

1992 APRIL 13

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1992 April 13 at 7:00 p.m.

PRESENT: His Worship, Mayor W.J. Copeland
Alderman D.R. Corrigan
Alderman D.P. Drummond
Alderman D.G. Evans
Alderman E. Nikolai
Alderman L.A. Rankin (Arrived 7:05 p.m.)
Alderman C.M. Redman (Arrived 7:01 p.m.)
Alderman J. Young

ABSENT: Alderman D.A. Lawson

STAFF: Mr. R.H. Moncur, Acting Municipal Manager
Mr. W.C. Sinclair, Director Engineering
Mr. R. Earle, Director Finance
Mr. D.G. Stenson, Deputy Director Planning & Building
Mr. J. Plesha, Administrative Assistant to Manager
Mr. C.A. Turpin, Municipal Clerk
Mrs. D.R. Comis, Deputy Municipal Clerk

M I N U T E S

1. The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1992 April 06 then came forward for adoption.

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN YOUNG:

"THAT the minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1992 April 06 be now adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

1. Steve Mancinelli, Undated,
Re: Nature and Cultural Centre
atop Burnaby Mountain
Speaker - Steve Mancinelli
2. Mr. Mohan Singh Chera, 1992 April 07,
Re: Subdivision of property located
at 7926 Wedgewood Street
Speaker - Mr. Mohan Chera
3. V. Milosavljevic, 1992 April 05,
Re: Noise pollution in 7500 Block
Winston Street - Dairyland
Ice Cream Division
Speaker - Vladimir Milosavljevic
4. Gayle Bettiol, 1992 April 08,
Re: Report on Fencing adjacent to
our Property - 3957 Lozells Avenue
Speakers - Gayle and Art Bettiol
5. Burnaby Select Taxi Ltd., 1992 April 08,
Re: Fair Ware Concept and the Licencing
Review
Speaker - Douglas B. Oldham

6. Clark, Wilson, Barristers and Solicitors, 1992 April 08,
Re: Hastings Golf Centre Ltd. Proposed Driving Range - Shellburn lands on Hastings Street - resolution to amend M2 Industrial Zone to delete Driving Ranges as a permitted use
Speaker - Duncan Watt, Hastings Golf Centre;
Martin Blair, Shell Canada
7. Lougheed Lanes Ltd. President, 1992 April 08,
Re: Request for reconsideration of rezoning of property at 4199 Lougheed Highway from C4 to CD
Speaker - Jackie Shaefer, Great Canadian Casinos Ltd.

MOVED BY ALDERMAN NIKOLAI:
SECONDED BY ALDERMAN YOUNG:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

1. Mr. Steve Mancinelli, 5810 E. Georgia Street, Burnaby, B.C. appeared before Council to present an idea for development of a nature and cultural centre atop Burnaby Mountain.

Alderman Redman entered the Council Chamber at 7:01 p.m. and took her place at the Council table.

Mr. Mancinelli reviewed the outcome of a meeting with Chief Leonard George of the Burrard Band for Council's information, which included the Chief's vision for development of the nature and cultural centre. The speaker also advised M.P. Svend Robinson of the Chief's vision for this facility.

Alderman Rankin entered the Council Chamber at 7:05 p.m. and took his place at the Council table.

Mr. Robinson expressed support for the concept and encouraged Mr. Mancinelli to pursue his ideas.

The speaker then reviewed various reasons for pursuing this concept. Mr. Mancinelli cited opportunities for promoting environmental awareness, cultural history, hosting heritage, festival and cultural events, guided tours and youth oriented activities as positive components of the proposal.

Mr. Mancinelli concluded by reading an excerpt from a book paying tribute to Chief Dan George, father of Chief Leonard George of the Burrard Band.

2. The delegation withdrew from the Council agenda prior to the Council Meeting.
3. Mr. Vladimir Milosavljevic, 7580 Dorchester Drive, Burnaby, B.C. appeared before Council to discuss problems associated with operation of the Dairyland Ice Cream Plant.

Mr. Milosavljevic advised that over the past two years the noise problems have not been resolved. The speaker read a letter from the Plant Manager which outlined various problems including noise from rooftop fans, loading of trucks from 12 midnight to 6:00 a.m., forklift noises, ammonia tank alarm and location of ammonia tanks, truck refrigeration unit noises from out-of-province trucks, maintenance such as power washing during evening hours, compressor noises and noise from the garbage compactor which the Plant Manager felt Dairyland was in the process of addressing.

However, the speaker contends that Dairyland has not taken steps to alleviate these problems and is requesting that the Municipality lay charges or take whatever action possible to correct these problems.

Arising from the discussion Alderman Drummond was granted leave by Council to introduce the following motion:

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN EVANS:

"THAT staff prepare a report on the concerns expressed by the delegation in relationship to modifications constructed at the Dairyland Ice Cream Division to mitigate noise problems."

CARRIED UNANIMOUSLY

4. Mr. and Mrs. Art Bettiol, 3957 Lozells Avenue, Burnaby, B.C. appeared before Council to discuss the report of the Director Engineering regarding the 7500 Block Winston noise studies. Mrs. Bettiol reviewed the staff report by section advising that two meetings took place with the Engineering staff. The Bettiois disagree with the wood fence proposed by staff as it would destroy an existing cedar hedge. They would prefer an alternative form of noise barrier such as concrete or metal.

MOVED BY ALDERMAN RANKIN:

SECONDED BY ALDERMAN EVANS:

"THAT Item 1, Acting Municipal Manager's Report No. 26, 1992 April 13 be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

1. Delegations from Mr. and Mrs. Bettiol and Mr. Milosavljevic Concerning Noise Study at 7500 Block Winston Street

The Acting Municipal Manager submitted a report from the Director Engineering advising Council of the results of a consultant's study of noise and its mitigation along 7500 Block Winston Street. The study and subsequent staff review focused on the Bettiol residence at 3957 Lozells Avenue. The consultant's study outlines primary sources of noise problems as being vehicular traffic and some industrial sources. The study recommends a barrier of approximately 3 to 4 meters in height be installed along the north edge of the right-of-way on Winston Street which would attenuate traffic noise by 7 to 11 dBA and would result in levels adequate to meet the Municipality's criteria at all residences considered. In addition the consultants recommend a barrier offering shielding to the Bettiol residence. Staff have prepared and presented to the Bettiois a noise mitigation design proposal which is consistent in terms of materials with the existing noise attenuation treatment on the residential north side of Winston Street. However, the Bettiois have rejected this proposal and have indicated a preference for a 4 meter high concrete or metal structure with landscaping at an estimated overall cost of \$50,000.

The Acting Municipal Manager recommended:

1. THAT a copy of this report be forwarded to:
 - a) Mr. & Mrs. Bettiol, 3957 Lozells Avenue, Burnaby, B.C., and
 - b) Mr. Milosavljevic, 7580 Dorchester Drive, Burnaby, B.C.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN EVANS:

"THAT the report of the Director Engineering be REFERRED back to staff for a further report outlining options for mitigating noise problems at the Dairyland Ice Cream Plant and addressing questions and concerns raised by the delegation and Council members."

CARRIED UNANIMOUSLY

Specifically, Council requested clarification as to whether or not Fence Creek International provides the concrete fencing on the Upper Levels Highway and the costs of providing a similar fence along the Bettiol property and the length of the Dairyland property.

Alderman Drummond retired from the Council Chamber at 8:15 p.m.

5. Mr. Douglas Oldham, Burnaby Select Taxi appeared before Council to address outstanding issues related to a previous report from 1992 January regarding taxi service in Burnaby.

Alderman Rankin retired from the Council Chamber at 8:15 p.m.

The issues of concern to Mr. Oldham included leasehold drivers versus commission drivers and the issuance of taxi licences.

Alderman Young retired from the Council Chamber at 8:16 p.m.

The speaker compared the Fair Wage Policy adopted by Burnaby to leasehold taxi drivers, noting that the lease system does not allow the provision of benefits as provided to commission drivers and does not regulate the number of hours of operation of taxis and does not contribute to fairness in dispatching of drivers.

Mr. Oldham also enquired as to when a formula for issuance of taxi licences will be brought forward for consideration.

Mr. Oldham concluded by requesting Council examine the leasehold method of taxi services.

Alderman Drummond returned to the Council Chamber at 8:25 p.m. and took his place at the Council table.

Alderman Young returned to the Council Chamber at 8:33 p.m. and took his place at the Council table.

Alderman Rankin returned to the Council Chamber at 8:33 p.m. and took his place at the Council table.

Alderman Nikolai retired from the Council Chamber at 8:35 p.m.

Alderman Redman retired from the Council Chamber at 8:35 p.m.

6. The delegation withdrew from the Council agenda prior to the Council Meeting.

Alderman Nikolai returned to the Council Chamber at 8:40 p.m. and took his place at the Council table.

7. Mr. David Ehrhardt, Loughheed Lanes appeared before Council to request reconsideration of a motion which defeated a rezoning amendment bylaw at first reading. The rezoning bylaw amendment dealt with the provision of a casino operation at 4199 Loughheed Highway.

Mr. Ehrhardt reviewed the Council adopted criteria for gambling facilities as it pertains to the proposed site. The speaker advised that the location is close to transportation services, commercial facilities and is at least three and one half blocks from the nearest residential area.

Mr. Ehrhardt expressed disappointment at not being permitted to take this application to public hearing and requested that Council reconsider allowing the application to proceed.

Alderman Corrigan retired from the Council Chamber at 8:43 p.m.

Ms. Jackie Shaefer, Vice President, Great Canadian Casinos appeared before Council to provide background information on this company. Great Canadian Casinos is a Canadian company which has located its head office in Burnaby since 1982. The company employs 500 people for the purpose of assisting charities in maximizing their fundraising potential. The speaker stated that the casino licence in question was not a new licence but transference of an existing licence from a Langley facility.

Alderman Corrigan returned to the Council Chamber at 8:50 p.m. and took his place at the Council table.

Mr. Brian Thursk, Treasurer, B.C. Stroke Association also appeared before Council to provide information on the benefits derived by charitable organizations from casino operations. Mr. Thursk stated that the charity which he represents is not prepared to participate in the proposal for a casino operated by a group of charities because of the time commitment required by volunteers and the exclusivity of access to charitable funds.

Ms. Shaefer concluded by requesting Council reconsider their decision of 1992 April 06 and allow the proposal to proceed to Public Hearing.

Alderman Redman returned to the Council Chamber at 8:55 p.m. and took her place at the Council table.

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 RANKIN:

SECONDED BY ALDERMAN CORRIGAN:

"THAT all of the following listed items of correspondence be received and those items of the Acting Municipal Manager's Report No. 26, 1992 April 13 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN REDMAN:

SECONDED BY ALDERMAN YOUNG:

"THAT the Council Meeting do now recess."

CARRIED UNANIMOUSLY

The Council Meeting recessed at 9:07 p.m.

MOVED BY ALDERMAN RANKIN:

SECONDED BY ALDERMAN DRUMMOND:

"THAT the Council Meeting do now reconvene."

CARRIED UNANIMOUSLY

The Council Meeting reconvened at 9:16 p.m.

1. Clarence Morin, 1992 March 24,
Re: Platanus Occidentalis Tree in
front of 4848 Greentree Place

A letter dated 1992 March 24 was received from Clarence Morin enquiring as to when the Plane Trees in front of 4818 Greentree Place would be removed.

A staff notation appended to this item of correspondence advises that in late 1991 Council approved a staff report recommending the removal of approximately 13 trees on Greentree Place street. Since that time, staff have received letters from two residents in the area opposed to the proposed program. Notwithstanding the objection, staff are preparing the tree removal and replacement program and will review the plan with each affected property owner to reach an acceptable solution prior to commencement of work in early summer. The correspondent has been apprised of the situation and is satisfied with the information that was provided.

2. Village of Belcarra, Mayor,
1992 March 26,
Re: Resolution of support to those
in Quebec favouring renewed
federalism

A letter dated 1992 March 26 was received from the Village of Belcarra requesting Council endorse a motion in support of Canadian unity.

MOVED BY ALDERMAN CORRIGAN:
SECONDED BY ALDERMAN YOUNG:

"THAT Burnaby Council endorse the resolution as presented by the Village of Belcarra."

CARRIED UNANIMOUSLY

3. Union of British Columbia Municipalities,
Executive Director, 1992 April 01,
Re: Fraser Basin Management Agreement

A memorandum dated 1992 April 01 was received from the Union of B.C. Municipalities providing Council with the details of the Fraser Basin Management Agreement. Federal and Provincial ratification of the agreement is planned for 1992 April 16.

