

APRIL 27, 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, April 27, 1970 at 7:00 p.m.

PRESENT: Acting Mayor Mercier in the Chair;  
Aldermen Blair, Clark, Dailly,  
Ladner;

ABSENT: Mayor R. W. Prittie;  
Aldermen Drummond, Herd, and McLean;

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:  
"That the Minutes of the meetings held on April 13th and 15th, 1970, plus, the Public Hearing on April 21, 1970, be adopted as written and confirmed."

CARRIED UNANIMOUSLY

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ACTING MAYOR MERCIER recognized the presence of the "Miss Burnaby" candidates and representatives from the Burnaby Junior Chamber of Commerce.

He congratulated the girls on being selected as candidates and wished them all good luck.

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ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Chairman, Vancouver Heights Home Owners' Association, submitted a letter requesting that Council evaluate the merits of the municipality acquiring the Seton Academy property for some community purpose, such as an office for the Parks Board and/or a place for the School Board to hold kindergarten and elementary school classes.

He also suggested that the gymnasium in the Seton Academy and other facilities could be made available to residents as a recreation centre.

The Chairman also requested that Council ascertain from the Parks Board, the School Board, the Centennial Committee, the Planning Department, the Provincial and Federal Governments and the people of Burnaby their opinions with regard to the above proposal for the reasons indicated and because of the historical value to the community in retaining the Seton Academy.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:

"That the proposal from the Vancouver Heights Home Owners' Association be referred to the Municipal Manager for consideration and report."

CARRIED

AGAINST -- ALDERMAN DAILLY

Mr. E. G. LaGreca wrote to offer his opinion as to the manner in which Council dealt with an application of the X-Kalay Foundation Society to rezone the Seton Academy property to permit its use as a rehabilitation centre.

*the*  
Alderman Ladner made following statement in connection with the subject of the letter from Mr. LaGreca:

- (a) *The Council is, at the moment, composed of three factions in connection with the X-Kalay proposal. Some of them are opposed to the use of the Seton Academy property by the X-Kalay Foundation; some are in favour of it; and the others only wish the application of the Society to rezone the property advanced to a Public Hearing so that the views of all persons who deem themselves affected by the rezoning proposal can be obtained. This latter group is the only one that could be termed "fence-sitters".*
- (b) *Both those in the latter group and those who support the application endeavored, at the Council meeting on April 13, 1970, to advance the application to a Public Hearing, but they were not successful.*
- (c) *As Council is aware, it is required, by law, to hold a Public Hearing before any rezoning proposal can be furthered. Because no such action was taken by Council, the rezoning application of the X-Kalay Foundation has not been advanced.*

*Additional remarks expressed on the matter at hand were:*

- (1) *It is the policy of Council (and has been for some time) that any application to rezone property which is not favourably considered will not be reconsidered within less than six months of the date the original application is rejected.*

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- (2) *The Municipal Act empowers the Mayor of a municipality to, at any time within one month after the adoption thereof, intervene and return for reconsideration any By-law, resolution, or proceeding of the Council which has not been .... reconsidered by the Council.*

*The Mayor exercised this prerogative when he returned the application of X-Kalay to Council on April 6, 1970 so he is estopped from returning the matter once again for the reconsideration of Council.*

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That Mr. LaGreca be informed of the position of Council as regards the application of the X-Kalay Foundation Society to rezone the Seton Academy property to permit its use as a rehabilitation centre, which is that stated this evening."

CARRIED UNANIMOUSLY

Mr. Larry Whaley, Vice-President, Burnaby Tenants' Association, submitted a letter urging that Council act immediately to establish a Rental Review Board, similar to that done by the City of Vancouver and to that proposed by the Municipality of Surrey, as an Instrument designed to protect the rights of tenants in the municipality.

He also forwarded a copy of the "Surrey" sample by-law including an accompanying legal opinion with respect to the By-law.

*In response to a question, Alderman Blair stated that the Landlord/Tenant Grievance Committee would be meeting on May 7, 1970.*

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:

"That the submission from the Burnaby Tenants' Association be referred to the Landlord/Tenant Grievance Committee for consideration and report."

CARRIED UNANIMOUSLY

Miss Karen Cruickshank, Committee Manager, McPherson Park Junior Secondary School, submitted a letter requesting permission to hold a Tag Day on May 29th, after school, and all day on May 30, 1970.

*It was drawn to the attention of Council that the Burnaby Hastings Rotary Band has already expressed a tentative desire for a Tag Day on the same dates as the Committee from the McPherson Park Junior Secondary School in the Northern part of the municipality.*

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:  
"That permission be granted to the Committee represented by Miss Cruickshank to conduct its campaign in the Southern part of the municipality on the dates indicated so as to avoid possible conflict with the campaign proposed by the Burnaby Hastings Rotary Band."

CARRIED UNANIMOUSLY

G. A. & P. Moore and others submitted a request that early attention be given their application to develop their properties in the Duthie-Union-Phillips-Curtis area.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That consideration of this matter be deferred until receipt of Item 12 of the Municipal Manager's Report No. 28, 1970 later this evening."

CARRIED UNANIMOUSLY

Captain Ken Paley and a number of others submitted a petition drawing attention to certain situations involving the conduct of pupils attending Moscrop Junior High School, plus others connected with them, and urging that Council take action immediately to rectify the situation.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:  
"That the petition be referred to the Burnaby School Board and the Burnaby Detachment of the R.C.M.P. for investigation of the matters itemized therein and report, with the School Board also being asked to give consideration to the matter of expelling, from school, any pupil found guilty of any of the types of offences listed in the petition."

CARRIED UNANIMOUSLY

Mr. George F. Pedlar submitted a letter censuring Council for not having yet installed a traffic signal at Hastings Street and Holdom Avenue.

*The following remarks were expressed in Council during consideration of the submission from Mr. Pedlar:*

- (a) *The responsibility for the installation of the traffic signal in question rests with the Department of Highways and not the municipality.*
- (b) *The latest information received indicates that work on the installation should begin around the latter part of May, 1970.*

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- (c) *Both the Traffic Safety Committee and the Council have been pressing the Provincial Government for the installation for some time and are concerned that the project has taken so long to complete.*
- (d) *At one time, the Council was informed by the Department of Highways that the installation of the traffic signal was to be delayed until after the widening of Hastings Street was completed. It was also mentioned around that time that this widening project was not to be undertaken as quickly as had originally been thought because the Provincial Government apparently did not have the funds with which to do the work.*

*The Council, because of its deep concern regarding both the traffic signal and the widening project, was prepared to consider offering to pay for the work in order to get it done quickly and then be reimbursed when the Provincial Government was able to make funds available.*

- (e) *As regards the point in Mr. Pedlar's letter concerning the motorist on Holdom Avenue who failed to stop at Hastings Street and struck another vehicle causing an injury, the driver of the motor vehicle that failed to make the stop has been charged.*

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:  
"That the information provided this evening in connection with the complaint from Mr. Pedlar, which is substantially that set out above, be conveyed to him."

CARRIED UNANIMOUSLY

General Manager - Transportation, British Columbia Hydro and Power Authority, wrote to offer the views of the Authority on a proposal that arrangements be made for motorists to park their cars in the P.N.E. lots South of Hastings Street and then use the transit service into Vancouver.

The General Manager indicated the following in regard to the matter:

- (a) The concept has been tried out in a number of cities, including Vancouver, over the past 15 to 20 years.
- (b) Richmond is now involved in providing parking adjacent to the Sexsmith Transit Loop.
- (c) The success or failure of the project depends on a combination of factors, such as:
  - Traffic congestion
  - Downtown parking availability
  - The price of parking
  - The distance covered by transit

The speed of the transit system

- (d) In general, the scheme is reasonably successful in cities where congestion of traffic is extreme, downtown parking is scarce, and costly and rail-rapid transit service is available.
- (e) In the absence of any of these factors, the success of the project would be doubtful.
- (f) The Authority will be curvassing the current experiences of other cities to which reference was made above.
- (g) The Authority is also prepared to explore methods of providing transit service for the parking lots.
- (h) Perhaps Council might wish to arrange a meeting of all parties concerned for further discussion of the matter.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:

"That it be suggested to the B. C. Hydro and Power Authority that one approach which the Authority could make in surveying the need for the type of service in question would be to arrange meetings in various parts of the Lower Mainland in order to obtain the opinion of the public on the proposal and to determine the demand for the type of service in question."

CARRIED

AGAINST -- ALDERMAN BLAIR

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the submission from the B. C. Hydro and Power Authority be referred to the Traffic Safety Committee for its information."

CARRIED UNANIMOUSLY

Director of Operations, Department of Commercial Transport, wrote to offer the reasons of his Department for its policy of prohibiting the "through" movement of oversize mobile homes on Kingsway between 1:00 a.m. and 6:00 a.m.

He also indicated why his Department had suggested earlier that Canada Way would be a suitable alternative for the type of movement mentioned.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That the letter from the Department of Commercial Transport be referred to the Traffic Safety Committee for attention."

CARRIED UNANIMOUSLY

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Attorney-General, Leslie R. Peterson, submitted a letter indicating that he is not in a position at this time to advise how much longer the Provincial Government will operate Oakalla in its present location, particularly in view of the opposition that has been expressed concerning a proposal of his Department to construct a correctional centre in Coquitlam.

The Attorney-General suggested that, because of the situation just mentioned, it is not opportune to discuss the request of Burnaby that the Provincial Government donate to the Corporation, for park purposes, a part of the Oakalla Prison Farm site.

Mayor Thomas J. Campbell of the City of Vancouver submitted a letter in which he invited all municipal and other authorities who have fire defence problems on the shores of Burrard Inlet to appoint a representative to a Committee which is proposed to be created for the purpose of considering the matter of sharing in the cost of renovating and operating the fire boat which services the Inlet.

*Alderman Dailly stated that, because he is employed by the City of Vancouver as a Fireman, he wished to be excused from a discussion on the subject of the letter from Vancouver but, if he left the Chambers, there would not be a quorum.*

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN LADNER:  
"That the letter from the Mayor of Vancouver be tabled for one week."

CARRIED UNANIMOUSLY

Superintendent J. E. Gibbon, Officer-In-Charge, Burnaby Detachment, R.C.M.P., forwarded a submission relating to the action which has been taken by his Detachment in responding to complaints involving the walkway connecting Cliff Avenue with Paulus Crescent, indicating that:

- (a) patrols have been made to the area and, though young children were observed swinging on the poles that form the barricade, jumping a hedge, and walking across grass that was considered to be a boulevard, there was no indication of vandalism.
- (b) no record of any complaint has ever been received by the R.C.M.P. from either Mr. or Mrs. Kliparchuk.
- (c) a further inspection on the evening of April 9th, when Corporal Morrison of the R.C.M.P. contacted the Kliparchuks, revealed that there was some evidence of "short-cutting" around the barricade and one shrub being broken.
- (d) in the event a complaint is received by the R.C.M.P. regarding the matters of concern to the Kliparchuks, it will be dealt with at that time.

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Inspector R. H. Simmonds, Second-In-Charge, Burnaby Detachment, R.C.M.P. submitted a letter offering a number of remarks pertaining to a complaint that Council received on April 6th from Mr. John W. Motiuk, Barrister and Solicitor, regarding a serious indictable offence that occurred approximately one year ago, advising that he was in complete agreement with the comments expressed earlier by the Municipal Solicitor that "since the letter from Mr. Motiuk is concerned about the administration of justice, it should have been directed to the Attorney General and not to the Council".

Inspector Simmonds added the following about the matter:

- (a) No matter what state of health the complainant enjoyed at the time of the incident, she is equally entitled to protection under the law with respect to her property as is any other person.
- (b) Had Mr. Motiuk's client been truthful during the investigation by disclosing the whereabouts of the dog which was involved, rather than denying any knowledge of its whereabouts (the dog was only located after extensive investigation by the R.C.M.P.), the "finger" of suspicion would not have been so strongly pointed in her direction.

Her actions, when combined with those of her associates, tended to confirm all the allegations made by the complainant.

- (c) No action that was taken by the R.C.M.P. in connection with the matter precluded the Justice of the Peace from exercising the prerogative granted under Section 440 of the Criminal Code had he desired to call any evidence before determining whether a Summons or Warrant should have been issued.
- (d) Should Mr. Motiuk take his complaint to the Attorney General, the entire contents of the R.C.M.P. file on the matter will be made available for perusal and, as always, the R.C.M.P. would be guided by any instruction that might be issued as a result.

Executive Director, Union of British Columbia Municipalities, submitted official notice of the 1970 Annual Convention of the Union in Penticton B. C. between September 16th and 18, 1970.

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TABLED ITEMS

The following matters were then lifted from the table:

- (a) Complaint of Mr. Harold B. Bromley re Ornamental Street Lighting Programme

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:  
"That Item 17 of the Municipal Manager's Report No. 28, 1970, which deals with the subject at hand, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY



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

(17) Ornamental Street Lighting Programme (Bromley - 4735 Gatenby Avenue)

Electrical service in the area is from poles in the Royal Oak - Gatenby lane.

In accordance with the policy of initiating ornamental street lighting programmes in areas where B. C. Hydro and Power Authority poles are in lanes or where underground installations are provided, Gatenby Avenue and Ivar Place were included in the Project which was initiated because these two streets are served by one electrical circuit and therefore must be considered together to achieve efficiency in power distribution.

The petition which Mr. Bromley and others presented last year in opposition to the planned work represented only 28% of the property that will be served by the one electrical circuit mentioned.

Though it is certainly desirable to provide improvements to roadways (e.g. pavement, curbs, sidewalks, etc.), it is not always possible when difficulties are experienced in endeavoring to borrow funds for such works. Street lighting is regarded as being of such importance that this service should not be deferred indefinitely.

A member of the Clerk's Office advised Mr. Bromley that a majority of the property owners in the entire area which was included in the Local Improvement Ornamental Street Lighting would need to object in order to defeat the proposal.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:  
"That the report of the Manager be received and the substance of it be conveyed to Mr. Bromley."

CARRIED UNANIMOUSLY

(b) Complaint from Mr. Steve Stiglich re Lane Paving Policy

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:  
"That Item 19 of the Municipal Manager's Report No. 28, 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:

(19) Lane Paving Policy (Stiglich)

As regards the lanes between Royal Oak Avenue and Westminster Avenue from Norfolk Street to Canada Way - Schou Street, they were paved because sewers were installed in the lane allowances and the policy of Council at that time was to pave all newly constructed lanes as a part of the overall work.

The lanes between Royal Oak Avenue and the rear of the properties facing Douglas Road from Dominion Street to Manor Street were paved because this was the only way to correct a drainage problem which had been of such concern as to precipitate a claim against the municipality for damages resulting from the problem.

Over the years, there have been a variety of policies respecting the paving of lanes. Some which were paved were paid for in cash; others were paved as a result of subdivision servicing requirements; others were paved because the municipality was being confronted with excessive maintenance costs; others were paved because they were regarded as being commercial and/or multi-use facilities; and some were paved because of special circumstances such as cases where the road fronting the property served by the lane was either not available for vehicular access or where such access was considered to be hazardous.

At the end of 1969, there were approximately 120 miles of lanes in the municipality. 80 were gravelled and 40 were paved. Of the 40, approximately 30 were paid for by cash subscriptions, subdivision servicing, or by Local Improvement methods.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:  
"That the report of the Manager be received and the substance of it be conveyed to Mr. Stiglich."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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QUESTION AND ANSWER PERIOD

No member of Council raised any questions.

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R E P O R T S

HIS WORSHIP, MAYOR PRITTIE submitted a report recommending that Alderman Dailly be appointed as Acting Mayor for the months of May and June, 1970.

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

CARRIED UNANIMOUSLY

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MUNICIPAL CLERK submitted a Certificate of Sufficiency covering the Projects included in Phase IV of the Local Improvement Lane Paving Programme, which indicated the following:

THE CORPORATION OF THE DISTRICT OF BURNABY

CERTIFICATE OF SUFFICIENCY

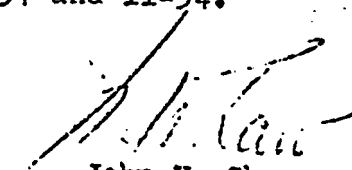
Section 589 (1) of the Municipal Act provides, in part, that:

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

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

Petitions have been received against Local Improvement Projects numbered 8-1, 9-21, 9-30, 9-36, 9-41, 9-42, 11-8, 11-20, 11-37 and 11-54, and are certified as sufficient, as these petitions represent a majority of the owners who represent at least one-half of the value of the parcels liable to be specially charged.

I HEREBY CERTIFY that sufficient petitions have not been received covering the Local Improvement works recorded herein, with the exception of Project Numbers 8-1, 9-21, 9-30, 9-36, 9-41, 9-42, 11-8, 11-20, 11-37 and 11-54.

  
John H. Shaw  
MUNICIPAL CLERK

DATED -- APRIL 24, 1970.

JHS/fl

April 27/1970

THE CORPORATION OF THE DISTRICT OF BURNABY

PHASE IV

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

Gentlemen:

RE: 1970 LOCAL IMPROVEMENT PROGRAMME - LANES

In accordance with Section 589 of the Municipal Act, I beg to report that I have published in a newspaper circulating in the municipality and also served upon the owners of property affected, Notice of Intention to construct, as a Local Improvement, pavement to a maximum width of 14 feet and to a depth of not more than 2 inches, on the lanes described below:

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECT-TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
8-1	Adair-Hycrest "L" lane from Hycrest to Hycrest	6	4	6	\$ 41,730	\$ 20,865	\$ 41,730
8-2	Hycrest-Broadway lane east from Sperling-Hycrest to E.P.L.Lt.6, D.L. 131, Pl. 24211	32	17	1	228,255	114,127	6,255
8-3	Adair-Gibson "T" lane from Paulus to Gerald	18	10	N11	131,025	65,512	N11
8-4	Gerald-Duthie "T" lane north from Gibson to N.P.L. Lt.67, D.L. 136, Pl. 25240	8	5	1	64,375	32,187	8,985
8-5	Gibson-Paulus lane east from Paulus to E.P.L. Lot 2, D.L. 136, Pl. 22341	18	10	N11	137,745	68,872	N11
8-6	Paulus-Broadway "T" lane east from Cliff to E.P.L. Lt.34, S.D.2, Blks.1&4, D.L.136, Pl.17826	26	14	N11	170,130	85,065	N11
8-7	Larkin-Norsh Rd. lane north from Still Creek to Lot 16, Blk. 14, D.L. 15, Pl. 21320	15	8	N11	91,590	45,795	N11
8-9	Noel-Astor "T" lane from Sullivan to Pritchard	38	20	N11	225,555	112,777	N11
8-10	Astor-Casewell-David lane from David Dr. to Willoughby	30	16	N11	175,630	87,815	N11
8-11	Casewell-David "L" lane from Willoughby to Casewell	16	9	N11	109,755	54,877	N11
8-12	David-Sul lane from Astor to Willoughby	33	17	N11			N11

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1970 Local Improvement  
Initiative Program

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC-TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
3-13	DAVID-Sullivan "T" lane from Willoughby to North Rd.	14	8	N11	\$ 97,565	\$ 48,782	N11
9-1	Laurel-Linwood lane from lane east of Boundary to Smith	23	12	3	161,110	80,555	\$ 17,110
9-2	Linwood-Avondale "T" lane from Boundary to Smith	30	16	N11	212,265	106,132	N11
9-3	Avondale-Nithsdale "T" lane from Boundary to Smith	31	16	1	207,855	103,927	6,940
9-5	Nithsdale-Elmwood lane from Smith to Elmwood	43	22	N11	304,770	152,385	N11
9-6	Elmwood-Sunset "T" lane from Boundary to Smith	30	16	N11	206,655	103,327	N11
9-7	Sunset-Kincaid "T" lane from Boundary to lane west of Smith	20	11	2	136,755	68,377	14,650
9-8	Kincaid-Forest "T" lane from Boundary to Smith	30	16	1	206,925	103,462	6,790
9-10	Kincaid-Forest "T" lane from McDonald to Carleton	23	12	N11	150,925	75,462	N11
9-11	Curle-Kalyk lane from N.P.L.Lt.101, Blk.7&9, D.L. 68 NE, Pl. 15180 to Avondale St.	12	7	2	90,655	45,327	12,565
9-12	Lane east of Kalyk from N.P.L. Lot 100, Blks. 7&9, D.L. 68, Pl. 15180 to Avondale	8	5	N11	57,260	28,630	N11
9-13	Lane east of Kalyk from Avondale to Nithsdale	9	5	N11	61,505	30,752	N11
9-14	Curle-Nithsdale "L" lane from Curle to Kalyk	13	7	N11	87,165	43,582	N11
9-15	Forest-Spruce lane from Smith to McDonald	36	19	N11	287,410	143,705	N11
9-16	Spruce-Pine lane from Smith to McDonald	36	19	N11	274,960	137,480	N11

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1970 Local Improvement Initiative Programme

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC-TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
9-17	Pine-Fir lane from Smith to McDonald	30	16	1	\$212,665	\$106,332	\$ 7,150
9-19	Lane east of Smith from Fir to Lister	2	2	Nil	8,125	4,062	Nil
9-20	Lister-Moscrop "L" lane from Lister to E.P.L.Lt.4, Blk. 35, D.L. 35, Pl. 17872	5	3	1	35,285	17,642	9,135
9-21	Barker-Carleton lane from Fir to N.P.L. Lot 39, D.L. 38, Pl. 31199	14	8	9	103,945	51,972	64,920
9-22	Barker-Halley lane from Fir to N.P.L. Lot "A", EP 15701, R.S.D.11, S.D.4, Blk.N1/2, D.L.38, Pl.2182	15	8	1	114,195	57,097	6,685
9-23	Halley-Huxley "T" lane from Spruce to N.P.L.Lt.5, Ex S20 "t.", S.D. "B" & "C", Blk.2, D.L.38, Pl.18760	26	14	7	195,095	97,547	51,140
9-24	Darwin-Huxley lane from Fir to Pine	10	6	Nil	68,220	34,110	Nil
9-25	Barker-Halley lane from Fir to Moscrop	17	9	Nil	109,285	54,642	Nil
9-26	Halley-Darwin lane from Fir to Moscrop	16	9	2	120,515	60,257	14,660
9-27	Darwin-Huxley lane from Fir to Moscrop	21	11	Nil	131,955	65,977	Nil
9-28	Laurel-Fulwell lane from Westminster to W.P.L. Lt. 85, D.L. 74, Pl. 30139	17	9	Nil	125,095	62,547	Nil
9-30	Hardwick-Woodsworth lane from Godwin to W.P.L. Lt.1, Blk. 9, D.L. 76, Pl. 1885	20	11	12	105,710	52,855	63,925
9-31	Hardwick-Woodsworth lane from Godwin to Norland	13	7	Nil	80,640	40,320	Nil
9-32	Woodsworth-Sprott lane from Godwin to W.P.L.Lt.2, Blk. 10, D.L. 76, Pl. 1885	16	9	7	98,125	49,062	52,940
9-33	Woodsworth-Sprott lane from Godwin to Norland	20	11	Nil	111,370	55,685	Nil
9-34	Royal Spruce-Catenby-Tylinton lanes	31	16	Nil	201,805	100,902	Nil

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PROJECT NUMBER	DESCRIPTION OF LANE
9-35	Moreland-Monarch lane from Mahon to W.P.L. Lt.14, S.D."A", Blks.5 & 6, D.L.80S, Pl.20936
9-36	Spruce-Mahon-Monarch-Atlee lane
9-37	Atlee-Fitzgerald "H" lane from Spruce to Monarch
9-38	Lane south of Spruce from Percival to 90' west of Percival
9-39	Monarch-Eglinton lane from Gilmon to W.P.L. Lot 15, Blk. 6, D.L. 80 S, Pl. 20936
9-41	Royal Oak-Gatenby-Eglinton-Gilpin lane
9-42	Eglinton-Gilpin lane from Mahon Ave. to E.P.L. Lot 79, D.L. 83, Pl. 24961
11-1	Moscrop-Warren-Boundary-Smith lane
11-2	Warren-Cardiff "L" lane from Warren to E.P.L. Lot 6, Blk. 5, D.L. 35, Pl. 2190
11-3	Inman-Gilpin Court lane north from Gilpin
11-4	Gilpin Court-Patterson lane from Gilpin to N.P.L.Lt.7, Blk. "C", D.L. 34, Pl. 13842
11-5	Inman-Gilpin Court lane from Gilpin to S.P.L. Lot 14, Blk."D", D.L. 34, Pl. 13842
11-6	Gilpin Ct.-Patterson lane from Gilpin to Price
11-7	Parkwood-Alderwood lane from Moscrop to S.P.L. Lot 1, Blk.64, D.L.34, Pl. 2801
11-8	Alderwood-Crescent lane from Moscrop to Alderwood

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NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
16	9	N11	\$130,075	\$ 65,037	\$ Nil
24	13	15	168,595	84,297	98,980
14	8	1	83,215	41,607	5,255
2	2	N11	22,550	11,275	N11
18	10	N11	155,045	77,522	N11
20	11	14	132,825	65,412	89,975
10	6	6	104,990	52,495	72,705
23	12	N11	156,850	78,425	N11
9	5	N11	64,890	32,445	N11
7	4	N11	64,125	32,062	N11
13	7	3	87,905	43,452	20,925
6	4	1	46,995	23,497	8,405
11	6	N11	79,300	39,650	N11
2	2	N11	15,555	7,777	N11
4	3	3	30,025	15,012	21,840

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PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
11-9	Lane south of Moscrop from Alderwood Cres. to Barker Cres.	10	6	N11	\$ 62,200	\$ 31,100	\$ Nil
11-10	Barker-Willingdon lane from Moscrop to S.P.L. Lot 7, S.D.15, Blk."K", D.L. 34, Pl. 14759	8	5	N11	77,185	32,592	Nil
11-11	Pinewood-Barker lane from Parkwood to Barker	18	10	N11	124,670	62,335	Nil
11-12	Parkwood-Gilpin lane from Parkwood Ave. to Barker	27	14	N11	182,900	91,450	Nil
11-13	Lane west of Willingdon from Cedarwood to N.P.L. Lt.3, S.D.12, Blk."K", D.L.34, Pl. 14759	3	2	N11	18,915	9,457	Nil
11-14	Barker-Willingdon "T" lane from Cedarwood to Wildwood	10	6	N11	67,185	33,592	Nil
11-15	Gilpin-Castlewood lane from Patterson to Barker	40	21	N11	279,785	139,892	Nil
11-16	Wildwood-Briarwood "T" lane from Gilpin to Willingdon	28	15	N11	195,355	97,677	Nil
11-17	Castlewood-Price lane from Patterson to Barker	32	17	N11	230,175	115,087	Nil
11-18	Lane north of Price Cres. from Barker to E.P.L. Lt.8, Blk. 20, D.L. 34, Pl. 14532	7	4	N11	47,015	23,507	Nil
11-19	Briarwood-Price "T" lane from Gilpin to Willingdon	22	12	N11	158,825	79,412	Nil
11-20	Lane east of Boundary north from Price to N.P.L. Lot 3, Blk. 7, D.L. 35, Pl. 1123	5	3	3	24,715	12,357	15,085
11-22	Price-Brandon "L" lane from Price to Patterson	10	6	2	69,855	34,927	12,810
11-23	Price-Hazelwood lane from Patterson to Barker	27	14	N11	195,665	96,832	Nil
11-24	Price-Hazelwood "L" lane from Barker to Price	22	12	N11	158,615	79,307	Nil

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PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS
11-27	Hazelwood-Cherrywood lane from Patterson to Barker	21
11-28	Hazelwood-Burke lane from Barker to Burke	12
11-29	Lane west of Smith from Brandon to Burke	9
11-30	Lane west of Patterson from Burke to N.P.L. Lot 6, Blk. 27, D.L. 35, Pl. 13842	9
11-31	Cherrywood-Burke lane from Patterson to Burke	10
11-32	Burke-Bond lane from Inman to W.P.L. Lot 1, Blk. 11, D.L. 34, Pl. 11391	3
11-33	Burke-Farrington lane from Inman to Patterson	14
11-34	Patterson-Carleton lane from Burke to S.P.L. Lot "B", Blk. 37, D.L. 34, Pl. 17570	12
11-35	Carleton-Parker lane from Burke to S.P.L.Lt.3, Blk. "G", D.L. 34, Pl. 13842	9
11-36	Burke-Bond lane from Halley to W.P.L. Lot 23, Blk. 38, D.L. 34, Pl. 15531	9
11-37	Lane south of Burke from Halley to Chaffey	5
11-38	Lane south of Burke from Chaffey to Abbey	4
11-39	Farrington-Bond lane from Inman to Patterson	14
11-40	Lane west of Inman from Bond to Thurston	5
11-42	Thurston-Sandell "T" lane from Smith to Jersey Ave.	19
11-44	Lane north of Grange from Patterson E. to S.P.L. Lot "D", Blk. 33, D.L. 34, Pl. 1911	1

51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC- TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
11	N11	\$152,735	\$ 76,367	\$ N11
7	N11	89,140	44,570	N11
5	N11	64,500	32,250	N11
5	N11	68,790	34,395	N11
6	N11	70,410	35,205	N11
2	N11	22,420	11,210	N11
8	4	92,075	46,037	26,125
7	N11	81,185	40,592	N11
5	1	58,975	29,487	6,455
5	N11	73,165	36,582	N11
3	3	39,380	19,690	24,750
3	N11	32,130	16,065	N11
8	5	89,760	44,880	32,170
3	N11	34,785	17,392	N11
10	N11	114,045	57,022	N11
1	N11	64,890	32,445	N11

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PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS
11-9	Lane south of Moscrop from Alderwood Cres. to Barker Cres.	10
11-10	Barker-Willington lane from Moscrop to S.P.L. Lot 7, S.D.15, Blk."K", D.L. 34, Pl. 14759	8
11-11	Pinewood-Barker lane from Parkwood to Barker	18
11-12	Parkwood-Gilpin lane from Parkwood Ave. to Barker	27
11-13	Lane west of Willington from Cedarwood to N.P.L. Lt.3, S.D.12, Blk."K", D.L.34, Pl. 14759	3
11-14	Barker-Willington "T" lane from Cedarwood to Wildwood	10
11-15	Gilpin-Castlewood lane from Patterson to Barker	40
11-16	Wildwood-Briarwood "T" lane from Gilpin to Willington	28
11-17	Castlewood-Price lane from Patterson to Barker	32
11-18	Lane north of Price Cres. from Barker to E.P.L. Lt.8, Blk. 20, D.L. 34, Pl. 14532	7
11-19	Briarwood-Price "T" lane from Gilpin to Willington	22
11-20	Lane east of Boundary north from Price to N.P.L. Lot 3, Blk. 7, D.L. 35, Pl. 1123	5
11-22	Price-Brandon "L" lane from Price to Patterson	10
11-23	Price-Hazelwood lane from Patterson to Barker	27
11-24	Price-Hazelwood "L" lane from Barker to Price	22

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51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC- TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
6	N11	\$ 62,200	\$ 31,100	\$ Nil
5	N11	77,185	32,592	Nil
10	N11	124,670	62,335	Nil
14	N11	182,900	91,450	Nil
2	N11	18,915	9,457	Nil
6	N11	67,185	33,592	Nil
21	N11	279,785	139,892	Nil
15	N11	195,355	97,677	Nil
17	N11	230,175	115,087	Nil
4	N11	47,015	23,507	Nil
12	N11	158,825	79,412	Nil
3	3	24,715	12,357	15,085
6	2	69,855	34,927	12,810
14	N11	195,665	96,832	Nil
12	N11	158,615	79,307	Nil

PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS
11-27	Hazelwood-Cherrywood lane from Patterson to Barker	21
11-28	Hazelwood-Burke lane from Barker to Burke	12
11-29	Lane west of Smith from Brandon to Burke	9
11-30	Lane west of Patterson from Burke to N.P.L. Lot 6, Blk. 27, D.L. 35, Pl. 13842	9
11-31	Cherrywood-Burke lane from Patterson to Burke	10
11-32	Burke-Bond lane from Inman to W.P.L. Lot 1, Blk. 11, D.L. 34, Pl. 11391	3
11-33	Burke-Farrington lane from Inman to Patterson	14
11-34	Patterson-Carleton lane from Burke to S.P.L. Lot "B", Blk. 37, D.L. 34, Pl. 17570	12
11-35	Carleton-Parker lane from Burke to S.P.L.Lt.3, Blk. "G", D.L. 34, Pl. 13842	9
11-36	Burke-Bond lane from Halley to W.P.L. Lot 23, Blk. 38, D.L. 34, Pl. 15531	9
11-37	Lane south of Burke from Halley to Chaffey	5
11-38	Lane south of Burke from Chaffey to Abbey	4
11-39	Farrington-Bond lane from Inman to Patterson	14
11-40	Lane west of Inman from Bond to Thurston	5
11-42	Thurston-Sandell "T" lane from Smith to Jersey Ave.	19
11-44	Lane north of Grange from Patterson E. to S.P.L. Lot "D", Blk. 33, D.L. 34, Pl. 1911	1

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51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC- TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
11	Nil	\$152,735	\$ 76,367	\$ Nil
7	Nil	89,140	44,570	Nil
5	Nil	64,500	32,250	Nil
5	Nil	68,790	34,395	Nil
6	Nil	70,410	35,205	Nil
2	Nil	22,420	11,210	Nil
8	4	92,075	46,037	26,125
7	Nil	81,185	40,592	Nil
5	1	58,975	29,487	6,455
5	Nil	73,165	36,582	Nil
3	3	39,380	19,690	24,750
3	Nil	32,130	16,065	Nil
8	5	89,760	44,880	32,170
3	Nil	34,785	17,392	Nil
10	Nil	114,045	57,022	Nil
1	Nil	64,890	32,445	Nil

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PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS	51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS ASSESSMENT
11-45	Lane east of Willingdon from Price St. to N.P.L.Lt.82, D.L.33, Pl.25032	5	3	Nil	\$ 46,030	\$ 23,015	Nil
11-46	Willingdon-Pioneer lane from Price to Grassmere	17	9	Nil	120,635	60,317	Nil
11-47	Lane east of Pioneer from Harken St. to N.P.L. Lt."A", Blk. 14, D.L.33, Pl. 18813	7	4	1	67,335	33,667	\$ 6,955
11-48	"T" lane east of Pioneer from Harken to Grassmere	7	4	Nil	56,690	28,345	Nil
11-49	Willingdon-Elson lane from Grassmer to Burke	11	6	Nil	86,275	43,137	Nil
11-51	Booth-Sussex "U" lane around Charlotte Court	24	13	Nil	152,935	76,467	Nil
11-52	Willingdon-Elson lane from Burke to Bond	12	7	Nil	109,085	54,542	Nil
11-54	Willingdon-Elson lane from Bond to Sardis	13	7	8	115,280	57,640	73,960
11-56	Booth-Sussex lane from Bond to Sardis	14	8	1	108,325	54,162	8,730
11-57	Willingdon-Pioneer lane from Sardis to Grafton	20	11	Nil	127,315	63,657	Nil
11-58	Elson-Booth lane south from Sardis to S.P.L. Lot "C", Blk.48, D.L. 33, Pl. 23509	3	2	1	20,700	10,350	6,895
11-59	Bond-Buxton "T" lane from Sussex to Nelson	24	13	1	183,345	91,672	15,380
11-60	Buxton-Sardis "T" lane from Sussex to Nelson	25	13	5	186,965	93,482	36,935
11-63	Elson-Booth lane from Grafton to Grange	15	8	1	145,430	72,715	7,120
11-64	Booth-Sussex lane south from Grafton to N.P.L. Lot 112, D.L. 33, Pl. 26166	15	8	Nil	104,260	52,130	Nil
11-65	Nelson-Forglen "L" lane from Buxton to Forglen	10	6	Nil	75,485	37,742	Nil



PROJECT NUMBER	DESCRIPTION OF LANE	NO. OF OWNERS
11-66	"T" lane east of Forglen, north from Buxton to N.P.L.Lt.41, D.L.32, Pl.24175, and to E.P.L.Lt.7, Blk.35, D.L.32, Pl. 1916	13
11-67	Oakglen-Royal Oak lane from Oakglen to Buxton	12
11-68	Forglen-Royal Oak lane from Royal Oak to Grafton Ct. & to Oakglen Dr.	20
11-69	Nelson-Sardis "T" lane from Grafton to Sardis	15
11-70	Nelson-Grafton-Forglen-Maitland lanes	28
11-71	Lane south of Gilpin from Royal Oak to E.P.L.Lt.6, S.D. "H&J", Blk.35 & 36, D.L. 83, Pl. 14944	8
11-72	Lane east of Chaffey from Sardis to S.P.L. Lot 158, D.L. 33, Pl. 27706	6

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51% REQUIRED TO DEFEAT PROJECT	NO. OF OBJEC- TIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
7	2	\$109,445	\$ 54,722	\$ 3,940
7	Nil	83,885	41,942	Nil
11	Nil	146,160	73,080	Nil
8	1	127,805	63,902	7,875
15	1	218,045	109,022	7,105
5	Nil	53,250	26,625	Nil
4	Nil	45,990	22,995	Nil

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That Project 9-32 be deleted from the Lane Paving Programme."

CARRIED

AGAINST -- ALDERMAN BLAIR

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:  
"That By-laws be prepared to provide for the construction of those Lane Paving Projects which survived the Initiative Programme, except for Project 9-32."

CARRIED UNANIMOUSLY

\* \* \*

MUNICIPAL MANAGER submitted Report No. 28, 1970 on the matters listed below as Items (1) to (19), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Hours of Work - Municipal Staff

A request has come through the Labour Management Committee for the following hours of work during the months of June, July and August:

Inside Staff	8:00 a.m. - 4:00 p.m.
Outside Staff	7:00 a.m. - 3:30 p.m.

The hours of work for garbage crews would remain unchanged in view of the hours of business observed by commercial and industrial establishments where garbage collections are made.

The Manager is in favour of special hours during the summer months but considers that the hours proposed by the Labour Management Committee are not satisfactory from the point of view of service to the public.

It was therefore being recommended that, for the months of June July and August, the hours for inside staff be between 8:30 a.m. and 4:30 p.m. and for outside staff between 7:30 a.m. and 4:00 p.m.

Garbage crews would continue to work regular hours.

*During consideration of the report from the Manager, a suggestion was made in Council that he should consider the matter of the switchboard remaining open until 5:00 p.m. for approximately two weeks after June 1st to ensure that the public is aware of the new hours of work for employees.*

*The question of taking action on the matter was left to the discretion of the Manager.*

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

CARRIED UNANIMOUSLY

(2) Banks as Collection Agents

It was being recommended that the Bank of Montreal and the Canadian Imperial Bank of Commerce in the Loughheed Mall be authorized as collection agents for the municipality.

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

CARRIED UNANIMOUSLY

(3) Easement - Portion of Lot 4N½, Block 6, D.L. 207, Plan 4032 (Keogh)

It was being recommended that Council authorize the:

- (a) acquisition of an easement, for storm sewer purposes, over the East 10 feet of the above described property for a consideration of \$1.00 plus restoration of the easement area.
- (b) execution of the documents required in connection therewith.

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

CARRIED UNANIMOUSLY

(4) Ingleton Avenue between Canada Way and Norfolk Street

In August, 1969, the Council agreed to abandon the above portion of Ingleton Avenue.

The Registrar in the Land Registry Office at New Westminster raised objections to three technicalities in the By-law which effected the abandonment.

Because of this, an amendment to the By-law has been prepared for the consideration of Council.

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

CARRIED UNANIMOUSLY

- (5) (a) Lane Allowance West of Buller Avenue between Ewart Street and the lane South of McKee Street  
(b) Lot "B", Explanatory Plan 16876, S.D. 1 & 9, Block 19, D.L. 159, Plan 11493  
SUBDIVISION REFERENCE NO. 157/69

An application has been received to subdivide the property described under (b) above.

In order to provide an ample building site for one of the lots proposed to be created by the subdivision, the Planning Department is recommending that the lane allowance indicated in caption (which is undeveloped) be abandoned and be incorporated in the subdivision.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:  
"That Council approve in principle the proposal to abandon the lane allowance which is the subject of the Manager's Report, on the understanding that the matter will be returned with an indication as to the consideration which is to be entertained in negotiations with the owner of the adjacent Lot "B" before steps are taken to finalize the abandonment."

CARRIED UNANIMOUSLY

- (6) Community Plan #7 (Halifax - Phillips Area)

The Planning Department has submitted a report dealing with the above matter.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:  
"That the report from the Planning Department be referred to the Advisory Planning Commission for comments."

CARRIED UNANIMOUSLY

- (7) Lots 2 and 3, except part on Plan with By-law #30078, D.L. 94, Plan 440  
REFERENCE REZONING NO. 77/69

The Planning Department has reported that, following the decision of Council on December 8, 1969 in connection with the above rezoning application that, as a prerequisite to the rezoning, a 20-foot wide lane allowance immediately North of that part of the property presently zoned C4 be dedicated and the necessary monies deposited to cover the cost of constructing the lane,

the Engineering Department indicated that storm sewers were required to adequately drain the site and the lane in question. The Engineering Department also mentioned that an easement would be required across the lot immediately to the East in order to continue the sewer installation to Dufferin Avenue.

The Planning Department was recommending that, because drainage facilities are necessary, the following two additional prerequisites be established by Council in connection with the rezoning proposal:

- (a) That money be deposited to cover the cost of providing storm sewers to the subject site.
- (b) That an easement be provided along the alignment indicated above for the purpose of allowing a continuation of the sewer service to Dufferin Avenue.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That the recommendation contained in the report of the Manager be adopted."

CARRIED

AGAINST -- ALDERMAN BLAIR

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:  
"That Alderman Ladner, as the Council Liaison with the Planning Department, investigate the reasons why delays are sometimes experienced in processing rezoning proposals and report accordingly."

CARRIED

AGAINST -- ACTING MAYOR MERCIER  
AND ALDERMAN BLAIR

(8) 1970 Budget

The following statement reflects the changes made by Council as a result of considering the 1970 Budget:

Revenue

Original total	\$21,420,858.00
Effect of reducing mill rate from 15 to 14.9	<u>67,793.00</u>
TOTAL	<u><u>\$21,353,065.00</u></u>

Expenditures

Original Total	21,420,858.00
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Additions

- Amount required to coincide with the appropriation required by the Greater Vancouver Regional District \$ 8,384.00
- Provision in Health Department Budget for noise abatement work 3,000.00
- Amount required in Traffic Control and Street Lighting Budget for announced increase in electricity rates for lighting 10,000.00

-Amount required in Parks and Recreation Commission Budget to cover grants to be given to the two winter clubs in the municipality, which will be partly offset by revenue from ice rentals	\$14,192.00	
-Unallocated amount for Parks and Recreation Capital Improvement Programme	\$50,000.00	
-Amount required in the contingency account to meet wage adjustments based on the Corporation's offer to the various unions, and to meet other contingencies.	<u>\$124,631.00</u>	<u>\$210,207.00</u>
 TOTAL		 21,631,065.00

Deductions

-Reduction in Parks and Recreation Budget	\$250,000.00	
-Reduction in Refuse Service Budget occasioned by changes in the methods of hauling refuse	\$28,000.00	<u>\$278,000.00</u>
 GRAND TOTAL		 <u>21,353,065.00</u>

(9) Capital Improvement Programme (1970 - 1975)

The following is a statement of the changes made by Council during its consideration of the above programme:

Original total application of funds \$10,248,550.00

Additions

-Increase in the Land Assembly and Development (Schedule M) allocation to permit the acquisition of lands adjacent to the James Cowan Centre	120,000.00
-Unallocated increase in the Parks and Recreation (Schedules P and Q) account	<u>50,000.00</u>
	<u>\$10,418,550.00</u>

Funds for the above additions will be obtained from:

-Appropriations from Tax Sale Monies Reserve -	120,000.00
-General Municipal Funds Budget -	<u>50,000.00</u>

(10) 1970 Budget

From information now available from other taxing authorities and the decisions made by Council, the following statement has been produced to show the tax rates applicable for the year 1970:

General & Loan Rate Levy	<u>1970</u>
Mill Rate	\$ 10,067,219.00 14.90
Regional Hospital District	271,163.00
Mill Rate	.789
Municipal Finance Authority Mill Rate	.02
School District No. 41	\$ 11,393,825.00
Mill Rate	31.81

The corresponding figures for 1969 were:

General & Loan Rate Levy	<u>1969</u>
Mill rate	\$ 9,481,345.00 15.75
Regional Hospital District	179,469.00
Mill Rate	.585
Municipal Finance Authority Mill Rate	Nil
School District No. 41	9,661,719.00
Mill Rate	30.14

The difference in each case will therefore be:

	<u>Difference</u>
General & Loan Rate Levy	\$ 585,874.00
Mill Rate	- .85
Regional Hospital District	+ 91,694.00
Mill Rate	+ .204
Municipal Finance Authority Mill Rate	+ .02
School District No. 41	+1,732,106.00
Mill Rate	+ 1.67

The following summarizes the matter:

	<u>1969</u>	<u>1970</u>	<u>Difference</u>
General & Loan Rate	15.75	14.90	- .85
All Others	30.725	32.619	+ 1.894

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

CARRIED UNANIMOUSLY



Alderman Ladner suggested that one mill should be established in the Budget to raise a sum to be ultimately used for improving Burnaby Lake.

He indicated that he was aware his proposal, which has the effect of establishing a reserve, is inconsistent with the philosophy inherent in the Capital Improvement Programme principle.

Alderman Ladner stated, in support of his proposal, that:

- (a) Though the Regional Parks District will eventually develop Burnaby Lake, this was some time in the offing.
- (b) Having funds available for improvements to Burnaby Lake would be beneficial when consideration was being given the matter of having the Canada Summer Games in this area in 1973.

Alderman Ladner concluded his remarks by making a motion that the question of developing the Burnaby Lake system be referred to the Capital Improvement Programme Committee for consideration in its preparation of the programme that is to be presented next year to Council for the years 1971 - 1976.

Alderman Ladner was directed by Council to present a formal submission in connection with his proposal at a subsequent Council meeting.

(11) American Waterworks Association Meeting

It was being recommended that the Municipal Engineer and Mr. A. L. Francis, Water and Sewer Superintendent, be authorized to attend a meeting of the American Waterworks Association (Pacific Northwest Section) in Spokane, Washington between May 6th and 8, 1970.

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

CARRIED UNANIMOUSLY

(15) Miscellaneous Items arising from 1970 Budget Considerations

In addition to the financial changes made by Council during its consideration of the 1970 Budget, the following decisions were rendered:

- (a) That the Municipal Manager examine and report on the relationship between local planning and that performed by the Regional District Planning Division.
- (b) That the Municipal Manager examine, in conjunction with the Municipal Solicitor, the possibilities of effecting economies in the use of the courts and their personnel, and report his conclusions as a result.

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- (c) That a report be submitted on the matter of the municipality paying witness fees.

It was the view of Council that, unless all municipalities pay such fees (which apparently is not being done now), Burnaby should cease making these payments beginning July 1, 1970.

- (d) That the Council Liaison with the Finance Department, Alderman Mercier, review the indemnities for all members of Council and report his conclusions to Council "In Camera".
- (e) That the Special Committee consisting of the Mayor and Alderman Mercier review, with the Municipal Manager, the vacant position of Assistant Municipal Manager.
- (f) That the attention of the Library Board be drawn to the fact that the Corporation now owns two more of the Universal Life Foundation Buildings because of the Board's interest in the possible use of one or more of these buildings on an interim basis pending its planned building programme.
- (g) That a meeting be arranged between appropriate staff and Council to discuss the Major Road Programme in the Capital Improvement Programme.
- (h) That the acquisition of sites for future library buildings be proceeded with.
- (i) That the Municipal Manager examine the need for anti-pollution equipment, which is related to an additional provision in the Budget of \$3,000.00 for personnel costs in connection with anti-pollution enforcement, and report accordingly.
- (j) That a report be presented outlining the present garbage collection practices so that Council can determine the possibility of effecting changes in such practices for the purpose of producing economies.

*During consideration of the above report of the Manager, it was pointed out that Item (d) should be amended by making reference to the review including the question of per diem rates.*

*It was added that another point to be considered is that whatever decision is made by Council "In Camera" in connection with the subject of Item (d) should be ratified in open Council.*

*Another amendment was to Item (g), it being that none of the work in the Major Road Programme in question should be undertaken before the meeting between staff and Council.*

ALDERMAN LADNER advanced a Motion that Item (d) should be amended by deleting any reference to Council dealing with the subject of that item "In Camera", but he received no seconder.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:  
"That all of the points listed in the report of the Manager, including the changes recited above, be endorsed and action be taken accordingly."

CARRIED

AGAINST -- ALDERMAN LADNER

HIS WORSHIP, ACTING MAYOR MERCIER, DECLARED A RECESS AT 8:50 P.M.

THE COMMITTEE RECONVENED AT 9:00 P.M.

(14) 1970 Paving Contract

It was being recommended that, as a result of evaluating the tenders received for the municipality's 1970 paving requirements, the bid of Jack Cewe Ltd. to meet these requirements at an estimated cost of \$778,565.00 with the actual payment to be based on the unit prices more particularly detailed in the Company's response to the tender call, be accepted.

The scope of the work includes grade-shaping and compaction; supply and placement of gravel, where required; the supply and placement of asphaltic concrete pavement to specification width on sundry lanes, streets and miscellaneous paving projects, as directed by the Municipal Engineer; and equipment rentals.

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

CARRIED UNANIMOUSLY

(12) Lots 5, 6, 7, and 24, Sketch 11904, S.D. 7, Blocks 1 and 2, D.L. 207  
SUBDIVISION REFERENCE NO. 118/69

The Planning Department has reported as follows on the subject of the letter Council received earlier this evening from G. A. and P. Moore and others:

- (a) There have been many enquiries from both developers and individual owners as to the possibility of subdividing the area bounded by Duthie Avenue, Union Street, Phillips Avenue and Curtis Street.
- (b) The last such enquiry covered the properties described in caption, the owners of which are those who have written to Council.
- (c) The area is zoned Residential District Four (R4), and has not been examined in detail since 1959 when a guide plan was prepared for the area.
- (d) The block was, however, included in the 1964 Simon Fraser Townsite Plan and the 1966 North-East Burnaby Study. Both of these designated the area for low-density residential use as part of a neighbourhood bounded by Hastings Street, Phillips Avenue, and the Hastings-Broadway Arterial.

- (e) The work programme of the Planning Department includes the preparation of an up-to-date guide plan for the neighbourhood, but so far other priorities have prevented the Department from carrying out this work.
- (f) The reply to various enquiries has therefore always been that, until such a guide plan is prepared, it would be to the owners advantage to retain their properties until plans for the area have been resolved.
- (g) It is appreciated that this reply is somewhat unsatisfactory from the owners point of view but it is felt the area on the West side of Burnaby Mountain is too important to deal with individual properties in isolation.
- (h) It was therefore being recommended that the preparation of a plan for the area immediately follow the completion of the ten community plans currently being prepared for the consideration of Council.
- (i) Acceptance of this recommendation will mean that the plan for the neighbourhood bounded by Hastings Street, Phillips Avenue, and the Hastings-Broadway Arterial will be scheduled to commence in September, 1970 and be ready for presentation to Council before the beginning of December, 1970.

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

CARRIED UNANIMOUSLY

**(13) Drive-In Restaurants**

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

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That the report of the Planning Department be referred to the Advisory Planning Commission for comment."

CARRIED UNANIMOUSLY

**(16) Service Commercial Districts (C4)**

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

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That the report of the Planning Department be referred to the Advisory Planning Commission for comment."

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

CARRIED UNANIMOUSLY

April/27/1970

(17) Ornamental Street Lighting Programme (Dromley-4735 Gatenby Avenue)

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

(18) Lot 20, Block 32, D.L. 213, Plan 4953 (5817 Highfield Drive)

The Building Department has received an application for a permit to erect a "holiday-type chalet" residence on the above described property, which is zoned R2.

The Deputy Chief Building Inspector has rejected the permit on the grounds that the architectural design of the building is not compatible with the neighbourhood and would depreciate the value of other homes in the area.

The estimated value of the proposed building is \$9,000.00, of which \$4,000.00 is for the basic structure and the remainder for foundations, basement and services.

The assessed value of improvements on other lots on both sides of the subject Lot 20 range between \$11,000.00 and \$18,000.00, although there is one that is assessed at \$3,000.00.

The floor area of the proposed building is 620 feet.

In accordance with Section 13(1) of the Building By-Law, the application is being forwarded to Council for a decision as to whether or not a building permit should be issued.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the report of the Manager be tabled for two weeks in order to allow both the applicant for the building permit and those owning property immediately adjacent to the subject Lot 20 an opportunity to express their views on the question of whether or not the architectural design of the proposed building is compatible with the neighbourhood and whether it would depreciate the value of other homes in the area."

CARRIED

AGAINST -- ALDERMAN CLARK & BLAIR

(19) Lane Paving Policy (Stiglich)

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

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

BY - LAWS

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That leave be given to introduce:

- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 14, 1970" #5692
- "BURNABY BUDGET AUTHORIZATION BY-LAW 1970" #5698
- "BURNABY RATING BY-LAW 1970" #5699
- "BURNABY CAPITAL EXPENDITURE PROGRAMME BY-LAW 1970" #5700
- "BURNABY ROAD CLOSING BY-LAW NO.10, 1969, AMENDMENT BY-LAW NO. 1, 1970" #5587

and that they now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"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 DAILLY:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That:

- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 14, 1970"
- "BURNABY BUDGET AUTHORIZATION BY-LAW 1970"
- "BURNABY RATING BY-LAW 1970"
- "BURNABY CAPITAL EXPENDITURE PROGRAMME BY-LAW 1970"
- "BURNABY ROAD CLOSING BY-LAW NO. 10, 1969, AMENDMENT BY-LAW NO. 1, 1970"

be now read a Third Time."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN LADNER:  
"That the Council do now resolve into a Committee of the Whole  
to consider and report on "BURNBY ZONING BY-LAW 1965, AMENDMENT  
BY-LAW NO. 77, 1969" #5626."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ #34/69

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

Lots 13/14/15, S.D. 18, Blocks 1/3, D.L. 95N, Pl. 1880  
Lot 18, S.D. 17, Blocks 1/3, D.L. 95N, Plan 1414

(7007 - 7025 - 7041 - 7057 Balmoral Street -- Located on  
the North side of Balmoral Street from a point 132 feet  
West of Salisbury Avenue Westerly a distance of 264 feet)

Municipal Clerk stated that the Planning Department had reported  
that the prerequisites established by Council in connection with  
this rezoning proposal are now nearing completion.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN LADNER:  
"That "BURNBY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 77, 1969"  
be now read a Third-Time."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That:

- "BURNABY ROAD CLOSING BY-LAW NO. 3, 1970" #5679
- "BURNABY ROAD CLOSING BY-LAW NO. 5, 1970" #5688
- "BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT BY-LAW NO. 2, 1970" #5680
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 13, 1970" #5691

be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That:

- "BURNABY ROAD CLOSING BY-LAW NO. 3, 1970"
- "BURNABY ROAD CLOSING BY-LAW NO. 5, 1970"
- "BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT BY-LAW NO. 2, 1970"
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 13, 1970"

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

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

"That leave be given to introduce:

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 12, 1970" #5683
  - "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1970" #5684
  - "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 16, 1970" #5687
- and that they now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, 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



BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 12, 1970 provides for the following proposed rezoning:

Reference RZ #2/70

FROM RESIDENTIAL DISTRICT TWO (R2) TO RESIDENTIAL DISTRICT THREE (R3)

The South portion of Lot 1, Except Plan 12728, Block 2E½, D.L. 162, Plan 5176

(5133 South-East Marine Drive -- Located on the North side of Marine Drive from a point approximately 160 feet West of Royal Oak Avenue Westerly a distance of 153 feet and to a depth of approximately 107 feet)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1970 provides for the following proposed rezoning:

Reference RZ #84/69

FROM SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

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

(9353, 9381, 9411 Loughheed Highway -- Located on the North side of Loughheed Highway approximately midway between Bell Avenue and Austin Road to an average depth of approximately 770 feet and having an area of approximately 7.5 acres)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 16, 1970 provides for the following proposed rezoning:

Reference RZ #7/70 (c)

TO SMALL HOLDINGS DISTRICT (A2)

Lot "E", Except Parcel 1, Ref. Plan 15888, D.L. 1, Plan 1702

(Vacant -- Located on the North-West corner of Holmes Street and Craig Street)

Planning Department submitted a report indicating that a meeting had been arranged with the owner of the property covered by Burnaby Zoning By-law 1965, Amendment By-law No. 16, 1970 to discuss a question raised at the Public Hearing on the rezoning proposal relating to the owner's intended use of the property.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:

"That, before the meeting mentioned by the Planning Department in its report is held, the Department indicate to Council whether the municipality needs the subject property and, if so, for what purpose(s)."

CARRIED

AGAINST -- ALDERMAN LADNER

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

\* \* \* \*

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That leave be given to introduce:  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 14, 1970" #5685  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 15, 1970" #5686  
and that they now be read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 14, 1970 provides  
for the following proposed rezoning:

Reference RZ #7/70 (a)

TO COMMUNITY INSTITUTIONAL DISTRICT (P5)

Lot "E" of Parcel 1, Ref. Plan 15888, D.L. 1, Plan 17102

(Located on the North side of Holmes Street, West of Craig  
Street and being the Easterly corner of the St. Michaels  
School property)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 15, 1970 provides for the following proposed rezoning:

Reference RZ #7/70 (b)

TO SMALL HOLDINGS DISTRICT (A2)

Those portions of Lots 1, 2 and 3, Block 13, D.L. 1, Plan 2342 lying South of the old municipal boundary

(Vacant -- Located on the East side of Craig Street and North of the lane parallel to Holmes Street)

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That:  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 14, 1970"  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 15, 1970"  
be now read a Third 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 "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 70, 1969" #5610."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ #63/69

FROM COMMUNITY COMMERCIAL DISTRICT (C2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Lots 1 and 2 W½, Block 13, D.L. 158 E½, Plan 1908

(7724 Royal Oak Avenue and 5216 Neville Street -- Located at the South-East corner of Royal Oak Avenue and Neville Street)

Planning Department submitted two memos in connection with the above proposal indicating the following:

- (a) The only physical change which has been made in the proposed development is the reduction in floor area, from 8,000 to 7,860 square feet, of multiple family development. This is a result of increasing the deck area on the top floor, which also reduced the proposed two-bedroom suites to one-bedroom units.
- (b) Apart from this, the plans are the same as submitted earlier and therefore the basic non-compliances with by-law requirements remain as indicated to Council in reports dated March 4th and 19, 1970.
- (c) A graph has been prepared to indicate the maximum allowed multiple family floor area ratio related to the proposed commercial floor area ratio and the proposed multiple family floor area ratio. The proposed development would be approximately 2,360 square feet over the maximum allowed.
- (d) Compliance with the applicable zoning regulations is naturally required, even under Comprehensive Development zoning, except for those things listed under Section 700.2 of the Zoning By-law.
- (e) The plans, as submitted, do not comply with the requirements of Section 700.3 of the Zoning By-law because:
  - (i) there are no dimensions indicated on the plans other than the site size.
  - (ii) there is no indication of finish materials
  - (iii) there is no indication of existing or finished grades or their relationships to adjoining properties.
  - (iv) there are no suite layouts indicated
  - (v) there are no landscaping details provided.

(f) Because the plans do not comply with the basic requirements of a CD scheme, the rezoning application in question should not be approved.

*It was drawn to the attention of Council that a spokesman for the applicant was present and desired an audience on the matter under consideration.*

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:  
"That this spokesman be heard."

CARRIED

AGAINST -- ALDERMAN BLAIR

The spokesman, Mr. Jacoby, then appeared and stated the the basic reason the plan presented in connection with the Comprehensive Development scheme in question does not comply with the By-law is because of the costs which would need to be included by the developer in so complying.

In response to a question, he replied that his principals would appreciate a one-week deferment on the matter so as to give them an opportunity to provide definitive answers to the points made by the Planning Department in its report.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:  
"That the By-law at hand be tabled for one week, on the understanding that the applicant for the rezoning in question will offer definitive answers to the items mentioned by the Planning Department in its report relating to the subject rezoning proposal."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

April/27/1970

MUNICIPAL MANAGER distributed a copy of a memo he had received from the Municipal Solicitor relative to the X-Kalay Foundation Society proposal, which indicated that the Municipal Clerk had today been served with a Supreme Court Writ in the matter of the Society and Earl Allard and David Berner seeking from the municipality a declaration:

- (1) that the members of the Society are a family within the meaning of the Zoning By-Law and are therefore entitled to use and occupy the lands known as Seton Academy because it is zoned to permit such occupation;
- (2) that, in the alternative, the refusal by the Council on April 13th to consider the application of the Society to rezone the subject property to Special Institutional District (P7) was invalid, null and void because such action was:
  - (a) in violation of the Human Rights Act of B. C.;
  - (b) made at a time when there was a conflict of interest in that the Council, on March 16, 1970, had instructed the Municipal Manager to indicate the feasibility of acquiring the Seton Academy property for the municipality;
- (3) that the Corporation consider the application for rezoning on its merits.

The Municipal Solicitor indicated he would enter an appearance on behalf of the municipality.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That the report of the Solicitor be received."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY