

NOVEMBER 24, 1969

An adjourned meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, November 24, 1969 at 7:00 p.m.

PRESENT:

Mayor R. W. Prittie;  
Aldermen Blair, Clark, Dailly,  
Drummond, Herd, Ladner, Mercier  
and McLean;

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:  
"That the Minutes of the meeting held on November 3, 1969 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

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DELEGATION

Olma Bros. Realty Ltd. submitted a Brief supporting a proposal to rezone Lot 4, D.L. 136, Plan 23019 to Multiple Family Residential District Three (RM3).

The Company also requested an audience with Council.

*It was drawn to the attention of Council that Olma Bros. Realty Ltd. had withdrawn its request after being informed of the Council policy respecting the rejection of reasoning applications.*

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ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Radio N. W. Ltd. submitted a letter advising that:

- (a) The Burnaby Choirs will be heard on CKNW between 10:30 a.m. and 11:00 a.m. on Christmas Day.
- (b) The cost to the municipality of crediting the Choirs and the Corporation of Burnaby will be \$80.00.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:  
"That Radio NW Ltd. be informed that Council would be pleased if the Radio Station could reserve the programme mentioned for the purpose indicated; and further, authority be granted to pay the account of \$80.00 covering the programme."

CARRIED UNANIMOUSLY

Plant Manager, Dominion Glass Company Ltd., submitted a letter confirming that the Company is planning to install silencers on several of its intake fans in December, 1969 as a means of reducing the level of noise caused by these fans.

The Plant Manager also mentioned that the consulting acoustical engineers which the company has retained will evaluate the effectiveness of the silencers sometime after that.

*Alderman Drummond, as the Chairman of the Noise Pollution Committee, advised that the Committee had held its first meeting, and there would be another one shortly.*

*He also remarked that:*

- (a) a representative from the City of New Westminster attended the first meeting.*
- (b) as far as he was concerned, the subject of noise pollution would be studied thoroughly by the Committee with the view in mind of having effective legislation introduced by Council to control noise emissions.*
- (c) it was considered that one way of minimizing the probability of operations being established which would emit a lot of noise would be to refer applications received for trade licenses to the Health Department so that the noise aspect of the operation could be considered before the license was granted.*

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*The Council directed that the substance of the letter from Dominion Glass Company Ltd. be conveyed to those who made representations to Council last month in regard to the subject of noise pollution caused by that Company.*

Officer-in-Charge, Burnaby Detachment, R.C.M.P., submitted a letter providing further particulars in regard to the number of roadside suspensions under Section 203 of the Motor Vehicle Act.

*Alderman Herd was asked by Council to ascertain from the R.C.M.P. whether, in its opinion, the practice of roadside suspensions has been effective in controlling the incidence of motorists driving their vehicles while under the influence of alcohol.*

Assistant Deputy Minister, Department of Municipal Affairs, submitted a letter advising that his Department can give no assurance that expenses would be provided for any interim Rental Grievance Board.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN McLEAN:

"That Council make provision for the establishment of a Rental Accommodation Grievance Board similar to that in existence in the City of Vancouver and the Municipal Solicitor be instructed to prepare the necessary by-law creating such an agency, with it being understood that he will:

- (a) Use the Vancouver By-law as a guide.
- (b) Obtain an indication from the Landlord/Tenant Grievance Committee as to the matters which should be covered by the By-law.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK:

"That the proposal embraced by the foregoing motion be referred to the Landlord/Tenant Grievance Committee for discussion with the Municipal Solicitor to determine the type of legislation required to create an effective Rental Accommodation Grievance Board and for the preparation of a draft By-law on the matter."

CARRIED

AGAINST -- HIS WORSHIP, MAYOR  
PRITTIE AND ALDERMAN  
LADNER

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TABLED ITEMS

The following matters were then lifted from the table:

(a) A resolution:

"THAT no action be taken to increase the Business Tax at this time."

Manager, Burnaby Chamber of Commerce, submitted a letter requesting an audience with Council on the subject at hand.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That a representative from the Burnaby Chamber of Commerce be heard and Item (3) of the Municipal Manager's Report No. 75, 1969, which deals with the same subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

Mr. Angus J. Macdonald, Manager of the Chamber, then spoke and presented a Brief which indicated the following:

- (a) The assessment of annual rental value has increased substantially this year because of the use of a new capital utilization rate.
- (b) In previous years, owned land was assessed on the basis of 7% for land and 8% for buildings, plus annual taxes. This was deemed to be the annual rental value. This year, the capital utilization rates are 8% for land and 9% for buildings.

- (c) Though there is no quarrel with this new method of assessment, the system has materially increased the Business Tax Roll by 16.8% from 1969 to 1970.

Though it is difficult to determine how much of this increase is related to new industry and commerce and how much due to the increased rate of assessment, the new rate will increase the tax base between 12 and 14%.

- (d) In 1969, the Provisional Budget for Business Tax was \$1,040,000.00. On the same basis, the Provisional Budget for 1970 will be \$1,214,000.00.
- (e) A sample listing of those affected by the Business Tax reveals the extent of the increases which will occur as a result of the change in the method of assessment and an increase to 7.5% or 8% in the Business Tax is used.
- (f) The report of the Municipal Treasurer compared the tax rates in Vancouver and New Westminster. In the latter's case, 9% is assessed by New Westminster on between 50 and 60% of the annual rental value. This means that the net rate is approximately 5.5%.
- (g) The Chamber is naturally most interested in the development of the industrial and commercial tax base.
- (h) In industrial and commercial development, municipal taxation is a major factor in any decision to locate or expand.
- (i) In the Greater Vancouver Area, Burnaby is not competing for development with Vancouver and New Westminster, whose industrial and commercial lands are nearly full. Burnaby is, however, competing with other municipalities in the area. At the moment, not one of these other municipalities imposes a Business Tax.
- (j) In these days of demands from all sources to control inflation, it is hoped by the Chamber that the Council will be able to not increase tax rates for the ensuing year, especially with the large increases in assessed value. The Chamber also does not wish to see an increase in the Business Tax that will dissuade new industry from coming to Burnaby and possibly have the adverse effect of forcing existing businesses out of the municipality to neighbouring communities which do not have such a heavy tax base such as would occur if the Business Tax was increased.

The report of the Municipal Manager dealing with the subject at hand was then considered. It indicated the following:

- (1) The Municipal Act provides for a tax not exceeding 1% of the assessed value of machinery where the tax so calculated exceeds the tax on rental value.
- (2) The Vancouver Charter makes it abundantly clear that the rental values shall be as near as possible to rentals actually being paid for similar premises. The Municipal Act is not quite so specific but its intent is the same. The reason it reads as it does is to give direction to the Assessor that his rental values shall be fair for comparable premises when a building is owned by an occupier and no rental is paid and/or a rental is unrealistically higher or lower than normal due to special

agreements or circumstances between the owner and the tenant.

- (3) There are less than a dozen properties in Burnaby where the Machinery Tax is higher than the Rental Tax; therefore, this aspect is negligible in making comparisons between the business tax structures in Vancouver, New Westminster and Burnaby.
- (4) The intent of the relevant sections of the Vancouver Charter and the Municipal Act, except for the reference to an alternate tax on machinery, is that rentals shall be set as close as possible to rentals actually being paid for comparable businesses.
- (5) There is every reason to believe that Burnaby's rentals in relation to actual rentals being paid for comparable businesses are on the same level as in Vancouver, despite the slight difference between the wording in the Vancouver Charter and that in the Municipal Act.

*During consideration of the Business Tax matter in Council, the following points were made:*

- (a) Neither the Municipal Treasurer or the Municipal Manager have clearly indicated the purpose of the proposed increase in the Business Tax in any reports which have been submitted to Council.*
- (b) There are some businesses in the municipality whose Business Tax will increase by more than 50% if the increase now being proposed is approved.*
- (c) One reason for the recommended change in the Business Tax percentage is that there has been no increase in that figure for approximately four years.*
- (d) The fact the Corporation will have a surplus at the end of the year is not a valid argument for not increasing the Business Tax for next year.*
- (e) The Council should endeavor to restrain its expenditures in 1970 so that it will not be necessary to increase any taxes.*

A vote was then taken on the motion "THAT no action be taken to increase the Business Tax at this time", with the following result.

IN FAVOUR -- ALDERMEN CLARK, DRUMMOND, LADNER AND HERD

AGAINST -- HIS WORSHIP, MAYOR PRITTIE, ALDERMEN MERCIER DAILLY, BLAIR AND McLEAN

MOTION LOST

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
"That the Business Tax be increased to 7%."

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That the foregoing motion be tabled until discussion of the budget for the year 1970."

IN FAVOUR -- ALDERMEN LADNER, CLARK,  
DRUMMOND AND HERD

AGAINST -- HIS WORSHIP, MAYOR PRITTIE,  
ALDERMEN MERCIER, DAILLY,  
BLAIR AND McLEAN

MOTION LOST

A vote was then taken on the Original Motion, and it was Carried with Aldermen Herd, Drummond, Clark and Ladner against.

(b) Littering and Indiscriminate Dumping

Item No. 15 of the Municipal Manager's Report No. 73, 1969, which Council received on November 17, 1969, was brought forward.

*During consideration of the subject at hand by Council, the following questions were asked:*

- (1) *Is there any provision in the Health By-law covering the practices of littering and indiscriminate dumping?*
- (2) *If so, what problems are there in prosecuting under the Health By-law?*
- (3) *What penalties are provided under the Health By-law for littering or indiscriminate dumping?*
- (4) *Has provision been made in that By-law for continuing offences by the penalty applying each day the offence occurs.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That the subject matter be referred back to the Solicitor for a further report on the questions raised above."

CARRIED UNANIMOUSLY

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NOTICES OF MOTION

ALDERMAN DAILLY then introduced the following Notice of Motion:

- (i) "WHEREAS Utah Construction and Mining Co. Ltd. has applied to the Pollution Control Board for a permit to dump 9.3 million gallons of untreated concentrated effluent daily into Rupert Inlet on the North end of Vancouver Island from the Company's huge copper and molybdenum concentrator;

AND WHEREAS this could cause widespread ecological damage;

AND WHEREAS numerous organizations including the Society for Pollution and Environment Control have strongly opposed the application;

AND WHEREAS the protection of our environment is the duty of all citizens of our Province;

THEREFORE BE IT RESOLVED that Burnaby Municipal Council add its voice in opposition to the application of the Utah Construction and Mining Co. Ltd. and request that the Pollution Control Board postpone a hearing on the application until the Company has designed a satisfactory disposal system."

HIS WORSHIP, MAYOR PRITTIE, ruled the foregoing motion out of order on the ground that the subject of it was not within the competence of Council.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN DAILLY:  
"Shall the Chair be sustained in regard to its decision on the above Notice of Motion."

IN FAVOUR -- ALDERMEN BLAIR, HERD,  
LADNER, MERCIER AND McLEAN:

AGAINST -- ALDERMEN DRUMMOND, CLARK AND  
DAILLY

MOTION CARRIED

Alderman Dailly then introduced the following Notice of Motion:  
(ii)"WHEREAS pollution of the atmosphere is a growing problem in the Lower Mainland;

AND WHEREAS little action to control air pollution is being taken either by the Provincial Government or Regional Authorities;

AND WHEREAS the City of Vancouver has passed a By-law to control air pollution emanating from Vancouver and by so doing has helped to reduce the amount of air pollution in the Lower Mainland;

THEREFORE BE IT RESOLVED that Burnaby Municipal Council study the Vancouver By-law with a view to determining whether a similar By-law is advisable for Burnaby."

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:  
"That the second "Whereas" in the above motion be amended by deleting the words "either" and "or Regional Authorities"."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"That the motion cited above, as just amended, be referred to the Air Pollution Committee for consideration and report."

CARRIED UNANIMOUSLY

Alderman Mercier then introduced the following Notice of Motion:

"WHEREAS the Library Board has submitted to the Council a report entitled: "A Report on Essential Expansion of the Burnaby Public Library System";

AND WHEREAS the said report proposed the development of additional Branch Libraries in the Municipality, giving general site locations;

THEREFORE BE IT RESOLVED that this Council go on record as being in favour of the acquisition of a minimum of three sites for Library Board use, and such acquisitions be actively pursued through the Municipal Manager pursuant to the report of the Library Board."

It was drawn to the attention of Council that Messrs. E. Nelson and R. Culos from the Library Board were present to answer questions pertaining to the subject of the Motion from Alderman Mercier.

As a result of a query by a member of Council, Mr. Nelson stated that the Library Board hoped to be in a position to provide the three new libraries in each of the years 1971, 1972 and 1973, with a By-law authorizing the borrowing of funds for such work to be submitted to the electorate in December, 1970.

Mr. Nelson also pointed out that the concept of the Library Board is to provide a headquarters building in the Central part of the municipality, with satellite libraries throughout the rest of the municipality. He added that of the three sites currently being considered, the headquarters building would be somewhere in the vicinity of the Municipal Hall and the other two would be near the Kingsway - Willingdon Area and the Lougheed Mall Area.

A suggestion was made in Council that perhaps libraries could be provided as adjuncts to community centres or schools so that there would be no need to provide additional sites.

Mr. Nelson stated that it is not necessary that library sites be on main arteries but it was desirable to have them close to such highway facilities for the convenience of the public. He added that the Board originally had planned on selecting sites that were some distance from main traffic arteries but the proposals were abandoned because the sites were later found to not be available.

It was also mentioned to Council that sites other than the three currently being considered will be examined in the event Council approved the concept being advanced by the motion under consideration.

Mr. Nelson concluded by advising that the headquarters building should be a permanent structure and that possibly portable buildings could be considered for the satellite libraries.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That the motion set out above be endorsed."

CARRIED UNANIMOUSLY



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

THE COUNCIL RECONVENED AT 9:05 P.M.

ALDERMEN BLAIR AND DRUMMOND WERE ABSENT.

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

CARRIED UNANIMOUSLY

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MUNICIPAL MANAGER submitted Report No. 75, 1969 on the matters listed below as Items (1) to (3), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Financial Statements - Lower Mainland Regional Planning Board

Statements containing financial statistics relating to the Lower Mainland Regional Planning Board of B. C. as at September 12, 1969 were being submitted.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:  
"That the information conveyed by the Manager be received."

CARRIED UNANIMOUSLY

ALDERMEN BLAIR AND DRUMMOND RETURNED TO THE MEETING.

(2) Vancouver-Fraser Park District

The Parks and Recreation Commission has requested that Council recommend to future Councils that the Aldermen appointed as Council representatives on the Burnaby Parks and Recreation Commission also be the delegates of Council on the Vancouver-Fraser Park District.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That Council agree to make the recommendation requested by the Parks and Recreation Commission."

CARRIED UNANIMOUSLY

(3) Business Tax

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

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED

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

CARRIED UNANIMOUSLY

BY - LAWS

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:  
"That leave be given to introduce "BURNABY BUSINESS TAX BY-LAW  
1965, AMENDMENT BY-LAW NO. 2, 1969" #5621 and that it now be  
read a First Time."

CARRIED

AGAINST -- ALDERMEN DRUMMOND, CLARK,  
HERD AND LADNER

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

CARRIED

AGAINST -- ALDERMEN DRUMMOND,  
CLARK, HERD AND LADNER

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:  
"That the Council do now resolve into a Committee of the Whole to  
consider and report on the By-law."

CARRIED

AGAINST -- ALDERMEN DRUMMOND,  
CLARK, HERD AND LADNER

This By-law provides for an increase in the Business Tax to 7%.

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

CARRIED

AGAINST -- ALDERMEN DRUMMOND,  
CLARK, HERD AND LADNER

THE COUNCIL RECONVENED.

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

CARRIED

AGAINST -- ALDERMEN DRUMMOND,  
CLARK, HERD AND LADNER

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:  
"That "BURNABY BUSINESS TAX BY-LAW 1965, AMENDMENT BY-LAW NO. 2,  
1969" be now read a Third Time."

CARRIED

AGAINST -- ALDERMEN DRUMMOND,  
CLARK, HERD AND LADNER

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MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:  
 "That leave be given to Introduce:  
     "BURNABY BUILDING BY-LAW 1969, AMENDMENT BY-LAW NO. 1, 1969" #5622  
     "BURNABY ROAD CLOSING BY-LAW NO. 21, 1969" #5620  
 and that they now be read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, 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

It was drawn to the attention of Council that each member had  
 been supplied with a list of the changes proposed by Burnaby  
 Building By-law 1969, Amendment By-law No. 1, 1969.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:  
 "That:  
     "BURNABY BUILDING BY-LAW 1969, AMENDMENT BY-LAW NO. 1, 1969"  
     "BURNABY ROAD CLOSING BY-LAW NO. 12, 1969"  
 be now read a Third Time."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:  
 "That the Council do now resolve into a Committee of the Whole to  
 consider and report on BURNABY BUSINESS TAX BY-LAW 1965, AMENDMENT  
 BY-LAW 1969: #5555."

CARRIED UNANIMOUSLY

The Council was informed that since it had just given three readings  
 to Burnaby Business Tax By-law 1965, Amendment By-law No. 2, 1969,  
 there was no need for the By-law now at hand.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:  
 "That Burnaby Business Tax By-law 1965, Amendment By-law 1969 be  
 abandoned."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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It was drawn to the attention of Council that "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1969" was to have been entered on the Agenda for the meeting this evening but was withdrawn at the request of the applicant.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That" BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1969" be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:  
"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. 63, 1969" ."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ #51/69

FROM RESIDENTIAL DISTRICT FIVE (R5) TO SERVICE COMMERCIAL DISTRICT FOUR (C4)...

Lots 4 and 5, Block 53, D.L. 30, Plan 3036

(7413, 7415 and 7405 Kingsway -- Located on the South side of Kingsway from a point approximately 306 feet East of Britton Street, Eastward a distance of 140 feet)

His Worship, Mayor Prittie, explained that the reason this By-law is being returned for consideration this evening is that Council, on November 17th, established a number of prerequisites to the rezoning proposal covered by the By-law and, though the applicant would normally be advised of the prerequisites and asked to satisfy them, it was deemed prudent to have Council consider whether it wishes the applicant to so proceed when it is known that four members are opposed to the rezoning.

He stressed that amendments to the Zoning By-law require the affirmative vote of at least two-thirds of all members and, at the moment, this amendment does not have such support.

He also pointed out that the applicant would, in satisfying the prerequisites, need to commit himself to some expenditures and, if the amendment was not to receive the affirmative vote of at least two-thirds of all members of Council, the abandonment of the Amendment By-law should seriously be considered as being in the best interest of the applicant.

His Worship also mentioned that he had received a letter from Mrs. M. Mills reiterating the points made in her earlier submission opposing the rezoning proposal.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:  
"That the resolution passed by Council on November 17, 1969 relating to the prerequisites in connection with the subject at hand be rescinded and "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1969" be abandoned."

CARRIED

AGAINST -- ALDERMAN CLARK

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the Council do now resolve into a Committee of the Whole to consider and report on:

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1968" #5378
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 60, 1969" #5600
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 56, 1969" #5596."

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND LEFT THE MEETING.

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1968 provides for the following proposed rezoning:

Reference RZ #61/68

FROM RESIDENTIAL DISTRICT FIVE (R5) TO MANUFACTURING DISTRICT (M1)

Portion of Lot "N", D.L.'s 69/70, Plan 24628

(Located between the Gilmore Avenue Diversion and Sumner Avenue from a point approximately 125 feet North of Canada Way Northward a distance of 146 feet)

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

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 60, 1969 provides for the following proposed rezoning:

Reference RZ #27/69

- (i) Lots 15E½, and 17, Block 39, D.L.'s 151/3, Plan 2884
- (ii) Lot 15 W½, Block 39, D.L. 153, Plan 3884
- (iii) Lot 16 A, Block 39, D.L. 153, Plan 4690
- (iv) Lot 16B, Block 39, D.L. 151/3, Plan 4690

(6409, 6419 and 6431 Silver Avenue 6408, 6420 and 6432 McKay Avenue -- Located between McKay Avenue and Silver Avenue from a point 329 feet South of Beresford Street, Southward a distance of 156 feet)

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

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 56, 1969 provides for the following proposed rezoning:

Reference RZ #134/68

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

- (i) Lots 1, 2 and 3, Block 27, D.L. 32, Plan 10045
- (ii) Lots 4 and 5, Block 27, D.L. 32, Plan 12272

(6291, 6275, 6257 Royal Oak Avenue, 5149 and 4129 Newton Street, -- Located at the North-West corner of Royal Oak Avenue and Newton Street with frontages of 150 feet and 245 feet respectively)

Municipal Clerk stated that the Planning Department had reported that the prerequisites established by Council for the rezoning of Lots 4 and 5 only, which were authorized at the November 17, 1969 Council meeting, are now nearing satisfaction.

