

AUGUST 23, 1971

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, August 23, 1971 at 7:00 p.m.

PRESENT: His Worship, Mayor Prittie in the Chair;  
Aldermen Blair (7:12 p.m.), Clark, Dailly,  
Drummond, Emmott, Ladner, McLean and Mercier;

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:  
"That the minutes of the Council meeting held on July 26, 1971 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

The following wrote requesting an audience with Council:

- (a) Burnaby Chamber of Commerce re Christmas Shopping Hours;
- (b) Mr. D. W. Gibbons re Sanitary Sewer for property covered by Subdivision Reference No. 70/71
- (c) Mr. J. E. Butler re Proposed Subdivision in the Cameron-Noel-Sullivan Area

*The attention of Council was drawn to the fact that Mr. Gibbons wished to withdraw his request for an audience at this meeting.*

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN LADNER:  
"That the delegations listed under (a) and (c) above be heard."

CARRIED UNANIMOUSLY

- (a) Mr. B. Price, President of the Burnaby Chamber of Commerce, appeared and presented a Brief containing the following points in connection with the question of Christmas Shopping Hours:

- (i) Copies of the submission have been forwarded to various organizations and businesses, as noted at the bottom of the August 3rd letter from the Chamber.
- (ii) If a change in the Christmas Shopping Hours is to occur, considerable planning will need to be done by the merchants. Because of this, it was the hope of the Chamber that the matter can be decided by Council expeditiously.
- (iii) At present, stores in Burnaby are only allowed to remain open on seven shopping nights before Christmas.

Last year, only three extra nights shopping were available because shops can remain open on Thursday and Friday evenings all the time.

This year, only four extra nights will be allowed.

- (iv) It is manifestly impossible for stores to provide the space required to take care of the Christmas shopping rush, not just in terms of retail selling space but parking area as well.
- (v) In a booklet entitled "The Benefits and Cost of Evening Shopping to the Canadian Economy", a statement is made that it seems many retailers have not taken into account the fact there is a tendency, particularly among young married couples, to do shopping on a family basis. This is even more true during the Christmas period, when decisions often require the presence of the mother and father and, in some cases, the children.
- (vi) Burnaby retailers also face competition from merchants in other municipalities that have no closing regulations whatever. These municipalities are Richmond, Surrey and New Westminster.

Shopping trends indicate that, if stores in one area are not open, then the residents of that area will tend to shop in the next most convenient shopping area. With the mobility of people today, it is relatively easy for Burnaby residents to shop in Surrey, New Westminster and Richmond.

- (vii) Retailers also face competition from within the municipality as many stores that are exempt from closing regulations carry similar lines that may be purchased at all hours. Examples of these types of shops are drugstores and gasoline service stations.
- (viii) The problem of long hours for employees does not prevail today. No longer do retailers expect, let alone demand, that their employees work extra hours at Christmas time. The additional staff required would be hired from among the many unemployed, including students who are available in December. Many retailers now have a policy whereby, even with two-night shopping per week, regular employees are not requested to work more than one of these evenings.

In any event, even if the retailers wished their employees to work longer hours, it is highly unlikely a permit for overtime would be issued by the Provincial Department of Labour.

- (x) The retailers success in business is predicated solely upon the fact he provides a service to consumers. If he is not open when his customers want him to be, they will shop elsewhere.
- (xi) It is felt Council has within its power the ability to allow night shopping for the month of December by passing a By-Law pursuant to Sections 861(1) and 865(1) of the Municipal Act.

The Council was therefore being requested to give every consideration to allowing night shopping during the entire month of December in each year.

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Mr. Price also made the following comments in connection with the matter at hand:

- (1) The District of Coquitlam recently enacted a By-Law to eliminate shops closing hours there.
- (2) Traffic congestion frequently occurs as a result of only shops in certain areas being open in the evening, and this would be minimized if shops in other areas were allowed to open at the same time.
- (3) Proprietors of smaller stores, who may not belong to the Burnaby Chamber of Commerce, have had an opportunity to offer their views on the request of the Chamber but none have commented on the matter.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN EMMOTT:

"That an appropriate amendment to Burnaby Shops Closing By-Law 1958 be prepared that would have the effect of granting the request of the Chamber; and further, those shown at the foot of the August 3rd letter from the Chamber be informed of the foregoing decision and be invited to offer their comments on the proposal."

CARRIED UNANIMOUSLY

(b) The Council was informed that the owner of the property under Subdivision Reference No. 70/71 (Mr. and Mrs. Williams), had asked that the matter of Mr. D. W. Gibbons making representations on the matter concerning them be delayed until a report of the Engineering Department pertaining to the subject is presented.

(c) Mr. James E. Butler appeared and made the following points in connection with a proposed subdivision of property in the Cameron-Noel-Sullivan area:

- (i) The owner of the property concerned is being required to connect to a sewer at his expense for a building on the property that may only be located there for six months.
- (ii) The owner has been refused permission to develop the land in accordance with a plan proposed by the municipality.
- (iii) The location of a road to the North of the site has been indicated but no definite decision has been made regarding its dimensions or exact location.
- (iv) This road has not been approved by Council and, though proposed by the Planning Department, is considered by the Engineering Department to be too expensive.
- (v) Because of the situation listed under Points (ii), (iii) and (iv) above, the one under Item (i) cannot justifiably be considered as fair or equitable.
- (vi) The Council was therefore being requested to make a decision on the proposed new road and allow the subdivision of the land involved to proceed.

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- (vii) The subject subdivision and related matters have been under negotiation for four years.
- (viii) The owner of the property has been ordered by the Court to connect his building thereon to the sewer.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN MCLEAN:  
"That the Municipal Manager submit a report to Council on August 30th explaining the position of the municipality in regard to the subject of the presentation this evening; and further, action to implement the decision of the Court concerning the property in question being connected to a sewer be delayed until after a decision is made in connection with the other matters."

CARRIED UNANIMOUSLY

*Attention was drawn to a letter from Jean-Pierre Daem requesting an audience with Council.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That Mr. Daem be heard."

CARRIED UNANIMOUSLY

Mr. Daem then spoke and made the following points:

- (1) Those shown on a petition which was being submitted were expressing their opposition to a proposed overpass, presently under construction, linking Lots 4 and 6 of the Lake City East Development Project.
- (2) The petitioners feel it is unjustified to establish such an overpass at that location as its presence will impede the privacy of the owners and place undue stress on the common private property known as Strata Plan NW 39.
- (3) The Council was therefore being asked to have the developer cease the construction of the overpass pending a legal inquiry into the necessity and possible relocation of it.
- (4) Adequate sidewalk facilities <sup>have</sup> been provided around the perimeter of Strata Plan NW 39, and it was being suggested that the corner of Beaverbrook and Centaurus Drives be used as an alternate location for the easement to the proposed park/school site in the area.

Mr. Daem also made the following comments in response to questions raised:

- (a) It has since been learned that the overpass, instead of being located on an easement, is on a dedicated right-of-way.
- (b) If the overpass is built, the patios of those in Strata Plan NW 39 would need to be closed to prevent pedestrians entering because they will use this shorter route due to the fact there are steps on the overpass.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That:

- (1) A report be submitted on all aspects of the matter described this evening by Mr. Caem.
- (2) In the meantime, an attempt be made to ensure that no further progress is made in connection with the construction of the subject overpass."

CARRIED UNANIMOUSLY

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That all of the below listed original communications be received."

CARRIED UNANIMOUSLY

Secretary-Treasurer, Cliff Avenue United Football Club, wrote to request permission to hold its Annual Tag Day on the evening of September 17th and all day of September 18, 1971 in the Burnaby North area.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That permission be granted to the Club to conduct its campaign on the dates and in the location indicated."

CARRIED UNANIMOUSLY

Mr. Michael P. Collins, Co-Ordinator, Wildlife Project - Burnaby Lake, submitted a letter extending an invitation to the members of Council to attend an audio-visual presentation of the results of surveys made by a group of students of wildlife and recreational potential in the Burnaby Lake area on Tuesday, August 31st at 8:00 p.m. at the Centennial Pavilion on Burnaby Mountain.

*It was understood that Alderman Mercier would be attending the presentation mentioned by Mr. Collins.*

The Honourable Dan Campbell, Minister of Municipal Affairs, submitted a circular letter requesting that Council examine, with dispatch, the land inventory under its municipal jurisdiction in preparation for Valuation Day for impending capital gains tax regulations in order that the tax position of owners of real property in the municipality will not be prejudiced.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That action on the request of the Minister be deferred until consideration of Item 36 of the Municipal Manager's Report No. 51, 1971 later this evening."

CARRIED UNANIMOUSLY

Mr. Tony Fabian submitted a letter urging that Council ensure provision is made for a green belt and walkways in the Big Bend area, particularly along the Southern edge of the area where it abuts the North Arm of the Fraser River.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MCLEAN:

"That Item 9 of the Municipal Manager's Report No. 51, 1971, which deals with the subject of the letter from Mr. Fabian, 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) Parkland in Big Bend Area

The inclusion of some form of "park strip" along the Fraser River is an integral part of the current plan for the Big Bend area. The desirability of achieving this open space in this location is shared by the Planning Department and is included as one of the basic concepts of the plan.

At this stage, the Department is still working in concepts but some preliminary discussions have taken place on the feasibility of bringing the parkway to reality. As work progresses and the Department becomes more involved in details of the plan, reports will be submitted.

The Planning Department and Municipal Manager attended a special meeting of the Parks and Recreation Commission on August 18th so as to keep it fully informed and to explain the thoughts on the entire subject.

The Commission concurred with the concept that was submitted to Council on August 9, 1971.

It was being recommended that Mr. Fabian be informed of the foregoing.

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

CARRIED UNANIMOUSLY

Mr. T. S. Bremner, Vice-President and Refinery Manager, Chevron Canada Ltd., submitted a letter:

(a) Indicating that, in view of the potential restraints on future refinery improvements and additions resulting from three decisions rendered by Council on July 12, 1971, Chevron Canada Ltd. cannot proceed with the installation of the 10,000 BPD Rheniformer at this time as a part of its modernization programme pursuant to Preliminary Plan Approval No. 1435;

(b) requesting that:

(i) the approval for the Rheniformer be extended until conclusive action is taken in connection with the aforementioned three decisions;

(ii) approval for the Carbon Monoxide Boiler be extended on the same basis as that for the Rheniformer, on the understanding the Company will continue to seek a practical means of installing this Boiler independent of the Rheniformer;

(iii) The Light Ends and flare facilities be approved for immediate final design and construction.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That action on the letter from Chevron Canada Ltd. be deferred until consideration of Item 15 of Report No. 51, 1971 of the Municipal Manager later this evening."

CARRIED UNANIMOUSLY

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Western Sleep Products Ltd. wrote to request that the Westerly 20' of the median on Alaska Street South of its property be eliminated so as to allow large trucks to more easily negotiate turns to and from the property and Alaska Street.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the request of Western Sleep Products Ltd. be referred to the Municipal Engineer for a report as to the cost of removing the portion of the median mentioned and for an indication of the effect such action would have on the policy of the municipality in respect of median installations."

CARRIED UNANIMOUSLY

Chairman, Burnaby Centennial '71 Committee, wrote to request that Council and the Parks and Recreation Commission name the area comprising Century Gardens, James Cowan Centre, Burnaby Art Gallery, Heritage Village and any additions thereto "Century Park".

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:

"That the Parks and Recreation Commission ask the other organizations using the area which is the subject of the letter from the Committee for their comments on the proposed name."

CARRIED UNANIMOUSLY

Chairman, Burnaby Centennial '71 Committee, submitted a letter indicating that the Committee wishes a body to be known as the Century Park Museum Association incorporated to administer the Burnaby Centennial '71 Commemorative Project.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN LADNER:

"That the submission from the Committee be tabled until the August 30th meeting in order to allow each member of Council an opportunity to further study the proposal."

CARRIED UNANIMOUSLY

Mr. D. Poynton, Chairman, The Owners Strata Plan N.W. 27, submitted a letter:

- (a) drawing attention to the fact deficiencies and imperfections exist in the Strata Plan N.W. 27 development and the property on which it is located;
- (b) requesting that Council use its Office to compel the vendors of the development to correct the situation.

Mr. and Mrs. L. de Verheyen and others submitted a petition expressing concern regarding the Strata Plan N.W. 27 development and asking that Council investigate the quality of the construction.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MCLEAN:

"That the subject of the presentations from the owners, Strata Plan N.W. 27, and the petitioners mentioned above be referred to the Chief Building Inspector for a report to the August 30th Council meeting on those points involving the actual construction of the development and occupancy in it."

CARRIED UNANIMOUSLY

T A B L E D   I T E M

The following item was then lifted from the table:

Report of Election Procedures Committee

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:  
"That the recommendation of the Committee be amended by adding  
"that the Municipal Clerk find another location in the vicinity  
of Gilmore Avenue South for the registration of Resident-Electors  
and Tenant-Electors" and the recommendation, as amended, be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:  
"That the Municipal Clerk submit a report on the matter of  
residents in apartment blocks being notified of the opportunity  
to become registered as Resident-Electors and the availability  
of the registration booths which were the subject of the last  
resolution."

CARRIED

AGAINST -- ALDERMAN BLAIR

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:  
"That a Public Hearing be held on Tuesday, September 21, 1971  
commencing at 7:30 p.m. in the Council Chambers of the  
Municipal Hall to receive representations in connection with  
those rezoning proposals which have been approved for further  
consideration since the last Public Hearing."

CARRIED UNANIMOUSLY

Q U E S T I O N   A N D   A N S W E R   P E R I O D

As a result of an enquiry regarding the progress being made in  
connection with the Noise Pollution By-Law, the Municipal Manager  
was asked to furnish each member of Council with a draft of the  
By-Law when it has been prepared.

When Alderman McLean enquired as to the future land use planned  
for the area bounded by Boundary Road, Canada Way and the Freeway,  
Mr. Armstrong of the Planning Department replied that his  
Department had an application to rezone that area and there  
would be a report on the proposal some time in September.

R E P O R T S

Municipal Clerk submitted his Certificate of Sufficiency covering  
the paving of the lane North of Monarch Street from Mahon Avenue  
to Atlee Avenue, as a Local Improvement, by the petition method.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That the Certificate of the Clerk be received and the appropriate  
Local Improvement Construction By-Law be prepared to authorize  
the work which is the subject of the Certificate."

CARRIED UNANIMOUSLY



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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 51, 1971 on the matters listed below as Items (1) to (37) either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) 7726 Wedgewood Street (Warne)  
REFERENCE REZONING NO. 20/71

The following are the reasons why access was allowed to the above property when two other applicants for driveway crossings in the same Block were denied:

- (a) The two sites where applications for crossings were refused lie deep within what the Planning Department considers to be a residential precinct and, in both cases, trucks making deliveries to the properties would need to be involved on a fairly regular basis.

In each case, the properties have sufficient frontage to allow for a driveway to the rear of the site on Edmonds Street and a building of reasonable width.

- (b) As regards 7726 Wedgewood Street:

- (i) Because the intersection of Edmonds Street and Canada Way is signalized, it is preferable to limit driveway access within a reasonable distance of the intersection to avoid conflict with normal traffic movements and storage capacity.

The proximity of the subject property to the intersection would suggest that alternative access should be used.

- (ii) As a result of the limited lot width (approximately 45'), available space for building <sup>would be</sup> minimal if a driveway was required along one side of the building to give access from Edmonds Street to parking and loading facilities at the rear.

- (iii) Because the property is located immediately adjacent to an existing driveway access to Wedgewood Street from the retail store at the corner of Canada Way, the distance from the existing commercially-used portion of the street is very short.

Moreover, it is anticipated that vehicles using the parking area will be primarily private passenger cars, rather than trucks, due to the nature of the proposed development (a Dental Clinic).

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- (c) In view of the foregoing, the Planning Department was satisfied the circumstances justified the position which was taken and that it would be preferable to have access from Wedgewood Street rather than Edmonds Street.

It was being recommended that Mr. Warne be advised of the foregoing.

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

CARRIED UNANIMOUSLY

(2) Underground Wiring

Staff from the municipality and the B. C. Hydro and Power Authority held a meeting on July 29, 1971 in connection with the subject of underground wiring.

The following was felt to be gains made at that meeting:

- (i) Clarification and further understanding was achieved regarding the question of providing the Authority with subdivision plans, in registerable form, before the Authority proceeds with the design of underground wiring, an arrangement that should aid in the progress of the next phase of construction in D.L. 86 and in the Cariboo area.
- (ii) The Authority indicated it can now offer an alternative of completely submerging transformer vaults at an additional cost of approximately \$500.00 to \$700.00 per installation. Each installation would serve between 8 and 16 lots.

This is considered to be quite a gain because the municipality has never previously been able to impress upon the B. C. Hydro and Power Authority the need for an alternative to the rather ugly-appearing above ground square transformer vaults.

The Engineer was recommending that the municipality make it a standard practice that underground transformer vaults be installed in all future municipal subdivisions.

The Engineer was also recommending that the Approving Officer require underground transformer vaults to be constructed in conjunction with any subdivisions where he is already requiring the provision of underground wiring in its basic form.

In some cases, it will be necessary that the B. C. Hydro and Power Authority install a certain number of "switching kiosks" above ground, but these are only one-third of the surface area of the "transformer kiosk" and therefore do not present nearly as serious an appearance problem. In all of the remainder of the Buckingham Heights subdivision (which involves perhaps 60 to 80 lots), it is hoped the number of "switching kiosks" can be kept to three or four. Irrespective, it was still being recommended that the larger transformer kiosks be eliminated through the provision of completely underground transformer vaults.

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The B. C. Hydro and Power Authority asked, that the municipality give every consideration, owing to the importance of the subject, to the provision of a complete lane pattern in those areas where a lane pattern has already been commenced inasmuch as this aids materially in the provision of poles off the street for power service.

The Planning Department already is quite consistent with respect to the continuity of already-commenced lane patterns.

Representatives of the Authority stated that their research has indicated that to directly bury cables is an unwise and uneconomic proposal owing to deterioration and greater susceptibility to damage of the cable. The Authority is seriously considering returning to the former practice of requiring conduits for the installation of cables.

In view of the situation just mentioned, it was being recommended that no further investigation be made in regard to the burying of cables.

The cost of providing the cable mentioned is almost half as much as that for burying the cable.

The matter of transferring existing overhead wiring to underground installation, according to the Authority, is something that must be examined according to the circumstances in each case.

It was being recommended that:

- (1) the municipality accept as a standard practice that underground transformer vaults be installed in all future municipal subdivisions;
- (2) the Approving Officer require that underground transformer vaults be built in conjunction with any subdivision where he is already requiring the provision of underground wiring in its basic form;
- (3) no further investigation be made regarding "direct burial" versus "use of ducts" for underground wiring.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:

"That the third recommendation of the Manager be not accepted and the other two be adopted."

CARRIED UNANIMOUSLY

(3) 5071 Hastings Street

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

(4) Lots 1 and 2, Block 17, D.L. 79, Plan 2385 (5020 Canada Way)

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

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the recommendations of the Manager under Items (3) and (4) be adopted."

CARRIED UNANIMOUSLY

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(5) Ornamental Street Lighting

It was being recommended that authority be granted to proceed with the finalization of the design work pertaining to the following Ornamental Street Lighting Projects:

- (a) Eastlake Drive from Production Way Easterly to the end;
- (b) Beaverbrook Drive from Eastlake Drive to Noel Drive;
- (c) Grange-Dover Streets from Royal Oak Avenue to Kingsway;
- (d) Hazel Street from McKercher Avenue to McMurray Avenue.

It was also being recommended that Council authorize the invitation of tenders for the work, on the understanding a further report on that matter will be presented to Council.

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

CARRIED UNANIMOUSLY

(6) Monthly Report of the R.C.M.P.

