

AUGUST 10, 1970

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, August 10, 1970, at 7:00 p.m.

PRESENT: Acting Mayor Drummond, in the Chair;
Aldermen Blair, Clark, Dailly, Herd, Ladner,
Mercier and McLean

ABSENT: His Worship, Mayor Prittie

The Chairman called for adoption of the Minutes and Alderman Ladner drew attention that there did not appear to be an action recorded following the Minutes covering Item 16 of the Manager's Report.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That the Minutes be adopted subject to the correction being made to Item 16 of the Manager's Report."

CARRIED UNANIMOUSLY

(Clerk's Note: Item 16 and Item 17 of the Manager's Report both dealt with the same subject and the resolution following the Minute on Item 17 was intended to cover both Items 16 and 17.)

DELEGATION

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:
"That the delegation be heard."

Mr. H. J. Atkinson appeared on behalf of the residents in the Winlake Subdivision to register a complaint against the noise caused by the operations of Inter-City Express (1955) Ltd. and two subsidiary companies operating from property on Winston Street.

Mr. Atkinson advised that the delegation was aware that the Winlake Subdivision was designed for single-family residences in a R1 zone. The Subdivision is adjacent to an M1 zoning along the South side of Winston side which created an unusual situation. In situations like this, it was usual to have a buffer zone between the residential and industrial zones. Many people were unaware of the unusual zoning situation and if they had checked with the municipality they could have been told. However, the homeowner does not bother to check such things because he feels that the municipality will take care of proper planning in these instances. In this case, there were houses situated on the South side of Winston Street which indicated that the land was to be used for residential purposes. There was also a passive park situated in the same area. Burnaby Lake is situated further to the South and it was felt, again, would be developed for the inhabitants of the area. A school was situated about one or two blocks away. All of these features would indicate to a couple that this was a desirable environment in which to purchase a home. A new element developed in this community in the form of a trucking enterprise and the people of the area are aroused. It was felt this shameful encroachment must not be tolerated.

August/10/1970

The spokesman asked that the licence for this enterprise be rescinded and made the following points in support of his argument:

- (1) In making their submission to the municipality for using the property, Inter-City Express (1955) Ltd. appeared to have deliberately given incomplete and misleading information in that, the description of the operation was as a "cartage and express service" where trucks were dispatched to points within the City for delivery of goods to other locations in the area. This description implies small trucks being used for local deliveries whereas, in point of fact, there are semi-trailers, tanker trucks, which are of the kind associated with long distance highway hauling.
- (2) There are at least two loading machines with crane attachments on the property. Obviously, for moving goods from one vehicle to another. These goods represent large items such as piping, et cetera.
- (3) Normal working hours would be expected of an Express concern. However, trucks are moving in and out at odd hours and on the weekends. As an example, the date of the meeting trucks moved out at 4:10 a.m. 6:20 a.m. and 6:50 a.m.
- (4) The large trucks have difficulty in making turns and are required to back up and go forward two or threetimes when making a turn with motors accelerated making loud noises, again at all different hours of the day or night.
- (5) Application has been made by one Firm for a licence, however, there are signs erected indicating three Companies are operating. In addition, there are other trucking firms coming and going and trucks representing 17 different companies have been noted travelling to and from the Plant. It is understood there are plans afoot to expand the Plant to three times its present size. The applicants were informed that a truck terminal could not be established, however, it now appears that this business has taken on the character of a truck terminal. The spokesman referred to the Manager's Report of July 24th.
- (6) Quotes were made from the Zoning By-Law relative to pollution and nuisances emanating from industries and the spokesman advised that people cannot sit on their sundecks because of diesel fumes. Since the industrial concern has cleared its site, people can see through to the freight trains travelling along the tracks which were formerly screened and the residents now look into the yard of the Company from Loat Park which is immediately adjacent. Television reception is affected and one resident has complained of cracked plaster on the walls of her home due to vibrations caused by the heavy trucks.
- (7) The spokesman further advised that trucks caused a hazard to children and took up the whole road when travelling on Piper Avenue, particularly, and no sidewalk was provided leading to the school and to the kindergarten.

- (8) The spokesman submitted that the houses in the Winlake Subdivision^{820 87} average market value in excess of \$35,000.00 and the homes were worth approximately \$2,000,000.00, gross taxes paid to the municipality represented were about \$37,000.00 per year and with steadily increasing taxes total tax assessment over the next ten years would be almost be \$500,000.00. Advice had been received that if the situation was not rectified houses in the area would depreciate in value in amounts up to \$5,000.00 each or possibly more.

The spokesman submitted the following steps which could be considered to rectify the situation:

- (a) Rezone the area so that it could not be used for industrial purposes.
- (b) Work has proceeded on the property since the delegation last appeared and further work should be stopped immediately.
- (c) Taxes of property owners should be reduced sufficiently to compensate them for loss of happiness, contentment, and pride in their homes as well as to cover the dollar drop in their property values.
- (d) Alternatively, the Corporation should buy all the homes at what they were worth before the licence to Inter-City was granted and pay all moving costs for those accepting the cash offer.

In finality, the spokesman submitted that if no action was taken there was no recourse for the residents but, to take legal action.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MCLEAN:
"That Item 8 of the Manager's Report No. 45 be brought forward and read at this time."

CARRIED UNANIMOUSLY

(8) Inter-City Express (1955) Limited
7976 Winston Street

The Manager reported further to Report Item 15 of the Municipal Manager's Report of July 24th. The purpose of this new Report was to provide information desired by Council with respect to the municipal licences held by the operators on this property.

The Licence Department first became aware of the operation during the early stages of site development and it had been determined work was proceeding with preliminary plan approval.

Direct contact was established on July 10, 1970, for the purpose of obtaining an application for licence and to investigate complaints received by the Planning Department

The operation involves use of the premises by three Companies which have been named, operating 22 vehicles ranging from 2-3 ton vans to tractor-trailer flatdeck and tankers engaged in local deliveries; British Pacific Transport Limited operating 7 tractor-trailer "line hauls" units engaged in charter trips throughout the Province;

Overland Freight Lines Limited operating 3 tractor-trailer units engaged in daily trips to Chilliwack. The latter two Companies are subsidiary to Inter-City Express.

Actual use of the premises involves a general office and dispatching service, parking and fueling of vehicles and on completion of a building, the service and repair of vehicles. A limited amount of storage of goods will be undertaken from time to time. There is some parking of units on the site but, the normal traffic flow is between 8:00 a.m. and 8:30 a.m. with normal return time between 4:30 p.m. and 6:00 p.m. with some exception loaded vehicles are not parked overnight and premises are not used for storage or transfer of goods.

It is the opinion of the officials that this business is classified as a cartage-express facility and differs from a trucking terminal. The important difference being, that a terminal operation involves the loading and unloading of the majority of all goods that are transported necessitating a much heavier flow of vehicles. Several other industries involving a similar heavy type truck usage are permitted in this zone. The wording of the By-Law does not empower licence to classify either by size of fleet or size of vehicles, rather by use of premises.

No licence has been issued to Inter-City Express and the subsidiary Companies but this would be done upon approval from Health, Building, and Fire Departments unless instructions were received to the contrary.

On the question of Warner Loat Park being situated within the industrial area, the Manager explained that, with the exception of a small portion South of the tracks which is zone R5, the Park is surrounded by M1 or M2 zoning.

Council previously agreed with residents of the Winston area that when Winston Street is developed there be a visual screen, in the form of tree plantings, on the road allowance. The set-back for industry required is only a 20-foot landscaped area and this could not be construed as a buffer zone.

Recent approval of the residential subdivision North of Winston provided for lots 165' deep compared with the normal 120-foot lot depth. The deep lot was for the purpose of a buffer, however, if all trees are removed the objective is negated. The owners could provide their own screen within this extra depth, however, it appears the municipality is being expected to provide some form of screen.

The Manager presented a report of the Planner on the subject which indicated that on June 23, 1970 preliminary plan approval had been granted to Inter-City Express (1955) Limited for facilities to serve their City delivery cartage and express operation. The Planner described the Firms operations and submitted that in their opinion the use was a proper use under Section 401.1(1)(c) of the Zoning By-Law.

The two other Firms sharing the premises were not mentioned by the applicant at any time and these Firms operating a total of 10 semi-trailer units deal exclusively in highway hauling to points in the Fraser Valley and elsewhere in British Columbia. They too deal in two-point delivery and the premises used on Winston^{are} used for dispatch, overnight parking, fueling, servicing and staff facilities.

The Planner concurred with the definition of "truck terminal" as contained in the Chief Licence Inspector's report. This type of operation results in a good deal heavier flow of traffic throughout the day.

The Planner submitted that it was apparent that there was a legitimate concern about the nature of uses permitted within M1 zoning districts. The Department had pointed out, in earlier reports, that uses presently permitted in M1 districts either imply or specifically provide for the use of heavy trucks and truck-trailers. The Planner suggested that a review of permitted uses in the M1 district may be in order and also suggested that there were several alternatives available including the deletion of certain categories from the list of permitted uses, the inclusion in the By-Law of certain definitions to qualify permitted uses as to scale and precise nature of use, or the establishment of a minimum distance between specified uses and the zone boundaries of A, R, or RM districts.

During discussion, the following points were made:

- (1) The principal item of concern is apparent in that according to information at hand there was misrepresentation on the part of the Company as there was an indication their operation would be an Express operation and no mention was made of the two subsidiary Companies.
- (2) The two offending Companies should be denied the right of operation under Section 401.2(2) of the Burnaby Zoning By-Law on the grounds that:
 - (i) the operation of heavy trucks was causing an annoyance to the area;
 - (ii) the nuisances being caused the surrounding area by reason of the unsightliness, the emission of odours, dust, fumes, vibrations, and noise.
- (3) The main problem which will evolve concerns the location of Winston Street. Existing truck firms will be passing these and other homes on Winston Street. Any studies made of the current problem were only pushing the real problem to future date. There should be consideration given to the relocation of the Industrial Collector Road from Winston Street to a route closer to the railway tracks further removed from the residential areas to the North.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:

"That the Council deny the three subject Companies the right of operation pursuant to Section 401.2(2) of Burnaby Zoning By-Law 1965 because of the annoyance being created in the neighbourhood and owing to the violation of the aforementioned Section of the Zoning By-Law; AND BE IT FURTHER RESOLVED that a review be made of the possibility of relocating the Industrial Collector Street to some point South of Winston Street."

THIS MOTION WAS WITHDRAWN IN FAVOUR OF THE FOLLOWING MOTION:

August/10/1970

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the Council immediately inform the principals of the three Companies involved that if their Companies continue to operate without a business licence they will be prosecuted by this Corporation and, secondly that instructions go to the municipal staff to the effect that before any business licence is issued to any of the three offending Companies the matter be again brought before the Municipal Council."

CARRIED UNANIMOUSLY

ALDERMAN McLean gave a Notice of Motion to the effect that the Greater Vancouver Regional District be asked to make a general study of the origin and destination of trucks within the municipalities forming the Greater Vancouver Region for the purpose of determining the routes upon which trucks in the area are following with a view to bringing about some controls on an organized basis within the broader Region.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That the Planner be asked to review the existing location of Winston Street as it relates to the overall area to the North and South of the present Winston Street road allowance."

CARRIED UNANIMOUSLY

The Planner was also asked informally to review the M1 zoning uses with a view to possible revision of such uses as suggested in his report to the Council on the position of Inter-City Express (1955) Limited dated August 10, 1970 and to bring down a report thereon.

* * * *

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:

"That the Original Communications be received."

CARRIED UNANIMOUSLY

Mr. and Mrs. J. Fuller wrote expressing appreciation to the Council for the floral gift received on their 50th Wedding Anniversary date.

The General Chairman, Greater Vancouver Sea Festival, wrote expressing appreciation for the support given by the Council to the Sea Festival celebrations. .

The B.C. Institute of Technology wrote requesting permission to hold their "Shinerama" campaign on September 18th, 1970.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That permission be granted as requested."

CARRIED UNANIMOUSLY

The Burnaby Spartans' Football Club wrote requesting permission for a Tag Day to be held on August 22nd, 1970.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That permission be granted as requested."

CARRIED UNANIMOUSLY

Mr. J. A. Porterfield wrote complaining of excessive noise and requesting information on what action had been taken on a request for investigation of noise pollution by a Committee of Citizens in East Burnaby several months ago.

Alderman Drummond spoke from the Chair as Chairman of the Noise Pollution Committee and advised the Council that it was hoped that the Committee would be in a position to submit a draft noise pollution by-law to the Council at its next meeting for reference to the Municipal Solicitor who would be asked to put the by-law into proper legal form.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That the report of the Chairman be received and that Mr. Porterfield be so advised."

CARRIED UNANIMOUSLY

Mr. L. Donelan wrote with reference to the noise nuisance being created by trucks leaving and entering the Safeway Warehouse Plant on 11th Avenue, submitting that he had engaged two students to take a count over a period of five hours of the heavy trucks that stop and start beside his home situated on Tenth Avenue while entering or leaving the warehouses, with the result that a count of 250 heavy trucks (not including 1 ton or less) was made over the five-hour period. Mr. Donelan advised that the noise nuisance had increased to the point where the lack of rest and relaxation was affecting the health of himself and his family.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:
"That the writer be advised that the Traffic and Safety Committee is at present undergoing a study of the truck route patterns in the area and are reviewing alternate routes for truck travel in view of the complaints generally along Tenth Avenue."

CARRIED UNANIMOUSLY

Mr. J. W. Madill, General Manager of Alberta Wheat Pool submitted a copy of a letter addressed to Mr. William J. Morrison, Vancouver Heights Home Owners Association in response to a letter from Mr. Morrison criticizing the Alberta Wheat Pool for the air pollution problem caused by dust emanating from the Alberta Wheat Pool Terminal in Vancouver. Mr. Madill advised that the Wheat Pool was making every effort to eliminate the problem and that to do this successfully would require the installation of filter type equipment which was a complex procedure requiring considerable engineering, planning and time for installation, much of which was already underway.

Mr. Madill advised the present dust control regulations recognized this and have allowed operators until May, 1971 to comply. The Wheat Pool has committed funds for filter equipment, which it was expected to total more than \$1,000,000.00 and work was presently underway on these improvements. It was submitted the objective of their organization was to complete the installation in a short a time period as practical.

Mr. K. W. Stevenson, of the 3700 Block Edinburgh Street, wrote on behalf of several residents of the Vancouver Heights area registering a complaint about the dust pollution caused by the Alberta Wheat Pool Elevator located on the South side of Vancouver Harbour.

The residents asked that a formal complaint be lodged with the City of Vancouver Pollution Control Department and that information be submitted as to what steps were being taken to eliminate the problem.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That the Alberta Wheat Pool be requested for further details on what had been done in the past by the Wheat Pool Organization to eliminate the dust problem. What was being done at the present time and what was planned to be done in the future and that

August/10/1970

Mr. Stevenson be advised of this action and previous action taken in respect of the matter."

CARRIED UNANIMOUSLY

Mr. D. Leary, 7100 Block Gibson Street, wrote drawing attention to certain works being undertaken by the Engineering Department on a private driveway at 7120 Adair Street since the pavement of the lane serving the property and suggesting that such work by municipal crews was discriminatory.

The Engineer reported that throughout the Lane Paving Programme there were situations which have arisen similar to that at 7120 Adair Street and, in fact, approximately 2% of the driveways covered by the Programme were in this category. The municipality was obligated to enter upon private property for a reasonable distance in order to rectify problems created by the raising of the lane due to the pavement causing access to the property to be difficult or practically impossible.

In these cases, the municipality pays only the normal portion of the paving connection and the private owner is expected to pay the difference. The cost assumed by the Corporation was related to the restoration of reasonably negotiable access and was definitely a Corporation responsibility provided it was no fault of the owner that he finds himself in this predicament.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MCLEAN:
"That the report of the Engineer be received and that Mr. Leary be advised of the content of the Engineer's report."

CARRIED UNANIMOUSLY

Mr. R. J. Langmead wrote criticizing the Corporation's methods of tendering for property drawing attention to a recent bid submitted by himself for Lot 239, D.L. 86, Plan 36959. Mr. Langmead pointed out that his bid of \$8,000.00 for the Lot was the only bid submitted and resubmitted a new bid of \$9,000.00. Mr. Langmead submitted that in his opinion the \$150.00 per foot based on an 80-foot frontage set by the Corporation for remaining unsold lots in this group (total sale price \$14,300.00) was not justified and asked that his new bid of \$9,000.00 be accepted.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That Item #21 of the Municipal Manager's report re "Land Sales by Advertisement" be brought forward at this time."

CARRIED UNANIMOUSLY

The Manager reported that for years it was the custom to include a reserve price in the advertisements of property offered for sale; however, one Council disagreed with this practice and directed that it be discontinued. Property is now advertised for sale by a bid without specific mention of a reserve price. The advertisement clearly states that any or all bids may be rejected. When bids are reported to Council a recommendation is made of a minimum acceptable price, which is, in essence, the reserve price. The recommendation to Council respecting the actual bids reflects this minimum acceptable price. These procedures were followed in the case of the 38 lots in D.L. 86 offered for sale by tender.

The Manager submitted that the Land Agent calculated a minimum price of \$150.00 per foot for these lots. However, this cannot be construed as applying only to the actual frontage of individual

lots because some are irregular in shape and have narrow frontages and broad rear lines. The reserve price of \$12,000.00 was then calculated on the basis of the average lot size - 80 feet at \$150.00 per foot.

The staff invariably refused to make any suggestion to prospective bidders as to what bid they should make. Information is available with respect to previous sales in the area but the bidder is expected to decide for himself what a particular lot is worth to him. Of the lots which were subsequently put on sale over the counter at \$14,300.00 per lot, five have since been sold. The Land Agent states that the lot bid on by Mr. Langmead is not of lesser value. It has a lesser frontage but a larger rear lot line; the area is 13,400 sq. ft. compared with Lot 238 having a square-foot area of 14,200 sq.ft. and which sold for \$13,182.00.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:

"That the report of the Manager be received and the complainant be advised that the policy of the Corporation presently in force is being maintained and that the \$9,000.00 offered for Lot 239 by Mr. Langmead is not acceptable; further, that the Council is bound to sell land owned by the ratepayers of this municipality at as favourable a price as possible."

CARRIED UNANIMOUSLY

The Union of B.C. Municipalities wrote with reference to a resolution on Voting Procedures submitted by this Corporation for consideration at the forthcoming U.B.C.M. Convention advising that, since the subject matter of this resolution was of a technical nature, the executive have referred it to Mr. C. D. McQuarry, the Union Solicitor, for comment. If, in his opinion, the intent of the resolution is legally valid, the executive will take up the matter with the Department of Municipal Affairs without the necessity for presenting it for general discussion on the Convention floor.

The North Quadra Land Use Protection Association wrote drawing attention to recent happenings in the District of Saanich where the Council refused, after Public Hearing, to allow B.C. Hydro to construct a Service Centre and Equipment Yard in their residentially zoned neighbourhood. Recently, B.C. Hydro purchased a large acreage in the area and has begun to remove buildings and intends to proceed with its original plan as forbidden by the Saanich Council. This is regarded as an abrogation of the rights of municipalities to properly zone their own communities and the Association requested that the Council resolve that Crown Corporations be required, like private Corporations, to comply with municipal zoning regulations. The Association asked that the Council's views be conveyed to the Provincial Government.

During discussion, it was suggested that requests of this kind should come through an elected body, not an Association such as the North Quadra Land Use Protection Association or the matter should be taken up through the Union of B.C. Municipalities.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That the Association be advised to take the matter up with the Mayor of the Corporation of the District of Saanich, who is the President of the Union of B.C. Municipalities, so that the matter can come forward for consideration through that body."

CARRIED

ALDERMAN LADNER -- AGAINST

Aug/10/1970

Alderman Ladner suggested that the principle of the matter raised should be brought to the attention of the Provincial Government with a request that some consideration be given to the establishment of a better liaison between municipalities and the Provincial Government in matters of this kind.

Dr. Edward Chan wrote advising that he had placed two bids on Lots 212 and 213, D.L. 86, Plan 36959, in the amount of \$18,555.00 and \$15,555.00 respectively, which were both accepted. Dr. Chan advised that he had anticipated being successful on one lot only and asked that his bid on Lot 13 be withdrawn and that the deposit paid on that bid be applied to the purchase of Lot 212.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That Item #20 of the Manager's Report "Sale of Lots 212 and 213, D.L. 86, Plan 36959" be brought forward."

CARRIED UNANIMOUSLY

The Manager advised that there was no known precedent for the action requested by Dr. Chan. The problem would not be too complicated if it were not that the property was sold on the bid system. This naturally resulted in some of the lots being sold above the average successful bids and some at less than the average successful bids, to accede to Dr. Chan's request means the lot which presumably had been sold would have to be placed on the sale list at a fixed price - presumably, the \$14,300.00 established for other unsold lots. There would be nothing to prevent Dr. Chan, or someone on his behalf, approaching and buying the same lot at a total saving of \$1,250.00. The Manager recommended that the request be denied and if Dr. Chan does not want to proceed with the purchase of Lot 213 he would forfeit his deposit of \$777.50.

During discussion, it was suggested that the Council should study a bidding system on the basis that a deposit would be submitted on two or more lots with such deposit to apply on a priority basis in the event only one lot was to be purchased.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That the sale of Lots 212 and 213, D.L. 86, Plan 36959, to Dr. Chan be completed, provided that the down payments on Lot 213 be not required for a period of two months, and provided further that, if a two-month period is not considered to be sufficient enough time by Dr. Chan, he be given the right to make application to the Council for a further extension."

CARRIED

ALDERMEN CLARK &
DAILLY -- AGAINST

Mr. Ray Perrault, M.P., wrote with reference to the Barnet Beach development and advised having discussed the matter with officials of the Canadian Transport Commission, and that the Commission is prepared to send one of their Engineers to the Barnet Beach area to study the feasibility of constructing an overpass across the C.P.R. railway right-of-way at this point. Mr. Perrault also advised that, in the event the feasibility study proved an overpass structure possible, the municipality, as well as the railway and Canadian Transport Commission would, in all probability, become involved in the financial arrangements for such an overpass.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:
"That the offer contained in the letter of Mr. Perrault to have one of the Canadian Transport Commission Engineers visit the Barnet Beach area for the purpose of studying the feasibility of an overpass at this location be accepted, and further, that a reply be forwarded to a letter mentioned in Mr. Perrault's letter as having been received from the Commission, when the Parks and Recreation Commission have reported on the crossing aspect."

CARRIED UNANIMOUSLY

THE MUNICIPAL CLERK made mention, on behalf of His Worship, Mayor Prittie, of the following matters:

- (i) A letter from the Red Cross Association drawing attention to a blood donor derby to be held amongst Lower Mainland Municipalities in the near future in the hope that such a derby would stimulate blood donor activities throughout the area. The letter was accompanied by a schedule of dates for blood donor clinics within municipalities in the area.
- (ii) Attention was drawn to an award won by the Burnaby Junior Chamber of Commerce at the Kelowna Regatta held during the month of August when the Burnaby float won the First Prize in the Service Clubs Division. The expenses of the float and of the transportation of Miss Burnaby to the Regatta were partially borne by the Municipal Council.

HIS WORSHIP, ACTING MAYOR DRUMMOND, DECLARED A RECESS AT 8:55 P.M.

THE COUNCIL RECONVENED AT 9:15 P.M.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That the Council now resolve into a Committee of the Whole, with the Mayor in the Chair (9:14 p.m.)"

CARRIED UNANIMOUSLY

TABLED ITEMS

(a) Reports of Planning Department dated July 27th re:

- (1) RZ #24/70 -- N.165.5 ft. of Lot 2, except N.123 ft., Block 5, D.L. 32, Plan 6123 (property West side of Nelson Avenue approximately 417 feet North of Kingsway)

During discussion, the following points were made:

- (i) Monies have been accepted for construction of the lane and commitments have been given.
- (ii) The applicants have expressed the position that it is not practical to think in terms of the development of this land within the overall McMurray Community Plan because of the closeness of the property to the developed Salvation Army property.
- (iii) The extension of Sanders Street will be split off the Caravan Auto Court land.

The Planner was asked if it would take any length of time to bring forward a plan of development for this site alone, and the Planner advised that his Department could meet with the applicant and advise the Council within two weeks; if the developer feels he must develop the property alone, then the Department would proceed no further with the McMurray plan as related to this property and would report back to the Council accordingly.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That this application be tabled for a period of two weeks and that the recommendation of the Planner be concurred in for the moment and that in the event the Planner and the developer cannot agree on some mutually acceptable plan, then the Planner be instructed to bring back a plausible development for this particular site."

CARRIED UNANIMOUSLY

Aug/10/1970

- (2) RZ #27/70 - Lots 1, 2, 3 and 4, Blk.8, D.L's 116/186, Plan 1236 (application for rezoning to Multiple Family RM3 - property at 306 South Boundary and three properties in the 3700 Block Albert Street)

The Manager submitted that it was his understanding that new information was available with respect to this application and could be presented by the developer in due course.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:

"That this application be tabled for a period of two weeks and that the applicant be contacted and invited to make any submissions he may care to make at the next meeting of the Council on August 24th."

CARRIED UNANIMOUSLY

- (b) Special Report No. 5, 1970 of the Municipal Manager re Seton Academy and Universal Life Foundation Society (tabled from July 27th meeting.)

The Manager suggested that there was no urgency in the subject matters of this report and that in view of the lengthy Agenda before the Council at this meeting, this report might be tabled for a further period.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That Special Report No. 5, 1970 of the Municipal Manager be retabled for a period of two weeks."

CARRIED UNANIMOUSLY

* * *

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:

"That a Public Hearing be held on Tuesday, September 1, 1970, at 7:30 p.m., for the purpose of receiving representations for or against certain zoning applications recently presented to the Council."

CARRIED UNANIMOUSLY

* * *

QUESTION & ANSWER PERIOD

ALDERMAN MERCIER questioned the procedures being followed by the Assessment Department in sending notices to business and industrial concerns in the municipality seeking financial information for assessment purposes. The right of the municipality to ask for financial statements or operating costs was questioned. It was suggested that only the costs of incoming or outgoing rentals should be asked for and that the current practice of asking for full financial information should be stopped. It was suggested that the foregoing be regarded as Notice of Motion by Alderman Mercier and that he bring forward a formal motion at the August 24th Council meeting.

ALDERMAN DAILLY questioned ^{the} activities of the Voters' List and Election Procedure Committee and submitted a query as to whether or not any recommendations would be forthcoming concerning enumeration or registration of Resident and Tenant Electors.

Alderman Clark, Chairman of the Committee, advised that letters from the two municipal political associations had only been received within the last day or two and that the Committee would be meeting very shortly to consider the submissions of the Association and to bring down a report to the Council with recommendations.

R E P O R T S

HIS WORSHIP, MAYOR PRITTIE, submitted the recommendation that Aldermen W. A. Blair and W. R. Clark be appointed to a Committee to discuss the Burnaby Sports Complex which was the subject of Item #25 of the Manager's Report l.o. 41, 1970.

The Mayor advised that it was expected that the Parks and Recreation Commission and the Vancouver-Fraser Parks District would each appoint two members.

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

CARRIED UNANIMOUSLY

THE MUNICIPAL CLERK submitted Certificates of Sufficiency covering the following Local Improvement Works:

(i) Paving of lane (by petition) known as *"Dundas Street - Triumph Street lane from Carleton Avenue to Madison Avenue"*

(ii) 1970 Local Improvement Programme *as per attached schedule*

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:
"That the Certificates be received and the necessary Local Improvement Construction By-Laws be brought forward."

CARRIED UNANIMOUSLY

ALDERMAN LADNER submitted a list of work in progress after consultation with the Planning Director, pending, or to be done in the future within the Planning Department, with designated suggested priorities.

The "A" priority was under way; "A" I was a suggested direction to the Planning Director to complete the work designated as soon as possible; designations "A" II, and III were work less immediately required.

Priorities "B" and "C" were as designated.

Alderman Ladner submitted that the list did not include the day-to-day work of the Planning Department such as rezoning, subdivision and development applications, or other miscellaneous work including that which is necessary for weekly Council Agendas.

The priorities had been designated in consultation with the Planning Director who agreed with all the suggested priorities except the one designated for Item VI(6), which he suggests should be designated "A" I.

Alderman Ladner recommended that work on Items V, (13) and (14) being detailed studies related to the development of the West side of Burnaby Mountain commence immediately following the completion of the reports relating to Community Plan areas. The Planning Director expects this will be done in September, 1970.

Alderman Mercier noted that the report included:

- (i) 27 studies initiated by the Council;
- (ii) 8 studies initiated from outside sources;
- (iii) 43 studies initiated by the Planning Department.

It was felt there should be further considerations of the priority listing, perhaps at a special Council meeting.

THE CORPORATION OF THE DISTRICT OF BURNABY

HIS WORSHIP, THE MAYOR,
AND MEMBERS OF THE MUNICIPAL COUNCIL:

Gentlemen:

RE: 1970 LOCAL IMPROVEMENT PROGRAMME

In accordance with Section 589 of the Municipal Act, I beg to report that I have published in a newspaper circulating in the municipality and also served upon the owners of property affected, Notice of Intention to construct a variety of Local Improvements of the type hereinafter indicated on the streets shown:

PROJECT NUMBER	DESCRIPTION OF WORKS	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC- TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
<u>PAVEMENT WIDENING TO THIRTY-SIX FEET</u> <u>PLUS CONCRETE CURB ON BOTH SIDES</u> <u>SIDEWALKS</u>							
1-1	Cameron Street from the W.P.L. Lot 55, D.L.4, Plan 31308 to Noel Drive	24	13	NIL	\$2,171,215.	\$1,085,608.	NIL
1-2	Halifax Street from Kensington Avenue to Sperling Avenue	30	16	NIL	259,160.	129,580.	NIL
1-3	Broadway from Bainbridge Avenue to Cliff Avenue	16	9	10	141,490.	70,745.	\$ 71,260.
<u>PAVEMENT WIDENING TO FORTY-FOUR FEET</u> <u>PLUS CONCRETE CURB ON BOTH SIDES</u> <u>SIDEWALKS</u>							
2-1	Bainbridge Avenue from Greenwood Street to Loughheed Highway	12	7	4	236,270.	118,135.	44,885.
<u>PAVEMENT WIDENING TO TWENTY-EIGHT FEET</u> <u>PLUS CONCRETE CURB ON BOTH SIDES</u> <u>SIDEWALKS</u>							
3-1	Halifax Street from Holdom Avenue to Kensington Avenue	67	34	28	586,065.	293,033.	262,160.
3-2	Cliff Avenue from Broadway to Halifax Street	53	27	4	403,635.	201,817.50	29,185.

DATED THIS DAY OF , 1970.
GW/fl

Aug/10/1970

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:

"That the report of Alderman Ladner be received and be brought forward in two weeks' time in order that His Worship, the Mayor, may be in a better position to establish a date for a special meeting to consider the priority listing as submitted."

CARRIED UNANIMOUSLY

The Planner was asked to look into the possibility of including in the priority listing a study of the area South of Smith Avenue and East of Boundary Road which had become affected by the advent of the access and egress to and from Highway 401 to the North and the up-grading of Canada Way to the South, making it necessary for a review of traffic patterns and other aspects within this area.

* * * *

MUNICIPAL MANAGER'S REPORT NO. 45, 1970

(1) Lane - Georgia-Frances, East of Delta Avenue

The Manager reported that this was a problem lane contained in a report to the Council on problem lanes and that all the necessary acquisitions for construction of this lane had been made except for the rear 10 feet of Lot 4, Blk."H", D.L. 127W3/4, except the West 80 feet, Plan 1254 (5030 Frances Street). The Manager submitted that the owner refused to donate or sell the rear 10 feet of her property because of dissatisfaction over paving of the street. The fence and buildings were set back from the lane in contemplation of the future lane construction. The Manager recommended that the Council authorize the expropriation proceedings for the South 10 feet of the said lot.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:

"That no action be taken on the recommendation of the Manager due to the existing policy whereby lanes will not be developed unless 100% co-operation insofar as the dedication of land is concerned is given by the property owners abutting the lane."

CARRIED UNANIMOUSLY

(2) By-Law No. 5739

The Manager reported this By-law amends "BURNABY TRADES LICENCE BY-LAW 1950". The By-law defines "agricultural pesticide" and provides for an insurance policy for comprehensive general liability covering premises and operations liability, including completed operations liability, in limits of not less than:

Bodily Injury Liability	\$500,000 each occurrence 500,000 aggregate products and/or completed operations
Property Damage Liability	\$500,000 each occurrence 500,000 aggregate products and/or completed operations,

and approved by the Corporation, to be obtained and maintained at the Licensee's cost, as a condition of a Licence for Commercial Spraying.

The Manager noted that the Provincial authorities were thinking of something along this line but in amounts of \$100,000 and \$10,000 only.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:
"That the liability limit be set at \$100,000 for Bodily Injury Liability and \$100,000 for Property Damage Liability, on the understanding that the Association representing the Commercial Pesticide Applicators be allowed an opportunity to comment on the proposed new limits to be set in the By-Law."

CARRIED

ALDERMEN CLARK, HERD
AND BLAIR -- AGAINST

(3) Disbursal of Surplus Local Improvement Monies

The Manager reported that, under Security-Issuing By-Law No. 5535, Burnaby borrowed \$41,120 to finance the cost of Local Improvement works authorized by By-Law No. 5152 for \$19,680, to finance those in By-Law No. 5348. The complete cost of the projects were \$33,573 and \$9,318, leaving a surplus of \$17,909.

The Manager recommended that a by-law be passed to authorize the application of the surplus of \$17,909 to reduce the amount of borrowing required to finance the works authorized by By-law No. 5336, the Municipal Solicitor having prepared By-Law No. 5755 for this purpose.

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

CARRIED UNANIMOUSLY

(4) 1969 Annual Report - Burnaby Health Department

The Manager submitted the Annual Report for 1969 of the Burnaby Health Department.

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

CARRIED UNANIMOUSLY

(5) 8800 and 8900 Blocks 15th Avenue and 7600 Block Cariboo Road

The Manager reported that this area was included in a previous report on "pockets" or small unsewered areas within the Municipality where development had taken place.

The Manager listed the eleven areas included in Item #12 of his Report No. 39, 1970.

The areas were not numbered to show any priority. Nos. 1 and 3 were included in the 1970 Capital Improvement Programme.

Omitting Nos. 1 and 3, a count of existing buildings has been made:

Area No. 2	-	47
4	-	26
5	-	7
6	-	47
7	-	58
8	-	14
9	-	16
10	-	26
11	-	42

Based on its general knowledge of areas, rather than an intensive field examination, the Health Department rates priorities as:

Area No. 1	(In 1970 programme)
3	(In 1970 programme)
6	{ Interchangeable priority)
7	
10	
4	
8	

and further states that Areas Nos. 2, 5, 9 and 11 should be decided on other than any health necessity.

Area No. 11 (within which the blocks shown in the caption are situated) was re-examined after the claims of the delegation were heard and only one nuisance was found which is easily corrected.

The Manager recommended that Areas Nos. 10, 4 and 8 be added to the 1970 programme. This would complete the Health Department list with the exception of Areas Nos. 6 and 7 which cannot be considered at this time due to the excessive cost.

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

CARRIED UNANIMOUSLY

(6) Damage Claim - Einar Anderson, 7770 Sussex Avenue

The Manager recommended that a claim of the above named be settled by an ex gratia payment of \$250.00 subject to the necessary releases being obtained to cover damage to a fence, garage and retaining wall on the claimant's property, which damage was caused by the contractor responsible for paving the lane whose actions were under the direction and supervision of municipal employees.

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

CARRIED UNANIMOUSLY

(7) Social Welfare Per Capita Costs

The Manager referred to a report dated July 13, 1970, submitted by him to the Council wherein it was advised that, on the basis of a revised per capita rate by the Provincial Government and including a retroactive adjustment for the 1969-70 fiscal year, there would be a shortfall of \$71,685.60 in this Corporation's provision for Social Welfare per capita charges.

At that time, mention was made that the new per capita charge of \$1.06 would not be sufficient according to the trend.

On August 4th, 1970, the Provincial Government advised that from 1st July, 1970, the per capita charge was increased to \$1.15 per month. In dollars, this is an increase per month of \$10,080.81 which is \$60,484.86 for the balance of the Corporation's financial year. The total estimated shortfall in 1970 is \$132,170.46. The per capita increase is due to the large increase in social allowance cases and does not result from any change in the cost-sharing formula - 80%/20%.

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

CARRIED UNANIMOUSLY

ALDERMAN LADNER WITHDREW -- 10:10 P.M.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That the liaison Alderman on Finance and the liaison Alderman on Welfare, together with the respective Department Heads meet as a Committee with a view to reporting back to the Council on constructive solutions to the problem of Welfare payments and that a general discussion on financial aspects be held simultaneously."

CARRIED UNANIMOUSLY

ALDERMAN LADNER RETURNED TO HIS COUNCIL SEAT.

(9) Stanley - Allman Lane

The Manager recommended that authority be granted to expropriate the rear 10 feet of:

(a) 7893 Stanley Street - Lot 3, Blocks 1 and 2,
D.L. 87, Expl. Plan 14265, Plan 4459 (F.A. & R.M.
Armstrong)

(b) 6230 Canada Way - Lot 3, Blk.2, D.L. 87, Plan 1494

in order to complete the lane to Allman Street and Sixth Street.

The Manager submitted that negotiations to acquire these two widening strips have been unsuccessful.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CLARK:

"That the recommendation of the Manager be not adopted in view of the existing policy with respect to the acquisition of necessary land for lane allowance purposes."

CARRIED UNANIMOUSLY

(10) Lot 39 Except Parcel "A", Explanatory Plan 16876, D.L. 86,
Plan 1203 (Lesosky)

The matter of Mr. Lesosky developing this property was tabled previously to allow the Planner to meet with the applicant. The earliest Planning had been able to arrange this meeting to discuss detailed servicing estimates was Monday, August 10th, and it would be impractical for the Department to have a report to Council on that date. The Manager recommended this subject be retabled till August 24th.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(11) Rezoning Reference No. 20/70

The Manager reported on this rezoning which applies to:

(a) Block 27, Expl. Plan 19908, D.L. 29, Plan 4215 (7542 Kingsway)

(b) Lot 1, Blk.26, D.L. 29, Plan 4900 (Vacant)

(c) Blk. 26, D.L. 29, Sketch Plan 7868, Plan 3035 (7558 Kingsway)

The requested rezoning is from C4 and R5 to RM3 and C2.

The Manager reported that the Planning Department was to work with the developer on the creation of a plan in keeping with points listed in the Department's report and that the Department had met with the developer who was insistent that he would accept nothing but RM3 zoning.

The Manager recommended that the Planning Report be now reconsidered and that the application be not approved.

The Manager reported verbally that a 'phone call had been received from the applicants who had asked for additional time to consider the matter.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:
"That this item be tabled for a period of two weeks."

CARRIED UNANIMOUSLY

(12) Rezoning Reference No. 16/70

The Manager reported that this rezoning reference applied to property at 4361 Kingsway and the application was to rezone from C3 and R5 to CD Comprehensive Development.

The prerequisite that the removal of all buildings on the property be effected within six months of the rezoning had not been recommended at the time the report on this rezoning was submitted, and the Manager recommended that the following prerequisite be set:

"A submission of an undertaking that all structures will be removed within six months of the rezoning being effected."

The Manager further reported the applicant indicated at the Public Hearing that he intended to demolish all existing buildings on the site.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That this Council meeting extend beyond the hour of 10 o'clock."

CARRIED

ALDERMAN CLARK AND ACTING
MAYOR DRUMMOND -- AGAINST

(13) Rezoning Reference No. 35/70

This rezoning reference covers three properties at 5608, 5622 and 5636 Inman Street, and the rezoning requested is from R5 to RM3 Multiple Family.

In the Planning report to Council of 27th July, Planning advised that further services may be required as prerequisites to this rezoning depending upon the outcome of the Engineering Department's review which was then in progress.

It was therefore recommended that the following be set as a prerequisite to this rezoning:

"The deposit of monies to cover the cost of providing storm sewers to serve this site."

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

CARRIED UNANIMOUSLY

(14) Home-Owner Grant Claims

The Manager supplied the following information to the Council in view of the recent publicity given to non-payment by the Government of claims submitted to the Government for Home-owner Grants allowed:

Based on the following assumptions:

- (a) a period of 28 days after submission of claims before payment can be expected is reasonable, according to previous experience;
- (b) an interest rate of 7.3% for short-term money.

The delay in 1970 in payment of Burnaby's Home-owner Grant claims resulted in a calculated loss in interest earnings of \$4,283.29.

Payment was received on 4th August, 1970, of all claims submitted to and including 13th July, 1970. The amount of the payment was \$1,843,150.11. The 13th July, 1970, claim would not normally be expected until 10th August, 1970.

There are now two outstanding claims dated 20th and 28th July, 1970, totalling \$1,676,381.48.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That this information be received."

CARRIED UNANIMOUSLY

(15) Subdivision Reference No. 187/68 - Heathdale Drive

The Manager reported that initially, the subdivision of property creating Heathdale, West of Howard, created only a 30-foot road allowance and an easement for sewers was retained over Lot 372 on the South side. Lot 372 was subsequently subdivided into five lots and the South half of the road allowance dedicated. The easement in error, was transferred to all five lots, whereas actually it is required from two lots, Nos. 392 and 393.

The Manager recommended that the Council grant authority to have the charge against Lots 378, 379 and 380 released.

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

CARRIED UNANIMOUSLY

(16) Mobile Home Parks

When Council adopted a recommendation of the Advisory Planning Commission that Mobile Home Parks be not permitted in Burnaby, it added a rider that it wished to be informed of any actual proposal received by the Planner in the event that there may be an interim use of land proposal come forward.

The Planner reported having received a letter from Gordon & Gordon Realty Limited on the subject of mobile home parks together with statistical and illustrative material of mobile home developments.

Although no definite schemes were advanced, an area of at least 20 acres has been suggested for the establishment of a mobile home park site on the basis of a lease of not less than 30 years. This would not be in keeping with the directive of Council that mobile home park developments be considered only on an interim land use basis.

Council direction was requested before proceeding further on this matter.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:
"That the applicants be advised that this municipality is not interested in the development of mobile home parks within its bounds."

Aug/10/1970

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:

"That the motion be tabled and the applicants be asked to submit a firm proposal for servicing, plans, and location, together with any other pertinent information to the Council for consideration."

CARRIED

ALDERMAN McLEAN -- AGAINST

(17) Contract with Ridgeway Pacific Construction Limited for a Field House - KENSINGTON PARK

The Manager reported that, on recommendation from the Parks and Recreation Commission, Council awarded a contract for the above work to Ridgeway Construction Limited. The bid contract price was amended by removing the "mechanical" bid and replacing it with a Prime Cost Sum of \$20,000.

The "mechanical" was to be re-tendered. Four contractors bid when the "mechanical" was re-tendered, and the lowest tender received was from B. & R. Plumbing and Heating Limited for \$23,444.00.

The Manager recommended that the Council approve an amendment to the Contract to reflect the new "mechanical" bid amount, subject to ratification by the Parks and Recreation Commission.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(18) Drive-in Restaurants

The Manager submitted a report of the Planner which was further to a report submitted to the Council on July 27, 1970. The Planner made the following recommendations:

- (i) That the present definition of "drive-in business" be retained, with the exclusion of drive-in restaurants, to cover other forms of drive-in facilities.
- (ii) That the following definition for "restaurant" be added to the by-law:

"Restaurant" means an eating establishment where food is sold to the public for immediate consumption within the premises, but where no provision is made for the consuming of food in motor vehicles which are parked on the site.
- (iii) That a new definition be included in the by-law for drive-in restaurants, as follows:

"Drive-in Restaurant" means an eating establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles which are driven onto the site where such establishment is located and where the customer is permitted, or encouraged, either by the design of the restaurant facilities or by service and/or packaging procedures, to:

 - (a) remain in his vehicle for service and consuming the food which is purchased, or
 - (b) leave his vehicle to purchase food and is given the choice of either consuming the food in his vehicle or within the drive-in restaurant building.

- (iv) That a new zoning category be created for drive-in restaurants, with the following requirements:

"307. DRIVE-IN RESTAURANT DISTRICT (C7)

This District provides for the regulation and location of drive-in restaurants in proper relationship to surrounding development.

307.1 Uses permitted:

- (1) Drive-in restaurants
- (2) Accessory buildings and uses.

307.2 Conditions of use:

- (1) A lot occupied by a drive-in restaurant shall be separated from an adjoining street by a fully and suitably landscaped and properly maintained strip of not less than six feet in width.
- (2) Screening of not less than six feet in height shall be provided and properly maintained where a drive-in restaurant abuts a lot in an "A", "R" or "RM" District, or is separated therefrom by a lane.
- (3) The entire customer service area shall be paved with a permanent surface of asphalt or concrete.

307.3 Height of Buildings:

The height of a building shall not exceed twenty feet.

307.4 Lot Area and Width:

Each lot shall have an area of not less than 10,000 square feet and a width of not less than 100 feet.

307.5 Lot Coverage:

The maximum coverage shall be twenty percent of the lot area.

307.6 Front Yard:

A front yard shall be provided of not less than twenty feet in depth.

307.7 Side Yards:

A side yard shall be provided on each side of the building of not less than twenty feet in width.

307.8 Rear Yard:

A rear yard shall be provided of not less than twenty feet in depth.

307.9 Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this By-law.

307.10 Off-Street Loading:

Off-street loading shall be provided and maintained in accordance with Schedule IX of this By-law."

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the reports of the Planner dated July 27, 1970 and August 10, 1970, on the subject of drive-in restaurants be referred to the Advisory Planning Commission for consideration and report to the Council."

CARRIED UNANIMOUSLY

(19) Rezoning Reference No. 58/68(a)
Lot 13, D.L. 2, Plan 35814 (9920 Lougheed Highway)
FROM A2 SMALL HOLDINGS TO C4 COMMERCIAL

At the July 13, 1970 meeting, the Municipal Council decided to proceed with this by-law and requested the Planning Department to report on the prerequisites to this rezoning.

It is therefore recommended that the following be set as prerequisites to this rezoning:

- (i) The submission of a suitable plan of development which places particular emphasis on properly screening the subject property from adjacent apartment developments proposed to the South and West, and which resolves problems of access and onsite stacking of cars.
- (ii) The submission of an agreement that all landscaping shall be carried out as part of the first stage of development.
- (iii) The submission of a Notice of Agreement to the future closure of Rochester Street.
- (iv) The submission of an undertaking to remove all existing improvements within six months of the rezoning being effected.
- (v) The deposit of sufficient monies to cover the cost of the following servicing requirements:
 - (a) storm and sanitary sewers;
 - (b) the enclosure of the watercourse on the property.

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

CARRIED UNANIMOUSLY

(20) Sale of Lots 212 and 213, D.L. 86, Plan 36959

This item was dealt with earlier in the Agenda in connection with an item of correspondence received from Dr. Edward Chan.

(21) Land Sales by Advertisement

This item was dealt with earlier in connection with an item of correspondence received from Mr. R. J. Langmead.

(22) Reports under Section 601 of the Municipal Act

The Manager submitted reports of the Municipal Treasurer pursuant to Section 601 of the Municipal Act relative to certain lane paving projects which required re-initiation for various reasons, and to the initiation of three new projects. (Attach).

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

CARRIED UNANIMOUSLY

(23) Edmonds - Kingsway Area "O" - Community Plan Area #6

The Manager submitted a report of the Planner dated August 10th, 1970, advising that under the 1969 Revised Apartment Study the Kingsway-Edmonds Area was designated as a "district centre" with a substantial commercial core and related high and medium density apartment development.

THE CORPORATION OF THE DISTRICT OF BURNABY

Local Improvement Report - Lanes
Per Section 601 Municipal Act

<u>Project No.</u>	<u>Location of Work</u>	<u>Length of work</u>	<u>Estimated cost of work</u>	<u>Actual frontage</u>	<u>Taxable frontage</u>	<u>Exempt frontage</u>	<u>Owners' share of cost</u>
3-5	Albert-Pandora lane from E.P.L. Lot 14, Blk. 1, D.L. 121 and 187P1. 1354 to Carleton Ave.	220	\$ 440	396.00	396.00		\$ 396.00
12-7	Goodlad-Elwell lane from 6th Street to the W.P.L. of Lot 20E½ Ex. S.E. 10', Blk. 2, D.L. 90S, Plan 555.	770	1,540	1,102.49	1,033.99		1,033.99
13-29	Brantford-Empress lane from Oakland to N.P.L. Lot 11, Blks. 89 & 91, D.L. 92, Plan 15875	185	370	333.12	333.12		333.12
13-47	McBride-Elwell lane from McBride to W.P.L. Lot "C", S.D. 2/7, Blks. 1 & 3, D.L. 95N, Plan 10466, excepting that portion from N.P.L. Lot 17 to Elwell St.	560	1,120	1,094.80	990.90		990.90
9-40	Monarch-Eglinton lane from a point 80' east of Gilmon Avenue to E.P.L. Lot 73, D.L. 83, Plan 24961	410	820	818.36	707.79		707.79
14-87	Patrick-Keith "T" lane between McGregor and Royal Oak excepting that portion from N.P.L. Lot 8, Blk. 2, D.L. 158, Plan 2044 to Keith Street	500	1,000	904.30	739.20		739.20
14-36	Lane between Boxer Street and Marine Drive from a point 24' east of Patterson Ave. to McKay Ave.	1,116	2,232	2,113.20	1,535.00	66.00	1,535.00

Item 22
Manager's Report No. 45, 1970

-22(a)-

Aug/10/1970

<u>Project No.</u>	<u>Location of Work</u>	<u>Length of work</u>	<u>Estimated cost of work</u>	<u>Actual frontage</u>	<u>Taxable frontage</u>	<u>Exempt frontage</u>	<u>Owners' share of work</u>
14-118	Carson-Patrick "L" lane from a point 51' east of McPherson Avenue to Carson Street.	600	\$1,200	1,086.73	811.20	66.00	\$ 811.20
1-94	McGill-Eton lane from McDonald Avenue west to W.P.L. Lot 6, Blk. 26, D.L. 186	170	340	320.00	320.00		320.00
5-61	Lane section between Buchanan and Parkcrest, west of Woolwich Avenue	100	200	155.00	100.00		100.00
16-14	Lane north of Bevan Street from Stride to 15th Avenue	400	<u>800</u>	779.34	498.00	66.00	<u>498.00</u>
			<u>\$10,062</u>				<u>\$7,463.20</u>

Although no community plan area was specifically noted in the apartment study, it was felt desirable to adopt an overall plan for the development of the area bounded by Kingsway, Edmonds, and Griffiths Avenue. The Planning Department had prepared a report and attached plans which indicated a conceptual development proposal and a possible subdivision pattern for the above described area. The various sites and developments were identified on the plans and were referred to by number.

The plan went on to outline the various developments proposed for the Community Plan area, together with amenities such as schools, transportation, services and commercial facilities available.

In summary, the report proposed a preliminary concept for the development of the area previously described as to bounds with respect to such aspects as land use, density, type of accommodation, vehicular movement, land subdivision and possible building locations. The Planner requested Council to accept the preliminary development plans, as outlined in their report, as the framework from which more detailed proposals could be developed by both the Municipality and private developers.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the report be received and referred to the Advisory Planning Commission for consideration and comment to the Council."

CARRIED UNANIMOUSLY

(24) Burnaby Association for Retarded Children - Appeal for a Site

The Manager reported that the Association submitted a Brief to Council on July 27th asking for a site on which the Association could erect a hospital and a workshop for the purposes of the Association. The Manager was asked to meet with principals of the Association and discuss the availability of land for the purpose. The site originally selected by the Association is not serviced, even by a road, and cannot therefore be recommended.

The Manager suggested to the Association that it consider a row of lots facing on the unconstructed Banff Avenue. There were many advantages to this site, including the fact that the Association will be the heir to the Auto Court property immediately across Banff Avenue. Rezoning would be required.

The Association is desirous of either an outright gift of the property or lease at a nominal rate.

The Manager advised the property under consideration was Lots 48B to 52B inclusive, S.D. 19, Block 6, D.L. 74S $\frac{1}{2}$, Plan 18520. The area was just under one acre but if the need was there it should be possible to add half of the Banff allowance to the site, and when the Association becomes the owner of the Auto Court, Banff can be cancelled completely and a composite site made.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That the report of the Planner be adopted, with details of sale or lease of the land to be worked out with the Association and the entire proposal be subject to rezoning of the property for the purpose."

CARRIED UNANIMOUSLY

(25) Proposed Road Exchange By-law - covering part of D.L's 6 & 10

The Manager reported that this by-law would affect part of D.L's 6 and 10, Group 1, Plan 31569, and a portion of Lot 69, Plan 31569 of D.L's 4 and 6. The road allowance to be corrected is Eastlake Drive, North of the Lougheed Highway.

It was necessary to amend the detailed alignment of the road intersection as shown on an attached plan.

The Manager recommended that the Council proceed with the preparation of a road exchange by-law to accomplish the change with all costs to be the responsibility of the developers.

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

CARRIED UNANIMOUSLY

(26) James Cowan Theatre Renovations

The Manager submitted that tenders were called for the subject work and that three tenders were received and opened by the Purchasing Agent; a tabulation of the bids received was attached to the Manager's report.

The tenders were considered by the Parks and Recreation Commission at its meeting held August 5, 1970, and the Commission accepted the low bid of Kirkham Bros. Construction Company Limited, subject to negotiation with the bidder on various deletions so that the total cost of the project including the consultants' fee would not exceed the provision for this project of \$49,800.00.

The Manager then listed eleven items for deletion which would bring the revised price with Kirkham Bros. Construction Company Limited to \$45,121.00. The consultants' fee and 10% would be \$4,512.00, making a total cost of the project of \$49,633.00.

The Parks and Recreation Commission recommended acceptance of the low bid by Kirkham Bros. Construction Company Limited, as revised to the price of \$45,121.00.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That the recommendation of the Parks and Recreation Commission be adopted."

CARRIED UNANIMOUSLY

(27) Rezoning Reference No. 63/69

The Manager reported that the above rezoning was an application for rezoning of D.L.158E½, Block 13, Lots 1 and 2 W½, Plan 1908, from C2 Commercial to CD Comprehensive Development, and the address of the property was 7224 Royal Oak Avenue.

The Planner submitted a report on the proposed rezoning setting up the areas where the proposed Comprehensive Development plans as submitted did not meet the requirements of the by-law.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CLARK:
"That the reports of the Manager and Planner be received."

CARRIED UNANIMOUSLY

(28) North End of Willingdon Avenue (Chevron Canada Limited)

The Manager reported on a letter received from the Burnaby Pollution Removal Association on 13th July, 1970, requesting that the action taken some months ago to close the North end of Willingdon Avenue be reviewed.

The Council had decided on 2nd October, 1967, to grant Chevron (Canada) Limited permission, pursuant to Sections 513 (1)(b) and 462 of the Municipal Act to construct:

August/10/1970

- (a) a gate across Willingdon Avenue at a point 105 feet South of the South-West corner of Lot 1, Block "A", D.L. 188, Plan 4169;
- (b) a fence between the aforementioned South-West corner of Lot 1 and along the Easterly boundary of Willingdon Avenue to the gate mentioned;

all as more particularly shown on a plan accompanying a letter of September 21st from the Company, subject to the Company saving the Corporation harmless from any damages or claims that may arise as a result of the installations and their presence.

The gate and fence were subsequently installed and are still in position, and the Agreement was executed.

The Manager quoted from a letter of request from the Company which outlined the reasons for the installation of the gates and fencing and also quoted from the latest letter from the Company relative to the closure of Willingdon by the entrance gates and the fencing which referred to the Agreement entered into by the Corporation on October 17, 1967.

The Manager reported further that the letter to the Council from the Burnaby Pollution Removal Association implied that the Company had erected the gate without permission, which is not correct.

The Association also understood that Burnaby owns Willingdon Avenue which is also incorrect, as it is a dedicated street but the Municipality does have control over it.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That in view of the Agreement entered into between the Corporation and Standard Oil Company, in favour of the latter, in the past, for closure of Willingdon Avenue, that this Council ask the Standard Oil Company to improve the pedestrian walkway situated along the East side of the fence erected pursuant to the Agreement to a proper and more usable standard."

CARRIED UNANIMOUSLY

(29) Estimates

The Manager submitted for approval the Municipal Engineer's Special Estimates of Work totalling \$19,843.36, and recommended approval.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:

"That the recommendation of the Manager be adopted."

An amendment to the motion was:

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That Item #36-197 be deleted and that the Engineer be asked to bring back a further report on this item to the next meeting of the Council on August 24, 1970."

Amendment to the Motion
CARRIED UNANIMOUSLY

Motion AS AMENDED
CARRIED UNANIMOUSLY

(30) Social Service

The Social Service Administrator submitted a report indicating the Social Allowance Disbursements and Caseloads for select months in 1970 as compared to those same months in 1969.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN LADNER:
"That the report be received."

CARRIED UNANIMOUSLY

(31) Sale of Municipal Lots - D.L. 86

The Manager reported on the lots in D.L. 86 not awarded by Council on tender bid and which were ordered by Council to be placed on sale at a price of \$14,300.00 for each lot.

The Land Agent reported that since then, the following seven lots have been sold:

Lot 215, D.L. 86, Plan 36959 (with easement)
Lot 216, D.L. 86, Plan 36959 (with easement)
Lot 219, D.L. 86, Plan 36959 (with easement)
Lot 222, D.L. 86, Plan 36959
Lot 233, D.L. 86, Plan 36959
Lot 211, D.L. 86, Plan 36959
Lot 220, D.L. 86, Plan 36959

The Manager recommended that the Council grant authority to execute the necessary documents, together with the sewer easements on Lots 215, 216 and 219, as noted.

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

CARRIED UNANIMOUSLY

(32) Report under Section 601 of the Municipal Act

The Manager submitted a report, pursuant to Section 601 of the Municipal Act, of the Municipal Treasurer, relating to sundry lane paving:

- (a) Location of Work: Rumble Street - Neville Street "T"
lane from Buller Avenue to East
Property Line of Lot 6, S.D.2,
Block 36, D.L. 159, Plan 13416
- Length of Work: 520 feet
- Estimated Cost
of work: \$1,040.00
- Actual frontage: 655.78 feet
- Taxable frontage: 609.96 feet
- Owner's share
of cost: \$609.96
- (b) Location of Work: Lane East of and parallel to
Douglas Road, from Laurel Street
to Fulwell Street
- Length of Work: 300 feet
- Estimated cost
of work: \$600.00
- Actual frontage: 528.00 feet
- Taxable frontage: 330.00 feet
- Owners' share
of cost: \$330.00

(c) Location of Work:	<u>Elwell - Rosewood Street lane</u> <u>between Mary Avenue and Canada</u> <u>Way</u>
Length of Work:	1,400 feet
Estimated Cost of Work:	\$2,800.00
Actual frontage:	2,252.13 feet
Taxable frontage:	1,448.15 feet
Owners' share of cost:	\$1,448.15

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

CARRIED UNANIMOUSLY

(33) German Measles Immunization Programme

The Manager reported on the direction from Council to obtain information regarding the public discussions of the German Measles Immunization Programme and the possibility of such a programme for Burnaby.

The Manager submitted information obtained from Dr. Bonham, M.H.O. for Vancouver, as a result of discussions with Dr. Sunderland before the latter left on holiday.

The Manager outlined the number of doses which would cost approximately \$18,000.00 to Burnaby.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That the Council approve of the concept of Burnaby entering into an Immunization Programme and that the Provincial Government be advised that it is understood that grants are made available for this purpose and that the appropriate Government department be asked to supply information on the circumstances under which such grants are made available."

CARRIED UNANIMOUSLY

* * *

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

BY - L A W S

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

"BURNABY LEASE AUTHORIZATION BY-LAW NO. 2, 1970" (#5742)

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 19, 1970,
AMENDMENT BY-LAW NO. 1, 1970" (#5754) and

"BURNABY LOCAL IMPROVEMENT FINANCING BY-LAW NO.2, 1970" (#5755)
and that they be now read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That the Council now rise and report the By-Laws complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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

"BURNABY LEASE AUTHORIZATION BY-LAW NO. 2, 1970" (#5742)
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 19, 1970,
AMENDMENT BY-LAW NO. 1, 1970" (#5754) and
"BURNABY LOCAL IMPROVEMENT FINANCING BY-LAW NO. 2, 1970" (#5755)
be now read a Third Time.

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That the Council now resolve into a Committee of the Whole to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 55, 1968" (#5401)."

CARRIED UNANIMOUSLY

This By-Law provides for the following rezoning proposal:

Rezoning Reference RZ #58/68(a)

Lot 13, D.L. 2, Plan 35814 (9920 Loughheed Highway)
FROM "A2" (SMALL HOLDINGS) TO "C4" (COMMERCIAL)

Prerequisites for this By-law were established earlier in this meeting, pursuant to Item #19 of Manager's Report No. 45, 1970.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That the Council resolve into a Committee of the Whole to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1970" (#5727)."

CARRIED UNANIMOUSLY

Aug/10/1970

This By-law provides for the following rezoning proposal:

FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT FIVE (RM5)
TO GENERAL COMMERCIAL DISTRICT (C3)

Rezoning Reference RZ#19/70

Lots 13 to 16 inclusive, Block 8, D.L's 151/3, Plan 2155
(4256, 4280 and 4292 Kingsway - Located on the S.E. corner
of Kingsway and Olive Avenue)

ALDERMAN LADNER expressed the opinion that the Comprehensive Development planned for this area differed with that for other community planned areas, in that extensive portions of the area were already zoned for "RM3" type apartments, and furthermore, were developed with apartments accordingly. The object of creating a higher density area was therefore partially disrupted. It was his feeling that, in view of the changed nature of the area, over that which was envisaged by the plan, and the fact that properties on Kingsway in the immediate vicinity were zoned for Commercial purposes and the developers were planning a "sit down" type of restaurant, the "C3" zoning should proceed.

ALDERMAN MERCIER submitted that Council had received the "Community Plan" as a guide only and expressed the view that it was not the best area for implementation of a Community Plan. In explanation, he pointed out that there was insufficient area left for development in this direction and therefore too late to proceed under a community plan.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That the Committee now rise and report the By-Law complete."

CARRIED

ALDERMEN BLAIR, LADNER
AND DAILLY -- AGAINST

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1970"
(#5727) be now read a Third Time."

CARRIED UNANIMOUSLY

* * *

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1969"
(#5610 - RZ#63/69) be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1969"
(#5610 - RZ#63/69) be now finally adopted, signed by the Mayor
and Clerk and the Corporate Seal affixed thereto."

CARRIED

ALDERMEN DAILLY & BLAIR --
AGAINST

Aug/10/1970

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO.86, 1969"
(#5640 - RZ#6368(b),

"BURNABY SECURITY-ISSUING BY-LAW NO. 1, 1970" (#5722) and

"BURNABY ROAD CLOSING BY-LAW NO. 10, 1970" (#5741)

be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO.86, 1969",

"BURNABY SECURITY-ISSUING BY-LAW NO. 1, 1970" and

"BURNABY ROAD CLOSING BY-LAW NO. 10, 1970"

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

CARRIED UNANIMOUSLY

* * *

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY COUNCIL INDEMNITY BY-LAW 1970" be now reconsidered."
(#5736)

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY COUNCIL INDEMNITY BY-LAW 1970" (#5736) be now
finally adopted, signed by the Mayor and Clerk, and the Corporate
Seal affixed thereto."

CARRIED

ALDERMEN CLARK &

DRUMMOND -- AGAINST

* * *

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:

"That leave be given to introduce:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1970",

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 35, 1970"and

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1970"

and that they be now read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

Aug/10/1970

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1970" (#5744) provides for the following rezoning proposal:

FROM RESIDENTIAL DISTRICT FIVE (R5) AND MULTIPLE FAMILY
RESIDENTIAL DISTRICT ONE (RMI) TO COMPREHENSIVE DEVELOP-
MENT DISTRICT (CD)

Reference RZ #8/70

- (a) Lot 75, D.L. 30, Plan 29773
- (b) Lots 14, 15 and 16, Block 13, D.L. 30, Plan 3036
- (c) Sketch 10972, Block 14, D.L. 30, Plan 3526
- (d) Lot "A" part on Sketch 11602, D.L. 30, Plan 4680

(7549 - 93, 7535, 7521, 7511, 7510 - 90 and 7604 - 48 Vista Crescent; Located on both sides of Vista Crescent East of Mary Avenue and the New Vista property East of and abutting onto Vista Crescent)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 35, 1970" (#5745) provides for the following rezoning proposal:

FROM RESIDENTIAL DISTRICT FIVE (R5) AND GENERAL COMMERCIAL
DISTRICT (C3) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #16/70

Lots 1 and 2 except part on Plan with By-Law 30078, Block 2 East part, D.L.'s 151/3, Plan 5457

(4361 Kingsway - Located on the North side of Kingsway from a point approximately 270 feet East of Chaffey Avenue, Eastward a distance of 228 feet, and extending through from Kingsway to Grange Street)

This rezoning proposal was dealt with earlier under Item #12 of the Manager's Report No. 45, 1970, in connection with the setting of an additional prerequisite.

The Planning Department submitted a further report on this matter (dated July 22, 1970) in connection with the prerequisite to rezoning (Item (b)) which required that a sufficient sum be deposited to cover the cost of widening and reconstructing that portion of Grange Street between Chaffey Avenue and the East boundary of the site. The report indicated that no widening of Grange Street was required at this point.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:
"That the prerequisite referred to as "Item (b)" be amended to read as follows:

- "(b) That a sufficient sum be deposited to cover the cost of reconstructing that portion of Grange Street abutting the property proposed for rezoning."

CARRIED

ALDERMAN HERD --
AGAINST

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1970" (#5750)
provides for the following rezoning proposal:

FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)
TO RESIDENTIAL DISTRICT SIX (R6)

Reference RZ #30/70

Lots 13 and 14, Block 29, D.L. 152, Plan 1292

(6567 Marlborough Avenue and 6568 Dunblane Avenue --
Located on the South side of Grimmer Street between Dunblane
Avenue)

Discussion was held concerning the opposition registered at the
Public Hearing on this rezoning and it was the general consensus
that the By-Law should not be proceeded with.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1970"
be not proceeded with."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

* * *

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 33, 1970" (#5743)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 36, 1970" (#5746)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1970" (#5747)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1970" (#5748)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1970" (#5749)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1970" (#5751)

and that they be now read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:
"That the Council 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. 33, 1970" (#5743)
provides for the following rezoning proposal:

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

Reference RZ #26/70

- (a) Lots 22 to 36 inclusive, Block 59, D.L. 218S, Plan 1289
- (b) Lots 3 to 17 inclusive, Block 64, D.L. 218S, Plan 1289

(Vacant property -- Located on both sides of Stratford Avenue
North from Pandora Street to within 66 feet of Dundas Street)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 36, 1970" (#5746)
provides for the following rezoning proposal:

FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT ONE (RM1)
TO RESIDENTIAL DISTRICT FIVE (R5)

Reference RZ #34/70

Lot "B", S.D. 1, Block 10, D.L. 116S $\frac{1}{2}$, Plan 21877

(820 Esmond Avenue -- Located on the East side of Esmond
Avenue from a point 76 feet South of Union Street Southward
a distance of 45 feet)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1970" (#5747)
provides for the following rezoning proposal:

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

Reference RZ #32/70

Lot 61, Block 17, D.L. 68, Plan 11700

(3790 Forest Street -- Located on the South side of
Forest Street from a point 58 feet West of Smith Avenue
Westward a distance of 49.5 feet)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1970" (#5748)
provides for the following rezoning proposal:

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

Reference RZ #33/70

Lot "D", S.D. 32; Blocks 15, 18, 1 and 2 part, D.L.'s 68/39W,
Plan 18026

(3814 Forest Street -- Located on the South side of Forest
Street from a point 66.5 feet East of Smith Avenue Eastward
a distance of 49.5 feet)

Aug/10/1970

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1970" (#5749)
provides for the following rezoning proposal:

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

Reference RZ #31/70

Lot "F"N $\frac{1}{2}$, S.D. 1, Block 31, D.L. 152, Plan 10076

(6709 Royal Oak Avenue -- Located on the West side of Royal
Oak Avenue, midway between Grimmer Street and Imperial Street)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1970" (#5751)
provides for the following rezoning proposal:

FROM ADMINISTRATION AND ASSEMBLY DISTRICT (P2)
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #25/70

Lots 29 and 30, Blocks 1/3, D.L. 95N, Plan 556

(7272 Kingsway -- Located at the South-West corner of Kingsway
and Edmonds Street)

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 33, 1970" (#5743)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 36, 1970" (#5746)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1970" (#5747)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1970" (#5748)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1970" (#5749)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1970" (#5751)

be now read a Third Time."

CARRIED UNANIMOUSLY

* * *

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:
"That leave be given to introduce "BURNABY ZONING BY-LAW 1965,
AMENDMENT BY-LAW NO. 42, 1970" (#5752) and that it be now read a
First Time."

CARRIED UNANIMOUSLY

Aug/10/1970

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

CARRIED

ALDERMEN McLEAN & DAILLY --
AGAINST

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:
"That the Council now resolve into a Committee of the Whole to
consider and report on the By-Law."

CARRIED

ALDERMEN McLEAN & DAILLY --
AGAINST

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1970" (#5752)
provides for the following Text Amendment concerning "TAXI OFFICES":

- (a) The deletion of the presently used term "taxi offices" from the Zoning By-law, where it is included as a permitted use in the "C3" (General Commercial) and "C4" (Service Commercial) Districts.
- (b) The addition of the following definitions to the Zoning By-Law:
 - (i) "Taxi Dispatch Office" means an office from which taxis are dispatched by radio to pick up fares and where related office functions may be carried on, but excluding the servicing and outside parking or storage of taxis on the lot.
 - (ii) "Taxi Service Centre" means an establishment from which taxis may be dispatched to pick up fares and where the servicing and outside parking or storage of taxis may be carried on in addition to related office functions.
- (c) The addition of "taxi dispatch offices" as a permitted use in the "C2" (Community Commercial), "C3" (General Commercial) and "C4" (Service Commercial) Districts.
- (d) The addition of "taxi service centres" as a permitted use in the "C4" (Service Commercial District).

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

CARRIED

ALDERMEN McLEAN & DAILLY --
AGAINST

THE COUNCIL RECONVENED.

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

CARRIED

ALDERMEN McLEAN & DAILLY --
AGAINST

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 42, 1970" (#5752) be now read a Third Time."

CARRIED

ALDERMEN McLEAN & DAILLY --
AGAINST

