

APRIL 26, 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, April 26, 1971 at 7:00 p.m.

PRESENT:                    Acting Mayor Blair in the Chair;  
                             Aldermen Clark, Dailly, Drummond,  
                             Emmott, Ladner, Mercier and McLean;

ABSENT:                    Mayor R. W. Prittle;

ACTING MAYOR BLAIR welcomed members of the 56th Company of the Burnaby Mountain District of the Girl Guides and their leader, Mrs. James Costain, to the meeting.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That the Minutes of the Council meeting held on April 13, 1971 and the Public Hearing on April 21, 1971 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

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D E L E G A T I O N S

Victoria Engineering Ltd. submitted a letter requesting an opportunity to address Council on an application to rezone Lot 19, Except Parcel "A", Sketch 12407, Block 4, D.L. 125, Plan 3520 to Multiple Family Residential District One (RMI).

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:  
"That a spokesman for Victoria Engineering Ltd. be heard."

CARRIED UNANIMOUSLY

Mr. M. Babkowski of Victoria Engineering Ltd. then spoke and made the following points in connection with the matter at hand:

(a) The Planning Department was objecting to the distance:

- (i) between the buildings planned to be erected on the property.
- (ii) from the Lougheed Highway that should be required for the buildings planned to be constructed.

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- (b) The Zoning By-law requires a minimum distance of 25 feet between buildings, and the plan of the applicant shows there will be 34 feet between the buildings.
- (c) The three-bedroom units that are to be provided are large units, some will be 1,280 square feet and others 1,380 square feet.
- (d) The motel on the property that the Planning Department feels should be removed has a value of \$40,000.00 and, being only 12 years old, is still in good condition.
- (e) There would be no difficulty in converting the motel to a condominium development; as a matter of fact, the 12 units now comprising the motel will be reduced to 6 after the motel is remodeled.
- (f) There is a fourteen foot difference in elevation between Lougheed Highway and the buildings planned.
- (g) The developer is prepared to provide adequate landscaping on the site, and to provide a bond to ensure that this is done.

The Planning Director stated that one of the concerns of his Department was with the question of the development planned by Victoria Engineering Ltd. being compatible with that underway on land to the East.

He also explained that the distance between the buildings should be no less than 50 feet because they will be directly opposite each other. He hastened to add that this distance could be less if the buildings were staggered on the site rather than parallel to each other.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:  
"That the rezoning proposal in question (RZ #53/70) and the prerequisites to it be referred back to the Planning Department for review with the Council liaison with the Department and the applicant for the purpose of endeavoring to resolve the points of difference that have been mentioned this evening, with particular consideration to be given the necessity of removing the motel from the property."

CARRIED UNANIMOUSLY

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ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Manager, New Westminster Chamber of Commerce, forwarded a number of copies of the New Westminster street map, which included a portion of Burnaby.

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General Manager, Fraser Valley Mosquito Control Board, submitted a circular letter inviting Burnaby to send its Mosquito Control Officer to the 1971 Mosquito Abatement Short Course on May 6th and 7, 1971 at the Department of Agriculture Office in Cloverdale.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That the recommendation contained in Item 20 of the Municipal Manager's Report No. 29, 1971, which is scheduled for consideration later this evening and which deals with the subject of the letter from the Fraser Valley Mosquito Control Board, be adopted."

CARRIED UNANIMOUSLY

Acting Administrator, Vancouver-Fraser Park District, wrote to indicate that the Board of the District has reaffirmed the need to acquire Lots 4 to 9 inclusive, Block 4, D.L. 14, Plan 3047, for Regional Park purposes on the basis that the municipality will take the necessary action in that regard and then hold the land for the District until it is in a position to pay the municipality for the land.

MOVED BY ALDERMAN LADEER, SECONDED BY ALDERMAN BLARK:

"That the Legal Department prepare the agreement between the Vancouver-Fraser Park District and the municipality formalizing the arrangement outlined above regarding the acquisition of the property described."

CARRIED UNANIMOUSLY

Interim Chairman, Save Burnaby Lake Association, submitted a letter offering the priorities the Association feels should be arranged for improving Burnaby Lake as a nature park and a public recreation area.

He also invited the members of Council, and others, to attend the Save Burnaby Lake Association Open Day at Seaforth Elementary School on April 25, 1971 between 10:00 a.m. and 4:30 p.m.

*It was understood by Council that, in acknowledging the letter from the Save Burnaby Lake Association, it would be indicated that Council was giving the matter of completely dredging Burnaby Lake further consideration.*

President, Burnaby S.P.E.C., submitted a letter:

- (a) enquiring as to the progress being made in establishing a Pollution Control Board in the municipality.
- (b) recommending the hiring of three graduate students from the B.C.I.T.'s Public Health and Pollution Control Department to assist the municipality in matters pertaining to environmental control.

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- (c) Expressing concern that the Standard Oil Company may not provide adequate pollution control measures in the proposed expansion of its plant in the Northern part of the municipality.

*Alderman Ladner made the following comments on the subjects of the letter from Burnaby S.P.E.C.:*

- (i) Municipalities have no authority to control industrial air pollution.*
- (ii) The Act regulating such matters was ambiguous, although all powers relating to pollution control were the exclusive domain of the Provincial Government.*
- (iii) The Provincial Government has now recognized that situation and has passed enabling legislation which allows the Greater Vancouver Regional District to exercise control over pollution matters.*
- (iv) The Regional District is in the process of engaging staff for that work and is also preparing a By-law to regulate pollution control.*
- (v) The Municipal Council is, at the moment, favourably disposed toward the hiring of three B.C.I.T. students as sanitary inspectors for the Corporation, and the Sanitation Division of the Health Department has as one of its functions the question of attending to pollution matters.*
- (vi) The By-law in North Vancouver, reference to which was made in the letter from S.P.E.C., is of little use because of the legislative problem mentioned under Point (i) above.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That the information conveyed this evening by Alderman Ladner be forwarded to Burnaby S.P.E.C."

CARRIED UNANIMOUSLY

Secretary, Burnaby Pollution Removal Association, submitted a letter requesting that Council delay a decision on an application of the Standard Oil Company for permission to expand the refinery in its plant in the Northern part of the municipality so as to allow for representations to be made by the public on the matter.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:  
"That consideration of the request from the Burnaby Pollution Removal Association be deferred until receipt of Item (4) of the Municipal Manager's Report later this evening."

CARRIED UNANIMOUSLY

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City Clerk, City of Vancouver, wrote to advise that the Council of Vancouver has authorized the execution of agreements with Burnaby and other municipalities in the Lower Mainland for the use of the Juvenile Detention Home facilities in the City on the basis indicated in his submission.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That authority be granted to execute the agreement with the City of Vancouver respecting the use of the Juvenile Detention Home on the terms and conditions set out in the submission from the City of Vancouver and as also provided in a report the Municipal Manager submitted to Council on March 22, 1971."

CARRIED UNANIMOUSLY

Mrs. Irene Busst of the Brentwood Nursery School submitted a petition signed by herself and a number of others:

- (a) Expressing concern regarding the number of dogs running at large in the Brentwood Area.
- (b) Requesting that more stringent regulations be introduced to discourage the owners of dogs from allowing the animals to roam so much.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN MERCIER:  
"That a special meeting of Council be held to permit full consideration to be given all problems connected with the control of dogs, with it being understood that staff from the municipality involved with the situation and representatives from the S.P.C.A. will be present at the meeting."

CARRIED

AGAINST -- ALDERMEN CLARK  
AND LADNER

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ALDERMAN CLARK mentioned that Mayor Prittee had asked that Council authorize an expenditure of \$150.00 for a luncheon that is being held at the Burnaby Mountain Pavillion on June 1, 1971 following a ceremony marking the beginning of the dredging of Burnaby Lake.

He pointed out that those who are to attend the luncheon will be the members of Council, the Parks and Recreation Commission, the Canada Summer Games Society, the press and members of a former U.B.C. Champion Rowing Crew.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:  
"That authority be granted to expend \$150.00 for the luncheon described by Alderman Clark this evening."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

Alderman Ladner stated that there is some activity in the area where Moscrop Street could be extended into Vancouver, and asked whether the Planning Director knew about the matter.