A report of the R.C.M.P. covering the policing of the municipality during the month of July, 1971 was being submitted.

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

CARRIED UNANIMOUSLY

(7) Braemar Avenue ( Phase 2 of Stage 3 of the D.L. 86 Subdivision)

It was being recommended that Council authorize the preparation of a By-Law to cancel the portion of Braemar Avenue shown on an attached plan in order to allow for the servicing and development of Phase 2 of Stage 3 of the D.L. 86 subdivision.

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

CARRIED UNANIMOUSLY

(8) Lots 1 to 3 inclusive, Block 77, D.L. 127, Plan 4953  
REFERENCE REZONING NO. 48/71

On July 29th, the Planning Department met with the applicant for the above rezoning proposal and attempted to resolve the matter of site creation that was reported to Council on July 26, 1971.

The Planning Department has now indicated that it was unable to bring the owners together to create the sites suggested so Council is now being asked to favourably consider the initial site described in the aforementioned July report. The development planned for the site is not considered to be the optimum use for the land in the Block, recognizing the shape of the parcels and the topography which exists.

The Planning Department was therefore recommending that the rezoning of the captioned properties to RMD be advanced to a Public Hearing and that the following be established as prerequisites to the rezoning:

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- (a) The consolidation of the three lots into one parcel.
- (b) The deposit of monies to provide adequate storm sewer facilities for the site.
- (c) The submission of a suitable plan of development which recognizes the ultimate site arrangement and particular topographic conditions.
- (d) The submission of an undertaking that all existing structures on the site will be removed within six months of the rezoning being effected.

It was being recommended that the recommendation of the Planning Department be adopted.

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

CARRIED UNANIMOUSLY

(9) Parkland in Big Bend Area

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

*As a result of a brief discussion, the Planning Department was asked to consider the matter of arranging for the provision of a Waterfowl Sanctuary in a lagoon-like setting on low-lying land in the Big Bend area when formulating plans for the future use of land in that area.*

(10) Subdivision Reference No. 162/70

The property covered by the above subdivision reference number is located on the South side of Marine Drive between Patterson Avenue and Roseberry Avenue.

The application was being referred to Council by the Approving Officer because the land lies in the Big Bend area.

The purpose of the subdivision is to create eight residential building lots on the R2 strip South of Marine Drive, separating them from the presently zoned M3 portion of the property.

The applicant intends to retain the industrial building on the M3 site and to continue the present storage use in the building and on the rest of the site.

The M3 portion is part of an area proposed for agricultural use in the Big Bend Study Report. As the subdivision is not in conflict with the broad land use concept of a residential zone on the South side of Marine Drive for a depth of 200', approval of the subdivision was being recommended by the Planning Department.

If no specific direction is given to the contrary, the Approving Officer will approve the subdivision, as submitted, with the qualification that the applicant should be aware of the possible rezoning that is pending.

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

CARRIED UNANIMOUSLY

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(11) Monthly Report of Building Department

A report of the Chief Building Inspector covering the operations of his Department during the period between July 19th and August 13, 1971 was being submitted.

(12) Monthly Report of Health Department

A report of the Medical Health Officer covering the activities of his Department during the month of July, 1971 was being submitted.

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

CARRIED UNANIMOUSLY

(13) Lots "B" and 22 to 28 inclusive, Block 3, D.L. 25W  
(Burnaby Halfway Lodge Society)  
REZONING REFERENCE NO. 17/70

In order to expedite the rezoning of the above described properties and to determine whether there will be any public opposition to the development of a Rehabilitation Centre for alcoholics on the property, the Planning Department was recommending that the rezoning of the property from R5 to P7 be advanced to a Public Hearing.

A report will be submitted as soon as possible on the question of the Corporation leasing the property to the Society. If no agreement can be reached in that regard, the rezoning proposal can be withdrawn from the Public Hearing Agenda.

It was being recommended that the rezoning of the subject properties to P7 be approved for further consideration and be advanced to the next Public Hearing, on the understanding the proposal could be withdrawn prior to notices of the Hearing being mailed if no agreement can be reached on the value of the lease.

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

CARRIED UNANIMOUSLY

(14) Canadian Association of Chiefs of Police Incorporated

It was being recommended that the Officer-in-Charge of the Burnaby Detachment, R.C.M.P., be authorized to attend the 1971 Conference of the above Organization in Calgary, Alberta between August 29th and September 3, 1971.

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

CARRIED UNANIMOUSLY

(15) Chevron Canada Limited (Preliminary Plan Approval No. 1435)

The following observations were being provided on the letter Council received earlier in the evening from Chevron Canada Limited:

- (a) The approval date for the Preliminary Plan Approval was July 26, 1971 so the expiry date will be October 24, 1971.

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- (b) Consideration of an extension to the P.P.A. at this time, as requested by the Company, seems to be premature in light of the number of unknowns presently before the Corporation.

It does seem reasonable, however, that this matter be considered shortly before the expiry date, perhaps at the Council meeting on October 11, 1971.

- (c) It should be kept in mind that, even though the Rheniformer may not physically reduce the number of pollutants by virtue of the fact it is a new piece of equipment, there should be a lessening in the number and extent of plant "upsets" when it is installed. In this sense, it can be considered to be part of the environmental improvements to the plant. Sizing may be affected by future considerations.
- (d) The Carbon Monoxide Boiler forms a vital part of the plan for environmental improvements because it will reduce the emission of carbon monoxide to zero from 17,500 tons per year. In this respect, the work should proceed although sizing may be affected by future considerations.
- (e) Many environmental improvements will be accomplished when the proposed changes are made to the Light Ends and flare facilities and there should be no thought given to not doing this work no matter what the future may bring.

It was being recommended that:

- (1) action not be taken at this time to extend the P.P.A.;
- (2) Chevron Canada Limited be asked to advise, in writing, why it cannot proceed with a staged construction as far as the Rheniformer is concerned;
- (3) the matter be tabled until Chevron Canada Limited reaches a conclusion with respect to the Carbon Monoxide Boiler and answers the question raised in regard to the Rheniformer;
- (4) Chevron's letter of August 16, 1971 and the report of the Manager this evening be forwarded to all parties who have expressed an interest in the subject when it was being debated.

*As a result of being asked by Council, Mr. T. S. Bremner of Chevron Canada Limited made the following comments:*

- (i) *The Light Ends and flare will be installed now, as indicated in the letter from the Company.*
- (ii) *The Carbon Monoxide Boiler is really part of the Rheniformer unit, but the Company will examine the matter of installing the Boiler ahead of the time that was expected or adapting it for use on the present facilities.*

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

CARRIED UNANIMOUSLY

(16) Northerly Portion of Lot 86, D.L. 42, Plan 38000  
PRELIMINARY PLAN APPROVAL APPLICATION NO. 1569

The Planning Department has received an application for the above P.P.A., which is to permit development of a small computer facility, on the subject property.

The site is presently zoned M1 and is one of the properties proposed for rezoning to the M5 category. The use planned, which is permitted under the proposed category, is considered to be of high calibre and one of the most appropriate possible industrial uses for such a location. The applicant has planned his project to comply with the proposed M5 regulations and it meets these requirements in all respects. No vehicular access will be taken from Winston Street.

It was being recommended that P.P.A. #1569 be issued, on the understanding the developer will need to meet the standards which are finally approved for the proposed M5 zone.

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

CARRIED

AGAINST -- ALDERMAN MCLEAN

MAYOR PRITTIE DECLARED A RECESS AT 9:10 P.M.

THE COMMITTEE RECONVENED AT 9:20 P.M.

ALDERMEN BLAIR, LADNER AND MERCIER WERE ABSENT.

(17) Lot 3, Blocks 1/3, D.L. 43, Plan 13984 (Collingwood)

In the proposals currently before Council to rezone various land in the Government-Winston area, the above property and three others shown in the heavy outline on an attached plan were considered for M5 zoning but this is being delayed because two of the parcels do not have adequate frontage and two have awkward shapes to permit industrial development on them.

The properties concerned would therefore need to await the creation of appropriately-shaped sites before industrial zoning could be considered.

There is no way the municipality can compensate persons whose properties may be devaluated due to a change in zoning or land use of their own property or adjoining land.

Since the municipality has no need for the property, it has no authority to acquire the land.

It was being recommended that:

- (a) the owners of the subject property be advised of the foregoing;



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- (b) it be suggested to them that they endeavour to work with the adjoining property owners toward the creation of appropriately-sized sites so that the rezoning of the lands concerned for industrial purposes can be considered;
- (c) it be suggested to them that they contact the Planning Department for assistance in that regard.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN DAILLY:  
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

ALDERMEN LADNER AND MERCIER RETURNED TO THE MEETING.

(18) Racing Pigeons (Finch)

The Municipal Solicitor has reported that the keeping of pigeons is not one of the uses permitted in a residential zone. He has added that the keeping of pigeons does not come within the definition of "home occupation".

The Medical Health Officer has indicated that:

- (1) pigeons have been a source of complaints over the years due to the noise, odour, flies, excrement on roofs, patios, stairs and window sills, and, in some instances suspected mite infestation;
- (2) there are certain diseases which could be transmitted to man from pigeons, one of which could be psittacosis;
- (3) the keeping of pigeons should be confined to the agricultural zones in the municipality.

It was being recommended that the regulations not be changed to permit the keeping of pigeons in residential districts.

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

CARRIED UNANIMOUSLY

(19) 6556 Elgin Avenue (Reeves)

The three means of resolving a problem involving more than five persons being kept in the Rest Home on the above property, which were previously discussed in Council, were as follows:

- (i) The minimum frontage requirements in the P5 zone could be amended to permit the use desired.
- (ii) If the use was considered to be a legal non-conforming one at the time the Zoning By-Law was passed in 1965, the use could be extended with the permission of the Board of Variance pursuant to Section 705(3) of the Municipal Act.

Municipal records indicate the site has never been approved or licensed contrary to the By-Law so the legal non-conforming use does not exist.

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- (iii) The ambiguity claimed by the Solicitor for Mrs. Reeves in Clauses 505.4(1) and (2) of the Zoning By-Law does not, according to our Legal Department, exist and therefore both the minimum frontage and area requirements apply.

Since considering each of the above alternatives, the Provincial legislation governing the regulation and licensing of community care facilities has been examined, and it appears Section 8(1)(a)(b) of the Regulations covers the situation. The following is that legislation:

- "8. (1) If the building or structure for which an application for a licence as a community care facility is made under Section 7 :
- (a) does not comply with the applicable municipal by-laws referred to in Clause (b) of Subsection (1) of that Section; but
  - (b) complies with the regulations made under this Act and all other Acts respecting those matters referred to in Clause (b) of Subsection (1) of that Section,
- and if the municipality, upon application for a variation of the By-Law or for an exemption therefrom, refuses the application, the applicant for a licence may notify the Minister of Social Welfare and the municipality in writing that he requires the matter to be determined by arbitration."

The Social Service Department has been asked to check the economic viability of the Home and, while doing so, discovered that an accounting error had occurred which failed to increase two of three welfare patients to \$174.00 per month on May 1st. Mrs. Reeves has been notified she will receive a retroactive increase to that date for the two omitted patients.

There are, at this time, two private and three welfare patients in the home.

In that Mrs. Reeves' Home is a programmed rehabilitative venture (mostly younger Riverview patients), the maximum rate of \$174.00 is granted as differing from standard (aged) rest home care for other Burnaby Homes at the rate of \$165.00 or less to \$150.00, depending on the standard of service.

In reviewing correspondence respecting the rezoning application, the point in her Solicitor's presentation is that Mrs. Reeves requires more money and patients to make it a sound economic venture. It would appear appropriate, in light of the above, that consideration should be given, in pursuing, through her Solicitor, a statement of her financial status / emphasis on the day-to-day and monthly current upkeep costs.

It was being recommended that Mrs. Reeve's Solicitor be requested to furnish a statement of her financial status, taking into account the increases made in the monthly rates (as mentioned above), the correction of the error by the Social Service Department and giving particular emphasis to the day-to-day and monthly current upkeep costs.

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

CARRIED UNANIMOUSLY

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(20) Meteorological Tower - Royal Oak Avenue and Still Creek Street

A request has been received from the Department of Transport to lease a municipal site at Royal Oak Avenue and Still Creek Street, rent-free or at a nominal annual rent, on which to erect a 300-foot meteorological tower. The purpose of the tower is to measure temperature and wind variations between ground level and the top of the tower so that the D.O.T. can assess the ability of the atmosphere in the area to disperse the pollutants that gather in the lower levels.

The Council has already approved the leasing of the site to the D.O.T. for an annual lease rental equivalent to \$5,158.00 plus a grant in lieu of taxes (which would amount to \$1825.00 in 1971), subject to a suitable standard of development being agreed upon between the Planning Department and the D.O.T.

The Department of Transport has counter-proposed that, because the tower will be of considerable value to the municipality itself, the Department should only pay a grant of approximately \$1,800.00 per annum in lieu of taxes.

It appears that 70% to 80% of the use of any data obtained from the tower would be of benefit to Burnaby solely.

The Department requires a minimum of three years on one site and would negotiate to move after then if it became absolutely necessary. It prefers a five-year lease.

At present, the Corporation has no great demand for the site.

The Department of Lands, Forests and Water Resources of the Provincial Government has endorsed the proposal of the Department of Transport.

The municipality has reasonable assurances that air pollution monitoring equipment would also be eventually placed on the tower, either at the Regional, Provincial or Federal level. Such equipment would assist Burnaby in attempting to improve the quality of air in the area. Dr. McIntyre of the B. C. Research Council feels a tower with air pollution monitoring equipment would be a great asset to the area.

It was therefore being recommended that the site in question be leased to the Department of Transport, for the purpose of constructing a meteorological tower on it, for a five-year period at an annual rental equal to the amount of the current taxes on the property, subject to:

- (a) cancellation of the leasing arrangement, on 90-days notice, after a non-cancellable three year period, if the property is required by the municipality (the three years will begin on January 1, 1972);
- (b) the Department of Transport moving the tower at its expense if the lease is cancelled;
- (c) the said Department leasing the tower and operating it after the five year lease period expires, if requested to do so by the municipality;
- (d) the Department giving the municipality the right of first refusal to acquire the tower for a reasonable amount in the event the Department no longer requires the installation;

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- (e) the Department continuing to work with other government or educational agencies at the Municipal, Regional, Provincial and Federal levels to have and permit air pollution monitoring equipment on the tower, with the results of readings being made available to the municipality, if so requested;
- (f) a suitable standard of development being agreed upon between the Planning Department and the Department of Transport.

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

CARRIED UNANIMOUSLY

- (21) Easement - Portion of Parcel "B", Block 1, Explanatory Plan 13452  
D.L. 130, Plan 3071  
SUBDIVISION REFERENCE NO. 74/70

It was being recommended that Council authorize the:

- (i) acquisition of an easement, for drainage purposes, over a portion of the above described property at no cost to the Corporation in order to finalize the subdivision indicated in caption;
- (ii) execution of the documents attending the transaction.

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

CARRIED UNANIMOUSLY

- (22) (a) Lots 2 and 3, S.D.'s 2/3, Block 1, D.L.'s 151/3, Plan 10651  
(b) Lots 4, 5E½, 5W½, 6, 8, 12, 13, 14 and 15, Blk. 1, D.L.'s 151/3, Plan 1662  
(c) Lots 7E½ and 7W½ Except Southerly 16½' shown on Plan with By-Law 30078, Blk. 1, D.L. 151, Plan 1662  
(d) Lot 9 Except Southerly 16½' shown on Plan with By-Law 30078, Blk. 1, D.L. 151, Plan 1662  
(e) Pcl. "A", Ref. Pl. 5548, of Lot 16, Blk. 1, D.L. 151, Plan 1662  
(f) Lot 16 except Pcl. "A", Ref. Pl. 5548, Blk. 1, D.L.'s 151/3, Plan 1662  
(g) Lot 17 Except Ref. Pl. 22109, Blk. 1, D.L.'s 151/3, Plan 1662  
REFERENCE REZONING #74/69

It was being recommended that:

- (1) the amendment to the Zoning By-Law covering the rezoning of the above described properties to Comprehensive Development District (CD) be given Final Reading because all of the prerequisites except for the one involving the landscape plan have been satisfied;
- (2) the Preliminary Plan Approval for the development be withheld until a suitable landscape plan has been approved;
- (3) a permit be issued by the Building Department for excavation work in connection with the development only.

*Municipal Manager pointed out that the second and third parts of his recommendation should be amended to indicate that the Preliminary Plan Approval should be for the excavation work only at this time, with the balance of the approval to be withheld until a suitable landscape plan has been approved by the Planning Department.*

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MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN MERCIER:

"That the recommendations of the Manager be amended to reflect the situation reported verbally by him this evening and the said recommendations, as amended, be adopted."

CARRIED UNANIMOUSLY

(23) Superannuation - Female Employees

It was being recommended that Council pass the following motion dealing with female employees of the Corporation who have applied to remain in the Group 3 category provided under the Municipal Superannuation Fund:

"That the female employees of the Corporation of the District of Burnaby listed below who contributed to the Municipal Superannuation Fund prior to April 1, 1971 as Group 3 employees and who have made application in writing to remain in Group 3 be approved to do so:

AASEN, Helen Stewart	JACKSON, Rene Dolores	PRICE, Gunvor Johanne
ALLEN, Lorne Elizabeth	JAMES, Hughina Quigley	RADDIS, Gloria Joan
BADGER, Sandra Maureen	JOHNSON, Angelina Johanne	RONNING, Gloria Lynn
BASIGIN, Heather Rosemary	JOHNSTON, Geraldine Mabel	SEELEY, Jaelynn
BLAKE, Elsie Marion	JONES, Laura Elizabeth	SIGURDSON, Beverley E.
BLASHILL, Elizabeth	JONES, Vera	SIMONSEN, Joan
BOYK, Maureen Teresa	KEATING, Patricia Majorie	SMITH, Elsie Ann
BREDEN, Sherry Anne	KIMMEL, Jill Marie	SONLEY, Vanda Elizabeth
BRENNER, Valerie Mayleen	KIRSCHNER, Della Janet	THOM, Cynthia
BUTLER, Marina	KLISHAN, Silviya B.	WALBERG, Gwendolyn A.
CHAMBERLAIN, Barbara Jane	LAU, Ethel L.	WALLSMITH, Sharon A.
CLOGG, Margaret	LITTLE, Mary Suzanne	WELLS, Sheila Mary Louise
COCHRANE, Margaret C.	MCDONNELL, Marie-Claire	WILSON, Diane Helen
COOK, Jean A.	MCLEAN, Dorothy Jean	WRIGLEY, Dorothy Edith
COOKSON, Johan I.	MANNING, Norma I.	BELHOUSE, Linda Gail
DENEVERS, Florence	MANUEL, Fay Annie Elizabeth	PARKES, Muriel Helen
DOVE, Susan	MATTILA, Gretta Ann	RUSTAND, Sylvia Marie
ELLIS, Ethel Mae	MILLER, Janet L.	TROUNCE, Kathleen Louis Merle
GILLIS, Margaret Anne	MILLIN, Thelma M.	
HARBORD, Vivian Eleanor	MOUAT, Anna	
HARRIS, Audree Helen	OLSON, Nancy April	

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HENDRICKSON, Diane Evelyn

OLSON, Edna Joan

HUGHES, Joanne Leslie

PAGAN, Sandra E.

HUNTER, Marjorie Cecelia

PATERSON, Victoria Olive

IZOWSKI, Christine

PEROG, Irene M.

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

CARRIED UNANIMOUSLY

(24) Monthly Report of Fire Department

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

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

CARRIED UNANIMOUSLY

(25) Estimates

It was being recommended that the Special Estimates of Work of the Municipal Engineer in the total amount of \$7,600.00, as itemized in the report, be approved.

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

CARRIED UNANIMOUSLY

(26) Contract - Inter-Tidal Industries Ltd. (Terra Nova)

At its May 2<sup>nd</sup> meeting, the Council authorized the entering into of a contract with the above Company for the disposal of solid wastes.

The Company has now offered the Corporation the right to extend the term of the contract from May 15, 1973 to June 9, 1974 at the same negotiated price of \$2.50 per ton. All other terms and conditions of the contract are to remain the same. The new contract will become effective November 16, 1971.

The purpose of the offer mentioned is to allow the Company to have all its municipal contracts end on the same date.

The Engineer is unable to predict the likelihood of the Corporation having available a method of refuse disposal which would result in a cost to the municipality of less than \$2.50 per ton.

It was being recommended that the contract in question be with Inter-Tidal Industries Ltd. and that its term be extended to June 9, 1974 under the same conditions which prevailed in the one authorized by Council on May 25, 1971.

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

CARRIED UNANIMOUSLY

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*A question was raised in Council as to whether Mr. Kaller of the Engineering Department was aware of the recycling process for garbage that has been advanced by the General Electric Company.*

*It was understood the Municipal Engineer would apprise Mr. Kaller of the situation described.*

**(27) Road Construction Requirements on Streets Partially Within and Outside Subdivisions**

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Three requests had been received (two by Council) for some form of cost-sharing in connection with the construction of roads on streets partially within and outside subdivisions.

These requests are basically appeals against the prerequisite of the Approving Officer, who has required that the developer in each case pay the total costs involved in doing the work concerned.

The Council has never formally adopted a policy in regard to this type of situation so it was felt a review of the approach taken to assessing road costs of the kind mentioned was in order.

Throughout Burnaby, there are numerous fragments of road allowances created by subdivision but not constructed, or only partially constructed, for which no money is held in trust. They should be brought to full standard as further subdivision takes place. The general practice has been to require the developers to do that type of work. The following results have occurred in that connection:

- (a) Some developers have complied with the requirements.
- (b) Some have appealed and have either been allowed to leave the roads in an unfinished state or the municipality has borne the cost of bringing the roads to full standard.

The following are reasons why road allowances have been left unconstructed or partially constructed:

- (1) The standard in force at the time of subdivision was for interim roads only. The full standard road has been a requirement for only the past six or seven years.
- (2) Subdivisions are often created with half road allowances, with the result this limited width does not permit full standard road construction.
- (3) Subdivisions can take place on a one lot at a time basis along an open full right-of-way, making it impractical to demand an upgrading to full standard for the short distance of one lot.
- (4) In early subdivisions, construction of flankage roads may not have been required or developers may have questioned the need for constructing such roads on the grounds they were not needed to provide access to their subdivisions. They were therefore permitted to leave flankage roads unconstructed.
- (5) No deposits have been required from developers to cover costs of upgrading roads when construction has become possible.

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- (6) Departures from the intended pattern of subdivision dictated by subsequent land use decisions.

There has been a fairly consistent approach on the part of the Approving Officer to require the subdivider to bring roads partially within or adjacent to the subdivision up to the current Engineering standards.

It would seem there are two basic alternatives open to Council in regard to the matter, they being:

- (a) Council could confirm the position taken by the Approving Officer and formalize this approach as a policy.

Such a policy would be on the assumption it would not be in the public interest to spend funds to enhance a particular subdivision or the approach road to a subdivision.

- (b) The Council could agree to share some portion of the cost of upgrading or constructing roads which are not being dedicated in the subdivision or which are required for other than primary access. This presumes that the municipality receives some benefit from the subdivision and has some responsibility for the unfinished or undeveloped position of the road. Since there is no way of defining responsibility, perhaps the sharing should be on a 50-50 basis of the "extra" costs (i.e. those costs for work "outside" the subdivision, except for prime access roads).

If such an arbitrary policy was adopted, it would appear that it would cost the municipality approximately \$25,000.00 to \$30,000.00 per year for its share, depending on the number and type of subdivisions.

For the three specific cases at hand, the cost would be approximately \$10,600.00.

It was being recommended that Council establish the following policy in regard to the matter:

- (1) That the Corporation share, on a 50-50 basis, the contractors costs (excluding inspection fees) of "extra" road and sidewalk and/or gutter work <sup>that</sup> "outside" the legal limits of a subdivision beyond a minimum half flankage road allowance but which road work is not on the sole connecting link to the subdivision.
- (2) That the Approving Officer determine those cases which would be eligible for municipal participation under the policy just outlined.
- (3) That the Municipal Engineer, based on his estimate of the cost of the work involved, determine the maximum upset amount of the municipality's participation, which sum shall not be exceeded.
- (4) That all cases falling within the policy be submitted to Council for approval.

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

CARRIED UNANIMOUSLY



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ALDERMAN BLAIR RETURNED TO THE MEETING.

*Some concern was expressed that the municipality is obliged to absorb certain servicing costs in connection with the subdivision of private lands because it is necessary to extend such services past other private land to the edge of the property under subdivision.*

*It was pointed out that the Municipal Act makes no provision whereby the Corporation can recover these costs after the land that benefits is subsequently subdivided.*

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:

"That the Minister of Municipal Affairs be respectfully requested to review the pertinent provisions of the Municipal Act for the purpose of arranging amendments to them which would allow municipalities to charge property owners, retroactively, for the subdivision servicing costs a municipality has incurred when such services were installed."

CARRIED UNANIMOUSLY

(28) Subdivision Reference No. 56/70  
(Norburn Construction Company Ltd.)

If Council endorses the policy enunciated in the previous report item, then the situation which is the subject of the captioned subdivision must be examined to determine whether the policy should apply.

The circumstances of the case are such that it was being recommended that the municipality share to the extent of 50% of one-half of the contractor's costs (excluding inspection fees) of constructing Buffalo Street to a 28-foot standard, including curb and gutter on both sides, with the municipal share not to exceed \$5,912.50.

It was also being recommended that, if the foregoing cost-sharing arrangement is not acceptable to the developer, the Corporation revert to the full initial requirements of the Approving Officer at the time the plan of subdivision was approved.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That the recommendations of Manager be adopted."

CARRIED UNANIMOUSLY

(29) Subdivision Reference No. 86/71  
(Chivers Realty Limited)

As a result of considering this request for relief from some of the costs of constructing a portion of Blaine Drive as a condition of subdividing land covered by the above reference number, it was being recommended that the municipality share to the extent of 50% of the contractor's costs (excluding inspection fees) of constructing Blaine Drive from Curtis Street to the South boundary of the lane South of Curtis Street to a 28-foot finished standard, including curb sidewalks on both sides, with the municipal share not to exceed \$3,330.00.

It was also being recommended that, if this cost-sharing arrangement is not acceptable to the developer, the Corporation revert to the full initial requirements of the Approving Officer when the plan of subdivision was approved.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(30) Subdivision Reference No. 95/71  
(Northgate Developments Limited)

As a result of considering a request for some relief from the costs of constructing a portion of Lochdale Street as a condition of subdividing land covered by the above reference number, it was being recommended that the municipality share to the extent of 50% of one-half the contractor's costs (excluding inspection fees) of constructing Lochdale Street from Sperling Avenue East a distance of approximately 150 feet to a 28-foot finished standard, including curb sidewalks on both sides, with the municipal share not to exceed \$1,325.00.

It was also being recommended that, if this cost-sharing arrangement is not acceptable to the developer, the Corporation revert to the full initial requirements of the Approving Officer at the time the plan of subdivision was approved.

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

CARRIED UNANIMOUSLY

(31) Burnaby North Senior Secondary School Soccer Field (Kensington Park)

It was being recommended that Council authorize the awarding of a contract to Norburn Electric Limited in the amount of \$20,095.00 for the supply of the necessary materials and installation of them for a soccer field lighting system at the above location.

It was also being recommended that the \$3,010.00 for a possible B. C. Hydro and Power Authority fee in connection with the matter be arranged on a separate purchase order between the municipality and the Authority.

Attention was being drawn to the fact that the Cliff Avenue United Football Club had donated \$6,000.00 toward the cost of regrading and constructing the all-weather sports field, including floodlights, at the subject location.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN DRUMMOND:  
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN EMMOTT:  
"That the Cliff Avenue United Football Club be commended for its efforts in raising the \$6,000.00 mentioned in the report of the Manager and contributing it to the municipality for the purpose indicated in the report."

CARRIED UNANIMOUSLY

(32) Proposed New Industrial Zoning Categories and Regulations  
BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 23, 1971

A summary of the major points which have been raised in connection with the above matter is as follows:

- (a) Concern has been expressed with a regulation in the proposed M5 District limiting building coverage of a site to a maximum of 40% and the locating of all storage within an enclosed building.

The Planning Department has reviewed these regulations and would agree that, with the high setback and landscaping standards which have been proposed together with the types of uses permitted, good quality development with a 50% building to site coverage ratio should be achieved.

The requirement for indoor storage is considered to be of particular importance in a zone designed for locations adjacent to residential areas so it is deemed necessary to retain this regulation.

- (b) The 200-foot distance requirement between truck terminal sites and residential districts and the paving standards for this type of use proposed under the M6 zone have evoked expressions of concern.

The former regulations could pose problems in some areas, particularly where a residentially-zoned strip of land has been used to provide a buffer and an increased setback for industrial uses .

The fact the majority of new truck terminals will require rezoning, when situated outside of M3 areas, should provide the necessary locational controls for such developments in relation to residential areas.

- (c) Another concern is the dust problem raised by trucks maneuvering in yards or apron areas at their terminals.

Periodic oiling of these areas could be done but, with prevailing peat conditions, such a practice could create serious pollution problems in the Central Valley.

It is felt parking areas for the tractor units should be paved, as well as all driveways, access roads, truck maneuvering, truck servicing, loading dock and employee parking areas, a situation that is reflected in the proposed regulations.

- (d) The Planning Department is presently in the process of engaging a landscape architect to prepare a plan aimed at improving the aesthetic relationships between industrial and residential development.
- (e) The proposal which has been advanced that the Corporation acquire all the industrial land South of Winston Street between Brighton and Bainbridge Avenues is considered unrealistic because of the high costs involved. The Council has, however, agreed in principle with a proposal which would provide a park link between the residential area North of Winston Street and the Burnaby Lake Regional Park.

After consideration of all submissions which have been made in connection with the subject matter, it was being recommended that:

- (1) the proposed requirement in the M6 zone that truck terminals be located not closer than 200' from the boundary of an A, R. or RM District be removed;
- (2) the proposed 40% maximum building coverage ratio in the M5 zone be increased to 50%;
- (3) all other text amendments to the Zoning By-Law pertaining to the new industrial district categories and related regulations be finalized;
- (4) the properties which were proposed for inclusion in the M5 and M6 Districts at the Public Hearing on August 10, 1971 (as shown more particularly on attached maps) be rezoned, with the following exceptions:

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- (a) Area 4 on Map A, which is proposed to be designated rather than zoned for future M5 development. The reason for this is to encourage land assembly as a prelude to rezoning because of the awkwardly-shaped triangular area involved.
- (b) Proposed truck terminal sites identified as #4, #11 and #17 on Map B (presently occupied by MacIlwaine Van and Storage Ltd., Tri-Line Expressways Ltd. and Little Chief B-Line Express Ltd., respectively) because these firms have expressed the desire to remain in the M2 District as non-conforming uses.

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

CARRIED

AGAINST -- ALDERMEN DRUMMOND & DAILLY

- (33) (a) Byrne Road Industrial Enclave
  - (b) Preliminary Plan Approval Application Nos. 1546 and 1533
- BIG BEND AREA

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

- (1) The properties in the Byrne Road Industrial Enclave which were being recommended for rezoning from M3 to M2 are as follows:

- (i) 5289 Byrne Road
- (ii) 5317 Byrne Road
- (iii) 5371 Byrne Road
- (iv) 5389 Byrne Road
- (v) 5577 Byrne Road
- (vi) 5675 Byrne Road
- (vii) 5689 Byrne Road
- (viii) 5711 Byrne Road
- (ix) 5731 Byrne Road
- (x) 5755 Byrne Road
- (xi) 5781 Byrne Road
- (xii) 5811 Byrne Road
- (xiii) 5850 Byrne Road
- (xiv) 5820 Byrne Road
- (xv) 5784 Byrne Road
- (xvi) 5755 Byrne Road
- (xvii) 5670 Byrne Road
- (xviii) 5550 Byrne Road
- (xix) 5450 Byrne Road
- (xx) 5420 Byrne Road
- (xxi) 5300 Byrne Road

- (2) Although a considerable amount of non-conformity would occur with these proposed rezonings, it is anticipated that a gradual transformation through future improvements, displacement and development would occur in the area as a result of higher development standards.

- (3) The following recommendations were being made with respect to the two Preliminary Plan Approval applications:

A. P.P.A. #1546 (Block 3, D.L. 155B, Plan 1248 - 5550 Byrne Road)

That this application, which is for two steel-clad warehouse buildings for multi-unit rental purposes, be approved under the proposed M2 standards.

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B. P.P.A. #1533 (Lot 7, Block 6, D.L. 162, Plan 7064 - 5811 Byrne Road)

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It was being recommended that this application, which is for a 5,400 square foot manufacturing building and office for a fabricator of light manufacturing iron and aluminium ornamental products, be approved.

The applicant has indicated that he would welcome M2 zoning of the property.

- (4) The Planning Department will be submitting a landscaping and screening standard for the Big Bend area and, unless otherwise directed, it is proposed to advise applicants of certain requirements relating to acceptable landscaping and screening provision which would need to be satisfied as a condition of Preliminary Plan Approval.

It was being recommended that:

- (a) the 21 properties itemized in the report of the Planning Department be rezoned from M3 to M2 and this proposal be advanced to the next Public Hearing;
- (b) Preliminary Plan Approval applications Nos. 1546 and 1533 be approved on the basis recommended by the Planning Department.

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 CLARK:

"That the second recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:

"That Council reconsider the matter of Pioneer Auto Salvage being granted a business licence."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the previous resolution be tabled until the August 30th meeting in order to allow the Company concerned an opportunity to make further representations in connection with the subject of the resolution."

CARRIED UNANIMOUSLY

(34) Parking Areas In Required Front Yards

The Board of Variance asked Council for clarification as to the powers of the Board in connection with the above subject.

Section 800.6 of the Zoning By-Law indicates that parking is not permitted in a residential front yard.

The duties of the Board of Variance are outlined in Section 709 of the Municipal Act and, among other things, the Board can hear and determine any appeal by an applicant for a permit who alleges that enforcement of the Zoning By-Law with respect to siting, size or shape of a building or of a structure would cause him undue hardship.

Both the Solicitor and Manager agree that the Board really does not have the authority to permit front yard parking as it is not listed as one of the areas where it has jurisdiction. If the Board was to consider allowing parking in front yards where it is expressly prohibited by By-Law, it would be basically amending the By-Law.

The Street and Traffic By-Law presently gives the Engineer authority to deal with the matter of sidewalk and curb crossings being provided. It is important that no apparent conflict develop between the Engineer and the Board of Variance on this subject because the municipality is attempting to not perpetrate potential traffic problems which become worse as volumes of traffic increase and streets are improved.

It was being recommended that the Board of Variance be advised that Council does not feel the Board has jurisdiction under Section 709 of the Municipal Act respecting the matter of permitting front yard parking, which is specifically prohibited under Section 800.6(1) of the Zoning By-Law.

It was also being recommended that the co-operation of the Board in this matter be sought.

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

CARRIED

AGAINST -- ALDERMAN DRUMMOND

ALDERMAN DRUMMOND LEFT THE MEETING.

(35) North Burnaby Youth Corps

The Recreation Director and the Chairman of the Programme Committee of the Parks and Recreation Commission have reported as follows on the Opportunities for Youth Programme being undertaken by the North Burnaby Youth Corps:

- (a) The Recreation Director attended a meeting of the Directors and Staff of the Corps on August 15th; visits to the facilities and programmes of the Corps were made by members of the Parks and Recreation Commission Staff; and discussions were held with Playground and Aquatic Staff of the Parks and Recreation Commission in regard to the activities of the Youth Corps in the Northeast section of the municipality.
- (b) The August 15th meeting with the Youth Corps revealed that those in the Corps who were present appeared sincerely dedicated to the objectives of the Corps but actual results of their efforts were not readily evident to Staff members from the Commission. In that regard, the following was noted:

- (i) August 16th - the programme at the Westridge United Church had been cancelled.

The Arts and Craft programmes at the Cliff Avenue United Church were not operating. Discussions with young people in the area indicated the Drop-In Programme was intermittent, with a maximum participation of 15.

The Youth Employment Office at Christ the King Anglican Church was reported to be closing because of costs. The Coffee House was attended by 20 young people between the ages of 14 and 16. The Thrift Shop at the Ellesmere United Church was closed.

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- (ii) August 17th and 19th - The Arts and Crafts Programme at the Cliff Avenue United Church was still not operating.

The Thrift Shop at the Ellesmere United Church was still closed.

- (c) The extent of the activities of the Corps relating to employment, social problems and volunteer activity was difficult to assess.
- (d) A request of the Recreation Director on August 15th for specific and statistical information pertaining to participation resulted in letters from Reverend Duncan Chalmers and Mrs. Marley King.
- (e) Some limited initial contact was made with members of the Corps in the Northeast part of Burnaby.
- (f) Discussions with Playground and Aquatic Staff of the Parks and Recreation Commission revealed that ongoing or current indication of the Corps activities at those facilities in Burnaby North were evident.
- (g) On the basis of information assembled to date, it was being recommended that the Council proceed with caution in regard to the matter of making further grants for arts and crafts supplies because little or no evidence of activity by the Corps can be found.
- (h) The Commission, however, would offer the opportunity for young people to participate in some of the activities proposed by the North Burnaby Youth Corps. The Commission has recently emphasized its intention to promote greater co-ordination and co-operation between the Commission and community groups. It would seem reasonable to ask that a representative of the North Burnaby Youth Corps meet with the Parks and Recreation Commission to explore possible areas of co-operation and assistance for youth work.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MCLEAN:

"That a spokesman for the North Burnaby Youth Corps be heard."

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND RETURNED TO THE MEETING.

Mrs. Marley King, Co-Ordinator for the North Burnaby Youth Corps, then spoke and indicated that many of the remarks expressed in the report of the Manager were erroneous or misleading.

She added that the Corps could work with the Parks and Recreation Commission, and possibly the Social Welfare Department, in preparing a programme of activities for youth.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MCLEAN:

"That Council authorize an additional grant of \$1,000.00 to the North Burnaby Youth Corps, on the condition that the Corps will maintain a close liaison with the Parks and Recreation Commission in undertaking the activities of the Corps and that the Corps will provide the Commission with whatever information may be required in connection therewith."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That the North Burnaby Youth Corps be asked, in the future, to deal directly with the Parks and Recreation Commission on matters involving the programme of the Corps."

CARRIED UNANIMOUSLY

ALDERMEN MERCIER AND LADNER LEFT THE MEETING.

(36) Land Use (Valuation Day)

The letter from the Minister of Municipal Affairs which Council received earlier this evening dealing with the captioned subject has been examined and the following conclusions have been reached:

- (a) It is not clear what the purpose of the examination mentioned by the Minister would be or what the municipality would do with the material once it was collected.
- (b) In general terms, the Administration is satisfied that properties in the municipality are now zoned for their best use and value, except possibly in the Big Bend area where zoning changes are anticipated.
- (c) There will obviously be other changes in zoning but these will be made when the land involved becomes ready for redevelopment.
- (d) Agricultural zones, for the most part, are for lands which are under cultivation, but such zones are to be considered as long-term.
- (e) In some parts of the municipality, areas are designated for Small Holdings as a means of keeping land in relatively large parcels and development to a minimum. This will change when such land is ready for redevelopment. It is not proposed to apply the Small Holdings category over any more land in the municipality at the present time.
- (f) An inventory of land can be prepared but, unless there is some purpose in the review and some action that will flow from it, nothing will be achieved. Similarly, as the date of Valuation Day is unknown, the normal implementation of land use policies through rezoning should not be delayed.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN BLAIR:  
"That the report of the Manager be received and no action be taken on the request of the Minister of Municipal Affairs because Council is satisfied that properties in the municipality are now zoned for their best use and according to value."

CARRIED UNANIMOUSLY

(37) 4254 Charles Street (Jeffers)

The following information was being supplied in regard to the submission from Miss Rhoda Jeffers involving the Administration of the municipality:

- (1) The provision of storm sewer facilities for the 4200 Block Charles Street was a distinct advantage to the property owners there because of the substandard interconnecting wooden box drain system which existed previously.

This storm sewer work would have been necessary in any event when future street improvements were made.



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The cost of the work done was not assessed against the individual abutting benefiting property owners.

The forms to which Miss Jeffers referred in her letter were merely requests to the owners on the Street to have them indicate where they wanted their connection located.

- (2) Charles Street was repaired with a "cap" paving some two years ago before the storm sewer was installed but that cap is not considered to be a permanent improvement. It was simply to avoid the necessity of having to spend excessive sums of money in continually patching the substandard pavement which existed previously.
- (3) It is true that lanes were paved with a maximum thickness of 2 inches of asphalt but, in some cases where difficulty had been experienced with weeds growing through the pavement connecting the lane to garages, the services of a chemical spraying company are being used to correct this problem next year. It has been impossible to perfectly match the levels of all garages to the lanes.
- (4) There is probably always a need for some improvement in general municipal administration and the points she made in that regard are continually taken into account by the Council and its Administration.

It was being recommended that Miss Jeffers be advised of the foregoing.

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

CARRIED UNANIMOUSLY

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

CARRIED

AGAINST -- ALDERMAN CLARK

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN EMMOTT:  
"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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BY - L A W S

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN EMMOTT:  
"That the Council now resolve into a Committee of the Whole to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 23, 1971" (#5884). "

CARRIED UNANIMOUSLY

The above By-law provides for proposed text amendments to Industrial Districts M5 and M6.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:  
"That Mr. C. M. Jeffery, Solicitor for Tri-mac Transport, be heard."

CARRIED UNANIMOUSLY

ALDERMEN MERCIER AND LADNER RETURNED TO THE MEETING.

Mr. Jeffery then addressed Council on behalf of Tri-Mac Transport Limited and made the following comments in connection with the effect the subject Amendment By-Law would have on the development of the Company:

- (a) Tri-Mac would be placed in a non-conforming position if the amendment passed, unless truck terminals were placed in the M6 category;
- (b) Tri-Mac is a Canadian-owned Company and is the largest bulk carrier operation in Canada;
- (c) Its West Coast Terminal has been in Burnaby for approximately ten years, the Company actually purchasing property in the municipality seven years ago;
- (d) Tri-Mac has expanded its plant since then and all plans in that regard have been approved;
- (e) A water filtration system was installed in 1966 to reduce the incidence of oil pollution from the plant;
- (f) The Company has invested a total of \$162,000.00 in its property and plant, and employs about 80 persons.
- (g) Other truck terminals in the municipality are to receive a zoning classification that permits that type of activity and therefore Tri-Mac is being discriminated against.
- (h) The Company sincerely appreciates the pollution problem which has been mentioned but has taken measures to develop its own liquid waste procedures for application in all of its plants in Canada.
- (i) Tri-Mac regards itself as a responsible corporate citizen.
- (j) If the municipality continues to change regulations for industries, such activities may have doubts about the advantages of locating in the municipality.
- (k) It would be unwise on the part of Council to leave a pool of industrial stagnation by making the Tri-Mac property non-conforming.
- (l) Tri-Mac's site is not in the centre of the Government-Winston area.
- (n) He was aware there are three other truck terminals in the area which will also become non-conforming. These operations have, it is believed, created most of the problems in the area.

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- (o) It has been noted that the Planning Department did not originally intend to make the Tri-Mac property non-conforming but later did.
- (p) The Council was being asked to include the site of the Tri-Mac operations in the M6 zoning category.
- (q) Tri-Mac is prepared to landscape and screen its property, and do other things too, to make its operations less offensive.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"That the Committee now rise and report the By-Law complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 23, 1971" (#5884) be now read a Third Time."

CARRIED UNANIMOUSLY

It was implicit in the action of Council to give "Burnaby Zoning By-Law 1965, Amendment By-Law No. 23, 1971" Third Reading that the request of Tri-Mac Transportation System was not being granted because the various land use designations currently being considered for the Government-Winston area (M5 and M6) will be best suited for the future development of the area in a manner that will make for greater compatibility than presently prevails.

*A question was raised as to whether the owners of properties being used on a legal non-conforming basis can undertake landscaping and similar improvements when such use is being conducted.*

*It was understood the Municipal Solicitor would advise of the extent to which such owners can do such work in the circumstances mentioned.*

ALDERMEN LADNER AND CLARK LEFT THE MEETING.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN MERCIER:  
"That:

- "BURNABY LOCAL IMPROVEMENT CHARGES BY-LAW 1971, AMENDMENT BY-LAW NO. 1, 1971" (#5940)
- "BURNABY CAPITAL EXPENDITURE PROGRAMME BY-LAW 1971" (#5933)
- "BURNABY ROAD CLOSING BY-LAW NO. 9, 1971" (#5937)
- "BURNABY ROAD CLOSING BY-LAW NO. 6, 1971" (#5901)
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 17, 1970" (#5938)
- "BURNABY FRONTAGE TAX BY-LAW 1971, AMENDMENT BY-LAW NO. 1, 1971" (#5939)
- "BURNABY ROAD CLOSING BY-LAW NO. 10, 1971" (#5948)
- "BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 5, 1971" (#5949)
- "BURNABY ROAD CLOSING BY-LAW NO. 11, 1971" (#5950)
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1971" (RZ#31/71) (#5922)

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"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 37, 1971" (#5925)  
(RZ#18/71)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 66, 1970" (#5829)  
(RZ#74/69)

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

CARRIED UNANIMOUSLY

ALDERMAN McLEAN LEFT THE MEETING.

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1971" (#5941)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1971" (#5943)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 42, 1971" (#5944)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1971" (#5946)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1971" (#5942)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1971" (#5945)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1971" (#5947)

and that they be now read a First Time."

CARRIED UNANIMOUSLY

ALDERMEN McLEAN AND CLARK RETURNED TO THE MEETING.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
"That the Council now resolve into a Committee of the Whole to report on the By-Laws."

CARRIED UNANIMOUSLY

The above By-Laws provide for the following proposed rezonings:

- (1) "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1971" (#5941)

FROM RESIDENTIAL DISTRICT TWO (R2) TO NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1)

Reference RZ#22/71

West 330 feet of Lot 6 except Plan 28190, D.L.126, Plan 3473

(1410 Delta Avenue -- Located on the East side of Delta Avenue approximately 350 feet South of its intersection with Northlawn Drive)

- (2) "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1971" (#5942)

Reference RZ #53/70

Lot 19 exc.Pcl."A", Sk.12407, Blk.4, D.L.125, Plan 3520

(5429 Loughheed Highway -- Located on the North side of the Loughheed Highway approx. 467 ft. East of its intersection with Springer Avenue)

(3) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 42, 1971 #5944

FROM ADMINISTRATION AND ASSEMBLY DISTRICT (P2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #25/70

- (a) Lot 193, D.L. 95, Plan 37840
- (b) Lot 194, D.L. 95, Plan 37840

(7272, 7282 and 7292 Kingsway -- Located at the South-West corner of Kingsway and Edmonds Street)

(4) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1971 #5946

FROM THE CATEGORIES INDICATED TO LIGHT INDUSTRIAL DISTRICT (I5)

In view of the recent proposed text amendments to Burnaby Zoning By-law #4742, relative to industrial districts, a number of properties will be placed in a non-conforming category. To rectify this situation, the following amendments to the Zoning By-law are proposed to bring these sites into conformity.

LEGAL DESCRIPTION

PRESENT ZONING

- |   |    |
|---|----|
| (4)(a) Lot 77 except Ref. Plan 31802, D.L. 43,<br>Plan 24681<br><br>3892 Phillips Avenue  | RI |
| (b) Lot 4, S.D. 18 South part of South 341' ft.<br>Blocks 1/3, D.L. 43, Plan 13984<br><br>3926 Phillips Avenue                                    | RI |
| (c) Lot 3, S.D. 18 South part of South part,<br>Block 1/3, D.L. 43, Plan 13984<br><br>3968 Phillips Avenue  | RI |
| (d) A triangular portion of:<br>Lot 17, Sketch 10305 except Ref. Pl. 31802,<br>Block 2, D.L. 43, Plan 3227<br><br>7454 and 7452 Government Street | RI |

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(5) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1971 #5942

Reference RZ #63/70

(a) FROM SERVICE COMMERCIAL DISTRICT (C4) TO DRIVE-IN RESTAURANT DISTRICT (C7)

S. 125 feet of Block "P", D.L.'s 35/151, Plan 19539

(3743 and 3749 Kingsway -- Located approximately 313 feet East of Boundary Road.

*At the time the Drive-In Restaurant (C7) zoning district was introduced, the subject property was omitted from the By-law. To bring this property into conformity it is now necessary that action be taken to rezone it to (C7).*

(b) FROM DRIVE-IN RESTAURANT DISTRICT (C7) TO SERVICE COMMERCIAL DISTRICT (C4)

Lot 9, Blocks 17/50, D.L.'s 35/151, Plan 799

(3805 Kingsway -- Located on the North-West corner of Kingsway and the B. C. Hydro and Power Authority Right-of-Way)

*At the time the Drive-In Restaurant (C7) zoning district was introduced, the subject property was zoned C7 in error and action is now required to return it to its original status of Service Commercial District (C4).*

(6) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1971 #5945

FROM THE CATEGORIES INDICATED TO LIGHT INDUSTRIAL DISTRICT (M5)

In view of the recent proposed text amendments to Burnaby Zoning By-law #4742, relative to industrial districts, a number of properties will be placed in a non-conforming category. To rectify this situation, the following amendments to the Zoning By-law are proposed to bring these sites into conformity.

LEGAL DESCRIPTION

PRESENT ZONING

- |   |    |
|---|----|
| (1) (a) Lot 5, D.L.'s 44/78/131/136, Plan 3049<br>and Lot 1 except part on Filing A54179,<br>Block 6, D.L. 78, Plan 11087<br><br>6913 and 6915 Winston Street | MI |
| (b) Lot 2 except part on filing A54179,<br>Block 6, D.L. 78, Plan 11087<br><br>6932 Greenwood Street  | MI |
| (c) Lot 3 except part on filing A54179,<br>Block 6, D.L. 78, Plan 11087<br><br>6952 Greenwood Street  | MI |

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LEGAL DESCRIPTION

PRESENT ZONING

- |  |    |
|--|----|
| (d) Lot 4, Block 6, D.L. 78, Plan 11087<br>6972 Greenwood Street   | MI |
| (e) Lot 5, Block 6, D.L.'s 44/78/131, .<br>Plan 11087<br>6990 Greenwood Street                                 | MI |
| (f) Lot 6, except part on Filing A54179,<br>Block 6, D.L. 78, Plan 11087<br>6991 Winston Street                | MI |
| (2) Block 14 except part on filings 32393/<br>58377, D.L.'s 131/136/44/78, Plan 3049<br>3676 Bainbridge Avenue | MI |
| (3)(a) Lot 56, D.L. 44, Plan 34589<br>3987 Phillips Avenue   | MI |
| (b) Lot "A", South 208.7 feet of North 833.7 ft.,<br>Block 18, D.L. 44, Plan 3232<br>4027 Phillips Avenue      | MI |
| <i>SEE BY-LAW #5946 for Item (4) (a) to (d)</i>  |    |
| (5) Lot 19 except Parcel 1, Ref. Plan 31802, D.L.<br>43, Plan 3227<br>3988 Phillips Avenue                     | MI |
| (6) The Northerly portion of:<br>Lot "P", D.L. 43, Plan 3227<br>4200 and 4242 Phillips Avenue                  | MI |
| (7) Lot 73 except Parcel "A", Ref. Plan 31802,<br>D.L. 43, Plan 24488<br>4047 Lozells Avenue                   | MI |
| (8) Lot 1, Block 7, D.L. 42, Plan 8559<br>4026, 4004 - 4016 Lozells Avenue                                     | MI |

LEGAL DESCRIPTION	PRESENT ZONING
(9) Lot 2, Block 7 part, D.L. 42, Pl. 8559 4146 Lozells Avenue	M1
(10) Lot 84, D.L. 42, Plan 38652 4256 Lozells Avenue	M2
(11) Lot 86, D.L. 42, Plan 39000 7774 Winston Street	M1
(12) Lot 87, D.L. 42, Plan 39000 4079 Piper Avenue	M1
(13) Lot 85, D.L. 42, Plan 38652 4269 Piper Avenue	M2
(14)(a) Lot 1 except Ref. Pl. 31802, Blk. 8, D.L. 40, Plan 11689 4048 Piper Avenue	M1
(b) Parcel "A", Expl. Pl. 12038 of 2, S.D. 26, Block 8, D.L. 40, Plan 11689 4082 Piper Avenue	M1
(c) Lot 2 except Sketch 12038, R.S.D. "A", part, S.D. 26, Blk. 8, D.L. 40, Pl. 11689 4122 Piper Avenue	M1
(d) Lot "A", South 165.4 ft., S.D. 26, Blk. 8, D.L. 40, Plan 5274 4182 Piper Avenue	M1
(e) Lot "A", Sketch 9816, S.D. 26, Blk. 8, D.L. 40, Plan 5274 7942 Winston Street	M1
(15)(a) Lot 2 West $\frac{1}{2}$ , Block 9, D.L. 40, Plan 3048 7976 Winston Street	M1
(b) Lot 2 East $\frac{1}{2}$ , Block 9, D.L. 40, Plan 3048 7986 Winston Street	M1
(c) Lot 1, Block 9, D.L. 40, Plan 3048 8010 Winston Street	M1
(d) Lot 2, Block 10, D.L. 40, Plan 3048 8042 Winston Street	M1



<u>LEGAL DESCRIPTION</u>	<u>PRESENT ZONING</u>
(16) Lot 82 except Plan 38253, D.L. 10, Pl. 36262 8520 Lougheed Highway	MI
(17) Lot 83, D.L. 10, Plan 36262 8705 Government Street	MI

(7) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1971 #5947

FROM GENERAL INDUSTRIAL DISTRICT (M2) TO TRUCK TERMINAL DISTRICT (M6)

In view of the recent proposed text amendments to Burnaby Zoning By-law #4742, relative to industrial districts, a number of properties will be placed in a non-conforming category. To rectify this situation, the following amendments to the Zoning By-law are proposed to bring these sites into conformity.

<u>NAME AND ADDRESS</u>	<u>LEGAL DESCRIPTION</u>
(1) Public Freightways Ltd., 3985 and 3887 Still Creek St.	Lot 4, D.L. 118, Plan 33310
(2) Soo Security Motorways Ltd., 3925 Myrtle Street	Lot "A", Blk. 4W½, D.L. 69, Plan 17722
(3) Carson Truck Lines Ltd., 3945 Myrtle Street	Lot "B", Blk. 4W½, D.L. 69, Plan 17722
(4) MacIlwaine Van & Storage Ltd., 3975 Myrtle Street	Lot "D", Blk. 4E½, D.L. 69, Plan 19527
(5) P.L. Porter Trucking and Kingsway Freight Lines Ltd., 4005, 4015 and 4025 Myrtle Street, 4041 Myrtle St.	Lots "D" and "E", S.D. "B", Blk. 5, D.L. 69, Plan 17688
(6) Van-Kam Freightways Ltd., & 2345 Madison Avenue	Lot "C", Blocks 10 & 15, D.L. 119W½, Plan 19986
(7) Bruce Motor Carriage Ltd., 2345 Madison Avenue	
(8) Gill Interprovincial Lines Ltd. 4878 Manor Street	Parcel 1, Ex. Pl. 10599 and Ex. Pl. 26541, Blk. 2, D.L. 73, Plan 4326
(9) Route of the Haida's Freight Ltd., 5033 Regent Street	Blk. 3, Except Sketch 6721 & ex. Pl. "A", Ex. Pl. 12958, D.L. 74, Plan 2603
(10) Triangle Express Ltd. 5211 Regent Street	Lot 1, Block 6, D.L. 74W½, Plan 3970

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<u>NAME AND ADDRESS</u>	<u>LEGAL DESCRIPTION</u>
(11) Tri-Line Expressways Ltd. 5337 Regent Street	Block 8, except Pct. "A", Ref. Plan 8041, D.L. 74N½, Plan 2603
(12) Millar & Brown Ltd., 2857 and 2877 Douglas Road	Lot "B", except Part on Sketch 8024, D.L. 74N½, Plan 5277
(13) K. & M. Transport Ltd. 5332 Still Creek Street	Lot 12, D.L. 74 N Part, Plan 3782
(14) Reimer Express Ltd., 2275 Douglas Road	Lot 34, D.L. 125, Plan 29746

<u>NAME AND ADDRESS</u>	<u>LEGAL DESCRIPTION</u>
(15) Northern Industrial Carriers Ltd., 5389 Goring Street	Lot 2 ex. sk. 12164, S.D. "C" and "D" W½, Block 7, D.L. 125, Plan 5139
(16) Rempel-Trail Transportation Ltd. 5396 Lougheed Highway	Lots 2 and 3, Sk. 12164, S.D. "C" and "D" W½, Sk. 7, D.L. 125, Pl. 5139
(17) Little Chief B-Line Express Ltd. 2961 Norland Avenue	Lot 10 NW½, S.D. "A", Block 1, D.L. 75, Plan 4147
(18) Clark Reefer Lines and Prairie Mountain Pacific Express Lines Ltd. 2864 Norland Avenue	Lot 5, S.D. "C", Block 1, D.L. 75, Plan 4147

\* \* \*

Letters were received from the following:

- (a) Mrs. J. B. Klein, 7450 Chutter Street, dated Aug. 8, 1971
- (b) Mr. Walter Felix, 3248 E. Georgia Street, dated Aug. 13, 1971

re Industrial Districts.

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MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN EMMOTT:  
"That Lot "B", Block 4E½, D.L. 69, Plan 19527 and Block 8 Except  
Pcl."A" Ref. Plan 8041, D.L. 74N½, Plan 2603 be deleted from  
"Burnaby Zoning By-Law 1965, Amendment By-Law No. 45, 1971".

CARRIED

-- ALDERMEN BLAIR AND MERCIER AGAINST

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
"That the Committee now rise and report progress on:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 39, 1971" (#5941)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1971" (#5943)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 42, 1971" (#5944)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1971" (#5946)

CARRIED

ALDERMEN DRUMMOND AND DAILLY AGAINST B/L  
#5946

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
"That the Committee now rise and report -

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1971" (#5942)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1971" (#5945)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1971" (#5947)

complete."

CARRIED

-- ALDERMEN DRUMMOND AND DAILLY  
AGAINST BY-LAWS #5945 & 5947

THE COUNCIL RECONVENED.

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

CARRIED

ALDERMEN DRUMMOND AND DAILLY - AGAINST BY-LAWS 5946,  
5945 and 5947

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:  
"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1971" (#5942)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1971" (#5945)  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1971" (#5947)

be now read a Third Time."

CARRIED

ALDERMEN DRUMMOND AND DAILLY - AGAINST BY-LAWS NOS.  
5945 and 5947

\* \* \*

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ALDERMAN LADNER RETURNED TO THE MEETING.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY