

OCTOBER 6, 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, October 6, 1969 at 7:00 pm.

PRESENT:

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

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That the Minutes of the September 22, 1969 meeting be amended by showing Alderman Mercier as being present; and these Minutes, as just amended, plus the Minutes of the meeting held on September 24, 1969 be adopted."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

Reference RZ #17/69

(a) Mr. C. R. Briscoe of Norburn Developments Ltd. submitted a letter requesting an opportunity to appear before Council in connection with an application to rezone Lots 1 to 4 inclusive, Block 8, D.L.'s 116/186, Plan 1236 to Multiple Family Residential District Three (RM3).

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That Mr. Briscoe be heard."

CARRIED UNANIMOUSLY

Mr. Briscoe then spoke and made the following points in his presentation:

(a) Norburn Developments Ltd. has:

(i) entered into contracts.

(ii) purchased the subject property in good faith.

(iii) had plans for the development prepared.

(iv) been requested by the Planning Department to revise the plans.

(v) had deposits connected with the rezoning proposal accepted.

and is now informed that the application has been rejected.

- (b) A building permit was obtained for apartment construction on property in the 3800 Block Albert Street.
- (c) Had the Company been notified when it was presenting plans of the development for the subject property that the rezoning would not be supported, it could at least have cancelled the mortgage arrangements and not completed the purchase of the property. Because such notification was not received, the Company is now left with over \$100,000.00 in property that is unsaleable.
- (d) Thieves have gutted the existing structures on the lots so they are not habitable and mortgage money is not available for a larger structure than that presently envisaged.
- (e) The plans for the development certainly provide for a good use of the property as a residential development, and appear to be in harmony with the present policy.
- (f) It is understood that the Council's new policy respecting apartment development is to become effective on January 1, 1970.
- (g) The Company feels it is being treated unfairly by being denied the rezoning because it has complied with the requests of the Planning Department throughout the entire process which has evolved since the application was made for the rezoning.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN DAILY:

"That Item (5) of the Municipal Manager's Report No. 62, 1969, which is on the Agenda this evening and which deals with the subject of the presentation by Mr. Briscoe, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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

- (5) Lots 1 to 4 inclusive, Block 8, D.L.'s 116/186, Plan 1236
REFERENCE REZONING #17/69

The Planning Director submitted a report to Council on September 29th recommending that:

- (a) The rezoning of the above described properties to RM3 not be approved.
- (b) The applicant be encouraged to assemble a through site between Hastings Street and Albert Street, and to consider a more intensive Comprehensive-type development.

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A motion was introduced to approve the application for further consideration and to advance it to a Public Hearing. This motion was lost.

That action can be construed as an adoption of the first recommendation of the Planning Director but, since no motion was made to adopt all of the recommendations, there is uncertainty as to the Council's wishes with respect to the second recommendation of the Planning Department.

Miss P. Mudrakoff addressed Council that evening on the rezoning proposal and expressed her objection to the apartment development planned for the property.

Alderman Herd also expressed concern over the fact that a developer had proceeded with the preparation of preliminary plans for apartment development, even though no guarantees on the rezoning could be given to him.

In order that the matter may be clarified, and those concerned with the rezoning proposal can be properly notified, the matter was being returned to Council for a positive decision on the second recommendation of the Planning Director.

The Council then considered the points made by Mr. Briscoe and, in that regard, noted the following summary outlining the significant things which developed as a result of the application being made to rezone the property:

February 21, 1969 - The Architect started the preparation of plans for the development.

March 20, 1969 - The letter of application from Block Bros. to the Municipal Clerk was submitted.

March 21, 1969 - The letter was received by the municipality.

March 24, 1969 - The Planning Department acknowledged the application from Block Bros. and requested reasons in support of the application.

March 24, 1969 - Another letter was received from the Planning Department advising that the application was being examined and a report on it would be submitted to Council.

March 27, 1969 - A letter was submitted to the Planning Department giving reasons in support of the application.

May 14, 1969 - Preliminary plans were presented to the Planning Department, along with \$25.00 for the rezoning fee.

June 18, 1969 - Major revisions in the plans pertaining to the location of the lobby were completed and presented to the Planning Department, as requested by it.

June 20, 1969 - To avoid the collapse of purchase arrangements for the property, the lot at the corner of Boundary Road and Albert Street, which contains a duplex, was bought.

July 8, 1969 - \$25.00 was paid for processing a building permit or preliminary plan approval.

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- July 23, 1969 - The Building Department requested a consolidation plan.
- July 24, 1969 - This consolidation plan was delivered.
- Septmeber 5, 1969 - The purchase of the properties was completed.
- September 9, 1969 - Further revisions were made in the plans for the venting and garbage chutes, and they were presented to the Building Department.
- September 9, 1969 - Structural drawings were delivered to the Building Department.

The Planning Director stated that, though the dates provided by Mr. Briscoe were probably correct, the itemization was not complete and therefore did not reflect all of the events which transpired in connection with the matter at hand.

He pointed out that his Department accepts applications for preliminary plan approval of any development in order to expedite the processing of them after land is rezoned.

He also remarked that Mr. Auld in his Department had advised the applicant in either March or April, 1969 to not proceed past the application stage. Mr. Lort, the Architect, was also informed, according to the Planning Director, of the status of the rezoning application in relation to Council's decision respecting applications for rezoning properties in the municipality to Multiple Family Residential District Three (RM3).

The Planning Director stated as well that a member of his Department spoke to a representative of Lort and Lort, Architects, regarding the regulations aspect of the development planned.

He pointed out that the Planning Department submitted its report on the Apartment Study to Council in July.

He also mentioned that Mr. Armstrong of his Department had written to Miss P. Mudrakoff, 3743 Albert Street, last summer to explain the status of the rezoning proposal under discussion.

Mr. Briscoe then commented that a mortgage is not available for a higher density use than that planned by his Company for the property.

As a result of a suggestion that the Planning Department should have informed the applicant of the possibility of his proposal not being approved, the Planning Director stated that it is the policy of Council that his Department not reveal anything which is still being studied, or where no decision has been made by Council. He pointed out that, in the case at hand, his Department could only mention the fact that it was conducting an apartment study but could not disclose any of the details in connection with the matter.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
 "That the application to rezone Lots 1 to 4 inclusive, Block 8, D.L.'s 116/186, Plan 1236 to Multiple Family Residential District Three (RM3) be approved for further consideration and this proposal be advanced to a Public Hearing, with it being made clear that this in no way is to be construed as a commitment on the part of Council to proceed with the rezoning proposal."

CARRIED
 AGAINST -- ALDERMAN DAILLY

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ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Reverend James Erb of the Fraserview United Church submitted a letter requesting permission to hold a Walkathon on Sunday, October 19, 1969 along the route outlined in his letter.

Inspector J. E. Gibbon, Officer-in-Charge, Burnaby Detachment, R.C.M.P., submitted a letter in connection with the request from the Fraserview United Church in which he drew the attention of the Church to the requirements of the municipality, the Provincial Department of Highways, and the R.C.M.P., in respect of Walkathons.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That the Fraserview United Church be granted permission to conduct its Walkathon on the date indicated and along the route outlined in its letter, subject to:

- (a) The approval of the R.C.M.P.
- (b) The Provincial Department of Highways having no objection to the use of any arterial highways which may be involved."

CARRIED UNANIMOUSLY

Mr. Alfred Bingham submitted a letter:

- (a) expressing appreciation for the asphalt sidewalk which has been built on Gilmore Avenue off Parker Street.
- (b) offering his opinion on the international financial situation and its possible effect on the municipality.

Mrs. Anna Greer wrote to request that, if the area adjacent to her home at 6519 Silver Avenue is rezoned for Multiple Family use, she be given the opportunity to repurchase the property for the amount the Corporation paid her when the land was purchased approximately two years ago.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That a decision on the request from Mrs. Greer be deferred until receipt of a report from the Planning Department relating to the extent of the park development situation in the area to which Mrs. Greer makes reference, as more particularly detailed in a resolution arising from the September 29, 1969 Council meeting."

CARRIED UNANIMOUSLY

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Mr. P. N. McConnachie wrote to request that Council enact a By-law to prohibit persons from smoking in food stores.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That this request be referred to the Municipal Manager for a report on whether the municipality has the power to enact legislation such as that requested."

CARRIED UNANIMOUSLY

HIS WORSHIP, MAYOR PRITTIE, mentioned that he had received two letters and a phone call indicating concurrence with a proposal that the area bounded by Barnet Highway, Duthie Avenue, Hastings Street and Pandora Street be designated for future apartment development.

He advised that these submissions would come forward when the subject matter is again considered by Council.

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TABLED MATTERS

The following items were then lifted from the table:

(a) Rezoning Procedure

MOVED BY ALDERMAN HERS, SECONDED BY ALDERMAN BLAIR:
"That this matter be retabled until the October 14, 1969 Council meeting."

CARRIED UNANIMOUSLY

(b) Railway Crossing at Barnet Beach

Item (1) of the Municipal Manager's Report No. 60, 1969, which deals with this matter, was brought forward.

Mr. E. Morgan Williams submitted a letter in which he offered his opinion on the question of the municipality developing the Barnet Beach area.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the letter from Mr. Williams be received."

CARRIED UNANIMOUSLY

The report of the Municipal Manager to which reference is made above, including the attachment to it, was then considered.

A suggestion was made that the Council should arrange for the improvement of a 30 acre site in the Barnet Beach Area by filling the land with unwanted brick and concrete material so that the land could be made more useable.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:

"That an application be made to the Railway Transport Committee of the Canadian Transport Commission for a level crossing of the Canadian Pacific Railway tracks at Barnet Beach and, before preparing the formal application, the Parks and Recreation Commission indicate precisely where the crossing, which is to accommodate both vehicular and pedestrian traffic, should be built."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That a Public Hearing be held on Tuesday, October 28, 1969 commencing at 7:30 p.m. in the Council Chambers of the Municipal Hall to receive representations in connection with the various rezoning proposals which Council has recently approved for further consideration."

CARRIED UNANIMOUSLY

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R E P O R T S

MUNICIPAL CLERK submitted Certificates of Sufficiency for the paving of the following lanes:

- (a) Lane South of and parallel to Armstrong Avenue from Taylor Place to a point 40 feet East of the West property line of Lot 4, Block 1, D.L. 13, and the lane North of and parallel to Karrman Avenue from the West property line of Lot 32, Plan 17741 to a point 40 feet East of the West property line of Lot 42, Plan 17751, all of Block 1, D.L. 13.
- (b) Lane in the blocks bounded by Boundary Road, Nithsdale Street, Smith Avenue and Elmwood Street.
- (c) Lane between Burnlake Drive and Winlake Crescent extending East from Winlake Crescent to Western boundary Lot "B", except reference plan 31802, Block "C", D.L. 40, Plan 5207.
- (d) Lane East of Elsom Avenue extending from Bond Street to Sardis Street.
- (e) Lane bounded by Emerson Street, Brantford Avenue, Strawson Street and Walker Avenue.
- (f) Lane bounded by Fir Street, Smith Avenue, Wakefield Court, Moscrop Street and Boundary Road.

- (g) Lane South-East of Imperial Street between Linden and Fulton Avenues, extending from Imperial Street to the South-East property line of Lot 14.
- (h) Lane South of Parker Street between Carleton Avenue and Madison Avenue.
- (i) Lane bounded by Portland Street, Joffre Avenue, Carson Street and Boundary Road.
- (j) Lanes in the block bounded by 17th Avenue, Cumberland Street, 16th Avenue and Wright Street.
- (k) Lane from the Southern boundary of Lots 88 and 89, D.L. 93, Plan 28881 Southwards, and Eastwards to Randolph Avenue.
- (l) Lane running parallel with 10th Avenue, South of Canada Way, with two links running into 10th Avenue.
- (m) Lane South of Union Street extending from Gamma Avenue to Delta Avenue.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That the above Certificates of Sufficiency from the Municipal Clerk be received."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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ALDERMAN BLAIR submitted a report outlining the activities of the Burnaby General Hospital for the two months ending September 30, 1969.

The Council noted when considering the report of Alderman Blair, that the Hospital Board had appointed Mr. A. W. E. Pitkethley as a consultant for new construction planning at a rate of \$125.00 per day plus expenses.

A suggestion was made that the Architect engaged for the new construction work should be responsible for all consulting services and therefore the Hospital Board should not be required to retain someone else.

Alderman Blair was asked to provide Council with an explanation of the situation mentioned.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:
"That the report dealing with general activities of the Burnaby General Hospital be received."

CARRIED UNANIMOUSLY

ALDERMAN LADNER reported verbally, as follows, in connection with the subject of Air Pollution:

- (a) On September 24, 1969, the Greater Vancouver Regional District agreed to accept air pollution control as one of its functions and indicated it will request the Provincial Government to amend the Letters Patent for the District accordingly.
- (b) This action immediately raises the question of the future of Council's Air Pollution Committee, of which he is the Chairman.
- (c) Air pollution is one of those problems that can only be handled effectively by the Senior Governments. What may have seemed an apparent inaction of the Air Pollution Committee is only symptomatic of the reasons for this.
- (d) The only firm recommendation the Committee has made to Council has been with respect to open air burning. This aspect of the total problem may seem inconsequential but it is something that can be dealt with effectively with the limited resources at the disposal of the municipality.
- (e) The problem is that, to deal effectively with the more consequential aspects of pollution, much more in the way of knowledge and resources than are immediately available must be obtained.
- (f) It would be a simple matter to recommend to Council that it simply pass a by-law similar to the one recently enacted by Vancouver; however, enough has been learned to realize that that by-law leaves a great deal to be desired in some area and does not deal at all with with some of Burnaby's problems or potential problems.
- (g) The matter of controlling and policing the control of air pollution is one requiring the mobilization of technology and money in quantities much greater than are at any individual municipality's disposal. There are people within the Province with the basic necessary knowledge but they are scattered.
- (h) The taxpayers in the Province are, it is felt, willing to spend the necessary money but there is no focal point in which to direct their efforts or co-ordinate them. Even within the Provincial Government the Department of Health and the Department of Lands, Forests and Water Resources appear to be at odds. The only research of which he has knowledge within the Province is being financed by a grant from the Federal Government.
- (i) It was because of the inaction of the senior governments and the uncertainty of the position of the Regional District that the formation of the Air Pollution Committee was suggested.
- (j) It had been intended in August to recommend to the Committee, and then to Council, that the municipality approach the Minister of Health requesting him to form a Committee of experts to assist municipalities in the preparation of Air Pollution Control By-laws and to make available its laboratories for enforcement purposes. However, it then appeared the Regional District was taking some action and the Chairman of the Special Committee of the

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District asked that any recommendations the Burnaby Committee proposed be held in abeyance.

- (k) There is no point in duplicating the efforts of the Regional District.
- (l) It is better that the Regional District deal with the problem of air pollution than one municipality individually.
- (m) The action of the Regional District to date has not been impressive and it may be that the District is spreading itself too thinly. It appears, however, that the District may now be taking some effective action in the area of air pollution control. If it is, Burnaby ought to support the District as being second best to senior government control.

Alderman Ladner concluded by recommending that Council authorize the Air Pollution Committee, or a representative of it, to meet with the Committee of the Regional District to determine, with certainty:

- (a) What action the District intends to take with respect to the question of air pollution controls.
- (b) How the Council can best support the District in its efforts to obtain results in connection with the matter in the quickest possible way.

His Worship, Mayor Prittie stated that he had arranged for the Chairman of the Air Pollution Control Committee, Alderman H. G. Ladner, to join with the Regional District in a personal interview with appropriate representatives of the Provincial Government for the purpose of seeking clarification of the District's responsibility, and determining the precise financial arrangements, on the matter of air pollution controls in the area embraced by the District.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:
"That the recommendation in the report from Alderman Ladner be adopted."

CARRIED UNANIMOUSLY

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HIS WORSHIP, MAYOR PRITTIE, submitted a Progress Report on the subject of the proposed joint application by Burnaby and New Westminster for the next Canada Summer Games.

His report contained the following points:

- (a) It has been established that the Games will be held in 1973.
- (b) The Council authorized the Recreation Director for the municipality, Mr. Gordon Squire, to attend the Games in Halifax and Dartmouth. Mr. Squire obtained much valuable information on the organization and operation of the Games from interviews with the Mayor of Halifax and members of the Games Society plus officials in charge of the events.

- (c) The Council will recall that it has been proposed that events such as rowing and canoeing would be held on Burnaby Lake. Members of the staff are in the process of obtaining the costs of the necessary dredging of the lake.
- (d) In the case of Halifax - Dartmouth, the capital costs were approximately \$1,000,000.00. The Province of Nova Scotia contributed one-third and the remainder was provided by the two municipalities.
- (e) It is felt that the costs of developing Burnaby Lake to Games standards would require greater amounts by senior governments than that provided in Halifax-Dartmouth. These additional sums would likely need to come from the Provincial Government and private sources.
- (f) At the last meeting of the Joint Committee Chaired by Mayor Evers of New Westminster and himself, a number of citizens who might form the nucleus of a Summer Games Society were invited. Those present agreed that a Society should be organized and that it should give immediate attention to the question of how the necessary capital funds might be obtained.
- (g) The organization of the Society will take place very shortly. One of its first tasks will be to investigate sources of funds beyond the expected one-third from each of the senior governments.

His Worship, Mayor Prittie, concluded by requesting Council to approve in principle the formation of a Games Society which will compile detailed information on costs and revenues for a possible joint application by Burnaby and New Westminster.

Mr. Squire, the Recreation Director, was present and elaborated on the points made in the report of His Worship, Mayor Prittie regarding the Games in Halifax-Dartmouth.

He emphasized that the Games Council requires more than local governmental participation, and this is why a society such as that suggested by His Worship should be formed so that no segment of the community is not allowed to become involved in the programme for the Games.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That Council approve in principle the formation of a Summer Games Society on the basis that the opportunity of membership in it will be open to everyone, with it being understood that the Society will, after it is created, compile detailed information on costs and revenues to support a possible joint application by Burnaby and New Westminster to host the 1973 Canada Summer Games."

CARRIED UNANIMOUSLY

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ALDERMAN BLAIR submitted a Notice of Motion relating to the subject of garbage disposal, as follows:

"WHEREAS Council has seen fit to engage the services of Terra Nova Development Ltd. for the disposal of garbage in the municipality for the purpose of allowing the present dump on Stride Avenue to be developed in conjunction with adjacent lands for industrial purposes, and

WHEREAS this arrangement will entail considerable expense to the citizens of the municipality,

THEREFORE BE IT RESOLVED that Council and staff work diligently with the B. C. Hydro and Power Authority so that any redevelopment of the lands mentioned is undertaken in a tangible form within six months in order that the municipality can gain revenue to offset the additional costs which will be incurred as a result of the new arrangement for the disposal of garbage which has been outlined above."

It was directed that this Notice of Motion be brought forward for consideration at the October 14, 1969 Council meeting.

Alderman Clark suggested that Council should support Dr. Kenneth Strand, the Administrator for the Simon Fraser University, in his efforts to implement measures to control anarchic activities at the University.

Alderman Clark made the following points in support of his contention:

- (a) The people of Burnaby have a substantial vested interest in the University because of the financial contributions which were made when arrangements were being completed to establish the University.
- (b) Both the people of Burnaby and all others in the Province are, through taxation and other means, contributing toward the operation of the University and the expenditures being made should be directed toward improving the lot of the students attending the University, which should be to provide these students with an education that will ultimately benefit themselves and all other people.
- (c) In addition to the actual contribution made by the municipality itself, the situations which have developed over the past few years at the University as a result of some students attempting to exercise what they regard as their democratic rights, the Courts have been unnecessarily burdened by having to dispense justice in handling cases arising from the incidents involving the students.
- (d) If Council does not take a position in connection with the matter, this could be construed by the public as tacit resignation toward the situation at the University.

HIS WORSHIP, MAYOR PRITTIE, questioned the validity of Council dealing with a matter such as that broached by Alderman Clark.

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MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:

"That Council deal with the subject of the presentation by Alderman Clark concerning Simon Fraser University."

CARRIED

AGAINST -- MAYOR PRITTIE
ALDERMEN LADNER,
DAILLY AND BLAIR

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the subject of the presentation by Alderman Clark in connection with Simon Fraser University be tabled until the October 14, 1969 Council meeting."

CARRIED

AGAINST -- ALDERMEN CLARK
AND DAILLY

HIS WORSHIP, MAYOR PRITTIE, DECLARED A RECESS AT 9:10 P.M.

THE COMMITTEE RECONVENED AT 9:25 P.M.

* * *

MUNICIPAL MANAGER submitted Report No. 62, 1969 on the matters listed below as Items (1) to (17), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Local Improvement Financing By-laws

The Municipal Treasurer has written to advise of the options available to Council in disposing of surplus funds relating to Local Improvement works. As a result of this, it was being recommended that:-

- (a) The surplus funds in #5054 Burnaby Local Improvement Debenture By-law 1967 and #5181 Burnaby Local Improvement Debenture By-law No. 3, 1967 be applied to reduce the tax levies for the repayment of principle required by these by-laws in the year 1970.
- (b) The deficit in #5455 Burnaby Security Issuing By-law 1968 be charged to the debt levy for that By-law in the year 1970.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(2) Central Headquarters Fire Hall

It was being recommended that the tender of Allan Contracting Ltd. in the amount of \$24,364.00 for Alternative B relating to certain site work to be done preparatory to a tender call for the construction of the Central Headquarters Fire Hall be accepted.

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During consideration of this report from the Manager, the Chairman of the Fire Hall Building Committee, Alderman Clark, indicated that the Committee endorsed the recommendation of the Manager.

It was directed by Council that the Municipal Manager mention, in the future when reporting on matters associated with the Central Headquarters Fire Hall, whether the Fire Hall Building Committee concurs with the recommendation on such matters.

A discussion ensued on the matter of whether the site which has been selected for the Fire Hall is acceptable. In that regard, a statement was made that the Fire Chief does not favour the site because of anticipated difficulty in mobile fire equipment leaving the Hall and attempting to enter the stream of traffic on Canada Way.

It was mentioned that the Fire Chief wished a site at the corner of Sprott Street and Kensington Avenue, opposite the swimming pool, but this had been rejected by the Parks and Recreation Commission and the Planning Department.

It was drawn to the attention of Council that to change the location of the Fire Hall at this time would necessitate the expenditure of additional money.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILY:

"That the report from the Manager be tabled for one week to allow the Fire Hall Building Committee and the Mayor to review the question of selecting a site for the Central Headquarters Fire Hall with the Fire Chief."

IN FAVOUR -- ALDERMEN McLEAN,
DAILY, AND BLAIR

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

MOTION LOST

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:

"That the recommendations contained in the report of the Manager be adopted on the basis that the Fire Hall Building Committee endorses the selection of Allan Contracting Ltd. for the project indicated and that the excavating to be done will be according to the plan which has been prepared for the project."

CARRIED

AGAINST -- ALDERMAN McLEAN

(3) Lots 11 and 12, Block 56, D.L. 98, Plan 2066
ACTION LINE CHILDREN'S VILLAGE SOCIETY

The above Society, which is non-profit, is building a new Family Home on the above described properties, which are located on Victory Street at Dunblane Avenue.

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The land is leased from the municipality and the terms of the lease call for a payment equal to 1/12 of the annual taxes per month from April 1st, 1969, which amounts to \$527.04.

The Society has made the following two requests:

- (a) That the Corporation pass a tax exemption by-law on the property for the year 1970.
- (b) That the Council grant the Society an amount equal to the 1969 taxes owed by the Society for 1969 (\$527.04).

It was being recommended that:

- (a) The property in question be included in a by-law exempting it from taxation for the year 1970.
- (b) The Municipal Treasurer write off the amount owing by the Society on the property for taxes in 1969, which is \$527.04.

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

CARRIED UNANIMOUSLY

- (4) Easements - Portions of Lots 65, 191 and 192, D.L. 207, Plan 27610
SUBDIVISION REFERENCE NO. 24/69

It was being recommended that Council authorize the:

- (a) acquisition of easements over the above described properties, which are required for drainage and sewerage purposes, on the basis that there is no consideration payable by the Corporation.
- (b) execution of the documents attending the transactions.

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

CARRIED UNANIMOUSLY

- (5) Lots 1 to 4 inclusive, Block 8, D.L.'s 116/186, Plan 1236
REZONING REFERENCE NO. 17/69

(This item was dealt with previously in the meeting)

- (6) Block "A", D.L. 72, Plan 15514,
MOSCROP STREET WIDENING

It was being recommended that Council formally request the Burnaby School Board to convey a strip of property twenty feet wide from the captioned land, which is owned by the Board, in order to increase the road allowance of Moscrop Street West of Willingdon Avenue from 66 feet to 86 feet.

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If Council concurs, a meeting will be held on October 14th between officials from the Board and from the Corporation to discuss the matter.

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

CARRIED UNANIMOUSLY

(7) Watercourse - 7437 Burris Street (McKenzie)

The Manager reviewed the history of a controversy over the above property involving Mrs. McKenzie and the acquisition of easements by the Corporation to protect its interests. Objections had been raised by Mrs. McKenzie and the Corporation passed responsibility for any damage which might occur.

Two weaknesses were evident:

- (a) It was questionable whether the Corporation could successfully avoid liability, and
- (b) It did nothing to protect others who might suffer from difficulty in the watercourse in a heavy rain.

Recent rains had made the latter weakness become apparent.

A further action was then approved by the Council when the Manager had ordered the crews into the watercourse under appropriate sections of the Municipal Act. However there was physical interference by the owner and the forces withdrew.

A new approach was then examined and it was found that for the sum of \$20,000.00 it was possible to provide a storm sewer system which would bypass the problem portion of the watercourse and for an additional \$10,000.00 piping could be completed to Haszard Street. Easements required have been assured.

Three properties through which the watercourse passes would be affected as diversion would dry up this section of the watercourse, and it has been considered the safest approach by the Corporation would be to apply to the Provincial Comptroller of Water Rights for authority to divert water from it.

Under the circumstances, the Manager suggested that this advice should be followed and that the suggested application to the Comptroller of Water Rights for permission to divert water should be made.

If the application is approved the proposed diversion and piping was recommended by the Manager. If the application is denied the Corporation will have to re-access its legal position to determine a course of action to resolve this problem.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN LADNER:
"That the course of action recommended by the Municipal Manager concerning the diversion of storm water from the subject watercourse and the application to the Comptroller of Water Rights be adopted."

CARRIED UNANIMOUSLY

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ALDERMAN DRUMMOND LEFT THE MEETING.

(8) Lot 18, Block 18, D.L. 29, Plan 19194
REZONING APPLICATION NO. 109/68

The Planning Department has reported as follows on an application to rezone the above described property to Multiple Family Residential District Two (RM2):

- (a) The Council adopted a recommendation of the Department in December, 1968 that the application not be favourably considered.
- (b) The applicant subsequently appealed this decision of Council.
- (c) The Council took no action on the appeal but directed that the matter be returned after the revised apartment location policy had been considered. As this has now taken place, the appeal can come forward.
- (d) The earlier recommendation of the Department has been reviewed and it is being confirmed because the reasons are still considered valid. This is the same as the opinions expressed in the recent Apartment Study '69.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:

"That the application to rezone Lot 18, Block 18, D.L. 29, Plan 19194 to Multiple Family Residential District Two (RM2) be approved for further consideration and this rezoning proposal be advanced to a Public Hearing."

CARRIED

AGAINST -- ALDERMAN LADNER,
DAILY AND BLAIR

(9) Lane Pavings

A report of the Municipal Treasurer, which was prepared pursuant to Section 601 of the Municipal Act, dealing with a number of lane paving projects under the Local Improvement plan was being submitted.

The report covers the thirteen projects on which the Municipal Clerk submitted Certificates of Sufficiency earlier in the evening.

The total estimated cost of these thirteen projects is \$20,590.00 of which \$15,617.30 is the property-owners' share.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That the report be received."

CARRIED UNANIMOUSLY

(10) Lot 4, Block 24, D.L.'s 151/3, Plan 2001
(6450 Fern Avenue)

The above property is owned by the Corporation and has been rented to Mrs. C. A. Lavis for over 25 years.

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Though she was not the former owner of the property, according to available records, it is considered that she qualifies for consideration under the policy of Council to not disrupt the life of such tenants by virtue of her long tenancy.

The Planning Department has been working with Simpsons-Sears Ltd. for some time to assist in rounding out its site, more particularly to implement a land use pattern which benefits the Corporation and provides the skeleton for a "Town Centre" development.

The Company has applied to purchase the subject Lot 4.

It was being recommended that this Lot not be sold but that Council authorize its use as an instrument of exchange with Simpsons-Sears Ltd. to achieve the following:

- (a) No disruption to the tenant in the home on the property, Mrs. C. A. Lavis.
- (b) The ultimate road alignment which the Planning Department has been examining with the end in mind of assisting Simpsons-Sears Ltd. in "rounding out" its site for the purpose of evolving a land use pattern which would benefit the Corporation and provide a "skeleton" for the "Town Centre" concept for the area.
- (c) The municipality not being confronted with some ultimate acquisition at a higher price than currently prevails when endeavoring to implement the aforementioned "Town Centre" concept.

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

CARRIED UNANIMOUSLY

(11) Estimates

It was being recommended that the Special Estimates of Work in an attached report from the Municipal Engineer, which total \$167,260.00, be approved.

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

CARRIED UNANIMOUSLY

(12) Street Lights

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

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

CARRIED UNANIMOUSLY

(13) Report of Medical Health Officer

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

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:
"That this report be received."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

(14) Rental Accommodation Grievances

Mr. John W. Motiuk appeared before Council on September 29th to make a presentation concerning living conditions in an apartment complex at 5742 - 5932 Hastings Street.

As a result of Council directing the Health and Building Departments to investigate the claims made by Mr. Motiuk, a report was being submitted by these Departments which indicates the following:

- (a) The apartment complex in question contains seven separate apartment buildings on approximately five acres of land.
- (b) Six of the buildings are developed with three bedroom suites for a total of 91 suites. The seventh contains 32 two bedroom suites.
- (c) The development is occupied as a garden type apartment for families with children. Play facilities for children and recreation facilities for adults are provided on the site.
- (d) Construction of the development commenced in January 1963 and occupancy of the first units began in July, 1963.
- (e) Full inspection service was given throughout the construction period by the Building Department.
- (f) Heating of the complex is from one central hotwater boiler located in Building No. 6. The heating system is divided into three zones with two buildings on each of two zones and three buildings on the remaining one.
- (g) At the present time, the project owners are changing the circulation pumps on two of the heating zones to improve the flow of hot water through the system and to overcome low temperatures. One new pump has been installed, and the installation of the second will be completed during the next week. The pump on the third zone is of adequate size to maintain water flow with acceptable temperature drop.

- (h) Sediment traps on the zone circulation systems which, when clogged, tend to restrict water flow appreciably, have been removed and a procedure instituted to flush the systems periodically. This action should result in more constant hot water flow without interruption.
- (i) In August, 1969, the owners engaged the services of a licenced extermination company. The contract included an initial control on all suites and public areas throughout all buildings plus a continuing monthly service applying to all public areas and future complaints of infestation from tenants' suites.
- (j) The initial overall control spray was applied on August 29, 1969. The first maintenance spray was applied to the public areas on September 22, 1969.
- (k) Three tenants were interviewed to ascertain if the programme was accomplishing its purpose and all indicated the "silverfish" had been noticed about the suites since the initial spray but in much lesser concentration. The owners, through the Project Manager, have notified all tenants of the programme and are requesting tenants to notify the Manager of the presence of silverfish in order that control can be successful. The three suites where a recurrence of silverfish had been noted had not yet (October 2, 1969) been reported to the Project Manager.
- (l) Throughout the public corridors, stairways and suites inspected, a good state of repair of the buildings was generally found. Very few plaster cracks are evident in these frame buildings and the paint throughout is clean for this type of family accommodation.
- (m) There are signs of carpet wear on stairs and in stair landings. There are also signs of repairs to other worn areas having been made previously.
- (n) In the laundries, it was noted that floor tile adjacent to washing machines have lifted.
- (o) A floor landing in Building No. 6 was noted to be broken and in need of immediate repair. This will be investigated at greater length to determine if decay is present in floor carrying members.
- (p) The Building By-law in force in 1963 did not regulate heating of habitable buildings. The present By-law states:

"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, Table 3.6.6.A"
- (q) The minimum indoor temperature required by the aforementioned Table is 72° F.
- (r) The current By-law is not retroactive in its application to this project.

- (s) Regardless of regulation, improvements to the heating system are being made to maintain higher water temperatures in some areas of the heating zones.
- (t) From inspection of the heating system in the project and the work presently in hand, facts cannot be found to bear out the allegation concerning heating.
- (u) It is not possible to ascertain at this date the extent of the past infestation of silverfish in the buildings. The initial control spray plus an adequate monthly control programme as has been contracted should, with the assistance of tenant notification of infestation, maintain satisfactory control. The adequacy of the programme will not be known until further sprayings have been made. Inspections will be carried out as the programme progresses.
- (v) The state of repair of buildings is judged generally to be good. What evidence of disrepair that was noted, with the exception of one landing, is a matter to be attended to in a maintenance programme and not something in which the Corporation has jurisdiction.
- (w) Appropriate action will be taken, as necessary, pending further investigation of the broken landing.
- (x) Replacement of laundry room floor tile is being undertaken by the owners and further inspection of this work will be carried out.
- (y) Containers for garbage were observed about the property. With proper deposit of garbage by tenants and adequate maintenance by management, the handling of garbage will be satisfactory.
- (z) An inoperative swimming pool and enclosure is located on the property. The pool basin has collected ground water seepage. The property manager has been notified verbally to have water removed from the pool and the building secured against entry.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:

"That the report from the Building and Health Departments be received."

CARRIED

AGAINST -- ALDERMAN DAILLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the report from the Building and Health Departments be sent to both the Burnaby Tenants Association and the owner of the apartment in question, or his agent."

CARRIED UNANIMOUSLY

- (15) Easement - Portion of Lot "M", D.L.'s 69/70, Plan 24628
SUBDIVISION REFERENCE NO. 132/69

It was being recommended that Council authorize the:

- (a) acquisition of an easement, which is required for drainage and sewerage purposes, over a portion of the above described property for which there is no consideration payable by the Corporation.

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(b) execution of the documents attending the transaction.

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

CARRIED UNANIMOUSLY

(16) Advanced Poll By-law

The above By-law presently requires an advanced poll to be held for the five days immediately preceding an election when polling day falls on a Saturday.

When an election is on a Thursday, or any other day of the week except Saturday, the three days immediately preceding the polling day are to be for an advanced poll.

When the By-law was passed. (1960), elections were held on a Thursday and any by-elections or submissions were held on a Saturday.

Nomination day falls on a Monday of the week preceding the Saturday on which the election is held. Nominations close at noon. This, together with the requirement that the advanced poll begin at 9:00 on the following Monday, creates a serious time shortage for the printer to produce the ballots required by the Returning Officer.

In 1968, an unfortunate error occurred which likely would have been prevented by more time being available.

It was being recommended that Council amend the By-law in question to establish a three-day advanced poll rather than five.

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

CARRIED UNANIMOUSLY

The Municipal Clerk was asked to report on all ramifications of a proposal to have the Municipal Act amended to change Nomination Day.

(17) Central Headquarters Fire Hall

It was being recommended that a tender submitted by Allen Contracting Ltd. in the amount of \$450.00 for the demolition of an old dwelling on the site of the Central Headquarters Fire Hall be accepted.

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

CARRIED

AGAINST -- ALDERMAN BLAIR

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

ALDERMEN LADNER AND DAILLY LEFT THE MEETING.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That leave be given to introduce:
"BURNABY USE OF SURPLUS FUNDS BY-LAW NO. 1, 1969" #5574
"BURNABY USE OF SURPLUS FUNDS BY-LAW NO. 2, 1969" #5575
and that they now be read a first Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That:
"BURNABY USE OF SURPLUS FUNDS BY-LAW NO. 1, 1969"
"BURNABY SUE OF SURPLUS FUNDS BY-LAW NO. 2, 1969"
be now read a Third Time."

CARRIED UNANIMOUSLY

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ALDERMAN LADNER RETURNED TO THE MEETING.

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 ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 51, 1969" #5570."

CARRIED UNANIMOUSLY

This By-law provides for regulations relating to In-Law Suites.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

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

CARRIED

AGAINST -- ALDERMAN CLARK.

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

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

CARRIED

AGAINST -- ALDERMAN-CLARK

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 51, 1969 be now read a Third Time."

CARRIED

AGAINST -- ALDERMAN CLARK

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 24, 1969" #5518

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 49, 1969" #5568

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 50, 1969" #5569

"BURNABY ROAD CLOSING BY-LAW NO. 9, 1969" #5564

be now reconsidered."

CARRIED UNANIMOUSLY

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

Reference RZ #14/69

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

(5827 Olive Avenue)

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

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BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 49, 1969 provides for the following proposed rezoning:

Reference RZ #6/69

Lot 2, Block 4, D.L. 2, Plan 4286

(9892 Government Road)

Mr. D. D. G. Milne, Barrister and Solicitor, submitted a letter clarifying the intentions of the applicant for the rezoning, Doug's Automotive Ltd., with respect to the proposed operation of the service area.

In that regard, he indicated that the Company does not intend to:

- (a) operate a body repair shop;
- (b) institute an engine rebuilding operation.
- (c) institute a transmission rebuilding operation.

He added that the Company would have a service repair shop for Datsun vehicles and, in the course of its business, will be repairing and servicing these vehicles, but not rebuilding them.

ALDERMAN DAILLY RETURNED TO THE MEETING.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 24, 1969"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 49, 1969"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 50, 1969"

"BURNABY ROAD CLOSING BY-LAW NO. 9, 1969"

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

CARRIED UNANIMOUSLY