

JUNE 1, 1959

An Adjourned meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, June 1, 1959 at 7:30 p.m.

PRESENT: Acting Reeve McLean in the Chair;
Councillors Brown, Edwards, Jamieson,
MacSorley, Mather and Seifner

Councillor Jamieson led in the Lord's Prayer.

The Deputy Clerk requested that the letter from the Chairman of the Chancellor Subdivision Committee be withdrawn since the matters contained therein involved the Engineering Department. The Deputy Clerk advised that those items which are not resolved will be reported on to Council.

Mr. D. E. Howe of the Connie Mac Baseball League submitted an application for permission to hold a Tag Day on June 13th for the purpose of collecting funds to support the teams in the Connie Mac Baseball League.

Moved by Councillor Jamieson, Seconded by Councillor Edwards: "That permission be granted, provided it does not conflict with another campaign for which permission has previously been granted."

CARRIED UNANIMOUSLY

President, B. C. Association of Assessors, advising that it was their opinion a serious situation had been created by virtue of certain amendments made this year to the Assessment Equalization Act and requesting that Council undertake a study of all conflicting assessment legislation with a view to the attainment of legislation which would be fair and equitable and capable of implementation without undue costs.

Moved by Councillor Edwards, Seconded by Councillor Jamieson: "That this letter be referred to the Municipal Solicitor for an explanation of the situation and comment on the arguments advanced by the Association of Assessors."

CARRIED UNANIMOUSLY

District Engineer, Department of Highways, wrote advising that his Department is revoking the present cost sharing arrangement respecting the sweeping of Kingsway and that in the future, the Municipality will be solely responsible for the sweeping of all Arterial Highways.

Moved by Councillor Brown, Seconded by Councillor MacSorley: "That the letter be received."

CARRIED UNANIMOUSLY

The Deputy Clerk then brought forward the matter of a request of W. E. Beasley to be allowed to arrange an Easement for the supply of water to a lot to be created from lots 8 and 9, block 13, D.L. 99, Plan 3883.

Moved by Councillor Jamieson, Seconded by Councillor Edwards: "That this matter be tabled until after the disposition of Item 3 of the Municipal Manager's report."

CARRIED UNANIMOUSLY

REPORT OF TRAFFIC SAFETY COMMITTEE

1. Grandview-Douglas Highway in front of the Dania Home

The Committee reported it had been informed that recently a resident of the Dania Home was fatally injured in front of the above Home and that the Coroner's Jury which inquired into the death of this person had recommended that adequate street lighting be provided at this point.

The Committee recommended that additional lighting be installed on the Highway in front of Dania Home.

Moved by Councillor Mather, Seconded by Councillor Seifner: "That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

2. Request for Bus Zone on Albert Street at Willingdon Avenue.

The Committee reported that it had received a further request to designate the bus stop at the above location as a Bus Zone because cars quite frequently park in the stop area thereby preventing buses from pulling off the travelled portion of the road. The Committee further reported that this problem was further complicated by virtue of this particular stop area being a recovery point for buses. They pointed out that at the present time there is no provision whereby bus stops are reserved for the exclusive use of buses although, generally, motorists do co-operate by not parking in a bus stop area. The Committee advised that it was reluctant to recommend the establishment of a bus zone at the location in question since it is situated on a residential street and because it is not intended to improve the pull off area. They did, however, advance the suggestion that the Street and Traffic By-law include a provision whereby no vehicle other than a bus will be permitted to stop at a bus stop and that since this By-law is undergoing revision at the moment, suggested that this matter receive attention during consideration of the By-law revision. The Committee recommended that in the meantime, as the problem at the subject location deserves immediate attention, that parking be prohibited, except for buses, in the present stop area.

Moved by Councillor Brown, Seconded by Councillor Mather: "That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

3. Request for Playground Signs on Lozells Avenue at Government Street.

The Committee reported that investigation revealed Lozells Avenue south of Government Street is a dead-end road and that the Playground, which is on the north side of Government Street, is adequately protected by 15 m.p.h. signs both east and west of Lozells Avenue. The Committee recommended that the request for playground signs on Lozells Avenue south of Government Street be not entertained.

Moved by Councillor Jamieson, Seconded by Councillor Edwards: "That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

4. View Obstruction at Price Street and Inman Avenue.

The Committee reported that inspection of this intersection revealed that a view obstruction in the form of a tree at the north-east corner might possibly contribute to right angle collisions although a search of accident records for the last year indicated that no recordable accidents occurred. The Committee felt that irrespective of this situation the presence of the tree does constitute a hazard and recommended that the Parks and Recreation Commission be requested to trim the tree so as to improve the vision clearance at the subject corner.

Moved by Councillor Edwards, Seconded by Councillor Brown: "That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

5. Parking Prohibition on MacPherson Avenue and Beresford Street.

The Committee reported it had been advised by the Fire Chief that with the demolition of Digney Speedway, it would no longer be necessary to prohibit parking on both of the above noted streets. The Committee recommended that the Street and Traffic By-Law be amended by deleting that section which presently imposes the subject parking prohibition.

Moved by Councillor MacSorley, Seconded by Councillor Brown: "That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor Edwards: "That the Council now resolve itself into Committee of the Whole."

CARRIED UNANIMOUSLY

The Deputy Clerk advised that he had received nine letters in connection with the proposals contained in a report of the Planning Department dealing with the Government Road - South Burquitlam District.

Moved by Councillor Brown, Seconded by Councillor Edwards: "That all letters be read."

CARRIED UNANIMOUSLY

Letters were received from the following persons expressing their opinions with respect to certain land use proposals affecting the Government Road - South Burquitlam area:

- (1) E. G. Hamilton, 9887 Rochester Road
- (2) R. N. Sinclair, 9306 Government Street
- (3) E. J. Symonds, 9945 Rochester Road
- (4) Russell & DuMoulin, on behalf of Continental Can Company of Canada Limited, 3795 Cariboo Road
- (5) Boughton, Anderson, McConnell & Dunfee, on behalf of Scott-Foster Ltd.
- (6) J. D. Pipe, 7260 Government Street
- (7) Pacific Steel Erectors Limited, 7228 Government Street.
- (8) J. G. Chutter, 1961 West 54th Avenue
- (9) Lister Iron & Chain Works Ltd., 2021 Alberta Street, Vancouver.

The Planning Department also submitted a progress report in connection with the Government Road - South Burquitlam District advising that the problem of achieving compatibility between adjacent residential and industrial uses in this area could be successfully handled in several ways. In this connection, he reported that the previously recommended method, that is changing from Heavy to Light Industrial zoning, was considered the only feasible alternative under present zoning regulations and that the possibility of suggesting the establishment of suitable alternative regulations was considered to be a superior approach but one requiring much wider study than was being undertaken. He further reported that some thought has now been given to an alternative and, in this respect, advanced the suggestion that new regulations be created which would provide for industrial uses "heavier" than those normally associated with the term "light industry". He pointed out that the effects of this less restrictive use would be reduced by the application of stricter minimum standards for development and performance and added that to safeguard residences and the future Burnaby Lake Park, the most obnoxious industrial uses would be prohibited. The Planning Director suggested that in proposing these standards consideration be given to the type of structures which might be expected in the area and to the lot size and building now in existence in the Government Road industrial area. He advised that new regulations to serve this particular area should not be considered in isolation but should be reviewed in relation to existing zones and regulations. The Director of Planning suggested that if such an approach could be approved in principle, suitable regulations for the industrial area in question could be developed fairly soon but a wider study of industrial development in various other parts of the Municipality would be necessary for any broader revision of the Town Planning By-Law. He also suggested that this entire matter might be a suitable subject for the Technical Planning Committee. The Director advised that he felt modification of the existing zoning and street pattern within the scope of an official community plan was the most feasible approach to the problem of securing sound development in the subject area and pointed out that some of the proposals outlined in the original report would require considerable attention before any final decisions could be reached.

Moved by Councillor Brown, Seconded by Councillor Mather: "That all the correspondence and the progress report of the Planning Department be received."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor MacSorley: "That the Planning Department be directed to continue its study along the lines indicated in its progress report under date of May 29th and that they submit a further report on this matter as soon as possible."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 21, 1959

1. Investments.

The Manager reported that the Treasurer had made the following investment of idle funds of the Municipality:

<u>Face Value</u>	<u>Security</u>	<u>Gross Price</u>	<u>Fund</u>
\$100,000.00	Government of Canada Treasury Bill 4.269% Due 19 June 1959.	\$99,672.50	Reserve Account

The Manager recommended that the action taken by the Treasurer be confirmed by Council.

Moved by Councillor MacSorley, Seconded by Councillor Jamieson: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(2) Illegal Suites.

The Manager reported that the Municipality is experiencing a problem in connection with illegal suites. He mentioned that the term "illegal suite" generally connotes any suite constructed for which no permit was issued by a Municipality but that actually a suite is illegal if:

1. No permit has been issued by the Municipality
2. Zoning or other requirements so prohibit
3. Structural requirements are not met

He added that the first factor presents no particular problem once the presence of the suite is detected as it is a relatively simple matter to correct the situation but that the latter two do create a more difficult problem inasmuch as they involve the question of enforcement of a Municipal By-law. The Manager further reported that the most difficult problem which is constantly being met is more of a social nature than a Building Department requirement in that so many of these suites are used as accommodation for relatives - mainly, elderly parents and that in most such cases there is invariably compassionate circumstances. The Manager further advised that he felt there was a place in our society for family responsibility to such close relatives as parents and that any practical solution to the alternative of taking legal action against persons who are using illegal suites for such purposes would be welcomed and maintained that because of such circumstances, accommodation for such a purpose need not comply strictly with all building requirements although some acceptable building standard and control is essential. He added that existing regulations do not differentiate between the types of suite; that is whether they are for revenue or "family" purposes and that he felt there should be a legal differentiation in order to satisfy the moral justification. He proposed that a new classification be established for the accommodation of relatives together with a set of regulations applicable to such classification and pointed out that existing regulations would continue for other suites and enforcement could be carried forward without the complications which now arise so often concerning the actual use of the suite. The Manager suggested that the classification "relative accommodation" could be adopted and special regulations and procedures established and, in this respect, mentioned that due regard would need to be given:

1. The fact that such accommodation is not necessarily revenue producing or of long duration of occupancy.
2. The fact that such accommodation need not necessarily meet the degree of requirement presently needed for suites but that it should meet a set of requirements established by the Municipality. The Manager submitted a set of regulations which would provide minimum acceptable standards for relative accommodation. He added that a form of licencing could be established to control this particular type of accommodation and suggested that a fee of \$5.00 per annum be levied. He pointed out that failure to obtain or renew a licence permit would leave the offender liable for prosecution and thus would be a deterrent to misuse. The Manager stressed that such licencing would only be required for such accommodation which does not conform to all the structural standards and land use limitations for a Two-Family occupancy and that when the use to be known as "relative accommodation" is abandoned such accommodation must be converted to a conforming use. In conclusion, the Manager reported that he felt this differentiation between "suites" and "relative accommodation" would meet a need from the social standpoint and would also simplify the task of the Building Department in correcting the problem which developed before adequate control and inspection procedures were established and added that an attempt is being made to discourage the construction of further "illegal suites" by the tightening of controls and the posting of a card indicating the permitted use of the premises. The Manager recommended that Council approve in principle the establishment of a new classification for "relative accommodation" and that the proper Municipal officials be instructed to prepare the necessary amendment to the Building By-law to incorporate the required conditions which will apply to such accommodation.

Moved by Councillor Mather, Seconded by Councillor Brown: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(3) Water Mains Extensions Policy.

The Manager reported that both the Waterworks Engineer and the Municipal Treasurer have been studying the existing policy together with the legislation available in order to ascertain the actual state of affairs and the need and/or desirability for recommending any change in the policy covering water main installations. For the clarification of Council, the Manager advised that a "service" is defined as being any water main under 1 inch in size, a "temporary main" is a main between 1 inch and 3 inches in size and a "permanent main" a main 4 inches or greater in size. The Manager further reported that up until the early 1950's, the installation of small galvanized mains were permitted and that this policy had resulted in a maze of small pipes being installed over the less densely populated portions of the Municipality. He added that these pipes had a very limited capacity and were subject to extensive corrosion with the consequence that they

seldom provided adequate domestic capacity to the homes they served originally, additional services to adjoining lots only created further supply problems and they were of very limited value for fire protection purposes. The Manager advised that the problem had become so acute by this time that some remedy had to be devised and consequently the then Council put into effect a scheme which involved the replacement of the temporary mains by By-law funds and the prohibition of further extensions to these temporary mains; the By-law funds being used only to replace those sections of the temporary mains which would not assist in servicing undeveloped property. The Manager added that a policy was evolved for the servicing of new property which required that:

- (1) a lot had to front on a temporary or permanent main before a Building Permit was issued.
- (2) a water connection could be made to any lot which fronted on any portion of a temporary or permanent main.
- (3) Where a lot did not front on a temporary or permanent main, an application for a connection would only be accepted after money was deposited to cover the cost of extending a 6 inch water main from the nearest permanent main to either:
 - (a) halfway across the frontage of a subdivided lot or
 - (b) the nearest property line of an existing lot
- (4) Where a main larger than 6 inches was required, the Municipality would contribute the extra funds to provide the larger main.

The Manager further reported that thus far four By-laws covering an expenditure of 3.3 million dollars had assisted in carrying out this replacement programme although not all of this money was spent on replacing temporary mains since some larger mains were also due for replacement. He added that approximately nine hundred thousand dollars had been allocated for the replacement of some 35 miles of temporary mains and pointed out that the policy regarding extensions was responsible for the replacement of approximately 5 miles of temporary mains at an estimated cost of \$130,000.00; which sum was paid by developers rather than the Municipality. The Manager advised that the policy above mentioned is still in effect and it is usually criticised because of the financial burden which it imposes on developers especially when that property to be developed is adjacent to other land which is serviced with temporary mains and the cost of constructing a permanent main is substantial. The Manager added that it also appears unfair for "pioneer" developers since they often have to pay large sums to bring services to their property while adjacent owners may extend such services at a relatively modest cost. The Manager reported that the basic purpose of the survey was to determine the locations and length of temporary mains still in service but that because there were a number of related problems, the scope of the survey was broadened to include all lots in the Municipality which do not front on a permanent Municipal main. The following categories have been established as a result:

- (1) Those lots served by private wells located on Burnaby Mountain above the area which can be served by the present distribution system.
- (2) Those lots served by private wells and capable of being serviced by extensions to the present distribution system.
- (3) Those lots served by private connections across other lots, either by means of Easements or otherwise.
- (4) Those lots serviced by connections to mains owned and operated by the Municipalities of New Westminster and Coquitlam.
- (5) Those lots served by temporary mains.

and, in this connection, the Manager submitted a condensation of the results of the survey which indicated that:

- (a) the total length of "replacement" main required is 66,561 feet
- (b) the cost of replacement with a 6 inch main would be \$306,000.00
- (c) the cost of replacement with a main of the required size would be \$394,170.00

The Manager advised that another aspect of the question is to relate the physical problem with the financial one, having regard to:

- (a) the ultimate cost to the utility
- (b) fairness to subdividers
- (c) the availability and designated purpose of Municipal funds whether they be capital or revenue
- (d) the effect on the subdivision policy
- (e) the legislation under which funds could be borrowed and how they could be recovered
- (f) the effect of any change in policy upon the self-liquidating water utility.

The Manager mentioned that at the present time the water rates charged by the Municipality are barely sufficient to pay for the operation of the distribution system and the cost of installing new mains of a size in excess of 6 inches. The Manager suggested that a cursory examination of the Municipal Act reveals that possibly Section 570 could be used as a basis for a change in policy but that it would require a great deal of further research to determine the

conditions which would apply to any By-law passed under this section. The Manager requested Council to accept this as a progress report only and advised that definite recommendations would be forthcoming as soon as it is possible to resolve all the questions which have been raised by the study to date. The Manager further requested that Council not consider any deviations from the existing policy at this time.

Moved by Councillor Jamieson, Seconded by Councillor MacSorley: "That the report be received and the request of the Municipal Manager be concurred in by Council."

CARRIED UNANIMOUSLY

Moved by Councillor MacSorley, Seconded by Councillor Mather: "That the request of Mr. Beasley be now lifted from the table."

CARRIED UNANIMOUSLY

Moved by Councillor Edwards, Seconded by Councillor Brown: "That the request of Mr. Beasley be tabled and Council deliberate the entire water main extension policy and spell out in more detail its terms."

CARRIED UNANIMOUSLY

The Acting Reeve then declared a recess at 9:15 p.m.

The Council reconvened at 9:30 p.m.

4. Estimates.

The Manager submitted estimates of the Municipal Engineering covering the relocation of a storm drain over Lot "B", D.L. 96, Plan 13681 in the amount of \$1,100.00 recommending that they be approved.

Moved by Councillor Jamieson, Seconded by Councillor Mather: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

5. Municipal Employees' Superannuation.

The Manager reported that negotiations have been conducted with both the employees of the Municipality and the Commissioner of Superannuation with a view to implementing the provisions of the new Superannuation Act and to dispose of former Pension plans which had been in effect previously. The Manager reported that the Personnel Director has completed the conversion of all the former Pension plans to the new Municipal plan. He pointed out that as of March 31, 1958, there were 114 employees covered by London Life Salary Savings Plan and the London Life Group Annuity Plan and also 23 other eligible employees not covered by any form of Superannuation; this choice being their own and that of the total of 137 employees, 12 applied for past service credits, 65 refused past service credits and 60 elected to remain out of the new Superannuation plan. The Manager further advised that the 12 who had applied for past service credits have complied with the conditions established by Council and the proceeds of their respective equities in the former plans has been disposed of in accordance with the policy adopted and arrangements made for picking up past service contributions where applicable. The Manager further reported that in 1957, the Municipality entered into an agreement with the Commissioner of Municipal Superannuation in which all employees hired from that date would be under the Municipal Superannuation Act, regardless of age but that this agreement became redundant following the passage of the new Superannuation Act, with the result the Commissioner now desires a new agreement. The Manager advised that it is necessary to establish officially the past service credits for the 12 employees who elected to receive such credits for service prior to April 1, 1958 and that of these 12, 8 were eligible for a refund on a proportionate basis of a portion of the Municipality's share of the London Life equities where their service is terminated by reason of death, disability or dismissal during a period up to ten years service or by reason of dismissal between 10 and 20 years of service with the Municipality.

The Manager recommended:

- (a) That the monthly depreciating amount for employees eligible for a proportionate refund of the Corporation's share of the London Life equity be established as follows:

Anderson, E.M.N.	\$12.00 per month
Barnett, E.R.	24.00 per month
Fountain, E.A.	12.00 per month
Hamilton, B.	32.00 per month
Pennington, H.	15.00 per month
Roaf, W.G.	8.00 per month
Smith, P.B.	8.00 per month
Tucker, L. H.	8.00 per month

- (b) That Council authorize the execution of a new Agreement to replace the existing one covering over-age employees.
- (c) That Council establish the past service credit of those 12 employees who applied for them and pass the following resolution in this connection:

"Resolved that the following-named employees be granted credit for purposes of the Municipal Superannuation Act for service with the Corporation prior to 1st April 1958 as indicated:

Name	Past Service	
	Years	Months
Anderson, E.M.N.	8	5
Barnett, E.R.	12	5
Chatt, A.A.	1	5
Fountain, E.A.	7	10
Hamilton, B.	15	2
Pennington, H.	9	5
Roaf, W.G.	3	5
Smith, P.B.	3	0
Tucker, L. H.	1	6
Bell, J. M.	3	8
Melnyk, S.	0	10
Westby, J.	0	8

Moved by Councillor Edwards, Seconded by Councillor Seifner: "That the recommendations of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

6. Easement over a portion of Block 87, D.L. 132, Plan 1493

The Manager reported that negotiations have been conducted for the Easements required for storm sewer purposes between Halifax and Napier Streets and that one such Easement was required from August John Anderson over that portion of the above described block, as shown on right-of-way plan 20080. The Manager advised that Mr. Anderson has verbally agreed to grant the Easement for a consideration of \$200.00 and that since this Easement is essential to the proposed work and agreement has been reached as to the acquisition of the rest of the right-of-way which is required, recommended that Council authorize the acquisition of this Easement from Mr. Anderson for the sum of \$200.00.

7. Drainage Easements in D.L. 132

The Manager submitted a further report in connection with Easements required for the storm sewer between Halifax Street and the Lane north of Aubrey Street advising that the property owners affected have agreed verbally to grant the necessary Easements at no consideration. The Manager recommended that Council authorize the acquisition of Easements from the following owners in accordance with right-of-way plan 20080 and amendment plan 20334:

1. Blk. 56W $\frac{1}{2}$, D.L. 132, Plan 2640 - Frederick Nicks, 1121 Cliff Avenue
2. Blk. 56W $\frac{1}{2}$, D.L. 132, Plan 1493 - Bertha V. Anderson, 6931 Kitchener Street
3. Blk. 56E $\frac{1}{2}$, D.L. 132, Plan 1493 - Richard Lee Finley, 1134 Barclay St. Vanc.
4. Blk. 88, D.L. 132, Plan 1493 - Victor L. & Mary G. Brown, 6920 Kitchener St.
5. Blk. 89, D.L. 132, Plan 1493 - Robt. W. & Alice Johnson, 6940 Kitchener Street
6. Blk. 94E $\frac{1}{2}$, D.L. 132, Plan 1493 - Mary Albert, 6891 Winch Street
7. Blk. 94W $\frac{1}{2}$, D.L. 132, Plan 1493 - Alfred J. & Mary A. King, 4151 E. Pender Street
8. Blk. 123E $\frac{1}{2}$, D.L. 132, Plan 1493 - Patrick J. & A.M.J. Trainor, 6896 Winch Street
9. Blk. 123W $\frac{1}{2}$, D.L. 132, Plan 1493 - Alan St. Clair Barbour, 6890 Winch Street

Moved by Councillor Mather, Seconded by Councillor Seifner; "That the recommendations of the Manager with respect to Items 6 and 7 above be adopted."

CARRIED UNANIMOUSLY

8. Land Exchange involving Sandor Land Company.

The Manager reported that the above Company has twice offered to exchange a 0.051 acre portion of their property on Kingsway (portion required for the widening of Kingsway) for a 0.034 acre portion of Irving Street (unclosed portion of Irving Street east of Nelson Avenue). The Manager advised that when the first proposal was received, the Municipality had agreed to exchange the portions in question provided the Company paid the Corporation the sum of \$2,610.00 but that the Company had not accepted this offer. He added that subsequently Kingsway Holdings Limited had expressed an interest in acquiring the subject portion of Irving Street for the purpose of providing access to parking facilities at the rear of the new Medical-Dental Building on Nelson Avenue.

The Manager reported that when Sandor Land Company resurrected their original offer to make a outright exchange, Council had adopted a recommendation of the Manager that the offer be not entertained. The Manager further advised that Sandor Land Company then made application under the Plans Cancellation Act for the closing of the remainder of the subject portion of Irving Street and that since this would have affected the position of Kingsway Holdings Limited, the two parties were brought together with a Municipal representative to discuss the matter, with the result the Hearing on the application has been postponed. The Manager reported that Kingsway Holdings Limited have been negotiating with Sandor Land Company and have given written assurance that they will not oppose the application. The Manager pointed out that the Municipality is now in a position where it must endeavour to protect its interest in the widening strip and, in view of this situation, recommended that Council authorize the exchange of the 0.034 acre portion referred to above for the 0.051 acre portion also mentioned above.

Moved by Councillor Jamieson, Seconded by Councillor Edwards: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

9. "Burnaby Building By-Law 1926, Amendment By-Law 1959"

The Manager reported that as a result of the "Burlie Bros." house moving incident recently wherein the house being moved was stranded on Hastings Street for one week it was determined that there is a weakness in the wording of Section 18 (1) of the Building By-Law. The Manager reported that the Solicitor has prepared an amendment to the By-law to correct this weakness and recommended that the amendment be passed by Council.

Moved by Councillor Edwards, Seconded by Councillor Brown: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

10. Lane between the 4700 Blocks Albert and Pandora Streets

The Manager reported that there is no question the Municipality is obligated to complete the construction of this lane in view of previous commitments. He pointed out that on March 2nd this year a petition was received from certain residents requesting the construction of this lane and, in this latter respect, advised that the total cost is estimated at \$1,300.00, with the Municipal portion being \$300.00 and the balance of \$1,000.00 being payable by a subdivider.

Moved by Councillor Mather, Seconded by Councillor Brown: "That the report of the Manager be accepted."

CARRIED UNANIMOUSLY

11. Noxious Weeds By-Law

The Manager submitted a report of the Municipal Clerk in connection with the matter of noxious weeds and advised that he concurred with the opinions expressed therein. In his report, the Clerk advised that the By-law in effect at the present time was passed in 1957 in an attempt to keep brush and weed growth off road allowances. The Clerk added that he was dubious as to the enforceability of this By-law since it would first have to be established that the growth consisted of noxious weeds, as defined by the Noxious Weeds Act, and also that it would be necessary to appoint an official weed inspector or inspectors. The Clerk further reported that most complaints are received from the owners of properties which are well cared for and which are adjacent to a lot where either the owner or tenant makes no attempt to keep the weed growth cut. The Clerk added that in the past he has served the occupiers of such properties with a formal notice under the subject Act and that usually such an order is complied with. The Clerk advised that he saw no particular reason why the By-law should be repealed since it is there to be taken advantage of should the occasion arise. He mentioned that the current By-law provides that it is the duty of the owners of land abutting roads to destroy all noxious weeds thereon.

Moved by Councillor Jamieson, Seconded by Councillor Seifner: "That the report be received."

CARRIED UNANIMOUSLY

The Municipal Manager reported verbally that the Municipality has received two inquiries recently as to the possibility of developing land in D.L. 53 in the vicinity of the Safeway Distribution Centre for industrial purposes. He advised that the Planning Department has, over the past few years, been considering the use of additional land in that area for such purposes and that these inquiries have brought the matter into focus. The Manager reported that it is the view of the Planning Department that any changes in the zoning of this area should be done in the context

of a "community plan" for the area bounded by Edmonds, 15th Street and 10th Avenue and also, since the Corporation owns a large part of this area, that it should assume some responsibility to ensure that optimum use is made of it. In this connection, it was reported that the Planning Department could produce a plan within a very short period since all basic data is at hand. The Manager pointed out that there are several important policy decisions to be considered before a community plan could be adopted but that it was felt there was no valid reason to defer the holding of a Public Hearing to consider the rezoning of Blocks 1, 2, 9, 10, 11 and 12 of D.L. 53 for Light Industrial use except for the situation which might arise as mentioned in the progress report of the Planning Department on the Government Road - South Burquitlam District respecting the question of new regulations covering industrial development. The Manager also reported that it is felt the proposal dealing with the D.L. 53 area should be discussed with the City of New Westminster since that area adjoins Burnaby at 10th Avenue.

Moved by Councillor Brown, Seconded by Councillor MacSorley: "That the application to rezone Blocks 1, 2, 9, 10, 11 and 12 of D.L. 53 from Residential Two Family to Light Industrial be approved for further consideration and a Public Hearing be arranged on this rezoning."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor Seifner: "That the Committee now rise and report."

The Council reconvened.

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor Edwards: "That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Jamieson: "That leave be given to introduce

"BURNABY BUILDING BY-LAW, 1926, AMENDMENT BY-LAW, 1959"

"BURNABY TOWN PLANNING BY-LAW, 1948, AMENDMENT BY-LAW NO. 5, 1959"

and that they be read a First Time. "

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Jamieson: "That the By-Laws be read a Second Time."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Jamieson: "That the Council go into Committee of the Whole with the Acting Reeve in the Chair to consider the By-Laws."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Edwards: "That the By-laws be read clause by clause."

CARRIED UNANIMOUSLY

The Clerk then read the "BURNABY BUILDING BY-LAW 1926, AMENDMENT BY-LAW, 1959"

The Clerk then read the "BURNABY TOWN PLANNING BY-LAW, 1948, AMENDMENT BY-LAW NO. 5, 1959".

This By-law covered the proposed rezonings of:

- (a) Portion of Lot 17, Block 1, S.D. "B", R.S.D. 13, D.L. 130, Plan 16968 (Located at north-east corner of Broadway and Holdom Avenue) - FROM COMMERCIAL TO RESIDENTIAL SINGLE FAMILY.
- (b) Blocks 46, 47 and 48, D.L. 30, Plan 3036 (Located on north side of Kingsway between 19th and 16th Avenue) -FROM RESIDENTIAL TWO FAMILY TO RESIDENTIAL MULTIPLE FAMILY TYPE II
- (c) Lots 6 and 7, Block 49, S.D. 35, D.L. 151/3, Plan 4522 (Located at Imperial and Maywood Intersection) -FROM RESIDENTIAL TWO FAMILY TO RESIDENTIAL MULTIPLE FAMILY TYPE II
- (d) Lots 2 and 3, Block 2, D.L. 206, Plan 1071 (Located on Curtis Street approximately 480 feet east of Kensington Avenue) -FROM LIGHT INDUSTRIAL TO RESIDENTIAL TWO FAMILY

The Planning Director submitted a report on the application to rezone Blocks 46, 47 and 48 of D.L. 30 from Residential Two Family to Residential Multiple Family Type II advising that his Department was informed on May 7th that the applicant wished to withdraw from this project but that the owner was desirous of proceeding with it. The Planner further reported that in his report of March 31st he outlined certain problems in connection with the proposed site and, more specifically, with respect to the adjoining street system. He added that it was felt at that time these might be overcome by the acquisition of Municipal land adjoining the site and that his recommendation then was "there are some matters involved in the proposal which require further consideration but, in principle, the proposal can be recommended and it is therefore suggested that a Public Hearing be held and final consideration given when the completion of ambiguous road allowances has received full consideration". The Planner advised that to date these matters have not been resolved and recommended that the rezoning of this property be held in abeyance.

Moved by Councillor Brown, Seconded by Councillor Seifner: "That the recommendation of the Planning Director be adopted and the clause dealing with the proposed rezoning of Lots 46, 47 and 48, D.L. 30, Plan 3036, from Residential Two Family to Residential Multiple Family Type II of "Burnaby Town Planning By-Law, 1948, Amendment By-Law No. 5, 1959" be deleted."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Jamieson: "That the Committee rise and report "BURNABY BUILDING BY-LAW, 1926, AMENDMENT BY-LAW, 1959" complete without amendment and "BURNABY TOWN PLANNING BY-LAW, 1948, AMENDMENT BY-LAW NO. 5, 1959" complete as amended."

CARRIED UNANIMOUSLY

The Council reconvened.

Moved by Councillor Mather, Seconded by Councillor Brown: "That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Seifner: "That

"BURNABY BUILDING BY-LAW, 1926, AMENDMENT BY-LAW, 1959"

"BURNABY TOWN PLANNING BY-LAW, 1948, AMENDMENT BY-LAW NO. 5, 1959"

be now read a Third Time."

CARRIED UNANIMOUSLY

Moved by Councillor Brown, Seconded by Councillor Edwards: "That directional signs be installed at appropriate and strategic locations leading to the Centennial Pavilion for the convenience of the public."

CARRIED UNANIMOUSLY

The Municipal Manager reported verbally on a request of Mrs. M. James, on behalf of Mr. R. Petschl, for an extension of time on the servicing estimates which were applicable under the Forest Glen Replotting Scheme. The Manager reported that it had been alleged to him that Mr. Petschl had suffered a stroke prior to the expiry date when the service estimates were valid; namely, December 31, 1958, and that he was therefore unable to complete his subdivision by that time. The Manager reported that Mr. Petschl has now made application to subdivide his property and has been informed that the cost of constructing the roads and lane and the installation of a water main would be \$3,000.00 as opposed to the original estimate of \$2,317.00. The Manager also reported that the current subdivision application does not conform to the plan agreed to under the Forest Glen Replotting Scheme and instead shows the creation of three 60 foot lots at the northern end of the property and a lot with a frontage of 125 feet on Forglan Drive and a further frontage on Buxton Street. The Manager added that the applicant claims it is proposed to build a home 90 feet wide on this large lot and that since this proposed subdivision deviates from the original lot layout established by the replotting scheme, it has created some complications in the matter of servicing costs. The Manager further reported that in addition to this complication, information has been received that the large residence will straddle the drainage course traversing the property, which course will require piping and thus create additional servicing costs. The Manager advised that it will be necessary to divert the drainage course around the end of the residence since the Municipality could not permit the erection of a building

over the enclosed drain and that this cost would normally be borne by the subdivider.

Moved by Councillor Brown, Seconded by Councillor Seifner: "That the December 31, 1958 deadline respecting the servicing estimates involving the property owned by Mr. Petschl be extended to June 30, 1959."

CARRIED UNANIMOUSLY

Moved by Councillor Seifner, Seconded by Councillor Mather: "That the Municipal Manager submit a report on the question of whether there is a By-law in effect which provides for the charging of a fee to connect to a storm sewer constructed by means other than by Local Improvement methods."

CARRIED UNANIMOUSLY

The meeting then adjourned.

Confirmed:

A. F. McLean
ACTING REEVE

Charles B. Brown
CLERK