

AUGUST 27, 1962

A Regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, August 27, 1962 at 7:30 p.m.

PRESENT: Reeve A. H. Emmott in the Chair;  
Councillors Clark, Edwards, Harper,  
Hicks, Kalyk and Prittie

ABSENT: Councillors Blair and MacSorley

Reverend H. H. Irwin led in Opening Prayer.

Reeve Emmott then presented Municipal Administration Diplomas to the following persons commending both them and the course in Municipal Administration in which they were enrolled and successfully completed:

- (a) Mr. William J. Svatko - Senior Diploma)
- (b) Mr. Peter F. Steeves - Junior Diploma

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR HARPER:

"That Councillors Blair and MacSorley both be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR EDWARDS:

"That the Minutes of the meeting held August 13, 1962 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

Reeve Emmott then informed those present that Burnaby was hosting the Miss P.N.E. Contestants at a luncheon to-morrow at the Centennial Pavilion.

Councillor H. Kalyk then spoke on her attendance on behalf of the Municipality at Barkerville, B. C. She commended the Junior Chamber of Commerce for the escort service which was provided and added that she had attended a Council meeting at Quenel where, she noted, they were experiencing similar problems to those which prevail in Burnaby.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR KALYK:

"That the Council now resolve itself into Committee of the Whole to consider and report on Burnaby Shops Closing Exemption By-law 1962."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR HARPER:

"That the correspondence on the matter  
of shops closing hours be received."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CLARK,  
SECONDED BY COUNCILLOR HARPER:

"That the delegations on this matter  
be heard."

CARRIED UNANIMOUSLY

The following correspondence was then read:

- (1) Sweet Sixteen Limited indicating that it is not opposed to a By-law under which the hours of closing for shops in this Municipality would be extended.
- (2) The T. Eaton Company Limited (B. C. Division) advising that it completely supports the submission made by the Burnaby Better Consumers Shopping Hours Committee for more liberal shopping hours.
- (3) Cunningham Drug Stores Limited indicating that it is not opposed to an extension of shopping hours in this Municipality and suggesting that the manner by which this issue can be resolved is by the holding of a plebiscite.
- (4) Zeller's (Western) Limited advising that it supports more liberal shopping hours than are currently in effect in this Municipality.
- (5) Commercial Distributors Limited indicating that it supports the submission made by the Burnaby Better Consumers Shopping Hours Committee for more liberal shopping hours and suggesting that the method of effecting the extension of the hours of closing for shops in this Municipality be by extending these hours one additional night per week.
- (6) Leo's Men's Wear advising that it wishes to withdraw its name from a petition presented by the Better Consumers Shopping Hours Committee wherein the Committee requested that a change be made in the shopping hours in this Municipality.
- (7) Shop-Easy Stores (B.C.), Division of W. H. Malkin Limited. advising that it is firmly opposed to any extension of retail shopping hours in this Municipality and adding that Mr. R. Hunt of the Retail Merchants Association of Canada has been given permission to address Council on its behalf.
- (8) Hartley Printing and Stationery Company advising that some of the members of the Retail Bureau of the Burnaby Chamber of Commerce are not in accord with the position taken by the Executive of the Chamber to support extended closing hours in this Municipality.

- (9) Wosk's Limited indicating its opposition to a proposal to extend the shopping hours in this Municipality.
- (10) Edward Chapman Limited indicating that it is opposed to any extension of shopping hours in this Municipality.

The following delegations were then heard:

- (a) Mr. Colin Ryan, representing the Better Consumers Shopping Hours Committee.

Mr. Ryan presented a Brief on behalf of the Committee explaining its objects and functions and also setting out the reasons why the Committee is requesting an extension of shopping hours in this Municipality. In its Brief, the Committee suggested that Council consider the following points in connection with the matter at hand:

- (i) What features would result in new industry being attracted to the Municipality
- (ii) What features would cause the tax base of the Municipality to be spread more widely
- (iii) What factors would cause shoppers and their spending power to be retained in the Municipality.

Mr. Ryan emphasized in the Brief that public convenience should be the only regulator of shopping hours and that therefore this factor should be taken into account by Council.

The Brief also made reference to certain matters which have come to the attention of its proponents relative to the role being played by the opposition.

Upon being questioned by Council, Mr. Ryan stated:

- (a) The City of Toronto allows shops to remain open two nights per week.
- (b) The City of Victoria, approximately one and one-half years ago, repealed its By-law which imposed restrictions on shopping hours and, as a result, shops there can remain open as they deem it fit.
- (c) The group whom he represents feel that all regulations governing shopping hours should be removed but, since this is not possible under existing legislation, they would prefer one additional night opening per week.

- (b) Mr. T. Rigby, Chairman, Burnaby Retail Merchants Committee.

Mr. Rigby presented a Brief on behalf of the Committee supplementing the one submitted to Council on August 13th dealing with the question of "free enterprise" as it relates to shop closing regulations.

The Brief dissertated on the meaning of "free enterprise" and also mentioned that the Committee represented by it is willing to arbitrate an additional night opening in return for a compulsory one day closing although, it was submitted, this

was not the issue under debate.

The Brief of the Burnaby Retail Merchants Committee concluded by indicating that the Committee is irrevocably opposed to monopolistic practices and other abuses of sound democratic principles and traditions.

(c) Mr. Ray E. Hunt, General Manager, Retail Merchants Association of Canada Incorporated (B. C. Division).

Mr. Hunt presented a Brief on behalf of the B. C. Division of the Retail Merchants Association of Canada Incorporated augmenting the one submitted by Mr. D. Sigler to Council on August 13th opposing a proposal to extend the closing hours for shops in this Municipality.

In the Brief, it was contended that the representations made by the Better Consumers Shopping Hours Committee were completely irrelevant to the By-law now before Council. The Brief respectfully suggested the course of action to be followed by Council if it concurred with this question of irrelevancy and added that if no resolution of this factor is effected by Council, the Association wished to introduce a suspensory appendix, the purpose of which would be to examine and report in detail on the petition presented by the Better Consumers Shopping Hours Committee and to have recorded a number of declarations from some of those who were contacted by the petitioners.

Mr. Hunt continued in the Brief of the Retail Merchants Association of Canada Incorporated (B.C. Division) by submitting that the stand taken by the Association is being supported increasingly and repeated that the Association is willing to arbitrate a proposal to extend shopping hours one additional night per week provided Monday closing was made compulsory but that it wished its views on this matter placed before the proper authority - the Minister of Municipal Affairs.

The Brief also pointed out that support of the position taken by the Association has been received from all of the concerned Trade Unions and, in addition, Mr. Tom Goode, former Liberal Member of Parliament for Burnaby-Richmond.

It was also contended in the Brief that the By-law under consideration by Council, in effect, seeks to do indirectly something that is not permitted to be done directly; more specifically, the By-law circumvents the material provisions of Section 859 (which is obviously the dominant section) and attempts to use Section 861 of the Municipal Act.

Mr. Hunt concluded in his submission by stressing that extending shopping hours in Burnaby would merely be the forerunner of similar treatment in other Lower Mainland municipalities and, therefore, any advantages which might accrue to Burnaby businesses would soon be dissipated while, at the same time, many disadvantages would result.

It was further submitted in the petition that the only proper way to resolve the issue at hand is to conduct a poll of all concerned merchants.

(d) Mr. Angus J. Macdonald, Executive Secretary, Burnaby Chamber of Commerce.

Mr. Macdonald spoke and advised that he was appearing for the purpose of clarifying the position of the Executive of the Burnaby Chamber of Commerce in respect of closing hours for retail establishments in Burnaby. In this regard, Mr. Macdonald stated that the Executive of the Chamber supports unrestricted closing hours for shops in this Municipality.

He also made reference to the petition of Mr. Fred Hartley and others pointing out that this submission represented only a small minority of the Burnaby Chamber of Commerce.

(e) Mr. R. J. Picco.

Mr. Picco advised that he was appearing to express his views on the issue at hand. In this regard, he stated that he was opposed to a change in closing regulations for shops in Burnaby because:

(i) The extension of these hours can only lead to an increase in overhead costs which must, of necessity, be absorbed by the consumer.

(ii) It has a serious psychological effect on both the staff and the owners of a business and this effect, which manifests itself as discontent, is reflected in the business transactions with the consumer.

(iii) The best way of overcoming the competitive aspects of a business operation is by the provision of good service and quality merchandise. Those who can compete at lower prices must necessarily sacrifice one or both of these features.

(iv) The consumer does not require additional time in which to shop since stores are presently open more than 50% of the "active" hours. Any attempt to extend closing hours would be a regressive step and not a progressive one because the current trend is toward shorter working hours.

Mr. Picco also made reference to an article in a local newspaper wherein a request was made of a Council by a large grocery chain to revert to the former shopping hours. Mr. Picco added that large retailers should not attempt to dictate the desires of all merchants.

Mr. Picco concluded by urging Council to do the democratic thing by not enacting the By-law in question since the majority of the merchants who would be affected by it do not desire a change in closing hours.

(f) Mr. R. Robertson of Robertson Hardware.

Mr. Robertson appeared and asked that Council seriously

reconsider the proposal to completely exempt a number of shops from closing regulations.

He reviewed his experience as a businessman, contending that the "small" merchants were the backbone of the retail industry.

Mr. Robertson stated that the Council has a responsibility to uphold the wishes of the small merchants and that therefore they should not pass the By-law which is presently before them.

(g) Mr. Ed Smith of Ed Smiths Shoes.

Mr. Smith appeared and expressed his views in respect of the proposal of Council to completely exempt a number of shops from closing regulations contending that since the change in closing regulations a few years ago, there has been no corresponding increase in business activity although his overhead has risen.

Mr. Smith advised that he was opposed to any change in the present closing hours for shops in this Municipality.

(h) Mr. William W. Wells, Business Manager, Retail Food and Drug Clerks Union.

Mr. Wells appeared and presented a Brief on behalf of the Retail Food and Drug Clerks Union opposing the proposed extension of closing hours for a number of shops in this Municipality.

In the Brief submitted by Mr. Wells, it was contended that the matter under debate had resulted from the desires and ambitions of various organizations who, individually, see only a fraction of the total picture and who comprise only a minority of those affected by an open system of unregulated or evening store hours.

The Brief set out the sociology related to the subject matter and made reference to the advances made by Labour in connection with hours of work. It was contended that to accede to the request of the Better Consumers Shopping Hours Committee would not only disrupt the living routines and family patterns of retail clerks but, in general, would be a retrograde step in every respect.

It was also submitted that the general welfare of the individual and the resulting social advantages to a community must have precedence over problems of business, profits and administrative economic implications since longer retail hours would only stimulate economic forces that exert a downward pressure on general working conditions.

Mr. Wells also made reference, in his Brief, to the role of the consumer stressing, on this point, that there is only a certain amount of money available to be spent and that therefore the extension of closing hours cannot "create" additional money for consumption and business prosperity.

He also emphasized that longer opening hours may eventually compel small operations to close due to their inability to compete with the larger and wealthier businesses and, as a

consequence, prices will tend to rise as this monopoly control increases. He cited an example where the advantages and efficiencies of a large scale merchandising operation manifested themselves in the form of larger profits and rising prices instead of consumer savings.

With respect to a point raised by the opposition that longer hours would provide additional employment in retail stores, the Brief contended that though the Union would wholeheartedly endorse a policy which actually creates additional employment, it has seen no concrete evidence of this situation and, in fact, past experience indicates a deterioration of the working conditions for employees.

Mr. Wells concluded in his submission that the urgent demands of groups with a somewhat narrow community of interest should not take precedent over the general welfare of citizens and that Council should therefore carefully consider all of the consequences resulting from the absence of socially desirable regulations by deciding to implement and enforce a law which would be in the interest of employers, employees and consumers.

During discussion of the By-law which followed, it was suggested that Council should evaluate the various submissions presented this evening and that no action should therefore be taken on the By-law in question.

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR CLARK:

"That the Committee rise and report progress on "Burnaby Shops Closing Exemption By-law 1962".

CARRIED  
REEVE EMMOTT,  
COUNCILLORS PRITTIE &  
HICKS - AGAINST

MOVED BY COUNCILLOR HICKS,  
SECONDED BY COUNCILLOR PRITTIE:

"That all of the below listed correspondence be received."