The Planning Director replied that a subdivision was being created in the area and the plan of it makes no provision for the Westward extension of Moscrop Street into Vancouver.

The Planning Director was requested to indicate why the subdivision in Vancouver was proceeding without consultation with appropriate officials of Burnaby.

Alderman McLean asked that the Planning Director, at the same time, determine the status of a proposed "extension" of Rumble Street into Vancouver.

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MAYOR PRITIE submitted a report recommending that Alderman Ladner be appointed as Acting Mayor for the months of May and June, 1971.

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

CARRIED UNANIMOUSLY

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GRANTS AND PUBLICITY COMMITTEE submitted a report recommending that grants be made to the following organizations in the amounts indicated:

- (a) Burnaby Safety Council -- \$700.00
  - (b) Burnaby Ladies Pipe Band -- \$250.00
  - (c) Simon Fraser Track and Field Club -- \$200.00
  - (d) Vancouver Art Gallery -- \$500.00
  - (e) Simon Fraser Mime Troup -- \$325.00
- (This amount is based on \$25.00 for each of the 13 members of the Troup who have been invited to perform at the National Arts Centre in Ottawa during the Dominion Drama Festival in May)

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

CARRIED UNANIMOUSLY

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TRAFFIC SAFETY COMMITTEE submitted reports on the matters listed below as Items (1) to (14) recommending the courses of action indicated for the reasons given:

(1) Imperial Street and Sperling Avenue

As a result of reviewing traffic control measures at the above intersection following complaints regarding the increasing frequency of accidents there, it was being recommended that flashing red lights be immediately affixed to the stop signs on Sperling Avenue at Imperial Street until an investigation into the warrants for a flashing amber and red light at the intersection is completed.

(2) Speed Bumps - Municipal Rink and C. G. Brown Memorial Swimming Pool

Following a review of a request from the Parks and Recreation Commission for speed bumps at the above locations, it was being recommended that the construction of speed bumps there be deferred for three months, during which time suitable signing will be erected to clearly indicate the speed limit for the area.

(3) Canada Way and Kensington Avenue

As a result of considering a suggestion that the traffic signal at the above intersection be improved so as to allow Eastbound Canada Way traffic to make a left-turn onto Kensington Avenue more easily than at the present time, it was being recommended that consideration be given the matter of obtaining estimates for the widening and improving of the entire intersection, with it being understood that a firm commitment will be received from the Provincial Government on any cost-sharing because of the possible change if the Municipality of Burnaby becomes a City.

The Department of Highways has, many times over the past two years, been approached about revising the operation of the signal at the intersection but has refused to favourably consider any change until the intersection proper is widened and reconstructed.

(4) Holdom Avenue North of Capitol Drive

It was being recommended that a "No Parking Anytime" prohibition be instituted on the East side of Holdom Avenue between Capitol Drive and Dundas Street in order to relieve a traffic congestion problem.

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(5) Municipal Hall Parking Lot

Apart from seeking the assistance of the Principal of the Central Burnaby High School in having students discontinue the practice of walking through the Municipal Hall Parking Lot in complete disregard for vehicles entering and attempting to park, it was being suggested that the person who complained about the matter be advised that the parking lot is heavily used by pedestrians and therefore the same precautions one would use in any large shopping centre parking lot should be applied.

(6) Streets Adjoining Duthie - Union School

It was being recommended that no action be taken on a request for marked school crosswalks on Duthie Avenue and other streets adjoining the Duthie - Union School because warrants for such a device are not met.

As regards a request for a paved pathway on Frances Street to serve the school, it was being recommended that no action be taken on that matter because the North shoulder of the street was widened and graded to provide a walking area and parking was prohibited between 8:00 a.m. and 4:00 p.m., Monday to Friday inclusive, on that side of the street.

(7) 5500 Block Hastings Street

It was being recommended that no action be taken on a request to remove the "No Parking Anytime" sign in the middle of the 5500 Block Hastings Street because the area where the parking restriction exists is considered necessary for the moving Westbound traffic.

(8) Carlton Avenue at Moscrop Street

It was being recommended that no action be taken to cul-de-sac Carlton Avenue at Moscrop Street because this Avenue is considered to be a necessary and desirable link in the street system between Moscrop Street and Canada Way.

(9) C.N.R. Crossing At Wiggins Street

It was being recommended that no action be taken on a proposal to install flashing lights and a bell at the above crossing because such devices are not warranted, but an interim street light be added to the utility pole on the North side of the track in order to improve the lighting situation there.

(10) Cariboo Road

It was being recommended that no action be taken to provide additional curbing, or "No Post Guard Rail", on Cariboo Road because of the hazard that would be created and the number of openings which would need to be left to serve cross streets and private driveway crossings.



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(11) Dow Road and Imperial Street

It was being recommended that no action be taken on requests for the installation of:

- (a) A flashing amber light astride the above intersection, preferably with an illuminated overhead "Simpsons-Sears" sign.
- (b) An "Advantage Turning Lane" for Eastbound traffic to make motorists aware of the turn into Simpsons-Sears and to provide increased safety at the intersection.

because this would only encourage additional "back" street traffic to Simpsons-Sears.

Another reason is that no action should be taken until the whole problem of access and circulation within the Simpsons-Sears site has been resolved.

(12) Bus Stop - Marine Drive between Mandeville and Royal Oak Avenues

It was being recommended that an additional bus stop be installed at the above location.

(13) Gilmore Avenue Farside Cambridge Street

It was being recommended that an additional bus stop Southbound on Gilmore Avenue farside Cambridge Street be installed.

(14) School Crosswalk - 4300 Block Marine Drive

It was being recommended that the signed and marked school crosswalk on Marine Drive between Patterson Avenue and Sussex Avenue be discontinued because there is no longer a need for its use.

The portion of Marine Drive adjacent to the school in the subject area will be signed with the standard school pentagon signs.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That all of the recommendations of the Traffic Safety Committee be adopted and, where there is none, the conclusions be endorsed."

CARRIED UNANIMOUSLY

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MUNICIPAL MANAGER submitted Report No. 29, 1971 on the matters listed below as Items (1) to (22) either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Hanging Baskets - Hastings Street

The Parks and Recreation Commission staff have investigated a suggestion that the brackets on the lamp posts along Hastings Street be used to carry hanging baskets in place of the ornamental tubs which were placed on the street during 1967 and have since been removed.

The staff submitted a report on the matter to the Commission and the Commission directed that the information in this report be conveyed to Council. The following is the substance of that report:

- (a) In Victoria, the estimated direct cost of growing plants, preparing and hanging baskets, and maintaining the 600 of them that are used between mid-June and October, was \$16.70 per basket in 1970.
- (b) The comparable cost in New Westminster for 140 baskets is \$17.03 per basket.
- (c) The receptacle for containing the plants is made of heavy wire construction, with a special metal pan for a base.
- (d) Two receptacles are hung from an iron bracket which is attached permanently to each pole.
- (e) The estimated cost of the wire basket and the bottom pan is \$11.50 each, and the installed bracket is \$10.00.
- (f) There are 47 lamp poles along Hastings Street from Gamma to McDonald Avenues so about 100 baskets would be needed.
- (g) Based upon experience in Victoria and New Westminster, the annual maintenance cost would be \$1,700.00 and the initial outlay \$1,600.00.
- (h) Both Victoria and New Westminster make special greenhouse space available for several months each spring solely for the purpose of preparing baskets.
- (i) The space demands for such a project are quite extensive and are not available in the Burnaby nursery.
- (j) To cater for the preparation of 100 baskets, an addition to the existing greenhouse would be needed at an estimated cost of \$5,000.00.

The Engineering Department has commented as follows on the matter:

- (i) The Department of Highways, which presently controls Hastings Street, has indicated that approval would not be granted to hang baskets from lamp posts on the Street because of the detrimental effect on existing traffic control devices.

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(11) In addition to concurring with this opinion of the Department of Highways, the Engineering Department would point out the following problems:

- (a) Each basket would throw a shadow along the sidewalk because of the closeness of the basket to the luminaire and the angle of light.
- (b) The weight of the baskets swinging in the wind could strain the lamp post, particularly at the base.
- (c) The basket, in full bloom, could blot out some of the store marquis to the annoyance of businesses.
- (d) The maintenance of the baskets could present traffic problems and would be restricted to early morning hours.

Provision would need to be made in the Capital Budget for \$6,500.00 and the Annual Budget for \$1,700.00 to accommodate the project described.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN EMMOTT:

"That no further action be taken on the matter of installing hanging baskets on the lamp posts along Hastings Street because of the situation conveyed by the Manager under the heading "Engineering Department Comments"."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:

"That the Municipal Manager investigate the feasibility of using ornamental tubs in locations where landscaping has been provided in the municipality, such as at the Municipal Hall."

CARRIED UNANIMOUSLY

(2) Burnaby Employment Preparation Project

The Parks and Recreation Commission has approved participation in the above project.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(3) Street Lighting - Kingsway from Edmonds Street to 10th Avenue

It was being recommended that Council authorize the upgrading of the street lighting on the above portion of Kingsway on the basis of a staggered spacing on both sides of the street.

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The work, which would cost around \$8,000.00, would be done at no capital cost to the municipality because the overhead street lighting rates of the B. C. Hydro and Power Authority include provision for the cost of supplying and mounting lights, less the salvage on old equipment and four year's revenue allowance on new lighting.

The annual operating cost increase after the installation would be \$1,251.60.

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

CARRIED UNANIMOUSLY

(4) Chevron Canada Limited Refinery

The following written material relating to the environmental aspects of the refinery modernization project of Chevron Canada Ltd. was being supplied:

- (a) A letter dated April 16, 1971 from the Refinery Manager to the Chief Public Health Inspector
- (b) A letter dated November 3, 1970 from the Refinery Manager to the Secretary of the Burnaby Pollution Committee.
- (c) A letter dated October 19, 1970 from the Chief Engineer, Chevron Oil Company in Salt Lake City to the Standard Oil Company of British Columbia.
- (d) Noise Control Specification No. E-2791-B of Standard Oil Company of California.

Additional data regarding the precise location of tanks for the installation will be submitted in due course by the Planning Department. This report will be comprehensive in nature and will not only cover the expansion of tankage facilities but will also outline a proposed land exchange as well as future road requirements in the area.

The Chief Public Health Inspector will also be submitting a report on the matter to the Planning Department.

*The letter from the Burnaby Pollution Removal Association, which was received by Council earlier in the evening and which deals with the subject of the Manager's Report, was returned for further consideration.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That, before the Preliminary Plan Approval Application No. 1435 covering the proposal mentioned in the report of the Manager involving Chevron Canada Ltd. is granted, the Planning Department submit a comprehensive report to Council along the lines indicated at the end of the Manager's submission; and further, those concerned about the matter be so notified and invited to make representations in connection with the matter, with it being understood that the Planning Department will indicate what, if anything, can be done by the municipality to prevent the expansion

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project planned by Chevron Canada Ltd. if the zoning and all other regulations are satisfied."

CARRIED UNANIMOUSLY

(5) Mobile Home Park Standards

The Council is being supplied with the following material relating to the above subject:

- (a) An article entitled "Guide Lines for Mobile Home Park Development" by John O. Starr, which was taken from the January 1971 issue of the Appraisal Journal.
- (b) An article entitled "Study of a Proposed Mobile Home Park" taken from the same issue of the Journal.
- (c) An article entitled "Mobile Home Park Mortgage Financing" by T. R. Alton, which was taken from the March 1971 issue of the Canadian Realtor.

The Planning Director has indicated that he will endeavor to obtain copies of By-laws from some cities in the United States which might be of assistance to Council in discussing the subject.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the report of the Manager, including the attachments to it, be received."

CARRIED UNANIMOUSLY

(6) Canadian Association of Chiefs of Police Incorporated

It was being recommended that Council agree to underwrite the annual membership fees and costs incurred for the attendance, in 1971 and in the future, of the Officer-in-Charge of the Burnaby Detachment of the R.C.M.P., or his designate, at annual conferences of the Canadian Association of Chiefs of Police Incorporated, on the basis that such attendance will be the same as it is for conferences for all municipal staff whereby the specific approval of Council is required for attending all conferences outside of B. C.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN CLARK:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(7) Remainder of "B", Sketch 2645, Parcel "A", Sketch 10015, Block 1E4, D.L. 162, Plan 5452 (Nestel)

The Planning Department has reported as follows on the question of municipal interest in the above property:

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- (a) A sketch was being submitted which showed the area for the proposed South Burnaby Sports Complex, with the subject property indicated.
- (b) The acquisition of the property in question, with the exception of the portion abutting Marine Drive, was recommended to the Parks and Recreation Commission in November, 1970 following receipt by the Planning Department of an application to subdivide the property.
- (c) The development of the South Burnaby Sports Complex has been included in the Capital Improvement Programme for 1972 and 1973.
- (d) Because of its location in relation to the rest of the projected Sports Complex Area, the acquisition of the rear portion of the subject property is of considerable importance.

The Land Agent has indicated the following on the subject of concern to Mr. Nestel:

- (a) Mr. Nestel's statement that his asking price of \$20,000.00 per acre is reasonable, and he is unable to find a suitable substitute for his property at \$10,000.00 per acre (which is what was offered by the municipality), cannot be accepted.
- (b) Negotiations and value were based on comparable land in the area. In that regard, Progressive Enterprises Ltd. (with whom negotiations have been held) advised on April 5, 1971 that its value of its land was \$9,500.00 per acre.

The Company indicated the price was established after considerable investigation as to the value of land in the adjoining area.

- (c) In November, 1968, the municipality purchased 6.664 acres next to Mr. Nestel for \$5,100.00 per acre.
- (d) The claim of Mr. Nestel that, according to an Engineer, the way the land has been filled so as to avoid the need for pilings is not deemed acceptable because the fill placed on the property is highly suspect.
- (e) The above facts, combined with the report of the appraiser for Mr. Nestel wherein it is indicated that the final estimate of loss of value for the approximate 4 acres required by the municipality is \$59,000.00, further strengthens the opinion that the Land Department is correct in its stand and that Mr. Nestel's value is not.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:  
"That consideration of the report from the Manager be deferred until receipt of Item 19 of his report later in the evening."

CARRIED UNANIMOUSLY

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(8) Dogs

The Chief Licence Inspector has reported as follows on a complaint Council received on March 22nd regarding dogs fouling places like Burnaby Mountain where children play:

- (a) The problem is not caused by stray dogs but by dogs taken there by their owners. Leashed or not, the animals must heed the call of nature.
- (b) There is no solution to this problem, other than imposing a complete ban on dogs in parks.
- (c) The S.P.C.A. has written, under date of March 25, 1971, in connection with the matter. In that regard, the S.P.C.A. indicates the problem seems to take place on weekends and the Association does not have sufficient staff to cope with the matter. Additional staff for the S.P.C.A. would mean a request for more money.

The Parks and Recreation Commission has directed that a report of the Parks and Recreation Administrator on the matter be forwarded to Council, which report indicates the following:

- (1) Enforcement of the regulations under Sections 17 and 22(c) of the Parks Regulation By-law must be carried out with a good deal of discretion.
- (2) The approach used<sup>is</sup> to post signs indicating "dogs in public parks must be on a leash" in areas where problems have occurred or are likely to occur.
- (3) Staff have instructions to take appropriate action when they observe flagrant abuses of the regulation. Such action may consist simply of speaking to the dog owner or, in severe cases, require the police or S.P.C.A. to be summoned.
- (4) The stray dog problem is reasonably well controlled in parks.
- (5) In the case of Burnaby Mountain Park, there is no Parks Caretaker. The tenant in the Centennial Pavilion, as in other park buildings containing dwellings, receives a small monthly stipend for calling the police in the event of vandalism or other trouble.
- (6) There would seem to be no simple solution to the problem other than to alert Parks and Recreation staff and the S.P.C.A. to the importance of continued vigilance to ensure the enforcement of regulations for stray dogs.
- (7) It was not being recommended that a complete ban on dogs in parks be imposed, because it would be even more difficult to enforce than the present arrangement.

The Parks and Recreation Commission has asked that the S.P.C.A. enforce the "leash law" concerning dogs in public parks.

The Dog Tax and Pound By-law is not a "Leash By-law". It merely requires that a dog be under the control of a competent person.

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Though the Parks Department has posted parks in the manner indicated above, the Municipal Solicitor states that there is no means of enforcing this leashing requirement because the Parks By-law (#1802) does not give the Commission authority so to do.

It was being recommended that Clause 17 of that By-Law be amended to provide the Commission with that authority.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the recommendation in the report of the Manager concerning Clause 17 of Burnaby Parks Regulation By-law 1943 be adopted; and further, the report of the Manager, including the attachments to it, be referred to the Special Meeting of Council that is to be held to discuss the general problem of dogs."

CARRIED UNANIMOUSLY

(9) Royal Visit

As Council is aware, Her Majesty Queen Elizabeth II, accompanied by His Royal Highness Prince Phillip and Her Royal Highness Princess Anne, will be visiting Burnaby on May 7, 1971 between 3:25 p.m. and 3:45 p.m.

The itinerary is as follows:

- (a) The Royal party will leave New Westminster, travel via Canada Way, and arrive at the driveway in front of the Municipal Hall at 3:25 p.m.
- (b) The Party will be welcomed by Acting Mayor Ladner and his wife, and the Chairman of the Centennial Committee, Mr. J. A. Barrington, and his wife.
- (c) The Party will then proceed on foot along the driveway of the East side of the Municipal Hall to the dais on the upper plaza of the Justice Building.
- (d) The Royal family will then sign the official guest book.
- (e) The Party will then proceed to Gilpin Street to embark at 3:45 p.m. for a return to New Westminster.

Proceedings are being kept simple, with an opportunity being afforded for the Queen to meet various representative groups from the municipality, including school children, Scouts, Guides, the Municipal Council, members of local boards and other organizations, and a number of senior citizens and war veterans.

There will be no formal introductions other than to the Welcoming Party.

Weather, unless unusually inclement, will not cancel the event.

For security reasons and at the request of the R.C.M.P., the Municipal Hall and Justice Building (except for the Police Offices) will be closed for normal business at 2:30 p.m. for the remainder of the work day.

Staff who normally work in the Municipal Hall and the Justice Building, except those attached to the R.C.M.P., will be required to vacate the buildings by 2:30 p.m. but will suffer no loss in pay as a direct result of the closure.



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Parking space in close proximity to the Municipal Hall will be required for a number of invited guests and the general public.

From 1:00 p.m. on, staff will be requested to avoid parking in the main employee parking lot, the area between the Municipal Hall and the Municipal fleet compound (which is normally reserved for exempt staff and the public), and the Justice Building Parking Lot.

At the Council meeting on March 22, 1971, the then Municipal Manager suggested that a budget of \$2,600.00 should be provided for the Royal Visit so \$2,500.00 was set aside under "Civic Receptions and Miscellaneous, Mayor and Council Budget."

A recapitulation of the anticipated expenditures are as follows:

(a) Pagenatry Contractors (Dais, decorations etc.)	\$2,150.00
(b) Flags (600), School Children	228.00*
(c) Transport, School Children (9 buses)	200.00
(d) Invitations, Official Guests	40.00
(e) Newspaper Advertisements	250.00
(f) Parks Dept. Assistance - Transport and placement of chairs (250) for official guests	75.00
(g) Engineering Department Assistance - Transport, placement of barricades, preparation of signs	50.00
<u>TOTAL</u>	<u>\$2,993.00</u>

\* Actual cost. All other costs approximate.

Additional items of expenditure are not anticipated but in that most of the costs indicated above are approximate, it was being suggested that a minimum budget of \$3,000.00 be provided.

It was being recommended that Council approve the closure of the Municipal Hall and Justice Building, as indicated above, and that the \$3,000.00 expenditure mentioned be authorized.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That Mr. O. Hughes, who is the Co-Ordinator for the Royal Visit, be heard."

CARRIED UNANIMOUSLY

Mr. Hughes then spoke and made the following comments:

- (a) The Purchasing Agent for the Corporation has made all the arrangements regarding details for the dais to be used for the Royal Visit.
- (b) At the present time, the platform has been put in place and some bases for the flags have been provided.

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- (c) The Purchasing Agent has almost finalized arrangements with the Contractor for the dais.
- (d) The Mayor and Purchasing Agent have attended to matters associated with the Royal Visit.
- (e) Such things as a red carpet, decorations, a canopy over the dais, a desk and chair are to be provided.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN LADNER:  
"That Council authorize an expenditure of \$3,000.00 to cover the anticipated costs of arranging for the Royal Visit to the Municipal Hall/Justice Building on May 7, 1971, as more particularly outlined in the above report of the Manager."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:  
"That the amount to be spent for the Royal Visit be limited to \$2,500.00 instead of \$3,000.00."

IN FAVOUR -- ALDERMEN MERCIER,  
McLEAN, EMMOTT AND DAILLY

AGAINST -- ALDERMEN LADNER,  
CLARK, DRUMMOND AND BLAIR

MOTION NEGATIVED

A vote was then taken on the Original Motion, and it was Carried with Aldermen McLean, Mercier and Dailly against.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN EMMOTT:  
"That authority be granted to close the Municipal Hall and the Justice Building, except for the Police Offices, at 2:30 p.m. on May 7th for the remainder of the work day for the reason cited above in the report of the Manager."

CARRIED UNANIMOUSLY

- (10) Lane West of Canada Way North from 16th Avenue to one foot South of the N.P.L. of Lot 1, S.D. "A", Block 30, D.L. 30, Plan 11232 and the N.P.L. of Lot 3, S.D. "A", Block 30, D.L. 30, Plan 11232

The Municipal Treasurer has filed the following Cost Report, pursuant to Section 601 of the Municipal Act, covering the construction and paving of the above lane:

Length of work	98'
Estimated total cost of work	\$696.00
Actual frontage	196.00'
Taxable frontage	164.00'
Owner's share of the cost of the work	\$164.00
Estimated lifetime of work	10 years
Frontage tax levy	5 annual installments of \$.257 per taxable front foot

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It was being recommended that this cost report be received and that a Local Improvement Construction By-law be prepared.

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

CARRIED UNANIMOUSLY

(11) Burnaby Lake Regional Park

A key map showing existing land ownership and detailed sketches of privately-owned properties in the above Park was being provided herewith.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:  
"That the key map mentioned in the report of the Manager be received."

CARRIED UNANIMOUSLY

ALDERMAN DAILY LEFT THE MEETING.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:  
"That the Planning Department include on the key map for the Burnaby Lake Regional Park the municipal parks which lie within the area plus any proposed additions to the parks, with it being understood that the map, with the revisions desired, will be made available to anyone who evinces an interest in the matter."

CARRIED UNANIMOUSLY

(12) Mobile Home Park Fees

The Assistant Deputy Minister of Municipal Affairs has written to advise that:

"Section 37 of Bill 100, being An Act to Amend the Municipal Act, repeals section 458LL under which municipalities were empowered to impose mobile home occupancy fees. The effective date of repeal is April 2 and in the Department's view any by-law imposing occupancy fees is unenforceable after that date.

Bill No. 78, Mobile Home Park Fee Act, was also passed at the last Session of the Legislature but this Act has not as yet been proclaimed and is therefore not in force at this time.

Some question has arisen with respect to the fees paid for the month of April. It is recommended that no fees be charged for the month of April and that the municipal Collector advise each mobile home park operator within the municipality to refund to the tenant any fee actually collected for that month.

You will be advised in due course when the Mobile Home Fee Act is to become effective."

The municipality has no choice but to discontinue charging fees under its Burnaby Mobile Buildings Occupancy Fee By-law 1970 because of the above situation.

The rates that will apply after Bill 78 is proclaimed will result in more revenue to the municipality.

It was being recommended that Council authorize the discontinuation of charging fees under Burnaby Mobile Buildings Occupancy Fee By-law 1970.

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

CARRIED UNANIMOUSLY

(13) Opportunities for Youth

The Parks and Recreation Administrator has indicated that, on April 20th, he was informed by Mr. Ian Munroe of the Secretary of State Department in Ottawa that no payments will be made directly to municipalities involved in the 'Opportunities for Youth' programme because the programme is intended to encourage the organizing capabilities of young people and applications from volunteer agencies comprising young people will be given first consideration.

The Administrator understood, from his conversation, that payment will be made directly to such organizations.

Mr. Munroe did advise that the Department of State is open to negotiations and suggested that the submission which Burnaby has made might well form the basis for projects, provided they were undertaken, organized, administered and supervised by the young people themselves.

The Administrator is of the opinion that there is little or no chance of the municipality obtaining direct financial help through the programme in question, although there is some possibility volunteer agencies might be encouraged to do work of value to the municipality.

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

CARRIED UNANIMOUSLY

(14) 6600 Block Halifax Street

The Municipal Engineer advises that, prior to engineering design proceeding for upgrading the above street from a 20 foot interim strip pavement to a finished standard of pavement 36 feet wide with curb sidewalks, it was established that the existing pavement and road base were satisfactory without further excavation and compaction being required.

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Designing to the existing pavement, with an overlay of 3" of asphalt, brought the proposed curb sidewalk face approximately 9" above the former asphalt grade.

Although the sidewalks are at an elevation that may appear high, this method was chosen so as to improve the street in the most economical method possible.

With boulevard levelling and clean-up, the street will be satisfactory in appearance and function.

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

CARRIED UNANIMOUSLY

(15) Portions of Sixth Street and Berkley Street  
SUBDIVISION REFERENCE NO. 20/70

The applicant for the above subdivision, Mr. Friesen, has indicated he will be proceeding with the subdivision on the basis authorized by Council on April 19, 1971.

In order to achieve the subdivision and accommodate the future subdivision of Corporation land to the East, it was being recommended that Council authorize the:

- (a) Preparation of a Road Closing By-law to cancel that portion of the Sixth Street Right-of-way outlined on an attached Sketch 2.
- (b) Dedication of the portion of Block "F" shown on an attached Sketch 3 for the Berkley Street re-alignment.
- (c) Consolidation of a portion of the Sixth Street Right-of-way to be cancelled with a municipal lot known as 286, as indicated on an attached Sketch 1.

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

CARRIED UNANIMOUSLY

(16) Outstanding rezoning proposals

The Planning Department has recommended that the following actions be taken in respect of outstanding rezoning proposals:

- (a) Abandonment, because no reply has been received from the applicant in regard to the expiry dates for proceeding with the below listed rezoning proposals:

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<u>Reference Number</u>	<u>Address</u>
32/69	6725 Russell
35/69	5958 E. Hastings
42/69	331, 341, 353, 361 and 381 Ellesmere
16/69	5146 Laurel
77/69	5633 Kingsway
62/68	6550 Canada Way
75/68	7247 Fulton
97/68	4136 Canada Way
111/68	7410, 7414, 7408 Edmonds
120/68	3410, 3430, 3440 Bell 9230, 9240 Cameron
114/68	7459 12th Avenue
108/67	5946 Willingdon
97/67	4462, 4472 Buchanan
84/67	4075 Moscrop
73/67	4375 Grange
65/67	6138 Rumble
61/67	4395 and 4385 Grange
57/67	7137 Canada Way
3/67	6622 Lougheed
131/66	7271 Acorn
20/65	6961 Lougheed
101/67	N.W. corner Clare Avenue and Frances Street
53/65	1849 Delta Avenue 5030 Halifax Street

(b) Abandonment, because the applicants wish that done after being notified of the expiry dates for the below listed rezoning proposals:

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<u>Reference No.</u>	<u>Address</u>
58/68(a)	9920 Lougheed Highway
39/66	N. E. corner of Lougheed Highway and Eilerslie Avenue
66/69	5485 Lane Street

(c) Extensions of time to allow for the satisfaction of the prerequisites, with it being understood that a review of the proposals will be made after 90 days, for the below listed applications:

Ref. #107/68 : 6450 Telford

The applicant is progressing towards completion. Consolidation plans and an undertaking to remove improvements have been submitted. Architectural plans are being prepared.

Ref. #69/69 : 6430, 6470, 6490 Fern; 6531, 6543, 6507, 6519 Lily

A consolidation plan has been submitted. Improvements have been removed. Department is working with developer towards the creation of a suitable plan of development.

Ref. #50/69 : 7337 Hubert, 7425, 7435 Kingsway

Developer states that development plans are being prepared by architect. Could recommend extension for 60 days so that it has approximately same expiry date as R.Z. #81/69 covering adjacent properties and submitted by same applicant.

Ref. #18/69 : 5909 and 5945 Pioneer

Development has proceeded without necessary rezoning. Department is pursuing matter of prerequisites with applicant. However, withdrawal of the Bylaw could impede resolution of the illegality of use on the property.

Ref. #47/69 : 7490 Kingsway and 7480 Kingsway

The architect for the developer has indicated that development plans are being prepared

Ref. #52/69 : 7064, 7050, 7036, 7022, 7008, 6984, 6966,  
6950 Elwell

The applicant has indicated his serious intentions with regard to this application. Land assembly is currently being undertaken, however, no action has been taken on prerequisites as of yet.

Ref. #91/68 : 8611 Armstrong

The applicant wishes to proceed with the Bylaw and will be making a formal request to this <sup>128</sup>

Ref. #37/65 : N.E. corner Lougheed and Delta

The developer and the Planning Department have held discussions in the past two months with regard to the development of a suitable plan. Architect/developer is continuing in the preparation of plans.

Ref. #5/65 : N.E. corner Lougheed and Springer  
(Inadvertantly left out of list circulated at March 23, 1971 Council meeting). Plans have been submitted. Only other prerequisite is deposit of monies for extension sanitary sewer. Third reading has been given. Developer has indicated that he will be proceeding.

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

CARRIED UNANIMOUSLY

ALDERMAN DAILLY RETURNED TO THE MEETING.

(17) Portion of Lot 4, Block 3, D.L. 14, Plan 3047  
PROPOSED EQUESTRIAN CENTRE (Avalon Avenue)

The following was being offered on requests Council received on April 19th from the Parks and Recreation Commission:

- I. (a) The reasons for increasing the size of the watermain on Avalon Avenue are because:
  - (i) The long-range plan for the Equestrian Centre is for the provision of five-twenty horse stables, each with lavatory accommodation for horse owners, water for the maintenance of horses and the washing of the stable, and a fire hose in each.
  - (ii) An isolation building to accommodate two or three horses, with similar water service requirements to be constructed.
  - (iii) A caretaker's cottage is to be built.
  - (iv) Lavatory facilities for members and the public are to be provided.
  - (v) An indoor riding ring is to be built, which would require fairly elaborate fire-fighting and lavatory equipment.
  - (vi) Two fire hydrants will be needed to protect the above facilities.



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- (b) The long-term plan was developed in co-operation with the Burnaby Horsemen's Association and in consultation with the Health, Engineering and Fire Departments.
  - (c) The Municipal Engineer estimates the cost of constructing a 6" diameter watermain on Avalon Avenue from the existing 8" main on Cariboo Road to the East property line of the site to be \$6,450.00, which includes the installation of two hydrants.
  - (d) The new main will replace approximately 400 feet of existing two inch diameter main on Avalon Avenue that presently serves approximately six houses and would not be required to just water the horses because it will also be required for the proper fire defense of the proposed development and the area.
- 2.
- (a) The request concerning taxes on the property was made by the Commission because it was concerned that the provisions of the Municipal Act, which require the payment of taxes on leased property, would result in the Horsemen's Association requesting an annual grant in lieu of taxes.
  - (b) The Parks and Recreation Director has advised that he is aware of a lease with a community association (Capitol Hill Ratepayers' Association) which does not require taxes to be paid because the activities of the Association were construed to be an extension of the municipality's recreation programme.
  - (c) This lease was for 1960 only and was considered illegal then. Apparently no such lease exists today.
  - (d) If Crown lands are held or occupied by persons or associations, they are liable to taxation under Sections 335 and 336 of the Municipal Act.
  - (e) The Council may, each year, pass By-laws to exempt certain properties from taxation under the authority of Section 328. Under Section 202, the Council may grant aid to certain organizations.
  - (f) As a result of a number of staff discussions, it was concluded that it would be difficult to include the Burnaby Horsemen's Association as an organization that would be entitled to exemption from taxation and that is why a grant has been given to the Association.
  - (g) The Horsemen's Association has not paid taxes on the property it leases from the Corporation at the South-West corner of Gilpin Street and Sperling Avenue for the last two years but the amounts involved have either been written off or a grant given.
  - (h) The Association did pay taxes at one time but it has paid very little in rentals and taxes on the lease it has. In summary, the Association has paid the Corporation the sum of \$66.04 for approximately 3½ years tenancy.

- (1) The direction of Council was being requested on whether it wishes to consider an annual grant to the Burnaby Horsemen's Association because it appears the Association cannot or will not pay taxes.

- 3. (a) As for the opening of the Christie Avenue Road Allowance, the Commission wishes to effect a compromise with the residents in the area who are opposed to the establishment of the equestrian facility to permit the facility to be operated with the minimum inconvenience to the residents.
- (b) As Council is aware, horse traffic on Avalon Avenue is prohibited.
- (c) In order for the horsemen to ride from the stable site to the trail system East of Cariboo Road, it will be necessary to provide a bridle path along the Christie Avenue Road Allowance. Opening this Avenue to a minimum standard will allow access to the stable site away from Avalon Avenue and would simplify the problem of access to the building site for the Horsemen's Association.
- (d) Once the Parks Department's long-range land acquisition programme in the area is complete, it is anticipated that the Christie Avenue Road Allowance will be cancelled and incorporated in the overall site.
- (e) The Engineer has reported that a bridle path built on a gravel base approximately 20 feet wide, with a surface of hog fuel, would cost approximately \$6,900.00 (assuming some clearing and the sparing of some evergreens).

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN McLEAN:  
"That authority be granted to:

- (a) Replace the two inch watermain on Avalon Avenue with one 3 inches in diameter between an existing eight inch diameter main on Cariboo Road and the East property line of the Equestrian Centre site, at a cost of \$6,450.00, including the installation of two fire hydrants.
- (b) Construct a bridle path on a gravel base approximately 20 feet in width, with a surface of hog fuel, on the Christie Avenue Road Allowance at an approximate cost of \$6,900.00,

with the Municipal Manager to decide, in conjunction with the Parks and Recreation Commission, the appropriate allocations that are to be made in the Budget to cover the costs involved on the understanding that, if it is deemed the said costs should be charged to the Budget of the Commission, then an appropriate addition is to be reflected in the said Budget."

CARRIED

AGAINST -- ALDERMAN MERCIER

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MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:  
"That the report of the Manager relating to the question of establishing taxes on the "Equestrian Centre" site in the same manner as applies to non-profit recreational developments be referred to the Parks and Recreation Commission for comment."

CARRIED UNANIMOUSLY

\* \* \*

ALDERMAN EMMOTT mentioned that the Boy Scouts wished a stand pipe installed on the George Derby site because the Scouts are using the property for some purpose and require an adequate water supply.

It was understood by Council that Alderman Emmott would discuss the matter broached with the Municipal Manager.

\* \* \*

(18) Government Street between Piper Avenue and Brighton Avenue

As a result of considering the matter of initiating:

Pavement widening to 36 feet  
Curbs on both sides, and gutters.  
A 5½ foot wide sidewalk, with 2/3rds of the cost to be shareable by the abutting owners and 1/3 by the owners of property on the other side of the street.

on the above portion of Government Street as a unit, it was determined that a sidewalk must be initiated separately (unless it is a curb sidewalk), especially in view of the two-thirds - one-third cost-sharing arrangement mentioned above.

The cost of the work desired would be \$153,000.00 plus \$7,000.00 for a storm drainage outlet on Brighton Avenue from Government Street to Winston Street.

If a four foot separated sidewalk was located on the North side of the Street in the usual offset, it would result in the destruction of approximately 35 quite large trees plus a number of others along the property lines which might suffer because of root disruption. Constructing a 5½ foot sidewalk abutting the North curb would result in the disruption of approximately 11 trees.

If a sidewalk was constructed on the South side of the street abutting the curb, it would be necessary to relocate 28 utility poles and 16 ornamental trees.

The existing separate sidewalk is on the North side of Government Street between Phillips Avenue and Piper Avenue where the school is located.

There is a severe problem of grades with driveways on the South side of the street and this would be aggravated if a sidewalk was built there.

For the foregoing reasons, the Municipal Engineer has confirmed his recommendation that the 5½ foot sidewalk be placed adjacent to the North curb and that all of the works indicated at the beginning of this report be initiated as one unit.

There is no way the work can be readvertised as one unit if the cost of the sidewalk is to be shared in the manner indicated above.

The portion from Piper Avenue to Brighton Avenue could be readvertised in two parts and one made contingent upon the other.

It was still being recommended that no further action be taken on the work in question until later on in the year.

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

CARRIED UNANIMOUSLY

(19) Remainder of "B", Sketch 2645, Parcel "A", Sketch 10015,  
Block 1E½, D.L. 162, Plan 5452 (Nestel)

The Planning Department has reported as follows on the above property, which is further to that provided under Item (7) of the Municipal Manager's report No. 29, 1971:

- (a) Mr. Nestel made application for Preliminary Plan Approval for an equipment shed in December, 1967.
- (b) As the property experiences dual zoning (R2 and M3) and as the Zoning By-law prohibits such use, the application for P.P.A. could not be approved.
- (c) Mr. Nestel next applied for siting approval for a new equipment shed within the industrially-zoned part of his property on September 8, 1970.
- (d) On September 17, an application was received to subdivide the properties in order to create two new residential lots and to segregate the residential portion of the site from the industrial part.
- (e) On November 2nd, the applicant was notified that Preliminary Subdivision Approval for the two residential lots had been granted, and was informed that the remainder of the site was to be acquired by the Corporation for park use.
- (f) Negotiations for this acquisition were commenced and, on November 17th, the plans submitted in support of the application for siting approval were returned to Mr. Nestel along with a letter advising that, since the industrially-zoned land was being recommended for acquisition, the plans were no longer required.
- (g) The Planning Department also wrote to Mr. Nestel on December 16, 1970 confirming the situation.

- (h) The Land Agent subsequently advised the applicant in a letter dated March 2, 1971 that negotiations would be temporarily suspended due to a lack of funds for the purchase of the property at that time.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DRUMMOND:  
"That Council endorse the opinion of the Land's Department under Item (7) of the Municipal Manager's Report that the valuation placed by Mr. Nestel on the portion of the property in question desired by the Corporation for park purposes is unacceptable."

CARRIED UNANIMOUSLY

(20) 1971 Mosquito Abatement Short Course

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

(21) Estimates

It was being recommended that the Municipal Engineer's Special Estimates of Work in the amount of \$125,400.00 be approved.

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

CARRIED UNANIMOUSLY

Deputy Municipal Engineer mentioned that long delays are often experienced in endeavoring to have the B. C. Hydro and Power Authority relocate utility poles.

It was understood by Council that the Municipal Engineer would report any severe problems he may encounter in regard to the matter mentioned by the Deputy so that an attempt can be made to have the Authority expedite the pole relocations.

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(22) Library Warehouse - Lake City Area

The Municipal Treasurer has reported as follows on the above matter:

- (a) During discussions with the Library Board early this year, it was pointed out that the Board needed space for the use of the public in the Headquarters Building on Kingsway and this need could be met by relocating the book processing operations elsewhere.
- (b) Available buildings for that purpose have been examined and the most suitable is a 5,000 square foot portion of a warehouse on Production Way, owned by Lake City Industrial Corporation Ltd., which is under construction and will be ready for occupancy by June 1, 1971.
- (c) The building requires alterations in order to provide 2,500 square feet of office and working space, and the estimated cost of this is \$21,000.00.

The lessor is willing to do the work and amortize the cost as part of the lease rental, as follows:

Lease rental	\$1.35 per square foot per annum
Amortization costs for alterations	.57 per square foot calculated on a ten year amortization cost
	\$1.92

- (d) In the event the Corporation wished to renew the rental for a further five years, it could be negotiated using the \$1.92 rate as a base.
- (e) The Corporation would be expected to pay for its portion of heat, light, power, property taxes, maintenance and insurance.
- (f) In the current year, the costs for the arrangement would be approximately \$9,975.00 plus a small amount for taxes.
- (g) It was being recommended that a lease be entered into with Lake City Industrial Corporation Ltd. to rent the space described above at a rate of \$1.92 per square foot per annum, with the lease to be renewable for a further five years at a rate to be negotiated.

Five years should be sufficient because, by that time, the Library Board hopes to have in operation a planned Headquarters Building near the Municipal Hall Complex.

- (h) The Library Board concurs with the above recommendation.

It was being recommended that Council endorse the report of the Municipal Treasurer.

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

CARRIED UNANIMOUSLY

ACTING MAYOR BLAIR DECLARED A RECESS AT 9:10 P.M.

THE COMMITTEE RECONVENED AT 9:25 P.M.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

\* \*

BY - LAWS

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

"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 2, 1971"	#5892
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 2, 1971"	#5885
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 3, 1971"	#5870
"BURNABY ROAD CLOSING BY-LAW NO. 5, 1971"	#5891

and that they now be read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

Burnaby Local Improvement Construction By-law No. 2, 1971 provides for the paving, as a Local Improvement, of the lane West of Canada Way North from 16th Avenue to one foot South of the North property line Lot 1, Block 30, S.D. "A", D.L. 30, Plan 11232 and the North property line Lot 3, Block 30, S.D. "A", D.L. 30, Plan 11232.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:  
"That:  
"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 2, 1971"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 2, 1971"  
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 3, 1971"  
"BURNABY ROAD CLOSING BY-LAW NO. 5, 1971"  
be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"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. 67, 1969" #5607."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ #69/69

FROM RESIDENTIAL DISTRICT FIVE (R5) TO PARKING DISTRICT (P8)

Lots 3 to 6 inclusive and 29, Blk. 24, D.L.'s 151/3, Plan 2001  
Lots 30 and 31, Blk. 24, D.L. 152, Plan 2001  
Lot 32 except the N. 36.83 feet, Blk. 24, D.L. 152, Plan 2001  
(6430 - 6490 Fern Avenue and 6507 - 6543 Lily Avenue)

Municipal Clerk stated that the Planning Department had reported  
that the prerequisites established by Council in connection with  
this rezoning proposal have been satisfied.



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MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:

"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 LADNER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 67, 1969"  
be now read a Third Time."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That leave be given to introduce:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 11, 1971"	#5872
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 12, 1971"	#5873
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1971"	#5874
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 15, 1971"	#5876
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 16, 1971"	#5877
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 17, 1971"	#5878
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 18, 1971"	#5879
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 19, 1971"	#5880
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 20, 1971"	#5881
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 21, 1971"	#5882

and that they now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

These By-laws provide for the following proposed rezonings:

- (1) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 11, 1971 #5872  
FROM RESIDENTIAL DISTRICT FOUR (R4) TO NEIGHBOURHOOD INSTITUTIONAL  
DISTRICT (PI)

Reference RZ #59/70

- (a) Portions of Lots 42 and 49, D.L. 135, Plan 3234  
(b) Portion of Augusta Avenue Undeveloped Road Allowance between the  
said portions of Lots 42 and 49

(1351/50 Augusta Ave--Located on the North side of Kitchener Street,  
from a point 297 feet East of Duthie Avenue Eastward a distance  
of 363 feet, and South of the proposed Broadway - Hastings Diversion)

- (2) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 12, 1971 #5873  
FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL  
DISTRICT THREE (RM3)

Reference RZ #9/71

- (a) Lots 11 and 12, Blk. 4, D.L. 121, Plan 1354  
(b) Lots 13 and 14, Blk. 4, D.L.'s 121/187, Plan 1354

(4461, 4455, 4449, 4443 Albert Street -- Located on the North side  
of Albert Street 66 feet West of its Intersection with Willingdon  
Avenue)

- (3) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1971 #5874  
FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL  
DISTRICT THREE (RM3)

Reference RZ #3/71

- (a) Lot 20, Block 49, D.L.'s 151/3, Plan 1936  
(b) Lots 21 and 22, Blk. 49, D.L. 153, Plan 1936

(6662 McKay Avenue, 4308 and 4314 Maywood Street -- Located at the  
South-East corner of McKay Avenue and Maywood Street)

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BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 15, 1971 #5876  
FROM COMMUNITY COMMERCIAL DISTRICT (C2) AND RESIDENTIAL DISTRICT FIVE (R5)  
TO COMMUNITY COMMERCIAL DISTRICT (C2)

Reference RZ #4/71

Block 29, Sketch 12490, D.L. 98, Plan 573

(5171/5179 Rumble Street -- Located on the North side of Rumble Street  
90 feet West of Roval Oak Avenue)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 16, 1971 #5877  
FROM COMMUNITY COMMERCIAL DISTRICT (C2) TO DRIVE-IN RESTAURANT DISTRICT (C7)

Reference RZ #11/71

(a) Lot 25, Blk. 3, D.L. 28, Plan 2105

(b) Lots 24 and 26, R.S.D. 21/23, S.D. 1/18, Block 3, D.L. 28S, Plan 2105

(7865, 7857 and 7871 Sixth Street -- Located on the South-West corner of  
11th Avenue and Sixth Street)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 17, 1971 #5878  
FROM SERVICE COMMERCIAL DISTRICT (C4) TO MULTIPLE FAMILY RESIDENTIAL  
DISTRICT THREE (RM3)

Reference RZ #52/70

(a) Lots 4 & 5W $\frac{1}{2}$ , Block 2, D.L. 68NW pt, Plan 980

(b) Lots 5E $\frac{1}{2}$  to 10 incl., Block 2, D.L. 68, Plan 980

(3838, 3840, 3886 Canada Way -- Located on the South side of Canada  
Way approx. 120 feet East of its intersection with Smith Avenue)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 18, 1971 #5879

FROM GASOLINE SERVICE STATION DISTRICT (C6) TO SERVICE COMMERCIAL  
DISTRICT (C4)

Reference RZ #10/71

Lot 244, D.L. 91, Plan 34482

(6745 and 6785 Canada Way -- Located at the South-West corner of  
Canada Way and Formby Street)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 19, 1971 #5880  
FROM HEAVY INDUSTRIAL DISTRICT (M3) AND RESIDENTIAL DISTRICT TWO (R2)  
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #12/71

5.436 acre portion of Lot 284, D.L.'s 6/10/56, Plan 38574

(Located approximately 1,560 feet North of the North side of the  
Lougheed Highway Right-of-way along Gaglardi Way)

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(9)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 20, 1971 #5881  
FROM RESIDENTIAL DISTRICT TWO (R2) AND HEAVY INDUSTRIAL DISTRICT (M3)  
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #37/70

(a) Southerly 2.083 acre portion of Lot 284, D.L.'s 6/10/56, Plan 38574

(Located approximately 300 feet East along Centaurus Drive of the intersection of Eastlake Drive and Centaurus Drive)

(b) Portion of Lot 97, D.L.'s 4 & 6, Plan 31569

(Lying in the South-East corner of Eastlake Drive and Beaverbrook Drive approx. 1,000 feet North of Lougheed Highway)

*This application has been the subject of a previous Public Hearing on August 11, 1970, and the By-law relative to it "Burnaby Zoning By-law 1965, Amendment By-law No. 43, 1970" was Finally Adopted on October 26, 1970. One of the prime requirements to Comprehensive Development zoning is that specific plans and building programmes form an integral part of the By-law and must be adhered to. Any amendment proposed to the By-law requires a further Public Hearing before a change may be effected. The developer requires that a change be made, hence the purpose of this further Hearing. Details of the changes proposed will be available at the Hearing for inspection and comment.*

(10)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 21, 1971 #5882  
FROM SPECIAL INDUSTRIAL DISTRICT (M4) TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #7/71

Lot 16 except Ref. Pl. 30318, Blk. 8, D.L. 97, Plan 1627

(6915, 6929 Buller Avenue -- Located on the West side of Buller Avenue approx. 140 feet South of Kingsway)

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"That Burnaby Zoning By-law 1965, Amendment By-law No. 11, 1971 be abandoned."

IN FAVOUR -- ALDERMEN McLEAN, EMMOTT,  
AND BLAIR

AGAINST -- ALDERMEN CLARK, DAILLY,  
DRUMMOND, LADNER AND MERCIER

MOTION LOST

ALDERMAN LADNER LEFT THE MEETING.

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N. H. & B. E. Glover submitted a letter and an attached petition signed by a number of persons expressing opposition to a proposal to rezone Lot 48, Except N. 90 feet, Blocks 30/34, D.L. 98, Plan 2066 to Parking District (P8) which, they understood, was being considered in conjunction with the rezoning proposal under Burnaby Zoning By-law 1965, Amendment By-law No. 15, 1971.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN McLEAN:

"That the rezoning of Lot 48 Except North 90 feet, Blocks 30/34, D.L. 98, Plan 2066 to Parking District (P8) be approved for further consideration and this proposal be advanced to a Public Hearing."

CARRIED UNANIMOUSLY

ALDERMAN LADNER RETURNED TO THE MEETING.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:

"That Burnaby Zoning By-law 1965, Amendment By-law No. 17, 1971 be abandoned.

IN FAVOUR -- ALDERMEN McLEAN,  
DAILLY, DRUMMOND AND CLARK

AGAINST -- ALDERMEN BLAIR,  
EMMOTT, LADNER, AND MERCIER

MOTION NEGATIVED

Mrs. N. W. Ramsay submitted a letter expressing displeasure with a proposal that a car wash be established on Lot 244, D.L. 91, Plan 34482, which is the proposal covered by Burnaby Zoning By-law 1965, Amendment By-law No. 18, 1971.

E. M. and N. J. Daniels also wrote to express the same opinion on that rezoning proposal.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:

"That Burnaby Zoning By-law 1965, Amendment By-law No. 18, 1971 be abandoned."

IN FAVOUR -- ALDERMEN McLEAN  
AND DAILLY

AGAINST -- ALDERMEN CLARK,  
DRUMMOND, LADNER AND MERCIER  
AND EMMOTT

MOTION LOST

The Planning Department was directed to ensure that problems associated with the establishment of a car wash on the property covered by Burnaby Zoning By-law 1965, Amendment By-law No. 18, 1971 do not develop by making certain when the development plan for the property is submitted that:

- (a) The "stacking" arrangement for vehicles waiting to be washed is such that there will be no conflict with moving traffic on Canada Way.

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- (b) Employees of the car wash be required to park their vehicles on the site, and not on the side streets in the area.
- (c) The equipment which is used for the car wash does not create a noise that is apt to be offensive to those residing in the area.

The applicant for the rezoning proposal covered by Burnaby Zoning By-law 1965, Amendment By-law No. 19, 1971, Dunhill Developments, submitted a letter on the matter, advising as follows:

- (a) At the time the first phase of the development was approved, the Company was under the impression the issue of the schooling for the entire area had been resolved.
- (b) Apparently there still remains an unsettled question between the owners of the proposed school site and the School Board.
- (c) Several discussions have been held recently with the parties involved and it is felt the issue of the Stoney Creek School Site can be resolved within the perimeter of the commitment made by the developers last year and the requirements of the School Board as established at the time.
- (d) The timing of the rezoning proposal is of major importance so it would be appreciated if the By-law could be introduced and final approval held in abeyance pending settlement of the Stoney Creek School Site acquisition.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN EMMOTT:  
"That the Committee now rise and report progress on the above ten By-laws."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"That leave be given to introduce "Burnaby Zoning By-law 1965, Amendment By-law No. 10, 1971" #5871 and that it now be read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ #1/71

FROM RESIDENTIAL DISTRICT TWO (R2) TO PARK AND PUBLIC USE DISTRICT  
(P3)

---

Lot 5 except Plan 15900 and 31131, S.D. 1, Bks. 1/2, D.L.  
207, Plan 4032  
(380 Cliff Avenue -- Located on the East side of Cliff Avenue  
approximately 53 feet North of its Intersection with Inlet  
Drive)

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"That the Committee do 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. 10, 1971  
be now read a Third Time."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That leave be given to introduce "Burnaby Zoning By-law 1965,  
Amendment By-law No. 22, 1971" # 5883 and that it now be read  
a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

This By-law provides for the following proposed text amendment:

(12)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 22, 1971 #5883  
PROPOSED ZONING BY-LAW AMENDMENTS INVOLVING RESIDENTIAL DEVELOPMENT

(i) Definitions (Section 3)

The addition of the word 'average' as below:

"Basement" means that portion of a building between two floor levels which is partly underground, but which has at least one half of its height from finished floor to finished ceiling above average adjacent finished grade as determined by the Building Inspector. The height measured between floor and ceiling surfaces, shall be not less than 6 feet, 4 inches.

"Cellar" means that portion of a building between two floor levels which is partly or wholly underground and which has more than one half of its height, from finished floor to finished ceiling, below average adjacent finished grade as determined by the Building Inspector. The height measured between floor and ceiling surfaces, shall be not less than 6 feet, 4 inches.

(ii) Accessory Buildings and Uses (Section 6.6)

The amendment of Clause (i) (b) as follows:

(i)(b) "Where an accessory building or structure is attached to the principal building, it is to be considered a part of the principal building and shall comply in all respects with the requirements of this By-law applicable to the principal building."

(iii) Yards (Section 6.12)

The amendment of Clause (i) (d) to read:

(i)(d) "Balconies and sun shades, provided that such projections do not exceed 4 feet nor 50 percent of the width of a required side yard."

(iv) Fences (Section 6.14)

The addition of the following new clause (5)(d) to this section;

(5)(d) "In R Districts, where the rear line of a lot abuts the side line of an adjoining lot, the height of fences, walls or hedges on such rear lot line shall be not greater than the height permitted on the side line of the adjoining lot at the point of abutment."

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That "Burnaby Zoning By-law 1965, Amendment By-law No. 22, 1971 be now read a Third Time."

CARRIED UNANIMOUSLY



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Mrs. Eileen Dailly, M.L.A. for Burnaby North, submitted a letter expressing concern at the possibility of further industrial development on the North side of Burnaby Lake.

*Mrs. Dailly was referring to the proposed new industrial zoning categories under Burnaby Zoning By-law 1965, Amendment By-law No. 23, 1971.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That, before Council proceeds further with Burnaby Zoning By-law 1965, Amendment By-law No. 23, 1971, the Planning Department indicate:

- (a) which properties in the municipality would be affected, or made non-conforming, if the text amendments covered by the By-law were implemented.
- (b) The properties the Department will be proposing be rezoned to the new industrial zoning categories."

CARRIED UNANIMOUSLY

ALDERMEN DAILLY AND EMMOTT LEFT THE MEETING.

Brite Construction Ltd., the applicant for the rezoning proposal covered by Burnaby Zoning By-law 1965, Amendment By-law No. 14, 1971, submitted a letter requesting that this rezoning proposal be abandoned because it was not possible to satisfy the prerequisites established by Council in connection with the matter.

Mr. Peter J. Zakus, Surrey Motor Hotel, owner of the property covered by the By-law mentioned by Brite Construction Ltd., wrote to request that Council not abandon the amendment because he will be endeavoring to satisfy the prerequisites to the rezoning.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:

"That consideration of the rezoning proposal covered by Burnaby Zoning By-law 1965, Amendment By-law No. 14, 1971 be deferred until the May 3rd meeting of Council in order to allow the applicant an opportunity to indicate in what manner he intends to proceed with the rezoning proposal."

CARRIED UNANIMOUSLY

ALDERMAN MERCIER LEFT THE MEETING.

\* \* \*