

1993 OCTOBER 18

A regular meeting of the City Council was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 1993 October 18 at 7:00 p.m.

PRESENT: His Worship, Mayor W.J. Copeland
Councillor D.R. Corrigan
Councillor D.P. Drummond
Councillor D.A. Lawson (Arrived 7:15 p.m.)
Councillor L.A. Rankin
Councillor C.M. Redman (Arrived 7:25 p.m.)
Councillor J. Young

ABSENT: Councillor D.G. Evans
Councillor E. Nikolai

STAFF: Mr. A.L. Parr, City Manager
Mr. R.H. Moncur, Director Administrative and Community Services
Mr. W.C. Sinclair, Director Engineering
Mr. D.G. Stenson, Director Planning and Building
Mr. R. Earle, Director Finance
Mr. J. Plesha, Administrative Assistant to Manager
Mr. C.A. Turpin, City Clerk
Mrs. D.R. Comis, Deputy City Clerk

PRESENTATION

- a) Presentation to Merrill Gordon, Chair,
Burnaby Arts Centre Capital Campaign
Presenter - Michael Audain, Managing Director
The Polygon Group Ltd.

His Worship, Mayor W.J. Copeland introduced Mr. Merrill Gordon, Chair, Burnaby Arts Centre Capital Campaign in attendance at the meeting with Mr. Michael Audain of the Polygon Group. Mr. Michael Harding, Executive Director, Burnaby Arts Centre Capital Campaign and Mr. Carl Stewart of Degelder Construction were also in attendance with the delegation. Mr. Audain presented Mayor Copeland with a donation toward the Burnaby Arts Centre Capital Campaign in the amount of \$250 per home to be built in the Oaklands development. There are 139 new homes planned for this development which will bring the total donation to \$34,750. Mr. Audain issued a challenge to other home builders in Burnaby to provide a similar donation to development of the Arts Centre.

His Worship, Mayor W.J. Copeland noted that Burnaby author Gayla Reid has been awarded the \$10,000 Journey Award at the International Festival of Authors in Ontario. The Journey Award, honouring a writer beginning a career, was made possible by James A. Mitchener's donation of the Canadian royalty earnings from his novel Journey.

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Mayor Copeland proclaimed the week of 1993 October 17 to 23 as "Community Care Week" in Burnaby and the week of 1993 October 24 to 30 as "Small Business Week" in Burnaby.

Councillor Lawson entered the Council Chamber at 7:15 p.m. and took her place at the Council table.

1. MINUTES

- a) The minutes of the regular Council Meeting and Caucus Meeting "In Camera" held on 1993 October 12 then came forward for adoption.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR DRUMMOND:

"THAT the minutes of the regular Council Meeting and Caucus Meeting 'In Camera' held on 1993 October 12 be now adopted."

CARRIED UNANIMOUSLY

2. DELEGATIONS

The following wrote requesting an audience with Council:

- a) Cheryl and James Atwater, 1993 October 06,
Re: Burnaby Subdivision Control Bylaw
re infill subdivisions
Speaker - Cheryl and James Atwater
- b) Douglas S. Porter, 1993 October 06,
Re: Use of Ozone for disinfecting GVRD
drinking water supply
Speaker - Mr. Vladimir Stuchlik, President
Azco Industries Ltd.

MOVED BY COUNCILLOR RANKIN:

SECONDED BY COUNCILLOR DRUMMOND:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

- a) Mr. James Atwater, 135 N. Howard Avenue, Burnaby, B.C. appeared before Council to present a petition signed by Mr. and Mrs. Atwater and nine area residents expressing opposition to the application of the subdivision bylaw to two subdivision applications on N. Howard and Cambridge, the text of which reads as follows:

"We the neighbours in the immediate vicinity of 175 North Howard and 5480 Cambridge were disappointed in Council's endorsement of the process used by the Approving Officer in granting tentative approval for subdivision of the aforementioned properties. We were also most distressed that Council endorsed the Approving Officer's position that he need not apply City bylaws. We believe that the actions taken by the Approving Officer were discriminatory against the neighbours and favoured development. In that regard, legal opinion was sought and that opinion is attached. A brief summary of that opinion is as follows:

1. The Approving Officer gave undue weight to the Zoning Bylaw and this action raises the question of bias in favour of the applicants and therefore discrimination against the neighbours; and
2. The Approving Officer's use of staff practice and policy to not apply the Subdivision Control Bylaw has no basis in law.

In light of this legal opinion and as neither of the aforementioned properties have received final approval for subdivision it is obvious to us that Council should reconsider their position and direct the Approving Officer to reconsider his approvals."

The petitioners also provided a copy of a legal opinion, prepared by L. Ross McFee, the conclusion of which reads as follows:

"In making his decision regarding subdivision application approval, the Approving Officer must exercise his full discretionary authority and not make his decision on an unduly narrow basis, even if this would enhance certainty. In doing so he must show no discrimination. He must also ensure subdivision and zoning bylaw requirements are met. With regard to the above subdivision applications he has not done so."

Mr. Atwater concluded his presentation by requesting Council reconsider their previous decision with respect to the subject subdivision applications.

- b) Mr. Vladimir Stuchlik, Azco Industries, Surrey, B.C. appeared before Council to discuss the use of ozone as a method of disinfecting the G.V.R.D. water supply.

The speaker noted that ozonation is used worldwide and advised that there are many different ways to apply ozonation technology. Mr. Stuchlik discussed the G.V.R.D. sources of drinking water and the manner in which ozonation technology could be applied to create a self-cleaning drinking water supply.

Councillor Redman entered the Council Chamber at 7:25 p.m. and took her place at the Council table.

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Mr. Stuchlik concluded by advising that he is not before Council to promote his own business, but would like to reassure Council that ozonation need not be prohibitively expensive and that they should remain open to exploring the different options available using ozonation.

Councillor Young retired from the Council Chamber at 7:47 p.m.

Councillor Young returned to the Council Chamber at 7:55 p.m. and took his place at the Council table.

3. CORRESPONDENCE AND PETITIONS

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR YOUNG:

"THAT all of the following listed items of correspondence be received and those items of the City Manager's Report No. 63, 1993 October 18 which pertain thereto be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

- a) Copy letter from G.V.R.D. to Dr. Sack Igarashi, 1993 September 29,
Re: Cycling in the Lower Mainland

A letter dated 1993 September 29 was received from the Greater Vancouver Regional District addressed to Dr. Sack Igarashi of Port Coquitlam responding to his concerns with respect to the difficult conditions for cyclists on Lower Mainland roadways. The G.V.R.D. Chair advises that the Regional District is attempting to address problems such as difficulties encountered by cyclists through the development of a new regional land use plan, the "Liveable Region Strategy" and through participation in the development of a new Regional Transportation Strategy, "Transport 2021".

- b) The Corporation of the City of Gloucester, City Clerk, 1993 October 04,
Re: Request support for resolution regarding removal of Mayor's from the Upper Tier Council in a Two Tier Local Government system

A letter dated 1993 October 04 was received from the City of Gloucester, Ontario addressed to members of the Federation of Canadian Municipalities requesting support for a resolution to request the Provincial Government of Ontario to amend Bill 77 to include Mayors on the Upper Tier of regional government.

- c) Sue Smith, 1993 October 01,
Re: Request for update on Urban Trail
route crossing of Eastlake Drive and
along Beaverbrook Drive

A letter dated 1993 October 01 was received from Sue Smith of Stoney Creek Residents' Committee requesting a status update on the progress of the Urban Trail route crossing Eastlake Drive.

A staff notation appended to this item of correspondence advises that staff will report to Council concerning implementation plans and options for the Phase II Urban Trail following completion of current work related to construction of Phase I later this year. Staff have conveyed this information to Ms. Smith and will continue to keep her updated on the plans and schedule for Phase II.

- d) Francine Rumley, 1993 October 06,
Re: Request relocation of Sex Offender
Supervision Program

A letter dated 1993 October 06 was received from Francine Rumley expressing concern with respect to the establishment of a treatment centre for convicted sex offenders in a residential area of Burnaby.

His Worship, Mayor W.J. Copeland advised that correspondence has been received from the Ministry of the Attorney General advising that the treatment centre will not be established in Burnaby.

- e) Society Targeting Overuse of Pesticides,
1993 October 11,
Re: Annual pesticide spraying of
Vancouver and area with foray 48B

A letter dated 1993 October 11 was received from the Society Targeting Overuse of Pesticides addressed to the Provincial Ombudsman requesting an investigation into the procedures used by Agriculture Canada to advise residents of the spraying program for Foray 48B.

Councillor Corrigan retired from the Council Chamber at 8:12 p.m.

- f) Burnaby Hospital Foundation, Director,
of Development, 1993 October 01,
Re: First Annual Gingerbread Festival
hosted at Lougheed Mall from 1993 December
06 to 17

A letter dated 1993 October 01 was received from the Burnaby Hospital Foundation advising that they will be hosting their first annual Gingerbread Festival at Lougheed Mall from December 06 to 17. This event is designed to raise funds for a neonatal monitor for the new "Special Care Nursery" at Burnaby Hospital.

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR LAWSON:

"THAT the correspondence from the Burnaby Hospital Foundation be REFERRED to the Executive Committee of Council (Grants) for consideration."

CARRIED UNANIMOUSLY

- g) Province of B.C., Minister of Municipal Affairs, 1993 October 04,
Re: Awarding of funding under Revenue Sharing Act Regulations for Kingsway watermain corridor

A letter dated 1993 October 04 was received from the Honourable Darlene Marzari, Minister of Municipal Affairs advising that Burnaby is to be the recipient of a grant in the amount of \$10,000 for a study of the Kingsway watermain corridor.

- h) Burnaby Voters Association, President, 1993 October 12,
Re: Authorization for placement of BVA signage on public property owned by the City of Burnaby

A letter dated 1993 October 12 was received from the Burnaby Voters Association requesting authorization for placement of signage on public property during the forthcoming local government election.

Item No. 11, City Manager's Report No. 63, 1993 October 18 was brought forward for consideration at this time.

11. Election Campaign Signs on Public Property
Forthcoming Civic Election

The City Manager submitted a report from the Director Planning and Building requesting Council provide permission for placement of campaign signs on public property during the 1993 local government election. The Burnaby Sign Bylaw allows for the placement of temporary signs pertaining to campaigns, drives or events of political, civic, philanthropic, educational or religious organizations provided that an applicant obtains the consent of Council and agrees in writing to remove the signs within three days after the campaign.

The City Manager recommended:

1. THAT Council approve the erection of political signs on public property by all participants in the forthcoming civic election subject to affected parties or associations signifying in writing that such will be undertaken in compliance with Clause (9), Schedule No. 1 of the Burnaby Sign Bylaw.

2. THAT a copy of this report be sent to all participating political associations and independent candidates in the City, once these candidates make themselves known to the City.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR RANKIN:

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

CARRIED UNANIMOUSLY

- i) Province of B.C., Minister of Health and Minister Responsible for Seniors, 1993 October 07,
Re: Recommendations for the location of proposed group homes made by Burnaby Council

A letter dated 1993 October 07 was received from the Honourable Paul Ramsey, Minister of Health prepared in response to the Group Home Policy established by Burnaby and submitted to the Provincial government for consideration. The Minister advises that the Ministry of Health and Minister Responsible for Seniors, Alcohol and Drug Programs, Services to the Handicapped, Mental Health Service, and the Continuing Care Division have all endorsed the concept of entering into a consultative process with the City of Burnaby prior to the establishment of future group homes.

Councillor returned to the Council Chamber at 8:29 p.m. and took his place at the Council table.

- j) City of Toronto, Mayor, 1993 October 05,
Re: Request participation in provision of funds in support of Energy Probe in connection with the Constitutional Challenge

A letter dated 1993 October 05 was received from the City of Toronto addressed to members of the Federation of Canadian Municipalities requesting Council give consideration to providing financial assistance to Energy Probe in its Constitutional challenge of liability provisions under the Nuclear Liability Act.

Councillor Drummond retired from the Council Chamber at 8:35 p.m.

- k) Sue Ann Sargent, 1993 October 08,
Re: Request for installation of paving and curbing of lane

A letter dated 1993 October 08 was received from Sue Ann Sargent proposing that Burnaby consider installing paving and curbing adjacent to an undeveloped lane allowance on Edmonds Street.

His Worship, Mayor W.J. Copeland advised that the Director Engineering is preparing a report in response to this item of correspondence to be submitted to Council at the regular meeting on 1993 November 01.

Councillor Rankin retired from the Council Chamber at 8:40 p.m.

- 1) F.C.M., President, 1993 September 30,
Re: F.C.M.'s Election Kit providing
information on grants-in-lieu of taxes,
municipal infrastructure and social housing

A letter dated 1993 September 30 was received from the Federation of Canadian Municipalities providing Council with copies of news reports with respect to the position of various Federal politicians on items of concern submitted by the Federation of Canadian Municipalities.

Councillor Drummond returned to the Council Chamber at 8:41 p.m. and took his place at the Council table.

Councillor Redman retired to the Council Chamber at 8:43 p.m.

4. REPORTS

MOVED BY COUNCILLOR CORRIGAN:

SECONDED BY COUNCILLOR YOUNG:

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

CARRIED UNANIMOUSLY

- a) Traffic and Transportation Committee
(Traffic Safety Division)
Re: Traffic matters

The Traffic and Transportation Committee (Traffic Safety Division) submitted a report recommending various actions in response to traffic safety concerns throughout the City.

A. Pandora/Glynde and other Capitol Hill Intersections

The Traffic and Transportation Committee recommended:

1. THAT staff prepare a comprehensive plan for stop sign control on Capitol Hill and circulate it to residents to determine its acceptability; and
2. THAT a copy of this report be sent to residents who have corresponded with the City of Burnaby regarding the Pandora and Glynde Intersection.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

B. Installation of Pedestrian Crosswalks

The Traffic and Transportation Committee recommended:

1. THAT Council endorse the Installation of crosswalks proposed in this report.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR LAWSON:

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

CARRIED UNANIMOUSLY

C. Removal of On-Street Parking on Still Creek Drive
Between Gilmore Avenue and Willingdon Avenue

The Traffic and Transportation Committee recommended:

1. THAT 'no parking' zones be re-instated on Still Creek Drive but that 1 hour parking be retained on the north side of Still Creek Drive across from McDonald's restaurant.

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR CORRIGAN:

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

Councillor Rankin returned to the Council Chamber at 8:52 p.m. and took his place at the Council table.

Councillor Corrigan retired from the Council Chamber at 8:52 p.m.

Councillor Redman returned to the Council Chamber at 8:53 p.m. and took her place at the Council table.

CARRIED
OPPOSED: COUNCILLOR LAWSON

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- b) Traffic and Transportation Committee
(Transportation and Transit Division)
Re: B.C. Transit Quarterly Service
Adjustments

The Traffic and Transportation Committee submitted a report prepared in response to proposed changes to transit routes in Burnaby.

The Traffic and Transportation Committee recommended:

1. THAT Council, by copy of this report, inform the Vancouver Regional Transit Commission that it does not accept the proposed service adjustments to the #132, #139, #140 and #141 in advance of implementation of the North Burnaby Transit Service Proposals.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR YOUNG:

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

MOVED BY COUNCILLOR YOUNG:

SECONDED BY COUNCILLOR LAWSON:

"THAT the recommendation of the Traffic and Transportation Committee be **AMENDED** to include the following routes; #101, #106, #135 and #150 and that Council authorize Councillor Evans to present Burnaby's concerns to the Vancouver Regional Transit Commission."

CARRIED UNANIMOUSLY

A vote was then taken on the motion as moved by Councillor Lawson and seconded by Councillor Young, being "THAT the recommendation of the Traffic and Transportation Committee be adopted," **AS AMENDED** and same was **CARRIED UNANIMOUSLY**.

- c) The City Manager presented Report No. 63, 1993 October 18 on the matters listed following as Items 1 to 11 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. House Demolition at 6725 Nelson Avenue

The City Manager submitted a report from the Director Engineering requesting Council approval to remove and or demolish a City owned building. The subject property was acquired for future expansion of Bonsor Park. Situated on the property is a vacant one storey, three bedroom house built in 1910. The building is in poor condition and would require extensive repairs in order to meet City rental house standards. The Finance Department have indicated that the estimated repair costs would far exceed the potential rent to be collected and therefore staff are recommending that the building be either removed or demolished.

The City Manager recommended:

1. THAT Council authorize the sale for moving or salvage or demolition of the structures including all outbuildings at 6725 Nelson Avenue.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR LAWSON:

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

Councillor Young retired from the Council Chamber at 9:03 p.m.

Councillor Corrigan returned to the Council Chamber at 9:05 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

2. Ornamental Trees in 100 Block of Springer Avenue

The City Manager submitted a report from the Director Engineering prepared in response to a petition from residents requesting the planting of ornamental trees on the boulevard area of Springer Avenue, Dundas to Cambridge. Staff have conducted a survey of the affected residents and determined that 67% of the 27 abutting properties are in favour of having the ornamental trees planted on the boulevard area, eight are against the planting and one resident did not respond. Staff have examined the site and concluded that it is feasible to plant trees in the boulevard area approximately one per lot. The exact location of the trees would be determined onsite in consultation with affected residents.

The City Manager recommended:

1. THAT ornamental trees be planted on the boulevard area of Spring Avenue, Dundas to Cambridge at the estimated cost of \$7,000.
2. THAT a copy of this report be sent to all property owners on Springer Avenue, Dundas to Cambridge.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

3. Tender for the Supply, Delivery and Installation
of a Modular Office Building - Works Yard

The City Manager submitted a report from the Director Finance advising of the results of tenders received for the supply, delivery and installation of a modular office building at the works yard.

The City Manager recommended:

1. THAT a purchase order be issued to the lowest bidder, Shelter Industries Inc., for the supply, delivery and installation of a modular office building at the works yard for a total cost of \$165,490.48, including specified energy-efficient options.

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR LAWSON:

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

CARRIED UNANIMOUSLY

4. Council's Authority to Suspend or Revoke a
Business Licence

The City Manager submitted a report from the Director Finance prepared in response to Council's request for a review of Council's authority to suspend or revoke a business licence for businesses who conduct themselves in an inappropriate manner. Staff advise that Council's authority is established in Sections 508 and 513 of the Municipal Act. Section 508 permits Council to refuse to grant or renew a licence with support of at least of 2/3 of its members and Section 513(1) gives Council the authority to delegate to an official the power to suspend a business licence. This power has been delegated to the Tax and Licence Director in the Burnaby Business Licence Bylaw. The courts have ruled in favour of refusing to renew a licence where a business operation indirectly and negatively affects its surrounding neighbourhood, however, courts have also ruled that Councils have overstepped their authority in taking business licence action and therefore a final ruling on these matters could only be established through legal action.

The City Manager recommended:

1. THAT Council receive this report for information.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR RANKIN:

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

Councillor Young returned to the Council Chamber at 9:11 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

5. Workplace Harassment Policy

The City Manager submitted a report from the Human Resources Director outlining a workplace harassment policy which would replace the sexual harassment policy in place since 1987. The new policy provides a broader approach to issues of harassment including race, color, place of origin, political belief, religion, family or marital status, physical or mental disability, sex or sexual orientation, age, or criminal or summary conviction offence that is unrelated to employment. This approach is consistent with Human Rights legislation.

The City Manager recommended:

1. THAT Council endorse the Workplace Harassment Policy as outlined in this report.

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR YOUNG:

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

Mr. George Harvey, Human Resources Director and Ms. Pat Tenant, Assistant Human Resources Director attended the podium to respond to questions of Council.

Councillor Corrigan retired from the Council Chamber at 9:40 p.m.

Councillor Redman retired from the Council Chamber at 9:41 p.m.

CARRIED UNANIMOUSLY

6. National Fire Protection Association (N.F.P.A.)
Fall Training Seminars
Review of Permitting Process in other Jurisdictions

The City Manager submitted a report from the Director Planning and Building requesting authorization for the Chief Building Inspector to participate in the National Fire Protection Association fall training seminars and to investigate permit processing systems used in the Cities of Glendale, California, San Diego, California and Phoenix, Arizona.

The City Manager recommended:

1. THAT the Chief Building Inspector be authorized to attend the 1993 N.F.P.A. seminar and associated business trip to evaluate the Permit Process in other jurisdictions.

MOVED BY COUNCILLOR LAWSON:

SECONDED BY COUNCILLOR DRUMMOND:

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

MOVED BY COUNCILLOR DRUMMOND:

SECONDED BY COUNCILLOR RANKIN:

"THAT the motion as moved by Councillor Lawson and seconded by Councillor Drummond, being 'THAT the recommendation of the City Manager be adopted,' be now TABLED."

CARRIED UNANIMOUSLY

This item was tabled to the 1993 November 01 regular Council Meeting.

7. Proposed Sale of 7090 Curtis Street
Lot 4, D.L. 135, Plan 15980, NWD

The City Manager submitted a report from the Director Planning and Building requesting Council authorization to sell the subject property. The property was originally acquired in 1960 for the future development of Greystone Drive, however, it was subsequently determined that Greystone Drive would not be constructed west of Duthie Avenue and the balance of the right-of-way north to Hastings Street was designated as part of the urban trail network. The Urban Trail is located on the east of Sherlock Avenue and does not impact this property. Therefore, there is no longer civic use proposed for the site.

The City Manager recommended:

1. THAT Council authorize staff to advise the tenant(s) of the subject property that the City intends to offer it for sale by Public Tender after 1994 March 31.
2. THAT, prior to offering the property for sale, a further report be submitted, providing a recommended minimum acceptable bid.
3. THAT the Director Engineering be authorized to prepare a subdivision plan providing for a 2 foot road dedication from the east side of the subject property for future upgrading of Sherlock Avenue.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR YOUNG:

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

Councillor Corrigan returned to the Council Chamber at 9:45 p.m. and took his place at the Council table.

CARRIED UNANIMOUSLY

Councillor Lawson retired from the Council Chamber at 9:45 p.m.

8. Proposed Class "A" Outdoor Seating Area
B.C.I.T. Student Association Lounge
3700 Willingdon Lounge
Liquor Licence Application #4/93

The City Manager submitted a report from the Director Planning and Building requesting Council approve the establishment of an outdoor patio in conjunction with the B.C.I.T. Student Association Lounge. The patio would be located in front of the new Student Centre Building oriented to the campus square and Willingdon Avenue over 500 feet to the west. The hours of operation would be the same as those of the Student Association Lounge; 11:00 a.m. to 1:00 a.m. Monday through Saturday and 11:00 a.m. to midnight on Sunday.

The City Manager recommended:

1. THAT Council give favourable consideration to the request for outdoor patio seating up to a maximum of 85 seats for the B.C.I.T. Student Association Lounge, with maximum operating hours of 11:00 a.m. to 1:00 a.m. Monday through Saturday and 11:00 a.m. to 12:00 midnight on Sunday.
2. THAT a copy of this report and Council's resolution be forwarded to the Liquor Control and Licensing Branch, #217 - 1899 Willingdon Avenue, Burnaby, B.C., V5C 5T1 and the applicant Mr. Stephen Miller, B.C.I.T. Student Association, 3700 Willingdon Avenue, Burnaby, B.C., V5G 3H2.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR CORRIGAN:

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

MOVED BY COUNCILLOR CORRIGAN:
SECONDED BY COUNCILLOR RANKIN:

"THAT the report be REFERRED back to staff for further review to address issues concerned with late night noise emanating from the patio area."

CARRIED UNANIMOUSLY

9. Rezoning Reference No. 165/87
3125 Smith Avenue and 3786 Dominion Street
Community Plan Eight

The City Manager submitted a report from the Director Planning and Building advising of the comments received from neighbours of the subject sites with respect to the lot consolidation pattern proposed for the rezoning and providing an analysis of development options for this block. The neighbours expressed concerns about the impact of living adjacent to an apartment building, particularly citing the increase in back lane traffic, potential parking problems and the restriction of views to the remaining single family dwellings. Another neighbour is concerned about the loss in property value from remaining locked out of an efficient site assembly and the adverse impact of living next to an apartment building. As a result of these concerns staff are requesting Council's authority to work with the applicant towards a plan of development in accordance with the CD Comprehensive Development District zoning for a two storey building, using the RM3 Multiple Family Residential District guidelines or alternatively a three storey building using the RM2 Multiple Family Residential District guidelines.

The City Manager recommended:

1. THAT Council authorize staff to work with the applicant towards a suitable plan of development in accordance with the CD Comprehensive Development District zoning for a 2 storey building using the RM3 Multiple Family District guidelines or alternatively a 3 storey building using the RM2 Multiple Family District guidelines.
2. THAT copies of this report be sent to the applicant, Isaac Yomtov, 946 West 14th Avenue, Vancouver, B.C., V5Z 1R4; Mrs. Fulton, 3175 Smith Avenue, Burnaby, B.C., V5G 2S8; Mr. and Mrs. Grenda, 3793 Norfolk Street, Burnaby, B.C., V5G 1E3; Louice Pulice, 2306 West 18th Avenue, Vancouver, B.C., V6L 1A8; and Aldo Pulice, 4515 Gothard Street, Vancouver, B.C., V5R 3K8.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR CORRIGAN:

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

Councillor Redman returned to the Council Chamber at 9:52 p.m. and took her place at the Council table.

CARRIED UNANIMOUSLY

10. Urban Trail Development at BCIT -
Moscrop Street

The City Manager submitted a report from the Director Planning and Building advising that the City has been approached by B.C.I.T. with a proposal for a joint project to construct a portion of the Urban Trail on the north side of Moscrop Street, west to Willingdon Avenue. B.C.I.T. is willing to construct a new bike path and boulevard landscaping to complete the section of the Urban Trail to a finished standard for pedestrian and cyclists. The project will be done in conjunction with B.C.I.T.'s plan for upgrading of the perimeter of the Burnaby campus.

The City Manager recommended:

1. THAT Council approve the allocation of \$18,500 from the 1993 Capital Contingency Account to fund the construction of a walkway and street tree component of the urban trail on Moscrop Street as outlined in this report.

MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR YOUNG:

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

Councillor Lawson returned to the Council Chamber at 9:55 p.m. and took her place at the Council table.

CARRIED UNANIMOUSLY

11. Election Campaign Signs on Public Property
Forthcoming Civic Election

This item was dealt with previously in meeting in conjunction with Item (h), Correspondence and Petitions.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR DRUMMOND:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR RANKIN:
SECONDED BY COUNCILLOR CORRIGAN:

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

CARRIED UNANIMOUSLY

5. TABLED MATTERS

- a) Restoration Public Houses in the
C2 and C3 Commercial District

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

6. BYLAWS

FIRST, SECOND AND THIRD READINGS

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR RANKIN:

"THAT

Burnaby Park Dedication Bylaw 1993

#9976

Burnaby Capital Works, Machinery and Equipment Reserve Fund
Expenditure Bylaw No. 23, 1993

#9977

be now introduced and read three times."

CARRIED UNANIMOUSLY

CONSIDERATION AND THIRD READING

#9958 6745 Station Hill Court

RZ #39/93

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR LAWSON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 47, 1993

#9958

be now read a third time."

CARRIED UNANIMOUSLY

RECONSIDERATION AND FINAL ADOPTION

#9896 4091/95, 4107 Pender Street; 450 Gilmore Avenue

RZ #17/93

MOVED BY COUNCILLOR YOUNG:
SECONDED BY COUNCILLOR LAWSON:

"THAT

Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 28, 1993

#9896

Burnaby Road Closing Bylaw No. 4, 1993

#9974

Burnaby Budget Authorization Bylaw 1993, Amendment
Bylaw No. 1

#9975

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

CARRIED UNANIMOUSLY

7. NEW BUSINESS

There were no items of new business brought before Council at this time.

8. INQUIRIES

Councillor Redman

Councillor Redman inquired as to when the City would be going to tender
for the parking facilities along Hastings Street to be constructed in
conjunction with Burnaby Zoning Bylaw 9896.

The Director Planning and Building, Mr. D.G. Stenson advised that staff
will be going to tender on this project as soon as possible.

Councillor Rankin retired from the Council Chamber at 10:05 p.m.

1993 October 18

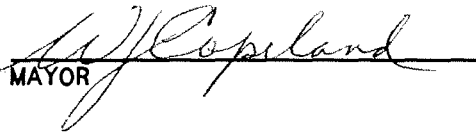
MOVED BY COUNCILLOR DRUMMOND:
SECONDED BY COUNCILLOR CORRIGAN:

"THAT this regular Council Meeting do now adjourn."


CARRIED UNANIMOUSLY

The regular Council Meeting adjourned at 10:06 p.m.

Confirmed:


MAYOR

Certified Correct:


DEPUTY CITY CLERK