He added that the Planning Department had indicated the By-law for the rezoning of these two lots could be given third reading.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:  
"That BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 56, 1969" be amended by deleting therefrom Lots 1, 2 and 3, Block 27, D.L. 32, Plan 10045."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:  
"That:  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1968"  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 60, 1969"  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 56, 1969"  
be now read a Third Time."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1969"  
#5604 be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1969"  
RZ #43/69 be now finally adopted, signed by the Mayor and Clerk  
and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:  
"That Council reconsider its decision of November 17, 1969 to  
not approve an application to rezone Parcel "B", Ref. Plan 15504,  
Block 38, D.L. 159, Plan 930 to Service Commercial District (C4)."

CARRIED

AGAINST -- ALDERMAN BLAIR

ALDERMAN DRUMMOND RETURNED TO THE MEETING.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:  
"That the application to rezone Parcel "B", Ref. Plan 15504,  
Block 38, D.L. 159, Plan 930 to Service Commercial District (C4)  
be approved for further consideration and advanced to the Public  
Hearing that is being held on Monday, December 8, 1969 commencing  
at 6:30 p.m."

CARRIED

AGAINST -- HIS WORSHIP, MAYOR  
PRITTIE, ALDERMEN BLAIR,  
AND LADNER

ALDERMAN CLARK drew attention to a site on the South side of the  
3900 Block Pender Street where houses that had been torn down in  
preparation for the construction of an apartment building had been  
left in an unsightly condition.

His Worship, Mayor Prittie, stated that he was aware of the situation  
and had ordered the Chief Building Inspector to see that the  
material which was strewn about the site is removed forthwith or  
the offender would be prosecuted.

\*

Alderman Drummond drew attention to the copy of the proposed Parks  
By-law which had been distributed to the members of Council.

He asked that the members peruse the By-law and be prepared to  
offer comments on the submission when the item is presented formally  
to Council on December 1, 1969.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 32, 1969"  
#5531 be now reconsidered."

CARRIED UNANIMOUSLY

This By-law provides for the following rezoning:

Reference RZ #15/69

FROM RESIDENTIAL DISTRICT (R5) TO COMPREHENSIVE DEVELOPMENT  
DISTRICT (CD)

- (a) Lot "A", Block 9, D.L. 32, Plan 13409
- (b) Lots 4 N½, 6, 7, 8 and 9, Block 9, D.L. 32, Plan 2250
- (c) Lot 107, D.L. 32, Plan 28097
- (d) Lots 110 and 111, D.L. 32, Plan 28248
- (e) Lots 18, 21, 22, 23 and 24, Block 8, D.L. 32, Plan 1229
- (f) Lot 97, D.L. 32, Plan 24378

(6006 - 6110 McKercher Avenue inclusive and 6015 - 6137  
McMurray Avenue inclusive -- Located between McKercher Avenue  
and McMurray Avenue midway between Maitland Street and Kingsway)

Planning Department submitted a report indicating that all of the  
prerequisites associated with the foregoing proposal have been  
satisfied, as follows:

- (a) Land has been dedicated for the Hazel Street extension.
- (b) Land has been dedicated for the McMurray Avenue cul-de-sac.
- (c) An agreement has been entered into with the owner of  
the property, Edgewater Construction Ltd., whereby  
an appropriate land exchange will be effected, at no  
cost to the municipality or the developer, once the  
Grange Street extension has been surveyed.
- (d) The sum of \$10,300.00 has been deposited to cover the  
cost of a sanitary sewer diversion.
- (e) Detailed and suitably acceptable plans of development,  
as required by the provisions of the CD Section of the  
By-law, have been submitted.

The Department pointed out that, though the owner of the properties  
involved has not yet received title to the portion of a lane which  
is to be abandoned, he has already submitted a subdivision plan  
consolidating the properties with the lane.

The Department added that the easement which was originally required  
over the South-East corner of the site is not now necessary.

The Planning Director elaborated on the points made in the letter  
from his Department and displayed plans illustrating the development  
proposal planned for the site in question.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 32, 1969"  
be now finally adopted, signed by the Mayor and Clerk and the  
Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

\*



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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

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

CARRIED UNANIMOUSLY