

1987 FEBRUARY 23

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B. C. on Monday, 1987 February 23 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. R.H. Moncur, 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. T.M. Dunlop, Deputy Municipal Clerk
Mr. R.D. Seath, Administrative Assistant II

P R E S E N T A T I O N

Ms. Jennifer Cruz, Chairman of the Burnaby Youth Advisory Committee, gave a brief presentation to the members of Council regarding Youth Involvement Week, 1987. Ms. Cruz then introduced the following members of the Committee who were in attendance at this evening's Council Meeting: Andy Lee, Joe Kelly, Fiona Barklay and Diane Lee. Ms. Elizabeth Honsberger was also introduced as one of the two Youth Advisors who have worked with the Committee since 1986 July.

Ms. Cruz briefly reviewed the background of the Youth Advisory Committee which planned and implemented the first Youth Involvement Week in 1986. Council was also advised that Burnaby area youth are now served by a newsletter entitled "C. Q. Quarterly", the first issue of which was in 1986 December and which is edited by committee member Diane Lee. The major goal of the committee was stated as being able to provide the youth of Burnaby with the opportunity to express its views and needs to the community. The committee's aim is to provide a more positive image and involvement of youth in the community and Council was requested to allow the Youth Advisory Committee to participate in any municipal committee where youth involvement would be useful or necessary.

M I N U T E S

- (a) The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1987 February 16 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 1987 February 16 be adopted."

CARRIED UNANIMOUSLY

- (b) The minutes of the Public Hearing (Zoning) held on 1987 February 17 then came forward for adoption.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN NIKOLAI:

"THAT the minutes of the Public Hearing (Zoning) held on 1987 February 17 be adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council.

- (a) McDonald's Restaurants of Canada Limited,
Real Estate Representative, 1987 February 17,
Re: Locating restaurant in Edmonds area
Speaker - Cherry Krogstad
- (b) O. Moysiuk, 1987 February 17,
Re: 7928 Rosewood Street
Speaker - Mr. O. Moysiuk

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN VEITCH:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- (a) McDonald's Restaurants of Canada Limited, Ms. Cherry Krogstad, 4777 Harley Court, then addressed the members of Council as real estate representative for McDonald's Restaurants of Canada Limited regarding the proposed location of a restaurant in the Edmonds commercial corridor. The delegation noted that McDonald's had worked with municipal staff on an alternate location to the previously proposed Canada Way project and had identified a suitable site at 7731/41 Edmonds Street. In order to develop the project, the delegation advised that it is necessary to assemble five properties, two of which are owned by the municipality. Discussions with Planning and Building Inspection Department staff indicated that a portion of the proposed site might be required for future right-of-way for the proposed Skytrain extension to Coquitlam and staff therefore opposed the site selected by McDonald's.

The delegation noted McDonald's desire to work with the municipality and with B. C. Transit in an effort to find a compromise solution for the project to proceed at the proposed Edmonds location.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN NIKOLAI:

"THAT staff be requested to bring forward a report on McDonald's Restaurants of Canada Limited's proposal for locating a restaurant in the Edmonds area."

CARRIED UNANIMOUSLY

Staff was requested to bring forward the subject report outlining the reasons and providing information on staff's opposition to the proposal as submitted.

- (b) Mr. O. Moysiuk, 7931 Rosewood Street, then addressed the members of Council on behalf on approximately 65 concerned property owners from the vicinity of a lot located at 7928 Rosewood Street. The delegation advised that he and neighbourhood property owners were concerned at a building permit application for construction of a large dwelling on the subject lot. The municipal Planning and Building Inspection Department was commended for its efforts to deal with the problem of oversized dwellings, however, the delegation suggested that the proposed amendments to the Burnaby Zoning Bylaw and new Bulk Housing Regulations still would not satisfy concerns in many neighbourhoods. As an example, the delegation advised that under the proposed amendments, it would still be possible to construct a 75,000 square foot dwelling on a lot in the subject area.

The delegation then reviewed the following concerns with respect to the proposed construction at 7928 Rosewood Street:

- (1) the negative impact caused by the bulk of the dwelling in a single-family home neighbourhood;
- (2) apparent inconsistencies in the building plan which indicate that the dwelling might be occupied by more than one family;

- (3) area residents were not officially advised of the construction of the proposed new dwelling;
- (4) the height and size of the building will be further exaggerated by construction of a wall 55 feet in length and 23 feet high beside the neighbouring property;
- (5) the removal of trees, shrubs, open space and other landscaping features common to most homes in the neighbourhood;
- (6) the minimum setback required for the proposed new dwelling is 20 feet (6 metres) whereas other setbacks in the neighbourhood are as much as 45 feet;
- (7) if constructed, the new dwelling will impose an undue strain on utilities such as water and sewer service if additional bathroom and kitchen facilities are installed.

The delegation therefore urged Council to take whatever steps are necessary to deal with the increasing problem of oversized homes in all areas of the municipality.

MOVED BY ALDERMAN BEGIN:

SECONDED BY ALDERMAN DRUMMOND:

"THAT Item 10, Municipal Manager's Report No. 13, 1987 February 23 be now brought forward for consideration at this time."

CARRIED UNANIMOUSLY

10. Application for Residential Building Permit
7928 Rosewood Street

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to a petition received at the regular Council Meeting held on 1987 February 16 with respect to the proposed new dwelling to be constructed at 7928 Rosewood Street. The report notes that the petitioners requested that the building permit application be rejected due to the large size of the building which, it was suggested, would be out of character with surrounding residences in view of its mass and overbearing characteristics.

The report reviews particulars of the proposed new dwelling and notes that the amended bulk regulations now being considered for adoption by Council would designate the structure to be in excess of the allowable 25% lot coverage for a two storey dwelling in an R5 zone. A height reduction of approximately 0.9 metres (3 feet) would also be required. The report advises that Council may direct that the building permit be withheld under Section 981 of the Municipal Act due to the building's variance with the proposed bylaw amendments.

The Municipal Manager recommended:

- (1) THAT Council direct that the permit for 7928 Rosewood Street be withheld for a period of 30 days, commencing with the day the application for the permit was made.
- (2) THAT a copy of the report be forwarded to Mrs. B. Lobo, 7920 Rosewood Street, Burnaby, B. C., V5E 2H3.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN NIKOLAI:

"THAT once the 30 day period referred to in Section 981(1) of the Municipal Act is concluded, the permit for 7928 Rosewood Street be withheld for a further 60 days."

CARRIED UNANIMOUSLY

B Y L A W S

FIRST READINGS:

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN NIKOLAI:

"THAT Item 08, Municipal Manager's Report No. 13, 1987 February 23 be now brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- 8. Rezoning Reference No. 11/87
2300 Boundary Road, 2453 Gilmore Avenue
and 4050 Lougheed Highway

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning Reference #11/87, 2300 Boundary Road, 2453 Gilmore Avenue and 4050 Lougheed Highway. The report provides that necessary information for notification purposes in connection with proposed Comprehensive Development of the subject property and also establishes the date for the Public Hearing. The report advises that adoption of the Development Plan Concept as submitted and redesignation of the zoning to Comprehensive Development (CD) will enable the British Columbia Development Corporation and the municipality to proceed with development of an integrated, comprehensive development scheme for the entire site, incorporating the B. C. Film Centre as a major component and allowing the British Columbia Development Corporation to call for proposals for development of the balance of the site in accordance with the approved guidelines.

The Municipal Manager recommended:

- (1) THAT the report be received for information purposes and be made available to those persons interested in the Public Hearing that is to be held 1987 March 17.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN McLEAN:

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BEGIN:

"THAT Section 5.3c(x) of the report be **AMENDED** to read; 'hotel/restaurant use'."

CARRIED UNANIMOUSLY

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

Council amended the subject section of the report to allow sufficient flexibility for all hotel/restaurant proposals to be submitted for consideration.

- #8729 8110/20/26/30/40/46/50/60/66/70/80/90
Lakefield Drive and 6479/85/95 Linfield Place RZ #10/87
- #8730 2300 Boundary Road; 2453 Gilmore Avenue
and 4050 Loughheed Highway RZ #11/87

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT

- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 23, 1987' #8729
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 24, 1987' #8730

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 UNANIMOUSLY

The Council reconvened.

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. 23, 1987' #8729
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 24, 1987' #8730

be now read a first time."

CARRIED UNANIMOUSLY

FIRST, SECOND AND THIRD READINGS:

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT

- 'Burnaby Road Closing Bylaw No. 2, 1987' #8727
- 'Burnaby Local Improvement Construction Bylaw No. 11, 1987' #8731
- 'Burnaby Local Improvement Construction Bylaw No. 12, 1987' #8732

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 the bylaws complete."

CARRIED UNANIMOUSLY

The Council reconvened.

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 Road Closing Bylaw No. 2, 1987' #8727
- 'Burnaby Local Improvement Construction Bylaw No. 11, 1987' #8731
- 'Burnaby Local Improvement Construction Bylaw No. 12, 1987' #8732

be now read three times."

CARRIED UNANIMOUSLY

SECOND READINGS:

- #8689 7584 Imperial Street RZ #96/86
- #8690 6771 Aubrey Street RZ #98/86
- #8691 5190 Manor Street RZ #105/86
- #8692 7212 Eighteenth Avenue RZ #106/86
- #8693 7041 Frederick Avenue RZ #108/86
- #8694 7491 Britton Street RZ #110/86
- #8695 4509 Victory Street RZ #114/86
- #8696 3746 Warren Street RZ #115/86
- #8697 7206 Hastings Street RZ #118/86
- #8698 7487 Eighteenth Avenue RZ #120/86
- #8699 7312 Nelson Avenue RZ #121/86
- #8700 6138 and 6156 Kingsway RZ #122/86
- #8701 7787 Fifteenth Avenue RZ #124/86
- #8702 7165/69 Seventeenth Avenue RZ #125/86
- #8705 5787 Hardwick Street RZ #128/86
- #8706 6112/6138 Sussex Avenue and 4705 Kingsway RZ #129/86
- #8707 6610 Sperling Avenue RZ #130/86
- #8708 5010 Dominion Street RZ #131/86
- #8709 6450 Selma Avenue RZ #134/86
- #8710 3786 Elmwood Street RZ #136/86

NOTE: Bylaw #8700 was ~~WITHDRAWN~~ from the agenda of this evening's Council meeting.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANKIN:

"That the following bylaws be now REFERRED to staff:

- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 1, 1987' #8689
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 2, 1987' #8690
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 3, 1987' #8691
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 4, 1987' #8692
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 5, 1987' #8693

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 1987'	#8694
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 7, 1987'	#8695
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 8, 1987'	#8696
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 9, 1987'	#8697
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 10, 1987'	#8698
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 11, 1987'	#8699
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 13, 1987'	#8701
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 14, 1987'	#8702
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 17, 1987'	#8705
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 19, 1987'	#8707
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 20, 1987'	#8708
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 21, 1987'	#8709
'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 22, 1987'	#8710

CARRIED
 OPPOSED: ALDERMEN BEGIN, STUSIAK AND VEITCH

The bylaws were referred to staff with a request that a report be brought back commenting on the development proposals for each of the subject lots.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN DRUMMOND:

"THAT all further R9 rezoning applications be withheld until Council is satisfied that regulations are in place to resolve the problems of abuse that have occurred in this category."

CARRIED
 OPPOSED: ALDERMEN BEGIN AND STUSIAK

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 18, 1987' #8706

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 NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

The Council reconvened.

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. 18, 1987' #8706

be now read a second time."

CARRIED UNANIMOUSLY

SECOND AND THIRD READINGS:

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANKIN:

"THAT Item 7, Municipal Manager's Report No. 13, 1987 February 23 be now brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- 7. Rezoning Reference No. 88/85 and 126/86
200 S. Ellesmere Avenue

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding Rezoning References #88/85 and #126/86, 200 S. Ellesmere Avenue. The report advises of a previous request to rezone the property at 200 S. Ellesmere Avenue from R4 to R9, for which the zoning bylaw had received second reading. Staff therefore advised that it would be prudent to consider the subject rezoning application prior to advancing the bylaw to rezone the area bounded by Delta Avenue South, Pandora Street and Capitol Drive from the R4 Residential District to the R2 Residential District, Rezoning Reference #126/86, which was given first reading at the regular Council Meeting held on 1987 January 26.

The Municipal Manager recommended:

- (1) THAT Council agree to delete the property at 200 S. Ellesmere Avenue from the rezoning bylaw under RZ #126/86 in accordance with the content of this report, and that a copy of the report be sent to the owners of the property at 200 S. Ellesmere Avenue.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

- #8703 Properties located within the area bounded by Delta Avenue South, Pandora Street and Capitol Drive, excluding the properties at 244 and 254 S. Howard Avenue, 201 and 215 S. Ellesmere Avenue, 380 S. Hythe Avenue
AND 200 S. Ellesmere Avenue RZ #126/86

NOTE: Bylaw #8703 was amended by adoption of the recommendation as contained in Item 7, Municipal Manager's Report No. 13, 1987 February 23.

- #8704 Properties located within the area bounded by Strawson Street, Walker Avenue, Sperling Avenue, Oakland Street and the east property line of 6565 Oakland Street RZ #127/86

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN DRUMMOND:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 15, 1987' #8703
AS AMENDED

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 16, 1987' #8704

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 DRUMMOND:

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

CARRIED UNANIMOUSLY

The Council reconvened.

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. 15, 1987' #8703
AS AMENDED

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 16, 1987' #8704

be now read a second and third time."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#8367	4476 Pandora Street	RZ #25/85
#8632	1641/51/71/81 and 1751 Augusta Avenue and 7261/71/81 Halifax Street	RZ #20/86
#8650	7156 - 18th Avenue	RZ #92/86
#8674	5388 Barker Avenue	RZ #109/86
#8675	6716 Brantford Avenue	RZ #111/86

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN STUSIAK:

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

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 31, 1985' #8367

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 89, 1986' #8632

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 105, 1986' #8650

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 111, 1986' #8674

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 112, 1986' #8675."

CARRIED UNANIMOUSLY

Alderman Begin left the Council Chamber at 8:32 p.m.

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN STUSIAK:

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

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN NIKOLAI:

"THAT Bylaws #8367, #8650, #8674 and #8675 be now **TABLED.**"

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

A vote was then taken on the motion as moved by Alderman Nikolai and seconded by Alderman Stusiak, being; 'THAT the Committee now rise and report the bylaws complete,' and same was **CARRIED** with Aldermen Drummond and McLean OPPOSED to Bylaws #8367, #8650, #8674 and #8675.

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED
OPPOSED: ALDERMEN DRUMMOND AND McLEAN
TO BYLAWS #8367, #8650, #8674
AND #8675.

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN STUSIAK:

"THAT

- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 31, 1985' #8367
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 89, 1986' #8632
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 105, 1986' #8650
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 111, 1986' #8674
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 112, 1986' #8675

be now read a third time."

CARRIED
OPPOSED: ALDERMEN DRUMMOND AND McLEAN
TO BYLAWS #8367, #8650, #8674
AND #8675.

RECONSIDERATION AND FINAL ADOPTION:

- #7955 6750 Cariboo Road RZ #10/82
- #8529 3419, 3453, 3475, 3501 and 3569
North Road and 9894, 9926, 9950
Cameron Street RZ #73/84

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN McLEAN:

"THAT

- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 51, 1982' #7955
- 'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 23, 1986' #8529
- 'Burnaby Road Closing Bylaw No. 1, 1987' #8725

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

CARRIED
OPPOSED: ALDERMAN DRUMMOND TO BYLAW #7955

C O R R E S P O N D E N C E A N D P E T I T I O N S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT all of the following listed items of correspondence be received and those items of the Municipal Manager's Report No. 13, 1987 February 23 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- (a) Province of British Columbia,
Ministry of Municipal Affairs,
Minister, 1987 February 03
Re: 1987 Planning Grant

A letter dated 1987 February 03 was received from Honourable Rita M. Johnston, Minister of Municipal Affairs, declining approval of the municipality's request for a 1987 Planning Grant. The correspondence advises that the Minister is prepared to reconsider an application from the municipality once the Official Community Plan has been adopted.

Staff advised that it would reapply for the subject grant following anticipated adoption of the Official Community Plan in mid 1987.

Alderman Begin returned to the Council Chamber at 8:37 p.m. and took his place at the Council table.

- (b) Ms. Jean Fillis, 1987 February 11,
Re: Skytrain extension

A letter dated 1987 February 11 was received from Ms. Jean Fillis regarding possible extension of the Skytrain service to Coquitlam. The correspondent referred to the proposed open forum which would discuss possible route alternatives.

Staff advised that the correspondent's concerns were addressed in a previous report to Council on 1987 January 01 and further, that the date of the proposed forum is unknown at present since the design process for the Skytrain extension is not yet substantially underway.

- (c) Galaxie Signs, Owner, 1987 February 10,
Re: Parking on Royal Oak Right-of-way

A letter dated 1987 February 10 was received from Galaxie Signs regarding parking problems for employees of the company which is located at 5085 Regent Street.

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 1987 March 02.

(d) J.D. and C. Oakland, 1987 February 15,
Re: Building permit for house on Victory Street

A letter dated 1987 February 15 was received from John D. and Christina Oakland protesting the issuance of a building permit for construction of a large dwelling at 4361 Victory Street. The correspondents acknowledged a reduction in the size of the dwelling, however, they suggested the structure would still be out of character with the neighbourhood.

Item 13, Municipal Manager's Report No. 13, 1987 February 23 was brought forward for consideration at this time.

13. Application for Residential Building Permit
4361 Victory Street

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to correspondence received from Mr. & Mrs. J. Oakland requesting that Council deny issuance of a building permit for a single-family dwelling proposed for construction at 4361 Victory Street. The report reviews actions taken previously by Council in this regard and notes that an amended design with a total finished floor area of 6,271 square feet has now been produced. Staff noted that issuance of a building permit had been postponed until after 1987 February 17 and since that date had passed without any direction to the contrary from Council, the permit for the revised plans would therefore be issued without further delay.

The Municipal Manager recommended:

- (1) THAT a copy of the report be forwarded to Mr. & Mrs. J. Oakland, 4226 Irmin Street, Burnaby, B. C., V5J 1X5.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANKIN:

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN McLEAN:

"THAT the issuance of a building permit for construction of a single-family dwelling at 4361 Victory Street be withheld pending compliance with Council's Bulk Standard Regulations."

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

A vote was then taken on the motion as moved by Alderman Stusiak and seconded by Alderman Rankin, being; 'THAT the recommendation of the Municipal Manager be adopted,' and same was **CARRIED UNANIMOUSLY.**

(e) Lawson, Lundell, Lawson and McIntosh/
Cal Investments Ltd. and The Manufacturers
Life Insurance Company, E.L. Wilson, 1987 February 16,
Re: Metrotown Centre Phase II

A letter dated 1987 February 16 was received from solicitors for Cal Investments Ltd. and The Manufacturers Life Insurance Company regarding Metrotown Centre Phase II. The solicitors advised that following a review of certain design features of the development, it was their clients' intention to proceed with rezoning application #54/86 after review of the design features. The municipality was requested not to process the rezoning application any further until completion of the review and receipt of notice from Cal Investments Ltd. to this effect.

MOVED BY ALDERMAN McLEAN:

SECONDED BY ALDERMAN VEITCH:

"THAT the following listed items of correspondence (f) to (p) and all future correspondence on the subjects of Off Leash Dog Areas and Municipal Smoking Bylaw be now **REFERRED** for consideration in conjunction with the respective reports to Council in this regard and further, that copies of such correspondence be circulated to the members of Council."

CARRIED UNANIMOUSLY

- (f) K. Kalyk, 1987 February 16,
Re: Proposed Off Leash Dog Areas
Letter in opposition to development of Off Leash Dog Areas.
- (g) Petition Burnaby Stride Citizens Committee,
1987 February 17,
Re: Proposed Off Leash Dog Areas
Letter and 15 signature petition in opposition to development of Off Leash Dog Areas.
- (h) Mr. Walter W. Evans, 1987 February 16,
Re: Proposed Off Leash Dog Areas
Letter in opposition to development of Off Leash Dog Areas.
- (i) Jerry Steinberg, 1987 February 10,
Re: Smoking Control Bylaw
Letter in support of municipal smoking control bylaw.
- (j) R. Pummell, 1987 February 10,
Re: Smoking Control Bylaw
Letter in support of municipal smoking control bylaw.
- (k) Deborah Legier, 1987 February 11,
Re: Smoking Control Bylaw
Letter in support of municipal smoking control bylaw.
- (l) Miss C. M. Briscall, 1987 February 14
Re: Smoking Control Bylaw
Letter in support of municipal smoking control bylaw.
- (m) Beverley Alder, 1987 February 13,
Re: Smoking Control Bylaw
Letter in support of municipal smoking control bylaw.
- (n) Airspace, Non-Smokers' Rights Society,
Director, 1987 February 13
Re: Smoking Control Bylaw
Letter in support of municipal smoking control bylaw.
- (o) Elaine Hartford, 1987 February 10,
Re: Smoking Control Bylaw
Letter in support of municipal smoking control bylaw.
- (p) Phillip and Doris Wiebe,
1987 February 16,
Re: Smoking Control Bylaw
Letter in support of municipal smoking control bylaw.

R E P O R T S

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN VEITCH:

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

CARRIED UNANIMOUSLY

- (a) Mayor W.A. Lewarne
Re: Eileen E. Dailly, Freeman of Burnaby

His Worship, Mayor Lewarne, submitted a report which provides details of the record of service to the community given by Mrs. Eileen E. Dailly. The report advises that Mrs. Dailly was the former Provincial Minister of Education, Deputy Premier and House Leader, M.L.A., Burnaby School Trustee, Chairman of the Vancouver Metropolitan Health Board, a citizen representative on Municipal Committees of Burnaby Council, a Burnaby school teacher and community leader. The report suggests that Mrs. Dailly's contributions to the welfare and progress of Burnaby and British Columbia are significant.

His Worship, Mayor Lewarne, therefore submitted Mrs. Dailly's name for Council's consideration, pursuant to Section 279 of the Municipal Act which permits a municipality to confer Freedom of the Municipality on persons felt deserving of such an honour.

His Worship, Mayor Lewarne, recommended:

- (1) THAT the **FREEDOM OF THE MUNICIPALITY** be conferred upon Mrs. Eileen E. Dailly and further, that such conferment take place at the Municipal Appreciation Dinner on Friday, 1987 April 03, at the Sheraton Villa Inn.

MOVED BY ALDERMAN EMMOTT:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- (b) Mayor W. A. Lewarne
Re: Rick Hansen "Man In Motion World Tour"

His Worship, Mayor Lewarne, submitted a report regarding Rick Hansen's "Man In Motion World Tour". The report advises of arrangements initiated by the management of Brentwood Mall to coordinate the presentation of awards from various Lower Mainland communities at one central location upon Rick Hansen's arrival. The report advises that the day of arrival will be declared as "Rick Hansen Day" in Burnaby and all citizens will be encouraged to participate in the celebration of his courage and determination in achieving the goal of travelling around the world by wheelchair to raise funds for spinal cord research, rehabilitation and wheelchair sports.

The report also advises that His Worship's office will be available to receive donations from members of the public towards "The Man In Motion World Tour" fund raising campaign and such donations will be transmitted to the appropriate authority to help Mr. Hansen achieve the financial goals set for his world tour.

His Worship, Mayor Lewarne, recommended:

- (1) THAT Council support "Rick Hansen Day" in Burnaby and the activities being planned to acknowledge Mr. Hansen's dedication to a cause and his outstanding personal achievement.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

(c) The Municipal Manager presented Report No. 13, 1987 February 23 on the matters listed following as Items 01 to 13 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Work Orders:

- No. 60-14-102 - Patterson/Rumble Right Turn Lane Provision
- No. 60-14-103 - Kingsway Upgrading Traffic Control
- No. 60-70-194 - Empress/Oakland Municipal Subdivision Services

The Municipal Manager submitted a report from the Director Engineering regarding the following work orders in the amounts indicated:

60-14-102	Patterson/Rumble Street	\$ 3,000.00
60-14-103	Kingsway from Boundary Road to Edmonds Street	\$40,000.00
60-70-194	Empress/Oakland Street Subdivision Services	\$ 6,000.00.

The Municipal Manager recommended:

- (1) THAT Work Order No.'s 60-14-102 - Patterson Avenue and Rumble Street - right turn lane provision; 60-14-103 - Kingsway - upgrading traffic control devices; and 60-70-194 - Empress Avenue/Oakland Street Municipal Subdivision Services, be approved.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

- 2. Subdivision Reference No. 14/87
Lot 4, D.L. 85, Plan 21942
5265 Canada Way

The Municipal Manager submitted a report from the Approving Officer regarding subdivision reference #14/87, 5265 Canada Way. The report advises that unless otherwise directed by Council, staff will process the subdivision application for construction of two "hammerheads" and a fire truck emergency access and dedication of the full road allowance as described in the report.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN VEITCH:

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

CARRIED UNANIMOUSLY

- 3. Letter from Mr. and Mrs. W. Turner which appeared on the Agenda for the February 16th Meeting of Council (4a) Illegal Suites

The Municipal Manager submitted a report from the Director Planning and Building Inspection which was written in response to correspondence received from Mr. and Mrs. W. Turner regarding alleged illegal suites at 4311/13, 4335/37 and 4334 Albert Street. The report notes a backlog of investigations into bylaw infractions and advises of proposed recruitment of an additional temporary staff member in 1987 March to assist illegal suite investigation.

The report further advises that investigations of 4311/13 and 4335/37 Albert Street have revealed that both buildings are occupied in contravention of the zoning bylaw and the owners have been ordered to remove both the unauthorized construction and the illegal occupancy. Investigation of the single-family dwelling at 4334 Albert Street is continuing and Council was advised that this will be followed up with appropriate action to ensure compliance with the zoning and building bylaws.

The Municipal Manager recommended:

- (1) THAT a copy of the report be provided to Mr. and Mrs. W. Turner, 4326 Albert Street, Burnaby, B. C., V5C 2G1.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN VEITCH:

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

CARRIED UNANIMOUSLY

- 4. Letter from Mr. Joseph Babor which appeared on the Agenda for the February 16th Meeting of Council (Item 4c) Animal Control

The Municipal Manager submitted a report from the Director Finance which was written in response to correspondence received from Mr. Joseph Babor concerning incidents in which he was threatened by a dog while walking along the parkway in the vicinity of the Royal Oak Skytrain station. The report advises of the procedure for responding to such complaints and notes that the complainant has since been interviewed and advised accordingly. Furthermore, the report advises that patrols carried out since interviews with the complainant and dog owners indicate that the animals are now being confined to the owners' properties.

The Municipal Manager recommended:

- (1) THAT a copy of the report be sent to Mr. Joseph Babor, 7984 Gilley Avenue, Burnaby, B. C., V5J 4Y5.

MOVED BY ALDERMAN McLEAN:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

- 5. Sale of Municipal Property
Lakefield Subdivision/Camrose Subdivision/
Marsden Court Subdivision/Parker-Holdom Subdivision
and Grassmere-Sussex Subdivision

The Municipal Manager submitted a report from the Municipal Solicitor regarding the proposed sale of municipal property in the Lakefield, Camrose, Marden Court, Parker/Holdom and Grassmere/Sussex Subdivisions. The lots proposed for sale are more particularly described as follows:

- Item 1: Lots 7, 8, 10, 11, 13, 16, 18, 28, 38, 46, 48, 49, 53 and 65, District Lots 87, 89 and 90, Group 1, Plan 69981, N.W.D. and Lot 382, D.L. 87, Group 1, Plan 46772, N.W.D. Lakefield Subdivision
- Item 2: Lots 317, 323, District Lot 59, Group 1, Plan 65244, N.W.D. Camrose Subdivision
- Item 3: Lot 264, District Lot 135, Group 1, Plan 64337, N.W.D. Marsden Court Subdivision

Item 4: Lot 146, District Lot 127, Group 1, Plan 68791, N.W.D.
Parker/Holdom Subdivision

Item 5: Lots A - G, District Lot 33, Group 1, Plan 71254, N.W.D.
Grassmere/Sussex Subdivision.

The Municipal Manager recommended:

- (1) THAT the highest bid for each of the lots indicated be accepted.
- (2) THAT the remaining lots be re-advertised for sale immediately.
- (3) THAT the highest bids received for Lakefield Subdivision Lots 7, 8, 10, 11 and 13, District Lot 87, Group 1, Plan 66981, New Westminster District be accepted subject to amendment of zoning from P3 to R2 in accordance with Item 6, Manager's Report No. 11, 1987 February 16.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

6. Preliminary Plan Approval Application No. 8323
5520 Hampstead Place

The Municipal Manager submitted a report from the Director Planning and Building Inspection regarding preliminary plan approval application No. 8323, 5520 Hampstead Place. The report advises that the applicant has been notified that the proposal does not conform to the adopted Comprehensive Development Plan and cannot, therefore, be approved under existing zoning. The report sets out two alternative courses of action to proceed with the applicant's submission of a formal rezoning application to amend the existing CD plan by substituting his house design for the original one. The report recommends that Council indicate its support for preservation of the broad density and project character guidelines of the comprehensive development residential area and suggests that staff work with the applicant in the preparation of a development plan which is compatible with the originally adopted CD plan and the issuance of Preliminary Plan Approval. The report notes that if the applicant is unwilling or unable to proceed as suggested, however, it will be necessary to process the rezoning application in the usual manner.

The Municipal Manager recommended:

- (1) THAT Council authorize the Planning and Building Inspection Department to work with the applicant towards the preparation of a development plan which is compatible with the originally adopted Comprehensive Development plan and the issuance of Preliminary Plan Approval.
- (2) THAT Mr. Kolvane Yuh be sent a copy of the report.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

7. Rezoning References No. 88/85 and 126/86
200 S. Ellesmere Avenue

This item was dealt with previously in the meeting in conjunction with Items 3(aai) and 3(aaii) under Bylaws, Second and Third Readings.

8. Rezoning Reference No. 11/87
2300 Boundary Road, 2453 Gilmore Avenue and
4050 Lougheed Highway

This item was dealt with previously in the meeting in conjunction with Item 3(b) under Bylaws, First Readings.

9. Status Report - Canopies and Awnings
Projecting over Public Road Allowance

The Municipal Manager submitted a status report from the Director Planning and Building Inspection regarding the matter of canopies and awnings projecting over public road allowances. The report notes that early investigations involving other municipalities and legal opinions were not conclusive as to the municipality's authority to permit such structures over public rights-of-way. The report further advises that a review of the legal issues involved will be given priority, including discussions with the Ministry of Highways and Transportation and also including possible amendments to related municipal bylaws. The review will be the subject of a further report to Council by 1987 mid-April.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

10. Application for Residential Building Permit
7928 Rosewood Street

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

11. Issuance of Building Permits for Single and
Two-Family Dwellings

The Municipal Manager submitted a report from the Director of Planning and Building Inspection regarding the issuance of building permits for single and two-family dwellings. The report advises that in order to prevent purpose-built, multiple-family dwellings being created in single and two-family districts, staff has been instructed to deny building permit issuance when the arrangement of rooms and provision of facilities clearly indicates the provision of an additional dwelling unit beyond that permitted by municipal zoning.

The Municipal Manager recommended:

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

12. Engineering Services for the Design of the Marine Way/10th Avenue Connector and the Gilley Alternate

The Municipal Manager submitted a report from the Director Engineering regarding engineering services for the design of the Marine Way/10th Avenue Connector and the Gilley Alternate. The report provides a review of proposals submitted by nine companies invited to bid on the design project and recommends that the firm of Reid Crowther and Partners Ltd. be retained to perform the engineering design services for the portions of the Marine Way/10th Avenue and Gilley Alternate road links as described in the report. The report also provides details of the financing of the proposed works.

The Municipal Manager recommended:

- (1) THAT Reid Crowther and Partners Ltd. be retained to provide engineering consulting services for the design of a portion of the Marine Way/10th Avenue Connector and the Gilley Alternate, as more fully described in the report.
- (2) THAT a Capital Works Machinery and Equipment Reserve Fund Expenditure Bylaw in the amount of \$1.1 million be brought forward for design, property acquisition, and partial road construction of a portion of the Marine Way/10th Avenue Connector and the Gilley Alternate, as more fully described in the report.

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

13. Application for Residential Building Permit 4361 Victory Street

This item was dealt with previously in the meeting in conjunction with Item 4(d) 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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN NIKOLAI:

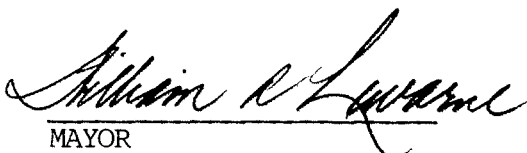
"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 9:08 p.m.

CONFIRMED:

CERTIFIED CORRECT:


MAYOR


DEPUTY MUNICIPAL CLERK