

SEPTEMBER 8, 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, September 8, 1969 at 7:00 p.m.

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

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:
"That Minutes of the meetings of July 21st, August 11th and August 25th, 1969 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

Mrs. D. Watson submitted a petition to the Council with respect to the banning of trucks on Gilley Avenue between Marine Drive and Rumble Street. The petitioners asked for the opportunity to appear before the Council on Monday, September 8th, in order to present their case.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the delegation be heard."

CARRIED UNANIMOUSLY

Mrs. J. R. Kropinak spoke in opposition to the designation of Gilley Avenue as a truck route drawing attention to an accident which occurred in July, 1969 when a truck rolled driverless down Gilley Avenue, crossed Marine Drive and smashed into a grocery store.

The spokesman referred to certain correspondence which had been exchanged between the residents and the Traffic Safety Committee and expressed surprise that the Truck Routing By-law had in fact been adopted before they had had an opportunity to present their objections formally prior to the By-law being passed.

The Chairman of the Traffic Safety Committee advised that his Committee was meeting on this subject the following evening and that the delegation was welcome to come to the meeting and express their views at that time.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That the correspondence be received and the delegation be thanked and that the matter be referred back to the Traffic Safety Committee for reconsideration of the designation of this section of Gilley Avenue as a truck route."

CARRIED UNANIMOUSLY

Sept/8/1969

Mr. John Yurick wrote requesting permission to attend the Council meeting on Monday, September 8th to discuss the possibility of installing a lane between Malvern Avenue and Loibly Avenue in the 6000 Block.

Mr. Yurick appeared and submitted that he had endeavoured for the past ten years to have this lane constructed with no success. At the present time the lane was overgrown with grass and there was an open ditch constructed in the lane which was not properly maintained and was unsanitary and unsightly.

Mr. Yurick submitted that since the new lane paving policy had been adopted he did not think that it was out of order to ask for the lane serving his and his neighbour's property to be constructed and to get rid of the ditch. Water in the ditch ran continuously all year round.

The Manager reported that there was an item included in his report before the Council this evening dealing with this problem.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:
"That item 10 of the Manager's Report be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The Manager in his report referred to the fact that the construction of this land had been dealt with as late as November 29, 1968 when it was determined that the estimated costs of construction would total \$13,500.00. To complete the right-of-way North of Burriss or West to Loibly would result in additional acquisition costs of about \$4,500.00. Subsequently both property owners at the Loibly end who would be affected, were contacted and both were emphatically opposed. Expropriation appeared to be necessary at an estimated cost of \$5,000.00. To extend the lane to Burriss would cost an estimated \$4,000.00 therefore, in total, the two alternatives were:

West to Loibly -- \$18,500.00

North to Burriss - \$17,500.00

The Manager explained verbally that there was at the present time a sub-standard lane at the South end of the subject lane which was in use and that the Southern section of the lane was twenty feet while the Northern section was only ten feet and this ten feet was centered on the twenty foot portion meaning that portions of land would be required from property owners on either side of the ten foot lane.

Mr. Yurick advised that it was his feeling that if the lane was not developed it should be at least maintained as an open space by the municipality.

The Manager explained that as a general policy the municipality did not culvert ditches in circumstances like this and it was as difficult for municipal employees to gain access to lanes in this category as it was for anyone else.

It was agreed by the Council that the request of Mr. Yurick for an investigation into the condition of the lane from a health and maintenance standpoint be complied with.

Sept/8/1969

His Worship, the Mayor, recognized Mr. Bert Price, newly elected M.L.A. for the Vancouver-Burrard constituency who was in the Council Chamber.

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His Worship, the Mayor, asked that the Planning Director table the submissions received from various individuals and organizations in the municipality as a result of a general request having gone out to such organizations for comment on the 1969 Apartment Study. The request of the Mayor was that the Planner bring these submissions to the next Council meeting and that the Council be prepared to debate the report at the following meeting.

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Alderman Dailly asked that the Council welcome Mr. Purchase who was a teacher at Lochdale School and who was present with a group of Grade Seven students to view the Council proceedings. A welcome was extended by His Worship, the Mayor.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:
"That the Original Communications be received."

CARRIED UNANIMOUSLY

A letter was received from the Board of Evangelism and Social Service, The United Church of Canada, expressing appreciation for the grant made in lieu of taxes to the United Church toward the property occupied by the United Church Home for Girls.

Mr. Les Clay wrote expressing his appreciation for the generous contribution to the B. C. Heart Foundation as a memorial gift in memory of his late wife.

Bethel #7, Independent Order of Job's Daughters, wrote asking permission for a Candy Drive on the evenings of September 16th, 17th, and 18th.

Bethel #34 wrote making an application for permission to hold a Peanut Drive on the evenings of September 16th, 17th, and 18th in the area East of Boundary Road and North of Canada Way.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:
"That the applications made by Bethel #7 and Bethel #34, Independent Order of Job's Daughters, to hold fund raising campaigns on the evenings of September 16th, 17th and 18th be granted."

CARRIED UNANIMOUSLY

Sept/8/1969

Radio Station CKNW Orphan's Fund submitted an application to hold a Tag Day in aid of their fund on Saturday, December 13th.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That the application of Radio Station CKNW to hold a Tag Day on December 13th in aid of the CKNW Orphans' Fund be granted."

CARRIED UNANIMOUSLY

Robert McLean, and Melva McLean wrote relative to Subdivision Reference #129/68 involving property legally described as Block 101, D.L. 132, Plan 1493.

A condition of subdivision as laid down by the Approving Officer was that five feet of the flankage of the lot to be subdivided was required to be added to a fifteen foot lane already in existence at the rear of three lots backing onto the lane and that they, Mr. and Mrs. McLean, were required to spend \$1,200.00 for construction of the lane to its full twenty foot width.

The complainants felt that this was an injustice and that they should not be expected to pay for the full lane construction work and at most they should be required to pay for half of it.

The Planner submitted that the other portion of lane had been dedicated some time ago and that no deposit had been paid at that time toward the actual construction. Only five feet of the full fifteen foot lane was being asked of the present subdividers and it was felt to be fair and reasonable that in view of the small dedication that they should be expected to pay the cost of construction. The alternative would be for the Council to share in the cost of the lane and this would contravene the present lane construction policy insofar as subdivision of land was concerned.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That this matter be tabled for a period of two weeks pending a discussion by the Council of the general lane policy as it stems from this particular subdivision."

CARRIED UNANIMOUSLY

The Planner was asked not to take action on the subdivision pending a review of the policy and a review of the benefits accrued by the owners Mr. and Mrs. McLean in relation to the benefits accrued to the adjacent owners and what the relative costs are in terms of area of land donated together with the cost of construction.

The Executive Director, Union of B. C. Municipalities submitted a statement of policy of B. C. Hydro and Power Authority relative to underground residential distribution indicating that as the costs involved in underground wiring were approximately three times as expensive as overhead. It was not the intention of B. C. Hydro to change its current policy of constructing overhead wiring unless a particular municipality was prepared to pay the difference in cost.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:

"That the Engineer bring in a report on the relative costs of overhead versus underground wiring for the information of Council for the purpose of initiating a review of the Council's policy in this regard."

CARRIED UNANIMOUSLY

It was suggested that the Engineer might check with the City of New Westminster where it was understood a considerable amount of underground wiring work was underway and a good comparison of actual costs might be gained from the experiences in that City.

TABLED ITEMS

- (a) Purchase of Shu-Pac Garbage Bodies (Item #16 of the Manager's Report No. 52, 1969 retabled on August 25th to allow more time for investigation)

Alderman Blair reported that the Engineering Department and he as liaison with the Department were still viewing garbage disposal units for the purpose of gathering as much information as possible before a decision is made in this regard and asked that the matter be tabled for a further period of a week.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That the proposed purchase of Shu-Pac Garbage Bodies be tabled for a further period of one week pending a report from the Municipal Engineer."

CARRIED UNANIMOUSLY

- (b) Miscellaneous Equipment for Parks and Recreation Commission (Item #5 Manager's Report #54, 1969 tabled on August 25th for further information)

The Manager circulated a further report from the Parks and Recreation Commission dated September 8th, 1969 on the subject of the purchase by the Commission of equipment, reiterating the recommendations of the Commission and the reasons therefore.

It was suggested in Council that the report of the Parks and Recreation Commission was still incomplete insofar as the reasons for purchase of at least one piece of machinery where the low bid had not been accepted and insufficient information was given as to why the low bidder was refused and also why a second piece of machinery (riding type three reel mower) was recommended for purchase from the second lowest bidder when the bid from neither the second lowest or the lowest bidder met the specifications for the machine.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:

"That the matter be tabled for a further period of one week and the Parks and Recreation Commission be asked for a full explanation on the reasons behind the recommendations for acceptance of bids for items (b) and (d) as contained in their report of September 8th."

CARRIED

AGAINST -- ALDERMAN HERD

Sept/8/1969

The Municipal Clerk advised the Council that pursuant to the Municipal Act the Court of Revision to revise and correct the List of Electors was required to be appointed during the month of September and by statute was comprised of the Mayor and two Aldermen.

His Worship, the Mayor, asked Aldermen Drummond and Herd if they would act as members of the Committee.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That His Worship, the Mayor, Aldermen Drummond and Herd form the Court of Revision to revise and correct the 1969/70 List of Electors and that the Court convene at 10:30 a.m., November 1st."

CARRIED UNANIMOUSLY

ALDERMAN CLARK raised the question of enlisting those residents of apartment buildings within the municipality and suggested that some means should be found whereby enumerators might be hired to canvass the municipality to gather the names of Resident Electors for the Annual List of Electors.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:

"That a Special Committee be appointed under Alderman Clark to consider ways and means of unlisting names of Resident Electors and Tenant Electors for the List of Electors."

CARRIED UNANIMOUSLY

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The Clerk drew attention to the fact that a resolution should be adopted by the Council authorizing members of the Council to attend the forthcoming 1969 U.B.C.M. Convention to be held in Kamloops on September 17th, 18th and 19th, 1969.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That the members of the Council be authorized to attend the forthcoming Convention of the Union of B. C. Municipalities to be held in Kamloops on September 17th, 18th and 19th, 1969."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:

"That Alderman Ladner be appointed Acting Mayor during the period September 16th to 19th inclusive."

CARRIED UNANIMOUSLY

ALDERMAN DAILLY reported on phone calls he had received complaining of obnoxious odours emanating apparently from oil refineries in the North Burnaby area and asked that some action be taken to investigate the cause of these odours within the last couple of weeks.

The matter was referred to the Chief Public Health Inspector for investigation.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:
"That the Council do now resolve into a Committee of the Whole
at 8:05 p.m."

CARRIED UNANIMOUSLY

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MUNICIPAL MANAGER'S REPORT NO. 56, 1969

(1) Lane-Road Pattern in the Area of Gilley Avenue between
Neville and Portland Streets

The Manager submitted a coloured plan showing the results of a poll taken of residents of Clinton Street, Neville Street and Portland Street relative to the removal of barricades at the West end of Clinton Street blocking the North-South lanes at that point from traffic travelling from Clinton Street.

The survey had been made in response to complaints from residents within the area who were requesting the removal of the barricades and in some instances the opening of Clinton Street through to Gilley Avenue.

The statistics showed there were a total of 74 indications of a choice of one course or another. On the basic question of removal or not of the barricades the results were removed -- 33, retained-- 24. 18 were in favour of opening Clinton to Gilley and of these only four would logically be affected by such opening.

On the matter of lane use the results were:

None -- 20
Occasional -- 21
Frequent -- 18

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the information be received and that the status quo remain
in the street-lane pattern at this location."

CARRIED UNANIMOUSLY

(2) Resolution under Section 712(2) of the Municipal Act
Subdivision Reference #217/68

The Manager reported that this subdivision involved a large parcel of land in D.L. 94 at the South-East corner of Oakland Street and Dufferin Avenue.

In the subdivision one lot from Lot "A" E $\frac{1}{2}$, D.L. 94, Plan 2743, a pie-shaped lot, did not meet the requirement of Section 712(1) of the Municipal Act and its frontage does not equal 10% of its perimeter.

It was recommended that the Council waive the requirements of Section 712(1) of the Municipal Act and that the necessary Resolution be passed accordingly.

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

CARRIED UNANIMOUSLY

It was suggested that in future cases of this kind a plot plan showing the property involved be provided for the information of the Council.

(3) Ornamental Street Lighting - Local Improvement Programme 1969

Submitted herewith is the Treasurer's Cost Report supplied in accordance with Section 601 of the Municipal Act for the 1969 Local Improvement Street Lighting Programme.

Total Estimated Cost	-	\$ 97,500.00
Property Owner's share	-	\$ 55,600.00
No. of Projects	-	15
Total Number of Lights	-	140

The Clerk's Department is starting proceedings under the Initiative plan.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the information be received."

CARRIED UNANIMOUSLY

(4) Lane Paving Petitions

The petitions for the following land paving projects having been certified as Sufficient by the Municipal Clerk, and received by Council, the cost reports of the Treasurer as required by Section 601 of the Municipal Act are submitted on the attached sheet.

1. Lane North of Grant from Carlton to Madison
2. Lane South of Grant from Carlton to Madison
3. Lane bounded by Forest, Smith, Spruce and Boundary
4. Lane bounded by Booth, Sardis and Buxton Court

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That the information be received and the necessary Local Improvement Construction By-laws be brought forward."

CARRIED UNANIMOUSLY

(5) Dual Use of Property - Board of Variance Recommendation

The Manager referred to a report of the Chairman of the Board of Variance to the Council on July 7, 1969 wherein it was recommended that Council consider the matter of allowing some permissiveness in the Zoning By-law respecting the dual use of property to assist in the transition from residential to industrial use and thereby encourage development as envisaged.

The Manager submitted a report of the Planner on the subject.

The Planner referred to present regulations which did not permit the mixing of residential and industrial uses except that living accommodations may be supplied for caretakers or watchmen on an industrially developed lot to meet a possible need in the operation of an industry.

In the M4 (Special Industrial) districts single-family and two-family dwellings are permitted on lots which are separate from those developed for industry. This provision was made due to the special nature of the area South of Kingsway giving recognition to the considerable residential development which had occurred in the past. The general consensus at the time considerations were given to this subject when the new 1965 Zoning By-law was under discussion was that such regulations would prevent the intrusion of incompatible non-residential uses on residentially occupied lots in M4 zones. In addition it was felt that this would ensure, together with appropriate density and setback standards, the adequate provisions of necessary light, air and amenity space around each residential building.

The Planner's report set out the advantages and disadvantages of dual use in industrial zones indicating that the disadvantages far outweighed the advantages, generally because of the effect industrial development would have upon pedestrians and residential amenities in general.

The Planner concluded that if it was detrimental for either residences to be introduced into industrial areas or vice versa it was far more detrimental to permit both uses to be conducted on the same property particularly where small lots were involved.

It was suggested that the Planner's report naturally favoured the planning view and that it was felt a Committee should be appointed to delve into all aspects of the question with such Committee to comprise two members of the Council and two members of the Board of Variance.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN LADNER:

"That the report be received and that a Special Committee be appointed to be composed of two members of the Council and two members of the Board of Variance to study the problem of dual use of land in all its aspects and bring down a report to the full Council."

CARRIED UNANIMOUSLY

Alderman Ladner, liaison for the Planning Department, volunteered his services as one of the Council members.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:

"That the report of the Planner be referred to the proposed Joint Committee."

CARRIED UNANIMOUSLY

(6) Sale of Lot 6, S.D. "A", Blocks 2 and 3, D.L. 96N, Plan 1349
(L/S #17/69)

The Manager reported that the subject property containing an area of 10,180 square feet located on the South side of Imperial Street 468 feet West of Colborne Avenue with a zoning of R5 had been advertised for sale and eight bids had been received and opened by the Land Agent and Deputy Treasurer. All bids were accompanied by the required certified cheque of 5% of the bid price.

Bid #1 and #2 were identical and were the highest bids received. Bid #1 was submitted on August 28th, 1969 at 2:00 p.m. and Bid #2 was submitted on the 2nd of September, 1969 at 1:25 p.m.

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It was recommended that the bid of R. A. Fyffe, 2430 East 51st Avenue Vancouver in the total amount of \$12,100.00 be accepted.

During discussion on this item the authority of Council for placing this property out to bid was questioned and the Manager's file did not reveal when Council's authority had been granted.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That this item be tabled for the purpose of clarifying whether or not Council authority had been granted for the sale of this lot or for the purpose of determining whether or not the lot should be placed in a safe position."

CARRIED UNANIMOUSLY

(7) Solid Waste Disposal

The Manager submitted a summary of Investigations prepared by Mr. Jan Kaller on this subject during his recent field trip to Eastern Canada.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That the summary be received."

CARRIED UNANIMOUSLY

The Manager reported that the Engineer was still conducting investigations into the use of the Terra Nova land fill development for Burnaby's solid waste removal and that it was anticipated the Engineer would be in a position to report to the Council in one weeks time.

A further meeting with principals of Terra Nova was to be held the following day. Some elevation work in the vicinity of Marine Drive and Stride Avenue was yet to be checked and the Engineer wished to go over the report with the Council liaison before making his report to the Council generally.

(8) Estimates

Alderman Drummond was absent during considerations of this item.

The Manager submitted the Engineer's estimates of work in the total amount of \$24,000.00 and recommended the estimates be approved.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND returned to his Council seat.

(9) Lot 5, D.L. 44/78/131/136, Plan 3049
S. E. Corner of Greenwood & Government

The Manager recommended that a triangle of land situated at the corner of Winston Street and Greenwood Street measuring 7,049 square feet be made available for purchase by Vancouver Concrete Floors Ltd. for the sum of \$7,000.00 subject to consolidation with their holdings to the East described as the remainder of Lot 1, Block 6.

The Manager further recommended that because of the consolidation feature the property be boarded rather than advertised.

There was a typographical error in the report item in that the square foot measurement for the land was shown as 704.9 square feet rather than 7,049 square feet and the Council felt that this altered the picture considerably from the point of view of price and that it should be investigated further.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the motion be tabled for a period of one week to allow the members of the Council to view the property and further consider the recommendation."

CARRIED UNANIMOUSLY

The Planner advised the Council that one of his staff in the Research Department, Mr. Sixta, had been invited to present a paper to the Engineering Institute at their annual Convention to be held in Vancouver on September 11th.

Mr. Sixta had chosen as his subject the conceptual plan for Burnaby involving major road patterns amongst other things and that while he would be speaking on the broader aspects of this report and mentioning the name of Burnaby inner details of the report would not be mentioned. The Planner felt that before he could approve of the presentation of this paper by Mr. Sixta the Council's approval should be obtained since the plan had not been presented to the Council as yet.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That approval be granted for Mr. Sixta to present his paper to the Engineering Institute of Canada at their meeting on September 11th on the understanding that the broader aspects of the report only would be involved."

CARRIED

AGAINST -- ALDERMAN DRUMMOND

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the Committee do now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:

"That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That leave be given to introduce:

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 2, 1969" #5563

"BURNABY ROAD CLOSING BY-LAW NO. 8, 1969" #5559

and that they now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:

"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 BLAIR, SECONDED BY ALDERMAN HERD:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:

"That:

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 2, 1969"

"BURNABY ROAD CLOSING BY-LAW NO. 8, 1969"

be now read a Third Time."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That the Council do now resolve into a Committee of the Whole to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1969" #5541."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN CLARK:

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

CARRIED

AGAINST -- ALDERMEN BLAIR,
DAILLY, LADNER AND MAYOR
PRITTE

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

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

CARRIED

AGAINST -- ALDERMEN BLAIR,
DAILLY, LADNER AND MAYOR
PRITTE

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1969" RZ #37/69
be now read a Third Time."

CARRIED

AGAINST -- ALDERMEN BLAIR
DAILLY, LADNER AND MAYOR
PRITTE

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:

"That the Council do now resolve into a Committee of the Whole
to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT
BY-LAW NO. 26, 1969" #5520."

CARRIED UNANIMOUSLY

This By-law provides for:

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

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

- (a) Such a lot shall meet the frontage and area requirements
of the zoning district in which it is located.
- (b) The in-law suite shall meet the requirements of the
Burnaby Building By-law.
- (c) Each applicant for an in-law suite shall declare that
his parents or grandparents must be accommodated in
this manner.
- (d) An annual in-law suite permit shall be obtained from
the Building Department to retain an in-law suite.
- (e) The application for an in-law suite permit shall include
a declaration confirming that the provisions of this
section continue to be applicable.

(f) Each applicant for an in-law suite shall enter into a covenant with the Corporation, ensuring the removal of the in-law suite once the provisions of this section are no longer applicable, and the reversion of the lot to its original residential use, subject to the provisions of this By-law for the zoning district in which such building and lot are located.

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

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

ALDERMAN LADNER submitted that in view of the legal opinion as submitted by the Solicitor, that the substance of the By-law had been changed and should be sent back to a Public Hearing, the By-law should therefore be so resubmitted.

Mention was made that the restrictions imposed on in-law suites rendered the By-law impractical. It was also submitted that while this By-law permitted in-law suites for parents or grandparents it did not make provision for other members of a family to be accommodated within such suites.

An instance of an extreme restriction might be found in paragraph (1)(a) where the frontage of a piece of property was laid down and it was felt that such a restriction was too great as a house on any size property should be permitted the opportunity of installing a second suite for family purposes.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the words "frontage and" be deleted from paragraph (1)(a) of the in-law suite regulations."

CARRIED

AGAINST -- ALDERMAN CLARK

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK:
"That paragraph (1)(a) be removed in total."

MOTION LOST

IN FAVOUR - ALDERMEN
CLARK, DRUMMOND, DAILLY

AGAINST -- ALDERMEN BLAIR,
HERD, LADNER, MERCIER,
MCLEAN AND MAYOR PRITTE

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK:
"That paragraph (1)(b) be removed in total."

MOTION LOST

IN FAVOUR -- ALDERMEN
DRUMMOND AND CLARK

AGAINST -- ALDERMEN BLAIR,
DAILLY, HERD, LADNER, MERCIER,
MCLEAN AND MAYOR PRITTE

A discussion ensued on whether or not, in view of the Solicitor's opinion, the current By-law should be proceeded with or whether a new By-law should be introduced following the proposed new Public Hearing.

Advice was presented to the Council by the Clerk that since the substance of the old By-law was to be changed in the opinion of the Solicitor, the existing By-law should not be proceeded with and a new By-law should be introduced. Reference was made however, to the last paragraph of the Solicitor's memo dated August 21, 1969 wherein it was indicated that the existing By-law could be resubmitted to a Public Hearing.

MOVED BY ALDERMAN LAUNER, SECONDED BY ALDERMAN HERD:

"That this matter be tabled and the Solicitor be asked for his opinion on whether or not the existing By-law may be submitted to a Public Hearing and receive further readings or whether a new By-law should be introduced."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

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A RECESS WAS DECLARED AT 9:15 P.M.

THE COUNCIL RECONVENED AT 9:25 P.M.

ALDERMAN HERD WAS ABSENT.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1969" #5542

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1969" #5543

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1969" #5544

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 42, 1969" #5545."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1969 provides for the following rezoning:

Reference RZ #25/69 - Area #1

FROM RESIDENTIAL DISTRICT TWO (R2) TO PARK AND PUBLIC USE DISTRICT (P3)

Ravine Area West of Patterson Avenue

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1969 provides for the following rezoning:

Reference RZ #25/69 - Area #2

FROM RESIDENTIAL DISTRICT TWO (R2) TO PARK AND PUBLIC USE DISTRICT (P3)

Ravine Area West of Nelson Avenue

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1969 provides for the following rezoning:

Reference RZ #25/69 - Area #3

FROM RESIDENTIAL DISTRICT TWO (R2) TO PARK AND PUBLIC USE DISTRICT (P3)

Ravine Area East of Nelson Avenue

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1969 provides for the following rezoning:

Reference RZ #25/69 - Area #4

FROM RESIDENTIAL DISTRICT TWO (R2) TO PARK AND PUBLIC USE DISTRICT (P3)

Ravine Area from McPherson Avenue to Butler Avenue

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That:

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 42, 1969"

be now read a Third Time."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That:

- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 1, 1969" #5560
- "BURNABY SEWERAGE AND DRAINAGE FINANCING BY-LAW 1966, AMENDMENT #5553 BY-LAW 1969"
- "BURNABY TAX SALE MONEYS EXPENDITURE BY-LAW NO. 2, 1969" #5552
- "BURNABY DOG TAX AND POUND BY-LAW, 1969" #5556

be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That:

- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 1, 1969"
- "BURNABY SEWERAGE AND DRAINAGE FINANCING BY-LAW 1966, AMENDMENT BY-LAW 1969"
- "BURNABY TAX SALE MONEYS EXPENDITURE BY-LAW NO. 2, 1969"
- "BURNABY DOG TAX AND POUND BY-LAW 1969"

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

CARRIED UNANIMOUSLY