

SEPTEMBER 14, 1970

An adjourned meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, September 14, 1970 at 7:00 P.M.

PRESENT: Aldermen Blair, Herd, Ladner,
Mercier and McLean;

ABSENT: Mayor R. W. Prittie;
Aldermen Clark, Dailly and Drummond;

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That Alderman D. M. Herd be appointed Acting Mayor during the time His Worship, Mayor Prittie, and Acting Mayor Clark are absent, which is expected to be ^{from} September 15 to 20, 1970."

CARRIED UNANIMOUSLY

ACTING MAYOR HERD then assumed the Chair.

ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Guardian Secretary, Bethel #7, International Order of Job's Daughters, wrote to request permission to conduct a Candy Drive on September 22nd and 23, 1970 from 6:00 p.m. to 9:00 p.m.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That permission be granted to the Order to conduct its campaign at the times indicated."

CARRIED UNANIMOUSLY

Mr. James G. Lorimer, M.L.A. for Burnaby-Willingdon, submitted a letter congratulating Burnaby and New Westminster for obtaining the 1973 Canada Summer Games.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That the letter from Mr. Lorimer be referred to the Canada Summer Games Committee for its information."

CARRIED UNANIMOUSLY

Sept/14/1970

Mr. Harold J. Merilees, M.L.A. for Vancouver-Burrard, submitted a letter expressing appreciation for the prompt and generous response of Council to a request of the Highway 401 Beautification Committee for financial assistance to beautify the said Highway (Freeway).

He also mentioned that the Committee would endeavor to plant as many rhododendrons as possible in the median along the Burnaby portion of the Freeway.

Secretary, Playhouse Centre of British Columbia, submitted a Notice of the Annual General Meeting of the Playhouse Centre in the Waddington Room of the Hotel Vancouver on September 18, 1970 at 4:00 p.m.

Mr. H. Spackman wrote to express concern regarding an Order he received from the Municipal Engineer to connect his home at 9913 Cameron Street to the public sewer system.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the letter from Mr. Spackman be referred to the Pollution Committee for consideration of the circumstances outlined in his submission, with it being understood that no action will be taken by the Municipal Engineer in regard to the Order until consideration is given the problem by the Committee."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That all letters which are received in opposition to the Notice from the Municipal Engineer regarding connections to the public sewer system be referred to the Pollution Committee for consideration and no action be taken to enforce the Order of the Municipal Engineer in connection with such notices until after the Committee has dealt with the objections."

CARRIED UNANIMOUSLY

Manager, Corporate Services Division, B. C. Hydro and Power Authority, submitted a letter conveying a number of facts regarding the position of the Authority in connection with its proposed development of a Service Centre on the Quadra-Beckwith site in the Municipality of Saanich.

President, Burnaby Halfway Lodge Society, wrote to request that Council review the application to rezone Lots "A" and "B", Block 25, D.L. 80N, Plan 16273 (Reference Rezoning #17/70) to Special Institutional District (P7).

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the Society be advised that Council is prepared to hear further representations in regard to the rezoning proposal if new evidence can be presented in support of the application."

CARRIED UNANIMOUSLY

* * * *

QUESTION AND ANSWER
PERIOD

ALDERMAN LADNER stated that it was not possible for any member of Council to attend the Annual Planning Conference of the Community Planning Association of Canada in Winnipeg between September 27th and October 1, 1970.

He suggested that it might be beneficial if the Chairman of the Advisory Planning Commission, or his designee, was offered the opportunity to attend the Conference.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the Chairman of the Advisory Planning Commission, or his designee, be authorized to attend the Annual Planning Conference of the Community Planning Association of Canada in Winnipeg, Manitoba between September 27th and October 1, 1970, along with a member of the Planning Department, with it being understood that a report will be submitted to Council outlining the highlights of the Conference after the delegates return."

CARRIED UNANIMOUSLY

* * *

ALDERMAN McLEAN drew attention to the Air Pollution Control By-law of the Greater Vancouver Regional District and suggested that the Regional District should have enacted legislation dealing with all forms of pollution.

He indicated he was appalled at the fact that nothing was being done by the Provincial Government in regard to pollution.

Alderman McLean suggested that, to be effective, the Provincial Government must exercise jurisdiction in the matter of pollution control, including the appointment of a Ministerial Portfolio to handle the matter.

Alderman Ladner pointed out that the Greater Vancouver Regional District only has powers in connection with the control of air pollution and no other form of pollution.

He also mentioned that there is a problem of jurisdiction and constitution as regards the question of pollution.

Alderman McLean stated that pollution ultimately involves all levels of Government.

He proposed that Mayor Prittle report on all aspects of the situation regarding pollution as it concerns the Regional District and the Provincial Government but he received no support for this proposal.

R E P O R T S

ADVISORY PLANNING COMMISSION submitted a report advising as follows on the matters shown:

(1) Lot Sizes in R4 Districts

In considering a proposal of Council to amend the Zoning By-law to permit two-family occupancy in R4 Districts with a minimum of 60 feet of frontage and a total area of 7,200 square feet, it was concluded that:

- (a) Such a course of action could conceivably result in doubling the population in R4 Districts, with the attendant effects on municipal services and utilities, school populations, traffic patterns, etc.
- (b) High-quality residential areas that are presently zoned R4 would be adversely affected by the implementation of such an amendment.
- (c) Rezoning would be a more effective instrument for answering the problem which gave rise to the proposal than changing lot sizes in existing R4 Districts.
- (d) Sufficient potential exists for two-family development in R5 Districts by virtue of a 1968 Amendment to the Zoning By-law.

It was therefore being recommended that the report of the Planning Department in regard to the subject matter be adopted.

(2) Drive-In Restaurants

It was considered that the proposed definitions outlined in the Report of the Planning Department on the question of Drive-in Restaurants are now specific enough to allow adequate control so support could be given the report of the Department.

It is felt, however, that the height restriction of buildings to 20 feet, as provided in Section 307.3, is too restrictive and could possibly stifle individual designs.

It was therefore being recommended that this 20 foot height restriction be replaced with a stipulation that such structures may not exceed two stories.

(3) Service Commercial Districts (C4)

It was being recommended that the following proposals of the Planning Department respecting Service Commercial Districts (C4) be adopted:

- (a) The addition of a regulation for the landscaping of required front yards.
- (b) The addition of a requirement for screening where drive-in businesses adjoin residentially-zoned properties.

- (c) Car washing establishments be made to comply with the same standards which govern the development of drive-in businesses, including a requirement for screening adjacent to residential zones.

The recommendation of the Planning Department to exclude the use of storage yards as a permitted use in connection with trade contractor's businesses in C4 zones cannot be supported because it was felt the controls in the present By-law are adequate providing they are sufficiently enforced.

(4) Edmonds - Kingsway Area "O" (Community Plan No. 6)

The report of the Planning Department with regard to the above Community Plan is being recommended for adoption as a guide to future development, but the following suggestions are being made:

- (a) That consideration be given to cul-de-sacing Acorn Avenue and Salisbury Avenue South of Kingsway so that access and egress would then be from Griffiths Avenue where a properly controlled intersection could be provided.
- (b) That care be taken to ensure that future development does not frustrate any possible rapid-transit system in the area.

(5) (a) North Road - Cameron Street Area (Community Plan No. 5)
(b) Loughheed Highway - Government Street Area (Community Plan No. 10)

The report of the Planning Department on the above Community Plans is being recommended for adoption as a guide to future development, but the following suggestions are being tendered in regard to the Plans:

- (a) That consideration be given to relocating the proposed Public Library from its present position on North Road to a more central position in, or adjacent to, the planned park in the vicinity of Noel Drive and Cameron Street because this latter location would provide a much more convenient service to the area as it would be more centrally located.
- (b) That the 1.5 acre site on the South side of Loughheed Highway, which is designated: (3) "Proposed High Density Multiple Family Development" on the map of the proposed subdivision in Area "H" be considered for a type of lower density development due to its dimension and shape.
- (c) That consideration also be given the integration of low-cost housing throughout the areas designated: (1) "Low Density Multiple Family Development", and increasing the unit density for the areas from 10/12 units per acre to approximately 16 units per acre.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the reports of the Advisory Planning Commission be received and be brought forward again when the Planning Department considers the subjects of them require further consideration by Council."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 51, 1970 on the matters listed below as Items (1) to (7) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Proposed Senior Citizens' Project (Seton Academy)

The Planning Department has reported as follows on a proposal advanced by the Action Line Housing Society to use, on an interim basis, the Seton Academy property as a site for Douglas College pending development of further plans for a Senior Citizens' Project on the property:

- (a) One of the difficulties in formalizing specific plans for the Senior Citizens' Project has been that of staging the project in relation to the funds to be made available by the Provincial and Federal Governments.
- (b) In order to overcome this difficulty, the Society has been examining the possibility of interim uses of Seton Academy for one or two years, which would allow the Society to purchase the property now and develop its plans for the Senior Citizens' Proposal during the interim period.
- (c) The Society has now come forward with a verbal proposal that Douglas College be permitted to use the existing buildings for administrative and classroom uses during the interim period.
- (d) This would require the property to be rezoned to Comprehensive Development District (CD), with the plans attached to the By-law being those of the existing buildings annotated to show the use of the existing space by Douglas College.
- (e) It would also require a specific proposal from Douglas College as to the method of providing for off-street parking in such a manner as to be not detrimental either to the property itself or to the surrounding neighbourhood. In that regard, it is understood that the use of the nearby reservoir property is being examined.

Sept/14/1970

- (f) In order to make the future change in use from Douglas College to the Senior Citizens' Proposal, it would be necessary at that time to make a zoning change to replace the plans of the existing building with those for the Senior Citizens' Development.
- (g) In view of the foregoing, it was being recommended that Council advance for further consideration the rezoning of the property in question (Lot "B", Block 30, D.L. 186, Plan 5371 and Lot 17, Block 30, D.L. 186, Plan 1124) to Comprehensive Development District (CD) to permit its use by Douglas College, subject to the following conditions:
 - (i) That plans be presented which show the uses to which the existing buildings on the site are to be put, together with any alterations or additions to the grounds or buildings that may be required by the College.
 - (ii) That evidence be presented that sufficient off-street parking facilities will be provided to accommodate students and staff of the College.
 - (iii) That a statement be produced as to the probable length of time the site will be used by Douglas College.
- (h) If Council agrees with the recommendation, it was being further recommended that, if possible, the Public Hearing on the rezoning proposal be held on Monday, September 28, 1970 in order to assist Douglas College in meeting certain established deadlines.

Planning Director stated that he had just received a letter from the representative of the Action Line Housing Society, Mr. Emmet Cafferky, on the subject of the foregoing report.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the letter mentioned by the Planning Director be read."

CARRIED

AGAINST -- ALDERMAN MERCIER

The letter from Mr. Cafferky indicated the following:

- (a) An Executive member of the Vancouver Heights Ratepayers Association, Mr. L. McQueen, advised that the executives of the Association were not in favour of a University being located temporarily on the Seton Academy Site. He was informed that Douglas College was not a University because it more closely resembles the likes of B.C.I.T. and there was heavy emphasis on career courses.
- (b) It was agreed by Mr. McQueen that the information he had gained regarding Douglas College cast a different prospective on the acceptance of it temporarily on the Seton Academy Site, but in no way would that point of view represent that of either the entire executive or the membership of the Association.

- (c) The spokesmen for Douglas College have stated that they only wish a two-semester lease of the property and, if at the end of that time they had proven not to be good neighbours, then they would leave.
- (d) Action Line Housing Society will file an amendment to the CD plan for the site, which will show a high-rise tower containing a Comprehensive Senior Citizens facility, including self-contained, single and double, board and room, intermediate care and, if possible, rehabilitative facilities.
- (e) The recreation and treatment facilities proposed on the site will be available to the Community.
- (f) The Society will remove the school within two years of occupancy of the aforementioned tower.
- (g) The Society wishes a Public Hearing on the proposal to rezone the site to CD because of the time element involving Douglas College, which proposes to use the:
 - (i) School for courses related to student administration (e.g. Management training, merchandising, accounting etc.)
 - (ii) Mansion for two classrooms and the administration offices of Douglas College proper.
 - (iii) Coach House for instructors' offices.
- (h) The Douglas College schedule calls for the commencement of classes on October 5, 1970.
- (i) The Society will do all within its power to co-operate with the municipality and ratepayers to create a complete and complementary facility for senior citizens.
- (j) A representative of the Greater Vancouver Water District indicated that the Board would approve the use of the reservoir site for parking, which could accommodate approximately sixty to seventy-five cars.

During consideration of the proposal advanced above, it was suggested that Douglas College should consider using the Vancouver College site, which is now vacant.

A comment was also made that the School Board should have Ratepayer approval for all future costs connected with the Douglas College concept because such costs are shared by the municipality and Provincial Government.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That Mr. Cafferky be heard."

CARRIED UNANIMOUSLY

Mr. Cafferky then spoke and made the following comments:

- (1) Since the Action Line Housing Society first made application for its Senior Citizens Project on the Seton Academy site, the Provincial Government has increased the equity requirement for such developments by 50%.
- (2) It will take between 6 and 9 months to prepare plans for the development envisaged.
- (3) The Society cannot afford to allow the property to remain idle, and therefore is advancing the "Douglas College" proposal to Council.

Mr. Naylor of the Douglas College stated, in response to a remark made earlier in Council, that the Vancouver College was considered to be too distant for those intended to be accommodated.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the recommendations contained in the report of the Planning Department respecting the Interim use of the Seton Academy property by Douglas College be adopted."

CARRIED UNANIMOUSLY

It was understood by Council that the Municipal Clerk would, in addition to notifying the owners whose properties abut the Seton Academy Site of the Public Hearing, also inform the Vancouver Heights Ratepayers Association.

(2) Sanitary Sewers (Stride Avenue - 20th Street Area)

It was being recommended that the tender of A. R. Grimwood Limited in the amount of \$29,362.45 for the installation of sanitary sewers in the above area be accepted, with the actual payment to be based on the unit prices quoted in its bid.

Municipal Manager stated that it was necessary to review the subject of his report because of a misinterpretation of the tenders which were submitted.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:
"That the report submitted this evening by the Municipal Manager pertaining to the installation of sanitary sewers in the Stride - 20th Street area be withdrawn."

CARRIED UNANIMOUSLY

(3) Fireworks

The Municipal Clerk has reported as follows on the regulations pertaining to fireworks in Lower Mainland municipalities:

- (a) Most municipalities prohibit the sale or discharging of firecrackers or fireworks, except for the one week period prior to Hallowe'en.
- (b) In almost all cases, the Fire Chief of the municipality or the Fire Marshal can grant written permission to hold public displays of fireworks.
- (c) There are minor variations in the regulations in each municipality as regards the time when fireworks or firecrackers can be discharged, and in the ages of persons who can either sell or discharge them.
- (d) The Greater Vancouver Regional District has not assumed responsibility for controlling the sale and/or discharging of firecrackers because it was not deemed advisable after two member municipalities did not support such action.
- (e) Two municipalities completely ban the sale and discharge of fireworks and firecrackers, except for public displays when the Fire Marshal/Fire Chief grants written permission.
- (f) The majority of municipalities in the Lower Mainland prohibit the sale and discharging of fireworks/ firecrackers, except:
 - (i) for a few days before Hallowe'en
 - (ii) when the Fire Marshal/Fire Chief grants written permission for public displays.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the report of the Municipal Clerk, including the By-law pertaining to the subject of the report (Burnaby Fire Prevention By-law 1968, Amendment By-law No. 3, 1970) be tabled until the September 21st meeting."

CARRIED UNANIMOUSLY

(4) Easement (Burlington Northern Railway Tracks)

It was being recommended that authority be granted to execute an easement the Corporation is acquiring from Burlington Northern Incorporated for a sanitary sewer crossing of the Burlington - Northern Tracks at a cost of \$500.00.

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

CARRIED UNANIMOUSLY

- (5) (a) Block 27, Exp. Plan 19908, D.L. 29, Plan 4215
 - (b) Lot 1, Block 26, D.L. 29, Plan 4900
 - (c) Block 26, D.L. 29, Sk. Plan 7868, Plan 3035
- REFERENCE REZONING #20/70

The applicant for the above rezoning proposal has now advised that he is withdrawing his application.

Sept/14/1970

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:
"That consideration of the rezoning application which is the
subject of the Manager's Report be terminated."

CARRIED UNANIMOUSLY

(6) Portion of Lot 32, D.L. 40, Plan 28710
REFERENCE REZONING #22/70

The above property lies immediately North of the Columbia Trailer
operation on Government Street.

A plan of development has been submitted and it indicates that
ample protection will be afforded the nearby residential
properties from the operations of Columbia Trailer.

The plan also shows that parking facilities will be provided
on a lower level adjacent to the plant of the Company and substantial
landscaping will be provided twenty feet in depth at the Government
Street elevation, which will be terminated on the South side
by an earth berm.

The planting of the landscaped strip will consist of poplar trees
which will provide a quick growing screen, and evergreens. Other
forms of planting include spreading shrubs and ornamental maple
trees.

Since the plan is considered acceptable, it was being recommended
that the Amendment to the Zoning By-law in question be given
further readings.

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

CARRIED UNANIMOUSLY

*It was suggested that the Municipality should have
regulations which control the height to which trees
can grow because often the extreme height of certain
trees effectively obscures the view of people on
nearby properties.*

*It was contended that, many times, people will buy
a "view" lot and then later be deprived of that view
when nearby trees are allowed to grow to extreme
heights, thus causing a devaluation of the property.*

*It was mentioned that such tree plantings usually
result from Council stipulating this type of treatment
when considering screening arrangements in connection
with rezoning proposals.*

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:
"That a report be submitted to Council on a proposal to introduce
regulations for the control of the height to which trees are
allowed to grow under any circumstances, not just those pertaining
to screening arrangements relating to rezoning proposals. "

CARRIED UNANIMOUSLY

(7) Bell Park

The Planning Department has reported as follows on a suggestion that perhaps Bell Park should be relocated due to its close proximity to Loughheed Highway:

- (a) Bell Park, which covers an area of approximately 1.8 acres, provides the only park in the developing Southern portion of the Lyndhurst-Cameron residential district. For this reason, it has become a popular and well used recreational facility.
- (b) Since most of the adjoining area has been designated in the Apartment Study Report for future apartment development, which is reflected in the high land costs, the relocation of Bell Park could only be realized by a considerable expenditure of public funds. This would be difficult to justify, particularly when an existing and dedicated park facility is already available in the area.
- (c) The expansion of Bell Park has been proposed to serve the growing apartment development area between Loughheed Highway and the projected East-West Collector Road to the South of Sullivan Street. This area will ultimately support an estimated population of between 5,000 and 6,000 people. Based on current neighbourhood park standards, such a population should be provided with local park and playground facilities of ten to twelve acres in extent. This need will be met by the existing Cameron Street School grounds plus the projected expansion of Bell Park. The proposed future extension of Bell Park has been approved by the Parks and Recreation Commission.
- (d) The future park area will be of sufficient size and depth (8.4 acres) to allow for the provision of a well-treed buffer strip opposite Loughheed Highway. In addition, the location of the site in relation to the proposed Stoney Creek trail will add considerably to the attractiveness and usability of the facility as part of the overall park system for the rapidly developing North-East Burnaby Area.
- (e) In view of the foregoing, it was being recommended that Bell Park be retained in its present location and that the projected expansion of this facility, as proposed in the Community Plan for the North Road - Cameron Area, be approved.

It was drawn to the attention of Council that the subject of the Planning Department's Report relates, in part, to Items (5) and (6) of the Advisory Planning Commission Report that Council received earlier this evening.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the report of the Planning Department pertaining to Bell Park be received and be brought forward at the same time as the Department returns the subjects of Items (5) and (6) of the Report the Advisory Planning Commission presented this evening."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

* * *

BY - LAWS

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That leave be given to introduce:

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 24, 1970" #5765

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 25, 1970" #5766

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 26, 1970" #5767

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 27, 1970" #5768

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 28, 1970" #5769

"BURNABY ROAD CLOSING BY-LAW NO. 11, 1970" #5771

and that they now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That:

- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 24, 1970"
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 25, 1970"
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 26, 1970"
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 27, 1970"
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 28, 1970"
- "BURNABY ROAD CLOSING BY-LAW NO. 11, 1970"

be now read a Third Time."

CARRIED UNANIMOUSLY

* * *

BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT BY-LAW NO. 3, 1970, which deals with the question of selling and discharging fireworks was, by a resolution passed earlier this evening, tabled until the September 21st meeting.

* * *

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:

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

- "BURNABY TRADES LICENCE BY-LAW 1950, AMENDMENT BY-LAW NO. 3, 1970" #5739
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 46, 1970" #5761

CARRIED UNANIMOUSLY

Chairman, Canadian Pesticide Applicators Association, submitted a letter in connection with the subject of the Trades Licence Amendment By-law, advising as follows:

- (a) The Association has no objection to the By-law in question requiring bodily injury and property damage liability to the extent of \$100,000.00 for commercial pesticide applicators.
- (b) The Council is to be commended for the expedient and responsible way in which it dealt with the question of reducing the requirement mentioned under (a) from the original proposal of \$500,000.00.
- (c) In a letter to the Deputy Minister of the B. C. Département of Agriculture, the Association strongly protested efforts by local governments to regulate liability insurance for pesticide applicators, although the Councils of these municipalities cannot be blamed because such legislation should be standardised and enacted by the Provincial Government.
- (d) As pesticide control in B. C. is one of the topics to be discussed at the Annual Convention of the Union of B. C. Municipalities this year, the Council was being requested to urge the Provincial Government at that Convention to take immediate steps to implement legislation of the type mentioned.

Sept/14/1970

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 46, 1970 provides for the following proposed rezoning:
Reference RZ #28/70

FROM MANUFACTURING DISTRICT (M1) TO GENERAL COMMERCIAL DISTRICT (C3)

Lot 1 of Lot 8, Part North of Highway, Except Plan 21111, D.L. 4, Plan 845

(9601/07 Lougheed Highway)

Deputy Municipal Clerk stated that the Planning Department had reported that, inasmuch as Council had withdrawn the three prerequisites in connection with the rezoning proposal that is the subject of this By-law, the By-law could now be given Third Reading, with Final Adoption to follow after the Department of Highways indicates its approval of access to the site.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That:
"BURNABY TRADES LICENCE BY-LAW 1950, AMENDMENT BY-LAW NO. 2, 1970"
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 46, 1970"
be now read a Third Time."

CARRIED UNANIMOUSLY

* * *

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That Burnaby Zoning By-law 1965, Amendment By-law No. 58, 1968 and Burnaby Road Dedication By-law No. 1, 1970 be tabled until the September 21st meeting."

CARRIED UNANIMOUSLY

* * *

MUNICIPAL MANAGER reported verbally on a problem that has developed in the Corporation leasing a portion of Lot 15, D.L. 155"C", which is located at 5855 Marshland Avenue, to Pacific Coast Woodworking Industries. He indicated the following in connection with the matter:

Sept/14/1970

- (a) The area of the land involved is 1.96 acres, and it is zoned M3(a).
- (b) Council previously approved the leasing of the land to the Company mentioned for five years at the rate of \$65.00 per acre per month plus taxes in accordance with Section 336 of the Municipal Act.
- (c) The Company has now asked that the lease be for ten years, with an option to renew for a further period of five years. The Company has indicated that it is unable to arrange financing on a five year lease.
- (d) The Company has also requested that the lease contain a clause permitting the Company to sublet the property.
- (e) The first request would require an additional clause to provide for a re-negotiation of the lease price at the end of ten years and another to provide for arbitration in the event there is disagreement on the lease price.
- (f) A subletting clause is in order, with the provision that the Corporation must agree to any sublease.
- (g) It was being recommended that the extended term described above for the leasing of the property in question be approved and that the clauses referring to re-negotiation, arbitration and subleasing be inserted in the lease document.

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

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:
"That the previous motion be amended by including a provision whereby the Corporation will review the rental rates in connection with the lease after five years."

CARRIED UNANIMOUSLY

A vote was then taken on the Original Motion, as just amended, and it was Carried Unanimously.

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

CARRIED UNANIMOUSLY