

JANUARY 27, 1969

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B.C. on Monday, January 27, 1969 at 7:00 p.m.

PRESENT

Mayor R. W. Prittie  
Aldermen Blair, Clark, Dailly (7:03)  
Herd, Ladner, Mercier, McLean.

ABSENT

Alderman Drummond

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:  
"That Alderman Drummond be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

The following wrote requesting an audience with Council:

- (a) Mrs. N. J. Conway re Private Day Care Centers.
- (b) Mr. A. Ritchie re In-law Suites.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:  
"That the delegations be heard."

CARRIED UNANIMOUSLY

ALDERMAN DAILLY ARRIVED AT THE MEETING

(a) Mrs. Conway then spoke and advised that she was appearing on behalf of eight operators of Private Day Care Centers to protest against charges which have been levied by the Municipality for certain services provided to such Centers.

The following are the points made by Mrs. Conway in her presentation:

- (i) It seems unfair that only 3 of those 40 operating kindergartens and day care centers are being required to pay business tax.
- (ii) The installation of water meters is not justified in such establishments because an excessive amount of water is not being used; as a matter of fact, people are apt to use less water than normal if they know the actual consumption must be paid for.
- (iii) No meals are served in the centers so the amount of garbage resulting from their operation is only normal.
- (iv) Kindergartens and Day Care Centers are performing a valuable service in the community, and should be encouraged.

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DLAIR:  
"That Item 6 of the Municipal Manager's Report No. 5, 1969,  
which deals with the subject matter of Mrs. Conway's  
presentation, be brought forward for consideration at this  
time."

CARRIED UNANIMOUSLY

The report of the Manager covered by the foregoing resolution  
indicated the following:

(a) Prior to 1969, the Council exempted Kindergartens  
or Day Care Centers from the Business Tax.

For 1969, the right to do so has been removed by Legislation.

(b) No tax is levied on operations of a non-profit  
nature, such as those operated by churches.

A tax has been levied, as required, against "private" operations.  
Examples of the sums charged are: \$32.50, \$65.00, \$97.50, and  
\$214.50.

(c) Section 3 of "Durnaby Refuse By-law 1967"  
defines "Commercial Premises" and the impact of this is that  
a private home in which a kindergarten is operated becomes a  
commercial premise. The private home therefore loses its  
right to free collection of up to three tins of garbage per  
week and becomes liable for a charge for each can collected  
by the municipality.

(d) Because of the classification as a "business",  
the Municipal Engineer applies his discretion to require that  
the water service to kindergartens and day care centers be  
metered.

(e) There are 36 kindergartens in Durnaby possessing  
welfare institution licences.

(f) There are 23 listed day care centers, of which  
at least 4 are classed as private.

(g) The result of the foregoing situation is that  
operations classed as private:

- (1) Are subject to Business Tax.
- (2) Do not receive free garbage collection.
- (3) Should be metered to be consistent with the  
practice.

(h) There is nothing which can be done about the  
Business Tax because the right of Council to exempt kindergartens  
and day care centers is removed.

(i) It is questionable whether the revenue obtained  
from garbage collection even offsets the billing and collection.

(j) The Manager can see no objection to such operations  
being classed as residences for purposes of garbage collection  
and thus be eligible for the pick up of three cans per week  
without charge. This can be supported by reason of the fact  
Durnaby, by practice, has never applied a charge to Churches  
for garbage collection where most other activities of this  
nature are located.

(k) The situation in regard to water is not so obvious. It is to be hoped that the Municipality will one day be in a position to undertake metering of all services so that the customer pays only for the water he uses, or an established minimum rate. The flat rate for water is based on an estimation of the average amount of water used by all flat rate customers.

Unless kindergartens and day care centers use more water than the average consumption of a family of four, the cost to them is estimated to be the same; viz. \$2.50 per month or \$30.00 per year.

(l) Two of the private operations have an approved capacity of 30, one of 20, and one of 40. In all likelihood such an occupancy would result in greater than average use of water and increased bills accordingly.

(m) All churches and schools where such activities are located are metered so there would be no difference of treatment to meter the private operations.

It is so recommended.

(n) If the recommendations in this report are approved by Council, the only difference between the sponsorship of the operations would be the matter of the Business Tax. There is no doubt that the "private" operations are a business and the tax must be applied.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That Kindergartens and Day Care Centers be treated on the same basis as residences insofar as garbage collection is concerned; viz., that they be entitled to have 3 cans per week collected without charge."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That action on the installation of water meters to Kindergartens and Day Care Centers be deferred until July 1, 1969 when the situation be reviewed to determine the effect public Kindergarten facilities have on private ones, with it being understood that this postponement will include the use of those meters which have been installed - the mechanics being that the meters be read but the consumption not charged."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MCLEAN:

"That the Department of Municipal Affairs be requested to consider reintroducing the legislation which existed prior to 1968 whereby Municipalities had to exempt from the payment of Business Tax the likes of Kindergartens and Day Care Centers on the basis of Municipalities having the right to exercise discretion in the matter of levying the Business Tax on such premises because it is felt such enterprises provide an important service to the Community and the bulk of them are not truly profit-seeking."

CARRIED

AGAINST - Alderman Blair and Clark

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(b) Mr. A. Ritchie then appeared and stated he was attempting to obtain a permit to construct a suite in the basement of . half of the duplex at 6290-92 Winch Street to accommodate his in-laws.

He reviewed the points that had been made in previous submissions from and to him during the past few weeks in connection with the matter.

He also stated that:

(a) There have been similar instances in the past where Council has granted special permission to do what he is seeking.

(b) There is a critical housing shortage and anything Council can do to ease this situation should be undertaken.

(c) There are many young people who will be adversely affected by not being able to obtain accommodation in their parents home as a separate living unit.

(d) The reason for his quandary is that he believes in the importance of obtaining a permit for altering the use of his home and therefore sought to obtain one. It was as a result of this effort to get the permit that he encountered the problem.

(e) There are many other people who do not seek to obtain permits and they are allowed to continue their illegal use of the properties involved.

The Municipal Manager refuted the point made by Mr. Ritchie concerning Council dealing with similar situations in the past. He added that the Chief Building Inspector can grant permits for in-law suites, where the zoning permits such developments, and does so with the full knowledge and consent of Council.

He stressed that acceding to the request that Mr. Ritchie would be in contravention of the zoning by-law and therefore could not be allowed.

During the discussion on the subject matter of the presentation by Mr. Ritchie, it was suggested that Council should examine the feasibility of introducing a system whereby some discretion could be exercised in the matter of granting permits to provide the kind of accommodation desired by him.

It was added that, if it is deemed desirable to implement such a system, the discretionary power could be used in all situations where there was a dire need for housing accommodation.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
'That the Chief Building Inspector provide Council with his views on the proposal outlined during the discussion this evening.

CARRIED UNANIMOUSLY

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ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:  
"That all of the below listed original communications be received."

CARRIED UNANIMOUSLY

Dr. E. Nikolai and others submitted a petition complaining about a litter problem in the vicinity of McPherson Park Junior Secondary School, particularly at the commercial area on Royal Oak Avenue at Rumble Street.

Chief Public Health Inspector submitted a report indicating the results of his investigation of this complaint. The following is the substance of that report:

- (a) His Department received a complaint on December 4, 1968 regarding paper litter in the vicinity of Royal Oak Avenue and Rumble Street. Though inspection revealed the incidence of such littering, it was decided to wait until after the Christmas season to approach the school authorities in connection with the matter.
- (b) It was noted that the School Board had received a copy of the complaint and, by virtue of that, would likely act accordingly.
- (c) Due to inclement weather, it was not possible to make reinspections until the middle and latter parts of January. Notwithstanding, this confirmed that students from the nearby school were causing the littering problem. It was observed that the litter container in the area was almost empty.
- (d) It was planned to contact the Principal of the school (McPherson Park Junior Secondary) in question on January 24th but this was postponed due to the severe fire which occurred there that day.
- (e) In general, littering is a problem in the vicinity of shopping centers and other places where the public congregates.

- (f) A check with the City of Vancouver indicated that, though it enacted a by-law prohibiting littering, this has not been enforced although the city has an educational program designed to minimize the incidence of littering.
- (g) In the opinion of the Burnaby Health Department, the enforcement of a litter by-law is almost impossible.

During consideration of the subject at hand, it was suggested that the situation confronting the petitioners might be ameliorated if:

- (a) Additional litter receptacles were provided by the Municipality in the area.
- (b) The proprietors of the stores selling goods which have containers that are often strewn about (e.g. - cigarette packages, gum and chocolate bar wrappers, etc.) were to provide receptacles for such refuse.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That, because it is felt the above two proposals have merit:

- (a) The Engineer determine where and how many receptacles could be placed in the area.
- (b) The Chief Public Health Inspector approach the merchants involved with a view to them assisting in combatting the problem by providing, on their premises, a litter container for the use of their patrons, and reports be submitted by both of these officials indicating the results of their efforts."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That the Chief Public Health Inspector indicate:

- (1) The action proposed by the Principal of McPherson Park Junior Secondary School as a result of the said Inspector contacting him in regard to the matter at hand.
- (2) The success, or otherwise, of the educational program in Vancouver that is referred to in the memo submitted to Council this evening by the Inspector."

CARRIED UNANIMOUSLY

Secretary, Burnaby Parent-Teacher Council, submitted a letter forwarding a resolution from the Douglas-Gilpin P.T.A. opposing the sale and use of fire crackers in the Municipality.

During the discussion which took place in Council following its receipt of the letter from the Burnaby Parent-Teacher Council, it was indicated that:

(a) The conflict which exists between Burnaby Fireworks Regulations By-law 1964 and Burnaby Fire Prevention By-law 1968 respecting the sale and discharge of firecrackers will be resolved after a review of the two legislative instruments is completed.

(b) Consideration will be given the question of introducing legislation on a regional basis to govern activities associated with fireworks.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:

"That the points made this evening during consideration of the request conveyed by the Burnaby Parent-Teacher Council be conveyed to that body; and further, the organization be sent a copy of both the Fireworks Regulation By-law 1964 and pertinent extracts from the Fire Prevention By-law 1968, as requested."

CARRIED UNANIMOUSLY

Manager, Burnaby Chamber of Commerce, submitted a letter requesting that the Chamber be granted additional time to complete its study of the Amalgamation proposal involving Vancouver and Burnaby.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That the time allowed for the submission of opinions on the subject amalgamation proposal be extended until February 28, 1969."

CARRIED UNANIMOUSLY

Corresponding Secretary, Burnaby Lapdounds Club, submitted a letter protesting the dismissal of the caretaker of Bonsor Hall, Mr. Henry Eiskamp.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:

"That consideration of this matter be deferred until receipt of Item 9 of the Municipal Manager's Report later this evening."

CARRIED UNANIMOUSLY

Mr. M. R. Hand, submitted a letter suggesting that the traffic barricade on 4th Street at 10th Avenue be re-positioned to a point immediately South of 11th Avenue on 4th Street.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER: "That this suggestion be referred to the Traffic Safety Committee for consideration and report."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN CLARK: "That the Council now resolve itself into a Committee of the Whole."

CARRIED UNANIMOUSLY

TABLED MATTERS

The following matters were then lifted from the table:

(a) Submission from Greater Vancouver Regional District re air pollution.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER: "That consideration of this matter be deferred until receipt of Item 3 of the Municipal Manager's Report later this evening."

CARRIED UNANIMOUSLY

(b) Proposal of Transwest Helicopters for Lot 4, S.D."D", Block 1, D.L. 75, Plan 4147.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MCLEAN: "That Item 7 of the Municipal Manager's Report No. 5, 1969, which deals with the subject at hand, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

(7) Proposed office and maintenance base for Transwest Helicopters for Lot 4, S.D."D", Block 1, D.L. 75, Plan 4147

The Municipal Manager submitted a further report from the Planning Department on this matter. The following is the substance of that report from the Planning Department:

(a) It is understood that approach paths are required for aircraft flying below 1000 feet above ground level.

(b) Within a 25 mile radius of the Vancouver International Airport, all aircraft flying at more than 750 feet above ground level are controlled by the tower at the airport. When flying over populated areas, any aircraft must fly at sufficient altitude to permit a landing in open space in the event of engine failure. This minimum altitude is considered to be 1000 feet above ground level in developed areas.

(c) The following is being offered in response to the questions that arose at the January 20th Council meeting:



(1) Q. Could the east approach to the base be relocated further south so that it would be more or less over Burnaby Lake and Drunette River, and thus not affect too many residents?

Comment - Approval of the flight path shown on the accompanying sketch 1 would mean that the craft could fly these routes at an altitude below 1000 feet. The applicant has indicated that the Drunette River and Burnaby Lake is a logical approach from the East but that it is not necessary to have an approach path of that magnitude. In other words, he can fly at an altitude in excess of 1000 feet above ground level until he is much closer to the site.

(2) Q. If the East approach was relocated, as set out under 1 above, it would be necessary to vary the North approach. In doing so, would it be possible to ensure that this variation is arranged in such a way that as few homes as possible would lie beneath the flight path in the North approach?

Comment - The same observations apply to this question as they did for the first one.

As any aircraft can fly over the Municipality at an altitude greater than 1000 feet, we are concerned only with those flights which are below that level. These would only be the take-offs and landings. Because of the manoeuvrability of the helicopter, only a very short approach path is necessary. The zone that has been accepted by the applicant, the Department of Transport and the Planning Department is shown on an accompanying sketch .2. It is centered on the site, is rectangular in shape and is in an east-west direction. The zone is one quarter of a mile wide and three quarters of a mile in length. The east-west direction is desirable because of prevailing wind direction. Only in this zone would the aircraft be permitted below 1000 feet.

The accompanying sketch 3 shows, in diagramatic form, the airspace below 1000 feet in which the aircraft would be permitted.

(3) Q. (a) What would be the involvement, and the extent of control, of Council in the event service to and from the site was expanded and/or the frequency of flights increased.

Comment - The use is permitted in the M2 zone on the understanding the principle use of the site will be for the maintenance, repair and storage of helicopters. Landing and take-off are permitted as accessory to this use. If the emphasis on uses changed and this became a depot primarily, rezoning would be required. The Council would then have the opportunity to consider the merits of such rezoning.

The use of this site for landings and take-offs is licenced annually by the Department of Transport. If a problem develops, the Council could prevail upon that Department to not renew the licence, or, alternatively, consider some restrictive clauses.

Q. (b) Also in that regard, would there be any consultation with Council prior to any changes that may be planned in the service?

Comment - The site is primarily to be used as a maintenance base. The applicant indicates that the helicopter is normally out on commercial charter for 8 to 9 months a year. During the time helicopters are located at the base, an average of one flight per day would probably be the maximum and these would be on an irregular charter basis. If there was a demand subsequently for a scheduled service, the rezoning mentioned above under 3a would be necessary.

(4) Q. Has the Council any right in the matter of flight paths for the service to be provided?

Comment - While the Council cannot stipulate or control flight paths, the Department of Transport has indicated they would not grant approval before obtaining the comments of the Municipality.

(5) Q. Is the Company required to make any commitment on the question of flight frequencies?

Comment - The Company is not required to stipulate the frequency of flights for the Department of Transport nor for the Municipality other than with respect to the question of a principle use as referred to in the zoning by-law.

(6) Q. What is the intended flight path to and from the Vancouver International Airport?

Comment - The normal approach from the airport would be over Burnaby Lake and Brunette River. However, once at an elevation exceeding 1000 feet above ground level, any path could be followed, subject only to the approval of the control tower.

(7) Q. How many homes are there in the area encircled on the map accompanying the letter of November 28, 1968 to the Planning Department from the Department of Transport?

Comment - The approach path proposed on sketch 2 lies entirely over industrially zoned land, a good part of which is vacant.

(8) Q. Would it be possible for Transwest Helicopters to locate its base in the Big Bend Area of the Municipality?

Comment - The applicant would be most reluctant to locate in the Big Bend Area as he has already purchased the property on Norland Avenue and has commissioned Engineering drawings. Further, it is not centrally located for the area he hopes to serve ultimately. The Department of Transport is not too favourably disposed toward the Big Bend Area because of possible conflicts with the approach to the International Airport.

The Planning Department concluded by recommending approval of the revised approach path, as shown on sketch 2.

It was added that, as the helicopters would be above 1000 feet when over residential zones, there would seem to be no need for a public meeting.

The Planning Department also advised that it understood neither of the aircraft approaches presently existing (Burnaby Lake and the Lake City Heliport) have caused any problems and none are anticipated at the subject location.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MCLEAN:  
"That Council concur with the proposal of Transwest Helicopters to construct an office and maintenance base on Lot 4, S.D."D", Block 1, D.L. 75, Plan 4147 and approve the revised approach paths shown on the sketch 2 accompanying the report of the Planning Department that was submitted this evening."

CARRIED UNANIMOUSLY

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R E P O R T S

His Worship Mayor Prittie submitted a report recommending that the Justice Building Committee be reconstituted with Alderman Herd as Chairman and Aldermen Drummond and Ladner as members.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN HERD:  
"That the recommendation of the Mayor be adopted."

CARRIED UNANIMOUSLY

His Worship Mayor Prittie requested that he be authorized to undertake any business of the Corporation deemed necessary, in his discretion, during the current year which will involve travel beyond the Municipality, on the basis that he will be entitled to the normal allowances for such trips.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:  
"That the request of His Worship Mayor Prittie be granted, and this authorization be retroactive to January 6, 1969."

CARRIED UNANIMOUSLY

Alderman Mercier suggested that Council should rescind the resolution passed at its meeting on December 23, 1968 which approved in principle the imposition by the Vancouver-Fraser Park District of a levy of  $\frac{1}{2}$  mill to satisfy the financial requirements of the District in 1969.

He indicated that Council should consider the matter of only allowing the sum that  $\frac{1}{4}$  of a mill would raise in the 1969 budget for the Vancouver-Fraser Park District.

In support of his contention, he pointed out that the prime responsibility is to the tax payers of Burnaby and that other things such as regional park matters should be treated with lesser importance.

Alderman McLean pointed out that the Vancouver-Fraser Park District has not yet established its budget for the current year and that, until this is done, the action proposed by Alderman Mercier was perhaps premature.

He mentioned too that the District was meeting this week and that one of the topics to be discussed was the 1969 budget of the District.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN BLAIR:  
"That the proposal of Alderman Mercier be tabled until the February 3rd meeting in order to await a decision of the Vancouver-Fraser Park District respecting its budget which, it is understood, may be made at its meeting this week."

CARRIED

AGAINST - Aldermen Ladner  
Clark and Mercier

It was understood that Alderman McLean would produce for Council at the February 3rd meeting financial statements pertaining to the activities proposed by the District this year.

HIS WORSHIP MAYOR PRITTIE DECLARED AT RECESS AT 8:50 P.M.

THE COMMITTEE RECONVENED AT 9:00 P.M.

#### TRAFFIC SAFETY COMMITTEE

TRAFFIC SAFETY COMMITTEE submitted reports on the matters listed below as Items (1) to (9), recommending the courses of action indicated for the reasons provided:

- (1) Exit from Burnaby Central High School Grounds onto Canada Way

A request was received to have the bus stop directly West of the exit from the Burnaby Central Secondary School onto Canada Way moved to the East side of this exit. The concern was that this exit has heavy traffic volumes at the time buses are stopped in their present zone, resulting in limited vision for those attempting to enter Canada Way.

Investigation of the situation revealed:

- (a) The Easterly access to the school is designated as "Exit Only" and the Westerly one as "Entrance Only".

These designations, it seems, account for the large number of vehicles from the school using the Municipal Hall parking and driveway areas.

- (b) Granting the request would only transfer the problem to the westerly exit of the Municipal Hall.

- (c) The presence of a bus in the position currently designated as a bus stop "protects" the curb lane for exiting traffic from the School turning East.

Alternative bus zones were considered on the school site and on the South side of Gilpin Street farside the access road to the Municipal Hall, but were discarded because:

- (1) The B.C. Hydro and Power Authority felt there was insufficient manoeuvring space on the School property.
- (2) There would be the problem of student conflict with vehicular traffic on Gilpin Street and the access road.

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It was concluded that the problem could best be resolved by eliminating the designations indicated under (a) above in order to allow for the free movement of traffic entering and leaving the School property.

It was being recommended that Council concur with this solution.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CLARK:  
"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

(2) Sperling-Duckingham Area

The Committee has been examining the traffic situation in the above area to determine whether some measure could be instituted to improve conditions.

A meeting was held with the residents of the area late last year and a number of proposals which merited consideration were received.

One of them was that, rather than barricade Duckingham Avenue at Sperling Avenue, as was originally suggested and supported by most of those at the meeting, an "island" arrangement be provided at the intersection.

Investigation of this disclosed that:

(a) an adequate median could be installed to prevent a South to Eastbound movement from Sperling Avenue onto Duckingham Avenue. The cost of providing such a facility, which would include some pavement widening, would be between \$1,300.00 and \$1,500.00.

(b) The same type of traffic control could be provided by the use of traffic signs prohibiting south bound Sperling Avenue traffic from turning left onto Duckingham Avenue. This would cost less than \$150.00 but this type of device would require enforcement to be effective.

It had been suggested to the Committee that another way of preventing alien traffic from entering the area would be to construct a cul-de-sac on Duckingham Avenue at Haszard Street.

If such an arrangement was implemented, the volumes of traffic on Gordon Avenue (which is one block to the North of Duckingham Avenue) would increase. The residents on Gordon Avenue would soon complain of these volumes and ask that steps be taken to minimize them.

The Committee <sup>concluded</sup> that the most prudent thing to do at this time would be to install signs on Sperling Avenue at Duckingham Avenue, as indicated under (b) above.

It was being recommended that:

(1) Council concur with this conclusion and authorize the erection of the signs in question.

(2) The entire subject at hand be returned for review within the next six months to ascertain whether any other measures are required.

MOVED BY ALDERMAN M'RCIER, SECONDED BY ALDERMAN HERD:  
"That the recommendations of the Committee be adopted."

CARRIED UNANIMOUSLY

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(3) Pedestrian Facilities on Roads Servicing the  
Municipal Ice Rink and Memorial Swimming Pool.

Advice was received that Council had asked the Municipal Engineer to examine the question of improvements being made to remedy the problem of potential hazards for pedestrians frequenting the recreational facilities in Central Durnaby caused by the lack of adequate walking facilities and street lighting.

The Committee felt that, while the Engineer is conducting his investigation, delineator posts could be installed on the East side of Sperling Avenue between Laurel Street and the Great Northern Railway tracks and the fence along the Northern portion of the sidewalk painted white.

The Committee recommended that Council authorize the installation of the posts, and the painting, mentioned.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN HERD:  
"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

The Council also directed that, inasmuch as the area mentioned in the report of the Committee is destined as a recreational complex, any plans of the Engineering Department intended for the area be indicated to the Parks and Recreation Commission because of its involvement in the development of the area.

(4) Lane-Road pattern in the area East of Gilley Avenue  
between Neville and Portland Streets

As directed by Council, a survey was made of the traffic situation that has resulted from the traffic control appurtenances being installed at the captioned location following a direction of Council some months ago.

In examining the matter, it was felt that the situation would be improved if the barricades were moved from the lane and placed along the East side of the lane adjacent to the cul-de-sac of Clinton Street. This would open the lane to traffic.

It was being recommended that Council authorize the re-location of the barricades in the manner indicated.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:  
"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

(5) Lane Easterly from Kingsway between 13th Avenue  
and 14th Avenue

The Municipal Engineer received a request to pave that portion of the above lane (which is only 10 feet wide) extending a distance of approximately 150 feet after the Municipality paved the remainder of the lane through to Mary Avenue.

As the normal policy is to only pave lanes where a 20 foot right-of-way exists, the merits of perpetuating the use of the lane by the public was first considered before becoming involved in the acquisition of additional property for a full right-of-way.

It was concluded that this lane is not vital for secondary access to the area and, in fact, its discontinuation would eliminate another intersection with Kingsway.

The present 10 foot lane contains public utilities, and this municipal interest should be protected.

It was suggested that, as an alternative to the cancellation of the lane allowance, the right-of-way be closed to vehicular traffic but improved as a pedestrian walkway.

The Committee was recommending that Council endorse this proposal.

It was added that, if Council does this, it will be necessary to obtain the approval of the Department of Highways to close the lane opening at Kingsway.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN CLARK:  
"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

(6) Hastings Street and Holdom Avenue

A request was received for traffic control measures at the above intersection.

The Department of Highways acknowledges the existence of warrants for a signal there and, as a result, one will be installed as part of the Hastings Street widening project between Holdom and Springer Avenues. The installation will be subject to the normal 50-50 cost-sharing arrangement with the Corporation.

A recommendation respecting this matter will be submitted to Council when the Department of Highways is prepared to proceed with the signal installation.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MCLEAN:  
"That the report of the Committee be received."

CARRIED UNANIMOUSLY

- (7) (a) Hastings Street between Delta Avenue and Ranelagh Avenue  
(b) Hastings Street between Holdom Avenue and Springer Avenue

The following replies have been received from the Department of Highways in response to a request of Council that consideration be given the matter of having interim paving improvements made to the above portions of Hastings Street so as to allow for the safe movement of traffic and the concurrent prohibition of parking on the North side of the Street:

(a) The Department would make immediate application for funds to commence the widening project and would begin the work shortly afterwards.

(b) The Municipality would be permitted to widen the existing pavement by about 5 or 6 feet, as an interim measure before the complete widening project, in order to provide adequate space for two West bound lanes of traffic.

It would seem that there would be advantage to this being done now because the ultimate widening project is almost imminent.

(c) If the Municipality proceeded on the basis indicated under (b), the Department of Highways would not reimburse the Municipality for the work done because it would be a temporary measure and would not be capable of being absorbed into the final widening project.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN HERD:  
"That the report of the Committee be received."

CARRIED UNANIMOUSLY

(8) Alpha Avenue from Dawson Street to Loughheed Highway

A request was received for a one-hour parking restriction on the East side of Alpha Avenue between Loughheed Highway and Dawson Street.

Investigation revealed the following:

(a) There was only enough space to accommodate seven legally parked cars.

(b) At various times, there were upwards of 15 cars parked in the area, some of which blocked, or encroached upon, driveway crossings.

(c) Numerous violations of Section 180 of the Motor Vehicle Act, such as parking on the boulevard and double parking, were occurring.

(d) The majority of the vehicles parked in the area were there all day.

In order to overcome the problems being experienced, the Committee would recommend that Council authorize a one-hour parking limit between 9:00 a.m. and 6:00 p.m. on the East side of Alpha Avenue from Loughheed Highway to Dawson Street.

It was also suggested that the R.C.M.P. be asked to enforce Section 180 of the Motor Vehicle Act, as it pertains to boulevard parking.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN CLARK:  
"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY



(9) Spur Avenue and Trapp Road

A request was received that the above roads not be used for the loading and unloading of semi-trailers because this is causing congestion and a hazard to other traffic using these streets.

Investigation confirmed that that indicated was prevalent and, as a result, the offender was told of the violation and ordered to desist from the practice described.

The Committee was recommending that the foregoing be <sup>conveyed</sup> to those who submitted the request.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:  
"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

MANAGER'S REPORT

Municipal Manager submitted Report No. 5 on the matters listed below as Items (1) to (14), either providing the information shown or recommending the courses of action indicated for the reasons given.

- (1) 1969 Demands of Burnaby Firefighters Association (Local 323) and Burnaby Civic Employees Union (Local 23)

The demands submitted by the above association and Union are being presented herewith.

The total estimated cost of meeting these demands is approximately \$1,000,000.

Mr. E. C. Sims has been appointed as a Mediation Officer to assist in the negotiations with the Civic Employees Union.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MCLEAN:  
"That the report of the Manager be received and be referred to the Corporation's negotiators for attention."

CARRIED UNANIMOUSLY

- (2) Lot 10 E 1/2 and Parcel "A" (Explanatory Plan 9560) S.D. 10, Block 10, D.L. 115:1/2 and 1236 (3896 Hastings Street - Kwong & Chew) HASTINGS STREET REDEVELOPMENT PROJECT NO. 1

The Council, sometime ago, authorized the expropriation of the above described properties for the captioned project.

The Board of Arbitration which was established to determine the compensation to be paid for the parcels has ruled that the owners shall be awarded \$41,000.00 plus interest @ 6% per annum from June 6, 1967 for the properties.

It was being recommended that Council accept the settlement determined by the Arbitration Board.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(3) Air Pollution

Since November 1968, the Manager has had the above subject brought forward by the Department of Permits and Licences for the City of Vancouver, the Administrator of the Greater Vancouver Regional District, and the D.C. Aviation Council.

It is also known that the Metropolitan Administrative Council and the Provincial Health Branch are reviewing the subject. In the case of the Provincial Health Board, a revised set of standards is being produced. The Minister of Health this week announced the new standards, but they are not available for examination and study.

There appears to be a great deal of interest in the subject of air pollution but it would also appear that there would be more likelihood of success in obtaining the desired control if a single agency were to co-ordinate all the efforts going into it. From the viewpoint of Municipalities, the Greater Vancouver Regional District would be the logical choice for such co-ordination.

The Municipal Manager considers that success could be achieved in the shortest time if the Provincial Government would establish:

- (a) Minimum standards
- (b) A date for retroactive conformity
- (c) A requirement upon municipalities to have a bylaw on Air Pollution
- (d) Penalties for bylaw infractions

Municipalities would then have a bylaw with at least the minimum standards, or a Regional District could have a by-law effective throughout the area embraced by the District. Such a bylaw could provide for local enforcement by the member municipalities or the District could institute its own enforcement agency.

In either event, the objective of standardized air pollution control with standards established on a Provincial basis would be achieved. The success of the programme would depend upon enforcement.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER: "That, in view of the information in the report on the Manager, the matter of reviewing legislation pertaining to air pollution (which was directed by Council be done at the January 20th meeting) be no longer pursued."

CARRIED UNANIMOUSLY

(4) Application for an "Off Track Betting Office" (King)

Mr. Edward F. King has applied to the Chief Licence Inspector to operate an "Off-Track" betting office in the Municipality.

The Licence Inspector is concerned about the legality of such a business and its desirability as well.

It has been assumed that the applicant is relying on a recent Ontario Court of Appeal decision where a Magistrate's decision in dismissing a charge under Section 177(e) of the Criminal Code for unlawfully engaging in bookmaking was upheld.

The reasons for judgment were that the accused was only acting as an agent in accordance with written authority given to him by identified principals to place bets on their behalf through the pari-mutuel system at the race track, and the operation conducted came within the protection of Section 178(c) of the Code in that bets were not made at the business premises of the accused, but were made on behalf of the principal at the race track in the same manner as the principal could have placed them had they been personally present.

The operators of the Off-Track betting office receive a "service charge".

The modus operandi was somewhat as follows:

(a) The operators received money from their principals to be waged in accordance with written instructions given by the principals, the bet to be placed at the track through the pari-mutuel system.

(b) The customer engaged this service by signing a document.

(c) If the wager was successful, the money payable was to be collected by the operator who was obliged to account for it to the customer, the operator only receiving the service charge that was stipulated.

(d) The document was prepared in triplicate - 1 copy for the operator, 1 for the customer and 1 for the Government, if required.

The application from Mr. King is being referred to Council for a decision as to the issuance of the License.

The Municipal Solicitor has written to the Attorney-General for guidance and, for this reason, it was being recommended that action on the matter be deferred.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(5) Annual Dues - Union of B. C. Municipalities

An account in the amount of \$2,060.00 from the U.B.C.M., representing the 1969 dues of the Corporation in the Union, is being submitted for the consideration of Council.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MCLEAN:  
"That authority be granted to pay the account in question from the Union of B. C. Municipalities."

CARRIED UNANIMOUSLY

(6) Kindergarten and Day Care Centers

(This item was dealt with previously in the meeting)

(7) Proposed Office and Maintenance Base for Transwest Helicopters

(This item was dealt with previously in the meeting)

(8) Lot 3, Block "N", D.L. 90, Plan 16923  
REZONING REFERENCE NO. 113/68

In December 1968, the Planning Department recommended that an application to rezone the above described property to Residential District Five (R5) not be favourably considered.

The Council advanced the application to the Public Hearing to be held on February 4, 1969.

In the event the property is to be rezoned, the Planning Department is recommending that the following prerequisites be established by Council in connection with the rezoning proposal:

(a) The submission of an undertaking not to have vehicular access to the property from Canada Way.

(b) The deposit of monies to cover the cost of paving that portion of the lane adjacent to the property.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CLARK:  
"That the recommendation of the Planning Department be adopted."

CARRIED UNANIMOUSLY

(9) Caretaker - Donsor Recreation Center

(The letter from the Burnaby Laphounds Club, which was received earlier in the meeting, was brought forward)

The Parks and Recreation Administrator advises as follows in connection with the protest by the Burnaby Laphounds Club against the dismissal of the caretaker of Donsor Hall:

(a) The caretaker in question has not been dismissed.

(b) After serious consideration, the Parks and Recreation Commission decided that better use could be made of the living accommodation at all recreation centers for programme purposes.

(c) The programme in these centers has grown to such an extent that coverage by a resident custodian is no longer necessary.

(d) Programme staff are on duty for a large part of the day and the balance is covered by the Park Patrol and Janitorial Staff who now work a night shift.

(e) Mr. Eiskamp, the caretaker in question, will continue to be an employee of the Parks and Recreation Department but will be required to provide his own living accommodation.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MCLEAN:  
"That the report of the Manager be received and the information contained therein be conveyed to the Burnaby Laphounds Club."

CARRIED UNANIMOUSLY

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(10) Estimates

It was being recommended that the Special Estimates of Work in the total amount of \$6,400.00, as submitted by the Municipal Engineer, be approved.

(11) Street Lights

It was being recommended that Council authorize the installation of the street light shown in the report the Municipal Engineer was submitting herewith.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MCLEAN:  
"That the recommendations of the Manager covering Items 10 and 11 be adopted."

CARRIED UNANIMOUSLY

(12) Monthly Report of the Fire Department

A report of the Fire Chief covering the activities of his Department during the month of December, 1968 was being submitted.

(13) Monthly Report of the Chief Licence Inspector

A report of the Chief Licence Inspector covering the operations of his Department during the month of December 1968 was being submitted.

(14) Report from Social Service Department

A report from the Social Service Administrator indicating Social Allowance Disbursements and Caseloads for select months in 1968 as compared to the same months in 1967 was being submitted.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:  
"That the above three reports be received."

CARRIED UNANIMOUSLY

ALDERMAN LADNER LEFT THE MEETING

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:  
"That the Committee now rise and report"

THE COUNCIL RECONVENED CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:  
"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:  
"That the Council do now resolve into a Committee of the Whole to consider and report on "BURNADY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 74, 1966 (#5430)."

CARRIED UNANIMOUSLY

This By-law provides for the following re-zoning:  
FROM COMMUNITY INSTITUTIONAL DISTRICT (P5) TO  
ADMINISTRATION AND ASSEMBLY DISTRICT (P2)

Reference RZ #81/68

Lot 5, D.L. 73, Plan 29441

(Located on the West side of Westminster Avenue South of Laurel Street, triangular in shape and having a frontage of 764 feet on Westminster Avenue)

Deputy Municipal Clerk stated that the Planning Department has reported that the prerequisite established by Council in connection with this rezoning proposal have been satisfied.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:  
"That the Committee do now rise and report the By-law Complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:  
"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:  
"That "BURNADY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 74 1966" (#5430) be now read a Third Time."

CARRIED UNANIMOUSLY

ALDERMAN LADNER RETURNED TO THE MEETING

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the Council do now resolve into a Committee of the Whole to consider and report on "BURNADY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1968".

CARRIED UNANIMOUSLY

This By-law provides for the following re-zoning:

Reference RZ #69/68

- (i) Lot 53, D.L. 53, Plan 32413
- (ii) Portion of Parcel "A", Explanatory Plan 9439, Block 25, D.L. 53, Plan 3037

(Vacant - Located on the Northerly side of 14th Avenue between 15th Street and 18th Street)

Planning Department submitted a report in connection with this re-zoning proposal, advising as follows:

- (a) Plans for the Public Housing Development on the Site have been examined and, subject to a number of revisions in the landscaping, screening, and parking requirements, are acceptable.

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- (b) The By-law covering the re-zoning can be brought forward for its third reading, with final reading to await:
  - (i) Public viewing of the plans
  - (ii) The submission of revised plans showing the changes alluded to above and, possibly, some that may be required by the Central Mortgage and Housing Corporation.
- (c) Normally, the paving of a lane is a prerequisite to rezoning and is the responsibility of a developer. In this instance, however, the lane paving was included in the cost of the land and, along with other servicing costs, is the responsibility of the Municipality.

The view was expressed in Council that the By-law should not be advanced for further readings until each member of Council has had an opportunity to thoroughly scrutinize particulars of the plan of development for the site.

It was added that the public should be given the same opportunity because a moral commitment was made at the Public Hearing on July 9, 1968 relative to the rezoning proposal.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:  
"That an invitation be extended to the public to visit the Committee Room at 6:30 p.m. on February 3, 1969 for the purpose of viewing the plans for the development on the subject property."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the Committee do now rise and report progress on the By-law".

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the report of the Committee be now adopted."  
CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:  
"That the meeting continue past the hour of 10:00 p.m."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That: "BURNADY WATERWORKS REGULATION BY-LAW 1963, AMENDMENT BY-LAW, 1968"  
"BURNADY ROAD CLOSING BY-LAW NO. 1, 1968"  
be now reconsidered."

CARRIED UNANIMOUSLY

Deputy Municipal Clerk stated that the above amendment By-law was approved by Lieutenant Governor on January 21, 1969.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That: "BURNADY WATERWORKS REGULATION BY-LAW 1963, AMENDMENT BY-LAW, 1968"  
"BURNADY ROAD CLOSING BY-LAW NO. 1, 1968"  
be now finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto".

CARRIED UNANIMOUSLY