CARRIED UNANIMOUSLY

Chairman, Apple Day Committee, Burnaby Southview Cubs and Scouts, submitted a request for permission to hold an Apple Day on September 20th between the hours of 6:00 p.m. and 9:00 p.m. and also on September 21st between 9:00 a.m. and 3:00 p.m. in the area bounded by Royal Oak Avenue, Kingsway, Boundary Road, and Marine Drive.

MOVED BY COUNCILLOR KALYK,  
SECONDED BY COUNCILLOR PRITTIE:

"That permission be granted to this Organization to conduct this campaign during the times mentioned and in the area outlined."

CARRIED UNANIMOUSLY

President, Burnaby Striders Track and Field Club, wrote conveying the appreciation of the Club for the financial assistance rendered by Council in helping to send athletes to participate in the Canadian British Empire Games Trials in Toronto.

MOVED BY COUNCILLOR KALYK,  
SECONDED BY COUNCILLOR HICKS:

"That a letter be sent to Mr. Dave Steen commending him for his athletic prowess in being named to the British Empire Games Team."

CARRIED UNANIMOUSLY

Executive Secretary, Burnaby Chamber of Commerce, submitted a letter advising that the Chamber was aware of the recommendations in a report of the Planning Committee relative to the matters of creating a single authority for the development of Burnaby Lake and also a proposal to institute changes in zoning procedures.

The Executive Secretary requested that Council not act in these matters until the Chamber is able to present a submission on both of them, at which time the Chamber wished to be heard on these matters.

This letter was tabled until consideration of the report of the Planning Committee on the two matters in question.

Vice-President, Westminster County Real Estate Board, wrote expressing the views of the Board in connection with a proposed Amendment to Burnaby Town Planning By-law 1948 dealing with the construction of apartments over commercial premises.

This letter was tabled until consideration of the subject Amendment By-law, "Burnaby Town Planning By-law 1948, Amendment By-law No. 19, 1962".

THE REEVE DECLARED A RECESS AT 10:35 P.M.

THE COUNCIL RECONVENED AT 10:45 P.M.

COUNCILLOR KALYK WAS ABSENT.

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR HICKS:

"That the Council now resolve itself into Committee of the Whole."

CARRIED UNANIMOUSLY

COUNCILLOR KALYK RETURNED TO THE MEETING.



The following matters were then lifted from the table:

- (1) Report of the Planning Committee re:
  - (a) The establishment of a single authority for Burnaby Lake
  - (b) Changes in zoning procedures.

The report of the Parks and Recreation Commission answering a number of questions in connection with Deer Lake was also brought forward for consideration.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR EDWARDS:

"That both the report of the Planning Committee and the one of the Parks and Recreation Commission be tabled until the next meeting of Council."

CARRIED UNANIMOUSLY

Reeve Emmott submitted a report recommending that Councillor H. Kalyk be appointed Acting Reeve during the months of September and October 1962.

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR CLARK:

"That the recommendation of the Reeve be adopted."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 46, 1962.

(1) Fraser Valley Municipal Association.

The Manager submitted a report recommending that the annual membership fee of \$10.00 in the above noted Association be paid.

MOVED BY COUNCILLOR HARPER,  
SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(2) Welfare Institutions License - Russell (6725 Russell Avenue).

The Manager reported that an application has been received for a Welfare Institutions License to give personal care, room and board to aged persons at the above noted address.

He advised that the dwelling has been inspected by the Special Municipal Committee, who recommended that the License be issued for not more than five (5) aged persons on the condition that the following matters were attended to:

- (a) The provision of a fire alarm system to service the ground and basement levels.
- (b) The opening out of the main front door and rear door.
- (c) The provision of a second means of egress from the second floor.
- (d) The provision of additional fire protection around the existing furnace. It was suggested that this could be accomplished by sheeting above the furnace and under the basement stairs by one layer of gyproc plaster-board.
- (e) The housing on the main floor of all boarders, with the exception of the existing in-law suite in the basement.
- (f) The repairing of the front porch and stairs and the painting of the exterior of the house.

The Manager added that it was also pointed out by the Special Committee that since the subject property is serviced by a septic tank and disposal field system, any nuisance arising from this occupancy resulting from the use of this method of waste disposal may lead to the license being withdrawn.

The Municipal Manager reported verbally that the Planning Department had examined this application and had indicated that it had no objection to permission being granted for Rest Home use of the subject property since:

- (1) The said property is located on the extreme limit of a Residential zone and need not be incompatible with the residential land use to the north.
- (2) The site is sufficiently large that suitable open space is available around the house for "sitting out" areas.
- (3) The property is close to good public transportation and commercial facilities are within walking distance, if required.

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Special Committee be adopted."

CARRIED UNANIMOUSLY

(3) "Burnaby Expropriation By-Law 1962" (Conrad).

The Manager reported that this By-law authorizes the expropriation of an easement over the west 20 feet of Parcel "A", Explanatory Plan 8801, S.D. 23/24, Blocks 1/3, D. L. 43, Plan 3227 for the extension of a sewer to service

the Peter's Ice-Cream Plant on Lozells Avenue.

He advised that the Municipal Engineer has prepared plans and specifications covering the works to be constructed and that it is now necessary that a resolution be passed pursuant to Section 483 of the Municipal Act as a formal step in the expropriation proceedings.

The Manager recommended that Council pass the resolution in this regard.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Manager  
be adopted."

CARRIED UNANIMOUSLY

- (4) Lot 17 West 33 feet, Block 16, D.L.'s 116/186, Plan 1236 (3733 Frances Street).

The Manager recommended that the above described property be offered for sale by public tender, subject to the following conditions:

- (a) That the minimum price be \$3,000.00
- (b) That the purchaser be required to demolish the buildings located thereon within sixty days of the date of purchase and prior to receiving a conveyance from this Corporation.
- (c) That the purchaser be required to make application in writing to the Engineering Department for street elevations before commencing construction of any new buildings on the subject property.

MOVED BY COUNCILLOR HICKS,  
SECONDED BY COUNCILLOR PRITTIE:

"That the recommendation of the Manager  
be adopted."

CARRIED UNANIMOUSLY

- (5) Normandy Hospital Limited (6050 Hastings Street).

The Manager submitted a further report on an application for permission to use Lots 7 and 8, Block 2, D. L. 205, Plan 3328 as a site for a Private Hospital advising that Council had, at its meeting on July 30th, attached a condition to its approval in principle to use the property in question for the purpose mentioned requiring that a cheque in the amount of \$5,000.00 be deposited to cover the cost of constructing a road on the south side of the property, with this money to be held in trust until construction of the road is required.

The Manager reported that the President of the Company concerned has indicated that it would be extremely difficult

to comply with this condition since the property is very expensive and there is a limit to what one can pay for property and/or services for a Private Hospital.

The Manager pointed out that the Corporation is not able to do anything in connection with the price being asked for the property but, since a Private Hospital can be considered as being somewhat in the public interest, the situation was re-examined and it was learned that the Social Service Administrator is more than anxious to have more of the sort of accommodation in question available in this Municipality. He added that the subject site has been classified as acceptable by the Inspector of Hospitals for the Province.

In view of these circumstances and, because the need for a service road is not a current one, the Manager recommended that Council consider withdrawing the condition requiring the payment of \$5,000.00 for possible future road development.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR KALYK:

"That the recommendation of the Manager  
be adopted."

CARRIED UNANIMOUSLY

(6) Halifax Street Widening (Sorel).

The Manager reported that earlier this year the Planning Department examined a proposal presented by Mr. W. Grieve on behalf of Mrs. M. E. Sorel whereby she offered to dedicate 33 feet for the widening of Halifax Street between Sperling Avenue and Yeovil Avenue. He advised that subsequently Mr. Grieve obtained letters from Mrs. Sorel and also Mr. A.E.W. Fourchalk offering to dedicate 33 feet for the purpose mentioned provided Halifax Street was widened and improved at no cost to themselves. He added that the letter from Mrs. Sorel also stipulated that the offer was subject to the approval of the Director of the Veterans Land Act and that the widening and improving of Halifax Street would be at no cost whatsoever either now or in the future to her.

The Manager advised that the Planning Department indicated that it could not support a recommendation to accept the subject 33 feet from the two properties because the present narrowness of Halifax Street has not appeared to pose a traffic problem which could justify the expenditure of the amount of public money involved. In addition, the Planning Department had advised that relief of the properties concerned from future subdivision requirements in connection with widening would establish a precedent that would involve the Municipality in many other similar situations at a very considerable cost to the taxpayers at large.

The Manager concluded by advising that Mrs. Sorel has now written to Council withdrawing her offer, effective September 1, 1962.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HARPER:

"That the report of the Manager be  
received and the offer of Mrs. Sorel  
to convey the 33 feet in question be  
not accepted."

CARRIED UNANIMOUSLY

(7) Fluoridation.

The Manager submitted a report dealing with the matter of fluoridating public water supplies in Sweden.

- (8) The Manager submitted a report of the Chief Building Inspector covering the operations of his Department for the period between July 16th and August 10th, 1962.
- (9) The Manager submitted a report of the Medical Health Officer covering the activities of his Department during the month of July 1962.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR EDWARDS:

"That the above three reports be received."

CARRIED UNANIMOUSLY

(10) Estimates.

The Manager submitted reports of the Municipal Engineer covering Special Estimates of Work in the respective amounts of \$15,641.00 and \$44,600.00 recommending that they be approved.

The Manager added verbally that he wished to withdraw item number 4-177 in the amount of \$33,100.00 from the second mentioned report.

He recommended that this item be deleted.

MOVED BY COUNCILLOR HICKS,  
SECONDED BY COUNCILLOR EDWARDS:

"That the recommendations of the Manager  
in connection with both reports be adopted."

CARRIED UNANIMOUSLY

(11) Expenditures.

The Manager submitted a report of the Municipal Treasurer covering expenditures for the period ended August 10, 1962 in the total amount of \$1,256,010.73 recommending that they be approved.

MOVED BY COUNCILLOR HARPER,  
SECONDED BY COUNCILLOR EDWARDS:

"That the recommendation of the Manager  
be adopted."

CARRIED UNANIMOUSLY

(12) Tenders - Quintuple Fire Truck

The Manager advised that the Fire Chief has indicated that he desires further first-hand information before making a recommendation on the two tenders received for the supply of a Quintuple Fire Truck. He advised that his Executive Assistant, Mr. E. A. Fountain, is in Eastern Canada and has arranged to meet a representative of the Burnaby Fire Department in Montreal to conduct an interview with one of the supply companies.

The Manager recommended that Council authorize Mr. J. Etches, the Mechanic for the Burnaby Fire Department, to travel to Montreal and Drummondville to associate with Mr. Fountain in obtaining the desired information.

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR PRITTE:

"That the recommendation of the Manager  
be adopted."

CARRIED UNANIMOUSLY

(13) Easements - Phase 3 of the South Slope Sewer Project.

The Manager recommended that Council authorize the acquisition of the following easements for the considerations noted:

- (a) South 15 feet of Lot "C", Block 2, D. L. 149, Plan 12731 (Madsen) - \$1.00 plus restoration of the easement area including fences, the clothes line pole and the replacement of topsoil.
- (b) The South 10 feet of Lot "J", Block "C", D. L. 150, Plan 15057 (Matthews) - \$1.00 plus restoration of the easement area, including the fences.
- (c) The South 10 feet of Lot "A", East Half, S.D. 4, Block "A", D. L. 149 S.E. ¼, Plan 6041 (Dixon) - \$1.00 plus restoration of the easement area, including any fences disturbed during construction.

The Manager also recommended that Council authorize the execution of the necessary documents.

MOVED BY COUNCILLOR HICKS,  
SECONDED BY COUNCILLOR EDWARDS:

"That the recommendations of the Manager  
be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR CLARK:

"That the Committee now rise and  
report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR CLARK;

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR EDWARDS:

"That plans and specifications of the work  
or undertaking pursuant to "Burnaby  
Expropriation By-Law No. 2, 1962" being  
By-law No. 4389, be filed with the  
Municipal Clerk as required under Section  
483 of the Municipal Act."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HICKS:

"That leave be given to introduce  
"BURNABY ROAD ACQUISITION & DEDICATION  
BY-LAW NO. 8, 1962"  
and that it be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HICKS:

"That the By-law be read a Second  
Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HICKS:

"That the Council resolve into  
Committee of the Whole to consider  
the By-Law."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HICKS:

"That the Committee rise and report  
the By-Law complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HICKS:

"That the report of the Committee be  
adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTE,  
SECONDED BY COUNCILLOR HICKS:

"That "BURNABY ROAD ACQUISITION &  
DEDICATION BY-LAW NO. 8, 1962"  
be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR HICKS:

"That "BURNABY TOWN PLANNING BY-LAW 1948,  
AMENDMENT BY-LAW NO. 19, 1962"  
be now reconsidered."

CARRIED UNANIMOUSLY

This By-Law establishes revised apartment regulations in a new zone "General Commercial" and will prohibit apartments in areas zoned "Commercial".

The letter from the Westminster County Real Estate Board expressing its views in connection with this Amendment was brought forward.

In its letter, the Board indicated that a Committee established by it to examine the Amendment had:

- (1) Agreed with the principle of making the number of suites proportional to the overall site area but could not concur that limiting sleeping rooms to one would assist in accomplishing the desired result. The Board suggested that the amount of bedroom accommodation available is not a factor usually limiting family growth and they opinionated that this stipulation would only lead to poorly designed apartments and evasion of the regulations.
- (2) Agreed with the eight foot side yard requirements of the proposed By-law, although it was assumed that the "depth of two rooms" meant exclusive of bathrooms.
- (3) Disagreed with the "balcony" regulation because it is felt that the majority of future apartments will be so designed that sufficient light and air are available. It was added that when satisfactory apartment design results from other causes, the provision of balconies should be left to the discretion of the owner.

The Manager then read a report of the Planning Director in connection with the submission of the Westminster County Real Estate Board advising that the Department had answered the points raised by the Special Committee of the Board, as follows:

Point (1) Bedrooms - The purpose of the one bedroom maximum is to discourage the use of suites over stores by families with children. The Department cannot agree with the Committee of the Board that poorly designed apartments will follow as a result of this regulation.



Point (3) Balconies - The detailed comment of the Planning Director dated August 10, 1962, which was supplied to the Board, set forth the reasons why the balcony requirements were being introduced. Furthermore, the Special Committee would probably find that if it examined the standards against typical parcel situations, the provision of a balcony would not prejudice the design of otherwise adequate apartments.

It was indicated verbally to Council that a Barrister, Mr. Victor J. Petricia, was present to address Council on the subject By-law Amendment.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR EDWARDS:

"That Mr. Petricia be heard."

CARRIED UNANIMOUSLY

Mr. V. J. Petricia advised that he was appearing on behalf of Messrs. Baxter and Kidd for the purpose of expressing opposition to certain facets of the proposed Amendment By-Law.

He advised that his clients have been co-operating with the Westminster County Real Estate Board and that his only argument was with the proposed requirement that eleven hundred square feet of land be provided for each apartment suite. Mr. Petricia added that it was his understanding this requirement was being introduced to overcome a problem in connection with parking requirements.

The Municipal Manager stated that this regulation was being proposed to deal with the question of density.

MOVED BY COUNCILLOR EDWARDS,  
SECONDED BY COUNCILLOR HICKS:

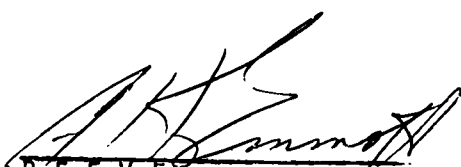
"That "BURNABY TOWN PLANNING BY-LAW 1948,  
AMENDMENT BY-LAW NO. 19, 1962"  
be now finally adopted, signed by the Reeve  
and Clerk and the Corporate Seal be affixed  
thereto."

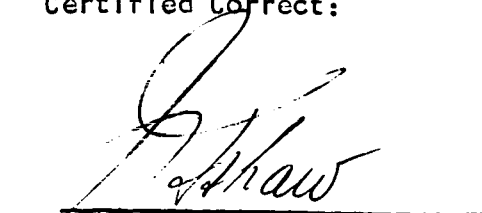
CARRIED UNANIMOUSLY

The meeting then adjourned until Tuesday, September 4, 1962,  
at 7:30 p.m.

Confirmed:

Certified Correct:

  
REEVE

  
CLERK