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#19

APRIL 6, 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, April 6, 1970 at 7:00 p.m.

PRESENT: His Worship, Mayor R. W. Prittie, in the Chair;
Aldermen Blair, Clark, Dailly, Drummond,
Ladner (8:15 p.m.), Herd, Mercier (7:02 p.m.),
and McLean;

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN HERD:
"That the Minutes of the meeting held on March 31, 1970 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

HIS WORSHIP, MAYOR PRITTIE, stated that the following further appointments had been made to the Burnaby Centennial '71 Committee:

- (a) Alderman Drummond - as the representative of Council
- (b) Mr. E. Buckingham - as the representative of the Parks and Recreation Commission
- (c) Mrs. Joan Johnston - as the representative of the Burnaby School Board
- (d) Mr. A. B. Stewart
- (e) Mr. V. Stusiak
- (f) Mr. Fraser Wilson
- (g) Mr. D. Copan
- (h) Miss R. Bancroft
- (i) Mr. R. Smith
- (j) Mrs. M. Dunsmuir

ALDERMAN MERCIER ARRIVED AT THE MEETING.

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

CARRIED UNANIMOUSLY

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ORIGINAL COMMUNICATIONS

A. C. R. Instrument Repair Ltd. submitted a letter expressing appreciation to Council for relocating a bus stop that was in the Westbound Clinton Street nearside Royal Oak Avenue position to a Northbound Royal Oak Avenue nearside Neville Street position.

Mr. K. Stewart Shearman wrote to propose that Council approach the Vancouver City Council to obtain its permission for motorists to park their cars in the P.N.E. lot South of Hastings Street and then use the public transit service into Vancouver.

Mr. Shearman provided a number of reasons why he felt this proposal had merit, which were as follows:

- (a) Many people (principally Burnaby residents) presently park their cars on the streets around the P.N.E. grounds and their drivers take the busses downtown.

This must have some significance because the City of Vancouver has erected "No Parking" signs on the streets.

- (b) Congestion on the downtown streets would be relieved due to the reduction in the number of private motor vehicles.
- (c) Pollution of the air would be lowered by reducing the number of cars which are emitting fumes while travelling to and from Vancouver.
- (d) The results of implementing such a plan would provide Civic Officials and others directly concerned with transit with evidence that could be used in evaluating the need for a rapid transit system linking downtown Vancouver with the area to the East.

Mr. Shearman suggested the following solutions to instituting his scheme

- (1) The increased traffic flow around the P.N.E. grounds could be minimized by having the Hastings Express busses proceed along Pender Street to Renfrew Street, then turn left onto Hastings Street, stopping on Renfrew Street to pick up passengers.
- (2) The cost of the operation could be borne by means of charging a fee for the special parking arrangement, which could include the cost of a return trip on the busses to discourage triflers.
- (3) Though the parking lots in question will not be available, to the same extent, while the P.N.E. is in operation each year, most people will likely suffer this inconvenience, particularly if they feel the arrangement is a temporary one that will likely lead to an efficient rapid transit system.

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MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:
"That the proposal advanced by Mr. Shearman in his letter be referred to the B. C. Hydro and Power Authority for comment."

CARRIED UNANIMOUSLY

Mr. K. Stewart Shearman submitted a letter:

- (a) Drawing attention to an incident which occurred on March 25th whereby emissions of a smokey nature were observed on the property of the Standard Oil Company, together with a bright flame.
- (b) Enquiring as to whether the Company had a special permit for such open-air burning and, if so, the terms under which it was issued.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:
"That consideration of the letter from Mr. Shearman be deferred until receipt of Item (8) of the Municipal Manager's Report No. 22, 1970 later this evening."

CARRIED UNANIMOUSLY

Mrs. Frances Palmer wrote to draw attention to a number of matters concerning her and to suggest that action be taken by the municipality to remedy the situations.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:
"That those parts of the letter from Mrs. Palmer relating to litter on streets be referred to the Engineering Department for appropriate action."

CARRIED UNANIMOUSLY

It was also understood by Council that Mrs. Palmer would be sent a summary of the expenditures which the Municipality made last year for the services demanded by the public, including an indication of the activities undertaken by the Parks and Recreation Commission.

Hellmut and Darlene Pedersen wrote to express:

- (a) Opposition to a proposal that Stride Avenue be used as a truck route.
- (b) Concern regarding the emission of smoke and flyash as a result of burning in the Municipal Dump on Stride Avenue.

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MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:

"That the complaint concerning burning at the Dump be referred to the Pollution Committee for investigation and report, with it being drawn to the Pedersen's attention that, now the municipality's garbage is being transported to the Terra Nova site in Coquitlam, the Stride Avenue Dump will be used on a very limited scale from now on."

CARRIED UNANIMOUSLY

City Clerk, City of Vancouver, submitted a letter:

- (a) forwarding a copy of a resolution passed by the Council of Vancouver on March 17th relating to an anti-litter bill (non-returnable bottles) of the Provincial Government.
- (b) requesting that the Council of Burnaby endorse this resolution.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:

"That the concept in the anti-litter bill, particularly as it relates to non-returnable bottles, be endorsed."

CARRIED UNANIMOUSLY

Minister of Municipal Affairs, submitted advice that the Annual Conference of the Municipal Officers' Association of British Columbia was being held in Kamloops on May 21st and 22, 1970.

He pointed out that the Conference has been shortened to two days from the usual three in order to accommodate a two-day seminar for municipal officers on May 19th and 20th by the Banff Centre for Continuing Education.

The Minister concluded by suggesting that Council arrange for as many of its appointed officials as possible to attend both the Annual Conference and the Seminar.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That the letter from the Minister of Municipal Affairs be referred to the Municipal Manager for consideration and report."

CARRIED UNANIMOUSLY

The Honourable Leslie R. Peterson, Attorney-General, submitted a letter advising that the Provincial Government:

- (a) Plans to establish a remand centre in the District of Coquitlam to replace the admitting, classification, and hospital section of Oakalla Prison Farm.
- (b) Has phased out the agricultural aspect of the Oakalla Prison Farm.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER: "

"That Council express its appreciation to the Attorney-General for being made aware of the position being taken by the Provincial Government in respect of the Oakalla Prison Farm and ask whether the Provincial Government is prepared to now consider a request the Municipality made a few years ago to donate to the Corporation, for park purposes, that part of the Oakalla Prison Farm site lying East of a Major North-South Road the municipality proposes to build around the West side of Deer Lake."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:

"That an enquiry be made as to how much longer the Provincial Government intends to continue operating the Oakalla Prison Farm in its present location."

CARRIED UNANIMOUSLY

Mr. John W. Motiuk submitted a letter:

- (a) Outlining the circumstances of a serious indictable offence involving three persons that occurred approximately one year ago.
- (b) Expressing concern regarding the procedure followed in the laying of the charge pertaining to that alleged offence.
- (c) Suggesting that, in future when dealing with similar cases, the Crown Prosecutors require the complainant to comply with the procedure under Section 440 of the Criminal Code before proceeding with the prosecution.

Municipal Solicitor submitted a report on the subject of Mr. Motiuk's letter, offering the following:

- (a) 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 Council.
- (b) As the letter makes charges against the R.C.M.P. and the Prosecutors, Mr. Motiuk should have, in courtesy, addressed copies to the R.C.M.P. and to the Chief Prosecutor for the Corporation.
- (c) It seems strange that, because the cases referred to by Mr. Motiuk were commenced in April and May, 1969 and concluded in June, 1969, he waited so long to make the complaint.
- (d) As at least a month elapsed between the laying of the charges and the trials, Mr. Motiuk, who was in possession of all the facts set out in his letter, should have communicated with the Attorney-General's Department and requested that the "frivolous matters" mentioned in his letter be stayed.

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- (e) Mr. Motiuk is apparently not aware of the function of the Prosecutors in Burnaby.

The Prosecutor is not a District Attorney. He does not direct that charges be laid and he does not investigate charges. His job is to prosecute charges that have been laid.

In Burnaby, persons wishing to lay charges first see the R.C.M.P. If an officer is satisfied that reasonable and probable grounds exist for laying the charge, the person is taken before a Justice of the Peace and the charge is sworn.

The Prosecutor ordinarily sees the charge for the first time when the defendant is arraigned in Court.

Occasionally, the R.C.M.P. may ask the Prosecutor's advice about a charge, but that is the exception and not the rule. Moreover, the R.C.M.P. is not obliged to take the Prosecutor's advice, and sometimes does not.

If, after a charge has been laid, it appears to the Prosecutor that there is insufficient evidence to prove it beyond a reasonable doubt, he will ask the Court to have the charge withdrawn.

It is not the Prosecutor's job to weigh the evidence and decide guilt or innocence. If a Complainant has sworn that an offence has been committed and there is some evidence in support of the charge, it is not for the Prosecutor to call the Complainant a liar.

- (f) In the cases mentioned by Mr. Motiuk in his letter, the charges were sworn before a Justice of the Peace.

As regards the pertinence of Section 440 of the Criminal Code, particularly that part which states that a Justice "shall hear and consider the evidence of witnesses where he considers it desirable to do so", it was obvious in the cases that the Justice did not think such evidence desirable or necessary.

Moreover, the Section does not mention the Prosecutor and the Prosecutor may not direct the Justice to accept or refuse any charge.

- (g) With respect to the remark by Mr. Motiuk that "it was patently obvious that the Complainant was not in command of all her faculties", perhaps Mr. Motiuk has had some training in psychiatry.

None of the Prosecutors is so qualified.

- (h) It is puzzling to know why Mr. Motiuk did not draw the circumstances related in his letter to the attention of the Court and request an adjournment until the Complainant was in possession of all her faculties.

There is some reluctance to believe that he wished to take advantage of the Complainant in that state.

Apparently neither Magistrate who presided thought the Complainant's mental condition so strange as to require comment by the bench.

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- (i) Although both charges mentioned in the letter from Mr. Motiuk were dismissed, the reason given was that in each case the charge had not been proved beyond a reasonable doubt.

Neither Magistrate remarked that his time had been wasted or that the charge should not have been laid or proceeded with.

- (j) If the circumstances are as alleged by Mr. Motiuk, he perhaps should have commenced an action against the Complainant for malicious prosecution.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That Mr. Motiuk be advised that his recourse, if he wishes to pursue the grievance outlined in his letter concerning the procedure followed by the R.C.M.P. and the Crown Prosecutor in the laying of Criminal Charges, is to file his complaint with the Office of the Attorney-General inasmuch as the matter concerns the Administration of Justice."

CARRIED

AGAINST -- ALDERMEN MERCIER AND
DAILLY

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:

"That the Council Liaison with the Justice Department, Alderman D. M. Herd, enquire of the R.C.M.P. as to the method it follows in preparing for the laying of Criminal Charges so that Council can be aware of the situation in this regard."

CARRIED

AGAINST -- ALDERMAN CLARK

* * *

TABLED ITEM

The following matter was then lifted from the table:

1970 Paving Contract

ALDERMAN HERD LEFT THE MEETING.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:

"That Item 9 of the Municipal Manager's Report No. 22, 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:

(9) 1970 Asphalt Requirements

The circumstances pertaining to the March 16th decision of Council in regard to the matter under consideration are that:

- (a) The Council was, at that meeting, dealing with an offer of Jack Cewe Ltd. for the supply and laying of the Municipality's paving requirements for 1970 - not a bid.
- (b) The Company has not been advised in writing of the acceptance of its offer by Council.
- (c) No form of contract has been entered into by the Company and the Corporation.
- (d) There has been no performance under the terms of the offer.

The Municipal Solicitor has given the verbal opinion that there would be no basis of claim against the municipality by J. Cewe Limited if Council decides to now reject the aforementioned offer.

The only possible liability Council should consider is a moral one.

It is reiterated that, in the opinion of the Municipal Engineer, there are only three suppliers of asphalt in the Lower Mainland who are capable of supplying and laying the anticipated quantity of asphalt within any reasonable time limit set by the Corporation. These are J. Cewe Limited, Columbia Bitulithic Limited and Standard-General Construction Company Ltd.

Before any recommendation was made to Council, the Municipal Engineer contacted representatives of the latter two firms and explained he was investigating asphalt prices for 1970, and wanted to know their approximate prices for the quantities required. In both cases, these prices were given on an approximate basis. Both Companies are aware of Burnaby's specifications.

It was then recommended to Council that it accept the J. Cewe Limited offer. It was pointed out then that the apparent saving was about \$50,000.00, without consideration of any saving on testing needs, which were valued at 30¢ per ton approximately.

Both Columbia Bitulithic and Standard-General have again been contacted by the Municipal Engineer.

The first Company has given a price of \$8.78 per ton. The second has only been able so far to determine that its price will be around \$9.00.

Both Companies have agreed to supply their prices in writing.

The comparative price by J. Cewe Limited is \$7.85. All prices quoted are for the major requirement of surface course mix.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:

"That:

- (a) The decision Council made on March 16, 1970 to accept an offer of Jack Cewe Ltd. for the supply and laying of the Municipality's paving requirements for 1970, be rescinded.

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(b) Tenders be invited for the said 1970 requirements."

CARRIED

AGAINST -- ALDERMEN BLAIR AND
MERCIER

ALDERMAN HERD RETURNED TO THE MEETING.

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

CARRIED UNANIMOUSLY

ALDERMAN LADNER ARRIVED AT THE MEETING.

* * * "

HIS WORSHIP, MAYOR PRITTIE, returned for reconsideration the
following motion which was passed by Council on March 31, 1970
relative to the Seton Academy Site:

"THAT the application from the X-Kalay Foundation Society
to rezone the Seton Academy property to P7 be dealt with
at the same time as the next group of rezoning applications
are considered, which will be around the middle of May
1970, providing the Society corrects the oversight mentioned
by the Municipal Manager this evening regarding the application
not being complete."

His Worship, Mayor Prittie, explained that he felt that action
of Council was not correct because the delay which would be occasioned
the consideration given the application of the X-Kalay Foundation
Society was indefensible in that:

- (a) The matter, being a controversial one, deserved
earlier attention.
- (b) The Society has a pending application for a mortgage
from the Central Mortgage and Housing Corporation.

His Worship also drew attention to the fact that Council, not
too long ago, deviated from its policy of considering rezoning
applications every two months when dealing with an application
to rezone property to the CD category in the Kingsway - Chaffey
Area.

Municipal Clerk read a letter which had been received from the
X-Kalay Foundation Society which indicated that the Society felt
Council, in discussing the matter on March 31st, was not aware
of the reason for the urgency in dealing with the application.

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The Society advised that its option to purchase the Seton Academy is due to expire forthwith and a postponement on Council's part in dealing with the issue will effectively prejudice this private business transaction.

The Society concluded by requesting once again that the matter be concluded as quickly as possible.

Following a discussion by the members of Council on the matter at hand, His Worship, Mayor Prittie, delivered the following address:

"On Mr. Jack Webster's radio program on Thursday evening, April 2, 1970, Mr. David Berner of the X-Kalay Foundation made certain statements which I considered to malign myself. While I do not have the text of the broadcast, he suggested that I would wait to see how the political climate was before declaring myself publicly on the issue of a possible X-Kalay purchase of the Seton Academy property.

Members of Council, and those who attend Council regularly, will know that I do not hesitate to declare myself on many and varied issues. Some here may recall that I was one of two councillors to speak against and vote against the rezoning of the property which is now the Brentwood Shopping Centre. The reasons for my stand are not important in this context, but the fact that I opposed a rezoning supported by some very important commercial interests, by residents who had been won over by the developers, and by the majority of the Council is certainly evidence that I did not hesitate to speak up when I considered it necessary to do so. An examination of Council minutes will show many other examples but I shall not labour this point.

Mr. Berner doesn't understand, or doesn't want to understand, that rezoning is both a legal and a political process. When and if the time comes every member of Council, including the Mayor, is required to vote on a rezoning application. But before that time a public hearing in accordance with Section 703 of the Municipal Act may be held. The Mayor is the Chairman of a Public Hearing. I consider it to be a quasi-judicial process and that the Chairman ought to conduct public hearings impartially. If the Chairman has declared himself publicly on an issue as charged with emotion as this one before a Public Hearing is held, he could scarcely be considered to be an impartial Chairman.

Mr. Berner stated also words to the effect that I should be pointing out to members of Council the value to Burnaby of X-Kalay. Certainly I have thought a great deal about this subject and I have formed some opinions. And I have discussed the matter privately with some members of Council. But if he knew anything at all about how Council operates, he would know that neither I nor any other Mayor has a "whip" which can be used to bring force on members of Council to do what they don't want to do. "

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MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:
"That a proposal of the X-Kalay Foundation Society to rezone the Seton Academy property to P7 be reconsidered at the April 13th meeting of Council and the group which has signified its opposition to the proposal and the X-Kalay Foundation Society, respectively, be invited to make representations at that April 13th meeting."

CARRIED

AGAINST -- ALDERMAN DAILLY

* * *

ALDERMAN DAILLY then presented the following Motion:

"That this Council of the Municipality of Burnaby provide for the establishment of a Burnaby Landlord and Tenant Board and that the Council give serious consideration to the attached Brief which was recently presented to the City of New Westminster Council;

And further be it resolved that the Landlord and Tenant Board to be established have powers to act."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DRUMMOND:
"That the proposal advanced by Alderman Dailly be referred to the Landlord/Tenant Grievance Committee for consideration and report, with it being understood that the Committee will obtain the views of the Municipal Solicitor on the question of whether the municipality can, under the Amendment to the Landlord and Tenant Act which was recently passed by the Provincial Government, create a Landlord/Tenant Board and, if so, the full extent of the powers that can be vested in the Board; and further, the Committee bear in mind that, if the Solicitor indicates the Provincial Legislation mentioned does not empower Council to create the type of Board in question, consideration be given the possibility of seeking other legal advice which may provide a contrary opinion."

CARRIED UNANIMOUSLY

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

THE COMMITTEE RECONVENED AT 9:15 P.M.

* * *

ALDERMAN CLARK suggested that an item should be included on the Agendas for Council meetings which would allow for a question and answer period when members can present questions on subjects that may have come to their attention for which they wish answers or a discussion on them.

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Municipal Clerk submitted a report pointing out that Section 10 of the Procedure By-law indicates that an item "enquiries and answers thereto" is included under the heading "Order of Business".

He remarked that this would seem to meet the suggestion of Alderman Clark, except that the time to be allowed for questions and answers is not specified in the By-law.

He added that, if it is intended that the same item appear on Agendas for Adjourned Meetings of Council, it will be necessary to amend the By-law to allow for such action.

The Municipal Clerk was directed by Council to show on the Agendas for future Council meetings an Item "Enquiries and Answers Thereto".

R E P O R T S

MUNICIPAL CLERK submitted a Certificate of Sufficiency pertaining to Phase I of the Local Improvement Lane Paving Programme, as follows:

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."

Petitions have been received against Local Improvement Projects numbered 1-24, 1-45, 1-56, 1-58, 1-59 and 1-92, 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.

One petition received, against paving the Springer-Ranelagh lane from Cambridge Street to Grosvenor Crescent, Project 1-57, carries legitimate signatures representing 11 parcels liable to be specially charged, and representing assessed value of land of \$81,490. The required 51% of owners necessary to defeat this particular work being 13, and the 50% assessed value of property amounting to \$84,843. I would point out, however, the signatures representing a further three properties, with a combined assessed value of \$22,160, were not accepted as the properties are registered in joint ownership and only one party had affixed their signatures to the petition in each case. The petition could not, therefore, be certified as sufficient to defeat the work.

I HEREBY CERTIFY that sufficient petitions have not been received covering the Local Improvement works recorded herein, with the exception of Project Numbers 1-24, 1-45, 1-56, 1-58, 1-59 and 1-92.

(Signed) John H. Shaw,
MUNICIPAL CLERK.

Dated -- April 3, 1970

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 OBJEC- TIONS | TOTAL ASSESSED VALUE OF LAND | 50% REQUIRED | TOTAL PETITIONERS' ASSESSMENT |
|-------------------|--|------------------|---|---------------------------|---------------------------------------|-----------------|-------------------------------------|
| 1-1 | Montrose-Edinburgh lane from Boundary Rd. to Gilmore Ave. | 34 | 18 | 2 | \$282,570 | \$141,285 | \$ 15,760 |
| 1-2 | Edinburgh-Yale lane from Ingleton Ave. to McDonald Ave. | 20 | 11 | 1 | 154,900 | 77,450 | 7,845 |
| 1-3 | Edinburgh-Yale lane from McDonald Ave. to Gilmore Ave. | 15 | 8 | Nil | 130,370 | 65,185 | Nil |
| 1-4 | Edinburgh-Yale lane from Gilmore Ave. to Carleton Ave. | 20 | 11 | 1 | 119,720 | 59,860 | 5,920 |
| 1-6 | Yale-Trinity lane from McDonald Ave. to Gilmore Ave. | 16 | 9 | Nil | 132,045 | 66,022.50 | Nil |
| 1-7 | Yale-Trinity lane from Gilmore Ave. to Carleton Ave. | 33 | 17 | Nil | 204,795 | 102,397.50 | Nil |
| 1-8 | Trinity-McGill lane east from Boundary Rd. to E.P.L.Lt.17, Blk.30, D.L.186, Pl.1124 | 6 | 4 | Nil | 78,300 | 39.150 | Nil |
| 1-9 | Trinity-McGill lane west from McDonald Ave. to W.P.L.Lt.11, Blk.29, D.L.186, Pl.1124 | 7 | 4 | Nil | 55,325 | 27,662.50 | Nil |
| 1-10 | Trinity-McGill lane from McDonald Ave. to Gilmore Ave. | 17 | 9 | Nil | 138,730 | 69,365 | Nil |
| 1-11 | Trinity-McGill lane from Gilmore Ave. to Carleton Ave. | 14 | 8 | Nil | 203,880 | 101,940 | Nil |

PROJECT
NUMBER

DESCRIPTION OF LANE

- | PROJECT
NUMBER | DESCRIPTION OF LANE |
|-------------------|--|
| 1-12 | McGill-Eton lane from Boundary Rd. to Esmond St. |
| 1-13 | McGill-Eton lane from McDonald to Gilmore Ave |
| 1-14 | McGill-Eton lane from Gilmore Ave. to Carleton Ave. |
| 1-15 | McGill-Eton lane from Carleton Ave. to Madison Ave. |
| 1-16 | North of Eton from Madison Ave. to Rosser Ave. |
| 1-17 | Eton-Cambridge lane from Boundary Rd. to Esmond Ave. |
| 1-18 | Eton-Cambridge lane from Esmond Ave. to Ingleton Ave. |
| 1-19 | Eton-Cambridge lane from Ingleton Ave. to McDonald Ave. |
| 1-20 | Eton-Cambridge lane from McDonald Ave. to Gilmore Ave. |
| 1-21 | Eton-Cambridge lane from Gilmore Ave. to Carleton Ave. |
| 1-22 | Eton-Cambridge lane from Carleton Ave. to Madison Ave. |
| 1-23 | Eton-Cambridge lane from Madison Ave. to Rosser Ave. |
| 1-24 | Eton-Cambridge lane from Rosser Ave. to Willingdon Ave. |
| 1-25 | Cambridge - Ord lane from Boundary Rd |

1970 Local Improvement
Initiative Programme

| NO. OF OWNERS | 51% REQUIRED TO DEFEAT PROJECT | NO OF OBJEC-TIONS | TOTAL ASSESSED VALUE OF LAND | 50% REQUIRED | TOTAL PETITIONERS' ASSESSMENT |
|---------------|--------------------------------|-------------------|------------------------------|------------------|-------------------------------|
| 18 | 10 | Nil | \$142,140 | \$ 71,070 | \$ Nil |
| 17 | 9 | 1 | 134,815 | 67,407.50 | 8,150 |
| 35 | 18 | 1 | 214,650 | 107,325 | 5,960 |
| 30 | 16 | 1 | 185,480 | 92,740 | 5,920 |
| 10 | 6 | 3 .. | 234,575 | 117,287 | 85,375 |
| 17 | 9 | Nil | 143,180 | 71,590 | Nil |
| 19 | 10 | Nil | 160,425 | 80,212.50 | Nil |
| 20 | 11 | 2 | 160,450 | 80,225 | 16,300 |
| 17 | 9 | 1 | 134,405 | 67,202.50 | 8,150 |
| 34 | 18 | Nil | 214,035 | 107,017.50 | Nil |
| 31 | 16 | Nil | 195,560 | 97,780 | Nil |
| 25 | 13 | 2 | 168,470 | 84,235 | 12,910 |
| 17 | 9 | 9 | 181,745 | 90,872.50 | 121,840 |
| 17 | 9 | Nil | 132,570 | 66,285 66,285 | Nil |

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 |
|-------------------|--|------------------|---|---------------------------|---------------------------------------|-----------------|-------------------------------------|
| 1-26 | Cambridge-Oxford lane from Esmond Ave. to Ingleton Ave. | 20 | 11 | 1 | \$160,450 | \$ 80,225 | \$ 8,150 |
| 1-27 | Cambridge-Oxford lane from Ingleton Ave. to McDonald Ave. | 20 | 11 | 1 | 160,450 | 80,225 | 8,150 |
| 1-28 | Cambridge-Oxford lane from McDonald Ave. to Gilmore Ave. | 16 | 9 | Nil | 126,755 | 63,377.50 | Nil |
| 1-29 | Cambridge-Oxford lane from Gilmore Ave. to Carleton Ave. | 36 | 19 | 1 | 218,250 | 109,125 | 6,165 |
| 1-30 | Cambridge-Oxford lane from Carleton Ave. to Madison Ave. | 30 | 16 | 1 | 197,290 | 98,645 | 7,220 |
| 1-31 | Cambridge-Oxford lane from Madison Ave. to Rosser Ave. | 29 | 15 | Nil | 200,920 | 100,460 | Nil |
| 1-32 | Cambridge-Oxford lane from Rosser Ave. to Willington Ave. | 26 | 14 | Nil | 187,185 | 93,592.50 | Nil |
| 1-33 | Oxford-Dundas lane from Boundary Rd. to Esmond Ave. | 17 | 9 | Nil | 167,590 | 83,795 | Nil |
| 1-34 | Oxford-Dundas lane from Esmond Ave. to Ingleton Ave. | 20 | 11 | Nil | 165,265 | 82,632.50 | Nil |
| 1-35 | Oxford-Dundas lane from Ingleton Ave. to McDonald Ave. | 20 | 11 | Nil | 157,900 | 78,950 | Nil |
| 1-36 | Oxford-Dundas lane from McDonald Ave. to Gilmore Ave. | 16 | 9 | Nil | 126,935 | 63,467.50 | Nil |
| 1-37 | Oxford-Dundas lane from Gilmore Ave. to Carleton Ave. | 35 | 18 | Nil | 203,265 | 101,632.50 | Nil |
| 1-38 | Oxford-Dundas lane from Carleton Ave. to Madison Ave. | 35 | 18 | 3 | 211,180 | 105,590 | 16,880 |

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| 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 |
|-------------------|---|------------------|---|---------------------------|---------------------------------------|-----------------|-------------------------------------|
| 1-39 | Oxford-Dundas lane from Madison Ave. to Rosser Ave. | 29 | 15 | Nil | \$187,950 | \$ 93,975 | \$ Nil |
| 1-40 | Oxford-Dundas lane from Rosser Ave. to Willingdon Ave. | 25 | 13 | Nil | 176,005 | 88,002.50 | Nil |
| 1-41 | Dundas-Triumph lane from Boundary Rd. to Esmond Ave. | 18 | 10 | 1 | 141,450 | 70,725 | 7,895 |
| 1-42 | Dundas-Triumph lane from Esmond Ave. to Ingleton Ave. | 17 | 9 | Nil | 126,020 | 63,010 | Nil |
| 1-43 | Dundas-Triumph lane from Ingleton Ave. to McDonald Ave. | 19 | 10 | Nil | 150,120 | 75,060 | Nil |
| 1-44 | Dundas-Triumph lane from McDonald Ave. to Gilmore Ave. | 16 | 9 | 1 | 131,950 | 65,975 | 7,895 |
| 1-45 | Dundas-Triumph lane from Carleton Ave. to Madison Ave. | 33 | 17 | 21 | 204,300 | 102,150 | 130,260 |
| 1-46 | Dundas-Triumph lane from Madison Ave. to Rosser Ave. | 30 | 16 | 1 | 189,775 | 94,887.50 | 5,625 |
| 1-47 | Dundas-Triumph lane from Rosser Ave. to Willingdon Ave. | 30 | 16 | Nil | 192,960 | 96,480 | Nil |
| 1-48 | Triumph-Pandora lane from Ingleton Ave. to McDonald Ave. | 18 | 10 | Nil | 142,340 | 71,170 | Nil |
| 1-49 | Triumph-Pandora lane from McDonald Ave. to Gilmore Ave. | 13 | 7 | Nil | 112,455 | 56,227.50 | Nil |
| 1-50 | Triumph-Pandora lane from Gilmore Ave. to Carleton Ave. | 33 | 17 | 1 | 202,845 | 101,425.50 | 5,660 |
| 1-51 | Triumph-Pandora lane from Carleton Ave. to Madison Ave. | 34 | 18 | 2 | 211,180 | 105,590 | 11,920 |

PROJECT
NUMBER

DESCRIPTION OF LANE

- 1-52 Triumph-Pandora "L" lane from Madison Ave.
to Triumph St.
- 1-53 Triumph-Pandora lane from Rosser Ave.
to Willingdon Ave.
- 1-54 Gamma-Brisbane lane North from Bessborough Dr.
to N.P.L. 21, Blk. 35, D.L. 188, Pl.4953
- 1-55 Hythe-Glynde lane from north Cambridge St. to
N.P.L. Lot 81, Blk. 39, D.L. 189, Pl.25422
- 1-56 Glynde-Springer lane north from Cambridge St.
to N.P.L. Lot "G", Blk. 40, D.L. 189, Pl.20093
- 1-57 Springer-Ranelagh lane from Cambridge St.
to Grosvenor Cres.
- 1-58 Ranelagh-Grosvenor lane from Cambridge St.
to Grosvenor Cres.
- 1-59 Grosvenor-Howard lane from Cambridge St. north
to Harbourview Park
- 1-60 Ellesmere-Holdom lane from Cambridge St.
to Bessborough Dr.
- 1-61 Bessborough-Highfield-Sea Ave. lane from
Cambridge St. to Highfield
- 1-62 Cambridge-Oxford "L" lane from Cambridge St.
to Gamma Ave.
- 1-63 Cambridge-Oxford-Empire lane from
Cambridge St. to Delta Ave.
- 1-64 Gamma-Empire lane from Gamma Ave. to
Dundas St.

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| NO. OF OWNERS | 51% REQUIRED TO DEFEAT PROJECT | NO. OF OBJEC-TIONS | TOTAL ASSESSED VALUE OF LAND | 50% REQUIRED | TOTAL PETITIONERS' ASSESSMENT |
|---------------|--------------------------------|--------------------|------------------------------|--------------|-------------------------------|
| 6 | 4 | Nil | \$ 40,345 | \$ 20,172.50 | Nil |
| 27 | 14 | 1 | 190,240 | 95,120 | 7,270 |
| 17 | 9 | Nil | 117,865 | 58,932.50 | Nil |
| 8 | 5 | Nil | 77,145 | 38,572.50 | Nil |
| 10 | 6 | 6 | 80,620 | 40,310 | 47,310 |
| 24 | 13 | 11 | 169,685 | 84,842.50 | 81,490 |
| 12 | 7 | 7 | 109,375 | 54,687.50 | 61,675 |
| 4 | 3 | 4 | 56,730 | 28,365 | 56,730 |
| 8 | 5 | 1 | 78,330 | 39,165 | 8,580 |
| 13 | 7 | Nil | 95,695 | 47,847.50 | Nil |
| 8 | 5 | Nil | 58,870 | 29,435 | Nil |
| 15 | 8 | Nil | 109,860 | 54,930 | Nil |
| 10 | 6 | 1 | 71,960 | 35,980 | 6,760 |

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| 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 |
|-------------------|---|------------------|---|---------------------------|---------------------------------------|-----------------|-------------------------------------|
| 1-65 | Delta-Hythe lane from Cambridge St. to Dundas St. | 12 | 7 | 2 | \$179,250 | \$ 89,625 | \$ 13,255 |
| 1-66 | Hythe-Glynde lane from S.P.L. Lot 18, Blk. 55, D.L. 189, Pl. 4953 to Dundas St. | 22 | 12 | Nil | 155,110 | 77,555 | Nil |
| 1-67 | Glynde-Springer lane from Cambridge St. to Dundas St. | 23 | 12 | Nil | 161,060 | 80,530 | Nil |
| 1-68 | Springer-Ranelagh lane from Cambridge St. to Dundas St. | 23 | 12 | 2 | 161,060 | 80,530 | 15,640 |
| 1-69 | Ranelagh-Grosvenor lane from Cambridge St. to Dundas St. | 23 | 12 | 1 | 160,930 | 80,465 | 6,665 |
| 1-70 | Grosvenor-Howard lane from Cambridge St. to Dundas St. | 22 | 12 | 1 | 155,875 | 77,937.50 | 7,830 |
| 1-71 | Howard-Ellesmere lane from Cambridge St. to Dundas St. | 28 | 15 | Nil | 176,270 | 88,135 | Nil |
| 1-72 | Ellesmere-Holdom lane from Cambridge St. to Dundas St. | 27 | 14 | Nil | 168,640 | 84,320 | Nil |
| 1-74 | Warwick-Stratford lane from Cambridge St. to Dundas St. | 28 | 15 | 1 | 168,445 | 84,222.50 | 5,095 |
| 1-75 | Stratford-Fell lane from Cambridge St. to Dundas St. | 27 | 14 | 1 | 153,960 | 76,980 | 6,185 |
| 1-76 | Triumph-Pandora lane from Confederation Park to Gamma Ave. | 9 | 5 | 3 | 45,585 | 22,792.50 | 15,195 |
| 1-77 | Gamma-Dundas-Canberra "T" lane from Gamma & Canberra to paved lane parallel to Pandora St. | 18 | 10 | Nil | 113,735 | 56,867.50 | Nil |
| 1-78 | Canberra-Delta lane from Triumph to paved lane parallel to Delta St. | 17 | 9 | 4 | 103,075 | 51,537.50 | 23,960 |

| 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 |
|-------------------|---|------------------|---|---------------------------|---------------------------------------|-----------------|-------------------------------------|
| 1-79 | Delta-Hythe lane from Dundas St. to Empire Dr. | 17 | 9 | Nil | \$ 95,225 | \$ 47,612.50 | \$ Nil |
| 1-80 | Hythe-Glynde lane from Dundas St. to Pandora St. | 26 | 14 | Nil | 166,990 | 83,495 | Nil |
| 1-81 | Glynde-Springer lane from Dundas St. to Pandora St. | 25 | 13 | Nil | 162,935 | 81,467.50 | Nil |
| 1-82 | Springer-Ranelagh lane from Dundas St. to Pandora St. | 27 | 14 | Nil | 165,350 | 82,675 | Nil |
| 1-83 | Ranelagh-Grosvenor lane from Dundas St. to Pandora St. | 24 | 13 | Nil | 158,855 | 79,427.50 | Nil |
| 1-84 | Grosvenor-Howard lane from Dundas St. to Pandora St. | 29 | 15 | Nil | 179,220 | 89,610 | Nil |
| 1-85 | Howard-Ellesmere lane from Dundas St. to Pandora St. | 27 | 14 | Nil | 171,770 | 85,885 | Nil |
| 1-86 | Ellesmere-Holdom lane from Dundas St. to Pandora St. | 27 | 14 | Nil | 163,575 | 81,787.50 | Nil |
| 1-87 | Holdom-Sea lane from Dundas St. to Capitol Dr. | 10 | 6 | Nil | 52,775 | 26,387.50 | Nil |
| 1-88 | Holdom-Sea lane from Capitol Dr. to Pandora St. | 8 | 5 | Nil | 51,340 | 25,670 | Nil |
| 1-89 | Sea-Warwick lane from Dundas St. to Pandora St. | 27 | 14 | Nil | 150,260 | 75,130 | Nil |
| 1-90 | Warwick-Stratford lane from Dundas St. to Pandora St. | 16 | 9 | Nil | 88,500 | 44,250 | Nil |
| 1-91 | Stratford-Fell lane from Dundas St. to Pandora St. | 13 | 7 | 4 | 66,915 | 33,457.50 | 23,875 |

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| PROJECT NUMBER | DESCRIPTION OF LANE | NO. OF OWNERS | 51% REQUIRED TO DEFEAT PROJECT | NO. OF OBJEC- TIONS | TOTAL ASSESSED VALUE OF LAND | 51% REQUIRED | TOTAL PETITIONERS' ASSESSMENT |
|-------------------|--|------------------|---|---------------------------|---------------------------------------|-----------------|-------------------------------------|
| 1-92 | Delta-Hytho lane from Cambridge St. north to N.P.L. Lot "C", Blk. 38, D.L. 89, Pl. 18719 | 3 | 2 | 2 | \$ 21,855 | \$ 10,927.50 | \$ 14,570 |
| 1-93 | Delta-Hythe lane from Empire Dr. to Pandora St. | 8 | 5 | Nil | 47,370 | 23,685 | Nil |
| 2-1 | Malibu-Sierra lane from Cliff to Malibu Dr. | 33 | 17 | 1 | 236,095 | 118,047.50 | 7,200 |
| 2-2 | Sierra-Belcarra-Inlet Dr. lane from Cliff to Sierra Dr. | 29 | 15 | Nil | 211,110 | 105,555 | Nil |
| 2-3 | Belcarra-Ridge Dr.-Inlet Dr. from Cliff to Belcarra Dr. | 22 | 12 | 3 | 158,140 | 79,070 | 21,520 |
| 2-4 | Inlet-Barnet lane from Ridge Dr. to Bayview | 43 | 22 | Nil | 306,005 | 153,002.50 | Nil |
| 2-5 | Barnet-Braeside-Ridge Dr. lane from Barnet to Bayview | 33 | 17 | Nil | 234,240 | 117,120 | Nil |
| 2-6 | Barnet-Braeside lane north from Bayview to E.P.L. Lot 134, Blk. 1, D.L. 216, Pl.11241 | 28 | 15 | 1 | 190,505 | 95,252.50 | 6,820 |
| 2-7 | Braeside-Ridge lane north from Ridge Dr. to N.P.L. Lot 60, Blk. 1, D.L. 216, Pl.11241 | 34 | 18 | Nil | 269,445 | 134,727.50 | Nil |

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the Certificate of Sufficiency of the Municipal Clerk be received and By-laws be prepared to authorize the construction of pavement on all lanes included in the said Certificate, except for Project Numbers 1-24; 1-45; 1-56; 1-57; 1-58; 1-59; and 1-92."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That the Municipal Clerk indicate whether the three owners mentioned in his Certificate pertaining to Project 1-57 were made aware that the signatures of the joint tenants in each case were required before any of the signatures could be accepted."

CARRIED UNANIMOUSLY

* * *

POLLUTION COMMITTEE submitted a report indicating that consideration has been given the matter of Council adopting the Air Pollution Control By-law in force in the City of Vancouver.

The Committee reported the following on this matter:

- (a) The emphasis in the Vancouver By-law is on the control of the emission of particulate matter from sources within the City.
- (b) In Burnaby, there is little problem with particulate emissions and all sources would appear to be under control.
- (c) Other than its emphasis on particulate emissions, the Vancouver By-law differs very little from the Burnaby Air Pollution Control By-law, except that:
 - (i) The Vancouver By-law provides for the approval of plans and installation permits with respect to any apparatus, equipment or a device that is capable of being the cause of air pollution.
 - (ii) This is not incorporated in the Burnaby By-law but is effectively handled by existing requirements for Preliminary Plan Approval inasmuch as the approval of the Medical Health Officer is required.
 - (iii) The Vancouver By-law does provide for a maximum emission of Sulphur compounds and specifies that, calculated as SO₂ (Sulphur Dioxide), they shall not exceed 0.2% by volume from any single source of emission.

The principal source this would apply to in Burnaby is the refineries, but from all information available it would appear the refineries come well within the maximum permissible limits in the Vancouver By-law.

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It should also be borne in mind that the equipment necessary to police and enforce this aspect of air pollution control is extremely expensive. There is none now used in the Lower Mainland.

- (d) The definition of "air pollution" in the Vancouver By-law lacks sufficient precision to have any significant enforcement value.
- (e) The Vancouver By-law lacks the flexibility required to properly deal with the unique topographical and meteorological conditions found in the Lower Mainland.
- (f) The Burnaby By-law is also guilty of the faults listed under (d) and (e) above, but with the technical knowledge now available, it is not possible to correct this in any realistic sense.
- (g) The ultimate answer to the problem lies with a senior level of government. The Greater Vancouver Regional District has applied for Supplementary Letters Patent to allow it to carry out the function of air pollution control. It is expected these Supplementary Letters Patent will be granted very shortly.

The Regional District has already commenced a study of the air pollution problem within its boundaries and has commissioned the B. C. Research Council to undertake a study of the sources of pollution within the District, including its effects upon property and residents and the question of establishing a programme of priorities with which the sources must be dealt.

The Committee recommended that Council take no action at this time to adopt the Vancouver Air Pollution Control By-law and that no further consideration be given this matter, at least until such time as the respective responsibilities of the Regional District and the Provincial and Federal Governments are more clearly defined.

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

CARRIED UNANIMOUSLY

The Council also indicated that it expected the Committee would advise of the outcome of two cases which are being heard in the Vancouver Courts whereby the City has laid charges pursuant to its Air Pollution Control By-law.

* * *

MUNICIPAL MANAGER submitted Report No. 22, 1970 on the matters listed below as Items (1) to (15), either providing the information shown or recommending the courses of action indicated for the reasons given:

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(1) Proposed Road Abandonment (Broadway) - D.L. 59

The Planning Department and the Western Pacific Company have been collaborating in a plan to close a part of Broadway to make it possible to create some parcels.

The following is a summary of how the matter stands at the moment:

- (a) Council, sometime ago, approved the abandonment of those portions of Broadway shown on an attached plan.

This has been to the Provincial Government and, at the moment, an Order is ready to file.

Under this Order, two of the parcels to be created will vest with the Corporation and the other two will vest with the applicant.

- (b) Block 13, as shown on the plan, was dedicated by By-law in 1959 for road purposes.

In order to complete the transaction with the applicant, it will be necessary for Council to revoke Burnaby Road Dedication By-law NO. 2, 1959.

- (c) Once that has been done, conveyances will be prepared which will result in the Corporation owning the new Lots 85, 84 and 82, with Western Pacific owning Lots 81 and 83.

- (d) As there are Hydro, telephone, and sewer installations in the former allowances, easements will be required.

The applicant's surveyor is in the process of preparing these plans.

The provision of easements over the B. C. Telephone Company and the B. C. Hydro and Power Authority Installations in an interim step as the Corporation will need to remove the installations subsequently.

- (e) The cost of relocating the surface installations are:

| | | |
|---------------------------------|---|---------------|
| B. C. Telephone Company | - | \$4,125.00 |
| B. C. Hydro and Power Authority | - | <u>990.00</u> |

with the cost-sharing, which is on a benefitted frontage basis, being:

| | | | |
|-----------------|---|------------|---------|
| Corporation | - | \$3,143.00 | (61.4%) |
| Western Pacific | - | \$1,972.00 | (38.5%) |

It was being recommended that Council:

- (i) Repeal Burnaby Road Dedication By-law No. 2, 1959
- (ii) Agree to accept the easements shown on the plan accompanying the report.
- (iii) Agree to the cost-sharing arrangement outlined in the report.

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A question arose in Council as to whether any consideration had been given the matter of using assessed values as a means of determining the cost-sharing ratio to be used in apportioning the cost items referred to in the report.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:
"That the report of the Manager be tabled until the April 13th meeting and the Manager furnish Council with an answer to the question raised this evening as set out above."

CARRIED UNANIMOUSLY

(2) Lot 11, Block 26, D.L. 121, Plan 1054

It was being recommended that Council authorize the placing of the above described property in a sale position on the basis that:

- (a) The West half of the lot is consolidated with the adjacent property to the West and the East half is consolidated with the adjacent property to the East.
- (b) An easement is retained over the East 10 feet of the West half of the lot and the West 10 feet of the East half of the lot.
- (c) A minimum price of \$1,725.00 is required for each half of the subject lot.
- (d) The purchaser(s) pay the costs connected with the consolidation referred to under (a) above.

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

CARRIED UNANIMOUSLY

(3) Lots 27 to 29 inclusive, Block 93, D.L. 122, Plan 4953

It was being recommended that Council authorize those portions of the above described properties shown on an attached sketch being placed in a sale position, subject to:

- (a) Them being consolidated with Lot 26, Block 23, D.L. 122, Plan 4953.
- (b) A minimum price of \$3,500.00 for the subject lots being required.
- (c) The purchaser paying the survey and legal costs of the consolidation.

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager, except for the stipulation listed as (a) in his report, be adopted."

IN FAVOUR -- ALDERMEN LADNER AND
MERCIER

AGAINST -- ALDERMAN BLAIR, CLARK,
DAILLY, DRUMMOND, HERD
AND McLEAN

MOTION LOST

It was suggested in Council during consideration of the report from the Manager that the Corporation should ascertain whether some of the subject properties are required for the widening and improving of Hastings Street in the area.

Alderman Ladner stated that the Traffic Safety Committee was currently seized of the matter.

The Planning Director stated that the plan accompanying the manager's Report reflected the anticipated needs for the widening of Hastings Street in the area.

A suggestion was made that Council should await a reply from the Department of Highways concerning its use of the portion of the subject properties for the eventual widening of Hastings Street.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:

"That the recommendation of the Manager be adopted."

CARRIED

AGAINST -- ALDERMEN BLAIR,
MERCIER, LADNER
AND CLARK

(4) Lots 18 and 19, Block 51, D.L. 189, Plan 4953

It was being recommended that Council authorize the above described properties being placed in a sale position, subject to:

- (a) The purchaser being required to consolidate the two lots into one parcel.
- (b) The sum of \$270.00 being deposited for blacktopping the lane at the rear of the lots.
- (c) The purchaser being informed that the Corporation will not replace ^{the} retaining wall along the South boundary of Lot 18.

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MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager be adopted, except that, if the lane referred to in the report of the Manager is to be paved as a Local Improvement, this stipulation concerning the depositing of \$270.00 (condition (b) in the report) be excluded."

CARRIED

AGAINST --ALDERMAN DAILLY

(5) Mr. E. A. Fountain

Mr. Fountain will be sixty on April 12, 1970 and he has applied for retirement at minimum retirement age as of June 1, 1970.

Mr. Fountain commenced employment with the Corporation in December, 1949, and has served as Chief Licence Inspector, Personnel Director, Executive Assistant to the Municipal Manager, and more recently as Assistant Municipal Manager.

His contributions have been many and, as a result of his work on Municipal Pensions, he is being made a Life Member of the Municipal Officers' Association in May this year.

In response to a question, the Municipal Manager stated that he does not propose to replace Mr. Fountain at the present time.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(6) 1970 Annual Budget

The proposed 1970 Budget for the Corporation was being submitted.

The Municipal Act requires that the Budget be approved no later than the 15th of May.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That the proposed 1970 Budget be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That Council meet on Friday, April 17, 1970 commencing at 1:00 p.m. to deal with the 1970 Budget, on the understanding that:

- (a) If necessary, the meeting may continue into the evening.

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- (b) The proposed Budgets of the Library Board and the Parks and Recreation Commission may not necessarily be dealt with at that time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:
"That the Council meet on Wednesday, April 15, 1970 commencing at 4 p.m. to deal with the proposed six year Capital Improvement Programme."

CARRIED UNANIMOUSLY

- (7) Remainder of Lot 2, S.D. 1, Blocks "A" and "B", D.L. 167, Plan 18016
SUBDIVISION REFERENCE NO. 12/70

It was being recommended that the requirements of Section 712(1) of the Municipal Act, insofar as they apply to a subdivision of the above described property, be waived in order to exempt the subdivider from being required to provide the amount of land prescribed by the Section mentioned as a highway.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN HERD:
"That the owner of the Remainder of Lot 2, S.D. 1, Blocks "A" and "B", D.L. 167, Plan 18016 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 Geoffrey K. Burnett and sworn the 6th day of March, 1970."

CARRIED UNANIMOUSLY

(8) Outdoor Burning (Shearman)

The answer to the three questions raised by Mr. Shearman in his letter, which Council received this evening, is that the Standard Oil Company has not been issued a special fire permit.

The Fire Chief also advises that no complaints were received on March 25, 1970 regarding emissions of a smokey nature from the plant of the Company.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:
"That the subject of the letter from Mr. Shearman, including the report of the Manager on the matter, be referred to the Pollution Committee for investigation and report."

CARRIED UNANIMOUSLY

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(9) 1970 Asphalt Requirements

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

(10) Estimates

The Municipal Engineer's Special Estimates of Work in the total amount of \$14,100.00 were being submitted for approval.

(11) Revenue and Expenditures

The Municipal Treasurer's report covering Revenue and Expenditures for the period between January 1st and March 15, 1970 was being submitted for approval.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:
"That both the Estimates and the Revenue and Expenditures presented this evening by the Municipal Manager be approved."

CARRIED UNANIMOUSLY

(12) Monthly Report of Building Department

A report of the Chief Building Inspector covering the operations of his Department for the period between March 2nd and 26, 1970 was being submitted.

(13) Montly Report of Health Department

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

(14) Report of Personnel Department

A report of the Personnel Director covering the activities of his Department for the period between January 1st and March 15, 1970 was being submitted.

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

CARRIED UNANIMOUSLY

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

CARRIED

AGAINST -- ALDERMEN CLARK
AND DRUMMOND

(15) Sanitary sewers (Claude - Rayside Area)

As indicated previously to Council, it will cost approximately \$46,000.00 to provide sanitary sewers to the above area.

As also mentioned, it will be necessary to amend the Capital Improvement Programme by advancing the project from the year 1971 to 1970.

This can be done without changing the total fund requirements for sewers because it is now possible to foresee a holdover, until 1971, of some of the proposed 1970 costs.

The actual amendment required would be to Schedule E - Page 34, as follows:

"For 1970 - (a) reduce the requirement for the renewal of a trunk from Boundary Road to Thurston Street to \$204,000.00 from \$250,000.00.

(b) Add, as Item 5 - Claude Area #3 - \$46,000.00

For 1971 - (a) delete Item 2 - Claude Area #3 - \$46,000.00

(b) Add a new Item 2 - Balance of renewal of the trunk from Boundary Road to Thurston Street - \$46,000.00."

No change will be required on Page 1 of the Programme because the total cash requirements are not altered.

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1969"
#5524 be now reconsidered."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1969 provides
for the following proposed rezoning:

Reference RZ #30/69

FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3) AND
SERVICE COMMERCIAL DISTRICT (C4) AND MANUFACTURING DISTRICT
(M1) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT FIVE (RM5)

- (a) Lots 2 to 6 inclusive and Lots 21 to 25 inclusive,
Block 7, D.L. 151
- (b) Lots 27 to 32 inclusive, Block 7, D.L. 151
- (c) Lots 13 to 16 inclusive, Block 8, D.L. 151, Plan 2155
- (d) Lot 12, S $\frac{1}{2}$ Lot 14, Lots 15 and 16, Block 7, D.L. 151,
and North 54 feet Lot "C" and South 45 feet Lot "C",
Sketch 11945, Block 7, D.L. 151
- (e) S $\frac{1}{2}$ Lot 9 and Lots 10 to 11, Block 7, D.L. 151

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1969"
be now finally adopted, signed by the Mayor and Clerk and the
Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

* * *

ALDERMAN DRUMMOND LEFT THE MEETING.

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

CARRIED UNANIMOUSLY