His Worship, Mayor W.J. Copeland advised that the Director Planning and Building is preparing a report in response to this item of correspondence to be submitted to Council at the regular meeting on 1992 April 21.

4. Citizens Against Aerial Spraying,
Rod Marling, 1992 April 02,
Re: Gypsy Moth - No egg masses have
been found

A letter dated 1992 April 02 was received from Mr. Rod Marling advising that as of 1992 April 05 no egg masses have been located in any Municipality and stating that Agriculture Canada has no proof to date that Asian Gypsy Moth larvae have hatched.

Mr. Marling is urging Council to reconsider a motion of support in principle for the spray program.

A staff notation appended to this item of correspondence advises that staff have sent a copy of Item 4, Acting Municipal Manager's Report No. 20, 1992 March 23 (Asian Gypsy Moth Eradication Program) to the correspondent, together with the motion adopted as a result of Council's consideration of this report.

Arising from the discussion Council requested staff contact the company conducting the spraying program to discuss the effect of low level flights on wildlife and nesting birds.

5. Province of B.C., Minister of Finance
and Corporate Relations, 1992 April 01,
Re: Transportation and transit issues
in the Lower Mainland

A letter dated 1992 April 01 was received from the Minister of Finance and Corporate Relations responding to Council's submission entitled "Let's Do It Right - The Lougheed Corridor: A key to Regional Transportation." The Minister notes that the terms of reference of the Coquitlam Skytrain study were too narrow and the study will not proceed. It is hoped that the Provincial government, in due course, will formulate a policy that will allow for sensible study of transit issues.

6. Province of B.C., Office of the Speaker,
Speaker of the Legislative Assembly,
1992 April 01,
Re: Recent visitation of Ambassador of
El Salvador, Mr. Alfredo F. Ungo

A letter dated 1992 April 01 was received from the Office of the Speaker advising that the Ambassador of El Salvador, Mr. Alfredo F. Ungo was a recent guest of the Provincial government. Mr. Ungo has provided information on the environmental concerns and reconstruction plans for the post war period in El Salvador.

7. Anne E. and Lane F. Macey, 1992 March 31,
Re: Pioneer homesite of Macey family
at 4906 Canada Way proposed for
parksite development
-

A letter dated 1992 March 31 was received from Anne and Lane Macey requesting that the parksite at 4906 Canada Way be renamed Macey Park.

A staff notation appended to this item of correspondence advises that the naming of parks is the responsibility of the Parks Names Committee which reports to the Parks and Recreation Commission. The park referred to by Mr. and Mrs. Macey in their correspondence was officially named "Scandia Park" by this Committee in 1988.

Mr. and Mrs. Macey's correspondence and an information report from staff will be submitted to the Commission for consideration at its meeting of April 15.

Mr. and Mrs. Macey have been advised of this process.

8. Steve Mancinelli, 1992 April 08,
Re: Recycling
-

A letter dated 1992 April 08 was received from Steve Mancinelli requesting that Council not give consideration to an idea to reduce the frequency of blue box recycling pick up services.

9. Association of B.C. Professional
Foresters, Manager, 1992 April 08,
Re: Asian Gypsy Moth Spraying Program
-

A letter dated 1992 April 08 was received from the Association of British Columbia Professional Foresters encouraging Council's support of spraying for the Asian Gypsy Moth.

A staff notation appended to this item of correspondence advises that staff will forward a copy of item 4, Acting Municipal Manager's Report No. 20, 1992 March 23 (Asian Gypsy Moth Eradication Program) to the correspondent together with the motion adopted as a result of Council's consideration of this report.

10. City of Vancouver, Mayor,
1992 April 06
Re: Improvements to intersection
of Boundary and Adanac
-

A letter dated 1992 April 06 was received from the City of Vancouver acknowledging Council's concerns with regard to the lack of time provided in making a decision with regard to improvements to the intersection of Boundary and Adanac.

11. Douglas S. Porter, 1992 April 08,
Re: Neighbourhood Input into Rezoning
Reference No. 8/92 - 3754 and
3762 Thurston Street
-

A letter dated 1992 April 08 was received from Douglas Porter requesting permission to participate in the design phase of Rezoning No. 8/92 affecting properties in the Thurston triangle.

A staff notation appended to this item of correspondence advises that in response to the request in this letter for an opportunity to provide input at the design phase of Rezoning Reference No. 8/92, staff will contact Mr. Porter and ask him for any comments that he may wish to make on this matter at that time.

12. Office of the Secretary to The
Lieutenant-Governor, 1992 March 31,
Re: Regrets for being unable to
attend Centennial Celebrity Dinner

A letter dated 1992 March 31 was received from the Office of the Secretary to The Lieutenant-Governor advising that His Honour and Mrs. Lam will be unable to attend the 1992 Celebrity Dinner as they will be out of the country at that time.

13. Hanne Syme, 1992 March 28,
Re: Access to lower Westridge area
- No sidewalks and limited
lighting

A letter dated 1992 March 28 was received from Hanne Syme expressing concern with regard to the impact of the Barnet/Hastings Project on their neighbourhood. The planned future access, North Cliff Avenue has no sidewalks, limited lighting and becomes the only access for 120 homes as well as the main access to Trans Mountain Terminal. As a result, residents are concerned for the safety of school children and all pedestrian traffic.

His Worship, Mayor W.J. Copeland advised that the Director Planning & Building is preparing a report in response to this correspondence to be submitted to Council at the regular meeting on 1992 April 21.

R E P O R T S

MOVED BY ALDERMAN RANKIN:
SECONDED BY ALDERMAN EVANS:

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

CARRIED UNANIMOUSLY

1. Traffic and Transportation Committee
Traffic Safety Division
Re: School Safety Patrol Incentive Grant

The Traffic and Transportation Committee, Traffic Safety Division submitted a report recommending that a grant in the amount of \$3,000 be awarded to School District No. 41 for its School Safety Patrol Incentive Program. The grant will be distributed to schools on the basis of the number of pupils participating.

The Traffic and Transportation Committee recommended:

1. THAT a grant in the amount of \$3,000 be awarded to School District No. 41 - Burnaby for its School Safety Patrol Incentive Program.

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN EVANS:

"THAT the recommendation of the Traffic and Transportation Committee be adopted."

CARRIED UNANIMOUSLY

2. Family Court and Youth Justice
Committee

The Family Court and Youth Justice Committee submitted a report advising that the Victim Offender Reconciliation Program has been suspended in Burnaby. The V.O.R.P. was unable to obtain sufficient referrals from appropriate sources to be able to make the program work.

The Family Court and Youth Justice Committee recommended:

1. THAT this report be received for information purposes.

MOVED BY ALDERMAN CORRIGAN:
SECONDED BY ALDERMAN DRUMMOND:

"THAT the recommendation of the Family Court and Youth Justice Committee be adopted."

CARRIED UNANIMOUSLY

3. Family Court and Youth Justice
Committee
Re: Annual Report - 1991

The Family Court and Youth Justice Committee submitted its annual report for 1991 for the consideration of Council. The report outlines the various activities undertaken by the Committee in 1991 including a compilation of information on the Family Maintenance Enforcement Program, hosted a public information meeting on youth gangs in the Lower Mainland, and reviewed topics for consideration in 1992.

1992 topics include a second information meeting on youth gangs, review of the new Youth Offenders Act and a review of family violence and the systems which courts and police deal with in these situations.

The Family Court and Youth Justice Committee recommended:

1. THAT a copy of this report be sent to Mr. Rene de Vos, Policy Program Analyst, Policy and Program Services Division, Ministry of Attorney General, 5th Floor, 910 Government Street, Victoria, B.C., V8V 1X4.

MOVED BY ALDERMAN CORRIGAN:
SECONDED BY ALDERMAN NIKOLAI:

"THAT the recommendation of the Family Court and Youth Justice Committee be adopted."

CARRIED UNANIMOUSLY

4. The Acting Municipal Manager presented Report No. 26, 1992 April 13 on the matters listed following as Items 1 to 10 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. Delegations from Mr. and Mrs. Bettiol and Mr. Milosavljevic Concerning Noise Study
at 7500 Block Winston Street

This item was dealt with previously in the meeting in conjunction with Items 3 and 4, Delegations.

2. Barnet/Hastings People Moving Project

The Acting Municipal Manager submitted a report from the Director Planning & Building prepared in response to Council's request for further information regarding the Barnet/Hastings People Moving Project. The report responds to concerns expressed by Council at the time the Ministry of Transportation and Highways presented its preliminary design for the Inlet Drive and Hastings/Gagliardi Connector sections of the project.

In response to concerns expressed about the speed of traffic on Inlet Drive, the Ministry has developed a number of measures to reduce speeds on the Inlet Drive section including an increase in the number of traffic signals, design differences between the Barnet Highway and Inlet Drive, and posted speeds on the Barnet Highway from 80 km declining to 50 km on Inlet Drive. The report also reviews overall plans for Hastings Street and addresses a number of traffic related issues including traffic infiltration into adjacent neighbourhoods and the speed of traffic on Hastings Street.

A public process on Hastings Street has recently been initiated with a series of public meetings. Further meetings with area businesses and residents will be held to receive input into the development of a functional design for Hastings. Staff will be providing a full update on discussions regarding the Barnet/Hastings People Moving Project at an upcoming presentation to Council in the near future.

The Acting Municipal Manager recommended:

1. THAT Council receive this report for information.

MOVED BY ALDERMAN RANKIN:

SECONDED BY ALDERMAN DRUMMOND:

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

Alderman Corrigan retired from the Council Chamber at 9:52 p.m.

CARRIED UNANIMOUSLY

Arising from the discussion Alderman Redman requested further details regarding proposals to widen intersections along Hastings and how this could be accomplished with the current building constructed in close proximity to the corners.

3. Public Hearing Concerns
Rezoning Reference No. 52/91
5221 Neville Street
Royal Oak Development Plan

The Acting Municipal Manager submitted a report from the Director Planning & Building prepared in response to concerns raised at the Public Hearing for the rezoning application pertaining to 5221 Neville Street. At that time Council requested further information about the status of non-conformity of the abutting properties at 7058 and 7676 Royal Oak Avenue, the development potential of a consolidation, whether or not the neighbouring owners have attempted to achieve consolidation and the schematics of possible development on a consolidated site to illustrate various setbacks required.

Staff advised that upon investigation of the three properties, there appear to be several redevelopment options available. Parking and loading requirements are considered the primary factors restricting the size of the footprint of the building while issues of financing and timing appear to affect the three owners' ability to consolidate in the near future. Should the unsettled situation continue, it is unlikely that a decision regarding consolidation will be achieved, which would lead to the conclusion that this rezoning be considered on its own merits.

The Acting Municipal Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY ALDERMAN EVANS:

SECONDED BY ALDERMAN NIKOLAI:

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

Alderman Corrigan returned to the Council Chamber at 9:55 p.m. and took his place at the Council table.

Alderman Drummond retired from the Council Chamber at 9:57 p.m.

Alderman Drummond returned to the Council Chamber at 10:01 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

4. Subdivision Reference No. 88/90
B.C. Hydro Headquarters Complex
Minor Encroachment of Concrete Parkade
Foundation Wall Beneath the Boulevard
at the Intersection of 19th Street and
Southpoint Drive/Proposed Airspace Parcel

The Acting Municipal Manager submitted a report from the Director Planning & Building requesting Council approval to the Ministry of Transportation and Highways raising and retaining title to the 2 m² "ground" portion of boulevard at the intersection of 19th Street and Southpoint Drive beneath which a small portion of the recently constructed concrete foundation wall for the B.C. Hydro parkade encroaches, and Ministry of Transportation and Highways leasing the airspace parcel to be created around this encroachment to B.C. Hydro.

The lease would include an indemnification clause which would protect the Municipality against liability arising out of the development and use of the airspace parcel, the Municipality would be named an additional insured under B.C. Hydro's liability policy, a copy of the lease would be provided to the Municipality and an as built survey plan showing the location of the structure within the airspace parcel would also be provided to the Municipality.

The Acting Municipal Manager recommended:

1. THAT Council consent to the Ministry of Transportation and Highways raising and retaining title to that 2 m² "ground" portion of boulevard at the intersection of 19th Street and Southpoint Drive beneath which a small portion of the recently constructed concrete foundation wall for the B.C. Hydro parkade encroaches, and M.O.T.H. leasing the airspace parcel to be created around this encroachment to B.C. Hydro, pursuant to Section 139(1) of the Land Title Act, subject to the conditions outlined in this report.

MOVED BY ALDERMAN DRUMMOND::

SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

5. Proposed Land Assembly Involving Municipal
Land 7055/67/77/89 - 16th Avenue

The Acting Municipal Manager submitted a report from the Director Planning & Building advising Council of a land assembly involving municipal property currently being pursued in the Edmonds Station area. The land assembly would include the municipal properties at 7055/67/77/89 - 16th Avenue. If a rezoning application for the subject site assembly is submitted, it will be subject of a future report to Council.

The Acting Municipal Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN CORRIGAN:

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

CARRIED UNANIMOUSLY

6. Letter from E.M. Thompson which appeared on the April 06 Agenda Regarding Traffic on Hastings Street

The Acting Municipal Manager submitted a report from the Officer-In-Charge, Burnaby Detachment, R.C.M.P. prepared in response to concerns expressed by Mrs. Evelyn Thompson regarding speeding traffic and erratic drivers on Hastings Street. The R.C.M.P. advise proactive steps have been taken to reduce the number of collisions on Hastings Street. These steps include an interview conducted by CBC Television regarding the recent fatalities and the enforcement programs relating to speeding/pedestrian violations and problems; ongoing enforcement projects targeting speed and pedestrian violations; and meetings with the municipal Engineering Department and Provincial Highways resulting in an active study as to the feasibility of installing a pedestrian light activated crosswalk at Hastings Street and Springer Avenue.

The Acting Municipal Manager recommended:

1. THAT a copy of this report be sent to Mrs. Evelyn Thompson, #404 - 5335 East Hastings Street, Burnaby, B.C. V5B 1P9.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN CORRIGAN:

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

CARRIED UNANIMOUSLY

7. Sale of Municipal Property
Cariboo Heights Subdivision - Area 2, Phase II

The Acting Municipal Manager submitted a report from the Municipal Solicitor advising of the results of bids received for 22 lots offered for sale in the Cariboo Heights subdivision. Fifty-four valid bids were received by the closing date for a total of \$3,779,682.

The Acting Municipal Manager recommended:

1. THAT the highest bid for each of the lots as indicated in this report be accepted.
2. THAT the remaining lots be re-advertised for sale at the same upset price.

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

8. Lease No. 2832 - 1600 Sq. Ft.
9048 Stormont Avenue
Ministry of Transportation and Highways

The Acting Municipal Manager submitted a report from the Municipal Solicitor advising that a renewal of the lease with the Ministry of Transportation and Highways for 1,600 square feet of space at 9048 Stormont Avenue has been negotiated by staff. The renewed lease would be for a period of one year commencing 1992 January 01 at a monthly rent of \$650.

The Acting Municipal Manager recommended:

1. THAT 9048 Stormont Avenue be leased to the Ministry of Transportation and Highways for a further period of one year at a rental of \$650.00 per month.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

9. Regulation of the Hours of Operation of
Pool Halls

The Acting Municipal Manager submitted a report from the Director Finance prepared in response to Council's request for information on the preparation of a resolution for submission to the 1992 Union of B.C. Municipalities convention and requesting authority under the Municipal Act to regulate the hours of operation of pool halls. Upon investigation, staff have found that all of the municipalities with pool halls regulate their hours of operation. Based on this investigation, staff have concluded that a resolution to the U.B.C.M. is therefore not necessary.

The Planning & Building Department is currently preparing a report on the regulation of places of amusement which will include information on the regulation of the hours of operation of pool halls. It is anticipated the staff report will be presented to Council in the next two or three months.

The Acting Municipal Manager recommended:

1. THAT this report be received for information purposes.

MOVED BY ALDERMAN CORRIGAN:
SECONDED BY ALDERMAN EVANS:

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

CARRIED UNANIMOUSLY

10. Government Finance Officers
Association Conference

The Acting Municipal Manager submitted a report from the Director Finance requesting permission to attend the 1992 Government Finance Officers Association International Conference in Orlando, Florida from 1992 June 21 to 24.

The Acting Municipal Manager recommended:

1. THAT the Director Finance be authorized to attend the 1992 Government Finance Officers Association Conference.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN YOUNG:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN RANKIN:
SECONDED BY ALDERMAN CORRIGAN:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN RANKIN:
SECONDED BY ALDERMAN CORRIGAN:

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

CARRIED UNANIMOUSLY

T A B L E D M A T T E R S

1. Proposed Plan Review
Edmonds Town Centre

Council chose not to lift this item of business from the table at this time.

2. Community Transportation Plan:
Community Plan Two Area
Closure of Mayberry Street

Council chose not to lift this item of business from the table at this time.

3. Bylaws, Second Reading
Rezoning Reference #52/91
5221 Neville Street

Council chose not to lift this item of business from the table at this time.

B Y L A W S

FIRST READING:

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 21, 1992, Bylaw #9728 was withdrawn from the Council agenda.

FIRST, SECOND AND THIRD READING:

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN CORRIGAN:

"THAT

Burnaby Lease Authorization Bylaw No. 3, 1992

#9729

be now introduced and read three times."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING:

#9673 6125 Nelson Avenue
#9695 4705 Wayburne Drive

RZ #50/91
RZ #43/91

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN CORRIGAN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 55, 1991

#9673

be now read a third time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN CORRIGAN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 6, 1992

#9695

be now read a third time."

DEFEATED

FOR: ALDERMEN DRUMMOND,
NIKOLAI AND REDMAN

OPPOSED: MAYOR COPELAND, ALDERMEN
CORRIGAN, EVANS, RANKIN
AND YOUNG

MOVED BY ALDERMAN RANKIN:
SECONDED BY ALDERMAN EVANS:

"THAT the Council Meeting proceed past 10:30 p.m."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION:

#9693

4905 Canada Way, 4336, 4456 Percival Avenue

RZ #51/91

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN CORRIGAN:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 5, 1992

#9693

Burnaby Frontage-Tax Bylaw 1992

#9721

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

CARRIED UNANIMOUSLY

N O T I C E O F M O T I O N

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN EVANS:

"THAT WHEREAS the local portion of the budget for the Vancouver Regional Transit system is funded from fare revenue and transit taxes including motor fuel tax, the Hydro levy and the non-residential property tax, and;

WHEREAS increasing the motor fuel tax tends to discriminate against residents and industrial consumers of fuel in Greater Vancouver; and

WHEREAS the Hydro levy is a regressive tax which bears no relationship to electricity consumption; and

WHEREAS application of the property tax for transit purposes to residential property is unacceptable to the Municipality; and

WHEREAS the transit fare structure does not encourage ridership and the fare zone system discriminates against local trips within Burnaby;

THEREFORE BE IT RESOLVED THAT the Municipality requests the Province to undertake an independent study to identify more appropriate sources of funding for transit and recommend capital cost sharing for major transit improvements in the context of an improved organizational structure for transit in the Vancouver Region and report back within six months."

Alderman Redman retired from the Council Chamber at 10:43 p.m.

1992 APRIL 13

Alderman Redman returned to the Council Chamber at 10:47 p.m. and took her place at the Council table.

CARRIED
OPPOSED: ALDERMAN DRUMMOND

NEW BUSINESS

Alderman Young

Alderman Young advised that he wished to bring back for reconsideration the motion of 1992 April 06 pertaining to Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 16, 1992, Bylaw #9723.

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN EVANS:

"THAT reconsideration be given to the resolution of Council as defeated at the regular Council Meeting on 1992 April 06, being 'THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 16, 1992 #9723

be now introduced and read a first time."

CARRIED
OPPOSED: ALDERMEN DRUMMOND AND
REDMAN

The motion was now before the meeting.

A vote was then taken on the motion as moved by Alderman Drummond and seconded by Alderman Rankin, being "THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 16, 1992 #9723

be now introduced and read a first time," and same was CARRIED with Aldermen Drummond and Redman OPPOSED.

INQUIRIES

Alderman Nikolai

Alderman Nikolai enquired as to the status of the bylaw requiring the posting of signs warning of Fetal Alcohol Syndrome.

The Acting Municipal Manager, Mr. R.H. Moncur advised that he will discuss the bylaw with the Solicitor and provide Council with a response.

Alderman Rankin retired from the Council Chamber at 10:57 p.m.

Alderman Nikolai also requested information as to the manner of distribution of the Burnaby Centennial Magazine and the Parks and Recreation Calendars.

The Acting Municipal Manager, Mr. R.H. Moncur advised that staff will provide the information on distribution of the Centennial Magazine and the Parks and Recreation Calendars to the Council members.

MOVED BY ALDERMAN CORRIGAN:
SECONDED BY ALDERMAN NIKOLAI:

"THAT this regular Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 10:59 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY MUNICIPAL CLERK