

OCTOBER 19, 1970

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, October 19, 1970 at 7:00 p.m.

PRESENT: His Worship, Mayor Prittle, in the Chair;  
Aldermen Blair; Clark (9:25 p.m.); Drummond;  
Herd; Ladner; Mercier (7:03 p.m.); and McLean;

ABSENT: Alderman Dailly;

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:  
"That the Minutes of the meeting held on October 13, 1970 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

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DELEGATION

Mr. A. B. Stewart, Chairman, Project Committee, Burnaby Centennial '71 Committee, submitted a letter requesting permission to appear before Council to present the proposed 1971 Centennial Project.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That a spokesman for the Burnaby Centennial '71 Committee be heard."

CARRIED UNANIMOUSLY

No one was present from the Committee at this time so the matter of hearing the Delegation was deferred until later in the evening.

(See Page 6 for the Minute dealing with the Centennial Committee's Project).

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ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Oct/19/1970

Dr. Edward Chan submitted a letter requesting an additional two months in which to consummate the purchase of Lot 213, D.L. 86, Plan 36959.

*It was reported verbally to Council that Dr. Chan wished to withdraw his request because arrangements had been made since he wrote the letter to purchase the lot from the Corporation.*

ALDERMAN MERCIER ARRIVED AT THE MEETING.

Mrs. Theresa V. Tindall wrote to urge that bus service be provided on Lougheed Highway.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:  
"That the request from Mrs. Tindall be referred to the Traffic Safety Committee for consideration and report."

CARRIED UNANIMOUSLY

Executive Director, Union of British Columbia Municipalities, submitted a circular letter providing a progress report on the action taken to date by the Executive of the U.B.C.M. with regard to the latest increase in per capita charges for Social Welfare costs.

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TABLED ITEMS

The following matters were then lifted from the table:

(a) Financing for Sanitary Sewers

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
"That Council concur with the conclusions set out in the report the Municipal Manager submitted to Council on September 28, 1970 on the subject of financing for sanitary sewer installations and therefore make no changes at this time in the method used for apportioning costs connected with the operation of the sanitary sewer system in the municipality, on the understanding that the question of financing for sanitary sewer installations will again be reviewed after: .

- (a) sewerage of the municipality is more complete.
- (b) the pollution control methods referred to in the said report have been constructed and costs apportioned."

CARRIED UNANIMOUSLY

- (b) Application to rezone Lots "A" and "B", Block 25, D.L. 80N, Plan 16273 (5584 Kincaid Street) REFERENCE REZONING #17/70

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That Item (9) of the Municipal Manager's Report No. 61, 1970,  
which deals with the subject at hand, be brought forward for  
consideration at this time."

CARRIED UNANIMOUSLY

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

(9) Application to rezone Lots "A" and "B", Block 25, D.L. 80N,  
Plan 16273 (5584 Kincaid Street)  
REFERENCE REZONING #17/70

The Planning Department has reported as follows on this rezoning  
application:

- (a) The original report of the Department dated May 19, 1970  
on the application has been reviewed.
- (b) The desirability of institutions dealing with such critical  
social problems as alcoholism has been recognized and the  
Burnaby Halfway Lodge Society should be commended for its  
success and good intentions.
- (c) The rezoning of the subject properties to the P7 category  
cannot be recommended because:
  - (i) The properties are located in a residential  
area of high quality which is developing at a  
rapid pace.
  - (ii) Special Institutional uses of the kind proposed by  
the Society serve an area greater than a local  
community or neighbourhood; therefore, the location  
of such a use within a well-developed residential  
area would be inappropriate and could constitute  
a negative influence on the amenities of the  
surrounding residential area.
  - (iii) The most desirable use for the subject properties  
is single family residential in that it appears  
the existing church on the lot is to be no  
longer used as a place of worship.
- (d) Should the Society wish to reapply for rezoning, this should  
be done when the next group of rezoning applications are  
to be considered by Council in that six months will have  
elapsed by that time.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That the application to rezone Lots "A" and "B", Block 25, D.L.  
80N, Plan 16273 to Special Institutional District (P7) be approved  
for further consideration and be advanced to a Public Hearing on  
Monday, November 2, 1970 in the Council Chambers of the Municipal  
Hall commencing at 6:45 p.m."

CARRIED UNANIMOUSLY

Oct/19/1970

- (c) Application to rezone the South Westerly 10.92 acre portion of Lot 67, D.L.'s 6/10/56/148, Plan 31569 North Westerly portions of Lot 69, D.L.'s 4/6, Plan 31569 and Parcel 1, Reference Plan 22345, S.D. Parcel "A", Block 17, D.L. 6, Plan 748 having a combined area of 10.57 acres to Comprehensive Development District (CD)  
REFERENCE REZONING #37/70

Secretary-Treasurer, Burnaby School Board, submitted a letter pertaining to the rezoning application at hand, advising as follows:

- (a) Some time ago, the Board appointed a Special Committee to act in a liaison capacity between various agencies affected by the problem of acquiring a suitable school site which has been referred to as the "Stoney Creek School Site":
- (b) The information which was forwarded by the Municipal Clerk last week has been reviewed by the Committee but, since the School Board cannot possibly meet before the 19th of October, the following conclusions of the Committee, which will form the basis of a recommendation to the Board, are being conveyed:
- (i) The need for the School Site was recognized and an appropriation was provided in School Loan Referendum No. 6, which was approved by the Ratepayers in December 1966. The selection was made on the recommendation of the Planning Department.
  - (ii) Since the original School Sites Planning Report was published in May, 1962, a close liaison has been maintained with the Planning Department to ensure that rezoning and other related actions taken by the municipality will have a minimal impact on the accommodation requirements for School District No. 41. The fact the school population has continued to grow, with very little disruption to the citizens, is evidence of the co-operation which has existed between the Board and the Council in connection with the matter of planning for school accommodation.
  - (iii) The most challenging situation with which the Board has had to cope recently was the low-cost housing development near the Stride Avenue Elementary School, which necessitated the construction of an eight room addition to a school which the Board had previously envisaged as being a relatively small school serving a static population. Strikes and work stoppages, not improper planning, were responsible for such crises as did arise.
  - (iv) While there have been minor problems, these have centered around existing school sites. It is much simpler to extend an existing school than to construct a completely new unit in isolation from all other normal school catchment areas.
- (c) The problems connected with the acquisition of the Stoney Creek School Site are as follows:
- (i) The Board has funds for the purchase of a school site, as per the School Loan Referendum No. 6, but must first receive the approval of the Department of Education before any acquisition of land can be made. This approval is frequently related to the availability of capital funds.

- (ii) Under existing regulations, a School Board cannot purchase property currently unless it can establish that a school is required to be built on the property. For example, the Stoney Creek School Site represents an acquisition of approximately 17 acres, even though only five acres would be required for an elementary school.
  - (iii) The Board does not have funds for the construction of an elementary school on the Stoney Creek School Site, either for elementary or secondary purposes, but the Board has placed a high priority on the provision of such funds in a forthcoming referendum.
  - (iv) The Department of Education will not permit a Board to enter into binding arbitration at this time. With respect to the subject school site, the establishment of a value for the site would be an excellent base for further negotiations with the Department of Education. The owner of the property concerned, Lake City Industrial Corporation Limited, has indicated that there are a number of complications which make it difficult to arrive at a fair market value at this time.
  - (v) As late as March 4th of this year, the Board was dealing with Western Pacific Projects Limited (which apparently owned all the property, the school site and the adjoining proposed residential area), and the emergence of Dawson Developments Ltd. as the owner of the residential property has further complicated a matter which was sufficiently confused from the very outset.
  - (vi) The Board, through its Agent, is endeavoring to establish a fair market value for the site in question. The situation has become complicated by the fact the proposed school site has three major easements - an oil line, a power line and an easement granted to the Greater Vancouver Sewerage and Drainage District. It is virtually impossible to establish a residual value for the property until the matter of the three easements can be clarified.
- (d) Dawson Developments Ltd. obviously has a problem of meeting certain commitments and has advanced arguments as to why it should be permitted to proceed with its proposal. The Company has, however, endeavored to minimize the significance of any subsequent influx of school-age children, and its description of the "typical purchaser" is regarded as being highly speculative. The Board would be embarrassed if the projected subdivision were to produce large numbers of elementary students without being in a position to provide adequate school facilities.
- (e) Until such time as a fair market value can be established for the required school site, the Committee of the Board would prefer to see the project deferred. The Committee recognizes that the final authority for such a decision rests with the municipality.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That Council confirm the prerequisites which were established in connection with the proposed rezoning under Reference Number 37/70 but the applicant, Dawson Developments Ltd., be allowed to offer an alternative solution to the problem involving the availability of an elementary school site."

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:  
"That the previous motion be tabled until the October 26th meeting and Dawson Developments Ltd. be asked to consult the Planning Department for the purpose of indicating the precise manner in which the Company could provide assurance that elementary school facilities, even though they may be temporary, will be available when its planned development is occupied."

CARRIED UNANIMOUSLY

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DELEGATION

Mr. James A. Barrington, Chairman of the Burnaby Centennial '71 Committee, appeared and indicated the following with respect to the Committee's choice of a Permanent Commemorative Project for the 1971 Centennial Year:

- (a) Many persons and organizations offered to assist the Committee in its efforts.
- (b) November 30, 1970 is the deadline established by the Provincial Government for the selection of a Permanent Commemorative Project.
- (c) Altogether, 22 proposals were considered and evaluated by the Committee.
- (d) A sub-committee was appointed to handle the mechanics of evaluating the project.
- (e) The selection was a Heritage Park - Museum Complex on a 4.3 acre site located on land at Canada Way and Deer Lake Avenue formerly known as the "Baker" and "Dowad" properties.
- (f) This type of development was chosen because it absorbed five of the ideas which were advanced to the Committee.
- (g) The second choice was a Nature House with wooded trails.
- (h) It is proposed to demolish the former "Dowad" home and to retain and renovate the "Baker" home, particularly the exterior of it.
- (i) Things that are planned to be accommodated at the Heritage Park are:
  - (i) A former inter-urban tram and station.
  - (ii) A jail house with stone and cell bars plus the bell tower from the old Municipal Hall.

- (iii) A replica of the original Municipal Hall built in 1892, which included School Board Offices.
  - (iv) A fire hall and fire engine, which were accommodated in an old garage.
  - (v) A blacksmith shop and buggy.
  - (vi) A sawmill.
  - (vii) An old service station and car.
  - (viii) A log cabin and its effects.
  - (ix) A logging display.
  - (x) A school house.
  - (xi) An ice cream parlor.
  - (xii) The Central Park Entrance Arch.
- (h) The "Baker" house will be converted into a mini-museum.
- (i) A picnic area and bandstand will be provided.
- (j) It is proposed to involve service clubs and industrial establishments in connection with the project.
- (k) The Parks and Recreation Commission should operate the facility once it is built.
- (l) The following is the financial situation with respect to the matter:

Source of Funds:

Matching per capita grant		
- Federal Government Portion	\$121,800.00	
- Provincial Government Portion	121,800.00	
- Municipal Government Portion		
1970 Budget	\$36,930.00	
1971 Budget	36,150.00	73,080.00
Less from Municipal Contribution		
@ \$.40 per capita for Celebrations	(48,720.00)	
Estimated Earned Interest	2,040.00	
<b>CASH FOR PROJECT</b>	<b>270,000.00</b>	<b>270,000.00</b>
 Add value of Municipal Land at cost		
Baker Property purchased 1970		110,154.00
Dowd Property purchased 1965		<u>18,000.00</u>
<b>TOTAL VALUE OF COMMEMORATIVE PROJECT</b>		<b>396,094.00</b>

Celebration Funds

\$.40 per capita from Municipal Cash Grant \$48,720.00

Expenditure of funds towards:

- Administration of Centennial non-capital program
- Celebrations
- Publicity assistance to local groups sponsoring Centennial Functions
- Special projects, programs, compositions, publications, etc.

- (m) The municipality will need to pay the costs of administering the facility.
- (n) The Council was being requested to approve the selection of the project described and the transfer of monies already allocated for the project.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN LADNER:  
 "That the Heritage Park - Museum Complex described this evening by the Chairman of the Burnaby Centennial '71 Committee, proposed to be located on a 4.3 acre site at Canada Way and Dear Lake Avenue, be approved as the Permanent Commemorative Project for the 1971 Centennial."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
 "That the Council approve financial arrangements for the Burnaby Centennial '71 Committee Project and programme on the following basis:

- (1) That the site for the Museum - Heritage Park Complex purchased by the municipality for the sum of \$128,134.00 form the matching contribution to the Committee.
- (2) That the sum of \$36,930.00 contained in the budget for the year 1970 be included in the Committee's budget.
- (3) That this Council recommend, to the 1971 Council, the appropriation of \$36,150.00 in the 1971 Annual Budget for purposes of the Committee.
- (4) That the sum of \$48,720.00, being a sum equal to 40¢ per capita based on a population of 121,800, be earmarked from the total of the monies to be set aside under (2) and (3) above for administration and operation of the Committee's affairs, and be transferred for use at the Committee's discretion."

\* \* \* CARRIED UNANIMOUSLY

It was proposed that Alderman Clark introduce an item involving a convention centre but, due to his absence, action on the matter was deferred until he returns his proposal for consideration.

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ALDERMAN MERCIER LEFT THE MEETING.

QUESTION AND ANSWER  
PERIOD

When Alderman Ladner enquired as to the progress being made in connection with the Hastings Street Widening Project, the Municipal Engineer stated that a letter is expected to be received from the Department of Highways within a few days on the matter.

He added that, as soon as the Department of Highways indicates its approval, an estimate of the cost of the Project will be submitted to Council.

ALDERMAN MERCIER RETURNED TO THE MEETING.



When Alderman McLean enquired as to the progress being made in regard to the Urban Renewal Scheme, the Planning Director advised that the documents for the proposal call for the scheme are complete and are only awaiting the approvals of the Federal and Provincial Governments.

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

CARRIED UNANIMOUSLY

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R E P O R T S

ALDERMAN CLARK arranged to return a report the Municipal Manager submitted to Council on February 2, 1970 dealing with the question of taxi licenses.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:  
"That action on this matter be tabled until Alderman Clark indicates he wishes the item returned for further consideration."

CARRIED UNANIMOUSLY

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POLLUTION COMMITTEE submitted a report advising as follows on the matters indicated:

(1) Stride Avenue Dump

There is growing concern throughout the municipality regarding all types of outdoor burning, including that at the Stride Avenue Dump.

In view of a recent decision of Council relating to the future land use in the Stride Avenue Area whereby the area South of Mission Avenue will be designated for residential development, it would appear the banning of burning at the dump can become a reality.

Owing to the existence of underlying deposits of refuse, which make the area unsuitable for development purposes, it is considered that a "green" belt with passive land use would need to be incorporated into the proposed plan for the area. This would permit the depositing of non-putrescible refuse over existing deposits and that would, in turn, permit burning to be banned. It is anticipated no further detriment to the area would be incurred.

It was therefore being recommended that Council adopt the policy relating to the future land use in the Stride Avenue Area and that burning in the Stride Avenue Dump cease immediately.

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

CARRIED UNANIMOUSLY

(2) Dumping in Ravines

The possibility of establishing sites for the disposal of demolition materials in the municipality has been investigated.

Legislation would be required to control the filling of private property.

The Fraser-Delta Area is unsuitable for the disposal of stumps owing to the low height of fill required to bring this area to the final desired elevation. A further important factor to consider is that any intense load form of land use would require piles to be driven to support such loads. Needless to say, pile driving would be made much more difficult with the existence of stumps in the filled area.

Consideration has been given the use of several ravines and the conclusion has been reached that the "Nelson - McGregor Ravine" would be the best suited for controlled spoil disposal. Piping of the watercourse would be needed in successive stages from the North end and provision would need to be made in the Budget to cover such an expenditure. Eventually the operation could be self-liquidating.

Piping costs have been estimated at \$12,000.00 for approximately 300 feet of watercourse enclosure. This would permit the disposal of approximately 50,000 cubic yards of spoil material. Operating costs for receiving and levelling of the spoil material would be additional. The total estimated cost of handling the spoil material would be about 50¢ per cubic yard.

It was being recommended that:

- (a) All future leases of municipal land contain provisions which will ensure that the Corporation maintains adequate control over any "filling" operation that may take place on such land.
- (b) The question of using the "Nelson - McGregor" Ravine as a spoil disposal area be referred to the Parks and Recreation Commission for its views, with the Commission to also indicate its opinion on the use of other ravines or areas that may be regarded as being suitable for spoil disposal, which would not include putrescible materials.
- (c) The Municipal Solicitor prepare a suitable amendment to Section 868 of the Municipal Act that will provide municipalities with the power to control "filling" of private property.

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

CARRIED UNANIMOUSLY

(3) Sewer Connections

As at October 8, 1970, the Municipal Engineer has sent 1,502 letters to residents requesting that they connect their properties to the sanitary sewer system. This is the total number of unconnected premises in the municipality. Of this total, approximately 100 have indicated they believe their properties are already connected.

Investigation of these claims is continuing by means of dye testing.

About 100 applications have been received for extensions of time or exemptions from being required to connect. Each such application will be considered on its own merits and, where extensions or exemptions are authorized, no further action will be taken by the Municipal Engineer.

It is anticipated that the final notice from the Engineer indicating that residents will be required to connect within 60 days will be dispatched on November 12, 1970.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN LADNER:  
"That Council concur with the course of action outlined by the Committee in its report and authorize the Committee to exercise discretion in the handling of the some 200 cases referred to in the report involving those who claim they are already connected to the sewer system and those who desire an extension of time or an exemption from being required to connect to the sanitary sewer system.

CARRIED

AGAINST -- ALDERMAN MERCIER

MAYOR PRITIE DECLARED A RECESS AT 8:45 P.M.

THE COMMITTEE RECONVENED AT 9:00 P.M.

ALDERMAN DRUMMOND WAS ABSENT.

(4) Indiscriminate Dumping

The question of indiscriminate dumping on municipal streets and lanes constitutes a problem. Particular difficulty is encountered in enforcing existing regulations which are presently incorporated in the Street and Traffic By-law, the Fire Code and the Health Act.

In order to provide effective enforcement, it was being recommended that the Municipal Solicitor prepare an "Indiscriminate Dumping By-law" incorporating regulations contained in other by-laws and Acts so as to alleviate the problem of indiscriminate dumping.

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

CARRIED UNANIMOUSLY

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MUNICIPAL MANAGER submitted Report No. 61, 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) Easement - Westerly 10 feet of Lot 101, D.L. 87, Plan 29523 (6326 Canada Way)

It was being recommended that Council authorize the acquisition of an easement, for storm sewer purposes, over the above described property and the execution of the documents connected with the matter.

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

CARRIED UNANIMOUSLY

- (2) South 100 feet of Lot 1, Block 10 and all of Lot 2, Block 10 plus Lot 23, Block 14, D.L. 44, Plan 3049  
SUBDIVISION REFERENCE NO. 56/70

It was being recommended that Council waive the provisions of Section 712(1) of the Municipal Act in respect of a subdivision involving the above property in order to exempt the subdivider from being required to provide the amount of land prescribed by the Section as a highway.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:  
"That the owner of Lot 23, Block 13; Lot 1 S 100 feet, Lot 2N½ and S½ of Block 10, D.L. 44/78, Plan 3049 be exempted from the provisions of Section 712 of the Municipal Act, R.S.B.C. 1960, Chapter 255 in respect of a subdivision of the property described as shown on a survey plan prepared by Gordon E. McLaren and sworn the 29th day of September, 1970."

CARRIED UNANIMOUSLY

(3) Transient Trailer Accommodation

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

- (a) It has been established that there is a much greater demand for transient trailer accommodation than there are licenced spaces.
- (b) The problem is further accentuated by the fact the majority of the existing spaces are rented to permanent trailer tenants.
- (c) The following proposals were considered in the study that was made of transient trailer accommodation:
  - (i) The municipality stipulating, as a condition of a licence being issued, that auto court operators designate a specified number of spaces for short term transient trailers during the peak tourist season. This is not possible because the Solicitor has indicated he knows of no authority under which the municipality can dictate that the operator of an auto court must provide a specified number of trailer spaces for transients.

In view of that, consideration was given the question of relaxing the Trailer Court By-law during the peak season. In effect, this is what occurs at several of the auto courts in the municipality because of demand for additional spaces.

Notwithstanding, permitting use in excess of the present allowable levels would not appear to offer a satisfactory solution to the problem because there would be congestion and a lack of adequate service facilities.

- (ii) Accepting a proposal such as that recently tendered to Council by Anmore Recreations Ltd.

Though the Company indicated it would prefer to purchase a site from the municipality, this cannot be supported. The Company indicated it preferred land in the Burnaby Lake Area, but properties there are being assembled to round out the municipal holdings in the area for inclusion in the Regional and Municipal Park Systems.

Despite the fact uncommitted acreage exists in the "Big Bend" Area of the municipality, the sale of land there would be premature until a definite land use policy has been adopted.

The main concern with permitting a private development of the type envisaged by Anmore Recreations Ltd. is the regulating and policing of the trailer park standards and conditions of development. Leasing the municipal property instead of selling it, would not completely negate this concern.

Experience has shown that large residential-type trailers are used as semi-permanent homes. Policing of these facilities is difficult.

Unless the municipality is in a definite legal position to enforce the By-law and to uphold the desired standard of the development, the establishment of a privately developed facility of this nature cannot be supported. This, however, does not solve the intrinsic problem which exists for tourists seeking short-term trailer or camper accommodation in the summer months.

Perhaps the municipality could take the initiative in instituting the necessary facilities.

- (iii) Since amenity and regulatory control seems to be the major concern, it appears that the only effective way for the municipality to control this situation would be for it to own the site and seek a concessionaire to operate it under stringent controls.

The regional cost-sharing approach and location of proposed trailer parks is still considered worth evaluating.

If the concern expressed that the development of a municipally-sponsored transient facility would tend to perpetuate "permanent" mobile home sites in trailer courts occurred, it would be necessary to upgrade and enforce appropriate regulations to ensure that a suitable residential environment was presented. This would, in part, involve the reduction in the density of mobile homes which could have a financial impact on the operator.

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Of the six auto court operators contacted regarding the question of the municipality developing a tourist trailer park on a seasonal basis, two supported the idea, two were opposed and two had no reaction.

As mentioned earlier, the majority of trailer courts are violating the Auto Court By-law by renting more spaces than authorized. Should the Municipality take the initiative and develop a facility to help remedy the ever-increasing demand for tourist space, it should not feel responsible for producing an unexpected financial impact on existing operations.

Another point worth mentioning is the fact that tourists are generally visiting the Lower Mainland Region, rather than a particular municipality.

*Municipal Clerk stated that he had just received a letter from a Trailer Association expressing interest in obtaining land in the municipality for trailer accommodation.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:

"That the Corporation not become involved, as a principal, in the operation of transient trailer accommodation in the municipality."

IN FAVOUR -- ALDERMEN LADNER AND  
McLEAN:

AGAINST -- MAYOR PRITTIE, ALDERMEN  
HERD, BLAIR AND MERCIER:

MOTION LOST

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the Council indicate it is prepared to entertain private proposals which are submitted in detail for the use of municipal or private property for transient trailer accommodation."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That the request of Anmore Receptions Ltd. be referred to the Advisory Planning Commission for comment."

CARRIED UNANIMOUSLY

(4) Servicing at Eastlake Drive and Gagliardi Way (Dawson Developments Ltd.)

Servicing of the housing development planned at the above location involves the installation of an oversize water main and an oversize sanitary sewer.

Since it is the policy of the Corporation to share in the cost of such facilities when the municipality requires a dimension larger than that required for a subdivision or a development, it was being recommended that the Corporation assume the following costs in connection with the matter:

Water main -	\$11,651.85
Sanitary Sewer -	<u>3,687.00</u>
Total	15,338.85

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the recommendation of the Manager be adopted, on the understanding that this approval is subject to the Project mentioned in the report proceeding."

CARRIED UNANIMOUSLY

(5) Burnaby Firearm Regulation By-law 1964

The R.C.M.P. conducted a survey to determine the feasibility of continuing to permit shooting in the area allowed under the above By-law, which is the "Big Bend" Area, and arrived at the conclusion that this shooting should be eliminated because it presents a safety hazard inasmuch as there are dwellings and industries in the area.

The R.C.M.P. has recommended that shooting of any kind be banned in the municipality, with the exceptions mentioned in Clauses 5(1)(b), (c) and (d) of the By-law.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the recommendation contained in the report of the Manager be adopted."

CARRIED UNANIMOUSLY

(6) Lot 37, D.L. 97, Plan 25527

The Planning Department has recently been engaged in discussions concerning the state of the above property, which is located at the South-West corner of Imperial Street and Waltham Avenue.

This site was the subject of a rezoning that was approved on November 30, 1964 whereby the C4 District was extended Northward to cover the subject lot, except for the Northerly 20 feet where R5 zoning was retained to serve as a buffer between the commercial use and the residences on the North side of Imperial Street.

Among the prerequisites which were accepted by the owner at that time were the following:

- (a) That the North 20 feet of the site adjacent to Imperial Street remain residentially zoned.
- (b) That a cedar horizontally-louvred fence, six feet high, be erected on the North side of the twenty foot buffer strip.
- (c) That a standard crossing be permitted from Imperial Street at the extreme Westerly end of the site adjacent to the existing service station crossing.

Since the rezoning was finalized, the property has been used commercially as a storage or display lot for a Kingsway Auto dealership while the terms of Council's approval of the rezoning have apparently been ignored. Repeated efforts by the Corporation to see that the prerequisites were satisfied have been unsuccessful and the resulting situation has produced a serious blight to the surrounding area and has been a source of complaint from adjacent property owners.

In May of this year, when application was made for Preliminary Plan Approval for a free-standing sign on the property, representatives of the users of the lot were advised not only of the fact the prerequisites mentioned earlier were not satisfied but that the use being made was non-conforming. In that regard:

- (a) The residentially-zoned portion of the site was being used commercially.
- (b) The fence which was to have been built was never constructed.
- (c) Two crossings from Imperial Street to the lot were provided without approval.
- (d) Preliminary Plan Approval had not been obtained for the commercial use.
- (e) The required landscaped areas and screening had not been provided.
- (f) Automobiles were being stored up to and across the property lines, thus encroaching onto the Imperial Street and Waltham Avenue road allowances.

These matters were not made known to the new owners, Riddell-Wiltse (1969) Limited by the former owner. The present users claim they would find considerable hardship in observing the 20 foot residential buffer and it was suggested that some other means might be found to accomplish the objectives pertaining to this prerequisite.

Since the first meeting, the Planning Department has been working with principals of the firm involved. It was proposed that a development plan be prepared for the property, which would reflect current Zoning By-law standards and the intent of Council's original stipulations, and would present a high quality appearance which could possibly form the basis for an attempt to rezone the Northerly 20 feet of the site for commercial use.

A proposal has now been received for a development on the property that would provide screen fencing on a line set back six feet from the North and East property lines, with a good standard of landscape development in the remaining six-foot strip.

It was being suggested that a higher overall standard may be achieved as a result of such a layout that would follow through strict application of the rezoning prerequisites and that there is an opportunity to eliminate a problem which has existed for several years while, at the same time, protect the interests of the neighbouring residents and the community in general.

It was being recommended that the Planning Department be authorized to continue working with the current owners of the property in question to resolve the problem and to submit a report to Council on the matter.



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

CARRIED UNANIMOUSLY

ALDERMAN CLARK ARRIVED AT THE MEETING .

(7) Service Commercial Districts (C4)

The Planning Department has recommended the following specific amendments to the text of the Zoning By-law to reflect a decision of Council to improve development standards in the Service Commercial Districts (C4):

- (a) The inclusion of the C4 District in Clause (1)(b) of Section 6.15 (Screening and Landscaping) on Page 20 of the By-law, as follows:

"In C1, C4 and M Districts, all those portions of a required front yard not used for permitted parking or display areas shall be fully and suitable landscaped and properly maintained."

- (b) The deletion of Clause (11) and the amendment of Clause (7) of Section 304.1 (Uses permitted in the C4 District) on page 50 of the By-law, as follows:

"Car washing establishments and drive-in businesses, subject to the following conditions:

- (a) The lot shall have an area of not less than 10,000 square feet.
- (b) The maximum area of land which may be built upon shall be 20 percent of the lot area.
- (c) No building shall be situated closer than 20 feet to the side property lines.
- (d) The lot shall have a street frontage of not less than 100 feet.
- (e) The entire customer service area shall be paved with a permanent surface of asphalt or concrete.
- (f) Screening of not less than six feet in height shall be provided and properly maintained along any boundary of the lot which abuts a lot in an A, R or RM District, or is separated therefrom by a lane."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:  
"That the report of the Planning Department be tabled until the October 26th meeting, with it being understood that the earlier submissions of the Department on the subject matter will be brought forward for consideration as well at that time."

CARRIED UNANIMOUSLY

(8) Tree Heights

The Planning Department has reported as follows on this matter:

(a) The only regulations governing tree heights in the Zoning By-law are included in Section 6.13 (Vision Clearance at Intersections) where trees, together with hedges, bushes, shrubs, fences and walls, are limited to a height of 3 ½ feet for a distance of 30 feet from the intersecting street line at a street corner on a corner lot. Similar controls also apply in the case of a lane intersection with another lane or street.

The purpose of these regulations is to ensure that vision clearance for vehicular traffic is not obstructed.

(b) Although tree height limitations are sometimes specified in private covenants which govern certain residential developments, as a means of protecting a particular view, such controls are seldom, if ever, included in Zoning By-laws.

(c) In areas where special height limit districts are employed to ensure against visual obstruction (e.g. San Francisco and Seattle), the requirements cover only buildings or structures and not trees.

(d) To some extent, view protection is an automatic and welcome by-product of public actions intended primarily to serve other purposes. Zoning provisions designed to control density, or to ensure light, air and privacy, will often preserve and create views. Wide streets, built to accommodate large volumes of traffic, may open wide vistas. This applies also to parks and open spaces, even though their intended use is generally for purposes of relaxation and recreation.

(e) While the tree height restrictions might serve the interests of some individual property owners, the danger of possible abuses would make the application of controls of questionable value to the community.

(f) The Municipal Solicitor has expressed the opinion that the Municipal Act does not make provision for regulating the height of trees on private property for purposes of ensuring the preservation of a particular view.

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

CARRIED UNANIMOUSLY

(9) Application to rezone Lots "A" and "B", Block 25, D.L. 80N,  
Plan 16273 (5584 Kincaid Street)  
REFERENCE REZONING #17/70

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

(10) Rezoning References #42/70 and 46/68

The Planning Department has reported as follows on the above rezoning proposals:

- (a) The Council recently considered an application to rezone land at the South-West corner of Loughheed Highway and Keswick Avenue.
- (b) A Comprehensive Development zoning has been effected and a subsequent subdivision has been approved for the lands East of Keswick Avenue and South of Loughheed Highway, which are to be developed by Polaris Construction Ltd. As one of the prerequisites to this rezoning, the Company submitted a letter of credit covering the installation of required services. This letter is dated October 21, 1969 and it expires on October 20, 1970. Polaris Construction Ltd. has not fulfilled its commitments to the Corporation in that the required services have not yet been installed.
- (c) The Company has also fallen more than one-half year behind their proposed construction schedule.
- (d) The Municipal Treasurer has received from Polaris Construction Ltd. an extended Letter of Credit in the amount of \$86,500.00, dated October 6, 1970 and expiring October 5, 1971. The Municipal Engineer is presently verifying whether this amount is sufficient to cover the installation of the required services.
- (e) It appears now that in the event the applicant wishes to proceed with the rezoning covered by Reference No. 42/70, a situation would be created whereby once this rezoning was effected, no services would be available to the site even though monies for the services have actually been deposited by Polaris Construction Ltd.
- (f) It is felt that the Company should fulfill its obligations and it appears some time limit should be set in order for Polaris Construction Ltd. to install the services and, at the same time, not delay the processing of the rezoning covered by RZ #42/70.
- (g) It was therefore being recommended that an extension of the Letter of Credit be considered, provided Polaris Construction Ltd. will construct the required services within 150 days from the date of the report and that, in the event the Company by that date has not yet completed the necessary services, the Corporation will seize the Letter of Credit to ensure that the required services are installed.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That the recommendation of the Planning Department be adopted, with it being understood that the amount which is to be indicated in the Letter of Credit will be the figure the Municipal Engineer approves as representing the sum required to cover the cost of the services in question."

CARRIED UNANIMOUSLY

(11) Estimates

It was being recommended that the Special Estimates of Work in the report of the Municipal Engineer, which total \$32,050.00, be approved.

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

CARRIED UNANIMOUSLY

(12) Revenue and Expenditures

It was being recommended that the Expenditures shown in the attached report of the Municipal Treasurer for the period between January 1st and September 27, 1970 be approved.

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

CARRIED UNANIMOUSLY

*The Municipal Treasurer was asked to advise Council of the relationship between the account shown in his Revenue and Expenditures Statement, "Centennial Celebrations 1971" and the one mentioned by the Centennial Committee in its submission to Council earlier this evening.*

(13) Allowances

It was being recommended that the allowances shown in the report of the Municipal Treasurer covering applications under Section 411 of the Municipal Act for a rebate of penalties and/or interests, in the total amount of \$41.69, be approved.

(14) Street Lights

It was being recommended that the street lights listed in the report of the Municipal Engineer be approved for installation.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"That the recommendations of the Manager covering the above two items be adopted."

CARRIED UNANIMOUSLY

(15) Building Department

A report of the Chief Building Inspector covering the operations of his Department for the period between September 14th and October 9, 1970 was being submitted.

(16) Fire Department

A report of the Fire Chief covering the activities of his Department for the month of September 1970 was being submitted.

(17) Personnel Department

A report of the Personnel Director covering the activities of his Department for the four week period ending September 27, 1970 was being submitted.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:  
"That the above three reports be received."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

\* \* \*

BY - LAWS

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That leave be given to introduce:

"BURNABY TAX ABATEMENT BY-LAW 1970"

#5792

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 36, 1970" #5793

and that they now be read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That:  
"BURNABY TAX ABATEMENT BY-LAW 1970"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 36, 1970"  
be now read a Third Time."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:  
"That:  
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 2, 1970" #5782  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 35, 1970" #5784  
be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:  
"That:  
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 2, 1970"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 35, 1970"  
be now finally adopted, signed by the Mayor and Clerk and the  
Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

\* \* \*

ALDERMAN LADNER LEFT THE MEETING.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:  
"That "BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 3, 1970" be now  
reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:  
"That "BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 3, 1970" be now finally  
adopted, signed by the Mayor and Clerk and the Corporate Seal  
affixed thereto."

CARRIED UNANIMOUSLY

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ALDERMAN LADNER RETURNED TO THE MEETING.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN LADNER:  
"That Alderman Dailly be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

ACTING MUNICIPAL MANAGER stated that the Chief Building Inspector had received a request for permission to paint the panelling around the former Municipal Hall Site.


MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:  
"That the request outlined by the Acting Municipal Manager be granted."

CARRIED UNANIMOUSLY

The meeting adjourned at 10:05 p.m.

Confirmed:

Certified correct:

  
MAYOR

  
CLERK

EW/hb