

AUGUST 11, 1969

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C., on Monday, August 11, 1969 at 7:00 p.m.

PRESENT: Mayor R. W. Prittie in the Chair;
Aldermen Blair (7:10), Clark, Drummond
(7:03), Herd, Ladner, Mercier and
McLean

ABSENT: Alderman Dailly

The Minutes of the Council meeting and Public Hearing held on July 28, 1969 came forward for adoption.

His Worship, Mayor Prittie, drew attention to the resolution at the top of Page 12 of the Council meeting Minutes and suggested that the letters "(a)" and "(b)" should instead read "(i)" and "(ii)".

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That the Minutes of the Council meeting held on July 20, 1969 be amended by making the change mentioned by His Worship, Mayor Prittie, and these Minutes, as amended, plus the ones for the July 20, 1969 Public Hearing be adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

Chairman, Student Association, B. C. Institute of Technology, wrote requesting an audience with Council in connection with a proposed Shinerama - Cystic Fibrosis Programme.

Secretary, Burnaby Horsemen's Association, submitted a letter requesting an opportunity to address Council on the question of the Association continuing its occupancy of property located at the Northwest corner of Canada Way and Spurling Avenue.

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

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND ARRIVED AT THE MEETING.

Miss M. Smith, the Chairman of the Student Association of the B. C. Institute of Technology, appeared and explained that Shinerama is a Programme whereby students shine shoes on the streets in aid of the Cystic Fibrosis Campaign.

August/11/69

She added that such a Campaign is planned for September 12, 1969 between approximately 12:00 noon and 6:00 in the evening.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:

"That permission be granted to the Student Association of the D. C. Institute of Technology to conduct the Campaign described this evening by Miss Smith at the time indicated."

CARRIED UNANIMOUSLY

ALDERMAN BLAIR ARRIVED AT THE MEETING.

Mrs. W. D'Altroy, President of the Burnaby Horsemen's Association, then spoke and explained that the Association was seeking permission to continue occupancy of the site at the Northwest corner of Canada Way and Sperling Avenue until some time after the date the Lease between the municipality and the Association for the property is to be terminated (October 31, 1969).

She mentioned that the Parks and Recreation Commission is currently giving consideration to the matter of locating another site for the activities of the Association and that she understood this would be dealt with at a meeting of the Commission on August 13, 1969. She pointed out that, unless some other alternative location is found, the activities of the Association would need to cease.

Alderman Mercier stated that he had understood the Association was to be allowed to continue the occupancy of the site in question until the property was actually required for the Fire Hall that is to be built on it.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That the Burnaby Horsemen's Association be allowed to use that part of the property in question (portion of Parcel "G" Reference Plan 6025, Block 17, D.L's 79/85, Plan 536) lying outside of that actually needed as the site for the new Fire Hall until such time as the facilities and activities of the Association have been relocated, with it being made clear that the termination of the Lease on October 31, 1969 for the property is still effective."

CARRIED UNANIMOUSLY

His Worship, Mayor Prittie, drew attention to the presence of Mr. R. Perrault, Member of Parliament for Burnaby-Seymour, and welcomed him to the meeting.

His Worship, Mayor Prittie, also advised that he would be submitting a formal report to Council shortly outlining the highlights of his recent visit to Japan.

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

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

CARRIED UNANIMOUSLY

August/11/69

Managing Director, B. C. Christian Rest Home, submitted a letter expressing appreciation for the grant of \$2,645.01 that Council made in lieu of a tax exemption on property owned by the Institute.

Executive Secretary, The John Howard Society of British Columbia, wrote to express appreciation for the grant of \$1,500.00 that Council made to the Society.

Secretary, Burnaby Fire Fighters' Association, submitted a letter requesting permission to assist the Muscular Dystrophy Association in holding its Annual Fund Raising Campaign on October 30, 31st and November 1, 1969.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:

"That permission be granted to the Burnaby Fire Fighters' Association to conduct its Campaign at the times indicated."

CARRIED UNANIMOUSLY

Secretary-Treasurer, Robo Syndicates Ltd., wrote to request permission to distribute advertising material in the area immediately surrounding its Car Wash and also near Simpsons-Sears.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That permission be granted to Robo Syndicates Ltd. to conduct its Campaign for a period of one month from the date of commencement and it be stipulated that all debris, resulting from the said Campaign be cleaned up at the end of each days activities."

CARRIED UNANIMOUSLY

Minister of Highways wrote to indicate that he had referred the views of Council relating to the Stormont Interchange of the Freeway to the Planning Branch of his Department for consideration.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:

"That an enquiry be made of the Minister of Highways as to when some positive indication will be received regarding the plans his Department may have for the construction of the Stormont Interchange, and it be stressed to him that the completion of this Interchange will benefit the entire Lower Mainland area and therefore should be given priority."

CARRIED UNANIMOUSLY

Minister of Health Services and Hospital Insurance submitted a letter indicating that a study of noise prevention regulations would seem to be an exceedingly complex field requiring a great deal of consideration before preventive regulations could be introduced.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:

"That the Minister of Health Services and Hospital Insurance be asked whether his Department is, in fact, conducting a study of noise prevention regulations."

CARRIED UNANIMOUSLY

Mr. Cecil S. Walker submitted a letter in which he tendered his resignation from the Advisory Planning Commission because he felt he was unable to discharge his responsibilities in a satisfactory manner due to the fact he was not available a great deal of the time.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That Mr. Walker's resignation be accepted, with regret, and Council express its sincere appreciation to him for the diligent manner in which he has performed past services as a member, and particularly as the Chairman, of the Advisory Planning Commission; and further, His Worship,

August/11/69

Mayor Prittie, consider the matter of perhaps giving Mr. Walker some token of appreciation for his past services."

CARRIED UNANIMOUSLY

It was understood that all members of Council would be given an opportunity to propose names of persons whom they feel should be appointed to replace Mr. Walker, with their suggestions being conveyed to the Mayor so that he can reflect this in a report to Council.

Executive Director, Union of B. C. Municipalities, submitted a circular outlining the procedure to be followed in the handling of late resolutions for the 1969 Convention.

Executive Director, Community Planning Association of Canada (B. C. Division), submitted a circular advising of a National Planning Conference in St. John's, Newfoundland between September 14th and September 17, 1969.

Deputy Municipal Clerk drew the attention of Council to the fact that the Convention of the Union of B. C. Municipalities will be held between September 17th and 19, 1969.

Alderman Blair submitted a report outlining the operations of the Burnaby General Hospital.

Acting Director of Planning, Greater Vancouver Regional District, submitted a letter advising that the District has adopted a procedure for amending the Official Regional Plan.

