

MARCH 16, 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, March 16, 1970 at 7:00 p.m.

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

ABSENT: Alderman McLean;

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:
"That the Minutes of the meeting held on March 9, 1970 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

HIS WORSHIP, MAYOR PRITTIE, presented the following four members of the McPherson Winter Club Ladies' Curling Team with a memento in recognition of their efforts in winning the B. C. Championships:

Miss Donna Clark, Skip.
Miss Mavis Gordon
Mrs. Marge Mitchell
Miss Glady Nord

HIS WORSHIP, MAYOR PRITTIE, recognized the presence of members from the Fifth Burnaby West Cub Pack.

* * * *

DELEGATION

Manager, The Burraby Winter Club, wrote requesting an opportunity for a representative of the Club to address Council on the question of a grant being made to the Club.

It was mentioned to Council by His Worship, Mayor Prittie, that a representative of the McPherson Curling Club was present and desired an audience on the same matter as that mentioned in the letter from the Burnaby Winter Club.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:
"That Item 6 of Report No. 17, 1970 of the Municipal Manager,
which deals with the subject of the submissions from the Burnaby
Winter Club and the McPherson Curling Club, be brought forward
for consideration at this time."

CARRIED UNANIMOUSLY

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

(6) Burnaby Winter Club and McPherson Curling Club

The Parks and Recreation Commission is recommending to Council
that grants be made to the above Clubs on the basis of 9.4¢ for
each person who participated in the activities of the Club,
which is the estimated cost per participant at the Burnaby Municipal
Rink.

The Burnaby Winter Club had 47,290 participants and the McPherson
Winter Club had 47,690. The amounts to be given to the two
clubs would therefore be:

Burnaby Winter Club --	\$4,445.26
McPherson Winter Club -	\$4,482.86

The Commission is also recommending that the grants for the year
1969 -70 be subject to the following conditions:

- (a) That accurate daily attendance records be kept for
all types of activities, with such information to
be submitted to the Parks and Recreation Commission
on or about January 15th of each year.
- (b) That audited Financial Statements for the two clubs
be made available on or about January 15th of each
year, with such statements to indicate operating costs
for the year and the current position of capital
indebtedness.
- (c) That the clubs make available, at normal rental rates,
six hours of "prime" time and up to ten hours of "non-prime"
time for community activity, to be co-ordinated by the
Parks and Recreation Commission, with any additional
ice time not required for club use to be offered to
the Commission for rental.
- (d) That, where feasible, club facilities be made available
at normal rental rates during the summer months for
lacrosse, tennis, badminton and related activities.

The Commission has also suggested that the final rental rates,
and conditions of control, be determined with the respective clubs
and form a part of the terms under which grants are made to the
clubs.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the representatives of both the Burnaby Winter Club and
the McPherson Curling Club be heard."

CARRIED UNANIMOUSLY

Mr. J. A. Young of the Burnaby Winter Club appeared and asked that Council support the recommendation from the Parks and Recreation Commission, as detailed in the report from the Manager.

He also reviewed the question of the municipality subsidizing the operations of the Club, pointing out in that regard that the original representations were made to Council approximately eight months ago when the matter was referred to the Parks and Recreation Commission for consideration. Mr. Young explained that, subsequent to that action of Council, a hearing was held between the Club and the Commission to deliberate the matter at hand.

Mr. Young indicated that he has assumed the grant recommended by the Parks and Recreation Commission would be for the calendar year 1969, and that the formula for subsequent grants would be reviewed annually.

Mr. Young concluded by stating that the sum involved would not necessarily be applied by the Burnaby Winter Club to the taxes on the property the Company owns.

Mr. Cormack of the McPherson Winter Club then appeared and expressed his appreciation for the opportunity to address Council on the matter of the municipality giving the Club a grant.

He stated that the McPherson Curling Club was pleased with that being recommended by the Parks and Recreation Commission, including the terms under which the grant should be made.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Parks and Recreation Commission relating to the matter of granting the Burnaby Winter Club and the McPherson Winter Club subsidies because of the service the clubs render to the public at large, as detailed in the above report of the Manager, be adopted, on the understanding that:

- (a) The sums will be for the calendar year 1969;
- (b) The formula that was used for arriving at the amounts will not necessarily apply in the future; rather, the rate for each succeeding year will be reviewed annually and a formula developed according to the circumstances at that time.
- (c) The clubs will enter into agreements with the Corporation whereby they will undertake to do the four things itemized in the report of the Manager as conditions.
- (d) The final rental rates and conditions of control, as mentioned under the aforementioned four points, will be determined with the clubs."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That item 15 of Municipal Manager's Report No. 17, 1970, which deals with a proposal of the X-Kalay Foundation to establish its operations on the Seton Academy property, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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

(15) Seton Academy (X-Kalay Foundation)

The Manager submitted a report of the Planning Department on the question of rezoning the Seton Academy site to Special Institutional District (P7) in order to accommodate a development proposal of the X-Kalay Foundation Society, 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.

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- (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.

A petition from Mr. J. Mitchell and a number of others relating to the subject of the report from the Planning Department, was also received by Council.

This petition, which was signed by a number of owners of properties abutting the Seton Academy Site:

- (a) Expressed appreciation to Council for advising of its intention to hold a Public Hearing when an application is received to rezone the subject property.

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- (b) Reiterated that the signatories were not in favour of the Seton Academy being used by any individual or group as an institution for mass rehabilitation in the middle of a purely residential area because those residing in the area have sacrificed much to pay for the amenity of their residence.
- (c) Requesting that the rights of the resident homeowners not be placed second to those of any other body of persons.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK:
"That the report of the Planning Department relative to the proposed use of the Seton Academy Site be endorsed."

HIS WORSHIP, THE MAYOR, read a telegram which had been received from Central Mortgage and Housing Corporation indicating that a mortgage of \$292,500.00 had been approved in principle, subject to evidence of approval being presented on behalf of the Local authority to the use of the Seton Academy property for the purposes of the X-Kalay Foundation.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the report of the Planning Department be tabled for one week and the X-Kalay Foundation Society, or anyone else interested in using the Seton Academy site, be asked to present their proposal to the Council next Monday."

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

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

MOTION NEGATIVED

A vote was then taken on the original motion, with the following results:

IN FAVOUR -- ALDERMEN DRUMMOND, CLARK
MERCIER AND HERD;

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

MOTION NEGATIVED
MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:
"That the report of the Planning Department relating to the Seton Academy site be received."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the Planning Department indicate its views as to the appropriate sites in the municipality which could be considered for "P7" use."

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

AGAINST -- ALDERMEN MERCIER, DRUMMOND,
CLARK, DAILLY AND HERD;

MOTION LOST

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the Municipal Manager advise Council as to the feasibility of the Municipality acquiring the Seton Academy site for an appropriate municipal purpose."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CLARK:

"That the Municipal Assessor advise Council of the ratio between tax exempt properties in Burnaby as compared to other municipalities in the Lower Mainland area."

CARRIED UNANIMOUSLY

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ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That all of the below listed Original Communications be received."

CARRIED UNANIMOUSLY

Guardian Secretary, Bethel No. 34, International Order of Job's Daughters, wrote to request permission to hold a Fertilizer Drive on the evenings of March 17th to 19, 1970 in the area East of Boundary Road and North of Canada Way.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That permission be granted to the Order to conduct its campaign at the times, and in the area indicated, providing the Health Department has no objection to the type of fertilizer proposed to be made available in the campaign."

CARRIED UNANIMOUSLY

Secretary, Burnaby Hastings Rotary Band, submitted a letter requesting permission to hold a Tag Day in the business areas of the municipality on May 29th between 5:00 p.m. and 9:00 p.m. and on May 30th between 10:00 a.m. and 6:00 p.m. for the purpose of raising funds for travelling expenses of the Band.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That permission be granted to the Band to conduct its campaign at the times, and in the areas, indicated."

CARRIED UNANIMOUSLY

Mayor, City of Port Moody, submitted a letter inviting the members of Council to an art exhibit that is to be held at the Port Moody Recreation Hall on June 4th and 5, 1970, plus an auction on the evening of the 5th.

Executive Director, Union of British Columbia Municipalities, submitted a letter advising that the U.B.C.M. Executive presented a resolution to the Provincial Cabinet relating to the question of difficulties being experienced by some senior citizens in paying real property taxes but, to date, no action has been taken by the Government to study the matter.

He also suggested that the resolution which the Burnaby Council passed on February 23, 1970 relating to the plight of senior citizens in endeavoring to continue paying their property taxes should be forwarded for consideration by the 1970 Convention of the Union.

President, Union of British Columbia Municipalities, wrote to:

- (a) commend Council for its action in seeking some method of obtaining relief from the payment of property taxes by senior citizens.

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- (b) advise of the position which was taken by the Premier of the Province when approached by the U.B.C.M. Executive about the matter of minimizing the difficulties being experienced by some senior citizens in paying real property taxes.

The Council directed that the Executive Director of the Union of British Columbia Municipalities be asked to arrange to place the February 23rd resolution mentioned in the correspondence relating to senior citizens paying property taxes before the 1970 Convention of the Union.

Executive Director, Union of British Columbia Municipalities, submitted a circular letter advising that the U.B.C.M. Executive is recommending to the Councils of all municipalities in the Province that they instruct their respective police forces to vigorously enforce Division 7A of the Motor Vehicle Act Regulations, which pertain to noise from motor vehicles, in order to minimize the problem caused by exhaust retarder brakes on diesel trucks.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DRUMMOND:

"That the submission from the U.B.C.M. be referred to the Burnaby Detachment of the R.C.M.P. for appropriate action; and further, the Officer-in-Charge of the Detachment advise of the number of convictions which have been obtained in the enforcement of the provisions of the Division 7A mentioned."

CARRIED UNANIMOUSLY

Executive Director, Union of British Columbia Municipalities, submitted a circular letter embodying an opinion from the Solicitor for the Union relative to the question of licencing, by municipalities, of a film exchange or motion picture theatre.

City Clerk, The Corporation of the City of Port Coquitlam, submitted a letter requesting that Council support the Port Coquitlam Council in its opposition to the proposed constitution of the Coquitlam and District Hospital Society, as set forth in Article 2 - Membership on Page 3 of the February 25th Minutes of a meeting of the Greater Vancouver Regional Hospital District.

The City Clerk also asked that, if Council does agree with the submission from Port Coquitlam, advice in that regard be forwarded direct to the Minister of Health Services and Hospital Insurance.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That Council endorse the resolution set out in the letter from the City Clerk of Port Coquitlam for the reasons indicated in the penultimate paragraph of that letter."

CARRIED

AGAINST -- ALDERMEN MERCIER AND
CLARK

Mrs. Eileen Dailly, M.L.A. for Burnaby-North, submitted a letter indicating that she was unable to obtain a commitment from the Minister of Highways regarding the time the Hastings Street Widening Project will be begun by his Department.

She also mentioned that the Minister had suggested that the question of an access highway from Hastings Street to Simon Fraser University being established should be discussed further with the Council before any positive plans are made.

It was understood by Council that, in acknowledging the letter from Mrs. Dailly, she would be commended for her efforts in endeavoring to further the matter that is the subject of her letter.

It was also suggested to His Worship, Mayor Prittie, that he consider the matter of making a personal visit to the Minister Of Highways, in company with appropriate officials from the Municipality, to determine whether the Hastings Street Widening Project can be advanced.

Mrs. Donna E. Stewart submitted a letter outlining a problem she is experiencing in regard to the fence at the rear of her property.

Municipal Engineer submitted the following information in connection with the subject of the letter from Mrs. Stewart:

- (a) When Mrs. Stewart conveyed a portion of her property for lane purposes approximately nine years ago, the municipality moved her fence to the new property line and constructed the lane.*
- (b) Over the years, the ditch has sloughed back toward the property line, undermining two of the fence posts which were installed at the time the fence was relocated.*
- (c) There is no question that the municipality has an obligation to restore the fence to a suitable condition and to take measures to ensure that the ditch on the lane will not continue sloughing.*
- (d) Representatives from the Engineering Department contacted Mrs. Stewart and assured her that the Corporation would recognize its responsibility in regard to stabilizing the ditch and the fence.*
- (e) She was also informed that it was felt the most appropriate time for doing the work required would be when the lane is to be paved, an arrangement which she accepted.*

If the majority of the property owners abutting the lane signify their opposition to the paving, the municipality will nevertheless resolve the problem involving her fence.

It was directed by Council that Mrs. Stewart be informed that the Council is satisfied with the action which will be taken, as explained this evening by the Municipal Engineer, in regard to her problem and expects that the matter will be resolved satisfactorily.

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

CARRIED UNANIMOUSLY

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TABLED ITEMS

The following matters were then lifted from the table:

- (a) Items 1 to 10 inclusive, plus the second part of Item 11, of a report from the Grants and Publicity Committee.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the recommendations of the Committee dealing with Items 1 to 4 in its report be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:
"That the recommendation of the Committee in regard to Item 5 in its report be adopted."

CARRIED

AGAINST -- ALDERMEN MERCIER AND
DAILLY.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:
"That the recommendations of the Committee with respect to Items 6 to 9 inclusive of its report be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CLARK:
"That the recommendation of the Committee concerning Item 10 of its report be adopted."

CARRIED

AGAINST -- ALDERMEN MERCIER
AND DAILLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the Burnaby Chamber of Commerce provide particulars in regard to its suggestion that a general Burnaby display be entered in the 1970 Pacific National Exhibition, including an estimate of the cost."

CARRIED UNANIMOUSLY

HIS WORSHIP, MAYOR PRITTIE, stated that the Grants and Publicity Committee was submitting a further recommendation that the sum of \$100.00 be given to the Canadian Expo '70 Bicycle Caravan for an advertisement in a brochure the members of the Caravan are producing for distribution in Japan.

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

CARRIED

AGAINST -- ALDERMEN MERCIER AND
LADNER

HIS WORSHIP, MAYOR PRITTIE, DECLARED A RECESS AT 9:00 P.M.

THE COMMITTEE RECONVENED AT 9:15 P.M.

(b) Water Supply

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:
"That the recommendation contained in Item 14 of Municipal Manager's Report No. 15, 1970 relating to the Burnaby Water Supply System be adopted."

CARRIED UNANIMOUSLY

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R E P O R T S

ALDERMAN CLARK submitted a report offering a number of recommendations in regard to Election Procedures and the preparation of the List of Electors.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That this report be tabled for one week and the Returning Officer be prepared to offer his comments on the proposals in the report at that time."

CARRIED UNANIMOUSLY

ADVISORY PLANNING COMMISSION submitted a report indicating that, as a result of considering the Community Plans for the following areas, it was being recommended that:

- (a) For the Kingsway - Olive - Patterson Area, the recommendations of the Planning Department be endorsed and the rezoning proposal covered by Reference RZ #30/69 be finalized.
- (b) For the Maywood Area, the overall concept outlined in the report of the Planning Department be endorsed with the proviso that Patterson Avenue be retained for use as a vehicular access route to Central Park;

and further, Area 10 East of Willingdon Avenue plus the balance of Area 11 be considered for medium density high-rise (RM4) apartment development rather than RM3.
- (c) For the Hastings Area ("A"), the concept for this area be endorsed, although particular attention was being drawn to the difficulties of implementing the scheme due to the complexities of land assembly and the general topography of the area.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:
"That the report of the Commission be received, on the understanding that it will be brought forward when the Community Plans which are the subject of the report are again to be deliberated by Council."

CARRIED UNANIMOUSLY

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TRAFFIC SAFETY COMMITTEE submitted a report on the matters listed below recommending the courses of action indicated for the reasons given:

(1) Truck Routing By-law

A Special Meeting of the Committee was held on March 10th to review the above By-law.

Delegations were in attendance from the Automotive Transport Association of B. C., the Burnaby Chamber of Commerce, and residents of Gilley Avenue between Rumble Street and Marine Drive.

No decision was reached on some of the suggested amendments because they require further investigation.

A final report will be submitted following the next regular meeting of the Committee in April, 1970.

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(2) Pandora Street and Warwick Avenue

As a result of considering a request for four-way stop control at the above intersection, it was being recommended that no action be taken on the matter because:

- (a) Traffic volumes are relatively light.
- (b) The intersection has no serious view problems, although the presence of a fence at the North-West corner requires a little caution to be exercised by motorists when approaching from the North and West.
- (c) In the last nine years, three minor accidents have been recorded.

As regards a complaint that was received in conjunction with the request that there was a speeding problem at the location, it was being requested that the R.C.M.P. give this matter attention.

(3) 3796 Cardiff Street

As a result of considering a complaint concerning property damage being caused to the premises at the above location by vehicles failing to stop at the end of Cardiff Street and travelling onto the property, the Municipal Engineer concluded that some motorists seem to be having difficulty distinguishing the end of the pavement, with the result a standard reflectorized checkerboard was erected.

The Engineer also replaced the "No Through Road" sign on Cardiff Street at Boundary Road with a "No Exit" sign.

The entire matter was discussed with the complainant and the action taken by the Engineer was explained.

It was being recommended that Council ratify the action taken by the Engineer, as detailed above.

(4) Barnet Highway

The Department of Highways has indicated that it is not in favour of reducing the speed limit on Barnet Highway. The Department has pointed out that:

- (a) The speed limit of 50 m.p.h. is realistic and, to reduce it, would not make it safer for motorists; instead,
- (b) There would likely be an increase in speeding offenders and likely more passing manoeuvres.

The Department of Highways did advise that signs will be posted in the near future at the winding section reading "Winding Road" (symbol) - "Slow To 40" - "Mileage Tab".

The Municipal Engineer has indicated that he had been informed by the Department of Highways that it did not agree with a suggestion of the Committee that "Cats-eyes" be installed along the centre line of Barnes Highway because this treatment is reserved for multi-lane divided highways only.

The Engineer was instructed to review this situation again with the Department of Highways.

(5) Marine Drive and 12th Avenue

The recommendation the Committee made in a report it submitted to Council on February 20, 1970 that no action be taken on a request for a marked school crosswalk at the above location has been reviewed.

In that regard, the Municipal Engineer has advised that:

- (a) No support can be given the provision of a marked crosswalk on Marine Drive at 12th Avenue because such treatment tends to lead children into a false sense of security.
- (b) The crossing patterns of the children were observed in company with the Principal of the Riverside School and a Mrs. Burkell. During that time, none of the children used the suggested crossing but instead crossed on the East side of 12th Avenue. As this places the children about 70 feet closer to the curve in Marine Drive, thus shortening the sight distance for the Westbound motorist, it was felt some additional improvements to the Westerly crossing should be made to make the crossing more attractive. Instructions were therefore issued to improve the crossing to the walk on the North side of Marine Drive by asphaltting a landing and steps to the walk. An asphalt walk will also be built on the West side of 12th Avenue from Marine Drive South about 100 feet to help attract the children to this Westerly crossing.
- (c) In an effort to draw the attention of the Westbound motorists to the possibility of encountering school children crossing Marine Drive, something the standard school sign is apparently failing to do at this time, a crosswalk symbol with a "200 feet" tab will be attached beneath the existing school sign.
- (d) Assurance was received from both the Principal and Mrs. Burkell that they would undertake the task of educating the children to cross at the improved unmarked crosswalk.

It was being recommended that the action taken by the Municipal Engineer, as detailed above, be ratified and that no further consideration be given to the request for a marked crosswalk at the subject location at this time.

(6) Bus Stop - Royal Oak Avenue and Clinton Street

The Committee has reviewed its recommendation that no action be taken to relocate the bus stop from its present position Westbound Clinton Street nearside Royal Oak Avenue, as directed by Council.

The Municipal Engineer has indicated that the situation has been adequately covered in previous reports, and there is nothing further to add at this time.

Consideration was given a suggestion that the bus stop be relocated to a position on Royal Oak Avenue at the South-East corner of Royal Oak Avenue and Neville Street.

The Committee was reiterating its previous recommendation that no action be taken to relocate the bus stop from its present position.

(7) Linden Avenue Apartments

A request was received for the removal of the barricades at the Westerly end of the lane immediately adjacent to the Linden Apartments.

This barricade was erected just recently to prevent access from the lane to the gravelled parking lot at the local shopping centre.

It was anticipated, at the time this barricade was installed, that complaints similar to the one now at hand might be received.

It is felt that the only thing which is changed since the barricade was erected is the fact that the primary cause of this action (the presence of a nearby cabaret) has moved.

Information has come to hand that a similar type of enterprise, called the "Wooden Barrel", may locate in the premises where the cabaret was in business.

It was therefore being recommended that the barricades remain in their present position at least until such time as the influence of the new cabaret is known.

(8) Kingsway and Salisbury Avenue

It was being recommended that Council approve the installation of a pedestrian-operated traffic signal at the intersection of Kingsway and Salisbury Avenue, on the basis that the municipality will be paying 50% of the costs involved, which amount to \$2,500.00.

(9) Rumble Street and Joffre Avenue

As a result of investigating a request that the stop sign on Joffre Avenue at Rumble Street be repositioned, it was found that:

- (a) The road allowance of Joffre Avenue South of Rumble Street is 100 feet wide, while North of Rumble Street it is 66 feet wide. Because of these different widths, there is a jog in Joffre Avenue and, in the centre of the 100 foot right-of-way, the municipality has installed a 20-foot pavement. The area from the East edge of the pavement to the face of the concrete sidewalk on the East side of Joffre Avenue has been paved and is being used by the local merchants as a parking area for their customers. These vehicles park at right angles to the street.
- (b) A proposal that the existing stop sign be placed about 25 feet into the pavement area is not very practical unless some form of raised channelization is constructed to protect the relocated stop sign. Such an expensive relocation cannot be justified because there have only been two accidents at the intersection during the past seven years.

The Municipal Engineer reported that a stop line has been painted on Joffre Avenue at Rumble Street and a "Stop Ahead" sign on Joffre Avenue in advance of the stop line.

It was being recommended that the action of the Engineer, as detailed in the last paragraph, be ratified and that no further consideration be given the proposal outlined at the beginning of the report.

(10) 490 Duthie Avenue

The Municipal Engineer reported that numerous complaints had been received during the past year concerning a view obstruction caused by an overgrown evergreen hedge on property at the above address.

He has twice written to the owner of the property asking that the hedge be trimmed back to the property line but the owner has not yet complied with this request.

Section 872 of the Municipal Act provides Council with a remedy for an obstruction such as that described.

It was therefore being recommended that Council enact the necessary By-law to compel the owner of the property in question to trim his hedge back to the property line and to a height of six feet, as required under the Burnaby Zoning By-law.

(11) Hastings Street from Esmond Avenue to MacDonald Avenue

It was being recommended that the one hour parking limit between 9:00 a.m. and 4:00 p.m. plus the "No Stopping" restriction between 4:00 p.m. and 6:00 p.m. on the above portion of Hastings Street be replaced with a "No Stopping Anytime" prohibition because the presence of parked vehicles at the times allowed create congestion and a hazardous traffic situation.

(12) Movement of Oversize Mobile Homes on Kingsway ..

The Department of Commercial Transport has indicated that it could not grant the request of the municipality to rescind the current prohibition on the through movement of oversize mobile homes on Kingsway because this would require a complete policy change.

The Department did indicate, however, that it had no objection to the use of Canada Way for the movement of oversize mobile homes.

The Committee is of the opinion that Canada Way is not suitable for such movements because:

- (a) The steep hills and curvatures at several points on Canada Way create operational problems
- (b) Considerable difficulty is encountered in reaching Canada Way from the origin point of the majority of the mobile units.
- (c) Vehicles of 65 feet in length and 8 feet 6 inches in width are allowed to use Kingsway without a permit whereas vehicles of 60 feet in length and 8 feet in width are the maximum allowed to use Canada Way.
- (d) It is difficult to understand why one Provincial Highway is considered more suitable than another, particularly during the early morning hours.

It was therefore being recommended that the Department of Commercial Transport be again requested to consider removing the prohibition on the through movement of oversize mobile homes on Kingsway between 1:00 a.m. and 6:00 a.m.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:
"That all of the recommendations of the Committee, except for the one under Item 6, be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:
"That the bus stop which is the subject of Item 6 of the Committee's report be relocated to a Northbound Royal Oak Avenue nearside Neville Street position."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 17, 1970 on the matters listed below as Items (1) to (17), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Fraser Valley Mosquito Control Board

The Board has requested the name of the Alderman responsible to the Board.

A school for Mosquito Control Officers has been set for May 6th and 7, 1970. The Chief Public Health Inspector will arrange for attendance of Burnaby employees.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:
"That Alderman Mercier be appointed as Council's representative to the Fraser Valley Mosquito Control Board."

CARRIED UNANIMOUSLY

(2) Burnaby-New Westminster Boundary

As a result of the change in boundary between New Westminster and Burnaby, a total of 23 properties were affected. Of the 23, 18 were transferred from Burnaby to New Westminster. Out of the 18, four remain in the ownership of Burnaby and they have an assessed value for 1970 of \$750.00.

There were four vacant privately-owned parcels with an assessment of \$7,730.00. The remaining 10 parcels were improved with an assessment of \$30,535.00 for land and \$57,130.00 for improvements.

Five properties were transferred from New Westminster to Burnaby. Of these, three are in the name of New Westminster and they have an assessed value of \$895.00, whereas the other two have an assessed value of \$2,700.00.

In summary, \$96,145.00 in assessment is removed from the Burnaby roll and \$3,595.00 is added. There is only a difference of \$145.00 in the assessed values relating to the municipal lands involved.

There are two utilities affected by the change in boundary, they being:

(a) A Watermain, which is 15 years old with an estimated life of 30 years and a depreciated value of \$490.00.

(b) 140 feet of 24 inch storm sewer, one manhole and one catchbasin plus 40 feet of 8 inch diameter catchbasin lead.

It is 9 years old with an estimated life of 40 years and a depreciated value of \$2,918.00.

As the storm sewer primarily serves only Burnaby drainage areas, the municipality should possibly retain ownership and maintenance of the 140 feet of the 24 inch storm sewer.

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

CARRIED UNANIMOUSLY

(3) Easement - Subdivision Reference No. 117/69

It was being recommended that Council authorize the acquisition of easements, which are required for sewerage and drainage purposes in order to finalize a subdivision, over portions of Lot "D", S.D. 1, Block 9, D.L. 131, Plan 15911; Lot 1, North 2.79 acres of South part except plan 24416, Block 10, D.L. 131, Plan 3052 ; Lot 3, S.D. 1/2, Block 10, D.L. 131, Plans 16318; Lot 16 except Parcel "A", Ref. Plan 5315, D.L. 131, Plan 3052.

It was also being recommended that Council authorize the execution of the documents required in connection with the acquisitions.

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

CARRIED UNANIMOUSLY

(4) 33rd Annual Conference of the Canadian Federation of Mayors and Municipalities

Registration forms have been received for the above Conference, together with a request that they be completed and returned without delay.

The Executive Director of the Federation has also drawn attention to the clauses of the Federation's By-laws pertaining to voting.

In that regard, particular attention has been drawn to the fact that it is necessary for Council to designate its voting delegates.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That His Worship, Mayor Prittie, be appointed as the voting delegate of the Burnaby Council at the 33rd Annual Conference of the Canadian Federation of Mayors and Municipalities."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That all members of Council wishing to attend the 33rd Annual Conference of the Canadian Federation of Mayors and Municipalities be authorized to do so."

CARRIED

AGAINST -- ALDERMEN LADNER AND MERCIER

(5) Agreement - Burnaby F.P.3 (Stratford Avenue and Pandora Street)

It was being recommended that Council authorize the execution of an agreement for the proposed Federal - Provincial rental Housing Project on a site at Stratford Avenue and Pandora Street.

The agreement requires the municipality to arrange for the construction of the project, subject to the design, plans and specifications, plus the construction contract, being approved by the Provincial Minister and the C.M.H.C.

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

CARRIED UNANIMOUSLY

(6) Burnaby Winter Club and McPherson Winter Club

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

(7) Portion of Parcel "H", Expl. Plan 13780, Block 2, D.L. 87, Plan 6404

It was being recommended that Council authorize the acquisition of a portion of the above described property, for lane purposes, and the execution of the documents required in connection with the matter.

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

CARRIED UNANIMOUSLY

(8) Lane North of Kingsway - West of Chaffey Avenue
REZONING REFERENCE NO. 74/69

The Council recently gave two readings to an amendment to the Zoning By-law for the rezoning proposal covered by the above Reference No. to permit the construction of a large Comprehensive Commercial and Apartment development.

Part of the scheme involves the creation of a suitable site, which includes a lane allowance.

It was being recommended that authority be granted to prepare a Road Closing By-law for this lane allowance, which will be followed by a petition to the Lieutenant-Governor-in-Council for title to the allowance.

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

CARRIED UNANIMOUSLY

(9) Family Planning Association Clinic

The Medical Health Officer has been approached by a Committee of the United Community Services in regard to the establishment of a Family Planning Association Branch in Burnaby.

The said Officer has informed the U.C.S. that he is prepared to allow the Clinic to be run in a portion of the Health Department wing but the staffing of it would be the responsibility of the Family Planning Association.

The permission of Council for this arrangement is being requested.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK:
"That permission be granted to the Family Planning Association Branch to hold a Clinic in the Health Department wing of the Municipal Hall, as more particularly detailed in the report of the Manager."

CARRIED UNANIMOUSLY

(10) Boarding, Nursing Homes and Social Allowance Rates

The Provincial Department of Social Welfare has circulated a letter indicating that, effective April 1, 1970:

- (a) Social Allowances to individual and/or families are increased \$5.00 per person per month.
- (b) The monthly maximum rate for boarding homes will be increased by \$15.00 per month.
- (c) The monthly maximum rate for nursing home care will be increased by \$35.00 per month.

All of the above rates are shared on the 80/20 basis and the increase in the costs will be reflected in the 1970 Municipal Budget.

It was being recommended that the revised rates be approved in principle, with the actual amount payable in respect of nursing and boarding home care to be left in each case to the discretion of the Social Service Administrator who will take into account the standard of service provided in each facility.

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

CARRIED UNANIMOUSLY

Mar/16/1970

(11) Lot 27, Block 7, D.L.'s 151/3
PRELIMINARY PLAN APPROVAL #1176

The Planning Department has reported that an application has been received for Preliminary Plan Approval for a retail outlet on the above described property, which is located within the Kingsway-Patterson-Olive Community Plan Area.

The rezoning of the site for RM-5 use has advanced to the point where the amendment to the Zoning By-law has received two readings.

Last January, the Planning Department recommended that the rezoning be finalized. The Council concurred and instructed that the owners of the properties in the area covered by the Community Plan be notified of this decision.

The foregoing is being sent to Council for its information. Under Section 707 of the Municipal Act, permits can be withheld so it was being requested that, in view of the above observations, permission to withhold the Preliminary Plan Approval be granted.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:
"That Council grant the request detailed in the report of the Manager."

CARRIED UNANIMOUSLY

(12) Lot "B", Block 24, D.L. 32, Plan 8968
PRELIMINARY PLAN APPROVAL #1163

The Planning Department has reported an application has been received for Preliminary Plan Approval for a low-density commercial use (a building to accommodate two small retail stores) on the above property.

The site is zoned to permit such use and is in a community plan area, details of which were presented to Council on February 2, 1970 when the Plan was forwarded to the Advisory Planning Commission for consideration and recommendation.

Inasmuch as the proposal may be difficult to relate to the high-intensity, pedestrian-oriented commercial and residential development recommended in the community plan, the matter is being forwarded to Council for its information.

Section 707 of the Municipal Act provides that a permit may be withheld under such circumstances to allow consideration of the plan.

The direction of Council in connection with the matter is being sought.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:
"That permission be granted to withhold Preliminary Plan Approval of the application detailed in the report of the Manager."

CARRIED UNANIMOUSLY

(13) 1970 Paving Contract

It is expected that approximately 90% of the lanes which are proposed to be paved under the Local Improvement Initiative method will be approved by the abutting property owners. On this basis, it is calculated that the Corporation's requirements for asphalt in 1970 will be approximately 80,000 tons.

Normally, the procedure would be to advertise a tender call for the supply and laying of the municipality's requirements. Recent experiences of other tenders for asphalt, including one for the Hastings Redevelopment Project, was that such calls result in high asphalt costs compared with Burnaby's 1969 costs under the Cewe Contract.

J. Cewe Ltd. has been Burnaby's supplier since 1962 and, during that time, the prices paid have been more than competitive and there has never been the slightest question concerning quality or workmanship of product. Recognizing the prime source of Cewe's raw material, quality is virtually assured. The aspect of quality assurance has its practical side in minimizing testing requirements. A value of about 30¢ per ton can be placed on this.

Working relationships with the Company are excellent. The Company is conveniently located to Burnaby and is equipped to do large projects quickly. The 1968 Maintenance Paving Programme, which was completed in five weeks, is a good example. The Company's public relations are good and complaints receive prompt attention.

The Company has submitted the following proposal to the Corporation:

- (a) Base course mix - Mixture No. iv - \$7.58 per ton
 - (b) Surface course Mix - Mixture No. v - \$7.85 per ton
- both prices being complete, including supply, haul and application.

The Engineer has compared these offered prices with the results of recent tender calls, such as those in the District of North Vancouver and the City Of Port Coquitlam where Mixture No. iv was \$9.45 and \$8.59, respectively and Mixture No. v was \$10.10 and \$10.13 respectively.

Last Fall, J. Cewe Ltd. won the Hastings Redevelopment Contract with a bid of \$9.06 per ton. In revising its estimates for the two Hastings Street "Bottlenecks", the Department of Highways used a price of \$9.50 per ton for asphalt.

The Municipal Engineer questions whether any part of Canada enjoys a price of under \$8.00 per ton for asphalt.

He calculates that the money value to the Corporation for its 1970 requirements is approximately \$50,000.00. The offered prices would virtually assure that the Lane Paving Programme could be undertaken at the estimated costs used.

The Cewe offer requires no binding agreement on the part of the municipality to accept a certain specified total tonnage, except that whatever total tonnage may prevail will be fulfilled under the agreement.

If for no other reason than the opportunity to save a substantial sum of money, the offer by J. Cewe Ltd. deserves careful consideration as opposed to a public tender call.

The Municipal Manager considers that the foregoing are good and sufficient reasons in the public interest to forego a public tender call for Burnaby's 1970 Asphalt requirements and would therefore recommend that the offer of J. Cewe Ltd. be accepted.

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

CARRIED

AGAINST -- ALDERMEN CLARK AND
DRUMMOND

(14) Burnaby Fire Prevention By-law 1968, Amendment By-law No. 1, 1970 (Outdoor Burning)

The above By-law:

- (a) grants authority to the Fire Chief to issue special permits for open air burning of brush, stumps, slash and like materials resulting from the clearing of land, and for open air burning for fire training purposes.
- (b) removes the requirement of an incinerator for burning without a permit on the days specified in the By-law.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That the question of the Fire Chief having authority to issue permits for the burning of material resulting from the demolition of buildings be referred to the Air Pollution Committee for consideration and recommendation."

CARRIED UNANIMOUSLY

(15) Seton Academy

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

(16) Proposed Road Pattern in the North East Burnaby Area

The Planning Department has submitted a report on the above subject.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:
"That the report of the Planning Department be tabled for one week."

CARRIED UNANIMOUSLY

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

CARRIED

AGAINST -- ALDERMEN CLARK AND
DRUMMOND

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(17) Miscellaneous Rezoning Applications

The Planning Department has reported as follows on the rezoning applications indicated below:

(1) Reference RZ #2/70

Lot 1, except Plan 12728, Block 2E½, D.L. 162, Plan 5176

(Located on the North side of Marine Drive approximately 160 feet West of Royal Oak Avenue)

Planning Department recommended that the application to rezone the above described property to Residential District Three (R3) not be approved because the area in which the parcel is located is predominantly developed to the R2 standards.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the rezoning proposal which is the subject of the report from the Planning Department be advanced to a Public Hearing."

CARRIED

AGAINST -- HIS WORSHIP, MAYOR
PRITTIE AND ALDERMAN BLAIR;

(2) Reference RZ #6/70

Lots 7 and 8, S.D. 1, Part Blocks 12, 13 and 14, D.L. 79N, Plan 11962

(East side of Norland between Sprott and Canada Way)
FROM RESIDENTIAL DISTRICT FOUR (R4) TO ADMINISTRATION AND ASSEMBLY DISTRICT (P2)

The Planning Department recommended that the Council authorize the Department to work with the applicant in the preparation of suitable plans of development reflecting the broad conceptual objectives outlined in the report.

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

CARRIED

AGAINST -- ALDERMAN CLARK

(3) Reference RZ #84/69

Lots 75, 76 and 77, D.L. 4, Plan 35319

(Lying between Cameron Street and Lougheed Highway, West of the Cameron School)

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The Planning Department recommended that the application to rezone the above described properties to Small Holdings District (A2) be approved for further consideration and, as prerequisite to the rezoning being effected, the following be undertaken:

- (a) The entering into of an arrangement whereby the Municipality, the Burnaby School Board and the applicant will effect the land exchange proposal that was outlined in the Planning Department report to Council of January 16, 1970.
- (b) The dedication of the necessary right-of-way for a cul-de-sac at the North-East corner of the property.
- (c) The submission of an undertaking that the interim roadway on the site will be removed once the new road extending from Bell Avenue to the Westerly boundary of the site is constructed.
- (d) The granting of an easement, for "walkway" use, along the Southern portion of the site.
- (e) The granting of the necessary easements to accommodate storm sewer facilities.
- (f) The deposit of sufficient monies to cover the cost of constructing the aforementioned cul-de-sac and walkway.
- (g) The deposit of monies to cover the cost of providing water, sanitary sewer and storm sewer facilities to the site.
- (h) The submission of a detailed and suitable plan of development.
- (i) The dedication of portions of sites to the North-West for a cul-de-sac.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:
"That the recommendation of the Planning Department be adopted and this rezoning proposal be advanced to a Public Hearing."

CARRIED UNANIMOUSLY

ALDERMAN LADNER LEFT THE MEETING.

(4) Reference RZ #8/70

Lots 14 to 16 incl., Block 13, D.L. 30, a portion of Lot 75, Block 13, D.L. 30, Plan 29773 and a portion of Vista Crescent

(Located North of Mary Avenue and Vista Crescent Intersection)
FROM RESIDENTIAL DISTRICT FIVE (R5) AND MULTIPLE FAMILY RESIDENTIAL DISTRICT ONE (RMI) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)
The Planning Department recommended that the Council authorize the Department to work with the applicant in the preparation of a suitable plan for a senior citizen's high-rise development on the properties which reflects the broad conceptual objectives and criteria outlined in the report.

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MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:
"That the recommendation of the Planning Department be adopted."

CARRIED UNANIMOUSLY

ALDERMAN LADNER RETURNED TO THE MEETING.

(5) Reference RZ #4/70

Lots 24 to 27 incl., Block 2, D.L. 28, Plan 24032

(Located on the East side of Sixth Street between 11th and 12th Avenue)

The Planning Department recommended that the application to rezone the above described properties to Service Commercial District (C4) not be approved because experience has shown that the type of use proposed (automobile, boat and trailer sales) often has a deteriorating effect on the surrounding area.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:
"That the recommendation of the Planning Department be adopted."

CARRIED

AGAINST -- ALDERMAN HERD

(6) Reference RZ #5/70

Parcel "A", Expl. Plan 11608, Block 4, D.L. 2, Plan 4268

(Located on the South side of Government Road approximately 160 feet West of North Road)

The Planning Department advised that it was concerned over the number of auto-oriented restaurants which have developed in the municipality, particularly those which are being built in the higher-density areas such as the one in which the subject property is located and recommended that, because of this concern, the application at hand not be favourably considered.

The Department also mentioned that its report on a review of the C4 category, which Council requested as short time ago, will be available in two weeks time. The Department added that this report would include recommendations relating to revised definitions for restaurants.

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

CARRIED

AGAINST -- ALDERMAN CLARK.

Mar/16/1970

(7) Reference RZ #5/70

- (a) Parcel 1, Ref. Plan 15888, Block "E", D.L. 1, Plan 17102
TO COMMUNITY INSTITUTIONAL DISTRICT (P5)
- (b) That portion of Lots 1, 2 and 3, Blk. 13, D.L. 1, Plan
2342 lying South of the old municipal boundary
TO SMALL HOLDINGS DISTRICT (A2)
- (c) Lot "E", Except Pcl. 1, Ref. Plan 15888, D.L. 1, Plan
1702
TO SMALL HOLDINGS DISTRICT (A2)

(Indicated on the map attached to the Planning Director's
Report)

The Planning Department recommended that the application to rezone
the above described properties to the categories indicated
above be approved for further consideration.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:
"That the recommendation of the Planning Department be adopted and
these rezoning proposal be advanced to a Public Hearing."

CARRIED UNANIMOUSLY

* * *

ALDERMAN LADNER stated the Mr. John Stewart, whose request
concerning the roof design of a building at 4325 Mahon Avenue
Council considered last Monday evening, wished the matter
reconsidered because it was not resolved satisfactorily, as was
indicated at the last meeting.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:
"That the complaint from Mr. Stewart concerning the roof design
of the building on property known as 4325 Mahon Avenue be
reconsidered."

CARRIED UNANIMOUSLY

Municipal Manager read a report he had received from the Chief
Building Inspector in connection with the subject matter, which
indicated the following:

- (1) On the basis of the plans which were on file at
the time a report was submitted to Council on
March 9th and from a discussion with the builder,
the change in the roof design which was proposed
was considered to benefit Mr. Stewart.

- (2) The builder had not made clear to the Building Department staff the roof change which he proposed and, on March 10th, roof trusses with a 3/12 pitch, but for a gable ended roof instead of a cottage roof, were erected on the building.
- (3) The gable ended roof resulted in a partial obstruction of view from the Stewart home toward the South-West and caused Mr. Stewart, on March 11th, to arrange a meeting between the builder, his Solicitor, representatives from Block Brothers, a representative of the truss fabricator, Mr. Stewart and the Chief Building Inspector.
- (4) From that meeting, the builder was prepared to suspend construction of the dwelling and to determine the cost of changing again to a cottage type roof, it being intimated by Mr. Stewart that a cost sharing would be considered to remedy the obstruction.
- (5) A statement of the cost of changing the present 3/12 gable roof to a 4/12 cottage roof was received from the builder on March 13th. The builder's net cost to change the roof was \$2,871.91.
- (6) The Solicitor for the builder notified the Chief Building Inspector at 9:20 on the morning of March 16th that the builder was unable to accept any portion of the estimated cost of altering the roof.
- (7) A formal application has been made to the Building Department by the builder, as of 9:20 a.m. on March 16th, to change from the 4/12 cottage roof to a 3/12 gable roof. Plans for the latter are now on file.
- (8) The present 3/12 trusses for a gable roof, which were erected on the building on March 10th, were placed without any application being made to the Building Department or any prior consent having been obtained.
- (9) The present roof cost incurred by the builder for the 3/12 gable trusses might have been avoided if formal application, and acceptance thereof, had been obtained prior to the erection of the trusses.
- (10) The Corporation has no direct authority under the By-law to restrict building on the subject property because of obstruction of view from another property.
- (11) The various plans and proposals for a dwelling on the property, which have been dealt with since November 1969, have each satisfied municipal by-laws. Some of them have been more satisfactory from the point of view of adjoining property owners than others, and the Building Department has attempted to guide the builder into using a plan which would least inconvenience the adjoining property owner.
- (12) The subject building observes a setback three feet greater than the setback of the Stewart home, thereby affording Mr. Stewart a portion of view to the South regardless of height of the subject building.

- (13) The 3/12 gable roof design that was erected without valid building permit and is now before the Building Department least satisfies the attempt of the Building Department to allow a building suitable to the By-law while, at the same time, retaining the view amenity from the adjoining property.
- (14) The 3/12 gable roof design, on the basis of a 41 foot span, develops a ridge height of 5.1 feet above the base plate.
- (15) The 4/12 cottage roof design, with false dormer, for which a building permit is held, develops a dormer ridge height on a 23 foot span of 3.8 feet above the base plate.
- (16) The 3/12 gable roof under current application will project 2 feet ahead of the point of projection of the false dormer of the 4/12 cottage roof, thus reducing the view from the Stewart home.
- (17) The latest construction (the erection of the 3/12 trusses for the gable roof) has proceeded in violation of Section 7(9) of the Building By-law. Section 7(7) of that By-law provides that the Building Inspector may recommend to Council the revocation of a permit where a violation has occurred. The Municipal Solicitor has not been consulted on this entire matter and, in the absence of consultation, the Chief Building Inspector hesitates to act for the lack of substantial reason.
- (18) Section 13(1) of the Building By-law provides that, where the Building Inspector is of the opinion that the design of a building will depreciate the value of other buildings in the area, the said Inspector may refer an application to Council without issuing a permit and Council shall decide whether a building permit shall be issued. The Chief Building Inspector again hesitates to act under this Section without prior consultation with the Municipal Solicitor because this section clearly makes reference to buildings and, in this case, only one building might have its value depreciated as a result of construction on the subject property.
- (19) Notwithstanding the violation of the By-law which the builder has committed by proceeding with construction changes prior to obtaining formal consent thereto, the Chief Building Inspector has no valid and subsisting reason to refuse the application for the current change to a 3/12 gable roof. Therefore, unless directed otherwise, the amended permit will be issued to the owner.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the Solicitor for the builder, Mr. C. M. Jeffery,
and Mr. John Stewart be heard."

CARRIED UNANIMOUSLY

Mr. Jeffery first spoke and offered the following:

- (a) The roof design was changed because it was less costly.
- (b) Someone in the Building Department was informed of this change, with the result the builder felt he could proceed on that basis.
- (c) The builder has constructed other homes and is therefore experienced in that field.
- (d) The builder has acted in good faith at all times.
- (e) As a result of receiving a letter dated January 26, 1970 from the Chief Building Inspector, the builder subsequently revised his construction plans.
- (f) The original plan was acceptable to Mr. Stewart before cement was poured for the foundation.
- (g) The approximate additional cost of constructing an entirely new roof is \$2,800.00. If a cottage roof was to be built, this would be approximately \$3,400.00.

Mr. Stewart then spoke and made the following comments:

- (a) He was not necessarily opposed to a cottage roof, per se, but he was when such a roof included a dormer.
- (b) As Council is now aware, the information it received last Monday was subsequently found to not be correct.
- (c) The builder has indicated that it would be necessary to use laminated beams in the construction of the roof Mr. Stewart feels is acceptable, these beams to cost \$800.00.
- (d) He has offered to share the cost of these beams with the builder. He has now found that the builder wishes Mr. Stewart to pay \$2,800.00.
- (e) If the builder had done what he was authorized to do in the first place there would have been no problem and no additional cost to him.
- (f) The builder endeavored to have Mr. Stewart pay something toward the cost of some coloring in the surface of the roof. He (Mr. Stewart) subsequently found that the builder was expected to provide this coloring in the first place.
- (g) The situation is now worse than it was in the first instance.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That Alderman Dailly be appointed as a Committee of One to meet with all parties interested in the matter of the roof design of the building under construction at 4325 Mahon Drive for the purpose of endeavoring to effect a resolution of the problem, on the understanding that the builder will do no further work on the roof until either the next Council meeting, or until the matter is satisfactorily resolved, whichever is the sooner."

CARRIED UNANIMOUSLY

ALDERMAN DAILLY LEFT THE MEETING.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

* * *

BY - LAWS

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:
"That leave be given to introduce:
"BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT NO. 1, 1970" #5677
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 9, 1970" #5676
and that they now be read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:
"That the clause in Burnaby Fire Prevention By-law 1968, Amendment
By-law No. 1, 1970 granting authority to the Fire Chief to
issue special permits for open air burning of brush, stumps, slash
and like materials resulting from the clearing of land, and for
open air burning for fire training purposes, be deleted in view
of the action taken by Council earlier in the evening in referring
to the Air Pollution Committee the question of including in that
clause the matter of allowing the Fire Chief to issue special
permits for the burning of demolition materials."

CARRIED UNANIMOUSLY

Mar/15/1970

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the Committee do now rise and report BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT NO. 1, 1970 complete, as amended."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the Committee do now rise and report BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 9, 1970, AMENDMENT BY-LAW 1970" complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That:

"BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT NO. 1, 1970"

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 9, 1970,
AMENDMENT BY-LAW 1970"

be now read a Third Time."

CARRIED UNANIMOUSLY

* * * *

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That:

"BURNABY STREET NAMING BY LAW NO. 1, 1970"

#5668

"BURNABY BUDGET AUTHORIZATION BY-LAW 1969, AMENDMENT BY-LAW 1970"

#5671

"BURNABY ROAD CLOSING BY-LAW NO. 1, 1970"

#5672

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 16, 1969"

#5488

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1968"

#5415

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 2, 1970"

#5642

be now reconsidered."

CARRIED UNANIMOUSLY

MAR/16/1970

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1968 provides for the following proposed rezoning:

Reference RZ #88/68

FROM RESIDENTIAL DISTRICT ONE (R1) TO PARKING DISTRICT (P8)

Lots 3, 4 and 5, except Expl. Plan 14411, Block 2, D.L. 59, Plan 3798

(2961, 2987, 3011 Bainbridge Avenue -- Located on the West side of Bainbridge Avenue from a point 161 feet South of Loughheed Highway, Southward a distance of 315 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 2, 1970 provides for the following proposed rezoning:

Reference RZ #44/68

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

Lot 16, Block 3, D.L. 68, Plan 980

(3845 Linwood Street -- Located on the North side of Linwood Street from a point 160 feet East of Smith Avenue Eastward a distance of 40 feet)

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

ALDERMAN DAILY RETURNED TO THE MEETING.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That:

"BURNABY STREET NAMING BY-LAW NO. 1, 1970"

"BURNABY BUDGET AUTHORIZATION BY-LAW 1969, AMENDMENT BY-LAW 1970."

"BURNABY ROAD CLOSING BY-LAW NO. 1, 1970"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 16, 1969"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1968"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 2, 1970"

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

CARRIED UNANIMOUSLY

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Mar/16/1970

MANAGER'S REPORT NO. 18, 1970 "IN CAMERA"

MOVED BY ALDERMAN LAMNER, SECONDED BY ALDERMAN MERCIER:
"That the Council do now resolve itself into a Committee of the
Whole (12:20 a.m.) In Camera."

CARRIED UNANIMOUSLY