

MARCH 3, 1969

An adjourned meeting of the Municipal Council was held in the Council Chambers of the Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, March 3, 1969 at 7:00 p.m.

PRESENT:

Mayor R. W. Prittie in the Chair;
Aldermen Blair (7:05 p.m.), Clark,
Dailly, Drummond, Herd, Ladner,
Mercier and McLean;

HIS WORSHIP, MAYOR PRITTIE, then presented Mr. G. Carnrite, an Equipment Operator for the Corporation, with a Gold Cap Award, a Certificate and a Tie Clip in recognition of Mr. Carnrite saving himself from possible serious injury by wearing a protective safety cap while working unloading a truck of lumber.

DELEGATION

Mr. E. Buckley submitted a letter requesting an opportunity to present a Brief outlining reasons why he felt the Burnaby School Board acted with prejudice and discrimination in connection with the employment of older persons.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:
"That Mr. Buckley be heard."

CARRIED UNANIMOUSLY

ALDERMAN BLAIR ARRIVED AT THE MEETING.

Mr. Buckley then appeared and presented his Brief, which contained the following points:

- (a) He is fully aware that the Board of School Trustees is an autonomous body and is only responsible to the public.
- (b) In the field of Labour Relations, the Board is guilty of the rankest form of outright prejudice and discrimination against older workers. These practices are also in violation of all human rights legislation.
- (c) In a recent letter to His Worship, Mayor Prittie, Mr. Buckley indicated that he was deprived of his right to work simply because he objected to paying dues to a Union of which he could never hope to become a member. He was also persecuted for daring to voice his opinion.
- (d) The School Board has been guilty for some time of illegally deducting Union dues from part time workers because the Board did not first obtain the written consent of the workers concerned.
- (e) Except in a very few cases, the Board will not hire anyone in the 50 - 60 year age bracket, on a permanent basis, because these people are regarded as being too old to qualify for various pension plans. The Board will hire some of these people in that age bracket on a temporary basis and compels

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these people to pay \$2.50 per month union dues even though they cannot become members of the Union.

- (f) The Board has delegated authority to its officials for employing and dismissing casual or part time employees. Most of these officials are union members so it is not difficult to imagine what happens when casual or part time employees there speak against any injustices, such as occurred to him, in the presence of the officials.
- (g) Both the School Board and the Municipal Council should take steps to eliminate discriminatory practices against older workers.
- (h) Political prejudice is rampant throughout the entire Municipal Government.
- (i) Arbitrary decisions are being made by officials without reference to the School Board.
- (j) It is hoped that proposed new Human Rights Legislation will provide penalties for those who would deny people the right to belong to a union, the right to work and the right to educate his children because of the man's age or because he does not follow the dictates of a certain political party.
- (k) Perhaps the responsibility for hiring and dismissing part time workers should be removed from the School Board and placed in more competent hands.
- (l) If the municipality persists in deducting union dues from part time workers, then these people should be given the opportunity to become union members regardless of age.
- (m) He submitted a report to the School Board last December in connection with the foregoing matter and the Board refused to act on it.
- (n) For a man who belongs to a political party which professes to be the working man's hope, His Worship, the Mayor, has so far shown an amazing lack of knowledge on matters concerning his own municipality.

In an oral presentation following the submission of his formal Brief, Mr. Buckley added that:

- (1) He had been employed as a relief janitor at the Central High School.
- (2) He lost his job because it was claimed his work was unsatisfactory.
- (3) He wrote to the Canadian Union of Public Employees to organize temporary workers into a union.
- (4) He endeavored to obtain employment with a local department store but was not successful, after that store checked his background with the School Board.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DALLY, AIDED BY
"That, because the submission from Mr. Buckley is one that is beyond the jurisdiction of Council in as much as the Burnaby School Board is an autonomous body over which Council has no control in terms of employment practices, the Brief from Mr. Buckley be referred to the said Board for attention."

CARRIED UNANIMOUSLY

- (n) For a man who belongs to a political party which professes to be the working man's hope, His Worship, the Mayor, has so far shown an amazing lack of knowledge on matters concerning his own municipality.

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That all of the below listed original communications be received."

CARRIED UNANIMOUSLY

Guardian Secretary, Bethel No. 15, International Order of Jobs Daughters, wrote requesting permission to hold a Peanut Drive on March 29th, 30th and May 1, 1969.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the Order be granted permission to conduct its campaign at the times indicated, subject to the approval of the R.C.M.P."

CARRIED UNANIMOUSLY

Secretary-Manager, British Columbia Society for the Prevention of Cruelty to Animals, (Vancouver Regional Branch), submitted a letter requesting permission to hold a Tag Day on October 25, 1969.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:

"That the Society be granted permission to conduct its campaign on the date mentioned, subject to the approval of the R.C.M.P."

CARRIED UNANIMOUSLY

Mr. A. Dillon submitted a letter:

- (a) relating the circumstances of an unfortunate experience he had last December when he purchased a pup from the Pound.
- (b) suggesting that Council consider instituting a policy which would ensure that animals sold by the Pound are clinically sound.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That the Municipal Manager submit a report:

- (a) explaining the situation pertaining to Mr. Dillon's purchase of the pup in question.
- (b) indicating the factors which would need to be taken into account in establishing a policy such as that proposed by Mr. Dillon, with consideration being given a suggestion that a notice be provided by the Pound attesting to the health or physical condition of any animal bought."

CARRIED UNANIMOUSLY

Mr. J. Franta submitted a letter relating an incident involving a runaway horse in his area (5021 Claude Avenue) on February 23rd.

He also suggested that the lease which the Burnaby Horsemen's Association has with the Corporation for land at the North-West corner of Canada Way and Sperling Avenue be cancelled in order to eliminate the potential danger to people in the area from further incidents of the kind he described.

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MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:
"That the letter from Mr. Franta be referred to the Parks and Recreation Commission for consideration and appropriate action."

CARRIED UNANIMOUSLY

Mrs. D. M. Custock and others wrote requesting that the 5600 Block Patrick Street be more adequately improved.

MOVED BY ALDERMAN LANDER, SECONDED BY ALDERMAN MERCIER:
"That consideration of this request be deferred until receipt of Item 7 of the Municipal Manager's Report later this evening."

CARRIED UNANIMOUSLY

Mrs. D. Heinrichs submitted a letter urging that Council Institute, and enforce, regulations prohibiting outdoor burning.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:
"That a report be submitted to Council:

- (a) Indicating the success the City of Vancouver has had with its ban on outdoor burning.
- (b) containing the opinions of the officials of Burnaby involved as to whether, and what, measures should be introduced to control outdoor burning.
- (c) advising of the situation regarding the enforcement of the regulation requiring that outdoor incinerators be covered with a screen to reduce fly ash.
- (d) Outlining the anticipated cost to the municipality of refuse collection in the event outdoor burning is prohibited."

CARRIED UNANIMOUSLY

Secretary, North Burnaby Commerce and Community Bureau, submitted a letter enquiring as to:

- (a) the position that has been taken by the Municipality in attempting to resolve matters associated with the Hastings Street Redevelopment Project which require arbitration.
- (b) when the Council intends to conclude the matter of rehabilitating Hastings Street East of Boundary Road.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That the letter from the North Burnaby Commerce and Community Bureau be tabled until receipt of Item 9 of the Municipal Manager's Report later this evening."

CARRIED

AGAINST -- ALDERMAN CLARK

Secretary-Treasurer, Fraser Valley Mosquito Control Board, submitted a circular letter advising that a special meeting of the Board has been arranged for March 13th at 8:00 p.m. in the Municipal Hall at Haney to consider the following recommendations:

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- (a) That there be an increase in assessments against member municipalities for the lifetime of the three year contract at the rate of \$55,000.00 per annum to cover increased costs of insecticide and spraying, the increase in assessment being no greater than 25¢ per capita.
- (b) (i) That the Board engage a General Manager for a three year period at a salary of \$3,000.00 plus \$1,000.00 for mileage and expenses, with this person functioning between May 5th and August 10th of each year.

(ii) That Mr. R. T. Palmer, Bachelor of Science, be hired as the General Manager.
- (c) That the Board invite tenders as soon as possible for the purchase and spraying of a maximum of 20,000 gallons of insecticide per annum for a three year period, on the terms that a minimum of 10,000 gallons per year will be purchased and everything in excess will be on a gallonage basis.
- (d) That the contractor engaged provide insurance in the amount of \$1,000,000.00 for public liability and property damage, and \$100,000.00 chemical insurance.
- (e) That the application of insecticide by the spraying contractor only be done on the orders of the General Manager or his appointee.
- (f) That the assessment for the first and second years of the contract be \$55,000.00 regardless of the amount of surplus in the first year but, if after two years there is a surplus of 10,000 gallons, the levy in the third year only be 50% of the assessment.

The Secretary-Treasurer also mentioned that, if all members of the Board agree with the foregoing recommendations, an Annual Meeting will be called as soon as possible to award the contract.

He also indicated that it is very important that all municipalities apply for a waiver of Section 529 of Air Regulations, as was done last year.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:

"That all of the recommendations in the letter from the Fraser Valley Mosquito Control Board be endorsed on the basis that:

- (a) In the case of the insecticide used each year, any gallonage in excess of the 10,000 which the Board has agreed to purchase and pay for by means of a 25¢ per capita levy against the member municipalities be paid for by the user municipalities only.
- (b) Included in the 25¢ per capita levy will be an amount to cover the costs of administering the Mosquito Control Programme.
- (c) Each municipality is guaranteed the use of the amount of insecticide which has been allocated to it.
- (d) In the event a municipality does not receive the amount allotted, it be allowed to only pay for the amount actually requested during any one year.

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- (e) Assurance is received that the insecticide which is sprayed from the air will be available after the middle of August because experience has shown that the mosquito nuisance occurs in the Western part of the Lower Mainland later than in the Eastern area.
- (f) The Board establishes that it has the legal right to spray for mosquitoes in all municipalities.
- (g) The equipment required for the spraying is in servicable condition at such times as may be required."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:
"That Alderman Mercier be appointed as the Council delegate to the Fraser Valley Mosquito Control Board."

CARRIED UNANIMOUSLY

Executive Director, Canadian Federation of Mayors and Municipalities, submitted a circular memo advising that the deadline for the receipt of resolutions for the 32nd Annual Conference of the Federation, which will be held in Ottawa between June 2nd and 5, 1969 inclusive, is April 30, 1969.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the Federation be advised that Council has no resolutions thus far to forward for the Convention."

CARRIED UNANIMOUSLY

Administrator, Vancouver-Fraser Park District, submitted a circular memorandum in which he outlined a study the District feels should be undertaken jointly by the Provincial and Federal Government to assess the recreational potential of Boundary Bay.

MOVED BY ALDERMAN HERD, 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) Amalgamation Proposal Involving Vancouver and Burnaby

Submissions from the Burnaby Family Court Committee and the Burnaby Public Library were brought forward.

The Council was informed that the Burnaby Chamber of Commerce has not yet had an opportunity to complete its study of the Amalgamation Proposal in question.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:
"That consideration of the subject amalgamation proposal be tabled until the submission from the Burnaby Chamber of Commerce, and any other interested organization., is received on the matter."

CARRIED UNANIMOUSLY

(b) Portions of Lots "B" and 22, Block 5, D.L. 207

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That consideration of this matter be deferred until receipt of Item 10 of the Municipal Manager's Report later this evening."

CARRIED UNANIMOUSLY

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R E P O R T S

GRANTS AND PUBLICITY COMMITTEE submitted a report recommending that financial assistance be given to the following Organizations in the amounts indicated:

- (1) The Columbian - For Sportsman of the Year - \$50.00 - to be paid from the Publicity Budget
- (2) Burnaby Junior Chamber of Commerce - for the Miss Burnaby Contest - \$750.00 - to be paid from the Publicity Budget
- (3) International Peace Arch Association - \$75.00
- (4) Kiwanis Music Festival - \$500.00
- (5) Playhouse Theater Company - \$3,400.00
- (6) United Community Services (Burnaby Division) - for 1968 and 1969 - \$5,500.00
- (7) Burnaby Five-Pin Bowling Association - to help defray costs of the Senior Pacific Coast Tournament which will be held in Burnaby this year - \$100.00

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:
"That the Burnaby Junior Chamber of Commerce be given \$900.00 rather than the \$750.00 recommended by the Committee, and the recommendations of the Committee, as just amended, be adopted."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:
"That the grant recommended for the Playhouse Theatre Company (\$3,400.00) be not approved."

IN FAVOUR -- ALDERMEN DAILLY, BLAIR
MERCIER AND McLEAN

AGAINST -- ALDERMEN CLARK, DRUMMOND,
LADNER, HERD AND MAYOR
PRITTIE

MOTION LOST

A vote was then taken on the original motion, and it was carried with Alderman Mercier and Dailly against.

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TRAFFIC SAFETY COMMITTEE submitted reports on the matters listed below as Items (1) to (8), recommending the courses of action indicated for the reasons provided:

(1) West Side of Willingdon Avenue Between Maywood and Imperial Streets

A petition was received from a number of residents of the above portion of Willingdon Avenue requesting that parking be prohibited on this part of the street because:

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- (a) cars belonging to tenants of the apartment buildings on the East side of the block park on the West side.
- (b) these vehicles block driveway accesses to the properties on the West side.
- (c) this situation could cause a problem if emergency vehicles were required in the area.

Investigation of the situation revealed that:

- (i) the street has a pavement width of 20 feet with a five-foot shoulder on the East side and an 8-foot shoulder on the West side.
- (ii) there is no well-defined ditch on the West side, which makes it difficult to ascertain the locations of the accesses to properties on that side. This is what precipitated the complaint of the petitioners regarding parked vehicles blocking the driveways to the properties.

The situation at the subject location is the same as on many other streets in the municipality where there are homes on one side and apartments on the other. The practice followed in those cases was to prohibit parking on one side of the street, on the understanding this regulation would be reviewed after the street was improved to a wider pavement standard.

The Committee recommended that, in view of the foregoing, a "No Parking Anytime" prohibition be instituted on the West side of Willingdon Avenue between Maywood and Imperial Streets until such time as Willingdon Avenue is developed to its final standard.

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

CARRIED UNANIMOUSLY

(2) East Burnaby Area

In April of last year, the Council authorized, among other things:

- (a) the erection of barricades on:
 - (i) 1st and 4th Streets at 10th Avenue and also at the South side of the lane North of 10th Avenue
 - (ii) 2nd Street at the South side of the lane North of 12th Avenue.
- (b) the installation of traffic "diverters" on:
 - (i) 13th Avenue at Wright Street
 - (ii) 4th Street at 14th Avenue

As was expected, complaints were received that these barricades were causing a great deal of inconvenience to residents in the area.

The Committee was mindful that this situation would occur; however, it must be remembered that the prime purpose of the barricades was to prevent the infiltration of the neighbourhood by alien traffic. This naturally was bound to adversely affect the residents of the area as well.

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The specific suggestions which have been made are:

- (a) That the barricades at 2nd Street and 12th Avenue be moved to 2nd Street and 13th Avenue;
- (b) That the barricade at 4th Street and 10th Avenue be moved to 4th Street immediately South of 11th Avenue;
- (c) That the barricade at 2nd Street and 12th Avenue be replaced with stop signs.

In review, all intersections in the area were, for years, experiencing an above normal accident history.

The concern of Council for this problem culminated in the undertaking of a study of the area by the Planning Department. This study recommended the erection of barricades or diverters on certain streets, with their ultimate closure to be considered eventually.

As a result of a review being made following the installation of the barricades and diverters, it was found that:

- (a) Four reported accidents have occurred at intersections in the area compared to twenty-three before. This represents a reduction of 83% in the accident rate. The severity rating of these accidents also decreased from 35 points to 4 points, or 89%, for the same period.
- (b) Vehicle volumes have not decreased appreciably.
- (c) The barricades and diverters have produced a rearrangement of travel patterns in the area.
- (d) Experience has shown that the installation of stop signs has never accomplished the same objective. For example, in the past eight years, there were 131 accidents at the intersections in the area, of which 20 occurred where there were stop signs.

Many of those who have complained about the barricades are not aware of the ultimate treatment for traffic movements in the East Burnaby Area.

A Public Meeting should now be held, similar to that arranged last year, for the purpose of determining whether the majority of the residents support the permanent closure of the barricaded streets, as is envisaged in the aforementioned report of the Planning Department.

Arrangements have been made to hold this meeting at Armstrong Elementary School on Tuesday, March 18, 1969 at 7:30 p.m.

It was being recommended that Council concur with this meeting proposal and authorize payment of the necessary expenses for janitorial and other incidental costs involved in having the meeting.

(3) North Side of Kitchener Street Between Westlawn Drive and Willingdon Avenue

A request was received for the prohibition of parking on the above portion of Kitchener Street because of congestion which occurs frequently.

Investigation disclosed that Kitchener Street has a 20 foot wide asphalt pavement, with 6 to 8 feet of parking shoulders on both sides.

This standard in a residential area on a low volume facility should be able to accommodate parking on both sides without serious congestion to the travelled portion of the street.

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The Committee was given to understand that the development which generates the need for parking in the area is not financially able at this time to develop off-street parking facilities on its site. This being the case, a parking prohibition on Kitchener Street would only cause those needing to park to use other residential streets in the area.

Since there appears to be no solution to the problem other than the development of the parking lot, it was being recommended that no parking prohibition be instituted on the North side of Kitchener Street between Westlawn Drive and Willingdon Avenue.

(4) 5935 Olive Avenue

A request was received for a parking prohibition, and a sidewalk crossing, at the above location. In support, it was alleged that tenants of a nearby apartment occupy the spaces in front of the home at this address.

Investigation disclosed that this residence has facilities to park two vehicles off the street, both of which are accessible from the lane behind the property.

The requested crossing would only allow cars to park in the front yard, which would be contrary to the Zoning By-law.

As regards the parking situation, Olive Avenue is undergoing reconstruction to a pavement width of 36 feet. This will enable cars to park on both sides and still allow for two moving lanes for traffic.

It was being recommended that both of the requests not be granted.

(5) Sullivan Heights Area

The Committee received a letter from a resident of the Sullivan Heights Area complaining of the right turn prohibition imposed on Southbound traffic on North Road past the area.

Since the introduction of these restrictions and the erection of barricades in the area, numerous complaints have been received from the residents concerning the inconvenience caused by these controls.

It is intended, upon completion of the North Road Widening Project (which will include the construction of Austin Avenue from North Road to Lougheed Highway), to consider the removal of all existing turn restrictions and the barricade on Still Creek Street at North Road.

The tentative date for completion of the Project is May, 1969.

It was being recommended that the foregoing be conveyed to those who have submitted enquiries and complaints in regard to the matter of traffic controls in the Sullivan Heights Area.

(6) North Side of Beresford Street Between Buller Avenue and Daisy Avenue

A request was received for a parking prohibition on the above portion of Beresford Street.

In February, 1967, the Committee recommended the institution of a parking prohibition on the North side of Beresford Street between Buller Avenue and MacPherson Avenue.

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The Council deferred action on this proposal because of a lack of off street parking facilities in the area. The Mayor was asked to approach the B. C. Hydro and Power Authority to obtain a portion of the railway right-of-way for parking purposes.

Negotiations in this regard became quite involved and were subsequently abandoned.

In view of that and since it is still felt there is justification for the action proposed in 1967 (as detailed above), it was being recommended that a "No Parking Anytime" prohibition be instituted on the North side of Beresford Street from Buller Avenue to MacPherson Avenue.

(7) Mid-Block Bus Stops

A number of complaints have been received from motorists who have been fined for parking illegally at mid-block bus stops.

Section 13(3)(c) of the Street and Traffic By-law states:

"No person shall park a vehicle where a bus stop is situated at other than an intersection within 25 feet of either side of the sign indicating the presence of such bus stop"

Bus zones and farside bus stops allow for vehicle parking directly in front of the bus stop post and as many motorists are not aware that this is not permitted at mid-block bus stops, they receive a ticket.

In order to clarify the situation, it was being recommended that all mid-block bus stops be changed to bus zones and that Section 13(3)(c) of the Street and Traffic By-law be deleted.

(8) #30 Willingdon Bus Service

The B. C. Hydro and Power Authority requested approval for a routing of the above bus inbound and outbound via Halifax Street and Douglas Road between Willingdon Avenue and Gilmore Avenue rather than via Lougheed Highway.

The route that is the subject of the request is the one that was established during the Willingdon Overpass construction. It provides better service to the Brentwood Shopping Centre and therefore affords passengers greater convenience.

It was being recommended that Council approve the route proposal in question.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That the recommendations of the Committee covering Items 2 to 8 inclusive be adopted."

CARRIED UNANIMOUSLY

A discussion took place on the signs which were erected recently to prohibit Southbound Sperling Avenue traffic from turning left onto Buckingham Avenue.

The following were the comments which were made:

- (a) The signs which have been installed, including the advance warning ones, are either not in the correct position or do not sufficiently alert the motorist to the prohibition.

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- (b) If Council was to declare a moratorium on the enforcement of the regulation, perhaps the fines which have been paid by violators could be refunded.
- (c) There may be some doubt as to the justification for the prohibition because the traffic situation on Buckingham Avenue is no worse than on many other residential streets in the municipality.
- (d) The instructions which Council issued regarding the erection of the signs have not been completely complied with because, in addition to a certain number of signs being stipulated, flashers were supposed to have been installed.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:

"That a report be submitted answering the following questions in connection with the turn prohibition at Sperling Avenue and Buckingham Avenue:

- (1) How many tickets have been issued by the R.C.M.P. since the turn prohibition was instituted, and how much has been paid by these violators?
- (2) Are the signs and any other appurtenances which have been installed entirely adequate to warn motorists of the turning restriction?"

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That a further report be submitted indicating whether the municipality could refund the fines which have been paid by those violating the subject turn prohibition if Council was to declare a moratorium on the enforcement of the prohibition."

CARRIED

AGAINST -- ALDERMEN BLAIR AND MERCIER

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

THE COMMITTEE RECONVENED AT 9:05 P.M.

MUNICIPAL MANAGER submitted Report No. 15, 1969 on the matters listed below as Items (1) to (12), either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) (a) Remainder of Lot "A", Except the North 142 feet, Block 13, D.L. 79, Plan 4893
 - (b) Lot 175½, Block 12, D.L. 79, Plan 2298
 - (c) Lot 19, Blocks 12/13N, D.L. 79S, Plan 2298
 - (d) Lots 1 and 4, Block 13, D.L. 79, Plan 2814
- REZONING APPLICATION NOS. 93/68, 94/68 and 95/68

The above applications are to rezone the properties described to Institutional District (P2), and involve properties on Ledger Avenue, Norland Avenue and Canada Way.

The Planning Department has presented a report in connection with these rezonings proposals, as follows:

- (a) In the fall of 1968, the Council, following receipt of a report from the Department, tabled the rezoning applications to allow for a more detailed examination and time to relate the private development scheme with the public investments in the area.
- (b) The Council has, in the past, recognized the desirability of creating a focal point at this location and, to this end, has given considerable attention to the siting and architectural design of the Municipal Hall and Justice Building.
- (c) Council's interest has gone beyond the bounds of the Hall site and, in order to protect the concept, land has been acquired on the North side of Canada Way.
- (d) At present, a comprehensive long-range study of the Central Area is being undertaken by the Planning Department. Although the study is not completed, the development of a Central Administrative Core, which will consist of a civic centre between Canada Way and Deer Lake, is proposed and will be related to surrounding areas of commercial and business activities and residential development.
- (e) Private, commercial and business activities are envisaged for the area North of Canada Way. As the long-range study is not yet complete, it would be premature to recommend adoption of a detailed concept for the area around the Municipal Hall. It is therefore necessary at this time to adopt a flexible approach which, while providing opportunities to work with the rezoning applicants, will guarantee that future development will not be impeded by the proposed rezonings.
- (f) The subject sites, as they are located opposite the Municipal Hall, are in a prime location in relation to the development of the area.
- (g) Principles and requirements for development have been formulated to provide:
 - (i) a focal point near the Municipal Hall and Canada Way to be created by establishing pedestrian-oriented areas of activity, interest and variety.
 - (ii) for the size, location and landscaping of proposed buildings to be related to a general concept for the area.
 - (iii) a well defined foot-path system that will provide a continuous link between the civic centre and surrounding areas.
 - (iv) for the clear separation of vehicular movements from the foot-path system and from the areas of pedestrian activity.
 - (v) a high standard of landscaping, paving, screening and planting in order to create an environment of the same quality as that envisaged for the civic centre.
- (h) The Council approved the rezoning of a site at the corner of Canada Way and Ledger Avenue to permit the construction of a Y.M.C.A. building. The siting and landscaping of this building were considered in light of the above principles in order to establish a relationship with the general concept for the area and with future developments.

- (1) The following are the recommendations for each of the three specific applications:

Site A

That the applicant be advised that the proposal to construct a building to accommodate union business offices and an auditorium is acceptable in broad terms and that a Public Hearing will be held for the rezoning of the site to Comprehensive Development once a detailed and acceptable scheme, which includes the provision of adequate services, is presented.

Site B

That the applicant be advised that his proposal to construct a six storey office building with commercial facilities on the ground floor is acceptable in broad terms and that a Public Hearing will be held on the rezoning of the site to Comprehensive Development once a detailed and acceptable scheme, which includes the provision of adequate services, is presented.

Site C

That Council confirm its previous instructions and authorize a renewal of negotiations to acquire the Lots 1 and 4 in question for consolidation with existing municipally-owned land to ensure that the overall development of the Central Area proceeds in a comprehensive and proper manner because the size and shape of the site is completely unsuitable to support a development of the quality which is envisioned.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:

"That the recommendation of the Planning Department covering Site A be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Planning Department respecting Site B be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the recommendation of the Planning Department covering Site C be adopted."

CARRIED UNANIMOUSLY

(2) Water Supply - 11th Avenue and 17th Street

The owner of Lot 13, Block 4, D.L. 53, Plan 3037, which is located on 11th Avenue at 17th Street is not able to build on this property because of the unavailability of water.

In order to obtain such service, a main must be constructed on 11th Avenue at an estimated cost of \$1,100.00. The owner has indicated that this is too great a sum for him to pay and has approached the municipality for financial assistance.

On examination, it was ascertained that the land beyond the owners lot is owned by the municipality. There is therefore justification for consideration of the Benevolent Subdivider Policy.

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The owner was assured that, if he deposited half of the sum involved, a recommendation would be made to Council that the Corporation assume the remaining \$550.00 cost.

The owner has now deposited his half so it was being recommended that Council authorize an extension of the watermain at an estimated cost of \$1,100.00.

MOVED BY ALDERMAN DRUMMOND; SECONDED BY ALDERMAN DAILY:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(3) Lot 17, Block 26, D.L. 122, Plan 1308

On January 8, 1941, the Corporation sold the above described property to Mr. Frederick J. Fennings.

Mr. Fennings passed away on February 15, 1967 and his widow is the sole beneficiary of the estate.

The Corporation issued a deed to Mr. Fennings in January 1941 which was never registered.

To assist in transferring the property to the widow, it was being recommended that a new deed be issued to Mrs. Fennings and that Council authorize the execution of this document.

During consideration of the report from the Manager, the following points were made in Council:

- (a) There should be no problem in registering the deed in the name of Mr. Fennings because, in probating his will, the property in question would be transferred to Mrs. Fennings without any difficulty.
- (b) There might be a legal complication if an attempt was made to register a new deed in Mrs. Fennings name because, if Mr. Fennings had conveyed the property to someone else who had not registered the conveyance, then that person's interest in the property would be nullified by the registration now of a deed in the name of Mrs. Fennings. This could invite litigation against the Corporation.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the report of the Manager be tabled until the March 17th Council meeting to allow for the submission of a report responding to the points made this evening."

CARRIED UNANIMOUSLY

- (4) Easements - (a) Portion of Lot 2, S.D. "B", Blocks 1/2, D.L. 87, Plan 12656
 - (b) Portion of Lot 2, Block 4, D.L. 87, Plan 1326
- STANLEY STREET SANITARY SEWER PROJECT

It was being recommended that Council authorize the:

- (a) acquisition of easements over the above described properties, which are required for sanitary sewer purposes, for a consideration of \$1.00 each.
- (b) execution of the documents attending the transactions.

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

CARRIED UNANIMOUSLY

(5) Off-Track Betting Offices

The Council was informed by the Manager, through Item 4 of Report No. 5, 1969, that Mr. E. F. King had applied for a licence to operate an "Off-Track Betting Office".

Mr. King withdrew his application by telephone on January 29, 1969.

Subsequently, two further applications have been received from:

(a) Mr. Herbert V. Holtum,
6591 Angus Drive,
Vancouver 14, B. C.

(b) Mr. William McClure,
1853 Trent Avenue,
Coquitlam, B. C.

The legality of this type of operation has been taken to the Ontario Court of Appeal and to the Supreme Court of Canada. The latter Court refused the application of the Attorney-General for Ontario to appeal the decision of the Ontario Court of Appeal.

In essence then, the decision of the Ontario Court of Appeal that such operations, under the conditions dealt with by the Court, are not illegal, still stands.

The Attorney-General for B. C. is very much opposed to the establishment of Off-Track Betting Offices and, from newspaper reports, has made representations to the Federal Government.

It was being recommended that Council abide by the opinion of the British Columbia Attorney-General and refuse to grant licences for the operation of Off-Track Betting Offices.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN HERD:
"That, because of the current uncertainty as to the legal position to be taken in regard to Off-Track Betting Offices, action on all applications to operate such offices be deferred until the legality of them is clearly determined."

CARRIED

AGAINST -- ALDERMEN LADNER, CLARK AND
DAILY

(6) Miscellaneous Improvements - Municipal Hall

At various times, the Council has proposed the following improvements to the Council Chamber:

- (a) Better seating
- (b) A public address system
- (c) A lectern for the use of delegations
- (d) Facilities for Graphic displays

As regards each of these four proposals:

- (a) A quotation was received on February 21st for 70 theatre-type seats placed on floor level and two raised tiers of 6 feet, including cutting and replacing carpeting, at an estimated cost of \$4,870.00.
- (b) The Deputy Chief Building Inspector has designed a public address system which provides eight microphones for the Aldermen, one for the Mayor, four for the official's table, and one additional lavalier-type for delegations. The estimated cost is \$2,300.00.
- (c) The approximate cost of a lectern is \$25.00.
- (d) A form of epidiascope, using transparencies, has been installed but the appearance of a screen and easel detract somewhat from the amenities of the Chambers.
- (e) The Chief Building Inspector has examined the possibility of using the false wall on the West side of the Council Chambers to contain a screen and cork board. A figure of \$500.00 has been suggested for this type of device, including the work required to install it.

The total estimated cost in implementing all four of the things itemized is \$7,695.00.

In recent months, great difficulty has been experienced with lighting in the hallway. The fixtures are obsolete and can only be repaired by cannibalization.

The Chief Building Inspector has recommended that they be replaced and, at the same time, the ceilings lowered to provide an even more attractive entrance.

Certain partition modifications are needed in various offices and floor coverings are recommended for some of them. The estimated cost of these works is \$10,000.00.

It was being recommended that approval be sought for a Tax Sale Monies By-law in the sum of \$20,000.00, repayable over 10 years at 6% interest, to undertake the proposed works.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the report of the Manager be tabled until the March 10th meeting and details be supplied then as to the extent of replacing the lighting fixtures and modifying certain offices."

CARRIED UNANIMOUSLY

(7) 5600 Block Patrick Street

(The petition from Mrs. D. M. Custock and others, which was received earlier this evening and which deals with the subject of the Manager's Report, was brought forward.)

The situation which is the basis of the petition is very much the same as it was when Council dealt with it in February, 1967.

The decision of Council then was to take no action on the requests of that year.

When inspecting the site on February 27, 1969, a truck from Keystone Cartage was discovered dumping fill at the ravine edge at the end of the road. The driver advised that the Custock's had invited the fill, intending to push it onto their own property. Unfortunately,

much of the fill had been pushed over the edge of the ravine and this adds to the problem of blockage at the storm sewer outlet. The driver was told not to compound the problem by doing what he had been asked by the Custocks.

The level area between the end of the existing pavement and the edge of the ravine (approximately 30 feet in distance) could be paved to create a partial turning area for approximately \$1,000.00.

The Engineer has repeated his 1967 recommendation against any further encroachment by constructing the road into the ravine area.

The ravine is one of the South Slope ravines reserved for park use by Council on February 17, 1969.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:

"That Council authorize the extension of the existing pavement on the subject portion of Patrick Street a distance of approximately 30 feet to the edge of the ravine, at a cost of approximately \$1,000.00, and stipulate that the sum involved be charged against the Maintenance Paving Account."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:

"That the meeting continue past the hour of 10:00 p.m."

CARRIED UNANIMOUSLY

(8) Government Street between North Road and Lougheed Highway

As part of the long-term development of the Lougheed Mall area, Burnaby has always anticipated the closure of Government Street at Lougheed Highway because the construction of Austin Avenue Westward from North Road makes this portion of Government Street redundant.

Edper (B. C.) Ltd. owns land adjacent to the subject portion of Government Street and proposes to close that part adjacent to the remainder of Lot 3, Block 4, D.L. 2, Plan 4286.

It has been agreed with that Company that the closure be effected by means of a Street Exchange By-law.

It was being recommended that Council agree with this method on the following basis:

- (a) in exchange for Edper (B. C.) Ltd. receiving title to the portion of Government Street to be abandoned, the Corporation obtain land from that Company for road purposes.
- (b) The Corporation obtain an easement over a portion of the street to be closed to protect its services and utilities.
- (c) The Corporation obtain the truncations shown on an accompanying plan.
- (d) The Corporation receive a deposit to cover the cost of constructing the turn-a-round indicated on the plan.
- (e) The Company deposit a subdivision plan consolidating the portion of Government Street to be abandoned with Lot 52, D.L. 4, Plan 31308 and the remainder of the aforescribed Lot 3.

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The plans necessary for the transaction are being forwarded to the Legal Department for the preparation of appropriate documents.

Edper (B.C.) Ltd. has already taken in hand its responsibilities with respect to the closure and exchange.

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

CARRIED

AGAINST -- ALDERMAN DRUMMOND

(9) Hastings Street Redevelopment Project

The Corporation expropriated the following properties for the above project: 3856, 3866, 3870, 3876, 3878 and 3942 Hastings Street.

A Board of Arbitration has been established to determine compensation.

Its members are:

- (a) Mr. Davey Fulton - Chairman
- (b) Mr. D. M. M. Goldie - Corporation Appointee
- (c) Dean Phillip White - Owner's Appointee

The Chairman sent a letter on February 27th advising that the Board will commence hearings on April 14th at 1:00 p.m. and, thereafter, from day to day for as long as may be necessary to complete the hearings.

The Corporation also expropriated property known as 3972/76 Hastings Street.

The Board of Arbitration to determine compensation for that expropriation consists of:

- (a) Mr. Harvey Grey - Chairman
- (b) Mr. T. E. H. Ellis - Corporation Appointee
- (c) Dean P. White - Owner's Appointee

The hearings of this Board have been tentatively set for May 5th, 6th, and 7th, 1969.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the information in the report of the Manager be received and conveyed to the North Burnaby Commerce and Community Bureau."

CARRIED UNANIMOUSLY

(10) Portions of Lots "B" and 22, Block 5, D.L. 207

As directed by Council, the Land Agent has reported as follows on a proposed sale of the above described properties:

- (a) Current purchases of raw land in the vicinity of the subject property indicates a square foot value of 37¢, 38¢ and 45¢.
- (b) The highest figure is a declaration from a sale of land 200 feet East of the subject property. The other two values are 1968 prices on acquisitions by the municipality of comparable land in an adjacent block East of Duthie Avenue.

- (c) The square foot value indicated by assessments is 22¢.
- (d) The parcel of municipal property which is proposed to be sold is roughly triangular in shape, with slightly more than one-third of its total area not subdividable because its shape and location between private property and a major road allows no other potential other than addition to adjacent land. Even doing this is not sufficient to enable this adjacent owner to subdivide and obtain an additional lot.
- (e) For this reason, the worth has been calculated on the basis of being sufficient additional area which, when added to the adjacent property, would change its status from single family to duplex. This additional value is calculated at a rate of 21.7¢, or \$1,425.00, for the area involved. No allowance has been made for the part involved in the creation of the cul-de-sac.
- (f) The balance of the land involved, which is contained in Lots 6 and 7 on the attached drawing, is approximately 17,947 square feet which has been valued at 48¢, giving a total for these two parcels of \$8,000.00
- (g) The rates, when averaged over the whole parcel, equal 35¢ per square foot.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

"That the recommendation contained in Item (6) of Report No. 13, 1969 from the Municipal Manager, which Council received on February 24, 1969, be adopted."

CARRIED UNANIMOUSLY

- (11) Portions of Parcel "K" (16405F) Blocks 1 and 8, D.L. 4, Plan 845 AND Lot "H", Explanatory Plan 15089, Except part on Plan 21111, Blocks 1/8, D.L. 4, Plan 14829
AUSTIN ROAD

It was being recommended that the portions of the above described properties required for the Austin Road right-of-way, as shown more particularly on the attached sketch, be expropriated.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

- (12) Lots 17 to 20 inclusive and Block 24, D.L. 124, Plan 3343
(Hoffars Limited and Blaine -Ardis Holdings Ltd)

The above companies requested the Corporation last year to provide a road, through municipal property, from Dawson Street to the Northern boundary of the companies' site on the East side of Willingdon Avenue.

The Council, at that time, directed the Municipal Engineer to meet with representatives of the companies in an attempt to resolve the matter to the mutual satisfaction of both parties.

Several meetings have been held and an agreement has been reached whereby the companies have signified their site can be adequately served by two accesses from Alpha Avenue and one from Willingdon Avenue instead of requiring an access from Dawson Street through the municipal property.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

*

Municipal Manager submitted a Special Report dealing with drainage requirements in subdivisions.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN LADNER:
"That this report be tabled until the March 10th Council meeting."

CARRIED UNANIMOUSLY

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

THE COUNCIL RECONVENED.

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

ALDERMEN DAILLY AND LADNER LEFT THE MEETING.

*

B Y - L A W S

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That leave be given to introduce:

"BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW
NO. 2, 1969"

(#5496)

"BURNABY HIGHWAY EXCHANGE BY-LAW NO. 1, 1969"

(#5493)

and that they now be read a First Time.

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the By-laws be now read a Second Time."

CARRIED UNANIMOUSLY

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 the By-law."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the Committee do now rise and report the By-law complete."

CARRIED

THE COUNCIL RECONVENED.

ALDERMAN DRUMMOND OPPOSED TO
BURNABY HIGHWAY EXCHANGE BY-LAW
NO. 1, 1969

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

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

CARRIED

ALDERMAN DRUMMOND OPPOSED TO
THE SAME BY-LAW.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That:

"BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW NO. 2, 1969"

"BURNABY HIGHWAY EXCHANGE BY-LAW NO. 1, 1969"

be now read a Third Time."

CARRIED

ALDERMAN DEUMMOND OPPOSED TO
THE SAME BY-LAW

*

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 3, 1969" #5475

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 66, 1968" #5422"

CARRIED UNANIMOUSLY

ALDERMAN DAILLY RETURNED TO THE MEETING.

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 3, 1969 provides for the following rezoning:

Reference RZ #110/68

FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY
RESIDENTIAL DISTRICT THREE (RM3)

Lots 12 to 14 inclusive, Block 2, D.L. 95, Plan 1796

(7207, 7221 and 7235 Arcola Street, respectively - Located on the North side of Arcola Street Eastward from Hall Avenue a distance of 198 feet)

Deputy Municipal Clerk stated that the Planning Department had reported that the prerequisites established by Council in connection with this rezoning proposal are nearing satisfaction.

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 66, 1968 provides for the following rezoning:

Reference RZ #90/68

FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Lots 2, 3 and 4, Block 45, S.D.'s "B", "C" and "D", D.L.'s 151/3, Plan 9647

(4511 - 4515 and 4525 Imperial Street - Located on the North side of Imperial Street from a point 163 feet East of Dow Avenue, Eastward a distance of approximately 184 feet)

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

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MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:
"That the Committee do now rise and report the By-laws complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 3, 1969"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. '66, 1968"
be now read a Third Time."

CARRIED UNANIMOUSLY

*

ALDERMAN LADNER RETURNED TO THE MEETING.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That:

"BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW
NO. 1, 1969"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 81, 1968"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 73, 1967"
be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That:

"BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW
NO. 1, 1969"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 81, 1968"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 73, 1967"
be now finally adopted, signed by the Mayor and Clerk and the
Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

*

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That "BURNABY RATIFICATION BY-LAW 1968" be now reconsidered."

CARRIED

AGAINST -- ALDERMAN CLARK

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That "BURNABY RATIFICATION BY-LAW 1968" be now finally adopted, signed
by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED

AGAINST -- ALDERMAN CLARK

*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY