

APRIL 13, 1970

An adjourned meeting of the Municipal Council was held in the Gymnasium of the Burnaby Central High School, 4939 Canada Way, Burnaby 2, B. C. on Monday, April 13, 1970 commencing at 7:00 p.m. and recessing at 9:15 p.m., to continue in the Council Chambers of the Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. at 9:30 p.m.

PRESENT: His Worship, Mayor Prittie, in the Chair;
Aldermen Blair, Clark, Dailly, Drummond,
Ladner, Mercier and McLean;

ABSENT: Alderman Herd

HIS WORSHIP, MAYOR PRITTIE, first explained that this was an Adjourned meeting of Council and not a Public Hearing.

He also pointed out that the meeting was being held in the Central Burnaby High School because of the large number of persons in attendance.

He also indicated that the Council would, after dealing with the item of concern to those in attendance, continue its meeting in the Council Chambers of the Municipal Hall.

His Worship explained that the letters which had been received during the past week in connection with the question of rezoning the "Seton Academy" property at 401 North Esmond Avenue to the P7 category would be read by the Municipal Clerk before any delegations were heard.

The letters to which His Worship referred indicated the following:

- (1) Executive Director, The X-Kalay Foundation Society, requested permission to make a presentation on behalf of the Society.
- (2) Reverend Alan Dixon of the Vancouver Heights United Church requested an opportunity to make a brief presentation on behalf of those in the area of the Seton Academy who support the application of the X-Kalay Foundation Society.

He also made the following points in his submission:

- (a) People, no matter what faith, all profess to be humanitarians and therefore should support the efforts of an organization such as X-Kalay because their object is to rehabilitate themselves.

April/13/1970

- (b) Over 150 persons contacted have indicated support of the X-Kalay application.
- (c) X-Kalay has a good record, both in terms of achievement and in having a good community standing in the Vancouver area where they have been in operation for over three years. They have demonstrated they deserve an opportunity to expand their programme on a suitable site, such as the Seton Academy.
- (d) A disciplined organization like X-Kalay will be an asset to the community because an exemplary programme of that nature will be held in esteem as a worthwhile achievement in community development.

(3) Mr. Arnold F. C. Hean, Barrister and Solicitor, advised that a number of concerned ratepayers in the Vancouver Heights area have attended upon his legal firm in regard to the matter of the Seton Academy being used by the X-Kalay Foundation.

He also requested an opportunity to be heard as the delegate representing these ratepayers.

(4) Mr. & Mrs. Louis A. Kaufman made the following points in their submission:

- (a) During the early months of the current year, it has come to their attention that a private organization under the name of X-Kalay is attempting to purchase the now vacant Seton Academy at 401 North Esmond Avenue for the purpose of housing up to "100 ex-convicts, drug addicts, petty thieves, bored sociologists" and creating an activity centre.
- (b) It is with grave concern that the property owners and residents in the area express strong objection to permitting such an organization to locate in the centre of an already congested residential district.
- (c) Vancouver Heights has received its fair share of obstacles over the last few decades toward maintaining a healthy environment conducive to raising children in a residential area. because of increased traffic congestion and noise precipitated by the 2nd Narrows Bridge, the C.N.R. Tunnel, an oil refinery, apartment development, and possibly a freeway which will eventually be developed in the area.
- (d) It is with deep regret that the Sisters of Charity were required to leave Seton Academy. This was due to their impossible financial position brought about primarily by increased costs in living and education which, due to the absence of any sort of subsidy could not be supported by society.
- (e) If the words of the officers of X-Kalay "that we attribute our success to the fact persons who are in conflict with society reject advice from all members of society, except fellow unfortunates" are true (with which the petitioners find no quarrel), the members would be well advised to seek a location

April/13/1970

which is more secluded in order to remove them from the already congested environment which originally resulted in those people becoming victims of society.

- (f) The amount X-Kalay proposes to spend (half a million dollars) would be better spent in purchasing a larger and more reasonable property in the Interior of B. C. away from the City.
 - (g) Oakalla Prison Farm is long overdue for relocation for the same reasons.
 - (h) Today's society has a difficult enough time to breed its offspring toward learning to be an asset to that society without placing a regiment of adult misfits and failures in the midst of their homes.
 - (i) Society as a whole must accept the responsibility for rehabilitating the victims of that society. In a nation such as Canada, there is ample room for such rehabilitative activities. To situate these "victims" in large numbers in one of the most populated areas in the nation, not to mention in their living quarters, is sheer stupidity.
 - (j) It is sheer sophistry and total discrimination to consider allowing criminals to mingle in any one area where innocent naive children and their mothers reside with what they believe to be reasonable safety.
- (5) Mrs. Charles H. Rennie, in her letter, pointed out that she has resided in the area where X-Kalay is presently located (2025 West 16th Avenue, Vancouver, B. C.) and has observed that the group is well organized and conscientious.

She added that the property of the X-Kalay Foundation is kept clean and tidy at all times, and the children in residence are happy and very well controlled.

Mrs. Rennie also suggested that the fears of those in the area where the Seton Academy is located regarding the possible move of X-Kalay into the Academy are completely unfounded.

- (6) Mr. W. Stuart MacLeod of the Canadian Memorial Church, 1811 West 16th Avenue, Vancouver, B. C. offered the following in support of the X-Kalay proposal:
- (a) The Canadian Memorial Church has had a first hand relationship with the X-Kalay Foundation.
 - (b) The Church is only two blocks from the present location of the Foundation.
 - (c) A number of the members of the X-Kalay Group have been using the Gymnasium at the Canadian Memorial Church and have been involved in other activities at the Christian Education Centre of the Church. They have been found to be completely dependable and most co-operative; in fact, they are regarded as a model group.

April/13/1970

- (d) It is considered a privilege to be of assistance to X-Kalay and is difficult to understand the anxieties that so many express concerning them.
 - (e) The members of the Church who live close to X-Kalay speak in glowing terms of their deportment. The fact they do not permit the use of alcohol or drugs no doubt is a contributing factor to their good deportment.
- (7) Mr. and Mrs. Lorne Kendall advised as follows in their letter supporting the X-Kalay proposal :
- (a) They have had an opportunity to meet a number of the members of the X-Kalay group at the Canadian Memorial Church and have visited their residence with children several times after Church.
 - (b) At all times, they have been most impressed with the friendliness, sincerity, dedication and high moral standards of personal conduct displayed by the members.
 - (c) Anyone in X-Kalay who uses drugs or alcohol, even once, is automatically excluded from the group.
 - (d) As well as finding such acquaintances personally enjoyable, it has also been educational for their children.
 - (e) X-Kalay members have spoken to students against the use of drugs, at many schools, as part of their educational programme. There is no better person to present the dangers and problems of drug use than someone who has had first hand experience and has managed to rehabilitate himself. X-Kalay would be a strong educational force in the community against the use of drugs.
- (8) Mr. M. M. St. Amour, in his letter, expressed a strong objection to the rezoning of the Seton Academy property for the use of X-Kalay because he felt his children would be under constant danger, especially around the park.
- (9) W. R. Kaye indicated his extreme concern over the sale of the Seton Academy property to the X-Kalay Foundation.
- He suggested that, since the members of the Foundation are ex-convicts, drug addicts, etc., the mothers in the area with small children would feel very unsafe.
- He also remarked that, in any case, property values would be depreciated in the area if X-Kalay was allowed to locate in the Seton Academy.
- (10) Mrs. D. Steele and a number of others offered the following, in their petition, in opposition to the X-Kalay proposal:
- (a) The Seton Academy would be used as a hotel for ex-convicts, dope addicts, etc.

- (b) Permitting such use would not be fair.
- (c) The residents in the area have spent a great deal of time, effort and money in developing and maintaining their properties.
- (d) Many of these residents have, through their contributions, enhanced the Vancouver Heights area and the Seton Academy.
- (e) The petitioners are afraid for their children, themselves and their homes.
- (f) It is difficult to believe that a group such as X-Kalay have suddenly rehabilitated themselves and become law abiding citizens.
- (g) It is not fair to either the residents or the members of X-Kalay to be placed in a group with no hope of learning a trade, "getting off" welfare, under the present administration. The members should have trained personnel looking after their welfare.
- (h) It is not proper to place all the members in such a large congregation.
- (i) It is not fair either to the children and wives of the members to have a stigma of being involved with ex-convicts.
- (j) Perhaps the senior citizens would like to have the Seton Academy as a home.

The Municipal Clerk stated that a number of other submissions had been received this day in connection with the matter at hand.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:
"That these items of correspondence be read at this time."

CARRIED UNANIMOUSLY

The following is a summary of those letters to which the Municipal Clerk alluded:

- (1) Mr. R. Robert Purdy of the Parish of Christ the King, indicated that he was in support of the application of X-Kalay.

He also offered the following in support of his position:

- (a) He would be very happy to have the members of X-Kalay as neighbours.
- (b) He has had members of the group in his home, playing with his children, and trust them as much as any other person.

April/13/1970

- (c) They are a responsible group living an experiment that has implications for good which go far beyond the mere rehabilitation of prisoners and drug addicts, and therefore would be an asset to any community.
- (d) He would not support, as a voter, any municipal leader who allowed political expediency or property values, etc. to be factors regarded as being more important than principles and people in arriving at a decision.

- (2) Mrs. W. D. Lawrie, in her letter, commended the X-Kalay group for its accomplishments and urged that they be supported in their application.

She indicated that she had had conversations with members of the X-Kalay group and regards them as being fine persons, a view that is shared by many other members of the Canadian Memorial Church.

- (3) Mr. Ron Drane indicated that, as an eleven-year resident of Burnaby, he was concerned with the X-Kalay proposal.
- (4) Mr. R. Charlesworth indicated that he was opposed to the X-Kalay proposal.

He suggested that the members of such a group should be isolated.

- (5) Mr. R. H. Steele expressed his opposition to the X-Kalay proposal and offered the following in connection with the matter:

- (a) The Council has handled the subject badly in that it has acted more like the applicant.

- (b) In two Council meetings he has attended it seems Council wishes to view the rezoning application before the normal time.

- (c) If, as reported in a newspaper, X-Kalay has renewed its option indefinitely, there seems to be no reason why the group should get special treatment from Council in the consideration of the rezoning application.

- (d) In view of the fact Council has endeavored to have Oakalla removed for many years, it is difficult to see how any favourable consideration can be given the application of X-Kalay to locate in a residential district.

- (6) Mrs. J. P. Hollingworth expressed support for the X-Kalay rezoning proposal.

She contended that the members of the group are "doers" and not "talkers".

She also suggested that the people in the area should lend their support to the efforts of X-Kalay.

The Municipal Clerk then read a report Council received from the Planning Department on March 16, 1970, which indicated the following:

- (a) The Special Institutional District (P7) category was added to the Zoning By-law on June 26, 1967. This amendment implemented a general reorganization of the Institutional District schedules which followed concern being expressed by residents in areas adjacent to certain existing or proposed institutional uses regarding the number and variety of uses that were then permitted in the institutional district. The feeling was that a use which might be quite compatible with residential development (e.g. a church or kindergarten) on a particular site could, in the future, be replaced by another permitted use that would have a detrimental effect on the surrounding area.
- (b) Under the amending by-law, the various institutional uses were divided into a number of groups on the basis of character, function and scale, as well as on their relationship to the level of residential development served (Neighbourhood, Community or District, Municipality or Region).
- (c) In addition, institutions of a corrective or rehabilitative nature were assigned to the Special Institutional District category because it was felt that, although they perform a necessary function, they may, because of certain characteristics, create problems in residential districts.

The proposed X-Kalay development is of this type and would therefore require Special Institutional District zoning.

- (d) Because of the nature of rehabilitation, a site in complete isolation from the rest of the community would not be suitable.

On the other hand, the locating of such a use in the middle of an established residential neighbourhood would be undesirable due to its incompatibility with the low density residential character of the area and, from past experiences with similar uses, the general opposition of the residents.

- (e) A Rehabilitation Centre might possibly be less objectionable, in many respects, than a fraternity or sorority house, a club or lodge, a school, or even a church with its related traffic generating activities. None of these uses, however, could locate in a residential area without rezoning since all of them are subject to similar controls to those which govern rehabilitation centres and the like.

April/13/1970

- (f) Seton Academy, because of its location in the middle of an established residential area, was left as a non-conforming use when the present Zoning By-law came into effect in 1965. This non-conforming status was a carry-over from the former Town Planning By-law of 1948.
- (g) The former use (Private school and Kindergarten) of the property is quite different from the use now proposed by the X-Kalay Foundation. This difference is recognized in the Zoning By-law regulations where private schools are included as a Community Institutional (P5) use whereas "half-way" houses and rehabilitation centres are permitted only in the Special Institutional District (P7).
- (h) Although a non-conforming use which existed prior to the effective date of a Zoning By-law may be continued with a change of tenants or occupants, this would not apply in those instances where the original use has been changed to another different use. In any case, information has been received which indicates that the private school use of the Seton Academy site ceased late in 1969, a period well in excess of the thirty day limitation specified for the discontinuance of non-conforming uses in the Municipal Act.
- (i) It is concluded from the foregoing that the rezoning of the Seton Academy site to ^{the} Special Institutional District category would be necessary to accommodate the proposed rehabilitation centre.
- (j) While sympathetic to the aims and objectives of the X-Kalay Foundation, it is the opinion that a homogeneous intensively developed residential neighbourhood does not provide a suitable location for this type of use so it was being recommended that any application to rezone the Seton Academy site to a P7 category not be favourably considered.
- (k) As mentioned earlier in the report, a site in complete isolation from the rest of the community would be equally undesirable.

There would be obvious advantages, however, to a site in close proximity to, or on the outer fringe of, a residential district, or within an area of housing which is in a transitional location between sectors of residential and commercial or institutional development. Such locations are more apt to provide a wider range of outlets and activities, and a greater opportunity for contact with other groups which will encourage a more rapid integration into the life of the community.

HIS WORSHIP, MAYOR PRITTIE, asked Alderman Ladner to explain the way it was felt Council should hear the delegations this evening.

Alderman Ladner suggested that the spokesman for the X-Kalay Foundation Society should be given 15 minutes to make his presentation, Reverend Dixon 5 minutes, Mr. Hean 15 minutes, and the spokesman for the X-Kalay group a further 5 minutes for rebuttal.

April/13/1970

He also indicated that there was no need for Council to hear Mr. Kaufman because his contentions would no doubt be similar to those projected by Mr. Hean. He hastened to add that, if Council did hear Mr. Kaufman, it may be obliged to allow others to address the meeting this evening.

Alderman Ladner repeated the point made earlier by His Worship that this was a Council meeting and not a Public Hearing.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the delegations be heard on the basis outlined above by Alderman Ladner."

CARRIED

AGAINST -- ALDERMAN CLARK

(1) Mr. David M. Berner, Executive Director for the X-Kalay Foundation Society, the applicant for the rezoning of the Seton Academy property at 401 North Esmond Avenue to the P7 category, then spoke and made the following points:

- (a) X-Kalay is a non-profit community of people, including children, with diverse backgrounds, most of which involve past criminal or illegal activities.
- (b) X-Kalay offers these people a new lease on life and endeavors to rehabilitate them so that they can re-enter society as good citizens.
- (c) X-Kalay is a self-operated home of resident-employees. Each one has a job to perform.
- (d) The Foundation is largely self-financed. Two-thirds of its income is from employees and business enterprises operated by the employees, some is derived from the Provincial Social Welfare Department. All funds are used to feed, clothe, house and educate the members.
- (e) X-Kalay is thankful to those members of Council who have attended the present place where X-Kalay operates to observe, first-hand, its activities.
- (f) The Vancouver City Police, in a recent letter, indicated that they have had no requests to attend upon the present building occupied by the X-Kalay Foundation, which suggests that the members have been law abiding citizens.
- (g) X-Kalay first examined the possibility of acquiring the Seton Academy approximately one year ago. An offer was subsequently made for the property and funds were secured to purchase it. Some of these funds were from the members of the Society, and their friends, but the bulk consisted of a tentative contribution from the Central Mortgage and Housing Corporation.

- (h) Between 75 and 100 persons would be housed in the large building at the East side of the site, and the rest would be in the converted carriage house at the West side of the site.
- (i) The Gymnasium on the property would naturally be used, and there would be seminars for the members.
- (j) In general, the premises of the Seton Academy are regarded as being ideal for the objectives of the X-Kalay Foundation Society.
- (k) The premises would be open for inspection by any citizen and the services offered by X-Kalay would be available to those desiring them.
- (l) The presence of the X-Kalay Society would, in itself, likely attract many who might otherwise enter a life of drug abuse and similar activities.
- (m) Land values are an uncontrollable factor so it is difficult to know precisely what effect would be felt by X-Kalay locating in the Seton Academy.
- (n) Past purchases of properties by the X-Kalay Foundation have not disclosed any depreciation in the value of that land or surrounding property.
- (o) X-Kalay is not exempt from the payment of property taxes but those making contributions are able to claim them on their personal income tax statements.
- (p) No area is "exempted" from the question of drug use and similar habits, and therefore an organization like X-Kalay should be permitted almost anywhere where there is a residential environment.
- (q) Many public organizations have shown their support for the work of the X-Kalay Foundation. As a matter of interest, the Burnaby Public Library Board has asked that representatives of the Foundation address children on the question of drug use.
- (r) As regards the report of the Planning Department on the matter at hand, the main rationale in that report seems to be centered around the opposition of the people in the area.
- (s) It is better if all those who are members of the Foundation are housed under one roof rather than divided into small factions because X-Kalay is not a half-way measure.
- (t) The present house used by X-Kalay accommodates 19 persons. There are now 47 in X-Kalay and it is anticipated that this will be increased to somewhere between 75 and 100.
- (u) Anyone wishing help can apply to join X-Kalay, and there is a severe screening of applicants to ensure that they are sincere in their endeavors to be rehabilitated.
- (v) X-Kalay is only concerned with the future of its members, not their background.

- (w) Petitions signed by a great number of people supporting, in one case, the existence of the X-Kalay Foundation Society at 2025 West 16th Avenue in Vancouver, and in the other case, supporting the proposed use of the Seton Academy property, were being presented this evening.

(2) Reverend Dixon then spoke and reiterated the points made in his written submission.

He also made the following additional comments:

- (a) He was appalled that much of the opposition to the X-Kalay proposal is coming from Church-goers and stalwarts of the Church.
- (b) The X-Kalay proposal, in many ways, is not much different than the "unwed mothers" issue which was deliberated by Council a few years ago.
- (c) Though initial reaction from the area was overwhelmingly opposed to the X-Kalay project, that organization has been able to change the views of many of the residents in the area.
- (d) Even so, some of those still opposed have judged without a trial.
- (e) Those who oppose the X-Kalay Foundation locating on the Seton Academy property should be in a position where they could offer other locations that they regard as being suitable.
- (f) The X-Kalay Project is not really detrimental to the community.
- (g) In X-Kalay, the principle of non-violence is advocated.

(3) Mr. Hean then appeared and presented a Brief containing the following points:

- (a) Some of those he represents, who are in opposition to the X-Kalay proposal, have resided in the Vancouver Heights area for around 50 years and have enjoyed the atmosphere and the circumstances which they themselves created in the homogeneous residential area.
- (b) A number of them have formed an association, called the Vancouver Heights Homeowners' Association.
- (c) His clients were grateful for having the opportunity to express their views in opposition to the proposed rezoning of the Seton Academy property to the P7 category, and for Council holding the meeting in an auditorium large enough so that all interested parties would be able to hear the discussions related to the issue, which strikes at the purpose and validity of the Zoning By-law.

- (d) The Council has already received a number of letters from residents of the area objecting to the proposed rezoning, including one petition that is signed by those residing immediately next to the Seton Academy. A copy of the latter petition was being re-submitted this evening so that Council can fully appreciate that the majority of those directly abutting the Seton Academy are in opposition to the X-Kalay proposal.
- (e) Seton Academy, as a private girls school, accommodated up to 40 students and some ten staff members. It has not operated as a day boarding school for many years but, until about two years ago, did provide a day school service to the neighbourhood. To commence operation again as a school, it would be necessary to rezone the property to Community Institutional District (P5).
- (f) During its years as a girls school, Seton Academy provided needed service to the people of the area. Many of the young ladies in Vancouver Heights were educated there at no cost to the municipality. The Academy was an integral part of the homogeneous residential area because it provided a particular educational facility for the needs of the young people of the area.
- (g) Zoning By-laws are promulgated to ensure that the best possible and compatible use is made of the land areas. They represent a considered approach to land use and improvement development designed specifically to satisfy the requirements of both the residents at large and those in a particular area.
- (h) It therefore follows that any use, not in conformity with the present and future needs and desires of the people in an area, should not be permitted. Land itself is not important. The permitted use of a parcel of land within a much larger area must be such as will add to, not subtract from, the homogeneous circumstances of that larger area.
- (i) Burnaby's Zoning By-law specifically provides, among other things, for residential land use and the density of population permitted within each of such zones. The By-law also establishes different classifications of institutional use on the basis of type, function and scale. The By-law anticipates placing the different kinds of institutional zones in particular areas suitable for such different uses.
- (j) During 1967, the Council recognized that the Zoning By-law did not adequately set out the areas within which various of the different institutional uses could be properly accommodated. Because of this incompleteness in the planned servicing of the needs of the people of Burnaby, a deliberate study was made with the objective of designing the different types of institutional land use and regulating in principle, the surrounding area uses within which the different institutional uses might be accommodated. The resultant amendments to the Zoning By-law in 1967 show clearly that the Council understood the absolute need to define and differentiate between the different types of institutional uses. At the same time, the Council gave expression to the opinion of people that not all types of institutional use could be accommodated in the same planned area of the municipality. Others have stated that the requested Special Institutional use, within the subject low density residential area,

April/13/1970

would be incompatible. A homogeneous, intensively developed residential neighbourhood, such as Vancouver Heights, does not provide a suitable location for this type of use.

- (k) The Council recognized the planning principle described as being correct in 1967 when the By-law was amended to provide differentiation between the many kinds of institutional needs. These principles have not changed in any way.
- (l) In conclusion, the people he represents are opposed to the requested rezoning because they do not believe that a P7 zone is compatible in roughly the centre of a homogeneous residential area.

Mr. Hean also made the following comments:

- (1) The cause espoused by X-Kalay is certainly a worthwhile one, and there are many parts of the Lower Mainland which are certainly suitable for the type of use intended by X-Kalay. The Vancouver Heights Area is, however, not one that is suitable.
- (2) X-Kalay is not being persecuted in its endeavors to have the Seton Academy property rezoned.
- (3) The residents in the area have at least as many rights as those who are outside the area.
- (4) Paramount in the minds of Council should be the question of allowing the Seton Academy property to be used for some purpose that is compatible with neighbouring development.

Mr. Berner then spoke again and made the following comments:

- (a) He was unable to find much in Mr. Hean's submission that could be challenged.
- (b) It seemed rather strange that the subject area existed for so many years without a ratepayers' association and only established one when the X-Kalay proposal became an issue.
- (c) One of the members of the X-Kalay Foundation is a person who once resided on Pandora Street in the area.
- (d) The definition of "family" in the Zoning By-law could be applied to the X-Kalay Organization.
- (e) The constitution of the X-Kalay Foundation indicates that it has, among other things, educational objectives.

The Council, after hearing all the representations made in connection with the application of the X-Kalay Foundation Society to rezone the Seton Academy property to the P7 category, then deliberated the matter.

The members of Council expressed their own opinions and convictions in connection with the subject of the application and the objectives of the Foundation.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DRUMMOND:
"That the recommendation of the Planning Department to not rezone the Seton Academy Site to the Special Institutional District (P7) category, for the reasons set out in the report of the Department which Council received on March 16, 1970, be adopted."

IN FAVOUR -- ALDERMEN CLARK, DRUMMOND,
McLEAN AND MERCIER

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

MOTION NEGATIVED

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:
"That the application to rezone the Seton Academy property to Special Institutional District (P7) be advanced to a Public Hearing so that the views of those who deem themselves affected by the proposal can be obtained."

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

AGAINST -- ALDERMEN CLARK, DRUMMOND,
McLEAN AND MERCIER

MOTION NEGATIVED

In response to a question, the Municipal Clerk stated that the Mayor could only return to Council a matter for reconsideration that had not been so returned within one month after action was taken by Council on the matter.

It was pointed out to Council that His Worship had already exercised his prerogative by returning the question of rezoning the Seton Academy property to permit the use desired by X-Kalay.

HIS WORSHIP, MAYOR PRITTIE, DECLARED A RECESS AT 9:15 P.M.

THE COUNCIL RECONVENED IN THE COUNCIL CHAMBERS OF THE MUNICIPAL HALL, 4949 CANADA WAY, BURNABY 2, B. C. AT 9:30 P.M.

ALDERMAN DAILLY WAS ABSENT.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:
"That the Minutes of the meeting held on April 6, 1970 be adopted
as written and confirmed."

CARRIED UNANIMOUSLY

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HIS WORSHIP, MAYOR PRITTIE, PROCLAIMED the period between May
3rd and May 10, 1970 as Burnaby Rhododendron Festival Week.

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DELEGATION

Mrs. Karen Hildebrandt wrote to request an opportunity to address
Council in connection with a watercourse in the vicinity of
Kingsway and 12th Avenue.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That Mrs. Hildebrandt be heard."

CARRIED UNANIMOUSLY

Mrs. Hildebrandt appeared and explained that she was representing
the residents in the Kingsway - 12th Avenue area who were
gravely concerned about the watercourse there.

She remarked that:

- (a) The people wished the watercourse enclosed as soon as possible because of the potential hazard, especially to children.
- (b) She was aware, through His Worship, Mayor Prittie, that the project was scheduled for construction in 1970.
- (c) She was also aware that the project has been included in past budgets of the Corporation but, in every instance, the item has been deferred.
- (d) The people she represented were becoming impatient and were urging in the strongest possible terms that the watercourse be enclosed this year for certain.

His Worship, Mayor Prittie, pointed out that Council would be meeting this Wednesday to discuss the Capital Improvement Programme, and would be giving consideration at that time to the subject of concern to Mrs. Hildebrandt and others.

He added that she could attend the meeting, if she wished.

ALDERMAN DAILLY ARRIVED AT THE MEETING.

* * *

ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Secretary, North Burnaby Lions Club, submitted a letter requesting permission to hold the 'Annual Mothers' Day Carnation Sale on May 8th and 9, 1970.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:
"That permission be granted to the Club to conduct its campaign at the times indicated and that similar permission be granted to the South Burnaby Lions Club, in the event an application is received from that Club."

CARRIED UNANIMOUSLY

Mrs. D. Leidan wrote to request that the land at the Hythe - Empire - Pandora and Glynde - Empire - Pandora intersections be planted with grass and/or shrubs so as to improve their appearance.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DRUMMOND:
"That the request be referred to the Municipal Engineer for consideration, in conjunction with the Parks and Recreation Commission, and for a report."

CARRIED UNANIMOUSLY

Executive Director, Union of British Columbia Municipalities submitted a circular letter outlining the requirements for the submission by municipalities of resolutions for the consideration of the 1970 Convention of the Union.

It was understood by Council that the Municipal Clerk would submit to Council any resolutions which are intended to be submitted to the 1970 Convention of the Union of B. C. Municipalities.

Recording Secretary, United Brotherhood of Carpenters and Joiners of America, wrote to urge that all municipalities who will be contributing to the sewage treatment plant on Annacis Island support the tertiary treatment system for the disposal of sewage.

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

- (a) The United Brotherhood of Carpenters and Joiners of America be commended for its interest in community affairs such as the treatment of sewage.
- (b) Before considering the request from that Organization, the two representatives of Council on the Greater Vancouver Sewerage and Drainage District obtain technical and other information relating to the subject of installing a tertiary sewage treatment system in order to determine whether conclusive evidence can be produced that such a system can be justified in preference to primary or secondary sewage treatment systems. "

CARRIED

AGAINST -- ALDERMAN LADNER

Miss Gillian Arsenault wrote to enquire as to the action which Council intends to take with respect to the alleged pollution of Burnaby Lake.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:
"That the enquiry from Miss Arsenault be referred to the Pollution Committee for an answer, by means of a report to Council, with it being understood that the Committee will obtain, from the Greater Vancouver Sewerage and Drainage District, information as to the quantity of oil which is entering Burnaby Lake from roads and parking lots in the general area."

CARRIED UNANIMOUSLY

Minister of Health Services and Hospital Insurance submitted a letter describing the position of his Department as regards the provision of Hospital Services in the Province.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:
"That, because it is felt that letter from the Minister fails to adequately answer the questions posed in the resolutions which were forwarded to the Minister in a letter from the Deputy Municipal Clerk dated February 18, 1970, Alderman Mercier prepare a submission, for the consideration of Council, more explicitly describing the situation of concern to Council in regard to hospital services so that perhaps the Minister will be in a position where he can, in a more enlightened manner, evaluate the precise matters concerning Council."

CARRIED UNANIMOUSLY

Rally Marshall, Musgrove Ford, wrote to request permission to hold the Mustang Anniversary Rally on April 19, 1970 commencing at approximately 8:30 a.m. along a route shown on a map accompanying his submission.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:
"That permission be granted to the Musgrove Ford Organization to conduct its rally along the route and on the date indicated, subject to:

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

CARRIED UNANIMOUSLY

Mr. R. C. McLean submitted a letter asking that he be allowed to speak on a proposal advanced earlier this year by Alderman Ladner regarding the policy of the municipality respecting the creation of lanes in subdivisions, and the costs of paving them.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:
"That Item 13 of the Municipal Manager's Report No. 24, 1970, which deals with the subject of Mr. McLean's letter, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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

(13) Policy - Lanes in Subdivisions

The Planning Department has reported as follows on this matter:

- (a) On September 14, 1964, the Council instituted the following policy relating to servicing land that was to be subdivided:

"That, in every case, the subdivider provide the following class of services:

- (a) Paved roads to the width that is dictated by the classification of the particular street concerned.
- (b) Concrete curbs
- (c) Domestic water supply.
- (d) Storm and Sanitary sewers.
- (e) Paved lanes."

- (b) This policy, which was based upon the principle that a subdivider (irrespective of the size of the subdivision) should be responsible for the servicing costs required by the subdivision, is one that should not be weakened in any way. If it is, it can only lead to many arbitrary decisions, a shunting of costs from the subdivider to the general taxpayer, and the establishment of a "loophole" whereby subdividers can avoid their rightful responsibilities under the Municipal and Land Registry Acts.
- (c) In view of that, it is not possible to support the proposed amendment advanced recently whereby it was suggested that the requirement of paved lanes be amended by making the following exceptions:
- "That in the case of a subdivision creating four lots or less and requiring the dedication and construction of a flankage lane, the subdivider shall not be required to pay for the cost of constructing more than 66 feet times the number of lots created by the subdivision, but this shall not apply when one or more lots created by the subdivision back onto the flankage lane. "
- (d) Apart from being opposed to the proposal just cited for reasons of basic policy and cost responsibility, the proposal raises the following two questions:
- (i) Why not flankage roads on the same basis?
- (ii) What is to prevent a subdivider creating his development in four-lot stages in order to obtain cost sharing?
- (e) It appears the discussion concerning flankage lanes has resulted purely from the persistence of Mr. McLean, who simply refuses to accept the decision of Council that there is to be no change in its subdivision servicing policy, a decision which was made on September 29, 1969 and confirmed on January 12, 1970.
- (f) There is no hesitation in recommending strongly against a change in the said policy and, if Council agrees, Mr. McLean should be advised quite clearly that Council does not intend to change its policy.

In response to a question, the Planning Director stated that the basic reason his Department was adamant in regard to the lane requirement in connection with Mr. McLean's subdivision is that the lane allowance being demanded is because that allowance is required to complete the lane pattern in the block.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That no change be introduced into the subdivision servicing policy at this time."

CARRIED UNANIMOUSLY

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

CARRIED

AGAINST -- ALDERMAN CLARK

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:
"That the Approving Officer discuss with Mr. McLean the matter of preparing a plan which will enable Mr. McLean to subdivide his property (Block 101, D.L. 132, Plan 1493) without dedicating the Easterly five feet of the parcel for lane purposes and depositing the sum of \$1,200.00 to pay for the cost of paving the total flanking lane, at this time, on the understanding that this deferral will be until a subsequent subdivision of the remainder of Mr. McLean's property takes place, when it is expected that the dedications and deposits deemed requisite will be made; the reason for the foregoing being that the arrangement will produce a compromise that will merely defer the matter of completing the lane system in the area until some future date."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That Mr. McLean be heard."

CARRIED UNANIMOUSLY

Mr. McLean then spoke and, after reviewing the subject of concern to him, made the following comments:

- (a) There has been an unnecessary delay in endeavoring to resolve the problem.
- (b) He has been persistent because all the arguments he has advanced have been ignored.
- (c) The lane in question is primarily for the benefit of those who own property fronting on Sperling Avenue to the East.
- (d) He has always been willing to dedicate the Easterly five feet of his property, for lane purposes, and share in the cost of paving the lane, but certainly not paying the full amount of such work.
- (e) He actually is being required to pay for the costs that should have been charged at the time the land to the East was subdivided.
- (f) The fact the Street and Traffic By-law stipulates that the speed limit in lanes is 20 m.p.h., in itself, will not really deter speeding in the lane concerning him.

A vote was then taken on the motion advanced earlier by Alderman Mercier, and seconded by Alderman Clark, and it was carried unanimously.

ALDERMAN DAILLY LEFT THE MEETING.

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

CARRIED UNANIMOUSLY

* * *

TABLED ITEM

The following matter was then lifted from the table:

Proposed Road Abandonment (Broadway) - D.L. 59

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That Item 14 of the Municipal Manager's Report No. 24, 1970, which deals with the subject at hand, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

The following is the substance of that report:

(14) Proposed Road Abandonment (Broadway) - D.L. 59

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

- (a) The breakdown of the cost of relocating the overhead installations, reference to which was made in the report Council received on April 6th, on the basis of the lands benefitting have been examined and the following observations made:

- (1) Lot 81 (Western Pacific East of the Ravine Park)

- The encroachment of the overhead installations on this parcel is minimal and can be accommodated without difficulty within the required yards. The benefit of removal is therefore very slight.

(ii) Lot 82 (Corporation Park Strip)

This park is slated for passive recreation as a part of the trail system and the presence of the overhead lines, if not relocated, will not hinder this use. There is no monetary benefit to be obtained from the relocation.

(iii) Lot 83 (Western Pacific West of Ravine Park)

This parcel is to be subdivided into three lots which will benefit from the removal of the line.

(iv) Lots 84 and 85 (Corporation)

Six Corporation-owned lots will benefit from the removal of the lines.

(b) Based on the foregoing, it would appear that a breakdown of costs on this basis would be as follows:

Corporation -	6/9 X \$5,115.00	= \$3,410.00
Western Pacific -	3/9 X \$5,115.00	= \$1,705.00

(c) If the basic assumptions on benefit are correct, the Corporation will share an even greater portion of the cost.

(d) It should not be overlooked that:

(i) The Corporation is also obtaining a fairly substantial piece of land for park purposes.

(ii) These costs can be recovered once the municipal lots are sold.

(e) The earlier recommendation concerning the cost sharing arrangement on a frontage basis was therefore being confirmed.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That:

(a) A By-law be prepared to repeal Burnaby Road Dedication By-law No. 2, 1959 for the reason more particularly detailed in the report Council received from the Municipal Manager on April 6, 1970.

(b) The easements referred to in that report, which were more particularly outlined on an accompanying sketch, be granted.

(c) The cost-sharing arrangement set out in that report for the relocation of the B. C. Hydro and Power Authority, B. C. Telephone Company and Greater Vancouver Sewerage and Drainage District installations, be approved."

CARRIED UNANIMOUSLY

QUESTION AND ANSWER
PERIOD

No questions were raised by Members of Council.

* * *

R E P O R T S

MUNICIPAL CLERK submitted a Certificate of Sufficiency pertaining to Phase II of the Local Improvement Lane Paving Programme, as follows:

Section 589 (1) of the Municipal Act provides, in part, that:

"589 (1) -- -- unless within one month after the publication of the (required) notice a majority of the owners representing at least one-half of the value of the parcels which are liable to be specially charged, petition the Council not to proceed with it, the work may be undertaken as a Local Improvement."

This Certificate of Sufficiency covers Lane Paving Local Improvement Projects included in Phase Two of Seven Phases of the Local Improvements Programme for Lane Paving approved by Council.

Petitions have been received against Local Improvement Projects numbered 3-8, 3-10, 3-28, 3-65, 4-1 and 4-3, and are certified as sufficient, as these petitions represent a majority of the owners who represent at least one-half of the value of the parcels liable to be specially charged.

I HEREBY CERTIFY that sufficient petitions have not been received covering the Local Improvement works recorded herein, with the exception of Project Numbers 3-8, 3-10, 3-28, 3-65, 4-1 and 4-3.

John H. Shaw,
MUNICIPAL CLERK.

DATED -- APRIL 10, 1970.

April/13/1970

THE CORPORATION OF THE DISTRICT OF BURNABY

PHASE II

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

Gentlemen:

RE: 1970 LOCAL IMPROVEMENT PROGRAMME - LANES

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, as a Local Improvement, pavement to a maximum width of 14 feet and to a depth of not more than 2 inches, on the lanes described below:

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
3-1	Pandora-Albert lane from Boundary Rd. to Esmond Ave.	16	9	Nil	\$124,205	\$ 62,102.50	\$ Nil
3-2	Pandora-Albert lane from Esmond Ave. to Ingleton Ave.	14	8	Nil	192,105	96,052.50	Nil
3-3	Pandora-Albert lane from Ingleton Ave. to McDonald Ave.	16	9	2	224,430	112,215	24,060
3-4	Pandora-Albert lane from McDonald Ave. to Gilmore Ave.	15	8	1	127,945	63,972.50	14,890
3-6	Pandora-Albert lane from Carleton to Madison	23	12	1	171,695	85,847.50	8,480
3-7	Pandora-Albert lane from Madison to Rosser	18	10	1	148,315	74,157.50	8,055
3-8	Pandora-Albert lane from Rosser to Willingdon	17	9	10	157,085	78,542.50	82,250
3-9	Pandora-Albert lane from Beta to Gamma	26	14	1	159,090	79,545	5,220
3-10	Pandora-Albert lane from Gamma to Canberra	11	6	6	67,190	33,595	36,800
3-12	Pandora-Sunningdale-Empire Dr. lane from Empire Dr. to Capitol Dr.	33	17	1	247,710	123,855	10,560
3-13	Warwick-Stratford lane from South Pandora to paved lane north of & parallel to Hastings	18	10	Nil	118,915	59,457.50	Nil

55

Page 2
1970 Local Improvement
Initiative Programme

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC-TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
3-14	Stratford-Tell lane south from Pandora to paved lane North of & parallel to Hastings	18	10	Nil	\$112,180	\$ 56,090	\$ Nil
3-15	Pender-Frances lane from Boundary to Esmond	20	11	Nil	122,725	61,362.50	Nil
3-17	Pender-Frances lane from Ingleton to McDonald	16	9	Nil	221,945	110,972.50	Nil
3-18	Pender-Frances lane from McDonald to Gilmore	19	11	Nil	125,715	62,857.50	Nil
3-19	Pender-Frances lane from Gilmore to Carleton	33	17	1	192,720	96,360	5,590
3-20	Pender-Frances lane from Carleton to Madison	35	18	3	200,520	100,260	16,690
3-21	Pender-Frances lane from Madison to Rosser	35	18	Nil	194,445	97,222.50	Nil
3-22	Pender-Frances lane from Rosser to Willingdon	30	16	Nil	284,960	142,480	Nil
3-23	Pender-Frances lane from Willingdon to Alpha	31	16	Nil	184,600	92,300	Nil
3-24	Pender-Frances lane from Alpha to Beta	32	17	Nil	191,325	95,662.50	Nil
3-25	Pender-Frances lane from Beta to Gamma	34	18	Nil	187,750	93,875	Nil
3-26	Pender-Frances lane from Gamma to Delta	32	17	Nil	179,050	89,525	Nil
3-27	Boundary-Frances-Georgia "L" lane from Georgia to Esmond	18	10	Nil	109,795	54,897.50	Nil
3-28	Frances-Georgia lane from Esmond to Ingleton	22	12	12	132,570	66,285	72,550
3-29	Frances-Georgia lane from Ingleton to McDonald	20	11	2	128,670	64,335	12,400
3-30	Frances-Georgia lane from McDonald to Gilmore	17	9	Nil	108,660	54,330	Nil
3-31	Frances-Georgia lane from Gilmore to Carleton	34	18	Nil	189,990	94,995	Nil

65

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS
3-32	Frances-Georgia lane from Carleton to Madison	32
3-33	Frances-Georgia lane from Madison to Rosser	35
3-34	Frances-Georgia lane from Rosser to Willingdon	33
3-35	Frances-Georgia lane from Willingdon to Alpha	32
3-36	Frances-Georgia lane from Alpha to Beta	32
3-37	Frances-Georgia lane from Beta to Gamma	32
3-38	Frances-Georgia lane from Gamma to Delta	26
3-39	Boundary-Georgia-Union "T" lane west from Esmond	19
3-40	Georgia-Union lane from Esmond to Ingleton	23
3-41	Georgia-Union lane from Ingleton to McDonald	22
3-43	Georgia-Union lane from Gilmore to Carleton	33
3-44	Georgia-Union lane from Carleton to Madison	34
3-45	Georgia-Union lane from Madison to Rosser	34
3-46	Georgia-Union lane from Rosser to Willingdon	30
3-47	Georgia-Union lane from Willingdon to Alpha	32
3-48	Georgia-Union lane from Alpha to Beta	26
3-49	Georgia-Union lane from Beta to Gamma	30
3-50	Georgia-Union lane from Gamma to Delta	22
3-51	Georgia-Union lane from Delta to Springer	28

89

Page 3
 1970 Local Improvement
 Initiative Programme

April/13/1970

51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC- TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
17	Nil	\$187,005	\$ 93,502.50	\$ Nil
18	Nil	193,860	96,930	Nil
17	Nil	185,850	92,925	Nil
17	Nil	181,425	90,712.50	Nil
17	2	190,760	95,380	10,935
17	1	180,890	90,445	7,655
14	1	167,195	83,597.50	16,035
10	1	120,805	60,402.50	8,155
12	Nil	133,010	66,505	Nil
12	Nil	139,815	69,907.50	Nil
17	Nil	183,965	91,982.50	Nil
18	Nil	188,920	94,460	Nil
18	Nil	186,350	93,175	Nil
16	Nil	176,975	88,487.50	Nil
17	Nil	194,425	97,212.50	Nil
14	3	167,505	83,752.50	20,995
16	1	179,955	89,977.50	5,345
12	Nil	150,210	75,105	Nil
15	2	200,525	100,262.50	14,330

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
3-52	Georgia-Union lane east from Springer to E.P.L. Lot 30, Blk. "N", D.L. 127, Pl. 24433	15	8	6	\$110,255	\$ 55,127	\$ 44,890
3-53	Boundary-Union-Venables "L" lane from Venables to Esmond	17	9	1	108,765	54,382.50	6,565
3-54	Union-Venables lane from Esmond to Ingleton	23	12	Nil	137,470	68,735	Nil
3-55	Union-Venables lane from Ingleton to McDonald	24	13	Nil	137,730	68,865	Nil
3-56	Union-Venables lane from McDonald to Gilmore	15	8	Nil	95,020	47,510	Nil
3-57	Union-Venables lane from Gilmore to Carleton	34	18	2	196,110	98,055	10,895
3-58	Union-Venables lane from Carleton to Madison	32	17	1	179,520	89,760	5,550
3-59	Union-Venables lane from Madison to Rosser	34	18	Nil	184,790	92,395	Nil
3-60	Union-Venables lane from Rosser to Willingdon	32	17	Nil	178,330	88,165	Nil
3-61	Union-Venables lane from Willingdon to Alpha	30	16	Nil	181,175	90,587.50	Nil
3-62	South of Union from Alpha to Beta	16	9	Nil	95,215	47,607.50	Nil
3-63	South of Union from Beta to Gamma	15	7	1	89,085	44,542	7,835
3-65	Union-Venables lane east from Delta to E.P.L. Lot 1, S.D. "D", Blk. "J", D.L. 127, Pl. 21967	26	14	18	187,135	93,567.50	130,950
3-66	Union-Venables lane from Howard to W.P.L. Lt. 46, Blk. "N", D.L. 127, Pl. 26662	4	3	Nil	29,315	14,657.50	Nil
3-67	West of Haldon from Union to Venables	8	5	1	48,450	24,225	2,835
3-68	Venables-Parker lane from Douglas Rd. to Esmond	11	6	Nil	67,975	33,987.50	Nil
3-69	Venables-Parker lane from Esmond to Ingleton	26	14	1	140,510	70,255	5,055

61

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS
3-70	Venables-Parker lane from Ingleton to McDonald	21
3-71	Venables-Parker lane from McDonald to Gilmore	14
3-72	Venables-Parker lane from Gilmore to Carleton	12
3-73	Venables-Parker lane from Carleton to Madison	25
3-74	Venables-Parker lane from Madison to Rosser	30
3-75	Venables-Parker lane from Rosser to Willingdon	33
3-76	Venables-Parker lane from Willingdon to Alpha	24
3-77	Venables-Parker lane from Gamma to Delta	12
8 3-79	Venables-Springer-Parker south from Venables to E.P.L.Lot 68, Blk."L", D.L. 127, Pl. 33402	18
3-80	Georgia-Kensington-Union "L" lane from Georgia to Grove	30
3-81	Frances-Union-Sperling-Grove "T" lane south from Frances	11
3-82	Union-Carnegie "H" lane between Kensington and Brooklyn	21
3-83	Brooklyn-Grove "H" lane south of Union	11
3-84	Grove-Sperling "H" lane south of Union	11
3-85	Carnegie-Dunnedin "H" lane between Kensington & Brooklyn	21

April/13/1970

Page 5
 1970 Local Improvement
 Initiative Programme

51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC- TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
11	Nil	\$131,635	\$ 55,817.50	\$ Nil
8	Nil	92,765	46,382.50	Nil
7	Nil	176,215	88,107.50	Nil
13	Nil	158,165	79,082.50	Nil
16	Nil	173,490	86,745	Nil
17	3	195,075	97,537.50	15,335
13	Nil	162,205	81,102.50	Nil
7	Nil	80,735	40,367.50	Nil
10	4	141,300	70,650	30,160
16	Nil	216,390	108,195	Nil
6	1	79,170	39,585	7,750
11	Nil	148,735	74,367.50	Nil
6	Nil	78,145	39,072.50	Nil
6	1	79,500	39,750	6,815
11	Nil	161,450	80,725	Nil

Page 6
1970 Local Improvement
Initiative Programme

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC-TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
3-86	Gamma-Delta lane from Albert to lane south of Albert	5	3	Nil	\$ 24,295	\$ 12,147.50	\$ Nil
4-1	Sperling-Clare lane from Hastings lane to Frances St.	5	3	4	70,185	35,092.50	55,135
4-2	Sperling-Clare-Union lane from Frances St. to Duncan	18	10	Nil	124,670	62,535	Nil
4-3	Barnet-Duthie lane from Pandora to Hastings St.	19	10	12	166,485	83,242.50	91,950
4-4	Hastings-Maureen lane from Maureen to Duthie	17	9	Nil	115,635	57,817.50	Nil
4-5	East of Duthie from Frances St. to Union St.	9	5	Nil	60,150	30,075	Nil
4-6	Union-Carnegie lane from Union to Duncan	10	6	Nil	87,145	43,572.50	Nil
4-7	Union-Carnegie-Invergarry-Cliff lane from Duncan to Dunnedin	31	16	Nil	233,905	116,952.50	Nil
4-10	Dunnedin-Curtis lane from Duncan to Cliff	25	13	Nil	170,015	85,007.50	Nil

GM/fl

63

April 13/1970

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the Certificate of Sufficiency of the Municipal Clerk be received and By-laws be prepared to authorize the construction of pavement on all lanes included in the said Certificate, except for Project Numbers 3-8, 3-10, 3-28, 3-65, 4-1, and 4-3."

CARRIED UNANIMOUSLY

ALDERMAN DAILLY RETURNED TO THE MEETING.

* * *

MUNICIPAL CLERK submitted a report in connection with Project 1-57 which was mentioned in his Certificate pertaining to Phase I of the Local Improvement Lane Paving Initiative Programme, advising as follows:

- (a) No action was taken to specifically notify the joint owners involved in that project that their signatures were not acceptable.
- (b) However, the instructions which accompanied each individual notice of intention regarding the project indicated that "petitions must be signed by the owner of land abutting the proposed work and, where the property is held jointly, both owners must individually sign the petition. A petition must show the legal description of the work."
- (c) Since the Council meeting on April 6, the three owners whose signatures would have made the petition against Project 1-57 sufficient have been checked. In that regard, assessment records reveal that one of the joint owners is deceased. The two other of the three joint owners in question submitted objections to the work, but they were beyond the deadline. In one case, it was understood that one owner was previously out of town and the other had intended filing his objection but had neglected to do so. Under the circumstances, indications are that a majority of the property owners are opposed to the work being undertaken.
- (d) A decision of Council on the deletion or retention of the work in question was being sought.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That Project 1-57 be not proceeded with."

CARRIED

AGAINST -- HIS WORSHIP, MAYOR
PRITTIE AND ALDERMAN
LADNER

GRANTS COMMITTEE submitted a report recommending that:

- (a) The proposed budget for the 1970 Miss Burnaby Pageant which was submitted by the Burnaby Junior Chamber of Commerce and is in the amount of \$955.00, be approved.
- (b) The Municipal Printshop be authorized to assist the Chamber in preparing the programmes for the Pageant.

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

CARRIED UNANIMOUSLY

* * *

ADVISORY PLANNING COMMISSION submitted a report indicating the following on the matters listed:

(1) Road Patterns - North-East Burnaby

Following a detailed review of a report from the Planning Department pertaining to proposed road patterns in North-East Burnaby, during which the Planning Director outlined the circumstances surrounding the need for the report (such as a proposed closure of Sullivan Street West of Noel Drive and a rezoning application for a large apartment development between Cameron Street and Lougheed Highway West of the Cameron School site) it was being recommended that Council adopt the aforementioned report.

It was also being recommended that everything possible be done to expedite the implementation of the report.

(2) Council Minutes

It was being recommended that arrangements be made for each member of the Commission to receive a copy of the minutes of each Council meeting following their adoption in order that the members can be conversant at all times with the current deliberations of Council.

(3) Functions

During a discussion on the subject of "Functions of the Commission", it was generally agreed that the scope of the Commission should be broadened to allow it to consider matters other than those specifically referred to the Commission by Council.

It was noted that such a provision is specifically detailed in the By-law governing the Advisory Planning Commission of a neighbouring municipality.

The Commission felt that it could contribute a great deal more to the planning function of the municipality if similar authority was obtained from Council.

It was therefore being recommended that Burnaby Advisory Planning Commission By-law 1963 be amended by adding the following clause:

DUTIES OF THE COMMISSION

- (a) The Commission shall consider all matters referred to it by Council and report thereon to Council;
- (b) Consider such other matters as the members of the Commission find relevant to the proper planning of the municipality;
- (c) In complying with the request of Council for recommendations under Sub Section (a) and in the general execution of its duties, the Commission shall have as its objective the growth of the Municipality in a systematic and orderly way for the ultimate benefit of the community as a whole and the balanced development of the various uses made of land and structures in the Municipality.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the recommendations of the Commission covering the above three items be adopted."

CARRIED UNANIMOUSLY

(4) COMMUNITY PLAN FOR AREA "L" (KINGSWAY-NELSON AREA)

Following a comprehensive review of the above Community Plan, it was agreed to endorse the concept of the Plan, in principle, but to suggest that the adequacy of park land within the Community Plan area should be investigated further.

The Commission would appreciate being advised of the results of this investigation, should Council so wish.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That the suggestion of the Advisory Planning Commission be referred to the Parks and Recreation Commission and the Planning Department for comments."

CARRIED UNANIMOUSLY

POLLUTION COMMITTEE submitted a report in connection with a complaint Council received concerning smoke emissions and flyash emanating from the Stride Avenue Dump, advising that the Municipal Engineer has indicated that:

- (a) the Dump will be closed on April 23, 1970 to all commercial dumping;
- (b) dumping subsequent to that date will be restricted to the private non-commercial type and will be regulated to ensure that this dumping is only by residents of Burnaby.

It is felt that the volume of dumping at the Stride Avenue Dump subsequent to April 23rd will be drastically reduced so the problem of smoke emission and flyash will become minimal.

It was therefore being recommended that no action be taken on the complaint.

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

CARRIED UNANIMOUSLY

* * *

MUNICIPAL MANAGER submitted Report No. 24, 1970 on the matters listed below as Items (1) to (15), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Byrne Road between Griffiths Avenue and Salisbury Avenue

The Fire Department has reported that difficulties have been experienced in responding to calls on the above portion of Byrne Road. There was a recent situation where the person calling, who was in an excited state, gave an incorrect address, with the result the Fire Truck went to the portion of Byrne Road below Marine Drive.

The subject portion of Byrne Road is a considerable distance from the part South of Marine Drive, and it is not likely the two will ever be connected.

There is a family in the area which has resided there for over 30 years.

It was being recommended that the portion of Byrne Road between Griffiths Avenue and Salisbury Avenue be renamed Bancroft Street.

If Council approves, the people on the Street will be given an opportunity to express opinions. If the majority are in favour, a By-Law will be required to formally rename the Street.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the opinion of the property owners on Byrne Road between Griffiths Avenue and Salisbury Avenue regarding the proposed renaming of the Street to Bancroft Street be obtained."

CARRIED UNANIMOUSLY

(2) Section 411 of the Municipal Act

Between 1965 and 1969, Section 411 of the Municipal Act has been used as follows:

<u>Year</u>	<u>No. Of Recipients</u>	<u>Total Amount</u>
1965	24	\$ 589.16
1966	20	605.77
1967	16	732.41
1968	15	270.62
1969	<u>7</u>	<u>271.06</u>
	<u>82</u>	<u>\$2,469.02</u>

Section 411 reads as follows:

" (1) The Council may by by-law extend the period for payment of or abate or rebate any taxes, rates, or local improvement assessments or any part thereof assessed, levied, or imposed upon the property owned by and held or used as the residence of a soldier, or widow or orphan of any deceased soldier, in case and to the extent that the Council deems such abatement, rebatement, or extension equitable under the circumstances.

April/13/1970

(2) For the purposes of this Section, the following expressions have, as the context may require, the following meanings respectively: The word "soldier" has the meaning ascribed to "member of the Allied Forces" in the Allied Forces Exemption Act, 1918, and the Allied Forces Exemption Act, 1939; the word "residence" includes all the land owned, occupied, and used with the building in which such person resides. The expressions "property owned" and "land owned" include lands held or occupied in the manner mentioned in Sections 335 and 336.

(3) The Council may from time to time pass by-laws for authorizing agreements to be made between the municipality and the Soldier Settlement Board of Canada providing for payment by the Board of taxes in arrear on lands held by soldiers, or on lands on which the Soldier Settlement Board holds a charge, or on lands in which the said Board is interested, and in such agreements may provide for the remitting of penalties and reduction of interest included in such taxes."

For many years, up to and including 1955, all veterans were given the privilege of having penalties and interests on taxes rebated whenever necessary. As a consequence, current tax collections were less than 90%. On January 24, 1955, the Council instructed that this privilege be allowed only veterans or their widows who could satisfy the Municipal Treasurer that they were in straitened financial circumstances.

Prior to 1955, the dollar value of penalties and interests abated exceeded \$10,000.00 per annum. By 1955, the allowances dropped to \$1,100.00 and, by 1969, to \$271.00.

The number of applicants for allowances ^{now} is only seven and, in all cases, they are finding it difficult to pay their taxes.

There may be a gradual increase in the number of applications, particularly if economic conditions worsen.

There is no other municipality, so far as is known, that makes use of Section 411.

It was being recommended that the current applicants be given a reasonable time in which to straighten out their affairs after which the privilege be discontinued for the time being.

Section 411 is quite broad and can be invoked in full or in part, should it become necessary.

The Social Service Administrator concurs with the above recommendation.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the report of the Manager be received and no action be taken to change the current policy for the handling of applications for allowances of percentage additions to taxes under Section 411 of the Municipal Act."

CARRIED UNANIMOUSLY

(3) Attack Warning Sirens

It was being recommended that the Agreements covering the location of attack warning sirens:

- (a) at the Number 1 Fire Hall on Willingdon Avenue at Hastings Street;
- (b) on the North side of Cambridge Street between Grosvenor Avenue and Howard Avenue

be renewed for a further term of 5 years from April 1, 1970.

It was also being recommended that authority be granted to execute the documents in question.

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

CARRIED

AGAINST -- ALDERMAN DAILLY

(4) Beta Avenue South of Parker Street

The above portion of Beta Avenue is unopened and can be abandoned and sold.

It will be necessary to retain a 10-foot wide walkway plus two 10-foot easements to contain underground services, as more particularly outlined on an attached sketch.

It was being recommended that the portion of Beta Avenue in question be abandoned and that the East 28' and the West 28' of it be placed in a sale position, subject to:

- (a) the Corporation retaining a 10-foot easement on each 28-foot wide portion, as outlined on the aforementioned sketch;
- (b) each 28-foot wide portion being consolidated with the adjacent property;
- (c) a minimum price of \$2,500.00 being required for each 28-foot wide portion.

It was also being recommended that the Corporation construct and fence the walkway mentioned earlier with a 4-foot high chain link fence at a total estimated cost of \$2,400.00.

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

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the previous motion be amended by deleting the reference to the Corporation fencing the walkway described."

CARRIED

AGAINST -- ALDERMAN MCLEAN

A vote was then taken on the original motion, as just amended, and it was carried unanimously.

(5) 15th Street between Stride Avenue and 16th Avenue

The above portion of 15th Street is redundant and can be abandoned, providing an easement is retained over the Westerly 16' for a pole line of the B. C. Hydro and Power Authority and a 10-foot wide easement is retained through the middle to contain a sanitary sewer.

It was being recommended that the subject portion of 15th Street be abandoned after which two lots will be created, one facing Stride Avenue and the other facing 16th Avenue.

It was also being recommended that the Land Agent be authorized to offer the two lots for sale by public tender, subject to the Corporation retaining the easements mentioned above.

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

CARRIED

AGAINST -- ALDERMEN DAILLY & DRUMMOND

(6) Burnaby F.P. 2 - Former Municipal Hall Site

A copy of the fully executed Agreement for the rental housing project of 214 units at Kingsway and Edmonds Street has been received and filed by the Municipal Clerk.

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

CARRIED UNANIMOUSLY

(7) Uniform Building Code

It was being recommended that the Chief Building Inspector, with his Deputy as alternate, be appointed to a Technical Sub-Committee the Board of the Greater Vancouver Regional District proposes to establish for the purpose of studying the possibility of achieving a uniform Building Code within the Regional District, with it being understood that this Technical Sub-Committee will meet from time to time with representatives from the Construction Industry to elicit their opinions on the question of developing the said Code in the area mentioned.

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

CARRIED UNANIMOUSLY

(8) Proposed Senior Citizens Recreation Centre
(Kingsway and Edmonds Site)

The Parks Administrator has advised that there has been no opportunity for the Parks and Recreation Commission to comment on a suggestion that the municipality consider the construction of a recreation centre in conjunction with the Senior Citizens Housing Project on the above Site, and has asked that the Commission be given until sometime after April 15th to offer its views.

It was being recommended that the subject be tabled pending a report from the Parks and Recommendation Commission.

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

CARRIED UNANIMOUSLY

(9) Exempt Properties in the Lower Mainland

The Municipal Assessor has submitted a report containing a comparison of the ratio of exempt assessments to taxable assessments for a number of Lower Mainland Municipalities as follows:

Ratios of Exempt to Taxable Assessments
in Lower Mainland Communities

<u>Community</u>	<u>Owner of Exempt Property</u>				<u>All Exempt Properties</u>
	<u>Government</u>			<u>Non-Gov't</u>	
	<u>Dominion</u>	<u>Provincial</u>	<u>Municipal</u>		
Coquitlam	nil	12.7%	11.2%	1.6%	25.5%
North Vancouver Dist	5.4%	1.9	12.7	1.0	20.8
New Westminister	2.0	4.1	9.6	3.4	20.0
Burnaby	0.6	4.9	8.5	5.6	19.5
Vancouver	2.8	1.4	3.1	6.6	18.9
Richmond	7.3	0.4	8.1	1.6	17.4
Surrey	0.9	1.4	7.2	3.8	13.3
West Vancouver	1.6	1.7	7.4	0.8	11.5
Delta	1.6	2.0	4.2	1.7	9.5

(10) Proposed Closure of a Portion of Sullivan Street

Now that Council has dealt with the report of the Planning Department dealing with the proposed road patterns in the North-East Burnaby area, the matter of closing a portion of Sullivan Street (which was the subject of a report to Council a few weeks ago) is being returned for further consideration.

(11) North Burnaby Branch of the Post Office

The owner of the property on which the former North Burnaby Branch of the Post Office was located has leased the property for a retail furniture business so the building is no longer available as a community centre for Senior Citizens and others.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LADNER:
 "That the above three reports of the Manager be received."

CARRIED UNANIMOUSLY

A statement was made that the Christian Education Building on the site of the Vancouver Heights United Church may be available for community purposes, similar to that which was suggested for the former Branch of the Post Office.

It was also suggested that there were a number of vacant stores on Hastings Street which might also be suitable for conversion to some use that would benefit the community.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN DAILLY:
"That the Parks and Recreation Commission consider the above two proposals and indicate their opinion on them."

CARRIED UNANIMOUSLY

(12) C3 Zoning in Community Plan Areas

The Planning Department has reported as follows on the above subject:

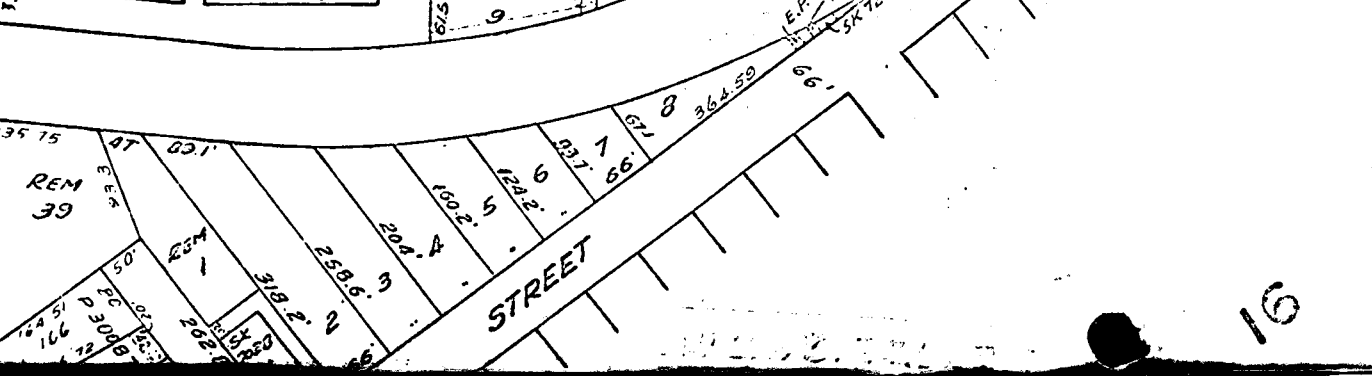
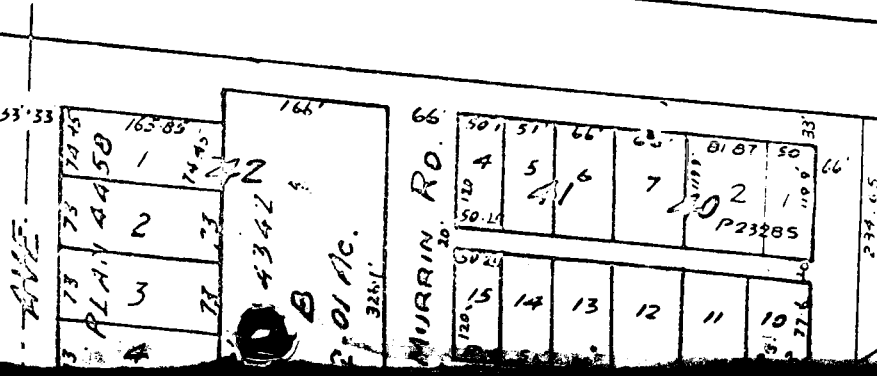
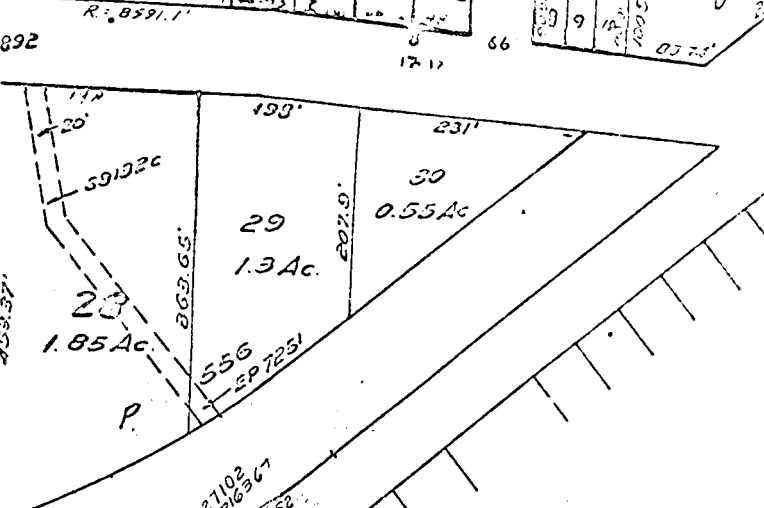
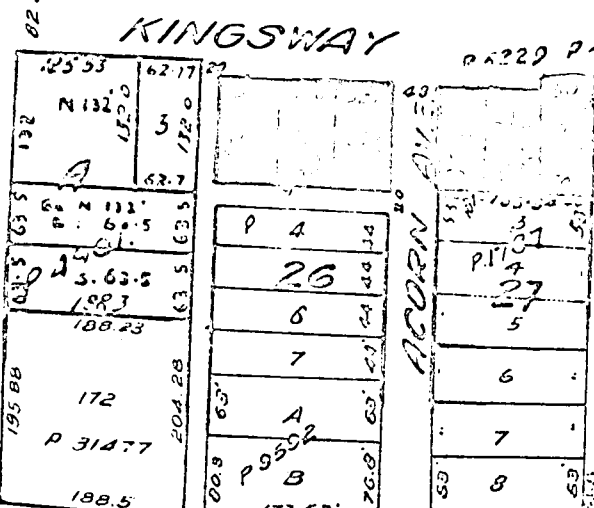
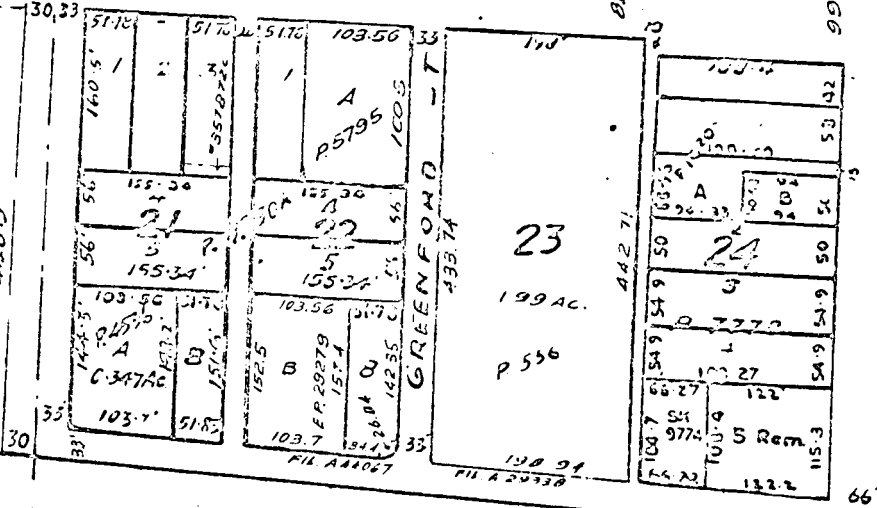
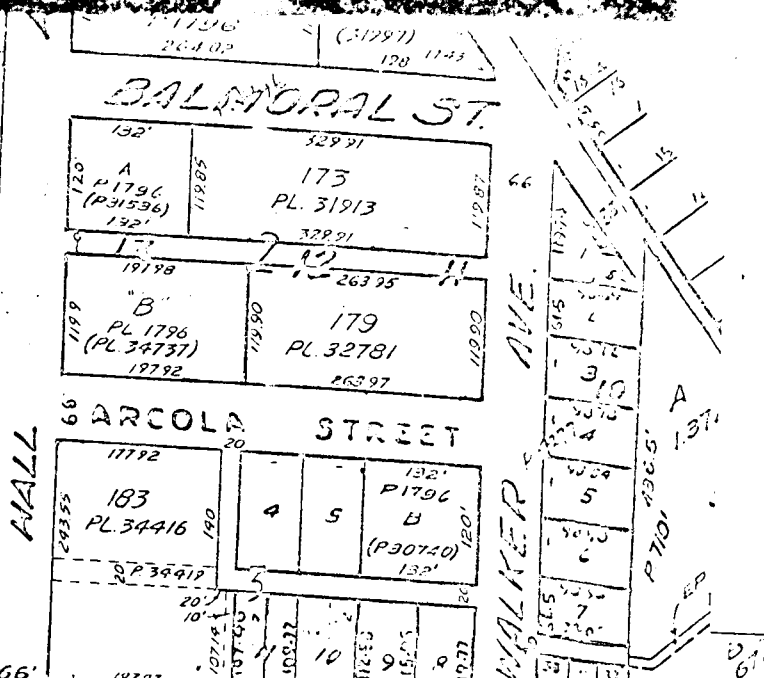
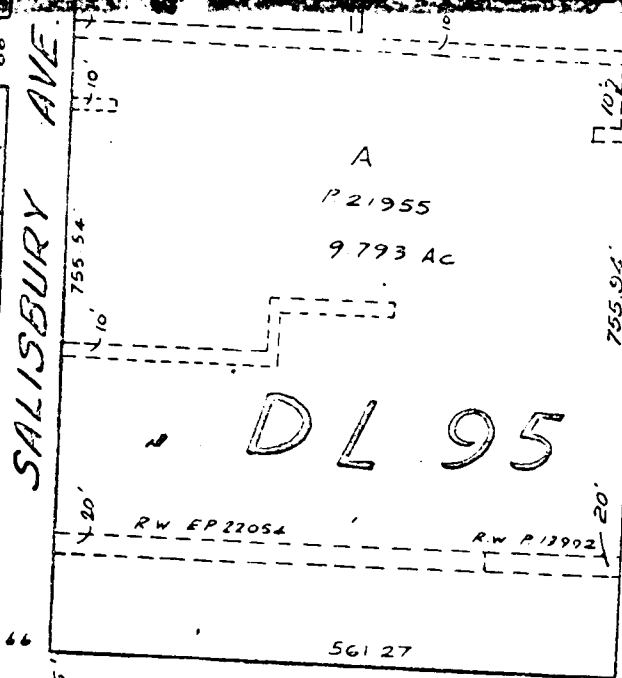
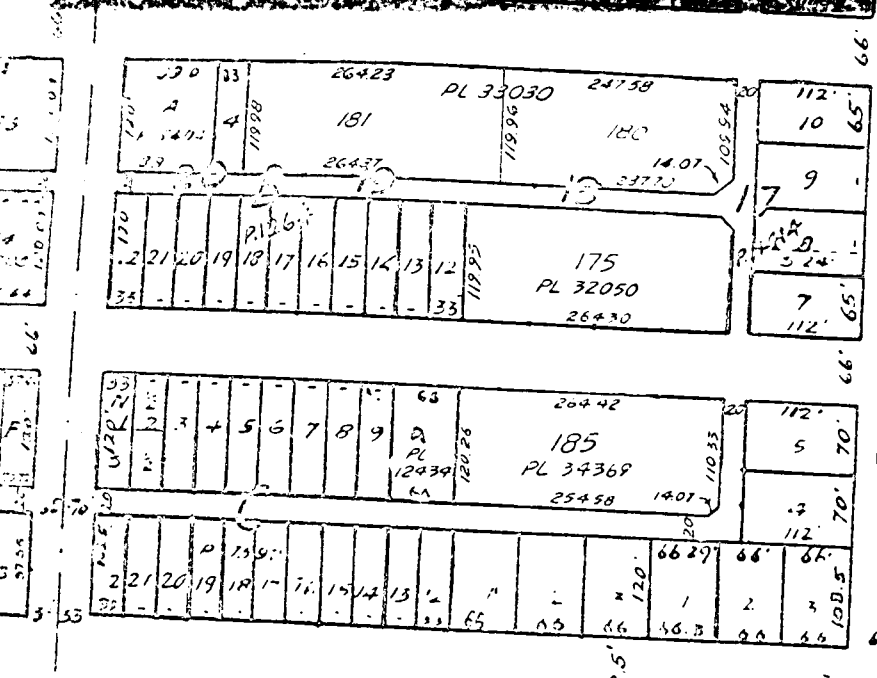
- (a) In the Apartment Study '69 report, a number of apartment development locations were designated as Community Plan areas. These are areas where an overall plan is considered necessary or where the development of a variety of apartment types on a comprehensive basis is proposed. It was also felt that such a designation would promote a high standard of development.
- (b) With this in view, the number of Community Plan areas was subsequently increased, with the result a total of ten such areas were identified and a priority list established for the preparation of plans designed to provide a guide for future development.
- (c) To date, three of the Community Plans have been approved by Council, while a fourth has been approved in principle by the Advisory Planning Commission.
- (d) The approval of these Plans by Council represents the first step in their implementation. While they present basic guide lines for future development, they do not provide a means of ensuring that current proposals, which are permitted by the existing C3 Zoning, will not forestall or possibly prevent their ultimate realization.
- (e) From the work which has been carried out on the Community Plans, it has become evident that an initial step should be taken to ensure that low-intensity commercial uses do not frustrate the implementation of high-density development schemes for the Community Plan area. This step involves applying a minimum floor area ratio of 2.0 to certain C3 zoned locations within the proposed floor areas, and accomplishing it through the introduction of an amendment to the Zoning By-Law in such a way as to provide a sub-zone to the C3 District within which

April/13/1970

the minimum floor ratio standard would apply. This would be similar to the M3A Industrial category which, although subject to most of the M3 regulations, permits a number of additional uses.

- (f) It was being recommended that:
 - (i) the Zoning By-Law be amended to permit the introduction of a sub-category called C3A to the C3 (General Commercial) District within which a minimum floor area ratio standard of 2.00 would apply;
 - (ii) this proposal be advanced to a Public Hearing for further consideration;
 - (iii) the C3A category be applied to the areas shown on attached maps.

87



MANAGER'S REPORT NO. 24, 1970
Item 12

16

NORTH

AUSTIN ROAD

AUSTIN ROAD

LOUGHFEED

HIGHWAY

ARC LENGTH = 803.31 R = 1777.47

$\Delta = 26^{\circ} 22' 20''$

REM. SK 16405F
1.43 AC.

H
P = 15069
5.374 AC.

A
1.37 AC.

2
4.00 AC.

B
3.44 AC.

2
0.99 AC.

10
P 30666

BYLAW
20233

10 AC.
P 10672

12
PL 33637

1
19.95'

2
159.24'

158.05'

153.14'

146.14'

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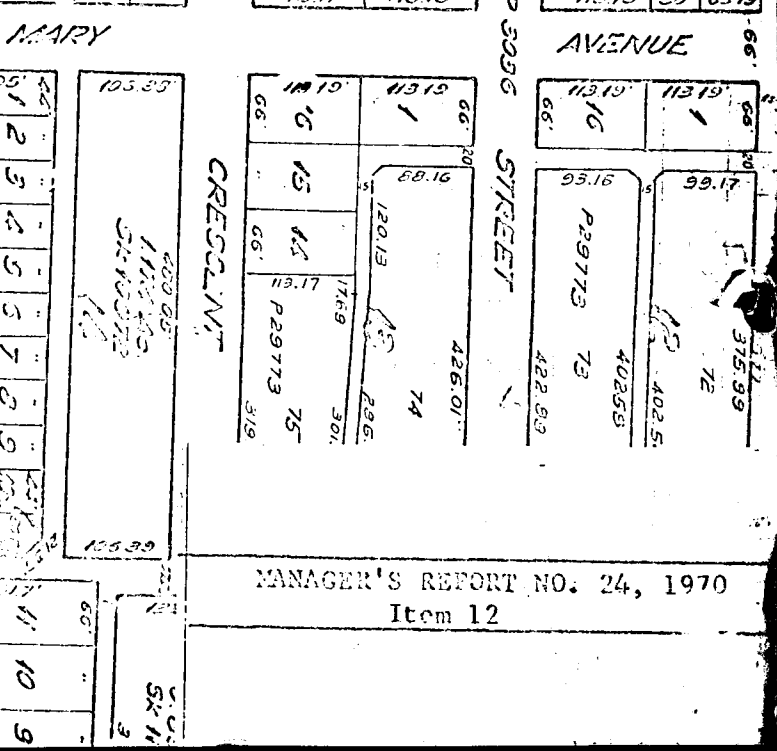
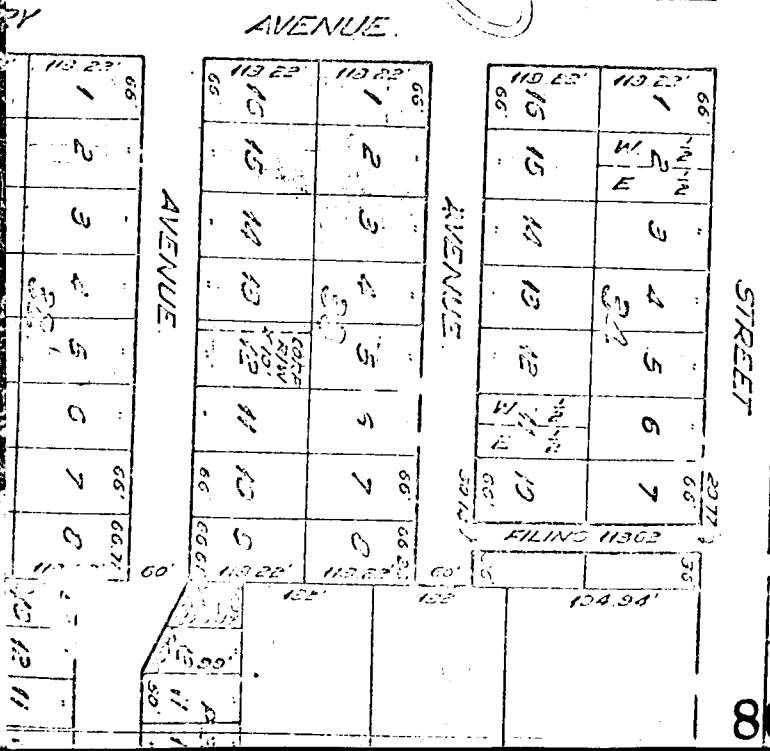
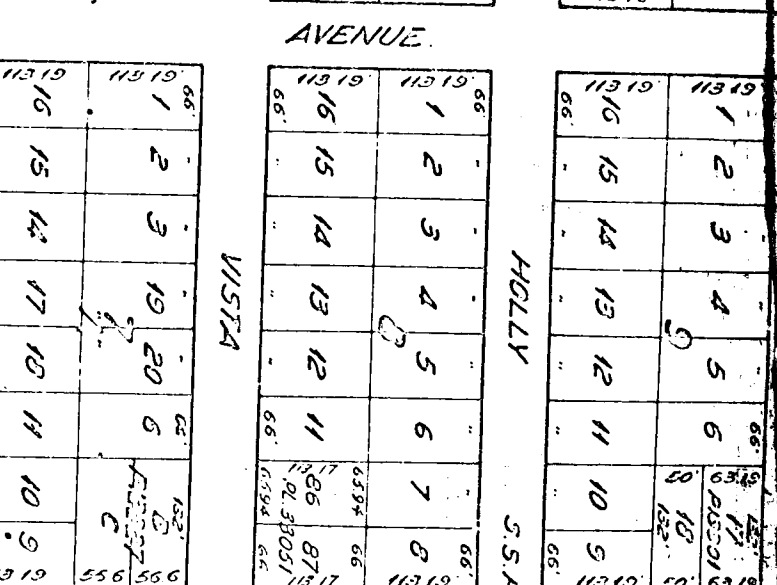
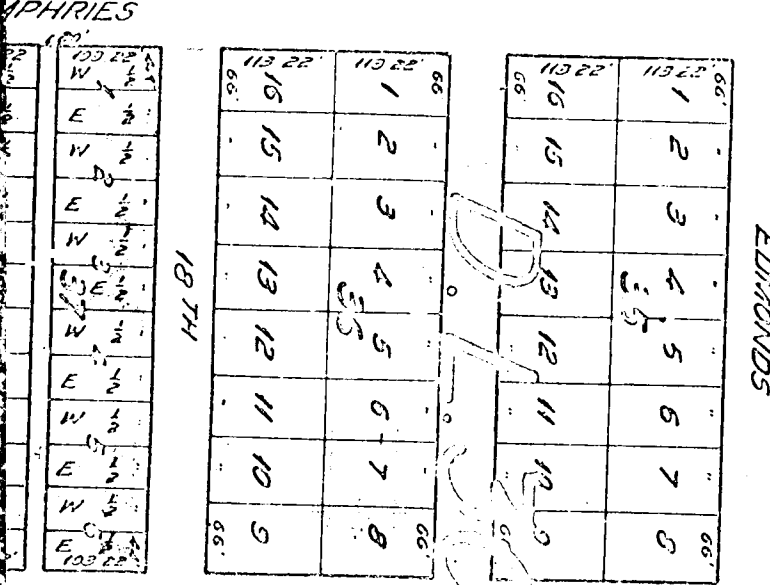
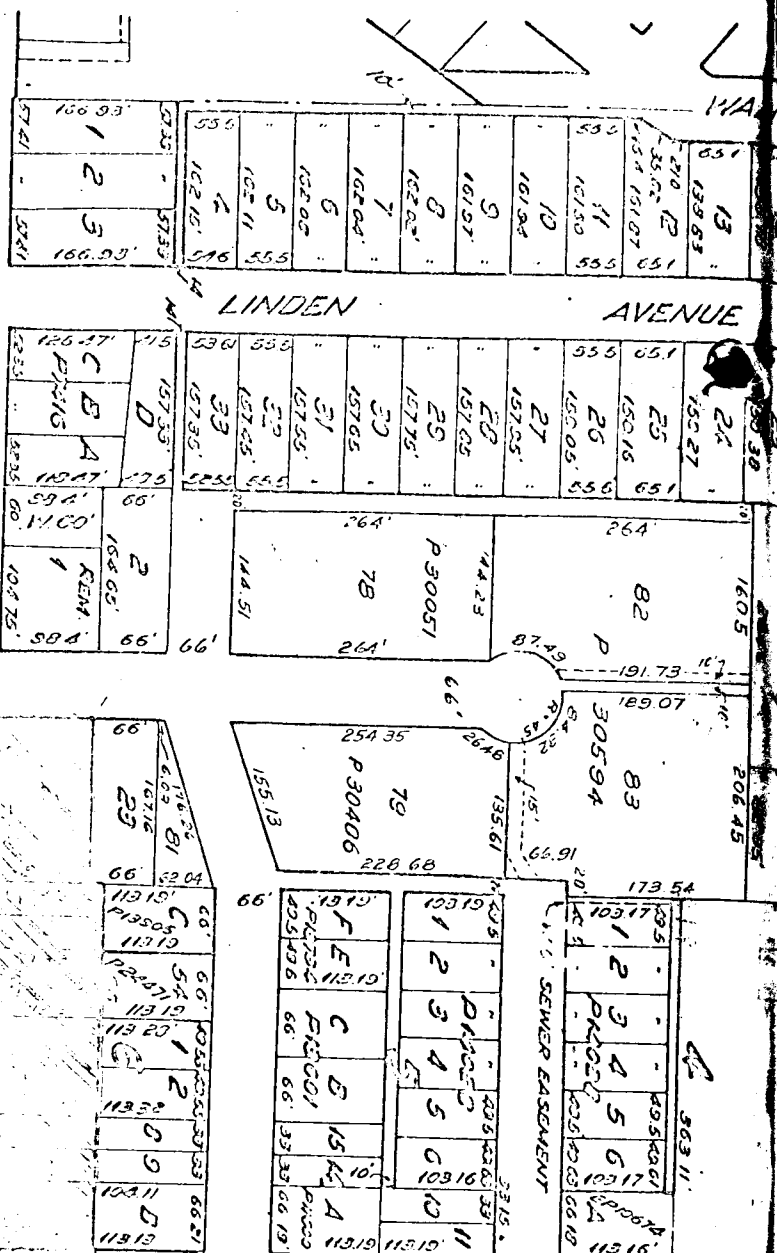
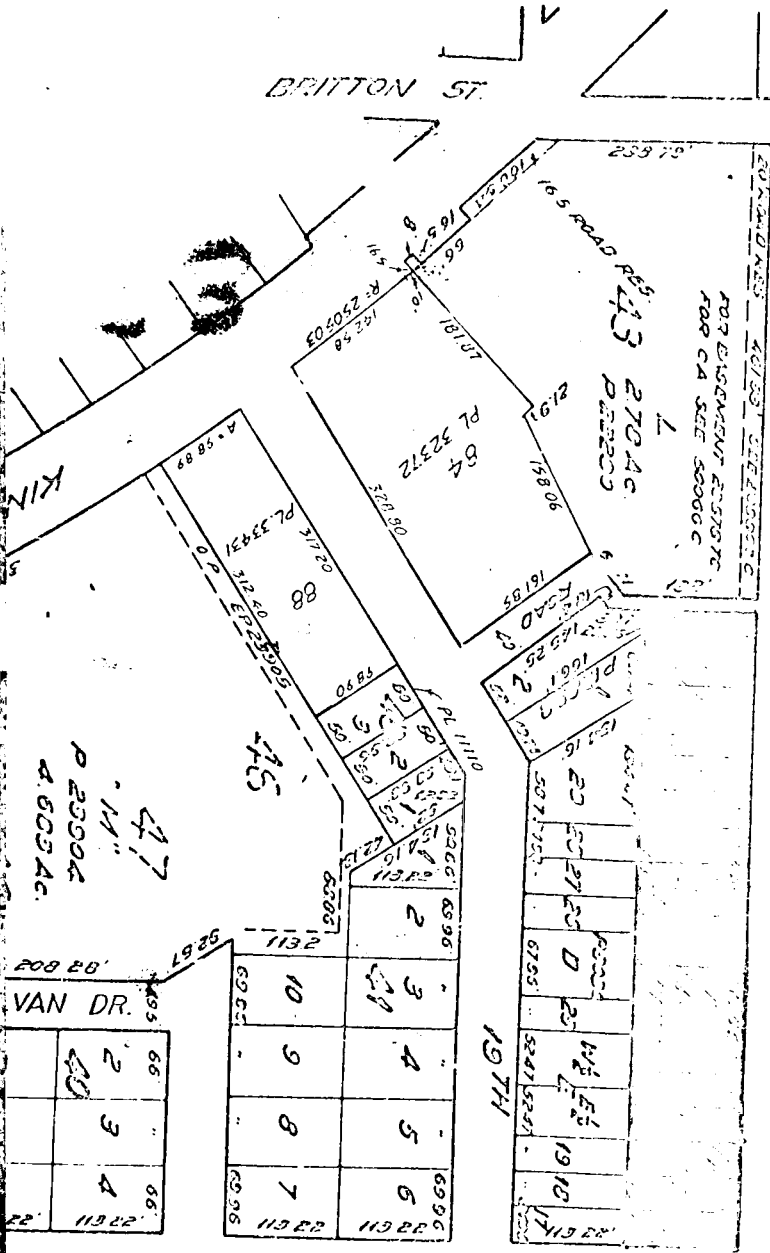
140.6'

140.6'

140.6'

140.6'

BRITTON ST.



MANAGER'S REPORT NO. 24, 1970
Item 12

99

20	19	18	17	16	15	14	13	12	11
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86

1	2	3	4	5	6	7	8	9	10
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P1050

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ROAD

ESMOND

AVE

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50	50	50	50	50	50	50	50	50	50

INGLTON

AVE

20	19	18	17	16	15	14	13	12	11
50	50	50	50	50	50	50	50	50	50

86

1	2	3	4	5	6	7	8	9	10
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1	2	3	4	5	6	7	8	9	10
50	50	50	50	50	50	50	50	50	50

AVE

PANDORA

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

ALBERT

66	1	2	3	4	5	6	7	8	9	10	11	12

GILMORE

66	1	2	3	4	5	6	7	8	9	10	11	12

HASTINGS

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

PENDER

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

AVE

STREET

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

STREET

66	1	2	3	4	5	6	7	8	9	10	11	12

CARLTON

66	1	2	3	4	5	6	7	8	9	10	11	12

STREET

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

STREET

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

AVE

462

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

MADISON

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

66	1	2	3	4	5	6	7	8	9	10	11	12

AVE

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ROSSER

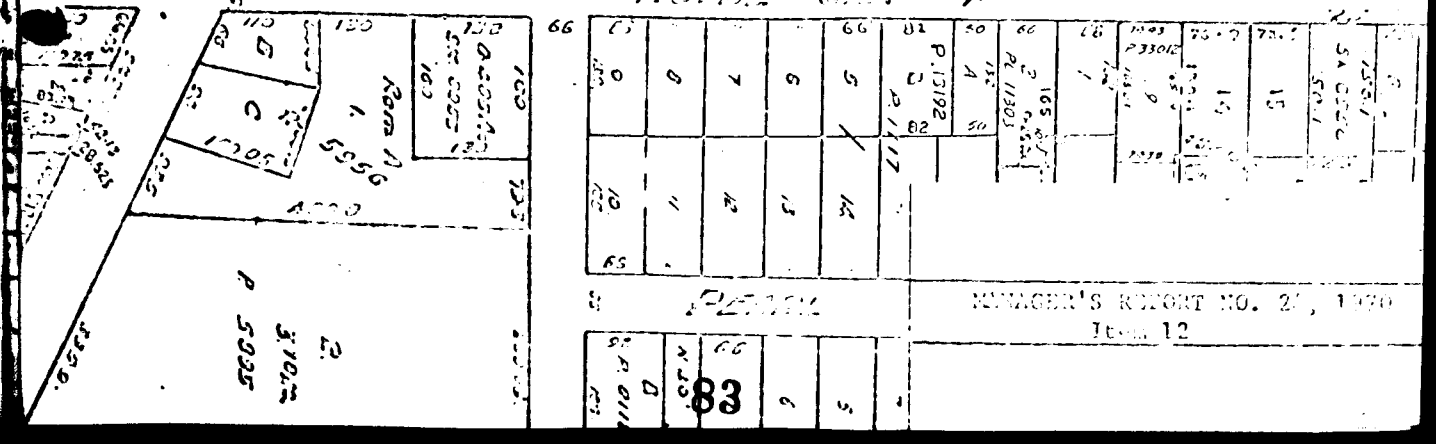
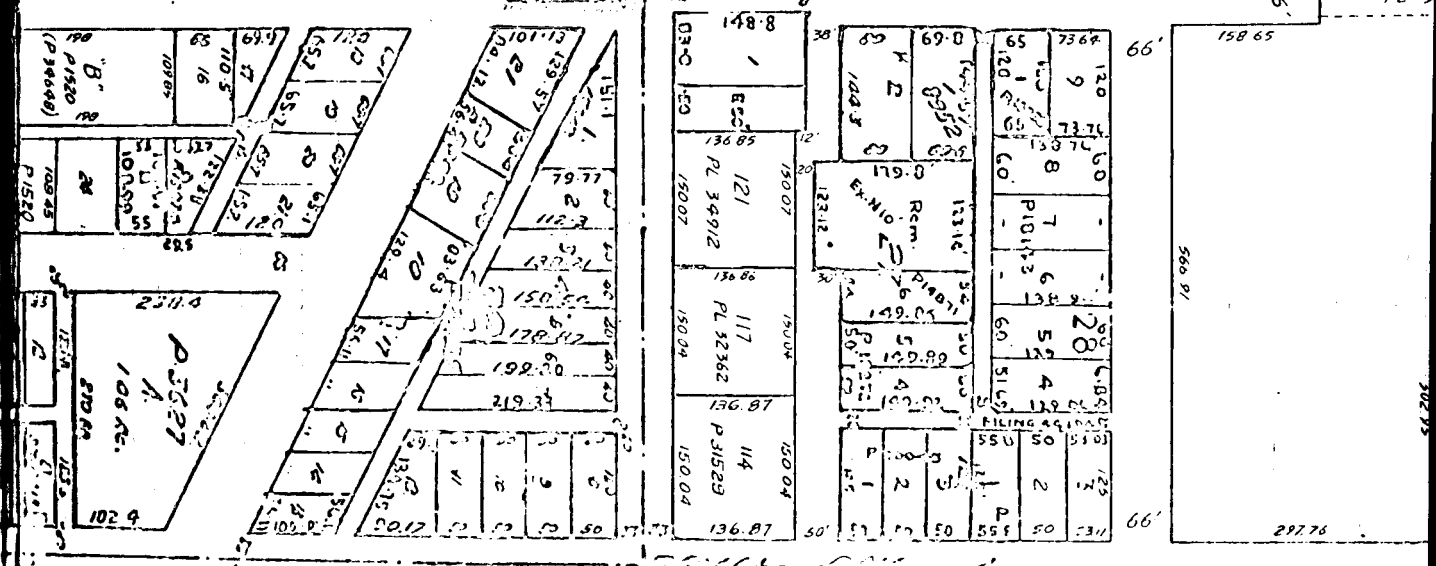
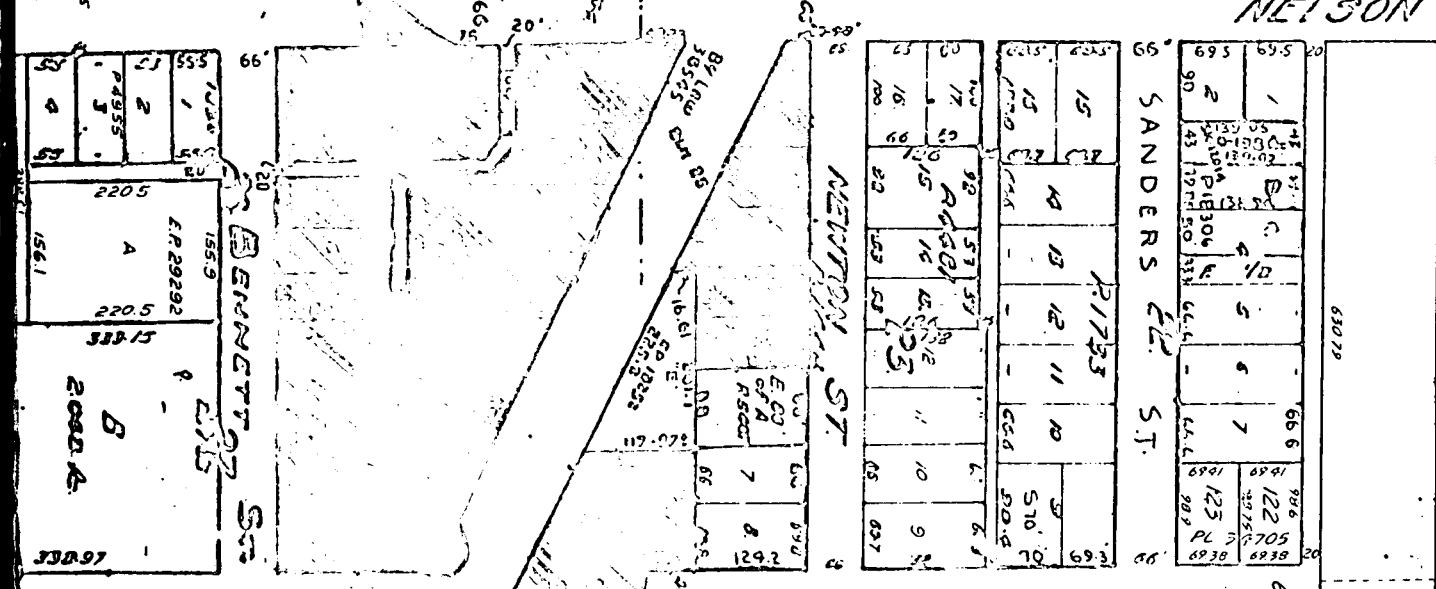
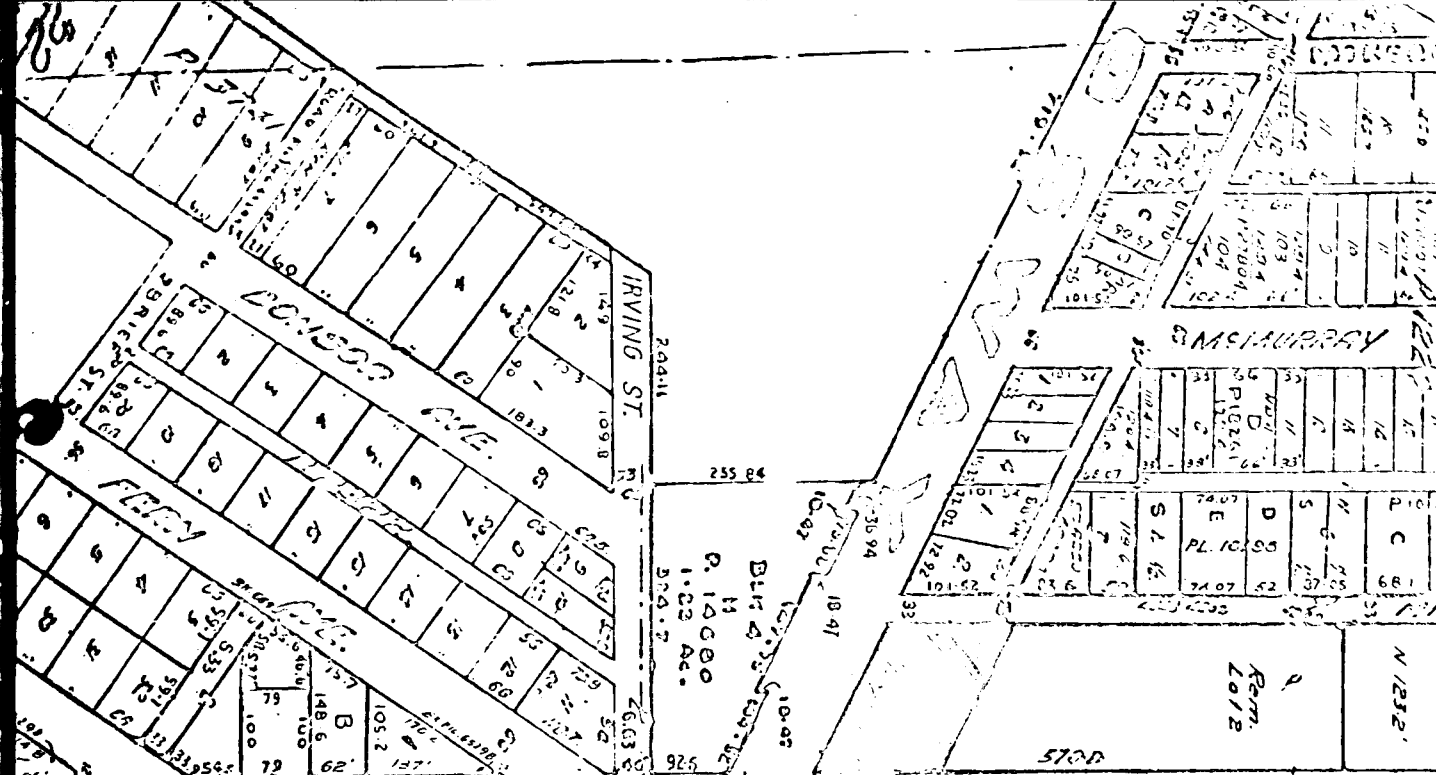
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66	1	2	3	4	5	6	7	8	9	10	11	12





GRANGE ST

(15) Lot "C", Block 24, D.L. 32, Plan 3963

PRELIMINARY PLAN APPROVAL NO. 1163

The Council, on March 16th, granted permission to withhold the above Preliminary Plan Approval for a period of 30 days pursuant to Section 707 of the Municipal Act.

It was expected that the Advisory Planning Commission would report to Council regarding Community Plan No. 4 - Area "L" (Kingsway-Nelson Avenue).

The Commission has now reported to Council and it will be necessary to consider again Preliminary Plan Approval No. 1163 as the 30-day period expires before the next Council meeting.

It was drawn to the attention of Council, during its consideration of the subject of both Items 13 and 15 of the Manager's Report, that the owner of the Lot "C" mentioned under Item 15, or his agent, had enquired of the Planning Department in early February regarding his intended development (which is two small retail stores) and had not been informed that the Department was in the process of preparing a Community Plan for the area in which the parcel is located that would involve amendments to the Zoning By-Law which would preclude the development desired by the owner.

It was contended that the owner should have been informed of the possible change in the Zoning By-Law and not led to believe that there would be no problem in proceeding with the development planned by him.

ALDERMAN MERCIER LEFT THE MEETING.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:

"That the recommendations of the Planning Department set out under Item 12 of the Manager's Report be adopted, except as they apply to the property which is the subject of Item 15 of the Manager's Report."

CARRIED UNANIMOUSLY

April/13/1970

-40-

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK:
"That the Municipal Manager submit a report indicating whether the situation portrayed this evening concerning the enquiry of the owner of Lot "C", Block 24, D.L. 32, Plan 0968 is correct and, if so, what can be done to ensure that, in future, persons interested in developing properties are advised of any possible change in the uses which can be permitted on such properties; and further, his report be submitted to the meeting of Council on April 15, 1970 so that a decision can be made in respect of the Preliminary Plan Approval No. 1163."

CARRIED UNANIMOUSLY

(13) Policy - Lanes in Subdivisions

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

(14) Proposed Road Abandonment (Broadway) - D.L. 59

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

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN CLARK:
"That the Committee now rise and report."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

* * *

April/13/1970

BY - LAWS

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:
"That the Council do now resolve into a Committee of the Whole
to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT
BY-LAW NO. 22, 1969" #5516."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ # 8/69

FROM RESIDENTIAL DISTRICT FIVE (R5) TO COMMUNITY INSTITUTIONAL
DISTRICT (P5)

- (a) Lot 1, Block "A", D.L. 35, Plan 5096
- (b) Lot "A", S.D. 2, Block "A", D.L. 35, Plan 6952

(5230 Boundary Road and 3738 Burke Street -- Located at the
South-East corner of Boundary Road and Burke Street, with
a frontage on Boundary Road of 222 feet and a depth of 414
feet)

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

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 22, 1969"
be now read a Third Time."

CARRIED UNANIMOUSLY

* * *

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That leave be given to introduce "BURNABY ROAD CLOSING BY-LAW
NO. 4, 1970" #5681 and that it now be read a First time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That "BURNABY ROAD CLOSING BY-LAW NO. 4, 1970 be now read a Third
Time."

CARRIED UNANIMOUSLY

* * *

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

CARRIED UNANIMOUSLY