He forwarded specifics in connection with the matter,

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:
"That Item 17 of Report No. 52, 1969 of the Municipal Manager, which deals with the subject of the letter from the Greater Vancouver Regional District, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

(17) Regional Plan Amendment Procedure

The report of the Manager on this matter indicated the following:

- (a) The procedure proposed by the Greater Vancouver Regional District involves a system of four amendment application dates per year, the purpose being to enable concentration of work on each application and to reduce the total time required for an amendment.
- (b) A "trial run" of the procedure is slated to commence August 29th, and any necessary changes in the procedure could be made thereafter.
- (c) It is estimated it will take between 60 and 80 days to process each application.

- (d) Under the Municipal Act, an affirmative vote of at least two-thirds of all Directors of the District, having among them two-thirds of all the votes of the Board, is required to amend the Plan.
- (e) The Burnaby Planning Director concurs with the proposed procedure and has withdrawn his previous reservation because a decision has been made to enlarge representation on the Technical Planning Committee, which Body will be involved in the evaluation process. The Planning Director also has commented favourably on the inclusion in the amendment procedure of a requirement to notify the member municipalities of each application, whether it be initiated by a municipality, an unorganized territory, the Regional District itself, or the Provincial Government.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DLAIR:

"That the procedure outlined in the attachment to the letter from the Acting Director of Planning for the Greater Vancouver Regional District covering amendments to the Official Regional Plan be endorsed."

CARRIED UNANIMOUSLY

As a result of Alderman McLean asking for an indication as to the financial status of the Planning Division of the Greater Vancouver Regional District, it was understood the Municipal Manager would furnish Council with this information.

Administrator, Greater Vancouver Regional District, submitted a letter advising that the Board of Directors for the District has amended its original plan involving the Technical Planning Committee so as to allow each member municipality to appoint someone to the Committee.

Acting Director of Planning for the Greater Vancouver Regional District also wrote in connection with the same matter covered in the letter from the Administrator for the District.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That, since the action of the Greater Vancouver Regional District respecting the Technical Planning Committee/in accord with the thinking of Council, the appointment of Mr. A. L. Parr, Planning Director, or his nominee, as Burnaby's representative on the said Committee be confirmed."

CARRIED UNANIMOUSLY

Administrator, Greater Vancouver Regional District, wrote to request that Council declare its position in connection with the question of the District accepting responsibility for the control of air pollution.

He embodied a resolution which he suggested could be endorsed by Council relative to the matter.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That, although the control of air pollution ought to be a Provincial or Federal function, the Council of The Corporation of the District of Burnaby supports in principle, as an interim measure, the Greater Vancouver Regional District assuming responsibility for air pollution control using the Air Pollution Control By-Law of the City of Vancouver as a basic draft, on the understanding this By-Law will be amended to meet local conditions in the area embraced by the said District."

CARRIED UNANIMOUSLY

The following matter was then lifted from the table:

In-Law Suites

The report of the Planning Department on this matter, which Council received on July 14th, was brought forward.

This report indicated the following:

- (A) The originally proposed text amendment designed to allow for the accommodation of in-law suites was as follows:

"1. The amendment of the "Accessory Use" definition (Section 3) to allow for the addition of the following:

"An accessory use in an R1, R2, R3, R4 or R5 District may include an in-law suite for the parents or grandparents of the occupiers of a dwelling, subject to the following conditions:

- (i) Such a lot shall meet the frontage and area requirements of the zoning district in which it is located.
- (ii) The in-law suite shall meet the requirements of the Burnaby Building By-Law.
- (iii) Each applicant for an in-law suite shall provide evidence from a practicing physician that it is essential for medical and financial reasons that the parents or grandparents be accommodated in this manner.
- (iv) An annual licence shall be obtained from the Building Department to operate an in-law suite.
- (v) The application for a licence to operate an in-law suite shall include a declaration confirming that the provisions of sub-clause (c) continue to be applicable.
- (vi) A covenant shall be entered into by the applicant, ensuring the removal of the in-law suite once the provisions of sub-clause (c) are no longer applicable, and the reversion of the lot to its original residential use, subject to the provisions of this By-Law for the zoning district in which such lot is located.

2. The addition of the following definition to Section 3 of the By-law:

"IN-LAW SUITE" means one or more habitable rooms constituting a self-contained unit, and used for living and sleeping purposes by the parents or grandparents of the occupants of the dwelling, and containing a separate and properly ventilated kitchen with cooking facilities, and a bathroom with a water closet and wash basin."

- (b) The Advisory Planning Commission, to whom the matter had been referred by Council, expressed concern about the requirement included in the amendment whereby a practicing physician would need to provide evidence as to the medical and financial needs of the parents or grandparents as a condition for establishing an in-law suite in a dwelling.
- (c) As a result of the Planning Department and others, including the Advisory Planning Commission, reviewing the matter, the following was being proposed in place of the original amendment:
- "1. The amendment of the "Accessory Use" definition (Section 3) to allow for the addition of the following:
- "An accessory use in an R1, R2, R3, R4, or R5 District may include an in-law suite for the parents or grandparents of the occupiers of a dwelling, subject to the following conditions:
- (i) Such a lot shall meet the frontage and area requirements of the zoning district in which it is located.
 - (ii) The in-law suite shall meet the requirements of the Durnaby Building By-law.
 - (iii) Each applicant for an in-law suite shall provide evidence from a practicing physician that it is essential for medical reasons that the parents or grandparents be accommodated in this manner.
 - (iv) An annual in-law suite permit shall be obtained from the Building Department to retain an in-law suite.
 - (v) The application for an in-law suite permit shall include a declaration confirming that the provisions of sub-clause (c) continue to be applicable.
 - (vi) Each applicant for an in-law suite shall enter into a covenant with the Corporation, ensuring the removal of the in-law suite once the provisions of sub-clause (c) are no longer applicable, and the reversion of the lot to its original residential use, subject to the provisions of this By-law for the zoning district in which such building and lot are located."

2. The addition of the following definition to Section 3 of the By-Law:

"IN-LAW SUITE" means one or more habitable rooms constituting a self-contained unit, and used for living and sleeping purposes by the parents or grandparents of the occupants of the dwelling.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That:

- (a) Clause (i) above be changed to read "each applicant for an in-law suite shall declare that his parents or grandparents must be accommodated in this manner".
- (b) Clauses (v) and (vi) be amended by deleting the words "sub-clause (c)" and replacing them with "this section";

and the revised amendment advanced by the Planning Director, as just amended, be approved."

