

JUNE 29, 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, June 29, 1970 at 7:00 p.m.

PRESENT: His Worship, Mayor Prittie, in the Chair;  
Aldermen Blair, Clark (7:05 p.m.), Dailly  
(7:09 p.m.), Drummond, Herd, Ladner, Mercier  
and McLean (7:07 p.m.)

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:  
"That the Minutes of the meetings held on June 15th and 22, 1970  
be adopted as written and confirmed."

CARRIED UNANIMOUSLY

DELEGATIONS

The following wrote requesting an audience with Council:

- (a) Executive Director, Crisis Intervention & Suicide Prevention Centre for Greater Vancouver re grant.
- (b) Secretary, Canadian Pesticide Applicators' Association of B. C. re commercial garden sprayers.
- (c) Mr. and Mrs. E. Pelletier re sanitary sewers.
- (d) Mr. T. Lesosky re subdivision.

*HIS WORSHIP, MAYOR PRITTIE stated that Mr. Lesosky would not be able to appear this evening because of an illness in the family.*

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:  
"That all of the delegations be heard, except for Mr. Lesosky, it being understood that consideration of his request will be deferred until it is opportune for him to make the representations he desires."

CARRIED UNANIMOUSLY

- (a) Mrs. Betty Tarrant, the Executive Director for the Crisis Intervention and Suicide Prevention Centre for Greater Vancouver appeared and outlined the points in the Brief she circulated to the members of Council, as follows:

- (i) The Crisis Intervention and Suicide Prevention Centre has been answering calls from individuals in distress since its inception on July 1, 1969.
- (ii) These calls come from all parts of Greater Vancouver.
- (iii) The telephones are manned by trained, dedicated volunteers, who give of their time to help others.
- (iv) The Crisis Centre is open 24 hours a day, seven days a week.
- (v) The first of March marked the beginning of the telephone service "NOW", which is for young people.
- (vi) In addition to the telephone service, there is another group of volunteers who will visit people in emergency situations. Most of these calls are late at night or early in the morning.
- (vii) The Crisis Centre has two full-time professional staff and a secretary-bookkeeper.
- (viii) Students receive a \$10.00 stipend for an eight-hour night shift.
- (ix) It is hoped to raise sufficient funds to retain a part-time professional research person because this is regarded as being essential in continually evaluating a service such as that provided by the Centre.
- (x) Statistically, the Centre has received 10,595 calls between July 1, 1969 and May 31, 1970. Also, 14,038 volunteer hours were spent on the telephones during that same time.
- (xi) The proposed budget for the year 1971 is \$42,971.00.

Mrs. Tarrant also made the following comments:

- (1) The Crisis Centre requires financial assistance this year to enable it to pursue its objectives and provide the service described earlier.
- (2) Application will be made by next February for a grant for the year 1971.

ALDERMAN CLARK ARRIVED AT THE MEETING.

- (3) The Crisis Centre derives its income from Foundations plus the Provincial Government and the City of Vancouver.

United Community Services makes no contribution to the Crisis Centre.

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ALDERMAN MCLEAN ARRIVED AT THE MEETING.

- (4) The Crisis Centre has not yet had to pay for the consultative services rendered by the professionals mentioned earlier.

ALDERMAN DAILLY ARRIVED AT THE MEETING.

- (5) No other agency performs a service like the Crisis Centre. The U.C.S. only has a general information centre.
- (6) When enquiring of the U.C.S. as to whether funds would be forthcoming from them, it was indicated that the U.C.S. would donate \$10,000.00 but the Crisis Centre would not be allowed to raise funds from the public on its own.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That the request of The Crisis Intervention and Suicide Prevention Centre for Greater Vancouver be referred to the Grants and Publicity Committee for consideration and recommendation."

CARRIED UNANIMOUSLY

(b) Mr. Adrian Miller of the Canadian Pesticide Applicators' Association of B. C. then spoke and offered the following on a decision of Council to require commercial garden sprayers to carry liability insurance in the amount of \$500,000.00 for the purpose of affording protection in the event of any injuries to a third party as a result of spraying:

- (i) The requirement of liability insurance is a good one, but the amount is rather excessive. One-hundred thousand dollars liability insurance should be sufficient.
- (ii) Because it is desirable that all commercial garden sprayers be insured, some of them are apt to not carry such insurance if the amount required by Council is too great. It would be particularly difficult for the small operator, most of whom are the best commercial garden sprayers.
- (iii) Another effect of a high insurance requirement would be that the service charges to the public would likely be inflated to cover the cost of the insurance.
- (iv) The Department of Agriculture for the Provincial Government, which must certify those who wish to be commercial garden sprayers, considered the matter of making it compulsory for such operators to carry insurance but, because auto insurance was not compulsory at that time, the Department of Agriculture did not pursue the matter.

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- (v) The Province of Alberta requires commercial garden sprayers to carry liability insurance in the amounts of \$100,000.00 plus \$20,000.00 property damage.
- (vi) Perhaps the Department of Agriculture should be contacted to determine its plans now that auto insurance is compulsory. In any event, the Council should reconsider its decision.

*In response to a question, the Council was informed that its action requiring commercial garden sprayers to carry liability insurance in the amount of \$500,000.00 had not yet been formalized.*

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That the question of commercial garden sprayers carrying liability insurance be returned to Council for review before the policy which was established about two months ago is implemented; and further, Mr. Miller, or any other accredited representative of the Canadian Pesticide Applicators' Association of B. C., be invited to make further representations when the subject at hand is returned to Council; and further, the Department of Agriculture for the Provincial Government be contacted to determine its stand concerning the matter of all commercial sprayers who <sup>are</sup> certificated being compelled to obtain public liability and property damage insurance."

CARRIED UNANIMOUSLY

- (c) Mrs. Pelletier appeared but, before speaking, agreed to wait until a report of the Manager that was before Council this evening on the general subject of sewer service was read.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That Item 12 of the Municipal Manager's Report No. 39, 1970, which deals with the question of a sanitary sewer programme, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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

(12) Sanitary Sewer Programme

A complete review of the sanitary sewer situation in Burnaby was conducted, with particular attention being directed to developed areas in the municipality which do not have sewer service available.

There are eleven distinct areas, exclusive of the Big Bend area which is not considered for purposes of this report because of its magnitude.

In addition, there is an outstanding programme to reconstruct the West Burnaby sewer at an estimated cost of \$250,000.00.

A summary of the estimated costs of providing sewer service to the eleven areas plus the West Burnaby reconstruction project is as follows:

No. of Area	Name of Area	Estimate
1	Copley Pump Area	\$ 315,000.
2	Aubrey Area	100,000.
3	Claude Area	46,000.
4	20th Street Area	35,000.
5	Deer Lake Street Area	10,000.
6	Copley Pump Extension	400,000.
7	Central Valley Pump Area	900,000.
8	Gamma Avenue Area	13,000.
9	Broadway Street Area	30,000.
10	Lougheed Area	35,000.
11	15th Ave./Cariboo Area	<u>90,000.</u>
	Total Estimated Cost	\$1,974,000.
	Reconstruct West Bby. Sewer	<u>250,000.</u>
		<u>\$2,224,000</u>

The areas are not numbered to show any priority, but #1 and #3 are included in the approved 1970 Capital Improvement Programme.

Priority can best be established by the Health Department determining any particular disposal problems in the areas.

The economics can also be a factor, i.e. the cost per individual service being provided.

The economics of sewerage Burnaby are naturally becoming somewhat unrealistic because the money that was spent in the past by Council was to provide the greatest number of services with the money available and this resulted in the most unrealistic projects at that time being deferred.

It is also being taken for granted that, within reason, Council wishes to have sanitary sewer service eventually available to every building lot in the municipality.

It is also assumed that, in the interests of health and as an anti-pollution measure, this objective should be achieved as quickly as possible consistent with the financial ability of the Corporation to cope with it plus the speed of development of unsewered areas.

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The Corporation has \$1,000,000.00 of approved borrowing authority remaining and it is this that will provide the funds for the 1970 Programme. There is therefore a short-fall of over \$1,000,000.00 to meet the estimated cost of the above Programme.

The Council now has authority, through the Municipal Act, to pass by-laws for sewers without a vote being taken, subject to the approval of the Inspector of Municipalities and further subject to the possibility of a sufficient petition being received that would require the placing of a by-law to the owner-electors.

When the Inspector of Municipalities last granted approval of a sewer programme for Burnaby, he indicated he hoped that, on its completion, Burnaby would be able to revise its sewer rates and charges so that the utility could become self-liquidating. It may be that he might stipulate such a condition if he approved a request for the borrowing/<sup>now</sup>in question.

It was being recommended that, in order to ensure that the sewerage of the municipality can proceed (at least within the suggested limits), authority be sought from the Inspector of Municipalities to borrow \$1,500,000.00 for sewer installation purposes.

Mrs. Pelletier then spoke and made the following remarks:

- (a) The situation in the area around Stride Avenue between 19th and 20th Streets with regard septic tanks is such that children are often observed playing/<sup>in</sup>the ditches that are filled with effluent from the disposal fields for the septic tanks.
- (b) The installation of sanitary sewers would naturally eliminate this problem.
- (c) Past tests by the Sanitation Department confirmed that sewage was seeping from septic tanks into the ditches.

In response to questions, the Municipal Engineer stated the following:

- (1) It may be possible to defer the reconstruction of the West Burnaby sewer system for a short time - it all depends on the extent of apartment development in the area.

If this project was deferred, the sum of money involved could be used to provide sewer service to other parts of the municipality.

- (2) The "Stride" area is the type where it is difficult to control sewage from septic tanks due to the type of soil there.

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- (3) In the event approval is received to borrow the funds required for the additional sewerage programme, it was physically possible that some of the projects could be undertaken this year.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That, in order to determine when sewer service can be provided to the Stride area (as requested by the delegation this evening), a report be submitted by the Manager to Council on July 13th indicating the priorities which the Health Department consider should be established for the provision of sanitary sewer service to the areas listed in the report the Manager submitted to Council this evening, with he to include an indication of the population densities in the various areas; and further, Council further consider the question of reconstructing the West Burnaby sewer system after receiving this additional report from the Manager on July 13, 1970."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DRUMMOND:

"That a request be made of the Inspector of Municipalities for permission to borrow \$1,500,000.00 to cover the cost of providing sanitary sewers to those parts of the municipality mentioned in the report the Manager submitted this evening; and further, the Council be informed of the terms that would be arranged to repay such borrowing, including the annual amount required to retire principle and interest, after the reaction of the Inspector has been obtained so that Council can determine whether the charge which is made to property owners for sanitary sewer service should be revised."

CARRIED UNANIMOUSLY

ORIGINAL COMMUNICATIONS

Mr. Micheal E. Ryan of the Peru Day Committee, Oxfam of Canada, submitted a letter expressing appreciation for the support and encouragement provided by Burnaby in recognizing the efforts of Oxfam and three other organizations which participate in a campaign on June 12th to raise funds for victims of an earthquake which occurred in Peru last month.

Mrs. N. M. Jacobsen, Girl Guides of Canada (Burnaby Area), wrote to request permission to hold a Litter Chase in October, 1970.

She also requested that Council provide some assistance as to the procedure which should be followed in conducting the campaign.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That permission be granted to the Burnaby Area of the Girl Guides of Canada to conduct its campaign at the time indicated."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MCLEAN:

"That, in order that the Burnaby Area of the Girl Guides of Canada can avail itself of the resources of the municipality when preparing for the Litter Chase, the Pollution Committee be authorized to render whatever assistance can be provided as a liaison or co-ordinator in connection with the matter."

CARRIED UNANIMOUSLY

Mr. Emmet Cafferky of the Action Line Housing Society submitted audited Financial Statements of the Society for its Low-Rental Housing Development.

*It was noted in Council that in the balance sheet of the Society under "Fixed Assets" the units in the project were valued at approximately \$15,000.00 each.*

*The Municipal Manager was asked to indicate the value of each unit which was anticipated when the project began so that Council can compare that figure with the one now being used.*

ALDERMAN LADNER LEFT THE MEETING.

Mr. David Roberts of the Legal Firm of Spring, Gilmour, Roberts, Spring, Brammall & Ladner submitted a letter describing the involvement of the Planning Department in frustrating the subdivision and/or disposal of Parcel "A" Explanatory Plan 7800, Block 2, D.L. 175N½ of SW¼, Plan 3668, owned by Mr. K. Papke.

Mr. Roberts indicated the following in regard to the matter:

- (a) The land in question is approximately 4 acres on Marine Drive between Boundary Road and Joffre Avenue.
- (b) Mr. Papke had attempted to sell the Parcel on a number of occasions during the last year and has received offers as high as \$32,000.00 for it. Each time a prospective purchaser has interested himself in the Lot, that purchaser has been told by the Planning Department:
  - (i) that the Lot was not for sale;
  - (ii) that no plans for the subdivision of it would be considered;
  - (iii) that the municipality plans to acquire the property for park purposes;
  - (iv) that the property would be expropriated if negotiations for its purchase were not fruitful.



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- (c) In a letter dated January 27, 1970, the Municipal Land Agent offered Mr. Papke \$8,561.00 for the Parcel, which is approximately one-fifth of its true value.
- (d) The Council was being asked to direct the Planning Department to immediately cease its attempts to prevent Mr. Papke from selling his land and hamper prospective purchasers in their endeavours to obtain approval of a subdivision for the property.
- (e) If Council does not do this and the Planning Department does not process all applications for subdivision in the normal manner in the future, a Writ will be issued against the municipality for damages. This Writ will be issued by the end of the month.
- (f) In case the Planning Department takes the position that the foregoing information is inaccurate, it was being pointed out that, on February 25, 1970, a student from the Legal Firm attended the Office of the Planning Department and spoke to the desk clerk there. He pretended to be interested in buying the subject property. The clerk indicated the municipality planned to acquire the land for park purposes and was currently negotiating with Mr. Papke towards that end. The desk clerk further indicated that, should negotiations not be concluded, the municipality would expropriate. In addition, she informed the student that the Planning Department would likely refuse to approve any plans to subdivide the property in the event such an application was made.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That Item #16 of Municipal Manager's Report No. 39, 1970, which deals with the subject of the letter from Mr. Roberts, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

(16) Parcel "A" Explanatory Plan 7800, Block 2, D.L. 175N½ of SW½, Plan 3668 (PAPKE)

The offer of the municipality referred to in the letter from Mr. Roberts (\$8,561.00) for the property in question has had no response, unless this letter from Mr. Roberts is to be construed as the answer.

The property is on the multiple listings at \$24,500.00.

The Corporation is, in fact, interested in the property for park purposes. Two parcels of land adjoining to the West were acquired by the Corporation for the sum of \$1.00. The offer made to Mr. Papke was authorized by the Parks and Recreation Commission on January 21, 1970.

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Mr. Papke had written to the Planning Department offering his property for \$36,000.00.

He also visited Mayor Prittie and the Mayor suggested, in a letter to the Parks and Recreation Commission, that if indeed the land was desired for park purposes, he could see no reason why the Corporation should wait for a formal subdivision application if it is known we want the land. All this resulted in the decision of the Parks and Recreation Commission to authorize the offer to Mr. Papke.

The land in question is part of the South Slope Ravine park system but acquisition at this time does not have high priority in view of other requirements for park land.

The Planning Department has outlined its position in connection with the subject of the letter from Mr. Roberts, as follows:

- (a) The owner of any parcel of land can sell his land to anyone he wishes.
- (b) The Corporation can not control or prevent the sale of any private parcel of land.
- (c) Although verbal enquiries have been received, the Corporation has not refused the subdivision of the parcel. A search of records indicates the Planning Department has never received an application for subdivision so it could therefore never have refused approval.
- (d) From the municipal contour information available, it is apparent the terrain of the subject property is very difficult, with a maximum difference in elevation of approximately 135 feet. Two major water courses traverse the property, making the slopes difficult, if not impossible, to use. Subdivision under these severe topographic conditions would be most difficult. As an application has never been received to subdivide the property, a detailed examination has not taken place to determine whether a subdivision could be approved.
- (e) The Corporation is interested in acquiring the property as part of the ravine-conservation park system on the South Slope.

The use of ravines as conservation parks has long been a desire of the Corporation. Both the original Park Study of 1961 and the Revised Park Study of 1967 showed the desirability of this concept and acquisition has taken place in some locations toward this goal. As an example, the Council authorized the acquisition of two triangular-shaped parcels adjacent to the subject property in 1963. It followed logically then that, when Mr. Papke offered his parcel to the Corporation for park purposes, the matter was forwarded to the Parks and Recreation Commission which authorized the Land Agent to make an offer to Mr. Papke.

(f) The Planning Department has an obligation to provide anyone who enquires about a property with any information affecting that property. This might involve pending decisions on zoning, subdivision limitations, or the possibility of acquisition for park or school purposes. At the time the particular enquiry was made by the Legal Firm involved now, negotiations had commenced on the property and the written offer of the Land Agent had been made.

The Planning Department would therefore be remiss in its duty if it did not inform anyone enquiring as to the intentions of the Corporation with respect to the property.

(g) As Council is aware, the decision to expropriate rests with Council, and this action is only considered after all avenues of normal negotiations have been explored and followed to conclusion.

(h) The Planning Department does not "block" subdivision applications. All such applications are considered and, after taking into account all physical criteria, the relationship to existing and surrounding uses and the broad Corporation goals and objectives for that particular area, the decision is made to approve or reject the application.

*In response to a question, the Municipal Manager stated that Mr. Papke's property is assessed at \$6,115.00.*

*As a result of a criticism regarding the role of the Planning Department in connection with the matter at hand, the Planning Director stated that the reason one of his staff members made the remarks attributed to her by Mr. Roberts concerning the intentions of the municipality to acquire Mr. Papke's property for park purposes is that this desire of the municipality was a matter of record. He added that a further point supporting the position taken by the Planning Department was that the owner of the property had made an offer to sell it to the Corporation.*

*The Planning Director also commented that Council only rezones, for park purposes, land it owns - never any private property, although private land may be designated on a plan as being intended for future park use.*

*The Planning Director also advised that, as a result of a very cursory examination of the property in question, it does not appear to have any potential for residential development, except perhaps for a small section that could be so used.*

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*A number of Council members contended that the situation portrayed in the letter from Mr. Roberts was another example of the Planning Department frustrating owners from developing their properties and effectively sterilizing the lands until the Department felt it was opportune for the Corporation to acquire the properties for some municipal purpose.*

HIS WORSHIP, MAYOR PRITTIE, RELINQUISHED THE CHAIR.

ACTING MAYOR DAILLY ASSUMED THE CHAIR.

*His Worship, Mayor Prittie, reviewed his position in connection with the matter at hand and claimed that the letter from Mr. Roberts was, in effect, a vendetta against the Planning Department. He added that the Aldermen who were critical of the Planning Department this evening seem intent on harrassing that Department to the point where it will be most difficult for the Planning Director and his Department to function effectively.*

*Alderman Mercier commented that, from his observations, the Planning Department and the Parks and Recreation Department do not meet the standards of good management qualities in terms of administering their affairs.*

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:

"That, because of the conflict between some of the points made in the letter from Mr. David Roberts and those in the submissions received this evening from the Municipal Manager and the Planning Department, these reports from the Manager and the Planning Department be referred back to the Manager for review and, in conjunction therewith, the Manager contact Mr. Roberts for the purpose of discussing the points in question that are at variance with each other."

CARRIED

AGAINST -- ALDERMAN BLAIR

The Municipal Manager was also asked to determine from the Approving Officer whether the Papke property has any development potential for residential purposes at all.

HIS WORSHIP, MAYOR PRITTIE, RESUMED THE CHAIR AND ACTING MAYOR DAILLY RETURNED TO HIS ALDERMANIC SEAT.

ALDERMAN LADNER RETURNED TO THE MEETING.

ALDERMAN DRUMMOND LEFT THE MEETING.

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Mr. John Matthews of 8316 Government Street submitted a letter:

- (a) expressing opposition to the proposed rezoning of a portion of Lot 32, D.L. 40, Plan 28710 to an industrial category;
- (b) complaining of dumping and truck parking activity on land immediately behind him.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN MCLEAN:

"That the Municipal Manager investigate the complaint from Mr. Matthews regarding the dumping and truck parking activity, and report accordingly on this matter plus the other points made by Mr. Matthews in his submission."

CARRIED UNANIMOUSLY

General Manager, Transportation, B. C. Hydro and Power Authority, submitted a letter offering a further opinion on a proposal that arrangements be made for motorists to park their cars in the P.N.E. lot South of Hastings Street and then use the transit service into Vancouver.

He also expressed a comment on a suggestion that Council made last April 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.

The following are the particulars of the submission from the General Manager:

- (1) The proposal has merit in reducing on-street parking in the vicinity of the Kootenay Loop terminus and in reducing the traffic flow on Hastings Street to a small degree.

These benefits would materialize by the use of one or more P.N.E. parking lots, together with an augmented service on the Hastings Express trolley coach line or a new parallel line.

- (2) The B. C. Hydro and Power Authority is prepared to institute such an augmented service as patronage requires. This is not to be construed, however, as classifying the service as a substitute for rapid transit nor is its attraction considered sufficient to make motorists use the transit service rather than their cars.
- (3) The administration of the parking facility proposed is something to be arranged between Burnaby, Vancouver and the P.N.E. The cost of parking and the method of collection, etc. should not become the responsibility of Hydro's transportation system. The bus fare should not be combined with the parking fee.

- (4) The large P.N.E. parking lot South of Hastings Street between Cassiar and Windermere Streets is probably the area most readily served by the aforementioned express line and is most easily reached by automobile traffic from the Freeway.
- (5) The Authority could provide an additional on-street stop Eastbound and Westbound for the Express in the vicinity of Windermere Street and could move or provide trolley wires closer to the curb to permit the use of the stops by the trolley coach. The proposed service should be operated by diesel bus with more freedom of movement and with a turn-a-round at the parking lot. The Authority unfortunately does not have sufficient diesel equipment to operate this type of service.
- (6) It may be found that a pedestrian underpass at Windermere Street, and possibly an overpass at Rupert, will be required. These would be an asset any time there is a large event in Empire Stadium and would not be wholly chargeable to the Park-Ride plan.
- (7) In the event patronage on the express reached a level requiring a bus nearly every two minutes, it is evident an off-street bus loop on P.N.E. property would be needed.
- (8) As regards the matter of calling public meetings, it is difficult to know how the people would be assembled for such meetings. It is generally the experience, at such meetings, that the most vocal in the audience are not potential users of the proposed service.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN MCLEAN:

"That the submission from the B. C. Hydro and Power Authority be referred to both the Traffic Safety Committee and to Mr. K. S. Shearman, who advanced the proposal to Council last April that is the subject of the submission from the Authority this evening, for their information."

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND RETURNED TO THE MEETING.

Mr. John J. Uselman wrote to lodge a complaint concerning the noise from truck traffic on Canada Way near his residence at 5851 Spruce Street.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That Mr. Uselman be advised that a Special Committee of Council, which has been established to investigate the matter of preparing regulations designed to control noise emissions, is at the point where its study is nearly completed and therefore a report on the matter will be submitted to Council very shortly."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:

"That the submission from Mr. E. F. Evans and others concerning the lane extending West from Buller Avenue between Keith and Patrick Streets, which is scheduled for consideration later this evening, be brought forward at this time."

CARRIED UNANIMOUSLY

The petition from Mr. E. F. Evans and a number of others requested that the lane at the rear of their properties be paved and paid for out of General Revenue because the remainder of the lane was treated in the same manner by the municipality some time ago.

*Municipal Manager read extracts from a report he had received from the Municipal Engineer in connection with the subject of the submission from Mr. Evans and the others, advising as follows:*

- (a) *The reason the portion of the lane in question was paved<sup>by</sup> the municipality out of General Revenue was because of the policy which prevailed at that time. This policy, in part, was that in cases where it was difficult for the municipality to maintain gravel lanes and control erosion of<sup>them</sup> / due to topographic or other conditions, such lanes were paved at municipal expense.*
- (b) *This policy was changed last year when Council decided that all future lane pavings were to be done as Local Improvements, which means that all owners of land whose property abut a lane that is paved in that manner are required to pay a charge for this work.*

*In response to a question, the Municipal Engineer stated that it would cost approximately \$400.00 to pave the portion of the lane the petitioners desire.*

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That Mr. Evans and the others be advised of the situation described this evening by the Municipal Manager as regards the question of lane pavings."

CARRIED UNANIMOUSLY

Assistant Deputy Attorney-General wrote to indicate that the position of his Department with respect to the Oakalla Prison Farm is no different now than it was on April 20th when the Attorney-General wrote to the municipality.

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*His Worship, Mayor Prittie, reported verbally that he and the Municipal Manager had visited the Attorney-General on June 22nd regarding the municipality's interest in the Oakalla Prison Farm property.*

*He commented that the importance of the municipality acquiring portions of the Prison for road and park purposes was stressed.*

*His Worship stated that the Attorney-General indicated he clearly understood the situation and had suggested that some work by staffs of the municipality and the Provincial Government be undertaken, although he would issue no commitment that the Provincial Government was prepared to entertain the municipality's request.*

*His Worship concluded by indicating that the Attorney-General stated the municipality would probably not get the portion of the Oakalla Prison Farm desired for park purposes without paying for it.*

*He also remarked that the Attorney-General was informed of the need for the municipality to plan for Capital Works and the obvious desirability of knowing in advance of situations such as the one involving the municipal interest in portions of the Oakalla Prison Farm property.*

President, International Longshoremen's & Warehousemen's Union (Canadian Area), submitted a copy of a letter addressed to the Minister of Transport for Canada in which he:

- (a) directed the attention of the Minister <sup>towards</sup> / the inadequacy of container handling facilities in the Port of Vancouver,
- (b) urged that one port authority be established for the Greater Vancouver area.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLIE:  
"That the Minister of Transport for Canada be asked to establish one port authority for the Greater Vancouver area (which would include Vancouver, New Westminster, Surrey, Roberts Bank, etc.), with such authority to be representative not only of the shipping and business interests but also the various municipalities involved and the International Longshoremen's & Warehousemen's Union."

CARRIED UNANIMOUSLY

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

THE COUNCIL RECONVENED AT 9:15 P.M.



ALDERMAN MERCIER WAS ABSENT.

TABLED ITEMS

The following matter was then lifted from the table:

Work Orders 32-781 to 32-789

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN DAILLY:

"That this matter be retabled until the July 13th meeting in the expectation that Council have a further report from the Engineer on the matter at that time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That the Council now resolve itself into a Committee of the Whole."

CARRIED UNANIMOUSLY

QUESTION AND ANSWER PERIOD

As a result of Alderman Drummond enquiring as to the situation with respect to filling the vacancy caused by the retirement of the Assistant Manager, His Worship, Mayor Prittle, stated that he would be reporting soon on this matter.

His Worship, Mayor Prittle, reported verbally that he and the Municipal Manager had met with the Minister of Highways to discuss the Hastings Street Widening Project and had not been able to obtain any firm commitment in regard to the matter of the Department of Highways commencing the Project.

He added that the Minister was informed that funds from all three levels of Government were involved in the Urban Renewal Scheme scheduled for the 3800 and 3900 Blocks Hastings Street and that any inordinate delay in embarking upon the Widening Project would obviously postpone the early return of these funds to the three levels of Government.

His Worship also remarked that the Department of Highways was not releasing funds for any contract work.

ALDERMAN MERCIER RETURNED TO THE MEETING.

Municipal Manager made the following comments in connection with the subject of the oral report from the Mayor:

- (a) The Minister did not seem to be aware of the redevelopment plan for Hastings Street.
- (b) The question of the municipality constructing a lane for moving traffic in the East part of the area to be widened was discussed.

- (c) The contract for the Project planned for improvements to the Stormont Interchange between Stormont Avenue and Loughheed Highway has been cancelled and will be done by forces from the Department of Highways, although no evidence <sup>towards</sup> that end has yet been observed.
- (d) The development of a road system from the Stormont Interchange to McBride Boulevard is involved in a long-range planning study.
- (e) The proposed overpass of Broadway and the underpass of Gaglardi Way were drawn to the attention of the Minister, and it was stressed that an indication as to the plans of the Department of Highways in regard to these matters was imperative because of the Capital Improvement Programming needs.

When Alderman Clark asked what had happened with an enquiry that Council received approximately two months ago from a number of students from Kensington Junior Secondary School as to why a sign has been placed in Kensington Park near the School which indicates the area is out of bounds to students, Alderman McLean stated that the Parks and Recreation Commission was examining the question of protecting the subject area from vandalism and would be reporting to Council on the matter after the study had been completed.

Alderman Mercier mentioned that he had been made aware that someone had applied to rezone land in an area where Council has deferred a decision regarding the implementation of a Community Plan.

He suggested that the fee paid by this applicant should either be refunded or left to the credit of the applicant in the event his application is not in accord with the plan which is eventually adopted for the property.

It was understood by Council that the Municipal Manager would check the circumstances of the case cited by Alderman Mercier and advise accordingly.

Alderman Clark advised that he would be presenting to Council, at its meeting on July 13th, the resolutions the Lower Mainland Municipal Association dealt with at its last meeting which were intended to be forwarded for the consideration of the 1970 U.B.C.M. Convention.

#### REPORTS

His Worship, Mayor Prittie, submitted a report recommending that Alderman J. D. Drummond be appointed Acting Mayor for the months of July and August, 1970.

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

CARRIED UNANIMOUSLY

Municipal Clerk submitted his Certificate of Sufficiency covering the paving of the Cumberland Street-Endersby Street "T" Lane from 16th Avenue to the South Property Line of Lot 20, Block 14, D.L. 11, Plan 16871, as a Local Improvement, by the petition method.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the Clerk's Certificate be received and the Legal Department prepare the necessary Local Improvement Construction By-Law to authorize the work in question being undertaken."

CARRIED UNANIMOUSLY

\* \* \* \*

MUNICIPAL MANAGER submitted Report No. 39, 1970 on the matters listed below as Items (1) to (38) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Financing through the Greater Vancouver Regional District

The Greater Vancouver Regional District is now seeking details of financing to be done later this year in preparation for a debenture issue in the early fall. Only Security Issuing By-Laws adopted not later than July 15, 1970, will be considered in connection with the matter.

Burnaby will require capital funds, through borrowing, for sewers and Local Improvement works.

On January 12, 1970, the Council requested the District to borrow, for Burnaby, \$700,000.00 for sewers. This sum has not yet been borrowed.

With the advent of the Municipal Finance Authority of British Columbia, the District must finance for sewer, water, and pollution control purposes through the Authority, and not otherwise. Since Council, on May 25th, 1970, resolved to not opt out of financing through the Authority, it was being recommended that the District be requested to make application to the Authority, on Burnaby's behalf, for the borrowing, through the said Authority, of \$700,000.00 for sewers.

At a later date, it may be necessary to repeal the By-Law passed on January 12, 1970, and re-enact it in different form to accommodate the changed circumstances.

Last year, we informed the District that Burnaby would require financing for Local Improvements costing, in total, \$1,940,800.00. Of this sum, only \$1,387,000.00 will be ready for financing this fall. Seven hundred forty-nine thousand dollars of this sum is required to complete the financing of Local Improvement works that, in total, cost \$2,191,440.00. The remaining \$638,000.00 is to cover the cost of lane paving works. The first sum will have debentures carrying a 15-year term and the second will have debentures with a 5-year term.

It was being recommended that Council request the Greater Vancouver Regional District to approve the borrowing, for Burnaby, of \$1,387,000.00 from the District, and pass the necessary By-Laws to formalize the matter.

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

CARRIED

AGAINST -- ALDERMAN CLARK

(2) No. 1 Supplementary Business Tax Assessment Roll (1970)

The first 1970 Supplementary Business Tax Roll has been completed and Assessment Notices relating <sup>thereby</sup> have been mailed.

The Roll is comprised of 258 accounts with a total annual rental value of \$2,421,910.00. The rental value for the portion of the year remaining is \$2,338,424.00 and, at 6½%, this will produce \$151,997.00. When licence credits are deducted, the additional revenue receivable for 1970 will be approximately \$137,437.00.

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

CARRIED UNANIMOUSLY

(3) Beautification of Hythe-Empire-Pandora and Glynde-Empire-Pandora Intersections

The Council received a letter a short time ago requesting that consideration be given the matter of having the two small areas at the above intersections planted with grass or grass and shrubs.

The first site is a traffic island and the second one is a park site.

There is no doubt both areas would benefit from a clean-up and being grassed. However, since the surrounding streets are not finished with curbs, the work may be lost and may need to be redone in the future.

The two areas are typical of many within the municipality. The Council has approved a reasonable amount of work to improve such areas in the past, though there is still much to be done. In many cases, the initial improvement is costly and so is the maintenance.

It is something which is very desirable and should provide a great improvement in the visual quality of the streets involved. A gradual programme of improvement would be the most effective approach. To this end, the Parks Department is preparing an Inventory of all the very small park areas and traffic islands in the municipality. As time permits, a landscape development plan will be made for each one. When this information becomes available, it will be possible to plan a systematic attack on the question within any financial limits imposed through budgets.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LADNER:

"That the report of the Manager be received and the substance of it be forwarded to those who wrote Council in regard to the subject of the report."

CARRIED UNANIMOUSLY

- (4) Attack Warning Sirens - Fell Avenue and Parkcrest Drive  
- Stride Avenue and 20th Street

It was being recommended that the agreements covering the installation of Attack Warning Sirens at the above locations be renewed for a further five years commencing July 1, 1970, and that authority be granted to execute the necessary documents.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

- (5) Burnaby Trades Licence By-Law 1950, Amendment By-Law No. 1,  
1970

At the last session of the Legislature, Section 453 of the Municipal Act was amended to provide for doubling the amount of the maximum fee in cases where a municipality has adopted a yearly licence fee.

Burnaby has done this so it was being recommended that the captioned By-Law be passed so as to allow for an increase in the maximum fee from \$1,500.00 to \$3,000.00.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN HERD:

"That Council concur with the action recommended by the Municipal Manager in his report."

CARRIED UNANIMOUSLY

- (6) Cumberland Street-Endersby Street "T" Lane from 16th Avenue  
to the S.P.L. of Lot 20, Block 14, D.L. 11, Plan 16871

The Municipal Treasurer has, pursuant to Section 601 of the Municipal Act, prepared the following cost report relating to the proposed paving of the above lane as a Local Improvement:

"Location of work:	Lane in area bounded by Cumberland Street - Endersby Street "T" lane from 16th Avenue to S.P.L. of Lot 20, Block 14, D.L. 11, Plan 16871
Length of work:	430'
Estimated cost of work:	\$860.00
Actual frontage:	733.04'

Taxable frontage:	505.62'
Owners' share of the cost of the work:	\$506.00
Estimated lifetime of the work:	10 years
Frontage tax levies:	5 annual installations at \$.257 per taxable front foot."

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:  
 "That the report of the Municipal Treasurer, as set out by the Municipal Manager, be received."

CARRIED UNANIMOUSLY

(7) Parcel "A" Reference Plan 6198 Except Part on Plan 17776,  
 Block 46, D.L. 159, Plan 930  
SUBDIVISION REFERENCE #301/68

It was being recommended that Council waive the provisions of Section 712(1) of the Municipal Act in respect of a subdivision involving the captioned property in order to exempt the subdivider of the Parcel 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 Parcel "A" Reference Plan 6198, Block 46, D.L. 159, Plan 930 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 Lothar T. Schwendtmayer and sworn the 31st day of December, 1969."

CARRIED UNANIMOUSLY

(8) Lot 1, Block 11, D.L. 161, Plan 1742  
(8716 Greenall Avenue)

It was being recommended that Council authorize the demolition of the building on the above property.

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

CARRIED UNANIMOUSLY

(9) Sanitary Sewer Programme for Copley Pump Area #1 and  
Claude Area #3

The above two projects are included in the approved Sanitary Sewer Programme for 1970 within the Capital Improvement Budget. They have been estimated to cost:

Copley Pump Area #1	-	\$400,000.00
Claude Area #3	-	\$ 46,000.00

The first project has been redesigned to:

- (a) eliminate certain laterals in a portion of the area where the ultimate subdivision pattern and land use is not finally determined;
- (b) provide for elevation to permit, in due course, a pumping station to allow Dominion Bridge Company to replace its present outfall on Boundary Road.

These revisions have resulted in a reduction of the estimated cost of the project from \$400,000.00 to \$315,000.00.

To complete this project this year, the controlling factor will be the purchase of a pumping station. Associated Engineering Services Limited has examined this matter and has indicated that a factory-built pumping station would be about half the cost of one assembled on-site. There is only one supplier of such a factory-built pumping station that is capable of meeting the required conditions, the Company being Smith and Loveless. The Company has provided a quotation of \$37,787.00 for the supply of the pumping station, which would involve 125 h.p. 1760 r.p.m. motors with a capability of discharging 1,550 gallons per minute at 143.5 dynamic head.

It was being recommended that authority be granted to:

- (1) place an order with Smith and Loveless for the factory-built pumping station mentioned in the report;
- (2) Invite tenders for the installation of sewers in the amended Copley Area #1 and in the Claude Area #3.

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

(10) International Association of Fire Chiefs

It was being recommended that Fire Chief L. C. Auvache be authorized to attend the 97th Annual Conference of the above Association in Seattle, Washington between August 9th and 13, 1970 inclusive.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:  
"That the recommendation of the Manager be adopted, with it being understood that the Fire Chief will submit a report to Council outlining the highlights of the Conference when he returns."

CARRIED UNANIMOUSLY

(11) Business Tax By-Law

In October, 1969, an amendment to the Business Tax By-Law was considered by Council.

This By-Law would have:

- (a) increased the business tax rates;
- (b) altered the taxable value of personal property from 1% to .65%, in order to conform with new requirements of the Municipal Act.

This amendment to the Business Tax By-Law was not approved by Council.

It is now necessary to pass a By-Law to make the Business Tax By-Law conform to the Municipal Act, by altering the taxable value of personal property from 1% to .65%.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:  
"That the report of the Manager be received and authority be granted to bring forward the amendment to the Business Tax By-Law mentioned by the Manager for consideration."

CARRIED UNANIMOUSLY

(12) Sanitary Sewer Programme

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

(13) 8800 and 8900 Blocks 15th Avenue plus 7600 Block Cariboo Road

The petition for sanitary sewer service in the above area, which Council received a short time ago, was being returned for further consideration now that Council has dealt with the general subject of embarking on an additional sanitary sewer programme.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LADNER:  
"That the report of the Manager be received and the decisions rendered earlier this evening regarding the question of providing sanitary sewer service to various parts of the municipality be conveyed to those petitioners mentioned in the report of the Manager."

CARRIED UNANIMOUSLY

ALDERMAN BLAIR LEFT THE MEETING.



(14) 6607 Royal Oak Avenue (Lowe)

The above property is eligible for treatment under Section 37(6)(e) of the Assessment Equalization Act for an assessment on a residential basis rather than on the zoning of the land.

In order that the owner could have been eligible for the treatment mentioned, he would have had to apply to the Municipal Assessor on or before the 1st of November of the year prior to the Assessment year to which the application applies.

The Assessment Equalization Act places the onus on the owner of properties to submit such an application.

Unless such an application is in the hands of the Municipal Assessor by the statutory date, he can take no action.

The records of the Assessment office reveal that the owner of the subject property was mailed an application form on October 7, 1969.

The staff in the Assessment office who might be expected to receive telephone calls such as would be made in connection with the subject at hand are all completely knowledgeable about the type of application and its importance, but none of them know anything of any calls that Mr. Lowe claims to have made.

The property has been eligible since 1966; in 1967, the application was received too late; in 1969, it was received in time; in 1970, no application was received at all.

If the application for 1970 had been received, the taxes for the current year would have been \$90.21 less than they actually are.

There is no action available to Council in connection with matter.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:  
"That Mr. Lowe be advised of the situation outlined in the report the Manager submitted this evening and it be suggested to him that, in the future, to ensure as best as possible that his application is received by the date required, he send the application by REGISTERED MAIL."

CARRIED UNANIMOUSLY

ALDERMAN BLAIR RETURNED TO THE MEETING.

(15) Portion of D.L. 42  
SUBDIVISION REFERENCE 148/69

It was being recommended that Council authorize the:

(a) acquisition of an easement, for drainage purposes, over portions of the properties covered by the above subdivision reference in order to permit the finalization of the subdivision,

(b) execution of the documents pertaining to the matter.

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

CARRIED UNANIMOUSLY

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- (16) Parcel "A" Expl. Plan 7800, Blk.2,  
D.L. 175, N½ of the SW¼, Plan 3668(Papke)

(This item was dealt with previously in the meeting)

ALDERMAN McLEAN LEFT THE MEETING.

- (17) Lots 1 & 2 Ex part on Plan with By-Law 30078,  
Blk. 2 E part, D.L. 151/153, Plan 5457  
REFERENCE REZONING NO. 16/70

The Planning Department is recommending the following prerequisites in connection with the application to rezone the above described property to Comprehensive Development District (CD):

- (a) that a suitable plan of subdivision for the site be submitted,
- (b) that a sufficient sum be deposited to cover the cost of widening and reconstructing that portion of Grange Street between Chaffey Avenue and the east boundary of the site,
- (c) that an easement be granted to the municipality for storm sewer purposes,
- (d) that a sufficient sum be deposited to cover the cost of providing storm drainage facilities to the site,
- (e) that a detailed and suitable plan of development for the property be submitted.

The Planning Department is also recommending that the application be advanced to a Public Hearing.

Particulars pertaining to the considerations given the application by the Planning Department were also being provided, as follows:

- (i) the site is located in the westerly part of the "Kingsway" town centre,
- (ii) the revised apartment study recommended a mixed commercial and residential use for the area on the north side of Kingsway between Barker and Willingdon Avenues,
- (iii) the two lots to the east are occupied by a fairly recent shopping centre and redevelopment of this property appears to be a long-range matter,
- (iv) a Safeway store is located on the property to the west. The rear portion of this lot is vacant and the property is considered to have a substantial redevelopment potential,
- (v) the density of development should be high, the maximum being determined by the maximum floor area ratio allowed for each category of use, providing they are integrated in a proper Comprehensive Development Plan,

- (vi) Vehicular access to the commercial element on the site should be obtained from Kingsway and Chaffey Avenue. Access to the residential development on the site should be obtained from Chaffey Avenue and Grange Street only.
- (vii) the Comprehensive nature of the development plan should further take into consideration the establishment of a pedestrian level above Kingsway and should provide the pedestrian environment which should be associated with the high intensity uses in the "core" areas and, at the same time, link the various comprehensive developments in the block,
- (viii) an alternate road pattern for the area should be considered whereby Wilson Avenue between Kingsway and Grange Street is extended and Chaffey Avenue between Kingsway and Grange Street is closed. This will create an efficient servicing system for the commercial and comprehensive development on both sides of Kingsway, and would further provide a potential consolidation of the four lots on the west side of Chaffey Avenue.
- (ix) as development of the town centre concept proceeds, Grange Street will assume a collector type of function and form an integral part of the servicing system for the commercial and comprehensive development in the Kingsway town centre. In order to serve this purpose, Grange Street should be widened to a forty-six foot standard roadway,
- (x) the proposed composite floor area ratio of the development planned is 2.31, and this is considered acceptable.

*During consideration of the report of the Planning Department, an inquiry was made in Council as to why the Department was not recommending that land be acquired from the northerly portion of the site in question for the widening of Grange Street in as much as the properties on both sides have already conveyed portions for that purpose.*

*It was understood the Planning Department would advise Council in regard to that matter.*

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

CARRIED UNANIMOUSLY

Alderman Ladner stated that his concurrence with the recommendations of the Planning Department was not necessarily to be construed as meaning he will continue to support those recommendations because, as the rezoning proposal advances, evidence may be brought to light that some of the prerequisites may not be totally acceptable.

(18) Town Planning Institute of Canada.

It was being recommended that Mr. A. L. Parr, Planning Director, be authorized to attend the 1970 Conference and Annual General meeting of the above Institute in Edmonton, Alberta, between July 19 and 22, 1970 inclusive.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager be adopted, with it being understood that the Planning Director will submit a report to Council on the highlights of the Conference and the meeting in question when he returns.

CARRIED UNANIMOUSLY

ALDERMAN McLEAN RETURNED TO THE MEETING.

(19) Lots 14 to 16 inclusive, Block 13, D.L. 30, plus a portion of Lot 75, Block 13, D.L. 30, Plan 29773 and a portion of Vista Crescent REZONING REFERENCE NO. 8/70

Plans have been received for the proposed Senior Citizen's Project, to be undertaken by the New Vista Society, on the above described properties.

They are considered sufficiently acceptable to recommend that the application be advanced to a Public Hearing.

The following prerequisites in connection with the matter have been accepted by the Architects for the project:

- ..(a) that a detailed landscape and developed useable open space plan be submitted,
- (b) that a revised parking plan based on one space for each ten units, for the entire project, be submitted,
- (c) that the location of building "A" be adjusted to allow for a greater setback from Mary Avenue (approximately 40 to 45 feet)

In addition to the points set out in the next report item, the following prerequisites should be satisfied:

- (i) that all the parcels involved be consolidated and resubdivided into two lots, for Stage One of the project, with an ultimate subdivision into four lots.
- (ii) that a sum be deposited to cover the cost of extending the storm sewer facilities from Rosewood Street and Mary Avenue to serve Stage One of the project.

*Alderman Drummond pointed out that the adjustment to the location of building "A", as mentioned in the report of the Manager, would require that the New Vista Society remove one of the duplexes currently on the site.*

*He suggested that, if possible, Council should defer that proposal for as long as possible in order that the building can continue to be used.*

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*In response to a question, the Municipal Engineer stated that it would cost approximately \$10,000.00 to \$11,000.00 to provide the storm sewer facilities mentioned under Point Two of the Manager's Report.*

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:

"That the application which is the subject of the report from the Manager be advanced to a Public Hearing and the prerequisite set out in his report under (2) be amended to read "that an undertaking be given that funds to cover the cost of extending the storm sewer at Rosewood Street and Mary Avenue to serve Stage One of the project will be available" and this prerequisite plus the other four listed in the report, be accepted."

CARRIED UNANIMOUSLY

(20) Proposed Senior Citizen's Project of the New Vista Society

On June 15, 1970, Council accepted a report of the Planning Department setting out the conditions under which favourable consideration of the above project would be given.

Further action is now necessary on some of the points covered in that report, as follows:

- (a) although the responsibility for the acquisition of Lot 11, Block 22, D.L. 30, Plan 3036 has not been formalized, it was understood that the Corporation would purchase this lot,

As this lot is to become a road, there will be no legal difficulties in either purchasing or expropriating it,

- (b) authority is required from Council to initiate a Road Closing By-Law for the portion of Vista Crescent in question,

All legal and survey costs should be borne by the New Vista Society, which should also provide the consent of owner of Lot 16, Block 13, D.L. 30, Plan 3036,

- (c) direction is required on the nature of the commitment which Council needs to ensure the ultimate inclusion of this lot in the project,

The power of the Corporation cannot be applied in the case of this lot because we would have no right to expropriate since there is no municipal use involved,

- (d) the easement, for walkway purposes, can be provided in conjunction with the ultimate consolidation plan,
- (e) the development plans prepared and presented by the + Architects for the project have been examined and
- (f) reference to them will be found in the previous report item.

Alderman Ladner indicated that he wished it recorded that he is the Vice President of the New Vista Society.

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN <sup>for</sup>MERCIER:

"That the Corporation assume the responsibility negotiating the acquisition of Lot 11, Block 22, D.L. 30, Plan 3036, which is required for road purposes."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That Council initiate a Road Closing By-Law to cover that portion of Vista Crescent from Mary Avenue North, as more particularly detailed in the report Council received on June 15th in connection with the matter, with all legal and survey costs associated therewith to be borne by the New Vista Society and the Society also providing the consent of the owner of Lot 16, Block 13, D.L. 30, Plan 3036 to this road closing."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That Lot 16, Block 13, D.L. 30, Plan 3036 be included in the Comprehensive Development District rezoning proposal involving the site on which the New Vista Society proposes to construct its development, with it being understood that the Society will acquire the said Lot 16 at sometime in the future for use in conjunction with the subject site."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDE BY ALDERMAN MERCIER:

"That the meeting extend beyond the hour of 10:00 P.M.."

CARRIED

AGAINST: ALDERMAN CLARK

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DRUMMOND:  
"That the "walkway" easement referred to in the report of the Manager be provided in conjunction with the ultimate consolidation plan for the site of the proposed New Vista Society project."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That a Public Hearing be held in the Council Chambers on Tuesday, July 28, 1970, at 7:30 P.M. to receive representations in connection with the rezoning proposal which was the subject of the last two report items from the Manager plus any others that Council has directed be advanced to a Public Hearing."

CARRIED UNANIMOUSLY

(21) Parcel "E", D.L. 69, Plan 29572,  
LAKE CITY INDUSTRIAL CORPORATION LIMITED

The Corporation holds an easement over the above described property, which is located in the Gilmore - Grandview Highway area.

It was being recommended that Council authorize the execution of such documents as are required to release ancillary rights relating to the easement so as to avoid such rights being carried forward to a newly created parcel.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(22) 6054 Malvern Avenue(T. Lesosky)

Mr. Lesosky owns an L-shaped lot facing Malvern Avenue, with the rear lot line on what would be the extension of the east boundary of the existing 33 foot allowance for Humphries Avenue. The length of the rear lot line is 125.4 feet. Mr. Lesosky wishes to subdivide the rear portion of his parcel into two lots.

This rear portion is involved in Phase Three of the D. L. 86 development and, because of the zoning in that area, lots will need to be no less than 80 feet in width.

To subdivide in accordance with Mr. Lesosky's desire would require the extension of Humphries Avenue. In the over-all plan, Humphries Avenue will be cancelled as it is only 33 feet in width and widening to 66 feet is a practical impossibility.

Access to the rear of Mr. Lesosky's property would be by a cul-de-sac roughly on the Humphries Avenue alignment, were it to be extended. The recent subdivision on, and construction of, Humphries Avenue off Burris Street took the eventual plan into account.

For the foregoing reasons, Mr. Lesosky's application has been rejected as being premature.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That, in view of the information received from His Worship, Mayor Prittle earlier this evening concerning Mr. Lesosky, consideration of his request be deferred until he is able to appear before Council."

CARRIED UNANIMOUSLY

(23) Due Date for Payment of Taxes

It was being suggested that the Municipal Treasurer be granted authority to deal with individual cases where payments of property taxes are not postmarked by July 3, 1970, (the due date) because of the turbulent postal service situation, should any cases arise, in the best interests of the taxpayers, commensurate with the circumstances that may pertain.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That Council concur with the suggestion of the Manager,

as set out in his report."

CARRIED UNANIMOUSLY

(24) Estimates

The Municipal Engineer's Special Estimates of Work in the total amount of \$64,500.00 were being submitted for approval.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:

"That the Municipal Engineer's estimates be approved."

CARRIED UNANIMOUSLY

(25) Revenue and Expenditures

It was being recommended that the Expenditures detailed in the accompanying report from the Municipal Treasurer for the period between January 1st and June 7, 1970, be approved.

(26) Allowances

A report from the Municipal Treasurer covering applications for allowances under Section 411 of the Municipal Act, in the total amount of \$33.58, was being submitted for approval.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That both reports covered by Items 25 and 26 be approved."

CARRIED UNANIMOUSLY

(27) Building Department

A report of the Chief Building Inspector covering the operations of his Department for the period between May 25th and June 19, 1970, was being submitted.

(28) Fire Department

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

(29) Health Department

A report of the Medical Health Officer covering the activities of his Department for the month of May, 1970, was being submitted.

(30) R.C.M.P.

A report of the R.C.M.P. covering the policing of the municipality for the month of May, 1970, was being submitted.

(31) Personnel Department

A report of the Personnel Department covering its activities was being submitted.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the above five reports be received."

CARRIED UNANIMOUSLY



As a result of being requested, the Municipal Manager indicated he would write to Alderman Mercier to clarify a number of points raised this evening concerning references to staff from the Parks Department in the report the Personnel Department submitted.

(32) Lane south of Marine Drive between 12th & 10th Avenues

The Municipal Treasurer has submitted the following cost report pursuant to Section 601 of the Municipal Act relating to the proposed paving of the above lane:

Location of Work:	Lane south of Marine Drive between Twelfth and Tenth Avenues
Length of Work:	650'
Estimated Cost of Work	\$1,300.00
Actual Frontage:	1,243.70'
Taxable Frontage:	753.20'
Owners' share of the cost of work	\$ 753.20
Estimated lifetime of the work:	10 years
Frontage tax levies:	5 annual installments at \$.257 per taxable front foot.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DRUMMOND:

"That the report of the Municipal Treasurer be received,"

CARRIED UNANIMOUSLY

(33) Contract - Carper's Service Limited

Work on the contract with the above Company for certain earth work on the 10th Avenue reservoir has been stopped by a Labour dispute. The site is being picketed and the stated reason is the Contractor's Association with the Construction Labour Relations Association.

The Contractor was to have completed the project by June 29, 1970, but work was stopped on June 23rd. The contract contains a clause whereby a penalty of \$100.00 per day liquidated damages for every day the work is incompleted after 21 days from institution of the agreement is imposed.

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The contractor has asked that this penalty clause be waived because of the labour dispute.

The present general labour situation has also led the municipality to withhold action on the tender call for the construction of the water tank on the site. Because of this, the failure to complete the earth moving work on time is not of consequence.

It was therefore being recommended that Council authorize an extension of time to Carper's Service Limited, without imposing the \$100.00 per day liquidated damages clause in the contract the Corporation has with the Company, until that Firm has settled its labour problem and is able to resume work.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the recommendation of the Manager be adopted, with it being understood that the Municipal Engineer will, in implementing this decision, ensure that the extension is not for too great a time."

CARRIED

AGAINST -- ALDERMAN BLAIR

(34) Lot 67, D.L. 188, Plan 28468 (Standard<sup>Oil</sup>/Company)

The above Company has requested permission to construct a temporary access to the above property, which is located North of Penzance Drive near the foot of Gamma Avenue.

The existing road allowance is undeveloped and it is proposed that a portion be graded and paved. The Company proposes to construct a training facility and the road desired would provide access.

The Company is prepared to guarantee that it will reconstruct this same portion, including curb and gutter, to municipal standards, at the Company's expense, should the road allowance be opened in the future.

Inasmuch as there are no plans at present for the development of the subject portion of road and direct access to the proposed building site would be difficult because of grade conditions, it was being recommended that Council authorize the Standard Oil Company to construct the temporary access road to the subject property on the 66-foot road allowance in question.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(35) Egglar vs. Burnaby

The Plaintiff's application for a Writ of Mandamus to compel the issuing of a building permit on his property was dismissed in Supreme Court at Vancouver on June 26, 1970.

The Solicitor for the Plaintiff had indicated that he will likely be appealing this decision.

(36) X-Kalay Foundation Society vs. Burnaby

The action brought by the above Society against the municipality relating to the use of the Seton Academy property was dismissed by Mr. Justice Gregory on June 22, 1970, with costs if requested.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CLARK:

"That <sup>the</sup> above two reports of the Manager be received."

CARRIED UNANIMOUSLY

(37) Lease - Lower Mainland St. Leonard's Society

It was being recommended that Council grant a request of the above Society for an extension of its lease of property known as 6375 Roberts Street for a period of one year from September 1, 1970 on the same terms and conditions that apply to the present lease.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(38) Lot 230, Block 13, D.L. 131, Plan 33619 (6650 Halifax Street)  
SUBDIVISION REFERENCE NO. 30/69

Mr. Olljum has written to:

- (a) guarantee that he will demolish the building on the above property within two months if a permit is issued on or around July 2, 1970 for such work, with it being added that he has decided to demolish the building by hand and salvage the bricks and other useable materials;
- (b) indicate he is unable to furnish a bond to ensure demolition because his cash is all being used in an apartment project at White Rock.

Mr. Olljum has asked that his position be presented to Council.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LADNER:

"That the position of Mr. Olljum, as detailed in the report of the Manager, be accepted and:

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- (a) authority therefore be granted to issue the demolition permit he is seeking;
- (b) the requirement regarding the posting of a bond to ensure demolition of the buildings in question be withdrawn."

CARRIED UNANIMOUSLY

Planning Department submitted a report offering the following resolution for submission to the 1970 Convention of the Union of B. C. Municipalities pertaining to subdivision servicing requirements under Section 711 of the Municipal Act:

WHEREAS Section 711 of the Municipal Act (Subdivision of Land) does not presently require the provision of underground wiring, sidewalks or ornamental street lighting when land is subdivided for residential use;

AND WHEREAS the distribution of electric power has never grown out of the pioneering stage of unsightly overhead distribution, an arrangement that defaces residential streets and clutters our municipalities with an ugly web of wires;

AND WHEREAS a higher standard of subdivision servicing is deemed essential for the health and safety of the residents in the developing urban areas of the Province where development densities are continuing to increase;

THEREFORE BE IT RESOLVED that Section 711 of the Municipal Act be amended to include provision for underground wiring, sidewalks and ornamental street lighting in residential subdivisions.

The Department also indicated the following in connection with the matter:

- (a) While minimum house construction standards are now well accepted, it is still possible for a house to be built in a new subdivision where little attention is paid to many of the basic services such as underground wiring, sidewalks and street lighting.
- (b) With the present trend toward continuing population growth and the resulting concentration of development within urban areas, it is desirable that such services be provided for the health, safety, and well-being of the residents.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:  
"That the submission from the Planning Department be tabled until  
the July 13th meeting."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

BY-LAWS

Burnaby Security Issuing By-Law Nos. 1 and 2, 1970 were withdrawn  
after the Deputy Municipal Clerk stated that he had not received  
them from the Legal Department.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That leave be given to introduce "BURNABY ROAD CLOSING BY-LAW  
NO. 9, 1970" (#5734) and it now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the By-Law 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-Law."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the Committee do now rise and report the By-Law 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 ROAD CLOSING BY-LAW NO. 9, 1970" be now read a  
Third Time."

CARRIED UNANIMOUSLY

June 29, 1970

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:

"That:

"BURNABY TRADES LICENCE BY-LAW 1950, AMENDMENT #5733  
BY-LAW NO. 1, 1970"

"BURNABY LEASE AUTHORIZATION BY-LAW NO. 1, #5714  
1970"

be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:

"That "BURNABY TRADES LICENCE BY-LAW 1950, AMENDMENT BY-LAW  
NO. 1, 1970" be now finally adopted, signed by the Mayor and  
Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That "BURNABY LEASE AUTHORIZATION BY-LAW NO. 1, 1970" be  
tabled until the July 13th meeting."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN DAILLY:

"That the Council now resolve itself into a Committee of the  
Whole "In Camera"."

CARRIED UNANIMOUSLY