

NOVEMBER 3, 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, November 3, 1969 at 7:00 p.m.

PRESENT: Mayor R. W. Prittie in the Chair;
Aldermen Blair, Clark, Dailly,
Drummond, Ladner, Herd, Mercier
and McLean;

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That the Minutes of the meeting held on October 6, 1969 and the Public Hearing on October 28, 1969 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

HIS WORSHIP, MAYOR PRITTIE, proclaimed the seven days commencing November 5th and ending November 11, 1969 as "Remembrance Week".

* * *

ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Administrator, Burnaby General Hospital, submitted a letter expressing the appreciation of the Board of Directors for the Burnaby General Hospital for the enjoyable evening on the occasion of the Municipal Appreciation Dinner at the Villa Motor Inn on October 23, 1969.

Acting News Director, Q Broadcasting Ltd., submitted a letter:

- (a) advising that CHQM had instructed all its new staff to not greatly publicize the movements of teenagers on Halloween prior to receiving the request of Council that this be done.
- (b) indicating that it has always been the policy of CHQM to handle any and all news with responsibility, and it will continue to do so.

Nov/3/1969

- (c) offering the services of the Station in relaying information of interest or value to residents of Burnaby.

Order in Council #3319, which reappoints William Warren Gillis to the Board of Variance in Burnaby for a three year term commencing October 20, 1969, was submitted.

Chief Librarian and Secretary-Treasurer, Burnaby Public Library, submitted a report on "Essential Expansion of the Burnaby Public Library System."

His Worship, Mayor Prittie indicated that he would endeavor to arrange to have the Chairman of the Library Board attend a Council meeting at some future date to discuss the contents of the report from the Board.

Executive Director, Community Planning Association of Canada (B.C. Division), submitted a circular letter inviting the members of Council to attend the "City and Region" Seminar on Saturday, November 29, 1969.

His Worship, Mayor Prittie, mentioned that the Vancouver and Lower Mainland Industrial Development Commission would be holding a meeting on December 13, 1969 to discuss the question of municipalities leasing land.

He added that a formal notice of this meeting would be submitted shortly.

* * *

TABLED ITEMS

The following matters were then lifted from the table:

(a) Drainage - 950 Cliff Avenue

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:
"That item 7 of Report No. 69, 1969 of the Municipal Manager, which deals with the subject at hand, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the substance of that report item from the Manager:

(7) Drainage - 950 Cliff Avenue

Mrs. B. M. M. Keogh, 950 Cliff Avenue, complained to the Engineering Department regarding a drainage problem.

The complaint was investigated and the Municipal Engineer reports there is a drainage problem affecting the complainant's property and adjacent land which can be remedied by the installation of a storm drain along an easement over Lot 5, S.D. 6, Blocks 1 and 2, D.L. 207, Plan 4032 to the storm sewer on Blaine Place.

Nov/3/1969

The owner of this Lot 5 is not prepared to grant the easement.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:
"That the complaint from Mrs. Keogh be tabled for one week in order to allow the Municipal Engineer the opportunity of contacting the owner of the Lot 5 in question to explain that, if he does not grant the easement considered necessary to accommodate a storm sewer for the purpose of correcting the drainage situation and he later wishes to subdivide his property, the cost to him in being required to provide his land with adequate storm drainage facilities will be considerably higher than that which would occur if he was to allow a storm sewer to be installed in the easement desired by the municipality."

CARRIED UNANIMOUSLY

(b) Local Improvement Lane Paving and other Capital Projects

Assistant Municipal Manager stated that the Municipal Treasurer had not had ample time to compile the data relating to the subject matters.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That consideration of the subjects at hand be deferred until the November 10th meeting on the understanding the information which is to be submitted will be presented then."

CARRIED UNANIMOUSLY

(c) Douglas Road Crossing of the Great Northern Railway

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That Item (5) of Report No. 69, 1969, which deals with the subject at hand, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the substance of that report item:

(5) Douglas Road Crossing of Great Northern Railway

Under the requirements of the Board of Transport Commissioners Order No. R -6298 dated July 31, 1969, the Great Northern Railway was ordered within six months of that date to install flashing light signals, short arm gates and bell in lieu of the existing protective devices.

A call to the G.N.R. Office in Seattle, Washington, on October 28th confirmed their intention to install the gates within the time period allowed under the Board Order. They indicated they were hoping to start in mid-November, if they can receive delivery of all the equipment required, which would mean a completion prior to the New Year.

Nov/3/1969

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:

"That the report of the Manager be received, with it being understood that the Municipal Engineer will keep the Council informed as to the progress made in connection with the installations referred to in the report."

CARRIED UNANIMOUSLY

Alderman McLean suggested that consideration should be given the establishment of a transportation authority in the Lower Mainland, either as a single purpose agency or as a division of the Greater Vancouver Regional District, in order that there will be some vehicle which can more effectively deal with matters pertaining to rail transport in the municipalities involved.

He pointed out that, at the present time, any municipality wishing something done by railways operating within the municipality often is required to wait an inordinate amount of time before any positive action occurs.

Alderman McLean was asked by Council to submit a Notice of Motion to Council which would be aimed at recommending to the Greater Vancouver Regional District the establishment of an Authority such as that proposed by him.

(d) Lot 1, S.D. 2, Block 2, D.L.'s 57/58, Plan 19973
SUBDIVISION REFERENCE NO. 102/69

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That Item (9) of Report No. 69, 1969 of the Municipal Manager, which deals with the subject at hand, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the substance of that report from the Manager:

(9) Lot 1, S.D. 2, Block 2, D.L.'s 57/58, Plan 19973
(ALLEY ESTATES LTD)

The Council received a letter from the above Company appealing a decision of the Approving Officer to:

- (a) Require the enclosing of the watercourse traversing the captioned property at an estimated cost of \$11,000.00 as a prerequisite to the approval of a subdivision of the property.
- (b) Not allow the subdivision of the property into one 70-foot lot and a 110-foot lot.

The Company also complained about the length of time required to process its subdivision application.

The lot in question is located on the North side of Government Street West of Lakedale Avenue. The only cost of servicing the subdivision is the \$11,000.00 for the enclosing of the watercourse.

The Planning Department has reported as follows on this matter:

- (a) During the summer months, subdivision activity is generally at its peak. This peak load must be handled by the staff at a time when holidays are taken, which results in fewer people coping with the workload at its heaviest.

