager recommended:

- (1) THAT the report be received for information purposes.
(2) THAT a copy of the report be sent to B. and S. Sime, 7068 Gray Avenue, Burnaby, B.C., V5J 3Y8.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (k) Province of British Columbia,
Ministry of Municipal Affairs,
Minister, 1985 July 15,
Re: Sewerage Assistance Payment
for 1985 pursuant to Part XI
of the Revenue Sharing Act
Regulations.
-

A letter dated 1985 July 15 was received enclosing a Province of British Columbia cheque in the amount of \$88,468.11 which represents the initial Sewerage Assistance payment for 1985 pursuant to Part XI of the Revenue Sharing Act Regulations.

- (l) Tom and Viv Jarvie, 1985 July 18,
Re: Protest to outdoor burning.

A letter dated 1985 July 18 was received from Tom and Viv Jarvie in which the writers protest outdoor burning in the municipality.

- (m) C.W. Bressler, 1985 July 18,
Re: Street Signs - Patterson/
Willingdon Extension - Imperial
Intersection.
-

A letter dated 1985 July 18 was received from C.W. Bressler with respect to street signs at the Patterson/Willingdon Extension and Imperial intersection.

His Worship, Mayor Lewarne, advised that the Director Engineering is preparing a report in response to this item of correspondence to be submitted to the next regular meeting of Council to be held on 1985 August 12.

- (n) Greater Vancouver Regional District,
Chairman, 1985 July 17,
Re: 1985 October - Recycle Month.

A letter dated 1985 July 17 was received from the Chairman of the Greater Vancouver Regional District requesting that Council join with the Regional District in officially proclaiming October as "Recycle Month".

His Worship, Mayor Lewarne, acceded to this request earlier during this evening's meeting by declaring the month of October as "Recycle Month" in the Municipality of Burnaby (See Item 2.(a) under Proclamations).

- (o) West Coast Landscape Materials Ltd.
1985 June 26,
Re: Request amendment to Burnaby Zoning
Bylaw 1965, Bylaw No. 4742 - Section
3 - Outdoor Garden Shop.
-

A letter dated 1985 June 26 was received from Westcoast Landscape Materials Ltd. requesting an amendment to the Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 28, 1966. The requested amendment would make provision for an "outdoor garden shop" for retailing of hard landscape materials and the products necessary for the establishment of a residential garden.

His Worship, Mayor Lewarne, advised that the Director Planning and Building Inspection is preparing a report in response to this item of correspondence to be submitted to the next regular meeting of Council to be held on 1985 August 12.

- (p) Mrs. Elizabeth Elwood, 1985 July 21,
Re: Proposed expenditure for new
library facilities, expansion
of Burnaby Village Museum and
Parks and Recreation projects.

A letter dated 1985 July 21 was received from Mrs. Elizabeth Elwood regarding proposed expenditures for new library facilities, expansion of the Burnaby Village Museum and Parks and Recreation projects.

Item 24, Municipal Manager's Report No. 51, 1985 July 29 was brought forward for consideration at this time.

24. Letter from Mrs. Elizabeth Elwood, 8134 -
14th Avenue, Burnaby, B.C., V3N 2B8
George Leaf Park & Cameron Recreation Centre

The Municipal Manager submitted a report from the Director Recreation and Cultural Services which was written in response to correspondence received from Mrs. Elizabeth Elwood, specifically as the correspondence relates to George Leaf Park and the Cameron Recreation Centre. The report advises that the normal problems of cleanup and vandalism experienced at Leaf Park are no different from those being experienced at other park sites in the municipality resulting from budget cutbacks in each of the past three years. The report further advises that the Parks and Recreation Commission plans to include food and beverage service in proposed redevelopments, including the Cameron Recreation Centre. The facility would be a sandwich bar with hot snacks, specialty juices and a special sandwich menu as well as regular snack items. Serving alcohol would require a final decision by the Commission followed by consideration of the Commission's recommendation by Municipal Council.

The Municipal Manager recommended:

- (1) THAT a copy of the report be forwarded to Mrs. Elizabeth Elwood.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- (q) Mrs. Donna Gyurcsek, 1985 July 21,
Re: New World Society - 3012
Boundary Road.

A letter dated 1985 July 21 was received from Mrs. Donna Gyurcsek protesting activities of the "New World Society", located at 3012 Boundary Road.

Item 22, Municipal Manager's Report No. 51, 1985 July 29 was brought forward for consideration at this time.

22. Letter from Mrs. Donna Gyurcsek, 3722 Manor Street,
Burnaby, B.C., V5G 1A6 - New World Society
Business Licence Application

The Municipal Manager submitted a report from the Director Finance written in response to correspondence received from Mrs. Donna Gyurcsek regarding the operation of the "New World Society" at 3012 Boundary Road. The report advises that following investigation, the Licence Department found no reason why the Society's application for a business licence should be denied, pending the required approvals by the Planning and Building Inspection, Health and Fire Departments. Any illegal or unlawful activities carried on by the applicant would fall under the jurisdiction of the Burnaby R.C.M.P.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to Mrs. Donna Gyurcsek.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (r) Mr. Ted I. Worobetz, 1985 July 26,
Re: Planning Report on 7969
Wedgeood Street.

A letter dated 1985 July 26 was received from Mr. Ted Worobetz regarding development of municipally owned property at 7969 Wedgewood Street. The letter expresses concern regarding proposed development of 4th Street as a through street and that the plan might not achieve the greatest number of single family lots from the total of 3.793 acres. Council was requested to approve development of the property into a single family (R5) residential lot development and discourage the use of 4th Street as a through street.

Item 05, Municipal Manager's Report No. 51, 1985 July 29 was brought forward for consideration at this time.

5. Letter from Mr. Ted Worobetz, 7938 Rosewood Street, Burnaby, B.C., V5E 2H3 - Development Proposals - 7969 Wedgewood Street, Municipally Owned Property

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding development proposals for municipally owned property at 7969 Wedgewood Street. The report notes area residents' support for the subdivision of the subject site according to the existing (R5) Residential District zoning. The report suggests that subdivision of the subject site for single family dwelling lots in conformance with the existing R5 District would not only be more compatible with existing surrounding residential neighbourhood but would also achieve a significantly greater monetary return to the municipality than the Group Housing (R8) alternative.

The Municipal Manager recommended:

- (1) THAT the municipally owned property at 6969 Wedgewood Street be subdivided in accordance with the Residential District (R5).
- (2) THAT Council authorize the preparation of the necessary subdivision plans and engineering design drawings by the Engineering Department.
- (3) THAT Council authorize the financing of the site servicing costs be obtained from the tax sale and corporate land reserves designated for land assembly and development purposes.
- (4) THAT a copy of the report be sent to Mr. T.I. Worobetz, 7938 Rosewood Street, Burnaby, B.C., V5E 2H3.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT this item be now **REFERRED** to staff."

CARRIED

OPPOSED: ALDERMEN DRUMMOND,
EMMOTT, RANKIN AND
STUSIAK

This item was referred to staff to allow preparation of an alternate road development plan for consideration by Council.

- (s) Mrs. Sheilla Foster, 1985 July 20,
Re: Upset over outcome of Robert
Burnaby Park controversy.

A letter dated 1985 July 20 was received from Mrs. Sheilla Foster expressing concern with respect to repealing of bylaws in connection with off leash operation of dogs in Robert Burnaby Park.

- (t) Len and Hilda Vimb, 1985 July 22,
Re: Frequent parking violations
on our street - south side of
7000 Block 21st Avenue.

A letter dated 1985 July 22 was received from Len and Hilda Vimb regarding alleged parking violations on the 7000 Block of 21st Avenue. The writers also submitted a petition consisting of seven (7) signatures of area residents expressing similar concern.

His Worship, Mayor Lewarne, advised that the Director Engineering is preparing a report in response to this item of correspondence to be submitted to the next regular meeting of Council to be held on 1985 August 12.

- (u) Province of British Columbia,
Ministry of Finance, Minister,
1985 July 04,
Re: Exemption from property tax
of the A.L.R.T. system.

A letter dated 1985 July 04 was received from Honourable Hugh A. Curtis, Minister of Finance regarding exemption from property tax of the A.L.R.T. system. The Minister formally advised that the government's current policy will remain unchanged and, accordingly, the A.L.R.T. system will be exempt from 1985 property taxes. The Minister suggested that the similarity between A.L.R.T. and other facilities, such as Provincial roads and bridges, implies that it should be tax exempt. The Minister further suggested that Burnaby would benefit from considerable development associated with the operation of A.L.R.T., thereby increasing the property tax base in the municipality.

TABLED/REFERRED MATTERS

- (a) Transit Services in the Vancouver
area

- (o) Province of British Columbia, Ministry
Human Resources, Minister,
1985 April 12,
Re: Transit services in the Vancouver
area.

A copy of a letter dated 1985 April 12 was received from the Minister responsible for Transit, Honourable Grace McCarthy, addressed to the Chairman of the Vancouver Regional Transit Commission regarding transit services in the Vancouver area. The letter responds to points raised for discussion by the Commission with respect to ALRT funding. Details of the cost sharing formula are set out in the letter.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN LAWSON:

"THAT this item of correspondence be now TABLED."

CARRIED UNANIMOUSLY

Council chose not to lift this matter from the table this evening.

(b) Outdoor Burning

- (c) Corporation of the City of New Westminster
City Clerk, 1985 June 19,
Re: Outdoor Burning

A letter dated 1985 June 19 was received from the Corporation of the City of New Westminster regarding outdoor burning. The letter provides clarification of the City Council's position with respect to outdoor burning and notes that Council's concern arises from burning being permitted at the Stride Avenue dump, which often results in smoke and pollution dispersing over the west end of the City of New Westminster, rather than with outdoor by the residents of Burnaby.

Item 19, Municipal Manager's Report No. 46, 1985 July 02 was brought forward for consideration at this time.

19. Letter from the Corporation of the City of
New Westminster, City Hall, 511 Royal Avenue,
New Westminster, B.C., V3L 1H9,
Outdoor Burning

The Municipal Manager submitted a report written in response to the correspondence received from the City of New Westminster with respect to outdoor burning. The report notes that in the past, complaints from New Westminster had coincided with periods of allowable outdoor burning by Burnaby residents during which time no burning took place at the Stride Avenue Dump.

The report further advises that the most recent complaint from New Westminster followed an open burning which took place at Stride Avenue during the early hours of the morning of 1985 June 15, which was set by persons unknown. In a previous report to Council on 1985 June 03, Council was advised that a trench burner will provide a viable means of disposing of some portion of the total volume of garden refuse after pre-operational shakedown measures have taken place. The report concludes with advice that New Westminster's staff will be kept informed of progress on the trench burner installation so that New Westminster City Council will have the opportunity of being more directly informed by its own staff members concerning operations at the Stride Avenue Dump.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to the Corporation of the City of New Westminster, 511 Royal Avenue, New Westminster, B.C., V3L 1H9.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

1985 July 29

Arising out of Council's consideration of this item of correspondence, His Worship, Mayor Lewarne, advised that in accordance with the authority granted to the Mayor under Section 240(1) of the Municipal Act he was returning for reconsideration the resolution as moved by Alderman Brown and seconded by Alderman Rankin at the regular Council Meeting held on 1985 June 03 being; "THAT the recommendations of the Acting Municipal Manager be adopted as follows;

- (1) THAT Council approve the cancellation of outdoor burning by Burnaby residents and that the Municipal Solicitor be requested to bring forward the bylaw appropriately amended.
- (2) THAT a copy of the report be sent to all persons who have recently made their views known on this matter including the City of New Westminster."

His Worship, Mayor Lewarne, then advised that this previously adopted motion was now before Council for reconsideration.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT the motion as moved by Alderman Brown and seconded by Alderman Rankin at the regular Council Meeting held on 1985 June 03 and now brought forward for reconsideration by His Worship, Mayor Lewarne, being; 'THAT the recommendations of the Acting Municipal Manager as contained within Item 6, Acting Municipal Manager's Report 39, 1985 June 03, being;

- (1) THAT Council approve the cancellation of outdoor burning by Burnaby residents and that the Municipal Solicitor be requested to bring forward the bylaw appropriately amended.
- (2) THAT a copy of this report be sent to all persons who have recently made their views known on this matter including the City of New Westminster.'

be now TABLED."

CARRIED
OPPOSED: ALDERMEN DRUMMOND,
NIKOLAI AND RANKIN

This matter was tabled until such time as a full Council is present.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT the motion as motion as moved by Alderman Brown and seconded by Alderman Rankin at the the regular Council Meeting held on 1985 June 03 and brought forward for reconsideration by His Worship, Mayor Lewarne, being 'THAT the recommendations of the Acting Municipal Manager as contained within Item 6, Acting Municipal Manager's Report No. 39, 1985 June 03 be now adopted,' be now LIFTED from the table."

CARRIED UNANIMOUSLY

The motion as moved by Alderman Brown and seconded by Alderman Rankin at the regular Council Meeting held on 1985 June 03 was now before the meeting.

A vote was then taken on the motion as moved by Alderman Brown and seconded by Alderman Rankin at the regular Council Meeting held on 1985 June 03, and brought forward for reconsideration by His Worship, Mayor Lewarne, being;

"THAT the recommendations of the Acting Municipal Manager as contained within Item 6, Acting Municipal Manager's Report 39, 1985 June 03, being;

- (1) THAT Council approve the cancellation of outdoor burning by Burnaby residents and that the Municipal Solicitor be requested to bring forward the bylaw appropriately amended.
- (2) THAT a copy of this report be sent to all persons who have recently made their views known on this matter including the City of New Westminster,

be now adopted,"

and same was **CARRIED** with Mayor Lewarne and Alderman Stusiak **OPPOSED**.

- (c) Funding Implications and budgetary impact of major capital projects

14. Funding Implications and Budgetary Impact of Major Capital Projects

The Municipal Manager submitted a report regarding funding implications and budgetary impact of major capital projects. The report advises of the review of funding implications and the budgetary impact of a \$20.9 million capital five year program proposed by the Library Board, the Parks and Recreation Commission and the Burnaby Village Museum Board. The work program had been reviewed as a total unit with phased-in construction over five years with each project being able to proceed on a pre-determined construction schedule, balanced to spread the cash flow fairly evenly over a five year period. The impact on the tax levy resulting from the proposed program would be a 2.6 percent increase in taxes in addition to inflation allowed for 3 percent and after allowing for growth in the assessment base resulting from new construction. The report recommends that the \$20.9 million capital program be pursued on a rigidly phased basis over the five years 1986 - 1990.

The report further recommends that the full \$20.9 million be borrowed internally from the Capital Works Financing Fund and the Tax Sale and Corporate Lands Fund and that it be amortized over a 20 year period. The report concludes with advice that borrowing internally from reserves rather than externally in the market did not preclude Council from putting the question of borrowing to the voters, nor did it require that Council put the question to a vote unless directed to do so by the Minister of Municipal Affairs. Given the five year capital budgetting approach with internal borrowing and the need for the program of work being proposed, the report suggests that the political question to be answered by Council is whether or not the matter of proceeding with the program should be put to the electorate.

The Municipal Manager and Management Committee recommended:

- (1) THAT the \$20.9 million capital program be financed internally out of existing reserves over the next 5 years; and
- (2) THAT this \$20.9 million program be viewed as an integrated 5 year capital works program driven by a phased or programmed approach to the work;
- (3) THAT the policy with respect to the amortization period for future internal loans be modified to permit a 20 year amortization period for the \$20.9 million capital program; and
- (4) THAT this policy be clearly defined and documented when the report on Reserves and Capital Financing Policy is next submitted to Council; and
- (5) THAT the Tax Sale and Corporate Land Fund reserve be used to assist in financing this \$20.9 million capital program as particularly outlined in the report; and

- (6) THAT this policy also be clearly defined and documented when the report on Reserves and Capital Financing Policy is next submitted to Council; and
- (7) THAT the Municipal Manager work with the Library Board, the Parks and Recreation Commission and the Burnaby Village Museum Board to bring down a construction schedule that provides for the optimum amount of smoothing out of the cash flow over the years 1986 to 1990; and
- (8) THAT copies of the report be forwarded to the Library Board, the Parks and Recreation Commission and the Village Museum Board.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

"THAT the recommendations of the Municipal Manager and the Management Committee be adopted."

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT this matter be now REFERRED to a meeting of Council, sitting as a Committee of the Whole with the Burnaby Village Museum Board of Directors, Burnaby Library Board and the Burnaby Parks and Recreation Commission, such meeting to be at the call of the Chair."

CARRIED UNANIMOUSLY

His Worship, Mayor Lewarne, then advised that the meeting would be held on 1985 July 22 at 7:30 p.m. in the Burnaby Council Chamber.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN NIKOLAI:

"THAT the special Parks and Recreation program be reduced by the sum of \$2,500,000.00."