CARRIED

AGAINST -- ALDERMAN CLARK

His Worship, Mayor Prittle, declared a recess at 8:55 p.m.

The Council reconvened at 9:05 p.m.

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

CARRIED UNANIMOUSLY

Alderman Herd recommended that Council authorize a grant of \$25.00 to the B. C. Bantam Football Conference to assist it in furthering the objects of the Conference.

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

CARRIED UNANIMOUSLY

Alderman Clark stated that Mr. R. J. Perrault, Member of Parliament for Burnaby-Seymour, had received a reply to a query concerning a proposed grade crossing or overpass of the railway tracks at Barnet Beach and that, in that regard, he was informed the reason no such facility exists is because the municipality has never proceeded with an application for the crossing or overpass.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:
"That, because the main reason for either a crossing or overpass of the railway tracks at Barnet Beach is for the protection of those frequenting the Beach in pursuit of recreational activities, the Parks and Recreation Commission be requested to determine the type of facility deemed most desirable so that an application therefor can be submitted."

CARRIED UNANIMOUSLY

ALDERMAN LADNER LEFT THE MEETING.

MUNICIPAL MANAGER submitted Report No. 52, 1969 on the matters listed below as Items (1) to (22), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) School Board Election - December 7, 1968

The Municipal Solicitor has reported as follows on a request that Council pay an account from Dowding, Deverell, Harrop and Wood, Barristers and Solicitors, in the amount of \$716.50 covering expenses incurred as a result of challenging the Proclamation of the Returning Officer in connection with the Election of Trustees for School District No. 41 on December 7, 1968:

- (a) As regards the analogy made by the Burnaby Citizens' Association in the letter it submitted to Council concerning the City of Vancouver paying \$1,000.00 to each of the two candidates involved in a recount there last December, the Aldermanic recount in Vancouver was conducted pursuant to the provisions of the Vancouver Charter and not the Municipal Act.
- (b) Section 109 of the Charter provides that costs of, and incidental to, the recount shall be in the discretion of the Judge who may order by whom, to whom and in what manner they shall be paid.
- (c) There is no such Section in the Municipal Act. The only reference is to costs of the Judge conducting the recount where Section 111(2) provides that the travelling and other personal expenses necessarily incurred by the Judge in connection with the recount shall be paid by the municipality as part of the expenses of the Election.
- (d) In the Vancouver case, the presiding Judge ordered the City to pay costs of \$1,000.00 to each of the two candidates even though the City was not a party to the proceedings. Apparently he had intimated during the proceedings that he intended to award costs against the City, and the Council apparently agreed to make a payment not exceeding \$1,000.00 to each candidate. When this information was disclosed to the Judge, he made the order.
- (e) There was no order made as to costs by the late Judge Fraser in the Burnaby case for the simple reason he had no jurisdiction to make such an order.
- (f) The Vancouver Charter provides that the applicant for a recount shall furnish such security for the costs of the recount, not to exceed \$500.00, as the Judge by his order shall fix. There is no requirement like this in the Municipal Act.

- (g) It is therefore my opinion that there is no authority for the payment of costs to either party involved in the Burnaby recount by the Burnaby Council, and the Vancouver case does not afford a parallel.
- (h) Counsel for the Burnaby Citizens' Association candidate took other proceedings in the Supreme Court when Judge Fraser first refused to order a recount. In these proceedings, the Counsel had mixed success and the presiding Judge ordered that each side pay its own costs. The Returning Officer for Burnaby, Mr. Ward, was made a party in these proceedings and he was represented by the Municipal Solicitor.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CLARK:
 "That, in view of the advice from the Municipal Solicitor, Council not favourably consider the request from the Burnaby Citizens' Association to pay the account from Dowding, Develin, Harrop and Wood, Barristers and Solicitors, amounting to \$716.50 for legal services rendered on behalf of one of the Association's candidates for the Office of School Trustee last December."

CARRIED UNANIMOUSLY

ALDERMAN LADNER RETURNED TO THE MEETING.

- (2) (a) Lot 11, S.D. 1, Blocks 1 and 2, D.L. 207, Plan 4032
 - (b) Parcel "A" Reference Plan 11756, R.S.D. 1, S.D. "A" and "D", Blocks 1 and 2, D.L. 207, Plans 4141 and 5923
- REZONING APPLICATION NO. 59/68

Last October, the Council dealt with an alternative proposal advanced by Standard Oil Company regarding the rezoning of the above described properties.

In review, the application was to rezone these parcels for apartment purposes and it was felt that this could be accomplished by cancelling the lane allowance separating the two Lots. However, Standard Oil Company purchased the Westerly Lot for use in conjunction with its adjoining service station to the West.

The Company proposed a compromise whereby the service station would be allowed to use the Westerly 31 feet of the Lot purchased (Lot 11) and the remainder, including the intervening lane allowance, could be used in conjunction with the Easterly Lot as one apartment site.

The Council indicated acceptance of this arrangement and instructed the Planning Department to determine the appropriate recommendation for the advancement of the By-Law.

In that regard, it was being recommended that the rezoning of:

- (1) Lot 11 Except the West 31 feet thereof, S.D. 1, Blocks 1 and 2, D. L. 207, Plan 4032;
- (2) Parcel "A" Reference Plan 11756, R.S.D. 1, S.D. "A" and "D", Blocks 1 and 2, D.L. 207, Plan 4141 and 5923

to Multiple Family Residential District Two (RM2) be advanced for further consideration, subject to the following prerequisites being satisfied:

- (i) The submission and registration of survey plans to accomplish:
 - (a) the abandonment of the lane allowance between Inlet Drive and Hastings Street, as shown more particularly on an attached sketch;
 - (b) the consolidation of the East 19 feet of Lot 11 with the lane allowance to be abandoned and with the Parcel "A" described above;
 - (c) the consolidation of the West 31 feet of Lot 11 with the property immediately adjoining it to the West and the adjacent portion of the aforesaid lane allowance.
- (ii) The sale of the adjoining portions of the lane allowance to the benefitting owners.
- (iii) The submission of an undertaking that all existing structures on the site to be rezoned will be removed within six months of the rezoning being effected.
- (iv) The submission of a suitable plan of development for the site.
- (v) The assumption by the applicant for the rezoning of all costs involved in the abandonment and registration of the lane allowance.

It was also being recommended that Council authorize the preparation of a By-Law to close the lane mentioned above.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CLARK:
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(3) Sewer Financing By-Law

By-Law #4910, being "Burnaby Sewerage and Financing By-Law 1966", authorized the borrowing of \$2,000,000.00 for sewerage and drainage purposes.

By-Law #5050 authorized the sale of \$1,000,000.00 worth of debentures dated February 15, 1967, which were issued following passage of By-Law #4910.

A balance of \$1,000,000.00 therefore remains to be sold.

By-Law #4910 authorizes Council to borrow during the years 1966, 1967, 1968 and 1969.

Burnaby is doing its financing through the Greater Vancouver Regional District. In keeping with the anticipated needs for money for sewer purposes, as agreed in the Capital Works Improvement Programme, and recognizing the desire of the Regional District to borrow money only when it is absolutely needed, it is considered that Burnaby should plan on getting more money for sewers in 1970 and 1971.

This will require an amendment to By-Law #4913 to extend its life to include the years 1970 and 1971.

It has also been pointed out by the Regional District that it would be desirable to delete the interest rate of 7% shown in By-Law #4918 so as to facilitate the District selling bonds.

The Department of Municipal Affairs has indicated it is prepared to favourably recommend both of the proposed amendments indicated.

An amendment to By-Law #4913 is being prepared by the Legal Department for submission to Council.

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

CARRIED UNANIMOUSLY

(4) Demolition of Buildings

It was being recommended that the lowest tender for the demolition of buildings located at 3856/72 and 3972/76 Hastings Street plus 4501 Pender Street, which was submitted by Johnston and McKinnon Demolitions Ltd. and amounted to \$2,925.00, be accepted.

The Municipal Manager stated, during Council's consideration of the subject at hand, that there were other buildings not included in the tender call which should be demolished now because the Department of Highways has indicated it is prepared to proceed shortly with the widening of the portion of Hastings Street involved.

He added that, since time was of the essence, the Council should forego a tender call for the additional buildings and instead allow him to negotiate prices with Johnston and McKinnon Demolitions Ltd. for these other demolitions on the basis of the criteria used by the Company for its bid on the properties which are included in the report now being considered.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:
"That the recommendation contained in the report of the Manager dealing with the demolition of buildings at 3856/72 and 3972/76 Hastings Street plus 4501 Pender Street be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:
"That a tender call not be issued for the additional demolitions alluded to this evening by the Municipal Manager and, instead, the Municipal Manager be granted authority to contact all five of the tenderers who submitted bids for the demolition of the buildings which were the subject of his written report this evening to obtain their prices for the demolition of the other buildings and, after selecting the offer(s) deemed reasonable, to proceed with these additional demolitions."

CARRIED UNANIMOUSLY

(5) Street Sweeper

It was being recommended that the lowest tender submitted for the supply of a Wayne Model 945 street sweeper, which was by National Machinery Co. Ltd. and was in the amount of \$22,899.45, be accepted.

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

CARRIED UNANIMOUSLY

(6) Application for Spur Crossing at Mile 3.97 of the Central Park Branch of the B.C. Hydro and Power Authority Railway

As a result of a direction from Council last June, the Planning Department has produced a map showing those areas it envisions as being suitable for industrial use and apartment use in the general vicinity of the Central Park Line. The map also shows the anticipated alignment of the Deresford Street system which has been suggested to Council as an alternative to widening Kingsway.

As the rail crossing under application lies within an industrial area and is not in conflict with the road system mentioned, approval of the application was being recommended.

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

CARRIED UNANIMOUSLY

(7) Lot 3, Block 11, D.L. 116, Plan 1236 (Toban)
HASTINGS STREET REDEVELOPMENT PROJECT NO. 1

The Corporation expropriated the above described property, which is known as 3972-76 Hastings Street, for the project indicated in caption.

The property was owned by D. and H. Toban and was occupied by Toban's Quality Shoe Stores Ltd. They together filed a claim in the amount of \$155,621.78.

The Arbitration Board established to determine the amount of compensation to be paid has made a unanimous award of \$30,344.01, \$63,000.00 of which is an amount agreed to by the parties for the value of the property and the loss of rentals. This \$63,000.00 resolved two items in the claim which amounted to \$57,929.75.

During the latter part of 1968, the owners gave an undertaking to the Corporation that they would vacate the property on or before December 31, 1968. They failed to keep this commitment.

Representatives of the Corporation insisted upon compensation from January 1, 1969 to the date the property was vacated, which was April 15, 1969.

The amount of \$2,222.50 has been collected from the owners.

It was recommended that the award of \$30,344.01, plus interest at 6% from June 26, 1967 to the date of payment, be authorized.

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

CARRIED UNANIMOUSLY

(8) Miscellaneous Land Sales

It was being recommended that:

(a) The following bids in the amounts indicated, which were received for the purchase of the properties described on the condition(s) shown, be accepted:

- (i) Lot 30, Block 20, D.L. 122, Plan 1308
- William Yen - \$6,709.50
Subject to an easement being retained over the Westerly 5' of the property to contain a storm drain.
- (ii) Lot 19, D.L. 129, Plan 19465 - E. Dougherty - \$14,025.00
Subject to an easement being retained over the Southerly 10' of the property to contain a sanitary sewer.
- (iii) Lot "G" (as shown on Plan with By-law filed under #44715), D.L. 53, Plan 3037 - W. Farrell - \$8,500.00
Subject to the construction of a lane at an estimated cost of \$600.00
- (iv) Lot 76 S.E. $\frac{1}{2}$, S.D. 34/38, Blocks 1 & 3, D.L. 95, Plan 1152 - H. Gagnon - \$8,028.50
Subject to the dedication of the North-Westerly 10' of the property for lane purposes.
- (v) Lot 77 S.E. $\frac{1}{2}$, S.D. 34/38, Blocks 1 & 3, D.L. 95, Plan 1152 - H. Gagnon - \$8,028.50
Subject to the dedication of the North-Westerly 10' of the property for lane purposes.
- (vi) Lot 28, Block 40, D.L. 213, Plan 4953 - William Yen - \$3,505.50
Subject to the construction of lane access to the property at an estimated cost of \$3,600.00.
- (vii) Lot 10, D.L.'s 32/32, Plan 17168 - William Yen - \$7,630.00
Subject to the property being used for single family purposes only.
- (viii) Lot 13, Block 10, D.L. 32, Plan 18442 - John Crowe Construction Ltd. - \$10,260.00
Subject to the property being used for single family purposes only.
- (ix) Lot 14, Block 10, D.L. 32, Plan 18442 - John Crowe Construction Ltd. - \$9,210.00
Subject to the property being used for single family purposes only.
- (x) Lot 7, S.D. 1, Block 2, D.L. 39E $\frac{1}{2}$, Plan 1436 - Larry Lee - \$9,150.00
Subject to an easement being retained over the Westerly 10' of the property.

- (xi) Lot 6, S.D. 2, Block 2, D.L. 39E½, Plan 1436
 - Larry Lee - \$3,750.00
 Subject to an easement being retained over the
 Westerly 10' of the property.
- (xii) Lot 13, Block 35, D.L. 32, Plan 1916 - Kamo
 Construction Ltd. - \$5,921.00
 Subject to the property being used for single
 family purposes only.

On the understanding that those sold by agreements for sale will bear the current bank rate of interest (10%).

- (b) The bids received for the purchase of Lot 6, S.D. "A", Blocks 2 and 3, D.L. 96H, Plan 1349 be rejected because the notice advertising the sale showed the property as being located West of Colborne Avenue when it should have been East.
- (c) This Lot 6 be reoffered for sale by public tender, subject to an easement being retained over the Easterly 15' thereof.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the first recommendation of the Manager be adopted."

CARRIED
AGAINST - ALDERMAN DRUMMOND

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That the second and third recommendations of the Manager be adopted."

CARRIED
AGAINST - ALDERMAN DRUMMOND

(9) Subdivision Reference # 91/69

It was being recommended that the requirements of Section 712 (1) of the Municipal Act, insofar as they apply to Lot 264 in the above subdivision, be waived in order to exempt the subdivider from being required to provide the amount of land prescribed by the Section mentioned as a highway.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the owner of Lot 77 S½, D.L. 92, Plan 1146 and Lot 212, D.L. 92, be exempted from the provisions of Section 712 of the Municipal Act, R.S.B.C. 1960, Chapter 255 in respect of a subdivision of the property described as shown on a survey plan prepared by David H. Burnett and sworn the 11th day of June, 1969."

CARRIED UNANIMOUSLY

- (10) (a) Parcel "G", Ref. Pl. 14141, Blk. 32, D.L. 152, Plan 703
 - (b) Parcel "F", Expl. Pl. 9114, Blk. 24, D.L. 32, Plan 812
- REZONING REFERENCE #37/69

The Planning Department has reported as follows in connection with the above rezoning application:

- (a) As a result of opposition at the Public Hearing which was held in connection with this rezoning application, and subsequent consideration by Council on June 20, 1969,

the Planning Department was asked to report further on the matter.

- (b) The Planning Department is concerned over the effect rezoning could have on the high-rise comprehensive development scheme for the general area.
- (c) At the present time, a number of parties are showing serious interest in developing this area, and they have indicated a similar concern to that of the Planning Department.
- (d) The application was precipitated as a result of a suggestion of the Board of Variance. This was done following the Board's granting of a permit to expand the existing facilities on the site by the addition of fur cleaning and storage and drapery cleaning operations within the existing structure. The Board's permission to carry out such operations created a non-conforming condition and its suggestion regarding rezoning was made to enable the owner of the property to make future alterations without the need to approach the Board.
- (e) Since both Council and the Planning Department have recognized the need for high-density development in the area and as serious interest in such development is evident at the present time, it would be inappropriate to rezone the property to Service Commercial District (C4), which is the category desired by the current applicant.
- (f) No hardship is being suffered by the occupant of the building on the property under the existing General Commercial District (C3) zoning.
- (g) ^{An} Application to rezone the properties immediately to the North of the subject parcels is presently being processed by the Planning Department.
- (h) Other applications have been received for the Block immediately to the North of Newton Street and in the nearby McMurray Community Plan area.
- (i) Newcombe Realty Ltd. has written to indicate interest in this type of development on the South side of Kingsway and had also expressed concern over the effect rezoning of the subject properties might have on their clients' proposed high-density development.
- (j) The concern shown by past Councils over Burnaby's apparent lack of commercial centres has resulted in a number of studies, all of which recognize the importance of curtailing strip commercial development on Kingsway and creating a core of high-density development in the immediate vicinity of the Simpsons-Sears complex. Opportunities to convert this concept into reality are now presenting themselves and must be encouraged if the Kingsway core is to become anything more than an idea.
- (k) A plan illustrating the location of the building on the site and the relationship of the property to the high-density area proposed in the Apartment Study was being submitted.

August 11/69

The Planning Department concluded by reaffirming its earlier recommendation that the rezoning of the subject properties to the C4 category not be given favourable consideration.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That the application to rezone the properties which are the subject of the Manager's report to Service Commercial District (C4) be advanced for further Readings of the By-law effecting the rezoning, with it being understood that the Planning Department will advise as to whether any prerequisites should be established in connection with the rezoning."

IN FAVOUR: Aldermen Mercier, McLean,
Drummond, and Clark
AGAINST: Mayor Prittie, Aldermen
Herd, Ladner, and Blair
MOTION NEGATIVED

- (11) (a) Lots 20 to 25 inclusive, Block 6, D.L. 121, Plan 1054
(b) Lot 28, Block 6, D.L. 121, Plan 1054
REZONING REFERENCES #145/66 and #59/69

The Planning Department has reported as follows in regard to the above rezoning applications:

- (a) In the Fall of 1968, the Council rezoned a number of service stations in the municipality following an amendment to the Zoning By-law which rendered these stations non-conforming under their then C3 zoning designation.
- (b) Among these was a Texaco Station on the North side of Hastings Street between Madison and Rosser Avenues.
- (c) Due to a clerical error, the wrong property was rezoned. This situation did not become apparent until earlier this week when Texaco approached the municipality with a proposal to make some alterations to their existing facilities.
- (d) Before the Company can proceed with its plans, it is apparent the zoning situation must be rectified.
- (e) The property which was rezoned by mistake should, at the same time, be returned to its original designation.
- (f) The Lot which was rezoned from C3 to C2 by mistake is known as Lot 28, Block 6, D.L. 121, Plan 1054. This is the parcel which should be rezoned back to the C3 category in order to ensure compatibility with general development in the Block.
- (g) The Texaco site is the one described as Lots 20 to 25 inclusive, Block 6, D.L. 121, Plan 1054.

The Planning Department concluded by recommending that these Lots 20 to 25 inclusive be rezoned from General Commercial District (C3) to Community Commercial District (C2) as was intended by Council last Fall.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That the rezoning of:

- (a) Lot 28, Block 6, D.L. 121, Plan 1054 from Community Commercial District (C2) to General Commercial District (C3);
- (b) Lots 20 to 25 inclusive, Block 6, D.L. 121, Plan 1054 from General Commercial District (C3) to Community Commercial District (C2).

be approved for further consideration and advanced to a Public Hearing."

CARRIED UNANIMOUSLY

(12) Lot 2, Block 4, D.L. 2, Plan 4286

REZONING REFERENCE #6/69

As a result of Council, in early July this Year, indicating it was prepared to give further consideration to the rezoning of the above described property to Service Commercial District (C4) after suitable development plans had been submitted, the Planning Department was in contact with both the Architects engaged by the applicant and the applicant himself in an effort to agree on a plan which would be compatible with neighbouring uses.

Plans have now been submitted which, subject to minor revision, can be considered to meet the requirements of Council.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:

"That the report of the Manager be received and steps be taken to proceed with the Public Hearing on the rezoning proposal."

CARRIED UNANIMOUSLY

(13) (a) Lots "A" and "B", Block 2, D.L.'s 44/78/131/136, Plan 6835

(b) Lot 1, Blocks 1/2, D.L.'s 44/78/131/136, Plan 3049

(c) Lot 25, D.L. 78, Plan 26566

REZONING REFERENCE #63/69

The Planning Department has reported as follows on this rezoning application:

- (a) As a result of submissions from the applicant and his Architects in June, 1968, the Council considered the rezoning of land East of Spurling Avenue between Lougheed Highway and the B.C. Hydro and Power Authority transmission line from Small Holdings to Garden Apartment to permit the development of a low density family-type (individual entrance) housing accommodation with a high degree of open space and maintenance of existing trees and shrubbery.
- (b) Following Public Hearings, the By-law was given two readings and held pending the satisfaction of the prerequisites normally associated with rezoning proposals.
- (c) A development plan has now been received which in no way reflects the submissions made earlier to Council, either in density, dwelling mix, type of building, design characteristics or layout.
- (d) Several discussions have been held with the Architect (now Mr. Ralph Brownlee) who is prepared to design the project

to meet the original intent of the rezoning but his client has issued instructions for him not to do so.

- (e) It appears the applicant has no intention of providing the type of development proposed to Council and the Planning Department is therefore recommending that no further action be taken on the proposed rezoning.

Deputy Municipal Clerk pointed out that the Architect mentioned in the report of the Planning Department, Mr. Ralph Brownlee, was present and desired an audience with Council on the matter at hand.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:
"That Mr. Brownlee be heard."

CARRIED UNANIMOUSLY

Mr. Brownlee then spoke and made the following points:

- (i) He had not been instructed by his client (the applicant) to not alter the plans of development for the property.
- (ii) The developer is instead governed by economic factors and this is why he is not prepared to produce a plan like that presented to Council in June, 1968.
- (iii) The preamble to the RM1 zoning category in the Zoning By-law indicates that the purpose of this zone is to provide low-density multiple family development particularly designed for families with children, and this is what the current plan endeavours to create.
- (iv) The prerequisite that "a suitable plan of development be submitted" has been construed to mean that the said plan must be acceptable to Council and not the Planning Department.
- (v) It would be necessary to charge between \$250,00 and \$300,00 per month for the suites that would need to be built according to the plan of development envisaged by the Planning Department.

Mr. Brownlee concluded by enquiring as to whether Council is prepared to consider any plan of development for the property other than the one originally presented in June, 1968.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That the subject matter of the presentation this evening in connection with the foregoing matter be referred to the Planning Department for an appraisal of the differences between the proposal originally advanced to Council when the application was made for the rezoning of the properties concerned, and the plan which has just recently been submitted to the Planning Department."

CARRIED
AGAINST - ALDERMAN DRUMMOND

- (14) Lot 11S $\frac{1}{2}$, Block 10, D.L. 173
SUBDIVISION REFERENCE #92/69

The Planning Department has reported as follows in connection with a proposed subdivision of the above described property:

- (a) An application has been received to subdivide the property into two parcels fronting on Fenwick Avenue.
- (b) The present zoning of the property is Agricultural District (A1) and it is necessary that the property be rezoned to Residential before subdivision could be considered.
- (c) Both Fenwick Avenue and Trapp Road (which adjoins the South side of the lot) are paved, although there are no sidewalks or curbs. A six-inch water line is located on Trapp Road. There are no sanitary or storm sewer facilities within the area. The nearest sanitary sewer is a twelve-inch line at Fourteenth Avenue and Marine Drive, which is some distance to the Northwest of the subject property.
- (d) The Agricultural zoning extends from just South of Trapp Road to Fourteenth Avenue on the Southwesterly side of Marine Drive. The adjoining area to the South and West is zoned for Heavy Industry.
- (e) Recent discussions with officials from the City of New Westminster indicate that, with the exception of a small industrial section between the Fraser River and Marine Drive, the present zoning in that portion of New Westminster lying to the East of Fenwick Avenue is Residential Single Family.
- (f) The existing land use in the agriculturally-zoned area consists mainly of small houses, market gardens, and small holdings. Portions of this section and large tracts to the West are undeveloped peat and marsh land. Most of the industrial development in the area has located to the South and Southwest between the B.C. Hydro and Power Authority and Canadian National Rail Lines and the Fraser River.
- (g) There are no commercial facilities within the immediate vicinity.
- (h) The Riverside Elementary School, which occupies a site on the West side of Meadow Avenue, serves the surrounding area.
- (i) Although no overall plan has been prepared for the Big Bend area, the large section to the South of the relocated Marine Drive is considered as a suitable location for industry.
- (j) With regard to the area North of the relocated Marine Drive, the Westerly portion (between Boundary Road and Patterson Avenue) is developing industrially in accordance with the existing zoning, while the proposed golf course - recreational complex covers the section between Sussex and MacPherson Avenues. In both these areas the retention

of the major part of the 200-foot R2 Residential Zone is considered desirable.

- (l) The section of Marine Drive between Byrne Road and Tenth Avenue is included in the Stride Avenue Area Study, which provides two possible alternatives for future development. The major recommendation was for industrial use of the entire area extending from the 19th - 20th Avenue Diversion to the relocated Marine Drive. The alternative to this proposal was that, should the amount of gravel be insufficient to ensure the economic preparation of the area for industrial use, the slope extending from Mission Avenue to Marine Drive would be developed residentially. In this case, the adjoining section between Marine Drive and the relocated route would be designated for small holdings development as a prelude to future residential use.
- (m) The adjoining area of New Westminster is fairly well developed and no future changes are contemplated in the present land use pattern. Most of the residentially-developed area is separated from Burnaby by a cemetery which extends from London Street on the North to Trapp Road on the South.
- (n) The subject property is located at the extreme Southerly tip of the Fenwick-Marine sector, which is bounded on the West by the relocated Marine Drive and on the North by the Stride Avenue Area Study. Development proposals for these adjoining areas would suggest the likelihood of future industrial use, while the section to the South and Southeast is already largely industrially zoned and occupied. Although the adjoining area of New Westminster is mainly residentially-zoned, a large cemetery separates most of this development from Burnaby.
- (o) The close relationship of the Fenwick-Marine sector to the bordering Stride Avenue Area will be further strengthened in the future with the development of the relocated Marine Drive. The Fenwick-Marine Area would thus provide a logical extension of any future industrial development proposed for the Stride Avenue Area. If the whole of this latter area was to be developed industrially in the future, the retention of a small residential pocket at Fenwick Avenue and Marine Drive would be difficult to justify, both in view of its size and the lack of nearby residentially-oriented community or commercial facilities.
- (p) The designation of the Fenwick-Marine enclave for future residential use should only be considered if the adjoining Westerly portion of the Stride Avenue Area is developed in this manner. In this event, consideration should also be given to the expansion of the existing Residential Zone to include the area between Marine Drive and the relocated Marine Drive route in the section which extends from MacPherson Avenue on the West to Trapp Road in the Southeast. Such an area would be of sufficient size to provide a viable residential unit that could support its own neighbourhood services and facilities.

The Planning Department concluded by recommending that:

- (1) The present Agricultural District (A1) Zoning on Lot 11S $\frac{1}{2}$, Block 10, D.L. 173 be retained until such time as a final decision is made on the future development of the Stride Avenue Study Area.
- (2) The future use of the Fenwick-Marine Area be related to the establishment of a programme for the future development of the Stride Avenue Study Area.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:

"That the smallest of the two shaded areas shown on the accompanying sketch from the Planning Department be rezoned to Residential."

IN FAVOUR - Alderman Herd and Mercier
AGAINST - Mayor Prittie, Aldermen
Blair, Clark, Drummond, Ladner,
and McLean.

MOTION LOST

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:

"That the recommendations of the Planning Department be adopted."

CARRIED
AGAINST - Alderman Herd

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That the meeting extend beyond the hour of 10:00 P.M."

CARRIED
AGAINST - Aldermen Clark and Drummond

- (15) Lot 10, D.L. 131, Plan 3052
REZONING REFERENCE #60/69

The Planning Department has reported as follows in connection with a proposal to rezone the above described property:

- (a) Tentative approval has been granted to the proposed subdivision of the above described property, which covers an area of 5.24 acres on the West side of Sperling Avenue between Broadway and the D.C. Hydro and Power Authority Sub-station.
- (b) The proposed plan of subdivision is based on R2 District standards.
- (c) Preliminary cost estimates have been prepared by the Engineering Department for the provision of the necessary road, water and sewer facilities to service the subdivision.

The Planning Department concluded by recommending that the subject Lot 10 be rezoned from Small Holdings (A2) to Residential District 2 (R2), subject to its development in conformity with the tentatively approved plan of subdivision.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:

"That the recommendation of the Planning Department be adopted."

CARRIED UNANIMOUSLY

(16) Shu-Pac Garbage Bodies

The Engineering Department has conducted a test of equipment with a Shu-Pac Garbage Body. The Shu-Pac passed an excellent test and the Engineer considers they are the best unit available to the municipality for the purpose desired.

One main advantage of the Shu-Pac Body is its design, which will permit operation safely by two men or even one. This would eliminate the expansion of the garbage collection force which would be inevitable as new routes are required.

F. & F. Equipment Ltd. supplies the City of Vancouver with the Shu-Pac Bodies and there is apparently no competition.

This Company was contacted and offered ^{it} Durnaby exactly the same price as that tendered to Vancouver.

The total cost for five units would be \$93,513.00.

Since the accepted tender for the garbage trucks themselves was \$61,045.00, the total cost for the complete units would be \$154,558.00.

The provision in the Capital Improvement Program for such facilities was \$140,000.00.

It was being recommended that Council authorize the purchase of five Shu-Pac Garbage Bodies, with the extras shown in the report, at the quoted cost of \$89,060.00 plus 5% Provincial tax.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:
"That the report of the Municipal Manager be tabled for two weeks in order to allow Alderman Blair an opportunity to discuss the subject of the report with the Engineering Department."

CARRIED UNANIMOUSLY

(17) Regional Plan Amendment Procedure

(This item was dealt with previously in the meeting.)

(18) Easement - Lot "A" E $\frac{1}{2}$, Ref. Pl. 2743 Exc. Plan 30736, D.L. 94
SUBDIVISION REFERENCE #217/69

It was being recommended that Council authorize the:

- (a) The acquisition of an easement, which is required for storm and sanitary sewer facilities as a prerequisite to finalizing a subdivision of the parcel, over a portion of the property in question.
- (b) Execution of the documents attending the transaction.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN;
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(19) Ingleton Avenue South from Norfolk Street

In January 1969, the Council agreed to abandon a portion of the unopened Ingleton Avenue allowance immediately North of Canada Way, on the condition that the West half of the allowance be sold and consolidated with adjoining property and the East half to become part of an adjoining park site.

In approving this scheme, the Council asked for a report on the feasibility of cancelling the remainder of the Ingleton Avenue allowance North to Norfolk Street for inclusion in the park site.

Such a closure would require the consent of the owner of the property by the West side of Ingleton Avenue (Lot 6).

This owner is prepared to give his consent to the abandonment, subject to:

- (a) Being granted an easement for access over the Westerly 15' of the portion of Ingleton Avenue to be abandoned.
- (b) The said portion to be abandoned being used for park purposes.

It was being recommended that Council authorize the abandonment in question on the conditions set by the aforementioned owner of Lot 6.

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

CARRIED UNANIMOUSLY

(20) Rubber-Mounted Backhoe

It was being recommended that the tender of Rollins Machinery Ltd. for the sale to the Corporation of one Ford 4500 Rubber-Mounted Backhoe at a net price of \$13,051.50 be accepted.

Though this is not the low tender, the Municipal Engineer has recommended that none of the lower bids be considered because the machinery offered does not meet the requirements of his Department.

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

CARRIED UNANIMOUSLY

(21) 6564 Royal Oak Avenue

The Corporation owns the subject property and the Salvation Army leases it for \$240.00 per year plus taxes. The Army has a small building on the property and the lease expires on July 1, 1976.

No. 637 Squadron of the Royal Canadian Air Cadets is anxious to use the property.

The Salvation Army is prepared to sublet the property, and sell the building, to the Cadets for a token amount.

The Cadets indicate that the rehabilitation of the building will

cost between \$1,000.00 and \$1,500.00 employing volunteer labour as far as possible. The representative of the Cadets also advises that the Organization will probably need to ask the municipality to waive the annual rental and the taxes.

During consideration of this matter in Council, some concern was expressed that the use the Cadets would make of the property might cause a nuisance to nearby residents due to the noise which could be created.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:
"That the Parks and Recreation Commission offer an opinion, in time for the September 2, 1969 meeting of Council, on the types of recreation-oriented uses which could be made of the subject property as an alternative to allowing the Air Cadets to use the site."

CARRIED UNANIMOUSLY

(22) Action Line Children's Village Society

The above Society plans to finance its proposed group homes through a mortgage with Central Mortgage and Housing Corporation.

It is necessary that the Corporation, as Lessor, execute the mortgage to acknowledge that it agrees to allow its Lessee to mortgage the leasehold interest.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:
"That authority be granted for the Mayor and Clerk to execute the document which is the subject of the Manager's report."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:
"That leave be given to introduce "Burnaby Zoning By-Law 1965, Amendment By-Law No. 43, 1969" #5550 and that it now be read a First Time."

CARRIED UNANIMOUSLY

ALDERMAN LADNER LEFT THE MEETING.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:
"That the By-Law be now read a Second Time."

CARRIED UNANIMOUSLY

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 this By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following rezoning:

Rezoning Reference RZ #93/68

FROM RESIDENTIAL DISTRICT FOUR (R4) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Remainder of Lot "A" except the North 142 feet, Block 13, D.L. 79, Plan 4893

(4333 Ledger Avenue - A rectangular shaped parcel having a frontage of 178 feet on Ledger Avenue and a depth of 312 feet)

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

ALDERMAN DRUMMOND LEFT THE MEETING.

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

CARRIED UNANIMOUSLY

ALDERMAN LACNE, RETURNED TO THE MEETING.

*

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That leave be given to introduce:

- "BURNABY ROAD CLOSING BY-LAW NO. 6, 1969" #5549
- "BURNABY ROAD CLOSING BY-LAW NO. 7, 1969" #5554
- "BURNABY TAX SALE MONIES EXPENDITURE BY-LAW NO. 2, 1969" #5552
- "BURNABY SEWERAGE AND DRAINAGE FINANCING BY-LAW 1966, AMENDMENT BY-LAW 1969" #5553
- "BURNABY BUILDING BY-LAW 1969" #5557

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-Laws."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

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

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That:

- "BURNABY ROAD CLOSING BY-LAW NO. 6, 1969"
- "BURNABY ROAD CLOSING BY-LAW NO. 7, 1969"
- "BURNABY TAX SALE MONIES EXPENDITURE BY-LAW NO. 2, 1969"
- "BURNABY SEWERAGE AND DRAINAGE FINANCING BY-LAW 1966, AMENDMENT BY-LAW 1969"
- "BURNABY BUILDING BY-LAW 1969"

be now read a Third Time."

CARRIED UNANIMOUSLY

*

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"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. 24, 1969" #5518
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1969" #5537
- "BURNABY FIRE PREVENTION BY-LAW 1966, AMENDMENT BY-LAW NO. 2, 1969" #5547"

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND RETURNED TO THE MEETING.

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 24, 1969 provides for the following rezoning:

FROM RM3 TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #11/69

Lot 33, Block 7, D.L.'s 151/3, Plan 1895

(5827 Olive Avenue - located on the West side of Olive Avenue from a point approximately 50 feet South of Kingsway Southward a distance of 184 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1969 provides for the following rezoning:

FROM RESIDENTIAL DISTRICT THREE (R3) TO PARKING DISTRICT (P8)

Reference RZ #38/69

Lot "D", Block 14, D.L. 150MW $\frac{1}{2}$, Plan 15320

(372 $\frac{1}{2}$ Imperial Street - located on the South side of Imperial Street from a point 106 feet East of Broadway Road, Easterly a distance of 50 feet)

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:
"That the Committee do now rise and report the By-Laws complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:
"That:

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 24, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1969"
- "BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT BY-LAW NO. 2, 1969"

be now read a Third Time."

*

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:
"That:

- "BURNABY ROAD CLOSING BY-LAW NO. 5, 1969" #5548
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 36, 1969" #5539

be now reconsidered."

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:
"That:

- "BURNABY ROAD CLOSING BY-LAW NO. 5, 1969" #5548
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 36, 1969" #5539

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That "BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW NO. 4, 1969" be now reconsidered."

CARRIED

AGAINST -- ALDERMEN BLAIR & HERD

Secretary, Automotive Transport Association of B. C., submitted a letter offering a number of suggestions concerning this By-Law.

Manager, Burnaby Chamber of Commerce, also wrote and offered an opinion on the By-Law.

As a result of considering the By-Law and the submissions from the Automotive Transport Association of B. C. and the Burnaby Chamber of Commerce, it was understood by Council that a review of the regulations covered by the By-Law would be made in approximately six months by the Traffic Safety Committee, and that the points made in the submissions from the Association and the Chamber would be reflected in the considerations of the Committee.

It was also suggested that, in view of the interest which the Automotive Transport Association of B. C. has displayed in connection with the Truck Routing By-Law and its general concern with traffic matters, it would seem desirable to have representation from the Association on the Burnaby Traffic Safety Committee.

It was understood that the Traffic Safety Committee would give this matter consideration.

It was also understood that the submissions received this evening from the Automotive Transport Association of B. C. and the Burnaby Chamber of Commerce would be referred to the Traffic Safety Committee for attention.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That "BURNABY STREET AND TRAFFIC BY-LAW 1961, AMENDMENT BY-LAW NO. 4, 1969" be now finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED

AGAINST -- ALDERMEN HERD & BLAIR

Deputy Municipal Clerk reported in connection with "Burnaby Sunday Sports and Entertainment By-Law 1969", advising that the Municipal Solicitor had reported as follows on this proposed By-Law:

- (a) Section 210A of the Municipal Act sets out the procedure which Council must pursue in adopting the By-Law.
- (b) Since the By-Law may not be adopted until it has received the assent of three-fifths of the electors voting on the By-Law, it will be necessary to hold a special election for this purpose or wait until the regular Municipal Election in December.
- (c) Council may wish to follow the latter course because of the expense involved in holding a special election.

August/11/69

- (d) Unless Council wishes to hold the special election, it may be advisable to not introduce the By-Law until some time just before the Annual Election.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:

"That "Burnaby Sunday Sports and Entertainment By-Law 1969" be submitted to the electorate at the Annual Election in December, 1969, and the By-Law be brought forward for Three Readings at a meeting of Council just prior to the said Annual Election."

CARRIED UNANIMOUSLY