As a result, the subdivision applications take longer to advance.

The work involved in so processing applications up to the point of sending out the preliminary approval letter is a relatively small part of the work done by the Subdivision Control Clerk in the Planning Department.

The same situation applies in other departments and in the B. C. Hydro and Power Authority who are responsible for providing estimates and technical information for subdivision applications.

- (b) The Subdivision Control Clerk reports that the greatest part of her time is spent handling problems concerning subdivisions being completed for final approval.

- (c) The land involved is zoned R1 and this requires a minimum lot width of 80 feet.

Reducing the width to 70 feet, as the applicant has requested, is incompatible with the intention of the Zoning By-law.

It is considered that the approved lot widths of 100 feet and 80 feet respectively provide a better division in keeping with surrounding development.

- (d) The question of enclosing the watercourse was discussed with representatives of the Engineering Department who confirmed that they were merely following the Council policy of requiring watercourses to be contained upon subdivision of a property.

It was pointed out that, in some cases where a watercourse has been allowed to remain open within a subdivision, there has been subsequent flooding and the Corporation was obliged at that time to pipe the stream at public expense.

A notable example is the watercourse in the Meadedale area in D.L. 126.

- (e) There is obviously justification for adherence to the Council policy and the Engineering Department was recommending this course of action.

It was suggested in Council, during consideration of the above subject, that there may be times when the policy mentioned in the report of the Planning Department should be waived under the following circumstances:

- (i) when the watercourse is considered an amenity.
- (ii) when it is extremely unlikely that the watercourse will overflow its banks and flood adjacent lands.
- (iii) when the banks of the watercourse are protected to prevent erosion.

Nov/3/1969

- (iv) when the bed of the watercourse is adequately maintained.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That further consideration of the appeal from Alley Estates Ltd. be deferred until the Municipal Manager submits a report:

- (a) outlining the reasons for the policy of enclosing watercourses.
- (b) offering his opinion on the merits of waiving the policy under certain circumstances, such as those indicated above.
- (c) indicating the situation in that regard as it relates to the subject watercourse."

CARRIED UNANIMOUSLY

(e) Kingsway - Barker - Grange - Chaffey Area (RZ #30/69)

The Planning Director mentioned that the intending developer had not yet presented details of his plans so his department was unable to submit a report on the subject matter.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:

"That, in view of the situation conveyed this evening by the Planning Director, the subject under consideration be retabled until the November 10th meeting in anticipation of the Planning Department being able to submit a report then relating to the proposed development."

CARRIED UNANIMOUSLY

(f) Heating in Apartments

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That consideration of this matter be deferred until receipt of Item 12 of the Municipal Manager's report later this evening."

CARRIED UNANIMOUSLY

* * *

R E S O L U T I O N

The following resolution, which was adopted by Council on October 27, 1969, was returned by Alderman Ladner for reconsideration:

"THAT the subdivision of Mr. McLean be allowed to proceed in accordance with normal Council policy on land subdivision, with the exception that pavement of the lane be not required."

Alderman Ladner stated that, after the October 27th meeting, he felt that the consequences of the action taken by the resolution would put the Approving Officer in an extremely awkward position when dealing with other applications to subdivide properties where lane dedication and construction was involved.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That Council reconsider the resolution cited above."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That, before rendering a decision on Mr. McLean's request for exemption from a requirement of the Approving Officer that \$1,200.00 be deposited for the paving of the lane to be created by a subdivision of Block 101, D.L. 132, Plan 1493, Council review its policy of requiring the paving of lanes created by subdivisions; and, in order that this can be done effectively, a report be submitted by the Manager outlining the reasons for the policy and indicating whether there may be circumstances when the policy should be waived."

CARRIED UNANIMOUSLY

The Planning Department was also asked by Council to provide a plan of the area in which Mr. McLean's property is located showing the intended future lane pattern for that area.

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

CARRIED UNANIMOUSLY

* * *

REPORT

MUNICIPAL MANAGER submitted Report No. 69, 1969 on the matters listed below as Items (1) to (18), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Interest Charges on Arrears and Delinquent Taxes

For the past thirty or more years, the Municipal Act has required that 6% per annum be charged on taxes in arrears or delinquent.

In 1969, the Provincial Government empowered Council to increase the rates of interest chargeable on such taxes to 7% providing the appropriate by-law was passed by November 30th of this year.

In Burnaby's case, the passage of such a by-law would result in the municipality collecting approximately \$4,500.00 per annum on interest charges on arrears and delinquent taxes.

It was being recommended that Council pass the necessary by-law to increase the rate from 6% to 7%.

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

CARRIED UNANIMOUSLY

(2) Monthly Report from Personnel Department

A Position and Personnel Establishment report for the four week period between September 1st and September 25, 1969 was being submitted.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:
"That the report of the Personnel Department be received."

CARRIED UNANIMOUSLY

ALDERMAN MERCIER pointed out that there had been an increase in nine in the number of permanent employees since the beginning of the year.

He suggested that perhaps the complement of the Personnel Department could be reduced or its function transferred to some other agency.

He added that perhaps there was a need to reduce the size of other departments as well.

*

ALDERMAN CLARK suggested that Council should review the concepts relating to the structure of the administration in various departments.

*

ALDERMAN MERCIER also suggested that Council should consider the possibility of using the Labour Relations Bureau, the Greater Vancouver Regional District, or some other similar body to act as a central hiring agency.

It was contended that such an arrangement might be less costly than currently prevails while, at the same time, the effectiveness of administering the Personnel function would not be impaired.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That the Personnel Director offer his comments on a proposal that the Corporation use an outside placement agency for the hiring of employees rather than the services of the Personnel Department."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DRUMMOND:
"That Council begin discussing staff needs of each department with their heads at various times over the next six months so that Council is in a position, during its consideration of the Annual Budget, to determine the requirements of each department."

CARRIED UNANIMOUSLY

(3) Grants-In-Lieu of Taxes (B. C. Hydro and Power Authority)

The Municipal Treasurer has submitted the following opinion on a suggestion that arose at the October 20th Council meeting that the B. C. Hydro and Power Authority should review its custom of paying grants in lieu of taxes at the end of the year and instead pay them when ordinary taxes are due:

- (a) By Order-In-Council # 1218, dated April 27, 1965, it was ordered that the B. C. Hydro and Power Authority shall, on or before March 31st of each year, advise each municipality and the Provincial Collector of the amount of the grant payable in that year and the Authority shall pay the grant to the municipalities and the Provincial Collector on or before November 30th of each year.
- (b) As a consequence of this, the B. C. Hydro and Power Authority pays the grant at as late a date as possible.
- (c) In addition to paying grants in lieu of taxes, the Authority pays school taxes and, in some cases, general purpose taxes (on properties not tax exempt which are in the hands of the Authority). From an administrative point of view, there seems to be no reason why the Authority could not send its grants in lieu of taxes to municipalities at the same time school taxes are paid.
- (d) The suggestion of Council might be the subject of a resolution to the U.B.C.M. Convention because such a request might be better received by the Authority if it came from all the municipalities rather than just one.
- (e) The Provincial Government pays the 15 mill grant-in-lieu of taxes sometimes in the month of November and sometimes in December. The Federal grant in lieu of taxes is often not paid until January or February of the following year. This matter has been discussed with the Federal Government and it has agreed to make partial payment of its grant in the year in which it is due when it is found necessary to withhold final payment until the year following.

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

CARRIED UNANIMOUSLY

ALDERMAN LADNER was asked by Council to prepare a resolution aimed at requiring the B. C. Hydro and Power Authority to remit its grant to municipalities in lieu-of-taxes at the same time the Authority pays school taxes.

He was also requested to bring such a resolution forward at the appropriate time next year so that arrangements can be made to send it to the U.B.C.M. for inclusion in the Agenda for the 1970 Convention of the Union.

(4) Forglen-Oakland Area

The Planning Department has reported as follows on the question of major roads as they relate to the above area:

- (a) The Planning Department was, as a result of a delegation appearing before Council earlier this year, instructed to prepare a report outlining North-South roads and their various alternatives for the handling of traffic from the North to the South side of the municipality.

Nov/3/1969

- (b) No time limit was set for the report, but the suggestion was made that a copy of it should be sent to the Mid-Burnaby Ratepayers' Association (which was the delegation that appear before Council).
- (c) It was decided to await the completion of two major reports which will deal comprehensively with the question of major roads in the municipality in order that questions raised by the Association can be answered within the context of the municipality's development policies.
- (d) These two reports, which are nearing completion, are:
 - (i) a Metro Town Study, dealing with overall development policies and objectives for the municipality within the context of the Greater Vancouver Regional District.
 - (ii) a related report by N.D. Lea and Associates dealing with transportation elements of the development policies.
- (e) The Secretary of the Mid-Burnaby Ratepayers' Association has written to express interest in the North-South road report that Council requested, particularly the effect it will have on the North-South routes in the Forglen-Oakland area.
- (f) In the light of this query from the Association, Council approval is being sought for the completion of the two reports mentioned before dealing in detail with the Forglen-Oakland Area.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That the request of the Planning Department, as outlined in its report, be approved and the Mid-Burnaby Ratepayers' Association be so advised."

CARRIED UNANIMOUSLY

(5) Douglas Road Crossing of the Great Northern Railway

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

(6) 5742 - 5932 Hastings Street

The Chief Building Inspector and Chief Public Health Inspector have reported as follows in connection with complaints concerning the apartment complex at the above location:

- (a) The subject of heating in the apartment complex was reported upon at length in the report dated October 3, 1969. The temperature variations referred to in September have been overcome.
- (b) The hot water supply is an instantaneous, oil fired hot water system delivered in zones from the source at 160°F.

Nov/3/1969

- (c) The subject of infestation was reported to Council twice in early October.

The continuing control of infestation will depend upon the prompt reporting by tenants of individual suite infestations.

In a large complex such as the one of concern (123 suites) which is occupied by both adults and children, it is imperative that tenants promptly report infestations and, if they persist, then they should be referred to the Health Department.

- (d) The condition of the carpeting was reported upon briefly on October 3, 1969.

All matters mentioned in Complaint No. 4 from the Burnaby Tenants' Association are entirely beyond the jurisdiction of the municipality.

- (e) There is no evidence in the suites visited that the kitchen cupboards and drawers were broken and warped but, in any case, this is beyond the jurisdiction of the municipality.
- (f) The matters of floor tiles lifting in the bathrooms and tiles around the tubs being mildewed, plus bathroom sinks draining improperly, are subjects that are strictly between the tenant and the landlord.
- (g) The same comments apply to the complaints concerning bedroom windows as were stated for the previous item.
- (h) The same applies for the complaints involving the painting of suites.
- (i) The same comments pertain as regards the question of thermostats not working properly.
- (j) The conditions of the outer hallways, including the bannisters, were the subject of the report on October 3rd.
- (k) The question of the coin equipment in the laundry rooms having paid for itself many times over and should therefore be replaced is of no concern to the municipality.
- The condition of the laundry rooms was mentioned in the October 3rd report and the situation is under continuing surveillance by the Health Department.
- (l) Pigeon nesting is fairly common in all urbanized areas. Control is most difficult.
- The complaint has been noted and any action open to the municipality will be taken.
- (m) The matter of garbage not being collected often enough was also the subject of the October 3rd report, although an inspection of October 29th revealed that garbage control was satisfactory.

Nov/3/1969

(n) The fuel oil used in the apartment complex is a standard grade furnace oil which is common throughout the country.

(o) The play area cannot be considered filthy. It is difficult to keep all play equipment operable when it is subjected to the hard play of children.

On the morning of October 29th, one swing out of a total of nine appeared to be in need of repair.

There is a small sand box but it contains very little sand.

(p) The swimming pool housing, to the certain knowledge of the two departments, was securely boarded up prior to October 9, 1969.

(q) The presence of snow last year was a matter of concern to practically every adult in the municipality. The removal of snow from private properties is not compulsory within the municipality.

(r) No comment was being made on the complaint that the trustees and owners of the apartment complex are avid "money gougers".

The Building and Health departments also offered the following in connection with the matter at hand:

(i) The rental regulations recently enacted by Vancouver were perused and, as a result, it appears that Section 2 of Schedule "A" of the Vancouver By-law would cover most of the type of grievances listed above. However, it would be most difficult to enforce this Section because of the generality of its wording. Examples in this regard are:

"having regard to the age, character and locality of the premises"

"reasonably fit"

"reasonably minded tenant"

"of the class who would be likely to rent it"

It was being further observed that the enforcement of this form of regulation would impose a heavy demand upon the resources of the Grievance Board.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:
"That the report from the Building and Health Departments be referred to the Landlord/Tenant Grievance Committee for its information and a copy of the report also be sent to the Burnaby Tenants' Association."

CARRIED UNANIMOUSLY

(7) Drainage Problem - 950 Cliff Avenue

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

(8) 1969 Recast Budget

The 1969 Recast Budget was being submitted for the consideration of Council.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That the 1969 Recast Budget be accepted and \$200,000.00 of the increase of \$807,547.00 in anticipated revenue over expenditures, as mentioned in the said budget, be transferred to meet increased costs in the Capital Improvement Programme relating to the North Road project, general land acquisitions, storm and sanitary sewer connections, etc. with the balance to be brought forward into the 1970 budget as general revenue."

CARRIED UNANIMOUSLY

(9) Lot 1, S.D. 2, Block 2, D.L.'s 57/58, Plan 19973 (ALLEY ESTATES LTD.)

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

(10) Proposed RM3 Setback Standards

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

- (a) The existing setback standards and those proposed in Apartment Study '69 for the RM3 District are as follows:

	<u>Existing Standard</u>	<u>Proposed Standard</u>
Front Yard	20 ft.	25 ft.
Side Yards	10 ft. (2 storeys) 15 ft. (3 storeys)	15 ft.
Rear Yards	25 ft. (2 storeys) 35 ft. (3 storeys)	35 ft.

- (b) A suggestion was made in Council that, rather than retain the present set distances for each of the required yards, a variation in setbacks within an established range should be permitted. An example in that regard was that, if the total front and rear yard setbacks were established at 60 feet (25 + 35) and the minimum front and rear yards were 20 and 30 feet respectively, then more latitude should be provided to the developer in locating an apartment on a site.
- (c) The main reason for requiring yard setbacks is to ensure that each building is provided with an adequate amount of light and air.
- (d) Yard requirements are also instrumental in achieving privacy, both visual and auditory, from the street in the case of a front yard, and from neighbouring buildings in the case of side yards. This also applies to rear yards, although here the provision of usable open space for recreation and relaxation is a primary objective.

- (e) In addition, the bulk of a structure is limited by the setback standards, although other more sophisticated controls such as floor area ratio and maximum coverage are also necessary to achieve the desired results, particularly in the case of higher density forms of development.
- (f) In the medium rise (RM4) and high rise (RM5) apartment categories, the yard setback standards are related directly to the height and width of the building. As the height increases, the yard setbacks also increase. Greater front and rear yard setbacks are also required with greater building widths. This is considered necessary to ensure that sufficient setbacks are maintained and that a tall or wide building will not unduly overshadow its neighbour nor obstruct the view from adjoining buildings.
- (g) While such a regulation establishes the limits within which a building can be located on the site, it does permit a considerable amount of variation to be achieved in an area developed with apartments of varying heights on sites of different shapes and sizes. A similar degree of flexibility is possible in CD zones where the buildings must be designed in accordance with an overall plan and where allowances are made for variations in setbacks.
- (h) In two or three storey frame apartment developments of the RM3 type, the amount of variation which can be attained in locating buildings on a site is much more limited, particularly on small or moderately sized sites. Some flexibility could be obtained by reducing the minimum required setbacks and permitting development subject to the maintenance of an established total front plus rear yard or two side yard standard. However, the degree of flexibility would be only minimal unless there was a considerable reduction in the minimum required setbacks, which could have a detrimental effect on the livability and quality of apartment buildings of this type.
- (i) It is probable that most apartments would employ such a regulation as a means of continuing to develop buildings with the present 20 foot front yard setback in the RM3 districts and a corresponding 40 foot rear yard. This likelihood is supported by the available statistics for preliminary plan approvals over the past year.
- (j) While theoretically sound, the adapting of flexible setback requirements to two and three storey RM3 apartment buildings on single lots is not considered practical. On the other hand, such flexibility is both desirable and feasible for medium rise and high rise apartments and, in the case of large scale RM2 and RM3 projects, can be achieved through CD zoning.
- (k) As a result of the foregoing, the Planning Department would confirm that the minimum setback standards proposed in Apartment Study '69 for the RM2 and RM3 categories is the most suitable method of providing a more spacious appearance, ensuring greater privacy, assisting in the preservation of existing trees and, generally improving the character of development in these zones.

The adoption of the presently proposed standards is therefore being recommended.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That Council concur with the views expressed in the foregoing report of the Planning Department."

CARRIED

AGAINST -- ALDERMEN DRUMMOND,
CLARK, BLAIR AND DAILLY

(11) Terra Nova Development Ltd. - Refuse Disposal

The Municipal Engineer has provided the following summary of the proposed agreement between the Corporation and Terra Nova Development Ltd. covering the latter's disposal of refuse from the municipality:

- (a) Section 1 is primarily the preamble and definition section.

Care has been exercised in ascertaining that the definitions are consistent with those contained in the municipality's Refuse By-law.

- (b) Section 2 provides for the term of the agreement, with the Corporation to retain the right to keep some waste material for its own use. This is considered desirable, if for no other reason than for possible use for experimental purposes.

- (c) Section 3 provides for the renewal of the agreement following the initial term of it, which would bring the possible new agreement to the same termination date as that for Coquitlam and New Westminster.

- (d) Section 4(a) provides for the charges for depositing refuse during the initial term of the agreement.

- (e) Section 4(b) provides for the disposal charges which are to apply in the event the agreement is renewed for the second term between November 15, 1971 and June 9, 1974.

A basic escalation factor of 4½% was used in arriving at the figures and this is felt to be reasonable inasmuch as the cost to the company are very largely composed of labour.

- (f) Section 5 makes provision for Burnaby residents and business establishments to use the disposal site in the same manner as the Corporation.

- (g) Sections 6 to 20 are largely of a "housekeeping" nature and most of them are standard clauses which are contained in most or all agreements and contracts.

- (h) Section 21 provides for the point which was raised in Council some weeks ago concerning the Corporation having the right to approve of any new possible agreements between the Company and any other person, firm, or corporation.

The primary concern is that any sizeable new customers which the company may accept could conceivably have the effect of reducing the useful life of the disposal site for the Corporation.

It has been found necessary to exempt the City of New Westminster and the District of Coquitlam for the obvious reason that these two municipalities are currently under agreement with the Company and it is hardly conceivable that Burnaby would use or wish to use the right of refusing these two public corporations from renewing or entering into an agreement with the Company.

- (i) Section 22 is the clause pertaining to settlement of differences and possible arbitration of differences in interpretation.
- (j) The draft agreement is the result of many meetings between representatives of the Company and the Corporation, and it is felt to be a reasonable document for both parties. It provides the answer for the Corporation to the Municipal disposal problems for the time during which continued research will indicate a more final solution to the overall refuse disposal problem, particularly the question of a regional disposal function.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That the agreement that is the subject of the Manager's Report be approved."

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That Clause 21 of the agreement between the Corporation and Terra Nova Development Ltd. be amended by adding the words "or the Company's ability to accept" after the word "deliver" in the eleventh line."

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN BLAIR:
"That the proposal which is the subject of the foregoing motion be referred to the Municipal Solicitor for consideration."

IN FAVOUR -- ALDERMEN DRUMMOND,
BLAIR

AGAINST -- ALDERMEN DAILLY,
CLARK, HERD, MERCIER
McLEAN AND LADNER

MOTION LOST

A vote was then taken on the motion to amend Clause 21 of the agreement, as detailed above, and it was Carried with Aldermen Clark, Drummond and Blair Against.

A vote was then taken on the motion to approve the agreement, as amended, and it was Carried with Aldermen Clark, Drummond and Blair Against.

ALDERMAN DAILLY LEFT THE MEETING.

Nov/3/1969

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:
"That authority be granted to execute the agreement with Terra Nova Development Ltd., as amended this evening, covering the latter's disposal of refuse from the municipality."

CARRIED

AGAINST -- ALDERMEN DRUMMOND
AND BLAIR

HIS WORSHIP, MAYOR PRITTIE, DECLARED A RECESS AT 9:00 P.M.

THE COMMITTEE RECONVENED AT 9:15 P.M.

ALDERMAN DAILLY WAS PRESENT.

(12) Heating in Apartments

The Municipal Solicitor has offered the following on the above subject:

- (a) The current Building By-law does not require a minimum indoor temperature of 72° F. The By-law provides that "heating facilities capable of maintaining minimum temperatures for various rooms according to occupancy shall be provided in accordance with good practice as set forth in Column 2 of Table 3.6.6.A". In other words, the By-law simply requires the provision of heating facilities capable of maintaining minimum temperatures. It does not oblige the landlord to maintain a minimum or any temperature.
- (b) An argument can be made that, where a by-law is enacted for the health, safety and protection of persons and property, it should be deemed to operate retroactively. However, the great weight of judicial opinion is that, unless the retroactive power is specifically granted, the by-law will operate only from the date of its passage. Therefore, the regulation in the Building By-law applies only to buildings constructed after it was enacted.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the report of the Solicitor be referred to the Landlord/Tenant Grievance Committee for consideration of the situation outlined therein and its relationship with the applicable provisions of the by-law governing the health and welfare of persons occupying buildings, with it being expected that the Committee will, in its deliberations, ask the:

- (a) Municipal Solicitor to expand on the viewpoint expressed in his report.
- (b) Chief Building Inspector to indicate whether the provisions of the Building By-law relating to the heating of buildings are adequate to ensure that buildings are able to maintain adequate temperatures under the type of weather conditions sometimes experienced in the municipality during the winter months."

CARRIED UNANIMOUSLY

(13) Estimates

It was being recommended that the report of the Municipal Engineer covering Special Estimates of Work in the total amount of \$50,141.78 be approved.

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

CARRIED UNANIMOUSLY

At the request of Alderman Clark, the Municipal Engineer indicated he would endeavor to have the Department of Highways eliminate the depressions along parts of Kensington Avenue between Laurel Street and the Freeway Overpass in order that pools of water do not form every time it rains.

As a result of a suggestion by Alderman Clark, the Municipal Engineer stated he would contact the Department of Highways to determine its objects in paving the South side of Hastings Street at Capitol Hill and to ascertain whether this work will be salvaged when the full widening of that portion of Hastings Street is undertaken later.

(14) Street Lights

It was being recommended that the street lights listed in the attached report of the Municipal Engineer be approved for installation.

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

CARRIED UNANIMOUSLY

(15) Monthly Report of Fire Department

A report of the Fire Chief covering the activities of his Department during the month of September 1969 was being submitted.

(16) Monthly Report of Health Department

A report of the Medical Health Officer covering the activities of his Department during the month of September, 1969 was being submitted.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:
"That the above two reports be received."

CARRIED UNANIMOUSLY

(17) Easement - Portion of Lot 282, D.L.'s 56/57, Plan 36166
(LAKE CITY INDUSTRIAL CORPORATION)

It was being recommended that Council authorize the:

- (a) acquisition of an easement for drainage and sewerage works over a portion of the above described property for a nil consideration.

(b) execution of the documents attending the transaction.

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

CARRIED UNANIMOUSLY

(18) 6564 Royal Oak Avenue (Salvation Army)

On August 11, 1969, the Council was asked by the Salvation Army to consent to a sub-lease of the above property to the Royal Canadian Air Cadets (No. 637 Squadron).

It was suggested then that the Salvation Army might be interested in revoking the lease it has with the Corporation for the property.

The Army has now agreed to the revocation at a date mutually satisfactory, and is prepared to sell the building on the property to the Air Cadets.

Representatives of the Air Cadets have indicated they are prepared to acquire and rehabilitate the building, providing they can lease the property from the Corporation for \$1.00 per year to July 1, 1976.

The Cadets have also asked the municipality to waive the annual rental and the taxes which would accrue against the property.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That Council accept the consent of the Salvation Army to the revocation of the lease the Army enjoys for the property known as 6564 Royal Oak Avenue and agree to re-let the property to No. 637 Squadron of the Royal Canadian Air Cadets."

CARRIED UNANIMOUSLY

*

A question was raised as to the progress being made in the study of land being developed in the municipality for mobile homes.

The Municipal Manager was asked to submit a report indicating the situation in that regard.

*

His Worship, Mayor Prittie stated that Mr. E. J. Williams had enquired as to whether Council would like the refurbished model of a proposed Bernet Beach development displayed in the foyer of the Municipal Hall.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That His Worship, Mayor Prittie, be authorized to arrange for the display of the refurbished model of a proposed Bernet Beach development in the foyer of the Municipal Hall."

CARRIED UNANIMOUSLY

*

Landlord/Tenant Grievance Committee submitted a report outlining the results of its meeting on October 29th when it dealt with two complaints involving apartments at 5166 Halifax Street and 6695 Dunblane Avenue.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILY:
"That this report be received and tabled for one week in order
that each member of Council can have an opportunity to examine
the report."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

* * *

B Y - L A W S

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That leave be given to introduce:

"BURNABY TAX INTEREST BY-LAW 1969"

#5618

"BURNABY BUDGET AUTHORIZATION BY-LAW 1969, AMENDMENT BY-LAW
1969"

#5619

"BURNABY ROAD CLOSING BY-LAW NO. 11, 1969"

#5590

and that they now be read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That:

"BURNABY TAX INTEREST BY-LAW 1969"

"BURNABY BUDGET AUTHORIZATION BY-LAW 1969, AMENDMENT BY-LAW 1969"

"BURNABY ROAD CLOSING BY-LAW NO. 11, 1969"

be now read a Third Time."

CARRIED UNANIMOUSLY

*

BURNABY TAXATION EXEMPTION BY-LAWS NOS. 1 to 7 INCLUSIVE, 1969, BURNABY TAXATION EXEMPTION BY-LAWS NOS. 9 to 12 INCLUSIVE, 1969 and a number of resolutions dealing with tax exemptions, were withdrawn from the Agenda.

*

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1969" #5558

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 17, 1967" #5111

be now reconsidered."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1969 provides for the following proposed rezoning:

Reference RZ #46/68 and 46/68A

FROM RESIDENTIAL DISTRICT (R1) AND SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Portions of:

D.L. 4 -- (Located East of Bull Avenue between Loughheed Highway and Government Road, having an area of approximately 15.6 acres and 3782 Keswick Avenue)

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

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1969"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 17, 1967"

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

CARRIED UNANIMOUSLY

*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That leave be given to introduce:

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 54, 1969" #5594
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 55, 1969" #5595
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 56, 1969" #5596
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 57, 1969" #5597
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 58, 1969" #5598
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1969" #5599
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 60, 1969" #5600
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 61, 1969" #5601
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 62, 1969" #5602
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1969" #5603
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1969" #5604
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 66, 1969" #5606
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 68, 1969" #5608
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 72, 1969" #5612
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 73, 1969" #5613
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 67, 1969" #5607
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1969" #5610
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 65, 1969" #5605
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 71, 1969" #5611

and that they now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY :

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That the Council do now resolve into a Committee of the Whole to consider and report on the By-laws."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 54, 1969 provides for the following proposed rezoning:

Reference RZ #13/69

FROM RESIDENTIAL DISTRICT FOUR (R4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Lots 1, 2, 3 and 4, Block 80, D.L. 127, Plan 4953

(350, 360, 380 Howard Avenue -- Located at the South-East corner of Capitol Drive and Howard Avenue)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 55, 1969 provides for the following proposed rezoning:

Reference RZ #42/69

FROM RESIDENTIAL DISTRICT FOUR (R4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Lots 11 to 15 inclusive, Block 80, D.L. 127, Plan 4953

(331 to 381 Ellesmere Avenue inclusive -- Located on the West side of Ellesmere Avenue Southward from Capitol Drive a distance of approximately 340 feet)

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)

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

(6291, 6275, and 6257 Royal Oak Avenue, 5149 and 5129 Newton Street -- Located at the North-West corner of Royal Oak Avenue and Newton Street with frontages of 150 feet and 245 feet respectively)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 57, 1969 provides for the following proposed rezoning:

Reference RZ #17/69

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

- (i) Lot 1, Block 8, D.L. 116, Plan 1236
- (ii) Lot 2, Block 8, D.L. 116N½, Plan 1236
- (iii) Lot 3, Block 8, D.L. 116/186, Plan 1236
- (iv) Lot 4, Block 8, D.L. 116, Plan 1236

(306 Boundary Road, 3706, 3724 and 3734 Albert Street -- Located at the South-East corner of Boundary Road and Albert Street)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 53, 1969 provides for the following proposed rezoning:

Reference RZ #21/69

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

- (i) Lots 14 and 17, Block 4, D.L. 116, Plan 1236
- (ii) Lots 15 and 18, Block 4, D.L. 116/186, Plan 1236
- (iii) Lot 16, Block 4, D.L. 116 N, Plan 1236

(4001 - 4051 Albert Street inclusive -- Located at the North-East corner of Albert Street and MacDonald Avenue)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1969 provides for the following proposed rezoning:

Reference RZ #23/69

FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL

- (i) Lots 10, 11, 12N½, 17 and 18, Block 13, D.L.'s 151/3, Plan 2660 DISTRICT THREE (RM3)
- (ii) Lots 1, 2 and 3, S.D. "C", Block 13, D.L.'s 151/3, Plan 4991
- (iii) Lot "D", S.D. "C", Block 13, D.L.'s 151/3, Plan 4979
- (iv) Lot 19, Block 13, D.L. 153, Plan 2660

(6132 - 6192 Willingdon Avenue inclusive and 6131 - 6179 Cassie Avenue inclusive -- Located between Willingdon Avenue and Cassie Avenue North from the B. C. Hydro and Power Authority right-of-way a distance of 338 feet)

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

FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)
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 16A, 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)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 61, 1969 provides for the following proposed rezoning:

Reference RZ #29/69

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

Lots 13 and 14, Block 1, D.L. 121/187, Plan 1354

(4137 and 4145 Albert Street -- Located on the North side of Albert Street from a point 198 feet West of Carlton Avenue Westward a distance of 132 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 62, 1969 provides for the following proposed rezoning:

Reference RZ #50/69
FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

- (i) Lot 4, Block 52, D.L. 30, Plan 4098
- (ii) Lots 5 and 6, Blocks 51/52, D.L. 30, Plan 4098

(7337 Hubert Street, 7425 and 7435 Kingsway -- Located at the North-West corner of Kingsway and Hubert Street)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1969 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, 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)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1969 provides for the following proposed rezoning:

Reference RZ #43/69 -- Part I

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

The Northerly portions of:

- (i) Lot 2 W 200 feet Ex. Pt. on Plan 21113 & Ex. Ref. Pl. 30248, D.L. 119W½, Plan 206
- (ii) Lot "C" Ex. Ref. Pl. 30248, Block 2 Pt. D.L. 119 W½, Plan 11285

(4219 and 4247 Lougheed Highway -- a 60 foot strip parallel to the South side of Douglas Road)

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

Reference RZ #43/69 -- Part II

The Northely portions of:

- (i) Lots "A", "B" and "C", S.D. 1, Block 3, D.L. 120, Plan 13545
- (ii) Lot "A", Expl. Pl. 9664, S.D. 2, Block 3, D.L. 120, Plan 3482
- (iii) Lot 3 Ex. Parcel "A", Expl. Pl. 9664, Block 3, D.L. 120, Plan 3482
- (iv) Lot "A", S.D. 4, Block 3, D.L. 120, Plan 9309
- (v) Parcel 1, Expl. Pl. 12387, R.S.D. "B", S.D. 4, Block 3, D.L. 120, Plan 9309

(1691 - 1785 Douglas Road inclusive - A 60 foot strip parallel to the South side of Douglas Road East from Gilmore Avenue a distance of approximately 780 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 66, 1969 provides for the following proposed rezoning:

FROM RESIDENTIAL DISTRICT FIVE (R5) AND COMMUNITY COMMERCIAL DISTRICT (C2) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT ONE (RM1)

Reference RZ #35/69

Lot 6 except N. 20 feet, Block 2, D.L. 205, Plan 3328

(5958 Hastings Street -- Located on the South side of Hastings Street, from a point 261 feet West of Fell Avenue, Westward a distance of 165 feet, and a depth of 339 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 68, 1969 provides for the following proposed rezoning:

FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT ONE (RM1) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT TWO (RM2)

Reference RZ #108/68

Lot 18, Block 18, D.L. 29, Plan 19194

(7455 - 13th Avenue -- Located on the Northerly side of 13th Avenue from a point approximately 138 feet North-East of Kingsway, North-Eastward a distance of 124 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 72, 1969 provides for the following proposed rezoning:

Reference RZ #48/69

FROM MANUFACTURING DISTRICT (M1) TO COMMUNITY COMMERCIAL DISTRICT (C2)

- (i) Lot 1 Expl. Pl. 21763, S.D. 4, Block 5, D.L. 206, Pl. 1684
- (ii) Lots 2 and 3, S.D. 4, Block 5, D.L. 206, Plan 1684

(6805, 6811 and 6851 Hastings Street -- Located on the North side of Hastings Street between Clare Avenue and Duncan Avenue)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 73, 1969 provides for the following proposed rezoning:

Reference RZ #66/69

FROM SPECIAL INDUSTRIAL DISTRICT (M4) TO SERVICE COMMERCIAL DISTRICT (C4)

Lot 26, D.L. 94, Plan 720

(5485 Lane Street -- Located on the North side of Lane Street from a point approximately 396 feet West of MacPherson Avenue; Westward a distance of 132 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 67, 1969 provides for the following proposed rezoning:

Reference RZ #69/69

FROM RESIDENTIAL DISTRICT FIVE (R5) AND COMMUNITY COMMERCIAL DISTRICT (C2) TO PARKING DISTRICT (P8)

- (i) Lots 3 to 6 inclusive and 29, Block 24, D.L.'s 151/3, Plan 2001
- (ii) Lots 30, 31 and 32, Block 24, D.L. 152, Plan 2001

(6430 - 6490 Fern Avenue inclusive and 6507 - 6543 Lily Avenue inclusive -- Located between Fern Avenue and Lily Avenue, from a point approximately 335 feet South-Westerly from the South corner of Nelson Avenue and Fern Avenue, South-Westerly a distance of 264 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1969 provides for the following proposed rezoning:

Reference RZ #63/69

FROM COMMUNITY COMMERCIAL DISTRICT (C2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Lots 1 and 2 $\frac{1}{2}$, Block 13, D.L. 158 E $\frac{1}{2}$, Plan 1908

(7724 Royal Oak Avenue and 5216 Neville Street -- Located at the South-East corner of Royal Oak Avenue and Neville Street)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 65, 1969 provides for the following proposed rezoning:

Reference RZ #66/69

FROM RESIDENTIAL DISTRICT FIVE (R5) TO PARKING DISTRICT (P8)

- (i) Lot 4, S.D. 3, Block 12, D.L. 95, Plan 1796
- (ii) Lot 5, R.S.D. 3, S.D. 11/13, Blocks 1/3, D.L. 95, Plan 1796

(7264 and 7250 Arcola Street -- Located on the South side of Arcola Street from a point 132 feet West of Walker Avenue, Westward a distance of 132 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 71, 1969 provides for the following proposed rezoning:

Reference RZ #9/69

FROM SERVICE COMMERCIAL DISTRICT (C4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Lot "A", S.D. 2, Block 31, D.L. 152, Plan 3627

(6511 Royal Oak Avenue -- Located on the South side of Kingsway between Burlington Avenue and Royal Oak Avenue, with an area of 1.06 acres)

Block Bros. Realty Ltd. submitted a letter in connection with Amendment By-law No. 54, 1969 (RZ # 13/69) advising that, contrary to an indication provided by the Company earlier, the owners of the properties involved wish to proceed with the rezoning proposal.

The owners of the subject Lots 2, 3 and 4 also submitted a letter confirming their desire to proceed with the rezoning proposal covered by Amendment By-law No. 54, 1969

*

Lando and Company, Barristers and Solicitors, submitted letters from Mr. W. R. Lort, Architect, and Norburn Developments Ltd. relative to Amendment By-law No. 57, 1969 (RZ #17/69) in which they offered opinions supporting the rezoning proposal covered by the By-law.

The letter from Mr. Lort also suggested that a large comprehensive development for the site would be unsuitable.

Miss P. Mudrakoff also submitted a letter reiterating the points she made at the Public Hearing which was held in connection with the proposal under RZ #17/69 in opposition to the proposed rezoning.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN McLEAN:
"That BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 57, 1969 be abandoned."

CARRIED

AGAINST -- ALDERMEN HERD, MERCIER AND CLARK.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:
"That BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1969
be abandoned."

IN FAVOUR -- HIS WORSHIP, MAYOR
PRITTIE, ALDERMEN BLAIR,
LADNER AND DAILLY

AGAINST -- ALDERMEN McLEAN,
MERCIER, DRUMMOND,
CLARK AND HERD

MOTION LOST

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That the meeting extend beyond the hour of 10:00 p.m."

CARRIED

AGAINST -- HIS WORSHIP, MAYOR
PRITTIE, ALDERMEN DRUMMOND
AND CLARK

ALDERMAN DRUMMOND LEFT THE MEETING.

Planning Director stated that his Department would be submitting a further report on a request of the applicant for the rezoning covered by Amendment By-law No. 72, 1969 (RZ #48/69) that he be allowed to consolidate the three properties and resubdivide them into two sites rather than one.

Planning Director also stated that the intending developer of the site covered by Amendment By-law No. 56, 1969 (RZ #134/68) had written to indicate it would be impractical to proceed with the consolidation of the five lots involved and the closing of the lane separating them, and therefore wished to have Council advance the rezoning of Lots 4 and 5 only at this time.

Municipal Clerk stated that the legal firm representing the applicant for the rezoning proposal covered by Amendment By-law No. 67, 1969 (RZ #69/69) had asked that Council hold another Public Hearing on this proposal because the Notice of the last Hearing did not indicate that a copy of the proposed By-law could be inspected at the Office of the Municipal Clerk, as is required by Section 703(2)(c) of the Municipal Act.

ALDERMAN DAILLY LEFT THE MEETING.

Attention was drawn to the fact that the plan of development for the land covered by Amendment By-law No. 70, 1969 (RZ #63/69) had not yet been produced and, because this must be done before a Public Hearing is held on any proposal to rezone land to Comprehensive Development District (CD), it will be necessary to arrange another Public Hearing for this proposal after the development plan is presented.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That a new Public Hearing be held in connection with the rezoning proposal covered by Amendment By-law No. 70, 1969 after the proposed plan of development for the property is submitted."

CARRIED UNANIMOUSLY

Nov/3/1969

McCan Franchises Ltd. submitted a letter in connection with Amendment By-law No. 65, 1969 (RZ #68/69) advising that its application to rezone the property involved to Parking District (P8) was being withdrawn because the options to purchase the properties have not been renewed.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 65, 1969 be abandoned."

CARRIED UNANIMOUSLY

Block Bros. Realty Ltd. submitted a letter relating to the rezoning proposal covered by Amendment By-law No. 71, 1969 (RZ #9/69) requesting that the application be withdrawn because the owner of the property involved does not wish to proceed with its sale for redevelopment in accordance with the RM3 category.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:
"That BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 71, 1969 be abandoned."

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND RETURNED TO THE MEETING.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:
"That the Committee now rise and report on BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 57, 1969."

CARRIED

AGAINST --ALDERMAN HERD

THE COUNCIL RECONVENED.

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

CARRIED

AGAINST -- ALDERMAN HERD

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:
"That the Council now resolve itself into a Committee of the Whole to consider further and report on BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1969."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That the Committee now rise and report progress on BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 63, 1969."

CARRIED

AGAINST -- ALDERMEN LADNER, AND
BLAIR

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

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

CARRIED

AGAINST -- ALDERMEN LADNER
AND BLAIR

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

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

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 54, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 55, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 56, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 58, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 60, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 61, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 62, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 66, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 68, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 72, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 73, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 67, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 65, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 71, 1969"

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:

"That the Committee now rise and report on:

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 65, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 71, 1969"

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:

"That the Committee now rise and report progress on:

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 54, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 55, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 56, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 58, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 60, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 61, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 62, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 66, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 68, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 72, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 73, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 67, 1969"

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

* * *

ALDERMAN DAILLY RETURNED TO THE MEETING

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:

"That leave be given to introduce:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 53, 1969" #5593

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 69, 1969" #5609

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 74, 1969" #5614

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 75, 1969" #5615

and that they now be read a First Time."

CARRIED UNANIMOUSLY

ALDERMAN LADNER LEFT THE MEETING.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILLY:

"That the Council do now resolve into a Committee of the Whole to consider and report on the By-laws."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 53, 1969 provides for the following proposed rezoning:

Reference RZ #55/69

FROM RESIDENTIAL DISTRICT ONE (R1) TO PARK AND PUBLIC USE DISTRICT (P3)

- (i) Parcel "A", Expl. Plan 34304, Block 1, D.L. 85, Plan 3484
- (ii) Parcel 2, Ref. Plan 35549, Parcel "A", D.L. 85

(Located between the Westerly property lines of 5195 and 5255 Sperling Avenue and the Easterly shoreline of Deer Lake irregularly shaped with an area of approximately 0.85 acres)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 69, 1969 provides for the following proposed rezoning:

Reference RZ #36/69

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

Lot "G", Expl. Plan 13465, D.L. 30, Plan 11071

(6984 Linden Avenue - Located on the East side of Linden Avenue from a point approximately 128 feet South of Elwell Street, Southward a distance of 60 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 74, 1969 provides for the following proposed text amendment:

- (a) The addition of the following definition to Section 3 (Definitions) of the Zoning By-law:

"DIESEL FUELING INSTALLATION" means any building or land used or intended to be used for the sale of diesel fuel and lubricants to commercial vehicles and industrial equipment, but shall not include a gasoline service station.

- (b) The addition of "diesel fueling installations" as a sub-clause to Clause (i) of Section 401.1 (Uses Permitted in the M1 District):

(p) "Diesel Fueling Installations".

(This will automatically permit this use in the M2 and M3 Districts)

- (c) The addition of "Diesel Fueling Installations" as a sub-clause to Clause (i) of Section 404.1 (Uses Permitted in the M4 District):

(m) "Diesel fueling installations":

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 75, 1969 provides for the following text amendment:

Section 204.2 - Conditions of Use: (R44 District)

The deletion of Clause (2) of Section 204.2 which is that:

"All required off-street parking spaces shall be provided in or beneath a principal building (excluding an accessory building which has become a part of the principal building by reason of its attachment to the principal building), or underground (where the roof of the underground parking area is not above the adjacent finished grade).

Nov/3/1969

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 53, 1969"
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 69, 1969"
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 74, 1969"
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 75, 1969"

be now read a Third Time."

CARRIED UNANIMOUSLY

ALDERMAN LADNER RETURNED TO THE MEETING.

Nov/3/1969

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

CARRIED UNANIMOUSLY