MOTION DEFEATED
FOR: ALDERMAN DRUMMOND
OPPOSED: MAYOR LEWARNE, ALDERMEN BROWN,
EMMOTT, LAWSON, McLEAN, NIKOLAI,
RANKIN AND STUSIAK

A vote was then taken on the motion as moved by Alderman Stusiak and seconded by Alderman McLean at the regular Council Meeting held on 1985 July 15, being;

"THAT the recommendations of the Municipal Manager, being;

- (1) THAT the \$20.9 million capital program be financed internally out of existing reserves over the next 5 years; and
- (2) THAT this \$20.9 million program be viewed as an integrated 5 year capital works program driven by a phased or programmed approach to the work;
- (3) THAT the policy with respect to the amortization period for future internal loans be modified to permit a 20 year amortization period for the \$20.9 million capital program; and
- (4) THAT this policy be clearly defined and documented when the report on Reserves and Capital Financing Policy is next submitted to Council; and
- (5) THAT the Tax Sale and Corporate Land Fund reserve be used to assist in financing this \$20.9 million capital program as particularly outlined in the report; and

- (6) THAT this policy also be clearly defined and documented when the report on Reserves and Capital Financing Policy is next submitted to Council; and
- (7) THAT the Municipal Manager work with the Library Board, the Parks and Recreation Commission and the Burnaby Village Museum Board to bring down a construction schedule that provides for the optimum amount of smoothing out of the cash flow over the years 1986 to 1990; and
- (8) THAT copies of the report be forwarded to the Library Board, the Parks and Recreation Commission and the Village Museum Board;

be now adopted,"

and same was **CARRIED UNANIMOUSLY.**

Alderman Drummond requested that he be recorded as being in favour of reducing the Parks and Recreation Commission portion of the \$20.9 million capital program by \$2.5 million.

The Council Meeting recessed at 9:57 p.m.

The Council Meeting reconvened at 10:07 p.m. with Alderman Emmott absent.

(d) Taxicab Service

17. Taxicab Service

The Municipal Manager submitted a report from the Director Finance which was written in response to requests received from taxi cab companies to permit the licensing of additional taxis in Burnaby. The report provides background material, including the results of the Provincial Motor Carrier Hearings in 1984 on the issue. The report recommends that Council take no action on these requests and proposes that the issue of taxi service should be addressed on a regional basis, preferably with the Greater Vancouver Regional District working with the Motor Carrier Commission.

The Municipal Manager recommended:

- (1) THAT no action be taken, on the requests before Council, to amend Burnaby Cab and Commercial Vehicle Bylaw No. 3102; and
- (2) THAT a copy of the report be forwarded to the Provincial Motor Carrier Commission; and
- (3) THAT a copy of the report be forwarded to the Greater Vancouver Regional District to examine our concerns; and
- (4) THAT the Greater Vancouver Regional District be requested to work with the Motor Carrier Commission to examine the issue of regional taxi service and its place in the overall public transportation system; and
- (5) THAT a copy of the report be forwarded to:
 - i) Royal City Taxi Ltd.
 - ii) Bel Air Taxi Ltd.
 - iii) Bonny's Taxi Ltd.
 - iv) Vancouver Taxi Ltd.
 - v) Kenneth W. Antifaev
 - vi) Hean, Wylie et. al.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

1985 July 29

MOVED BY ALDERMAN RANKIN:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the motion as moved by Alderman Drummond and seconded by Alderman Brown, being; 'THAT the recommendations of the Municipal Manager be adopted,' be AMENDED by deletion of Recommendation No. 1 and substitution of the following:

- (1) 'THAT staff be requested to investigate the possibility of some additional licences being granted; and'."

MOTION DEFEATED

FOR: ALDERMAN RANKIN

OPPOSED: MAYOR LEWARNE, ALDERMEN BROWN,
DRUMMOND, EMMOTT, LAWSON,
McLEAN, NIKOLAI AND STUSIAK

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN McLEAN:

"THAT this item be now REFERRED to staff."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

This matter was referred in order to permit staff to ascertain whether there are other metropolitan jurisdictions (e.g. Winnipeg Unicity, Metro Toronto, etc.) where there is no regulation of licences and to determine the method that might be followed in granting of licences and what restrictions might be placed upon them.

A vote was then taken on the motion as moved by Alderman Drummond and seconded by Alderman Brown at the regular Council Meeting held on 1985 July 15, being;

"THAT the recommendations of the Municipal Manager, being;

- (1) THAT no action be taken, on the requests before Council to amend Burnaby Cab and Commercial Vehicle Bylaw No. 3102; and
- (2) THAT a copy of the report be forwarded to the Provincial Motor Carrier Commission; and
- (3) THAT a copy of the report be forwarded to the Greater Vancouver Regional District to examine our concerns; and
- (4) THAT the Greater Vancouver Regional District be requested to work with the Motor Carrier Commission to examine the issue of regional taxi service and its place in the overall public transportation system; and
- (5) THAT a copy of the report be forwarded to:
 - i) Royal City Taxi Ltd.
 - ii) Bel Air Taxi Ltd.
 - iii) Bonny's Taxi Ltd.
 - iv) Vancouver Taxi Ltd.
 - v) Kenneth W. Antifaev
 - vi) Hean, Wylie et. al.,

be now adopted,"

and same was CARRIED UNANIMOUSLY.

MOVED BY ALDERMAN RANKIN:
SECONDED BY ALDERMAN DRUMMOND:

"THAT if there is no response from the Motor Carrier Commission within six (6) months regarding this matter, a report be brought forward regarding additional taxicab licensing."

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- (a) Mayor W.A. Lewarne
Re: Court of Revision for List
of Electors
-

His Worship, Mayor Lewarne, submitted a report regarding the appointment of a Court of Revision to hear all complaints and correct and revise the List of Electors, pursuant to Section 59 of the Municipal Act.

His Worship, Mayor Lewarne, recommended:

- (1) THAT Alderman Donald Neil Brown and Alderman Doreen Anne Lawson together with His Worship, Mayor Lewarne, be appointed as the Court of Revision for the list of electors as closed at 1700 h (5 p.m.) Tuesday, 1985 September 03, and that the first sitting of the said Court of Revision be held in the Burnaby Municipal Hall, 4949 Canada Way, Burnaby, at 0900h (9:00 a.m.), Tuesday, 1985 October 01.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

- (b) Mayor W.A. Lewarne
Re: Acting Mayor - 1985 August
and September
-

His Worship, Mayor Lewarne, submitted a report recommending the appointment of an Acting Mayor during the months of 1985 August and September.

His Worship, Mayor Lewarne, recommended:

- (1) THAT Alderman V.V. Stusiak be appointed to serve in the capacity of Acting Mayor during the months of 1985 August and September.

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- (c) The Municipal Manager presented Report No. 51, 1985 July 29 on the matters listed following as Items 01 to 32 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. International Public Works Congress and
Equipment Show
-

The Municipal Manager submitted a report from the Director Engineering which requested Council authorization for the Director Engineering to attend the International Public Works Congress and Equipment Show to be held in Los Angeles, 1985 September 7 to 12.

The Municipal Manager recommended:

- (1) THAT the Director Engineering be authorized to attend the International Public Works Congress and Equipment Show to be held in Los Angeles, 1985 September 7 - 12, inclusive, at an estimated cost of \$1,390.00.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

2. Bill 60 - Revisions to the Provincial Motor Vehicle Act (M.V.A.)

The Municipal Manager submitted a report from the Director Engineering regarding Bill 60, revisions to the Provincial Motor Vehicle Act (M.V.A.). The report provides details of a proposed amendment to Section 185 (2) of the Motor Vehicle Act to allow cyclists to ride on sidewalks and through crosswalks when authorized by bylaw. The report advises that the Burnaby Street and Traffic Bylaw presently gives authority to erect signing to permit cyclists on sidewalks under certain circumstances. It was recommended that the situation remain unchanged, although if deemed warranted in the future, the new section of the M.V.A. would provide authority for a bylaw to be enacted if necessary.

The Municipal Manager be recommended:

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

3. Letter from Alderman Ron Cromwell, President, Federation of Canadian Municipalities, Halifax, Nova Scotia - Request for Economic Development Materials from the Federation of Canadian Municipalities

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

4. Letter from B. & S. Sime, 7068 Gray Avenue, Burnaby, B.C., V5J 3Y8 - Petition regarding Proposed Single Family Dwelling at 7080 Gray Avenue, Burnaby - Lot 6, Blk. 9, D.L. 99, Plan 1490

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

5. Letter from Mr. Ted Worobetz, 7938 Rosewood Street, Burnaby, B.C., V5E 2H3 - Development Proposals - 7969 Wedgewood Street, Municipally Owned Property

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

6. Self-Serve Gasoline Stations and Convenience Stores within C6B Zoning

The Municipal Manager submitted a report from the Director Finance regarding self-serve gasoline stations and convenience stores within C6b zoning. The report concludes with the staff opinion that to restrict the hours of opening in a C6b zoning would discriminate against merchants now situated in such zoning. Further, to include all convenience stores and self-serve gas stations in the restriction would discriminate against all those merchants and would be contrary to the wishes of the electorate as expressed in the 1981 referendum.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

7. Tender for two (2) Tandem Axle Dump Trucks complete with 15 cubic yard Gravel Box and Hoist

The Municipal Manager submitted a report from the Director Finance advising of tenders received for two tandem axle dump trucks. Nine tenders were received up to the closing time on 1985 June 12 and the lowest tender received meeting municipal specifications was that of Totem Mercury Sales Ltd.

The Municipal Manager recommended:

- (1) THAT a purchase order be issued to Totem Mercury Sales Ltd. for two (2) 1986 Ford LTS9000 tandem axle dump trucks complete with 15 cubic yard gravel box and hoist, for the total sum of \$153,783.61.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

8. MIS Furniture Implementation

The Municipal Manager submitted a report from the Director Finance regarding MIS furniture implementation, specifically an error contained in the report to Council on 1985 July 15 wherein the bidder's total cost was incorrectly shown as \$9,000.00 less than the actual cost. The report included a revised tabulation sheet showing correct totals, including Provincial Sales Tax.

The Municipal Manager recommended:

- (1) THAT the resolution passed by Council on 1985 July 15, "THAT a contract be awarded to the lowest acceptable bidder, Heritage Office Furnishings Ltd. for the supply and installation of M.I.S. furniture for a total cost of \$186,587.00 subject to the Corporation's approval of a sample work station installed in the Municipal Hall", be amended to change the total cost from \$186,587.00 to \$209,278.09.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

9. Work Order - Hastings/Willingdon Construction of Right Turn Channel

The Municipal Manager submitted a report from the Director Engineering regarding Work Order No. 60-14-083. The Work Order provides for expenditure of \$26,000.00 to cover the widening of the eastbound approach to Willingdon Avenue to provide an exclusive right turn lane and relocation of the traffic signal.

The Municipal Manager recommended:

- (1) THAT Work Order No. 60-14-083 be approved.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

10. Burnaby Lake Sports Complex - Proposed
Soils Study

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding a proposed soils study at the Burnaby Lake Sports Complex. The report advises of a recent proposal by the British Columbia Cycling Association to build a velodrome in the area and in order to evaluate different sites in the Central Valley for the project and other proposals, and also to take advantage of landfill when it is available, more detailed soils information about the area was required. The report concludes that it would be appropriate to engage a soils consultant to conduct a study in order to promote development of the area and to initiate a long term filling and site preparation program.

The Municipal Manager recommended:

- (1) THAT \$13,340.00 be made available from the Land Assembly and Development Program funds for Thurber Consultants Ltd. to conduct a geotechnical study in the Central Valley.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

11. Closure of Maywood Street Between Willingdon
and Patterson Avenues

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding proposed closure of Maywood Street between Willingdon and Patterson Avenues. The report arises from earlier correspondence received from the Property Manager for owners of two residential high rise buildings in the area. The report concludes that in view of information gathered to date, it would be necessary to make further observations and obtain more information on traffic movements in the area with a further report to Council being submitted in approximately six to eight weeks.

The Municipal Manager recommended:

- (1) THAT Council receive the progress report on the captioned matter.
- (2) THAT the Property Manager of the Owners' Strata Plan NW1587 and NW1698 be sent a copy of this report.
- (3) THAT the Property Managers of Strata Plans NW1961 and NW524 also be sent a copy of the report so they will have an equal opportunity to contact their membership and provide their views on the matter.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

12. Subdivision Reference No. 18/83
Pandora/Ridgeview/Hastings

The Municipal Manager submitted a report from the Approving Officer regarding Subdivision Reference No. 18/83, Pandora/Ridgeview/Hastings.

The report advises that on 1985 July 02, this matter had been referred back to staff for report on the status of the current subdivision application. The report advises that the applicant is working actively to proceed with the project, having expended funds for services of outside agencies and receiving firm commitments from one half the owners at this time. The report also advises that the normal three month time period for tentative approval of the subject subdivision has now lapsed and the applicant has requested an extension for a further three months. The Approving Officer proposed reviewing the request and granting the extension, unless otherwise directed by Council.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

13. Subdivision Servicing Agreement
Subdivision Reference No. 17/85
South Side Dominion Street Between Smith
and Ingleton Avenues

The Municipal Manager submitted a report from the Approving Officer regarding a subdivision servicing agreement for Subdivision Reference No. 17/85, south side of Dominion Street between Smith and Ingleton Avenues.

The report advises that the subdivider has completed requirements leading to final approval of the subject subdivision and provides information and provides information for inclusion in the servicing agreement.

The Municipal Manager recommended:

- (1) THAT Council authorize the preparation and execution of the servicing agreement for Subdivision Reference No. 17/85

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

14. Rezoning Reference No. 28/85
Portion of Lot 53, D.L. 74, Plan 15717 and a
Portion of the Banff Avenue Road Allowance
Between Woodsworth Street and Canada Way

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference No. 28/85. The report was prepared in response to information requested by Council at the regular Council Meeting held on 1985 June 24 during which questions were raised with respect to the appropriate means of vehicular access to the site.

The Municipal Manager recommended:

- (1) THAT vehicular access for the primary congregational parking be from Canada Way only and that this requirement be reflected in the suitable plan of development.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANKIN:

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

CARRIED

OPPOSED: ALDERMEN McLEAN AND
NIKOLAI

15. Rezoning Reference No. 12/85
3750/70/80/86 Laurel Street and 3411/37
Smith Avenue

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference No. 12/85. The report advises that the applicant now wishes to proceed with his project and the proposed rezoning is consistent with the adopted Community Plan and it would therefore be appropriate that the subject rezoning be forwarded to a Public Hearing.

The Municipal Manager recommended:

- (1) THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1985 August 12, and to a Public Hearing on 1985 September 10 at 19:30 h, and that the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to Municipal standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw. In the event that existing improvements on the site are vacant and considered to be a hazard to life or property, the Fire Prevention Office may issue an order to demolish such improvements and remove the resultant debris prior to Third Reading.
 - e) The consolidation of the net project site into one legal parcel.
 - f) The granting of any necessary easements.
 - g) The retention of as many existing mature trees as possible on the site.

- h) The approval of the Ministry of Transportation and Highways to the rezoning application.
- i) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.
- j) The deposit of the applicable per unit Neighbourhood Parkland Acquisition Charge.
- k) Compliance with the Council adopted sound criteria.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LAWSON:

"THAT this regular Council Meeting do now proceed past 10:30 p.m."

CARRIED UNANIMOUSLY

16. Endorsement of a Decision Taken by Council
"In Camera" 1985 June 24

The Municipal Manager submitted a report from the Municipal Clerk regarding a decision taken by Council at a Caucus Meeting "In Camera" held on 1985 June 24 regarding the negotiated settlement for 1985 between the Corporation and the Burnaby Firefighters, Local 323.

The Municipal Manager recommended:

- (1) THAT Council endorse at an "open" Council Meeting the decision that has been taken by Council at a Caucus Meeting "In Camera" 1985 June 24 as enumerated in the Municipal Clerk's report.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

17. Building Permit Tabulation Report No. 07 - 1985
From 1985 June 17 to July 14

The Municipal Manager submitted a report from the Director Planning and Building Inspection attaching Report No. 07 - 1985 of Building Permit Tabulation with Revenue/Expenditure Statement for the period 1985 June 17 to 1985 July 14.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

18. Fireworks Display - Evening 1985 September 09
Simon Fraser University's Twentieth Anniversary
Celebrations

The Municipal Manager submitted a report from the Deputy Fire Chief (Administration) advising of a request from Simon Fraser University to conduct a modest fireworks display on the evening of 1985 September 09 as part of the University's Twentieth Anniversary celebrations.

The Municipal Manager recommended:

- (1) THAT, as provided for under Section 933 (1)(a) Province of British Columbia Municipal Act, Council authorize Simon Fraser University's Director Ken Mennell to hold a fireworks display the evening of 1985 September 09 as part of the University's 20th Anniversary celebration.
- (2) THAT such fireworks display be in accordance with the Manual of Display Fireworks, issued by the Explosives Division, Department of Energy, Mines and Resources, Ottawa.
- (3) THAT a copy of this report be sent to Director K. Mennell, Simon Fraser University, Burnaby, B.C., V5A 1S6.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

19. Sale of Lot 326, D.L. 59, Group 1, Plan 65244,
NWD (Camrose Phase I)

The Municipal Manager submitted a report from the Municipal Solicitor regarding a bid for the sale of property in Camrose Phase I. One of the successful bidders in the sale, Ms. Charlton, had requested to withdraw her bid on Lot 326 and enter it on Lot 334. The report advised that because the withdrawal of the bid was communicated to the Corporation before Council purported to accept the offer, it was recommended that the bidder's deposit be returned.

The Municipal Manager recommended:

- (1) THAT Ms. Charlton's deposit on Lot 326 be returned to her.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN NIKOLAI:

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

CARRIED UNANIMOUSLY

20. Taxicab Service

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

21. Taxicab Service: Role in Transporting the
Handicapped

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

22. Letter from Mrs. Donna Gyurcsek, 3722 Manor Street
Burnaby B.C., V5G 1A6 - New World Society
Business Licence Application

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

23. Local Improvement Program 1985 - Streets

The Municipal Manager submitted a report from the Director Finance regarding the Local Improvement Program for 1985 - Streets. The report advised that details of the 1985 program were outlined in an earlier report to Council on 1985 January 01 and the cost of the program had been finalized by the Director Engineering. Rates were based on the currently anticipated financing costs and the report shows an analysis of the costs by owners' and corporation's share of expenditure, outlines the borrowing approvals by the Inspector of Municipalities and discusses the debt charges of the program. It was noted that the street lighting program would be discussed in a separate, pending report.

The Municipal Manager recommended:

- (1) The Council approve the frontage taxes as shown on Schedule 1 of the report of the Director Finance; and
- (2) THAT Council approve the commutation charges as shown on Schedule 3 of the report of the Director Finance; and
- (3) THAT a bylaw be brought forward to amend Burnaby Local Improvement Charges Bylaw No. 7479 to reflect the above frontage taxes and commutation charges; and
- (4) THAT Council approve and adopt the cost report per Section 662 of the Municipal Act, as shown on Schedule 2 of the report of the Director Finance; and
- (5) THAT the Municipal Clerk be instructed to initiate the 1985 program as approved
- (6) THAT the Director Engineering be authorized to obtain proposals from engineering consultants for the purpose of completing all design work required for the 1985 Local Improvement Streets Program.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

24. Letter from Mrs. Elizabeth Elwood, 8134 - 14th Avenue, Burnaby, B.C., V3N 2B8
George Leaf Park & Cameron Recreation Centre

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

25. Letter from Union of British Columbia Municipalities
313 Sixth Street, New Westminster, B.C., V3L 3A7 -
Local Government Liability

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

26. 1984 Burnaby Health Department Annual Report

The Municipal Manager submitted a report from the Director Administrative and Community Services enclosing the Health Department's Community Health Services' Annual Report for 1984. It was noted that one of the major areas of concentration during the year was the introduction of the nurses into the employ of the municipality. The reports suggests that most of the Department's objectives were met for 1984.

The Municipal Manager recommended:

- (1) THAT the Health Department's 1984 Community Health Services Annual Report be received for information purposes.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

27. Rezoning Reference No. 52/85
8720 Government Road

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference No. 52/85, 8720 Government Road. The report concludes with advice that the proposed Recreational Vehicle Park is located within an area of the municipality judged to satisfy the general locational criteria outlined in an earlier report to Council on 1985 March 25. The proposal was considered to be an acceptable use of the subject property, provided that it is developed in a manner that reflects the park setting in which it is located.

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to First Reading on 1985 August 12 and to a Public Hearing on 1985 September 10 at 19:30 h, and that the following be established as prerequisites to the completion of rezoning:
 - a) The submission of a suitable plan of development.
 - b) The dedication of lands for park/open space as outlined in Section 4.3 of the Director Planning and Building Inspection's report.
 - c) The dedication of any rights-of-way deemed requisite.
 - d) The deposit of sufficient monies to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to Municipal standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - e) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - f) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw. In the event that existing improvements on the site are vacant and considered to be a hazard to life or property, the Fire Prevention Office may issue an order to demolish such improvements and remove the resultant debris prior to Third Reading.
 - g) The subdivision of the subject site in order to create the proposed development site, and the parcels to be deeded to the Municipality at no cost for park purposes as illustrated on sketch #3 of the Director Planning and Building Inspection's report.

- h) The granting of any necessary easements.
- i) The approval of the Ministry of Transportation and Highways to the rezoning application.
- j) The retention of as many mature specimen trees as possible on the site.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN BROWN:

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

CARRIED
OPPOSED: ALDERMEN DRUMMOND AND
RANKIN

His Worship, Mayor Lewarne, advised that he was opposed to Section 4.4 (c) of the Director Planning and Building Inspection's report dealing with access guidelines and the requirement for installation of a continuous six foot high quality wood fence.

28. Rezoning Reference No. 61/84
Road Servicing

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference No. 61/84, Road Servicing. The report provides an outline of the road servicing parameters for the subject area proposed for development as an industrial park and to provide a possible through function between Gilmore Avenue and Willingdon Avenue. It was concluded that the required road servicing will be carried to meet municipal objectives on an equitable and rational basis.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to Messrs. Keith Sigvardsen and Richard Alexander, c/o Dick's Lumber and Building Supplies Ltd. 2580 Gilmore Avenue, Burnaby, B.C., V5C 4T5 and to the applicant for Rezoning Reference #61/84.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANKIN:

"THAT this matter be now **REFERRED** to staff for further report."

CARRIED UNANIMOUSLY

This matter was referred to Planning Department staff for report on the municipal participation in construction of Still Creek Road in the event it is decided to provide a through function between Gilmore Avenue and Willingdon Avenue.

29. Proposal Call for Metrotown Resource
Library

The Municipal Manager submitted a report from the Director Planning and Building Inspection requesting Council authorization to engage a consultant to assist the municipality in the proposal call and project management process outlined in an attachment to the report for a Proposal Call for the provision of a Metrotown Resource Library.

The Municipal Manager recommended:

- (1) THAT approval in principle be given to the pursuance of the Proposal Call for the provision of the Metrotown Resource Library building and site as outlined in the Proposal Call document attached to the report of the Director Planning and Building Inspection.
- (2) THAT staff be authorized to pursue the engagement of a consultant to assist the municipality in the Proposal Call and project management process on the understanding that the engagement of the selected consultant will be brought forward for Council approval.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN RANKIN:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN NIKOLAI:

"THAT the following be added as recommendation no. 3:

- '(3) "THAT the boundaries of the area of the Proposal Call site identified in the Proposal Call document attached to the Director Planning and Building Inspection's report as 'Metrotown Resource Library - Precinct for Appropriate Sites' be amended by extending the western boundary of the site to Wilson Avenue and the northern boundary to Grange Street.'"

CARRIED

OPPOSED: ALDERMEN BROWN AND
NIKOLAI

A vote was then taken on the motion as moved by Alderman Drummond and seconded by Alderman Rankin, being "THAT the recommendations of the Municipal Manager be adopted," AS AMENDED and same was **CARRIED UNANIMOUSLY**.

30. Results of Investigation into the
1985 June 13 Toxic Chemical Discharge to
Brunette River

The Municipal Manager submitted a report from the Chief Public Health Inspector outlining the results of investigations into the 1985 June 13 toxic chemical discharge into the Brunette River. The report advises that the Environment Health Division has located a Lake City industry discharging a chlorinated phenol into the Burnaby storm sewer which discharges to a tributary of Burnaby Lake. The report advises that Environment Canada staff have stated that they did not have sufficient evidence to prove the discharge as the cause of the 1985 June 13 Brunette River fish kill. Presently, the Environmental Health Division is proceeding with discussions with Provincial Crown Prosecutors on the laying of charges under authority of the Provincial Health or the Burnaby Sewer Bylaw for illegal discharge of an industry waste into the Burnaby storm sewer system.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

31. Enlarged Greater Vancouver Sewerage and
Drainage District Burnaby Incinerator

The Municipal Manager submitted a report from the Director Engineering with respect to proposed enlargement of the Greater Vancouver Sewerage and Drainage District Burnaby incinerator. The report discusses the various factors which have a bearing of the enlargement of the G.V.S. & D.D. Burnaby incinerator from a capacity of 140,000 tonnes to 210,000 tonnes per year and concludes that it is justified when it forms part of an overall Solid Waste Disposal Plan for the entire region.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to the Greater Vancouver Sewerage and Drainage District, 4330 Kingsway, Burnaby, B.C., V5H 4G8.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LAWSON:

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN STUSIAK:

"THAT the motion as moved by Alderman Stusiak and seconded by Alderman Lawson, being; 'THAT the recommendation of the Municipal Manager be adopted,' be now **TABLED.**"

This motion was tabled pending the outcome of a G.V.R.D. meeting on the matter to be held on 1985 July 31.

32. Letter from Alderman Ron Cromwell, President,
Federation of Canadian Municipalities,
Halifax, Nova Scotia
Municipal Infrastructure - FCM

This item was dealt with previously in the meeting in conjunction with Item 5.(i) 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

E N Q U I R I E S

Alderman Brown

Alderman Brown noted further complaints with respect to unsightly premises on the southeast corner of Imperial Street at its intersection with Frederick Avenue and requested that action be taken to remedy the situation.

1985 July 29

Alderman Nikolai

Alderman Nikolai enquired as to the possibility of preparing an inventory of municipally owned vacant lots and suggested that these lots be sold in order to reduce areas of unsightliness in the municipality and also to generate further revenue by the sale of such lots.

In response, the Municipal Manager, Mr. M.J. Shelley, undertook to provide a report on this suggestion.

Alderman Nikolai further advised that the R.C.M.P. Riot Squad had been required to attend a disturbance at a house located at 6078 McKay Avenue and suggested that a possible solution to the problem might be that the municipality condemn the residence?

In response, His Worship, Mayor Lewarne, noted that complainants in the area had been advised to contact the Environmental Health Division's 24 hour emergency number in the event of further noise disturbances.

Alderman Lawson

Alderman Lawson enquired with respect to difficulties for motorists wishing to turn left at the Grandview Highway intersection with Boundary Road, where left turns are presently restricted.

In response, the Director Engineering, Mr. E.E. Olson, advised that the Burnaby R.C.M.P. and Vancouver City Police had been contacted regarding this situation and both had been asked to monitor the intersection.

Alderman Lawson further enquired whether staff could be instructed to remove overgrowth and vegetation obstructing the street sign at the intersection of Broadway and Underhill Avenue.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

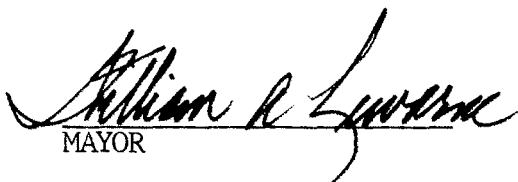
"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 11:20 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK