

1986 JUNE 16

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1986 June 16 at 7:00 p.m.

PRESENT: Mayor W.A. Lewarne (In the Chair)
Alderman R.G. Begin
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman G.H.F. McLean
Alderman E. Nikolai
Alderman L.A. Rankin
Alderman V.V. Stusiak
Alderman S.G. Veitch

STAFF: Mr. M.J. Shelley, Municipal Manager
Mr. J.E. Fleming, Director Administrative & Community Services
Mr. E.E. Olson, Director Engineering
Mr. A.L. Parr, Director Planning & Building Inspection
Mr. J.G. Plesha, Administrative Assistant to Manager
Mr. C.A. Turpin, Municipal Clerk
Mr. T.M. Dunlop, Deputy Municipal Clerk

A N N O U N C E M E N T

His Worship, Mayor Lewarne, announced with regret, the recent death of the former Municipal Manager, Mr. Harold Balfour. His Worship, Mayor Lewarne, then advised of funeral arrangements and further, that a charitable donation would be made by the municipality to the Burnaby Hospital Foundation, in lieu of a floral tribute.

M I N U T E S

- (a) The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1986 June 09 then 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 1986 June 09 be now adopted."

CARRIED UNANIMOUSLY

- (b) The minutes of the Public Hearing (Zoning) held on 1986 June 10 then came forward for adoption.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN NIKOLAI:

"THAT the minutes of the Public Hearing (Zoning) held on 1986 June 10 be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) V.J. Blanchard, 1986 May 30,
Re: "Operation Fight Back" -
1986 Property Tax Increase
Speaker - V.J. Blanchard
- (b) Michael F. Armstrong, 1986 June 03,
Re: Liquor Licence - 4516 Dawson
Street
Speaker - Mr. Michael F. Armstrong

- (c) R.E. Millway, 1986 June 06,
Re: Dog Regulation Bylaw
Speaker - Mr. R.E. Millway
- (d) James and Janet Drew,
1986 June 10
Re: Illegal suites at 6162 and
6170 Rumble Street
Speaker - Mr. James Drew

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN STUSIAK:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. Victor Blanchard, 4630 Highlawn Drive, addressed the members of Council to protest the 1986 increase in his property taxes. The delegation posed a number of questions to the members of Council about the degree of budgetary control and authority exercised by Council on behalf of the electorate of the municipality. Furthermore, the delegation suggested that school taxes should be equalized throughout the municipality and that Council should strive to maintain budgets that citizens can afford. Finally, the delegation urged Council to find some method whereby property taxes will be reduced for the homeowner.
- (b) Mr. Michael F. Armstrong, 7893 Stanley Street, then addressed the members of Council on behalf of the Greater Vancouver Motorcycle Club with respect to the Club's application to the Liquor Licensing Branch for a liquor licence for the Club's premises at 4516 Dawson Street. The delegation advised that the Club did not intend to serve liquor on a full time basis but rather on single occasions such as following weekly club meetings or Executive Committee meetings.

The delegation then outlined the options available to Council for giving its consent to the application under the Liquor Control and Licensing Act or through a textual amendment to the M5 zoning provisions. A further alternative identified was that the Club pursue rezoning of the subject property.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN McLEAN:

"THAT Item 12, Municipal Manager's Report No. 39, 1986 June 16 be now brought forward for consideration at this time."

CARRIED UNANIMOUSLY

12. Letter from Greater Vancouver Motorcycle Club
4516 Dawson Street, Burnaby, B.C., V5C 4C1
Private Club Facility Liquor Licence Approval

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to an appeal from the Greater Vancouver Motorcycle Club in connection with a Liquor Licence Application to sell alcoholic beverages within a private club facility at 4516 Dawson Street. The report advises that pursuant to the Liquor Control and Licensing Act, the proposed facility would require a Class "A" Licence to dispense alcoholic beverages. Application of Section 10(2)(b) of the Liquor Act, the Club would have to be regarded by Council as an "accessory use" under the prevailing M5 designation. The report advises that advice from with the Municipal Solicitor indicates the proposed facility could not be regarded as an accessory use but rather as clearly a principal use in the same manner as numerous other licensed private clubs or lodges located on other appropriately zoned sites throughout the municipality. Council was advised that a resolution approving this application would therefore be in contravention of the Burnaby Zoning Bylaw.

The report further advises that proposed amendment of the M5 designation might jeopardize the industrial land supply. The report also advises that based on the merits of the specific proposal and the land use policy for the immediate area, the Department would initially conclude that support would not be given to a request to rezone to a Commercial or Institutional category. The Planning and Building Inspection Department therefore suggested a fourth alternative available to the applicants which would be to find another site in the municipality, already appropriately zoned or capable of rezoning to accommodate the proposed licensed club.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to the Greater Vancouver Motorcycle Club, 4516 Dawson Street, Burnaby, B.C., V5C 4C1.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN STUSIAK:

"THAT the report be now **REFERRED** back to staff."

CARRIED UNANIMOUSLY

The report was referred back to staff with direction to examine other methods of licensing or allowing the use of liquor on the subject premises.

- (c) Mr. Reginald E. Millway, 3555 Keswick Avenue, then addressed the members of Council with respect to Burnaby Dog Tax and Pound and Animal Regulation Bylaw No. 6191 which was the subject of a staff report to Council on 1986 May 26. At that meeting, Council tabled a recommendation that the subject bylaw not be amended to provide off leash dog areas for the municipality.

The delegation suggested that the staff report on the subject bylaw emphasized the perceived negative aspects of the off leash issue. The delegation further suggested that bad bylaws are difficult to enforce and the S.P.C.A. was placed in an invidious position of enforcing a bylaw which appears contrary to the welfare of animals. The delegation noted that in many parks prior to the enforcement of the bylaw, the most common users were dog owners exercising their animals off leash. Finally, the delegation urged Council to rescind the existing bylaw which, he suggested, is too restrictive and opposes the welfare of animals.

- (d) Mr. James Drew, 6188 Rumble Street, then addressed the members of Council regarding alleged illegal suites at 6162 and 6170 Rumble Street in conjunction with the general issues of R9 rezonings and construction of large, oversized homes on such lots. The delegation then read into the record the contents of a letter dated 1986 June 09 addressed to Hi Worship, Mayor Lewarne, which provides details of the subject suites at 6162 and 6170 Rumble Street. Mr. Drew suggested that Burnaby's bylaws regarding illegal suites need to be changed and strengthened and he offered the following suggestions for Council's consideration:

- "1. Properties with illegal suites should pay increased municipal taxes; an extra 100% for every illegal suite whether or not presently occupied.
2. New buildings on lots created by R9 rezonings should be limited to a maximum of 1600 square feet which is very adequate for one family.
3. The maximum allowable height for new buildings should be significantly lower in areas where existing houses are lower, so the new house does not "loom" over its surroundings.
4. House plans containing "obvious" layouts for illegal suites should not be approved.

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5. Only one set of kitchen plumbing and appliances allowed per house.
6. The municipality should have much more power to evict illegal tenants, perhaps by the imposition of stiff fines (\$500 per month would be adequate).
7. The municipality should withhold Building Permits for construction of houses on R9 lots until Council has established firm policies to deal with illegal suites."

The delegation concluded his presentation by noting the effects of recent changes to the City of Vancouver's Zoning Bylaws, designed to discourage the construction of oversized homes on standard lots. The delegation suggested that if the profit incentive were removed by implementation of his recommendations, construction of inappropriate and oversized homes would be effectively discouraged.

B Y L A W S

SECOND READING:

#8561 5674, 5692, 5706 and 5710 Jersey Avenue
 and 3967 Kingsway

RZ #17/86

MOVED BY ALDERMAN VEITCH:

SECONDED BY ALDERMAN BEGIN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 1986'

#8561

be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the bylaw."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN VEITCH:

SECONDED BY ALDERMAN BEGIN:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN VEITCH:

SECONDED BY ALDERMAN BEGIN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN VEITCH:

SECONDED BY ALDERMAN BEGIN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 42, 1986'

#8561

be now read a second time."

CARRIED UNANIMOUSLY

SECOND AND THIRD READING:

MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1986' #8560

be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the bylaw."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

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

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 41, 1986' #8560

be now read a second and third time."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READINGS:

#8462	7076 E. Hastings Street	RZ #73/85
#8477	4372 Parker Street	RZ #70/85
#8481	7475 Nineteenth Avenue	RZ #81/85
#8525	4135 Bond Street	RZ #96/85
#8536	5405 Norfolk Street	RZ #7/86
#8541	5455 Norfolk Street	RZ #12/86

MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

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

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 72, 1985' #8462

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 2, 1986' #8477

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 1986' #8481

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 22, 1986' #8525

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 30, 1986' #8536

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 35, 1986' #8541."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

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

CARRIED
OPPOSED: ALDERMEN DRUMMOND,
McLEAN AND NIKOLAI TO
BYLAWS #8477 AND #8481
ALDERMEN DRUMMOND AND
McLEAN TO BYLAWS #8462
AND #8525
ALDERMAN McLEAN TO
BYLAWS #8536 AND #8541

The Council reconvened.

MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

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

CARRIED
OPPOSED: ALDERMEN DRUMMOND,
McLEAN AND NIKOLAI TO
BYLAWS #8477 AND #8481
ALDERMEN DRUMMOND AND
McLEAN TO BYLAWS #8462
AND #8525
ALDERMAN McLEAN TO
BYLAWS #8536 AND #8541

MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

"THAT

' Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 72, 1985'	#8462
' Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 2, 1986'	#8477
' Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 1986'	#8481
' Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 22, 1986'	#8525
' Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 30, 1986'	#8536
' Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 35, 1986'	#8541

be now read a third time."

CARRIED
OPPOSED: ALDERMEN DRUMMOND,
McLEAN AND NIKOLAI TO
BYLAWS #8477 AND #8481
ALDERMEN DRUMMOND AND
McLEAN TO BYLAWS #8462
AND #8525
ALDERMAN McLEAN TO
BYLAWS #8536 AND #8541

RECONSIDERATION AND FINAL ADOPTION:

#8074	7502 Cumberland Street	RZ #25/83
#8368	8891 Armstrong Avenue	RZ #26/85
#8480	4750 Cambridge Street	RZ #77/85
#8506	7269 First Street	RZ #98/85

MOVED BY ALDERMAN VEITCH:
SECONDED BY ALDERMAN BEGIN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 28, 1983'	#8074
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 32, 1985'	#8368
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 5, 1986'	#8480
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 13, 1986'	#8506
'Burnaby Road Closing Bylaw No. 2, 1986'	#8588
'Burnaby Local Improvement Construction Bylaw No. 17, 1986'	#8590

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

CARRIED

OPPOSED: ALDERMEN DRUMMOND AND
McLEAN TO BYLAW #8480
ALDERMAN McLEAN TO
BYLAW #8368 AND #8506

CORRESPONDENCE AND PETITIONS

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BEGIN:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 39, 1986 June 16 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Honourable R.H. McClelland, Minister,
Ministry of Industry and Small
Business Development, 1986 May 23,
Re: Investment/Opportunity Tours
Referral Service
-

A letter dated 1986 May 23 was received from Honourable R.H. McClelland, Minister of Industry and Small Business Development, announcing the "Investment/Opportunity Tours Referral Service", a new activity undertaken by the Provincial-Municipal Partnership Program with the cooperation of the Ministry of International Trade, Science and Investment. The program will provide assistance to municipalities wishing to conduct tours designed to meet the needs of the investor, particularly during the period of Expo '86.

Item 10, Municipal Manager's Report No. 39, 1986 June 16 was brought forward for consideration at this time.

10. Letter from Hon. R.H. McClelland, Minister of
Industry and Small Business Development,
Parliament Buildings, Victoria, B.C., V8V 1X4
Investment/Opportunity Tours Referral Service
-

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to correspondence received from the Ministry of Industry and Small Business Development regarding the Province's recently announced Investment/Opportunity Tours Referral Service. The report acknowledges the general intent of the service is to provide an effective means of acquainting prospective investors interested in particular industrial sectors and/or geographical areas of the Province with the opportunities available in local communities.

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The report suggests that it would be advantageous for Burnaby to become involved in the service as part of its continuing efforts in the pursuit of economic development. Staff therefore recommended that Council support the initiatives outlined in the Investment/Opportunity Tours Referral Service and so advise the Ministry.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to Mr. C.G. Dary, Director Community Economic Development Ministry of Industry and Small Business Development, 1405 Douglas Street, Victoria, B.C., V8W 3C1.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- (b) Mrs. H.W. Egleston, Municipal Clerk,
The Corporation of the District of
North Vancouver, 1986 June 05,
Re: The Alpine Area Official
Community Plan - Bylaw 5800

A letter dated 1986 June 05 was received from The Corporation of the District of North Vancouver enclosing a copy of the municipality's "Alpine Area Official Community Plan - Bylaw 5800", a copy of which is on file in the office of the Municipal Clerk. The letter advises that the associated bylaw, in its amended form, has been referred to a Public Hearing to be held on 1986 July 14. The correspondence advises further that the process of publicizing proposals for the area was intended to reach the broader community, in recognition of the Alpine Area's importance to Greater Vancouver for regional recreation opportunities and scenic qualities.

His Worship, Mayor Lewarne, advised that this item of correspondence has been referred to the Director Planning and Building Inspection who is preparing a report for submission to the next regular Meeting of Council to be held on 1986 June 23.

- (c) Monica Wu, 1986 June 05,
Re: Air emission odour from
Trans Mountain and Shell
Tank Farms

A letter dated 1986 June 05 was received from Mrs. Monica Wu regarding air emission odours from Trans Mountain and Shell Tank Farms in the the Forest Hills residential area. The correspondent suggested that during the summer months the problem worsens as the tanks are heated directly by the sun. Mrs. Wu questioned the long term effects of being exposed to such emissions and advised that she was contemplating legal action if the municipality failed to intervene.

Item 16, Municipal Manager's Report No. 39, 1986, June 16 was brought forward for consideration at this time.

16. Letter from Mrs. Monica Wu, 2132 Meadowood Park, Burnaby, B.C., V5A 4G2
Residences in the Forest Hills Property Area

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to correspondence received from Mrs. Monica Wu regarding odour emissions from tanks in the Trans Mountain and Shell Tank Farms in the Forest Hills Properties area. The report provides a detailed response to objections contained in Mrs. Wu's letter and notes that municipal staff is presently pursuing the problem with the G.V.R.D.'s Air Quality Control Division. Several questions have been forwarded to the G.V.R.D. with response requested by 1986 June 20. The response from the G.V.R.D. will be the subject of a further report to Council.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to Mrs. Monica Wu, 2132 Meadowood Park, Burnaby, B.C., V5A 4G2.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BEGIN:

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

CARRIED UNANIMOUSLY

R E P O R T S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

- (a) Municipal Clerk
Re: Certificate of Sufficiency

The Municipal Clerk submitted a Certificate of Sufficiency in connection with a petition requesting construction and paving of the lane east of Fell Avenue and north of Pandora Street.

The Municipal Clerk recommended:

- (1) THAT the Municipal Clerk's Certificate of Sufficiency covering the lane east of Fell Avenue and north of Pandora Street with the limit of construction to be extended to the north property line of Lot 10 (98 South Fell Avenue), be approved.
- (2) THAT the Director Engineering prepare a project estimate.
- (3) THAT the Local Improvement Assessor assess the project.
- (4) THAT the Director Finance prepare a cost report under Section 662 of the Municipal Act.
- (5) THAT on receipt of the cost report, the Municipal Solicitor prepare a Local Improvement Construction Bylaw for this project.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

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(c) The Municipal Manager presented Report No. 39, 1986 June 16 on the matters listed following as Items 01 to 17 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Retirement - Mr. Fred Caughy

The Municipal Manager submitted a report from the Personnel Director advising of the retirement of Mr. Fred Caughy on 1986 August 29 after 32 years of service to the municipality.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

2. Endorsement of Decisions taken by Council
"In Camera" 1986 May 20 and May 26

The Municipal Manager submitted a report from the Municipal Clerk advising of decisions taken by Council at Caucus Meetings "In Camera" held on 1986 May 20 and May 26 regarding acquisition of property at 7291 Broadway, 4868 Rowan Avenue and 780 Willingdon Avenue. The Broadway property acquisition is part of the Phillips/Bainbridge connector road, the Rowan Avenue site falls within the boundaries of the Central Land Assembly Area and the Willingdon Avenue property forms part of the Willingdon Avenue road widening.

The Municipal Manager recommended:

- (1) THAT Council endorse the decisions taken by Council at Caucus Meetings "In Camera" 1986 May 20 and May 26 as enumerated in the Municipal Clerk's report.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

3. UBCM Convention 1986:
Update on Outstanding Resolutions
presented to the UBCM

The Municipal Manager submitted a report from the Director Planning and Building Inspection which provides an update on outstanding resolutions presented to the U.B.C.M. but which have not yet been addressed by Provincial legislation. The report provides a brief status update on the resolutions previously approved by Council and submitted to the U.B.C.M.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

4. Rezoning Reference #44/80B
7321 Halifax Street

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference #44/80B, 7321 Halifax Street. The report advises of an application for an amendment to the rezoning to provide for the development of a high rise residential tower under RM4 guidelines. The report advises that the applicant has submitted a plan of development which is suitable for submission to a Public Hearing.

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw be prepared and advanced to First Reading on 1986 June 23 and to a Public Hearing on 1986 July 22 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 and constructed to the approval of the Director Engineering. 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 granting of any necessary easements.
 - e) The retention of as many existing mature trees as possible on the site.
 - f) All applicable condominium guidelines as adopted by Council shall be adhered to by the applicant.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BEGIN:

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

CARRIED UNANIMOUSLY

5. Rezoning Reference #5/86
4035 Burke Street

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference #5/86, 4035 Burke Street. The report advises that notwithstanding the negative recommendation of the Planning and Building Inspection Department as outlined in the rezoning report considered on 1986 March 24, Council decided on 1986 June 09 to advance the subject application to a Public Hearing.

The Municipal Manager recommended:

- (1) THAT a rezoning bylaw to cover the above referenced rezoning application be prepared and advanced to First Reading on 1986 June 23 and to a Public Hearing on 1986 July 22 at 19:30 h, and that the following be established as prerequisites to the completion of rezoning:
 - a) The satisfaction of all necessary subdivision requirements.

- b) The submission of a Neighbourhood Parkland Acquisition Charge of \$933.00 per unit.
- c) The submission of a surveyor's plot plan prior to Third Reading to confirm that any structures on the site are in conformance with the regulations of the R9 zoning category in relation to the proposed new lots. Any removal or relocation work must be completed prior to Final Adoption but should not be undertaken prior to Third Reading of the bylaw.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BEGIN:

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

CARRIED
OPPOSED: ALDERMEN DRUMMOND AND
McLEAN

6. Rezoning Reference #22/86
3750, 3770, 3780 Laurel Street and
3411, 3437 Smith Avenue

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference #22/86, 3750, 3770, 3780 Laurel Street and 3411, 3437 Smith Avenue. The report advises that the applicant has now submitted a suitable development plan for submission to a Public Hearing. The intent of the proposed rezoning bylaw amendment is to permit the construction of a 49 unit apartment and townhouse development with underground parking.

The Municipal Manager recommended:

- (1) THAT Council authorize staff to bring forward for the abandonment Amendment Bylaw #53, 1986, Bylaw No. 8413, Rezoning Reference #12/85, a predecessor of the current rezoning application after First and Second Readings have been granted for this new rezoning proposal.
- (2) THAT a Rezoning Bylaw be prepared and advanced to First Reading on 1986 June 23, and to a Public Hearing on 1986 July 22 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 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 consolidation of the net project site into one legal parcel.
 - e) The granting of any necessary easements.
 - f) The dedication of any rights-of-way deemed requisite.
 - 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

7. Rezoning Reference #44/86
Gaglardi Way Road Allowance

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference #44/86, for a portion of Gaglardi Way road allowance. The application relates to a portion of the Gaglardi Way road allowance under the jurisdiction of the Ministry of Transportation and Highways. The applicant proposes to expand the existing recreational vehicle facility onto the subject site to include a parking lot facility for storage trailers, small boat trailers, small towed cars and a tenting area with associated parking stalls.

The Municipal Manager recommended:

- (1) THAT Council authorize the Planning and Building Inspection Department to work with the applicant towards a suitable plan of development in accordance with the terms outlined in Section 5.0 of the report, to include resolution of the concerns of the Chief Public Health Inspector and to be the subject of a further report to Council.

MOVED BY ALDERMAN BEGIN:

SECONDED BY ALDERMAN RANKIN:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN NIKOLAI:

"THAT the motion as moved by Alderman Begin and seconded by Alderman Rankin, being 'THAT the recommendation of the Municipal Manager, being

- "(1) THAT Council authorize the Planning and Building Inspection Department to work with the applicant towards a suitable plan of development in accordance with the terms outlined in Section 5.0 of the report, to include resolution of the concerns of the Chief Public Health Inspector and to be the subject of a further report to Council,"

be adopted,' be **AMENDED** by wording Section 5.0 of the report as follows:

'In view of the foregoing information, this Council supports the proposed RV park expansion. It is therefore recommended that Council authorize the Planning and Building Inspection Department to work with the applicant towards a suitable plan of development which reflects the resolution of all concerns as outlined by the Chief Public Health Inspector. This will form the subject of a further Council report as soon as possible.'"

CARRIED

OPPOSED: ALDERMEN DRUMMOND AND
RANKIN

A vote was then taken on the motion as moved by Alderman Begin and seconded by Alderman Rankin **AS AMENDED** and same was **CARRIED** with Aldermen Drummond and Rankin **OPPOSED**.

8. 1986 Local Improvement Streets Program

The Municipal Manager submitted a report from the Director Engineering regarding the 1986 Local Improvement Streets Program. The report provides a proposed 1986 schedule of works and notes that the Local Improvement road works which were initiated in 1985 received widespread public support with over 80 percent of initiated projects being approved for construction currently in progress. The report advises that the recommended steps are necessary in order that the 1986 Program can proceed towards construction in 1987.

The Municipal Manager recommended:

- (1) THAT the Local Improvement Streets Program encompassed in the report be approved and the following implementation steps taken:
 - a) Determine estimated costs;
 - b) Prepare required assessment rolls;
 - c) Prepare cost report in accordance with Section 662 of the Municipal Act;
 - d) Prepare and distribute initiative notices;
 - e) Obtain proposals from engineering consultants for the purpose of completing all design work.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

9. Greater Vancouver Solid Waste Management Plan and Construction of Burnaby Incinerator

The Municipal Manager submitted a report from the Director Administrative and Community Services regarding the Greater Vancouver Solid Waste Management Plan and construction of the Burnaby refuse incinerator. The report responds to questions raised during the 1986 June 09 meeting of Council regarding emissions levels from the Burnaby incinerator. The report notes that the Ministry of Environment is still working on requirements regarding both incinerator stack emissions and community ambient air quality monitoring. Furthermore, the report notes that officials of the Environmental Health Division are actively involved in the process. The report concludes with advice that once requirements are known, there will be a further report to Council as to staff's views of their adequacy.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

10. Letter from Hon. R.H. McClelland, Minister of Industry and Small Business Development, Parliament Buildings, Victoria, B.C., V8V 1X4
Investment/Opportunity Tours Referral Services

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

11. Letter from Mr. and Mrs. J. Seckel which appeared on the Agenda for the 1986 June 09 Meeting of Council
Unightly Premises and Local Improvements between Canada Way and Mary Avenue

The Municipal Manager submitted a report from the Chief Public Health Inspector which was written in response to correspondence received from Mr. and Mrs. J. Seckel in connection with concerns regarding unsightly premises and local improvements. The report advises that staff is pursuing the matter of violation of the Burnaby Unightly Premises Bylaw with both the owner and tenant of 7622 17th Avenue. With respect to proposed local improvements on 17th Avenue between Canada Way and Mary Avenue, the report advises that the requested road works and street lighting in the subject area will be included in the 1986 program.

The Municipal Manager recommended:

- (1) THAT a copy of the report be forwarded to Mr. and Mrs. J. Seckel, 7623 - 17th Avenue, Burnaby, B.C., V3N 1L6.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

12. Letter from Greater Vancouver Motorcycle Club, 4516 Dawson Street, Burnaby, B.C., V5C 4C1
Private Club Facility Liquor Licence Approval

This item was dealt with previously in the meeting in conjunction with Item 2.(b) under Delegations.

13. Restaurant Parking Requirements and Proposed Text Amendment, Burnaby Zoning Bylaw:
Inclusion of Restaurants of 50 seats or less within the "Store Retail" Definition

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding a proposed text amendment to the Burnaby Zoning Bylaw in connection with restaurant parking requirements. The report advises that the proposed amendments would significantly reduce the parking requirements for restaurants of 50 seats or less by making them equivalent to the parking requirements for most other commercial uses which might occupy the premises. It was not anticipated that the proposed change would have a negative impact on commercial areas or the community as a whole but would eliminate some of the difficulties experienced by individuals who have attempted to establish small restaurants within existing commercial premises.

The Municipal Manager recommended:

- (1) THAT the Municipal Solicitor be asked to prepare the appropriate amending bylaw, as outlined in Section 3.1 of the report, and that the bylaw be presented for First Reading on 1986 June 23 and be submitted to a Public Hearing to be held on 1986 July 22 at 19:30 h.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

14. Letter from Mrs. W. Van Delft Which Appeared
on the Agenda for the 1986 May 26 Meeting
of Council
Municipal Bylaw Controlling Smoking

The Municipal Manager submitted a report from the Medical Health Officer which was written in response to correspondence received from Mrs. W. Van Delft regarding a municipal bylaw to control smoking. The report acknowledges that municipal smoking bylaws have recently been adopted in Richmond, the City of Vancouver and the Capital Regional District. The report provides an opinion from the Municipal Solicitor on the aforementioned bylaws together with Health Department staffs' comments.

Council was then advised that the Health Department is not prepared to forward a smoking control bylaw for consideration at this time until experience is first gained by restricting smoking in municipal buildings and pending a review of other municipal bylaws, including an assessment of their enforcement. It was proposed to report further on a possible smoking bylaw for the municipality in 1987 February.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to Mrs. W. Van Delft, 8391 Tenth Avenue, Burnaby, B.C., V3N 2S7.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

15. Contract No. 8603
1985 Local Improvement Program, Phase III
and other Capital Works

The Municipal Manager submitted a report from the Director Finance regarding Contract No. 8603 in connection with the 1985 Local Improvement Program, Phase III and other capital works. The report provides details of bids received for the contract which consists of construction of a new 16 lot residential subdivision at Fourth Street and Wedgewood Avenue and the reconstruction of various roadways throughout Burnaby. The report recommends that the contract be awarded to the lowest bidder, Progressive Contracting (Langley) Ltd.

The Municipal Manager recommended:

- (1) THAT a contract be awarded to the lowest bidder, Progressive Contracting (Langley) Ltd., to perform the subject work for a total cost of \$2,150,155.53 with final payment based on actual quantities and unit prices tendered.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

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

Alderman Stusiak retired from the Council Chamber at 9:55 p.m.

CARRIED UNANIMOUSLY

16. Letter from Mrs. Monica Wu, 2132 Meadowood Park, Burnaby, B.C., V5A 4G2
Residences in the Forest Hills Property Area

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

17. Letter from Ms. Ardena Jackson, Wm. Sinser Realty Ltd., which appeared on the Agenda for the 1986 June 09 Meeting of Council
5992 Olive and 6090 Wilson Avenues (Metrotown)

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to correspondence received from Sm. Sinser Realty Ltd. regarding properties located at 5992 Olive Avenue and 6090 Wilson Avenue. The report discusses the relationship of the sites in the context of the Metrotown development and associated road network.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to Ardena Jackson of Wm. Sinser Realty Ltd., 4707 Kingsway, Burnaby, B.C., V5H 2C3.

MOVED BY ALDERMAN NIKOLAI:

SECONDED BY ALDERMAN BEGIN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN BEGIN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN NIKOLAI:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

NEW BUSINESS

Mayor Lewarne

His Worship, Mayor Lewarne, announced the dedication of the Texaco Trail at Barnet Marine Park which will be held at 11:00 a.m. on 1986 June 23. All members of Council present at the meeting indicated that they would attend the ceremony.

His Worship, Mayor Lewarne, then advised of a meeting of the Lower Mainland Municipal Association which is to be held on Thursday, 1986 June 19 in the District of Chilliwack.

Alderman Stusiak entered the Council Chamber at 10:00 p.m. and took his place at the Council table.

ENQUIRIES

Alderman Rankin

Alderman Rankin referred to a report tabled by Council on 1986 June 09. The report deals with the Agricultural Land Reserve review of the Burnaby Big Bend area. Alderman Rankin enquired as to the status of the matter.

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In response, the Director Planning and Building Inspection, Mr. A.L. Parr, advised that staff is presently discussing with the Agricultural Land Commission the approach to the proposed ALR Public Hearing and also advising affected Marine Drive property owners. The matter will be the subject of further report to Council in the near future.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN McLEAN:

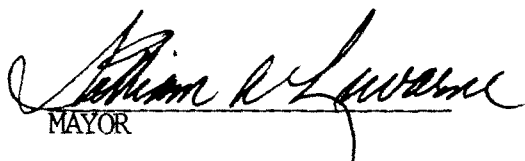
"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 10:03 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK