

OCTOBER 25, 1971

An adjourned meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, October 25, 1971 at 7:00 p.m.

PRESENT: His Worship, Mayor Prittle, in the Chair;  
Aldermen Blair, Clark, Dailly, Drummond,  
Emmott, and McLean;

ABSENT: Aldermen Mercier and Ladner;

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DRUMMOND:  
"That the Minutes of the Council Meetings held on October 4th,  
12th and 18, 1971 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

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DELEGATION

Mr. and Mrs. D. L. Passey submitted a letter requesting an audience with Council to speak on the question of a sidewalk crossing being provided to their property at 4106 Gilpin Crescent.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:  
"That the delegation be heard."

CARRIED UNANIMOUSLY

Mr. Passey then spoke and made the following points in his appeal against a decision of the Municipal Engineer to not be allowed a sidewalk crossing to serve the loop driveway on his property;

- (a) The driveway in question was built in 1955, and access to it was provided then by the municipality.
- (b) The driveway is paved.
- (c) He has a fence around his property.
- (d) His entire yard is developed to take into account the presence of the driveway.
- (e) At the time the Engineering Department inspected his property to determine whether a crossing would be provided, there was a travel trailer and two cars parked in the front yard, and it was likely because of that the application for a crossing was denied.

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In actual fact, the cars and the trailer were being parked there temporarily while he was completing his patio in the rear yard where one of the vehicles would normally be parked.

Item (19) of the Municipal Manager's Report No. 68, 1971, which dealt with the subject of the presentation by Mr. Passey, was then brought forward and read.

This report indicated the following:

(19) Sidewalk Crossing - 4106 Gilpin Crescent  
(Passey)

On August 9, 1971, the Council upheld the Engineer's decision to not allow a northerly vehicular crossing to a loop driveway.

The Council, in dealing with requests of a similar nature during the past several weeks, has developed a tentative policy that driveway crossings would be approved in locations which have an immediate ability, or at least a potential, of serving a conforming parking area within the lot.

The Passey's Southerly driveway crossing does have the ability to serve a potential conforming parking area in the rear yard but the Northerly crossing does not have this ability nor the potential. It is on this basis and the fact that to install the Northerly crossing would only encourage parking or the storage of vehicles (which would be in contravention of one or more of the municipal by-laws) that access by means of the Northerly driveway was denied by the Engineer.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN EMMOTT:

"That permission be granted to provide a sidewalk crossing to Mr. Passey's property via the Northerly end of the loop driveway

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

"That the foregoing motion be tabled until the November 8th meeting at which time a report be submitted by the Municipal Manager indicating whether the Zoning By-law should be amended to allow for the type of sidewalk crossing Mr. and Mrs. Passey desire (for a loop driveway), especially in cases where the double entrance serving the circular driveway existed before the said By-law was enacted."

CARRIED

AGAINST -- ALDERMEN DRUMMOND, EMMOTT  
AND CLARK

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ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:

"That all of the below listed Original Communications be received."

CARRIED UNANIMOUSLY

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Guardian Secretary, Bethel No. 34, International Order of Jobs Daughters, wrote to request permission to hold a Totem Log Sale on the evenings of November 2nd and 3, 1971 in the area East of Boundary Road and North of Canada Way.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:  
"That permission be granted to the Order to conduct its campaign at the times and in the area indicated."

CARRIED UNANIMOUSLY

Officer-In-Charge, Burnaby Detachment, R.C.M.P., forwarded a letter from the Safety Chairman, New Westminster Aerie No. 20, Fraternal Order of Eagles, concerning a proposed Car Rally the Aerie plans to hold on November 7th between 11:00 a.m. and 4:00 p.m. along a route outlined on an attachment to a September 20th submission addressed to the R.C.M.P.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That permission be granted to New Westminster Aerie No. 20 of the Fraternal Order of Eagles to conduct the Rally in question along the route mentioned at the time indicated, subject to:

- (a) The approval of the R.C.M.P. (which has already been received).
- (b) The Provincial Department of Highways having no objection to the use of any arterial highways in the municipality which are involved."

CARRIED UNANIMOUSLY

Mr. and Mrs. William Petrie submitted a letter:

- (a) Drawing attention to drag racing which occurred on Wayburne Drive on the weekend of October 8th to 10, 1971.
- (b) Urging that speed bumps be constructed on the street mentioned to discourage drag racing.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN BLAIR:  
"That Mr. and Mrs. Petrie be advised that:

- (1) The R.C.M.P. will be asked to enforce the law, as much as is possible, to curtail the incidence of drag racing.
- (2) Speed bumps will not be installed, as requested, because the Council has received advice from its Legal Department that the municipality might be held liable in the event an accident occurred that could be attributed to the presence of speed bumps.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN McLEAN:  
"That the Parks and Recreation Commission be asked to locate appropriate site(s) for drag racing because this is considered to be a recreational activity."

IN FAVOUR -- MAYOR PRITTIE,  
ALDERMEN DAILLY AND McLEAN  
AGAINST -- ALDERMEN CLARK, BLAIR,  
EMMOTT AND DRUMMOND  
MOTION LOST

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Mr. George Webster wrote to urge that Council arrange for the paving of the 4000 Block Carson Street, as a Local Improvement, rather than require Mr. V. Delgatty to do the work as a servicing requirement in connection with his proposed subdivision of land on the street.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN DAILLY:

"That Council reaffirm the decision it rendered on September 20, 1971 to regard the road improvement mentioned in the letter from Mr. Webster as a prerequisite to the subdivision of Mr. Delgatty's property, a situation which was accepted by Mr. Delgatty during the processing of his subdivision application."

CARRIED UNANIMOUSLY

Inland Industries Ltd. wrote to request that the name of Goring Avenue be changed to either Inland or Kenworth Avenue.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN BLAIR:

"That the owners of all the properties on Goring Avenue be contacted to obtain their views on the proposed change in the name of that Avenue; and further, the Municipal Clerk determine the reason the name "Goring Avenue" was assigned in the first place."

CARRIED UNANIMOUSLY

Secretary-Treasurer, Burnaby School Board, wrote to explain the effect that will be felt by the Board in the event an announced change in the finance formula pertaining to school costs materializes.

*It was understood by Council that His Worship, Mayor Prittie, would ascertain from the School Board the action it proposes to take as a result of possibly being placed in the position described in the letter from the Secretary-Treasurer of the Board.*

Director of Finance and Administration, Greater Vancouver Regional District, wrote to advise that the Board of the District reaffirmed the decision it rendered in January, 1970 to not become involved in shops closing hours on a Regional basis.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:

"That a Special Committee be established to consider the matter of polling municipalities surrounding Burnaby to determine whether they would be interested in having the same shop closing hours so that there would be consistency in that regard."

CARRIED

AGAINST -- ALDERMEN  
EMMOTT AND BLAIR

Mr. W. H. Lew Rogers submitted a letter requesting an extension of time to allow for the redevelopment of his property at 6596

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Marlborough Avenue for RM3 use under the former regulations which governed this category in the Zoning By-law.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN BLAIR:  
"That Item (9) of the Municipal Manager's Report No. 68, 1971, which deals with the subject of the letter from Mr. Rogers, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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

(9) Undevelopable Apartment Sites

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

- (a) The request of Mr. Rogers is related to the actions taken by Council following the adoption of the recommendations in the Apartment Study '69 report on November 10, 1969.
- (b) That report included amendments which resulted in higher standards that increased the minimum lot area and width requirements for development in RM3 Districts.
- (c) The effective date of the Amendment By-law was January 1, 1970.
- (d) As a result of these changes, a number of properties in areas which had been previously zoned RM3 could no longer experience apartment development under the new standards. Because of this situation, the Planning Department examined all of the 32 affected properties and recommended alternative possibilities for development in a report dated January 30, 1970.
- (e) Among the recommendations, which were adopted by Council on February 2, 1970, was a proposal to permit 10 properties (which had an earlier apartment potential) to develop under the former 1965 Zoning regulations. In order to accomplish this, the Council agreed to extend the effective date of the Amendment By-law to January 1, 1972 in respect of the 10 properties. The properties which were involved were described as:
  - (i) Lot 8, Except Plan 22210, Bk. "G", D.L. 127W3/4, Plan 1254
  - (ii) Lot 33, Bk. 42, D.L.'s 151/153, Plan 1566
  - (iii) Lot 19, Bk. 29, D.L. 152, Plan 1292
  - (iv) Lot 21, Bk. 29, D.L. 152, Plan 1292
  - (v) Lot 6, Bk. 29, D.L. 152, Plan 1292
  - (vi) Lot 3, Bk. 30, D.L. 152, Plan 1520
  - (vii) Lots 8 and 9, Sk. 9886, Bk. 30, D.L. 152, Plan 1520
  - (viii) Lot 31, Bk. 30, D.L. 152, Plan 1520
  - (ix) Lot 15, Bk. 31, D.L. 152, Plan 1209
  - (x) Lot 16, Bk. 31, D.L. 152, Plan 1209
- (f) The property shown under vii above are owned by Mr. Rogers.
- (g) In the case of the lot described under (ii), application has been made for Preliminary Plan Approval to develop under the former RM3 standards.

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- (h) In view of the foregoing, it was being recommended that an extension be made in the effective date of the Amendment By-law mentioned earlier, to January 1, 1973, for all of the properties described, except Lot 33 shown under Item (II), in order to allow additional time for apartment development to take place under the regulations which were in effect when the Zoning By-law was enacted in 1965.

It was being recommended that Council concur with the recommendation of the Planning Department.

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

CARRIED UNANIMOUSLY

Senior Traffic Engineer, Department of Highways, submitted a letter:

- (a) indicating that his Department does not feel a raised median on Canada Way from Edmonds Street to North of Wedgewood Street is the best way of preventing the use of Wedgewood Street by vehicular traffic as a signal by-pass route because it would unduly restrict other movements and would likely divert such traffic to Rosewood Street.
- (b) suggesting other measures that could be introduced which would have the effect of reducing the volume of traffic along Wedgewood Street from Canada Way to 6th Street.
- (c) advising that he has arranged for a traffic count to be made at Edmonds Street and Canada Way for the purpose of determining whether the signal there needs to be phased in a different manner.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN EMMOTT:  
"That the submission from the Department of Highways be referred to the Traffic Safety Committee for comment."

CARRIED UNANIMOUSLY

Mr. and Mrs. W. M. Kloeble submitted a copy of a letter addressed to the Traffic Safety Committee in which they expressed views on the subject of traffic conditions on Canada Way.

Mr. and Mrs. D. Whiteside also submitted a copy of letters addressed to the Committee relating to the same matter.

Municipal Clerk mentioned that he had received another letter, from Mrs. I. Brummitt pertaining to the question of traffic conditions on Canada Way.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN DAILLY:  
"That consideration of the submissions from Mr. and Mrs. Kloeble, Mr. and Mrs. D. Whiteside and Mrs. Brummitt be deferred until receipt of the Traffic Safety Committee report later in the evening."

CARRIED UNANIMOUSLY

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Mr. Allen G. LaCroix, Barrister and Solicitor, wrote to request that Council abandon the prerequisite to the rezoning of Lot "C", Except the South 125 feet parallel to Kingsway, Blocks 1/2, D.L. 97, Plan 15308 whereby the owner of the property provide an undertaking he will dedicate, free of charge, a lane allowance 20 feet wide at such time in the future as a lane is dedicated on either of the sites to the East or West of the subject property because it is highly unlikely a lane could be created in the manner mentioned inasmuch as there are structures on the land that would be used for lane purposes.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN BLAIR:

"That Council reaffirm the decision to retain the prerequisite mentioned in the letter from Mr. LaCroix because it is felt the provision of secondary access to properties fronting Kingsway is of sufficient importance to warrant an attempt being made to create a lane at the subject location, despite the obstacles which prevail at the moment with regard to the fact the land intended for lane use is occupied by buildings."

CARRIED

AGAINST -- ALDERMAN McLEAN

Assistant to the Director, Canadian Federation of Mayors and Municipalities, submitted a circular forwarding information on the local initiatives and Training Programme to be launched by the Department of Manpower and Immigration which is designed to create jobs.

*Municipal Manager stated that he would have a report for Council on November 1st in connection with the subject of the presentation by the Federation.*

MAYOR PRITTIE drew attention to the fact that there seems to be some confusion and controversy regarding a decision of Council to recognize Saturday, October 30, 1971 at Hallowe'en.

He read a letter that had been received expressing views on the matter.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:

"That Council confirm the recognition of Saturday, October 30, 1971, as Hallowe'en."

CARRIED UNANIMOUSLY

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TABLED MATTER

The following item was then lifted from the table:

The term "Electrical Contractor" in the Zoning By-law

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN McLEAN:

"That the recommendation contained in Item (12) of the Municipal Manager's Report No. 67, 1971 pertaining to the matter of "Electrical Contractors" be adopted."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:

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

CARRIED UNANIMOUSLY

ALDERMAN EMMOTT left the meeting.

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QUESTION AND ANSWER  
PERIOD

When Alderman McLean enquired as to the progress being made in connection with the Mobile Homes Park Report, the Planning Director stated that there was a draft By-law on the matter which was anticipated would be presented to Council on November 1st.

As a result of Alderman McLean enquiring about the Burris Street Extension, the Planning Department was directed to provide Council with a plan illustrating the road pattern that is proposed to be established as a result of Burris Street being extended Northward to connect with Sixth Street.

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R E P O R T S

MAYOR FRITTE submitted a report recommending that Alderman J. D. Drummond be appointed Acting Mayor for the months of November and December, 1971.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:  
"That the recommendation of the Mayor be adopted."

CARRIED UNANIMOUSLY

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MUNICIPAL CLERK submitted a Certificate of Sufficiency covering the paving of the lane between Rosewood Street and Wedgewood Street West from Fourth Street to the E.P.L. of Lot 21, Block 4, D.L. 90, Plan 535.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the Certificate be received and authority be granted to prepare a Local Improvement Construction By-law to cover the work mentioned in the Certificate."

CARRIED UNANIMOUSLY

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ALDERMAN EMMOTT RETURNED TO THE MEETING.



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MAYOR PRITTIE began to provide a verbal report on the trip that was made to a number of oil refineries in the San Francisco Area by members of Council and staff but was challenged as to the admissibility of the item to the Agenda.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN EMMOTT:  
"That Mayor Prittie be permitted to provide a verbal report on the matter mentioned at this time."

CARRIED UNANIMOUSLY

MAYOR PRITTIE then continued and made the following points:

- (a) Nothing final has been decided as a result of the trip in question.
- (b) The investigation of air quality standards has not yet been completed.
- (c) The staff which accompanied the members of Council contacted their counterparts in the area that was visited and discussed the problem.
- (d) There is a 9-County Board which is responsible for regulations governing the operations of oil refineries and the enforcement of the laws.
- (e) A great deal of information was obtained as a result of the contacts made by all who made the visit.
- (f) One of the refineries visited is new but others were visited as well.
- (g) Copies of the regulations governing the operations of the oil refineries were obtained and brought back by the delegation, and will be compared with those which prevail in Burnaby.
- (h) It is considered that the Greater Vancouver Regional District should examine the question of regulations for oil refineries.
- (i) It seemed that the regulations in effect in the San Francisco Area control the oil refinery situation better than that in Burnaby, although no positive conclusions in that regard can be reached.
- (j) The aforementioned 9-County Board has 157 employees, and its annual budget is approximately 4 million dollars.

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TRAFFIC SAFETY COMMITTEE submitted a report dealing with traffic conditions on Canada Way, advising that the following points were given consideration in the study that was made:

- (1) Advance warning flashers for the downhill approach to the signal at Burris Street.
- (2) Speed limits on Canada Way.
- (3) Truck Traffic on Canada Way.

- (4) A full pedestrian signal on Canada Way at 12th Avenue
- (5) Pedestrian crossings of Canada Way between Burris Street and Kensington Avenue.
- (6) Emergency parking lanes.
- (7) A "Relief" road through Heritage Park.
- (8) A chain link fence adjacent to the curbs that would act as barriers against runaway vehicles.
- (9) The extension of Sixth Street between Stanley and Mayfield Streets.

After consideration of the above nine points and the hearing of many delegations, it was being recommended that:

- (a) A request be made of the Department of Highways that the speed limit for all vehicular traffic on Canada Way between Kensington Avenue and Imperial Street be reduced to 30 m.p.h. for a 6 month trial period.
- (b) The speed limit on the municipal portion of Canada Way from Smith Avenue to Kensington Avenue also be reduced to 30 m.p.h. for a six month trial period.
- (c) A further request be made of the Department of Highways for a controlled pedestrian crossing at the intersection of Canada Way and the North leg of Kensington Avenue.

The Municipal Engineer has also been asked to:

- (1) Investigate the possibility of installing a concrete curb abutment along Canada Way in the vicinity of Burris Street to assist in controlling runaway vehicles.
- (2) Investigate the merits of installing a steel railing at the same location for the same reason.

MOVED BY ALDERMAN BAAIR, SECONDED BY ALDERMAN DAILLY:  
"That the report of the Committee be received."

CARRIED UNANIMOUSLY

The letters which Council received earlier in the evening from those concerned about traffic conditions on Canada Way were then brought forward and read.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:  
"That the Traffic Safety Committee consider a proposal which would require all Southbound truck traffic on Canada Way approaching Edmonds Street to turn either right or left at Edmonds Street and not continue through to Tenth Avenue; and further, the Committee also consider a proposal whereby trucks would not be allowed to use major highways, such as Canada Way and Willingdon Avenue, between 9:00 p.m. and 7:00 a.m., principally because of the hilly characteristics of such highways."

CARRIED

AGAINST -- ALDERMEN CLARK  
AND BLAIR

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MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN DRUMMOND:  
"That the first recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:  
"That the recommendation embraced by the previous motion be amended so as to read, in part:

"the speed limit on the municipal portion of Canada Way from Smith Avenue to Royal Oak Avenue be reduced to 35 m.p.h."

CARRIED

AGAINST -- ALDERMEN DRUMMOND AND  
BLAIR

A vote was then taken on the motion to adopt the 2nd recommendation of the Committee, and it was Carried, with Aldermen Drummond and Blair Against.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN CLARK:  
"That no action be taken to implement the effect of the resolution to adopt the second recommendation of the Committee, as amended, until a reply is received from the Department of Highways in regard to the proposed reduction in the speed limit on Canada Way between Kensington Avenue and Imperial Street."

CARRIED

AGAINST -- ALDERMEN McLEAN AND  
DRUMMOND

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

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the R.C.M.P. advise of the number of times:

- (a) Vehicles have "jumped" the curb on Canada Way.
- (b) Motorists have been apprehended for failing to stop at the stop lights on Canada Way at various intersections."

CARRIED UNANIMOUSLY

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MAYOR PRITTIE DECLARED A RECESS AT 9:15 P.M.

THE COMMITTEE RECONVENED AT 9:30 P.M.

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MUNICIPAL MANAGER submitted report no. 68, 1971 on the matters listed below as Items (1) to (20) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Dog Control

The Chief Licence Inspector has provided the following comments on points that were made in Council on September 27th in regard to dog control:

- (a) Because it is felt the idea of a notice being provided when licences are issued clearly showing a dog owner's responsibilities, a notice containing pertinent extracts from the By-law will be attached to each licence receipt beginning January, 1972.
- (b) The use of paint to identify offending dogs so that positive action can be taken against their owners is not considered to be practicable.

It is still being hoped that the municipality can introduce the Violation Notice system that is presently employed by the City of North Vancouver, the District of North Vancouver, the District of Coquitlam, the City of Port Coquitlam, the City of Port Moody, the District of Richmond, the District of Delta, and the District of Maple Ridge.

Despite the fact these other municipalities are using such a Notice, Burnaby's Municipal Solicitor has given the opinion that there is no authority in the Municipal Act for such a Notice.

In consultation with the Department of Municipal Affairs, it has been found that the Department has some reservations regarding the possible discriminatory application of this method because it is felt the system could be used as a revenue device rather than a regulatory one. The Department has also expressed the opinion that there would need to be some strict limitations on the penalty imposable under such a scheme.

Perhaps the matter should be advanced to the Provincial Government by the U.B.C.M.

- (c) The S.P.C.A. could readily supply more staff to better police the matter of dog apprehension, but this would increase costs to the municipality.
- (d) No support can be given the suggestion that the municipality return to the "incentive system" for apprehending dogs.

Since the S.P.C.A. assumed responsibility for dog control, complaints have been reduced to virtually nothing. Some of those complaints used to be:

- (i) False impoundment.
- (ii) The use of allurements.
- (iii) Unmarked cars.
- (iv) Lack of uniforms.
- (v) Use of bounty hunters.

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Public relations have improved immensely and complaints are more thoroughly investigated.

In addition to impounding dogs, the S.P.C.A. is doing a thorough job in other areas of dog regulation enforcement.

- (e) The Dog Tax and Pound By-law is presently being redrafted and combined, for administrative reasons, with the Animal Pound By-law.

This draft has been reviewed by the S.P.C.A., which has offered some suggestion for improvement. The By-law is presently in the Legal Department and should be ready shortly for submission to Council. The By-law will propose an increase in licence fees to be consistent with that in effect in Vancouver and in the City of Port Coquitlam. It will also propose a per diem charge for maintenance during impoundment. Burnaby is the only municipality in the Lower Mainland not making a charge at present.

- (f) The annual cost of the S.P.C.A. operation is approximately \$32,000.00.

To revert to a municipal operation would cost roughly \$49,000.00 in the first year and, thereafter, \$38,000.00 annually.

There is no real way to alleviate the problem of dog control, short of using cruder methods of apprehending stray dogs, such as tranquilizer guns, the use of bait, etc. These methods are not only undesirable but are totally unacceptable to the public.

It was being recommended that:

- (1) The U.B.C.M. Executive be asked to endorse the principle of using a Violation Notice such as is presently utilized in some areas in the Lower Mainland.
- (2) The said Executive also be asked to present this matter to the Provincial Government with a request that the Municipal Act be amended to allow for the issuance of such a Violation Notice.
- (3) Mr. A. Allegretto, who submitted a letter of complaint to Council on September 27th, be sent a copy of the above report and informed of the Council decision on the matter.

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

CARRIED

AGAINST -- ALDERMEN DRUMMOND  
AND CLARK

(2) Monthly Report of Building Department

A report of the Chief Building Inspector covering the operations of his Department from September 13th to October 8, 1971 was being submitted.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That the report be received."

CARRIED UNANIMOUSLY

(3) Burnaby Sewerage and Drainage Financing By-law 1966

The Manager recapped the borrowings which have transpired since passage of the above By-law, authorizing the borrowing of \$2,000,000.00 during the years 1966 to 1969. An Amending By-law was passed, advancing the authority under the By-law to the year 1971. Balance of the authority to borrow remaining was \$159,000.00. A further extension of the authority to 1972 was needed and the Manager recommended:

- (1) That Burnaby Sewerage and Drainage Financing By-law 1966, Amendment By-law 1971 be brought forward; and
- (2) That the Treasurer be authorized to request the Greater Vancouver Regional District to apply to the Municipal Finance Authority to include in its next bond issue \$159,000.00 with repayment to be in 20 years.

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

CARRIED UNANIMOUSLY

- (4) (a) Lot 1, Block 32, D.L. 34, Plan 3333  
RZ #29/71
- (b) Area bounded by Inman Avenue, Bond Street, Patterson Avenue  
and Kingsway

The Planning Department has reported as follows on the above rezoning proposal and the land use situation in the area indicated under (b) above:

- (a) Attached sketches show, separately, the potential subdivision pattern and existing zoning of the lands included in the area outlined under (b) in caption.
- (b) The properties which are the subject of the rezoning application (which total approximately 1 acre in size) are immediately North of the medium density area designated in the 1969 Apartment Study.
- (c) It was recognized in that Study that the subject site has certain advantages which make it suitable for senior citizen accommodation, they being:
  - (i) Amenities in Central Park are within walking distance.
  - (ii) The availability of good public transit on Kingsway.
  - (iii) The accessibility to commercial facilities and other activities in the Kingsway town centre.
  - (iv) The site is of sufficient size to support medium density (RM4) apartment development of a moderate height (11 storeys).

- (v) The site has a potential for integration under a CD plan with the rest of the holdings of the applicant, the Four Square Alliance Church, thus enabling the residents to use the Church facilities as well as a recreation centre which forms part of a school complex that is proposed to be added in a later stage to the Church site.
- (d) The major objection to the intensive use of the site for senior citizen accommodation is the density of development.
- (e) On the strength of the locational arguments in favour of the proposal and recognizing that the:
  - (i) proposed medium density,
  - (ii) moderate height,
  - (iii) immediate proximity to the areas designated in the Apartment Study for medium density use,could reduce some of the inherent land use conflicts, the proposal was supported by the Planning Department in principle.
- (f) It is essential to bear in mind the mechanics of land development and its financing aspects in order to understand how private groups sponsoring senior citizens housing arrive at their decisions in regard to location and choice of development type. In that regard, financing for senior citizens housing can be arranged through a 95% C.M.H.C. mortgage on the basis of 5% equity, or through a sharing arrangement between the Provincial and Federal Governments (30% Provincial grant and 60% C.M.H.C. mortgage) on the basis of a 10% equity. The latter method is subject to restrictions imposed by the Province on the rent levels and admissions.

Both methods require, compared to private development operations, a relatively low equity on the part of the sponsoring organizations. This, in turn, results in the choice of housing sites with a low land value. High value sites would be underused or would experience higher rent levels.

The major concern of the sponsoring groups at the present time is to keep rent levels to a minimum. It is obvious locational aspects, to some extent, are considered of secondary importance.

It should be realized that, as scale and density of senior citizens projects increase, there may be an added advantage in the choice of low value sites which do not provide the 5% or 10% equity mentioned above in that rezoning will create an appreciation in land value resulting in an inadequate equity position.

To illustrate, both the New Vista housing scheme and the Action Line Seton Villa Project are located outside areas designated for apartment use. The former has a floor area ratio of 1.7 and the site satisfies the locational criteria for senior citizens housing. The Seton Villa scheme has an overall FAR of 1.4 and is located in the middle of an established single family area. The site does not meet all locational criteria for senior citizens housing but rezoning was effected and no consideration was entertained to change the surrounding area from its existing single family residential use.

- (g) The proposal at hand creates a situation comparable to the New Vista Society scheme, although it is smaller, lower in density and closer to the designated apartment areas. An analysis of the current scheme in relation to the surrounding areas has been made and it was being recommended that no land use change for this general area be entertained at this time because more intensive uses for the remainder of the block would constitute a Northward intrusion of multi-family use into a single family area and would undoubtedly multiply the land use conflicts. The proposed extension of Lindsay Avenue, as shown on Sketch 1, will to some extent separate the higher density use from the single family area. Substantial landscaping and screening along the North and East property lines of the subject property will be demanded because it is considered to be an integral part of the required development plan.
- (h) Provision of reasonably priced senior citizens housing is considered essential to the community. It is realised that this objective needs to be balanced against land use conflicts resulting from the location of the housing project but, in view of the locational advantages, it was being recommended that the previous recommendation to approve the proposal be confirmed.
- (i) It was also being recommended that no change be considered in the existing single family residential use of the areas outside the Apartment Study designations.

It was being recommended that Council endorse the recommendations of the Planning Department.

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

CARRIED UNANIMOUSLY

(5) Uniform Building Code By-law

The Chief Building Inspector has reported, by way of an attachment, on the above matter.

Basically, he points out that the model By-law is not drafted in a form suitable for total adoption by the Regional District because it was not intended to be used in this manner. He is now reviewing the matter with staff from the Regional District.

The Municipal Solicitor has also been asked to review the model By-law.

It cannot be recommended at this time that the By-law be adopted in its present form.

The Chief Building Inspector will be available at the meeting this evening to answer any questions.

It was being recommended that the subject matter be tabled pending a further report from the Chief Building Inspector and one from the Municipal Solicitor.



*The Chief Building Inspector was present and provided answers to a number of questions which were posed in connection with the matter at hand.*

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

CARRIED UNANIMOUSLY

(6) Easement - Portion of Lot 284, D.L.'s 6/10, Plan 38574  
REFERENCE RZ #12/71

It was being recommended that Council authorize the:

- (a) acquisition of an easement over a portion of the above described property, for sewerage and drainage purposes, at no cost to the Corporation.
- (b) execution of the documents connected with the transaction.

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

CARRIED UNANIMOUSLY

(7) Senior Citizens' Recreation Centre - Kingsway and Edmonds Street  
(Former Municipal Hall Site)

A review of the plans for the above project, with the Architect, has been completed and new sketch plans have been prepared.

Underground parking has been converted totally to a depressed parking area and the building structure has been simplified, where possible.

An attempt has also been made to make the building more versatile by inter-connecting rooms, where necessary, and by some rearrangement of rooms.

The plan-review has been undertaken in conjunction with the Parks and Recreation Commission, and changes suggested by the Commission have resulted in a much "homier" atmosphere, such as including an informal lounge area for "drop-in" visiting, but with no disruption of the programme proposed nor effect on the operating procedures.

The Commission has approved the latest sketch plans that have been prepared by the Architect.

The conclusion has been reached that the original estimate was too low and, by the time tenders were called, estimates could not be met. In order to not greatly rupture the structure and to provide the facility with as much versatility as possible and be of a good durable standard of construction, the Architect has recommended that the estimate for the project be raised by \$33,000.00. Municipal staff feel there is no doubt additional funds will be required.

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The Architect has also asked that his fee be based on the final costs, which means it would increase by approximately \$2,400.00 if the structure costs the amount it is now anticipated. The Architect has been most co-operative in preparing many sketches for the revision and the staff feel he is entitled to a fee which is based on actual cost. The agreement with the Architect will need to be amended to provide for the greater construction cost.

The projected budget and source of funds for the project, before and after tender, is as follows:

Projected Budget:

	<u>Original Estimate (Before Tender)</u>	<u>Revised Estimate (After Tender)</u>
Building	\$275,000	(
Garage	57,500	) \$369,000
Landscaping	<u>10,000</u>	<u>6,000</u>
	\$342,500	\$375,000
Architect's Fees	25,700	28,100
Furnishings	10,000	10,000
General Contingencies	<u>---</u>	<u>5,000</u>
	<u>35,700</u>	<u>43,100</u>
Total	<u>\$378,200</u>	<u>\$418,100</u>

Source of Funds:

	<u>Original Estimate (Before Tender)</u>	<u>Revised Estimate (After Tender)</u>
Provincial Grant	\$103,000	\$134,400
Federal/Provincial		
Special Loan	275,200	250,000
Reserve Funds	<u>---</u>	<u>33,700</u>
Total	<u>\$378,200</u>	<u>\$418,100</u>

It is considered desirable to proceed, as quickly as possible, with the preparation of plans and specifications and the inviting of tenders for the project.

It was being recommended that:

- (a) The Architect be authorized to translate the sketches submitted into plans and specifications.
- (b) Tenders for the project be invited as quickly as possible.
- (c) The agreement with the Architect covering the project be amended to reflect the situation portrayed above.

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

CARRIED

AGAINST -- ALDERMEN BLAIR AND  
CLARK

(8) Monthly Report of Personnel Department

The Personnel Director has submitted a report covering the activities of his Department as of September 26, 1971.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN McLEAN:  
"That the report be received."

CARRIED UNANIMOUSLY

(9) Undevelopable Apartment Sites

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

(10) B. C. Tenants Organization

The Municipal Solicitor has reported as follows on a complaint from the above Organization concerning the treatment accorded a Burnaby tenant when he endeavored to lay charges against his landlord for what was considered to be an illegal increase in rent:

- (a) It is not known what transpired in the intervening period between the time the complainant saw the Prosecutor, Mr. S. Chambers, and the date the Tenants' Organization wrote to the Department of the Attorney General.
- (b) I have never spoken to either the complainant, Mr. Jantzen, or Mr. Whaley of the B. C. Tenants' Organization at any time.
- (c) Apparently one or both of them attempted to see me but were unable to do so because I was busy with other matters.
- (d) No one in my office told Mr. Jantzen or Mr. Whaley that I would not see them at any time.
- (e) It is not the function of the R.C.M.P. or the Prosecutor to decide whether or not any person may lay a charge. Any person can do so if he can satisfy a Justice of the Peace that he has reasonable and probable grounds to believe an offence has been committed.
- (f) Since returning on Monday, I have written to Mr. Whaley to advise him of the foregoing and to tell him that Mr. Jantzen should appear before a Justice of the Peace if he wishes to lay a charge against his landlord.

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It was being recommended that a copy of the above report, together with Item No. 7 of Report No. 63, 1971, be forwarded to both Mr. Di Castri of the Department of the Attorney General and Mr. Whaley of the B. C. Tenants' Organization.

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

CARRIED UNANIMOUSLY

(11) Burnaby Noise or Sound Abatement By-law

A report from the Technical Committee studying the noise problem was being submitted, together with the final draft of the By-law.

The Regional District has not yet finalized its proposed Anti-Noise By-law. It is understood the District will be receiving a submission from its Technical Sub-Committee on the matter very shortly.

In the report the Municipal Technical Committee is submitting, it was being pointed out that the objectives of the By-law are:

- (a) To prevent and reduce all noises in or on public or private places or premises which disturb the quiet peace, rest and enjoyment of the neighbourhood or the comfort and convenience of individuals or the public.
- (b) To reduce, on a long term basis, noise levels within the community.
- (c) To establish standards which are reasonable and enforceable, limiting the amount of noise which may be created within sections of the community.
- (d) To require those creating unnecessary, unwarranted and excessive noise levels to control them or limit the use of such noise-producing devices to such times as are acceptable within the community.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK:  
"That Burnaby Noise or Sound Abatement By-law be placed on the Agenda for the November 1st Council meeting for two readings; and further, letters be sent to all those who expressed a desire to address the Noise Pollution Committee about the proposed by-law for the purpose of inviting them to speak to Council at the November 8th meeting on the matter; and further, the Special Committee which was established to consider and report on noise control be discharged."

CARRIED UNANIMOUSLY

*It was understood that the Chief Public Health Inspector and Mr. L. E. Penner of the Environmental Technology Branch of the B. C. I. T. would give a demonstration of measuring sound levels with the use of the meter that is intended to be employed in enforcing Burnaby Noise or Sound Abatement By-law when the subject is to be considered at the November 8th meeting.*

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- (12)(a) (i) Lots 4 and 5 W½, Block 2, D.L. 68 NW part, Plan 980  
(ii) Lots 5E½ to 10 inclusive, Blk. 2, D.L. 68, Plan 980  
REFERENCE REZONING #52/70  
(b) Laurel Street

The Planning Department has requested that Council authorize the following steps to be taken in order to proceed with the implementation of the above rezoning proposal:

- (a) The introduction of a By-law to close the portion of Laurel Street shown as No. (2), and a portion of a lane South of Laurel Street shown as No. (3), on an attached sketch.

A sanitary sewer is located in the lane allowance just mentioned, which is felt should be relocated to the North-South lane so as to make the site involved more developable.

It is estimated that the cost of this work is \$6,600.00.

The relocation should be completed before Laurel Street is constructed and paved as part of the rezoning proposal.

Presumably, the municipality would recover the cost of this work when its land in the area is sold.

- (b) The petitioning of the Lieutenant Governor in Council for title to the portions of the street and lane mentioned.  
(c) The subsequent consolidation of the Corporation-owned properties shown on the attached sketch with the portions of road and lane to be abandoned.  
(d) The dedication of a North-South lane to replace the East-West lane that has been mentioned above.

It was being recommended that Council endorse the requests of the Planning Department.

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

CARRIED

AGAINST -- ALDERMEN McLEAN AND  
DRUMMOND

(13) Contract - Copley Pump Area #1 (Claude/Rayside Area)

It was being recommended that Council authorize an extension of the completion date for the contract with H. B. Contracting Limited covering the construction of the above project from May 31, 1971 to August 16, 1971, for the following reasons, without the imposition of the \$100.00 per day liquidated damages clause in the contract:

- (a) extremely difficult ground conditions.  
(b) a strike of the B. C. Hydro and Power Authority workers.  
(c) problems with motors supplied with the pumping station.

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

CARRIED UNANIMOUSLY

(14) Special Drainage Projects

It was being recommended that Council approve the construction of drainage projects to serve the following areas at the costs indicated:

- |  |             |
|--|-------------|
| (a) Willingdon Avenue - Grange to Moscrop Streets                                  | \$30,000.00 |
| (b) Lyndhurst Street - Noel Drive to North Road                                    | 21,000.00   |
| (c) Lane West of and Parallel to McKay Avenue from<br>Hurst Street to Greta Street | 4,000.00    |
| (d) Morley Street - Extend Existing Storm to<br>Canada Way                         | 10,000.00   |
| (e) Service Street - Waltham Avenue to Gilley Ave.                                 | 30,000.00   |
| (f) Kilsbey Avenue - Lane North of Berwick to 150 ft.<br>North                     | 5,000.00    |
| (g) Holdom Avenue - 132 ft. North of Hastings Street<br>to Pandora Street          | 10,000.00   |

It was also being recommended that these projects be financed as follows:

- (1) Projects (a) to (f) - to be charged to the Federal-Provincial Special Development Loan Fund Drainage By-law for \$1,000,000.00.
- (2) Project (g) - to be charged to the Capital Improvement Programme Contingency Account.

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

CARRIED UNANIMOUSLY

(15) 1971 Recast Budget

The Recast of the 1971 Budget was being submitted.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:  
"That the report and accompanying Recast Budget document be received."

CARRIED UNANIMOUSLY

(16) Local Improvement Ornamental Street Lighting Programme

A cost report prepared pursuant to Section. 601 of the Municipal Act covering the Local Improvement Ornamental Street Lighting Programme that is proposed to be initiated shortly was being submitted, as follows:

LOCAL IMPROVEMENT REPORT PER SECTION 001 MUNICIPAL ACT  
ORNAMENTAL STREET LIGHTING

	<u>Engineer's Drawing</u>	<u>Estimated total cost \$</u>	<u>No. of Lights</u>	<u>No. of Properties</u>	<u>Owner's share of cost \$</u>	<u>Actual Ft. Frontage</u>	<u>Taxable Ft. Frontage</u>	<u>Corporation's Ft. Frontage</u>
1. D.E. 86, Stage 3, Phase 1	710069	7,200	9	20	1,800	2,457.72	1,320.00	1,320.00
2. Wilberforce - Sapperton Ave. to Cariboo Rd.	680065	4,800	6	33	2,970	2,089.28	2,046.00	858.00
3. Shelby Court and Dawn Ave.	710092	4,000	5	19	1,710	2,116.03	1,254.00	132.00
4. Trudy Court extension	690519	1,600	2	14	1,260	777.87	924.00	-
5. Carrigan Court	710096	1,600	2	5	450	963.29	330.00	-
		\$19,200	24	91	\$8,190	8,404.19	5,874.00	2,310.00

Estimated lifetime of work - 20 years

Annual levy per property for local improvements - \$13.00

Annual levy per property for electrification - \$3.00

Number of years of levy for local improvements - 10

359

27

MANAGER'S REPORT NO. 68  
 COUNCIL MEETING OCT. 25/71

It was being recommended that this report be accepted.

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

CARRIED UNANIMOUSLY

(17) Lane North of Bennett Street East of Nelson Avenue  
BURNABY ROAD CLOSING BY-LAW NO. 15, 1971

In 1968, the Planning Department recommended that the above lane allowance be abandoned and sold to the adjacent owner.

The owner did not accept this arrangement and indicated he would endeavor to obtain title to the lane allowance under the Plans Cancellation Act. It became apparent that the Registrar would not accept such an application and the applicant therefore asked that the Corporation eliminate the lane under the Road Abandonment procedures, with him bearing all survey, legal costs, etc. This did not proceed because the applicant wished to acquire the third lot on Bennett Street and then cancel the entire lane. The applicant recently acquired this third lot and applied for rezoning of the entire site. This is what precipitated the recommendation to Council on October 18th to abandon the lane allowance.

The Planning Department's recommendation that the lane be closed with title vesting directly with the applicant was consistent with its understanding of the position which was taken to not oppose the applicant obtaining the lane under the Plans Cancellation Act, which would mean there would be no compensation to the Corporation.

The general topic of compensation for abandoned allowances was considered by Council on July 8, 1968.

Under the Plans Cancellation Act, action is initiated by an applicant and he assumes all costs.

The Road Abandonment procedures can only be taken by the Corporation and costs are normally recovered from the sale of the parcel.

If Council feels compensation should be obtained for the subject lane allowance, this can be discussed with the applicant.

As the closure of the lane is critical to the timing of the rest of the project, particularly the ultimate consolidation which must take place before the final reading of the Amendment to the Zoning By-law covering the rezoning proposal, it was being recommended that the Road Closing By-law proceed, with title to the allowance vesting with the Corporation.

If Council decides compensation is necessary, the parcel can be sold. If that is not considered necessary, the parcel can be conveyed to the applicant upon payment of the legal and registration costs.

It was being recommended that:

- (a) The Road Closing By-law which is the subject of the above report be introduced and passed by Council, with title to the allowance that is to be abandoned vesting in the Corporation.



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- (b) Council indicate whether compensation should be required for the allowance.

If compensation is required, a further report can be prepared while the abandonment is being processed.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager respecting the Road Closing By-law be adopted and the municipality require the person desiring the lane allowance in question to compensate the Corporation for the land."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:

"That the meeting extend beyond the hour of 10:00 p.m."

CARRIED

AGAINST -- ALDERMEN DRUMMOND  
AND CLARK

- (18) Lots 4 and 6, Blk. 26, D.L.'s 151/3, Plan 4798  
Lot 5, Blk. 26, D.L.'s 151/3, Plan 4932  
Lot "A", Blk. 27, D.L. 152, Plan 5847  
Lot 39, D.L.'s 32/152, Plan 24986  
REFERENCE REZONING #13/71

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

- (a) Since Council on May 25, 1971, authorized the rezoning of the above described properties to CD on the basis of certain criteria indicated at that time, discussions have taken place between the applicant and the Planning Department toward the evolution of a scheme that would satisfy the criteria and the objectives of the Kingsway Town Centre Community Plan.
- (b) As a result of these considerations, the applicant has developed plans for a commercially-oriented comprehensive development embracing the subject properties plus Lot 38, D.L. 32/152, Plan 24986.
- (c) These plans provide for a staged commercial complex containing a combination of retail and business and professional office space with a pedestrian shopping mall, pedestrian plazas, and a decked parking structure at the ultimate stage.
- (d) On the basis of the plans and programme which have been submitted (except for a few minor modifications), it was being recommended that Council forward the application to a Public Hearing and establish the following prerequisites to the rezoning:
  - (i) The closing of the portion of the lane which penetrates the site, as shown more particularly on an attached sketch.
  - (ii) The consolidation of all the properties, together with the portion of lane mentioned under (i).

- (iii) The preparation of a suitable detailed plan of development, which provides for a pedestrian-oriented development in keeping with the urban character envisaged in the Town Core Concept.
- (iv) The provision of 100% underground servicing to the site.
- (v) The depositing of sufficient monies to cover the cost of providing the necessary storm sewer services and improvements to bring Marlborough Avenue and Bennett Street up to current standards.
- (e) Alterations in the traffic flow are foreseen in order to improve access to the town centre for Westbound Kingsway traffic. In that regard, the substitution of a link using Marlborough Avenue and Bennett Street to connect with new parking lot access facilities in the Simpsons-Sears complex, for the present route, would achieve that objective but would also involve signalization and the provision of left-turn channels at the intersection of Kingsway and Marlborough Avenue. This, in turn, would necessitate the acquisition of land for the widening of Kingsway
- (f) While such traffic improvements will be necessary as the core develops in intensity, it is not considered that the present development proposal constitutes a sufficient generator requiring their provision at this time, and therefore these future costs have not been reflected in the prerequisites itemized above.

It was being recommended that Council endorse the recommendations of the Planning Department.

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

CARRIED UNANIMOUSLY

ALDERMAN DRUMMOND LEFT THE MEETING.

(19) Sidewalk Crossing - 4106 Gilpin Crescent  
(Passey)

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

(20) Burnaby Noise or Sound Abatement By-law 1971

The following amendments should be made to the above By-law which was presented to Council earlier in the evening:

Page 1 Substitute:

"Continuous Noise" means any noise continuing for more than three minutes in any fifteen minute period of time;

"Continuous Sound" means any sound continuing for more than three minutes in any 15 minute period of time.

Page 2 Substitute:

"Non-continuous Noise" means any noise continuing for less than three minutes in any fifteen minute period of time;

"Non-continuous Sound" means any sound continuing for less than three minutes in any fifteen minute period of time.

Schedule "C" No. 3. When determining the sound level from a source the ambient or background noise or sound level shall be established at the appropriate position and during the relevant period of time wherever possible before taking sound measurements from the source. No measurement should be attempted if the difference is 3 db or less.

Schedule "C". Delete No. 6. Renumber existing No. 7 as No. 6.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN CLARK:

"That the amendments listed above be incorporated into the By-law in question."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN CLARK:

"That "Burnaby Zoning By-law 1965, Amendment By-law No. 18, 1971 " 5879 be added to the Agenda."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN DAILLY:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN DAILLY:

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

CARRIED UNANIMOUSLY

\* \* \*

B.Y - L A W S

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

"That leave be given to introduce:

"BURNABY SEWERAGE AND DRAINAGE FINANCING BY-LAW 1966,  
AMENDMENT BY-LAW 1971" #5971

"BURNABY ROAD CLOSING BY-LAW NO. 15, 1971 #5985  
and that they now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

"That the Council do now resolve into a Committee of the Whole  
to consider and report on the By-laws."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

"That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

"That:

"BURNABY SEWERAGE AND DRAINAGE FINANCING BY-LAW 1966,  
AMENDMENT BY-LAW 1971"

"BURNABY ROAD CLOSING BY-LAW NO. 15, 1971"  
be now read a Third Time."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN BLAIR:

"That the Council do now resolve into a Committee of the Whole to  
consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT  
BY-LAW NO. 18, 1971" #5879."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ #10/71

Lot 244, D.L. 91, Plan 34482

(6745 and 6785 Canada Way)

FROM C6 to C4

Oct/25/1971

ALDERMAN DRUMMOND RETURNED TO THE MEETING.

It was drawn to the attention of Council that Mr. A. F. C. Hean, Barrister and Solicitor, was present and desired an audience with Council in regard to the rezoning proposal at hand.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN CLARK:  
"That Mr. Hean be heard."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER read a report he had received from the Planning Department in connection with the rezoning proposal under consideration, outlining the history of the matter, indicating the progress made relative to the prerequisites, and recommending that the By-law be advanced to Third Reading because the prerequisites are satisfied, with final reading to be given after submission of a suitable undertaking in regard to noise control.

A letter from Mr. C. D. Snider pertaining to the subject rezoning proposal was also read.

Mr. Hean then spoke and made the following points:

- (a) All prerequisites to the rezoning have been satisfied.
- (b) No one who appeared at the Public Hearing on the rezoning proposal was opposed at that time.
- (c) He regretted that the item was placed on the Agenda in the manner arranged, but there had been some misunderstanding in communications between himself and staff of the municipality.
- (d) He wished Council to give the By-law in question Third Reading this evening.
- (e) The option the developer has on the property has almost expired and it will be impossible to renew it because the owner has just recently died and his estate, which includes the subject property, is being probated.
- (f) He understands the Chief Public Health Inspector is completely satisfied that the operation planned will be acceptable as regards the emission of noise.

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

CARRIED

AGAINST -- MAYOR PRITTIE, ALDERMEN  
McLEAN AND DAILLY

THE COUNCIL RECONVENED.

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

CARRIED

AGAINST -- MAYOR PRITTIE, ALDERMEN  
McLEAN AND DAILLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN EMMOTT:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 18, 1971  
be now read a Third Time."

CARRIED

AGAINST -- MAYOR PRITTIE,  
ALDERMEN McLEAN AND DAILLY

\* \* \*

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:  
"That the Council do now resolve into a Committee of the Whole  
to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT  
BY-LAW NO. 27, 1971" #5914."

CARRIED UNANIMOUSLY

This By-law provides for the following rezoning:

Reference RZ #61/70

Lot "A", Blk. 2, D.L. 119E½, Plan 4307

(4433 Buchanan Street)

FROM R5 TO CD

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

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:  
"That "Burnaby Zoning By-law 1965, Amendment By-law No. 27, 1971"  
be now read a Third Time."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That "BURNABY ROAD CLOSING BY-LAW NO. 14, 1971" #5977 be now  
reconsidered and finally adopted, signed by the Mayor and Clerk  
and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

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Oct/25/1971

MUNICIPAL MANAGER reported verbally that a problem had developed in regard to the term for a debenture issue the Municipal Finance Authority released and requested that, in order to resolve the problem, Council indicate to the Authority that it is willing to accept a 25-year repayment period for the Burnaby portion of the issue (which amounts to \$700,000.00).

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN EMMOTT:

"That it be indicated to the Municipal Finance Authority that Council is willing to accept a 25-year repayment period for the Burnaby portion of the issue mentioned this evening by the Municipal Manager."

CARRIED UNANIMOUSLY

The Council then sat "In Camera" at 11:00 p.m.