

MARCH 29, 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, March 29, 1971 at 7:00 p.m.

PRESENT: Mayor Prittie in the Chair;  
Aldermen Blair (7:50 p.m.) Clark, Emmott,  
Ladner, Mercier (7:05 p.m.) and McLean;

ABSENT: Aldermen Dailly and Drummond;

HIS WORSHIP, MAYOR PRITTIE, announced that the British Columbia Easter Seal Appeal Campaign began on March 10, 1971.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:  
"That the Minutes of the Council meetings held on March 15th and 22, 1971 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

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ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That all of the below listed original communications be received."

CARRIED UNANIMOUSLY

Vice-President, Burnaby Spade Club, submitted a letter requesting permission to solicit funds, by means of a door-to-door campaign, on April 3, 1971 for the purpose of assisting with the work of the Club in connection with the mentally retarded in the municipality.

Guardian Secretary, Bethel #7, International Order of Jobs Daughters, wrote to request permission to conduct a Candy Drive between 6:00 p.m. and 9:00 p.m. on March 30th, 31st and April 1, 1971.

ALDERMAN MERCIER ARRIVED AT THE MEETING.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:  
"That permission be granted to both the Burnaby Spade Club and Bethel No. 7 of the I.O.J.D. to conduct their respective campaigns at the times indicated in their submissions."

CARRIED UNANIMOUSLY

*A discussion took place regarding the number of requests which are received for Tag Days and other similar campaigns.*

*Attention was drawn to the fact that, with the establishment of the United Community Services a few years ago, there was supposed have been a reduction in the number of campaigns for soliciting funds from the public for charitable and other organizations.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:  
"That the Grants and Publicity Committee review the policy respecting Tag Days and the like to determine whether any modifications are required, with it being understood that the Committee will be provided with an indication as to the practice followed in other municipalities in the Lower Mainland regarding Tag Days."

CARRIED UNANIMOUSLY

Mr. E. Green of the Carleton Bicycle Shop wrote to request permission to sponsor a Bicycle Race on streets in the Lake City Industrial Area commencing at 12:00 noon on April 25, 1971 and continuing for approximately two hours.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That permission be granted to Mr. Green to conduct the activity described at the time indicated; and further, Mr. Green advise whether the Bicycle Race in question is intended to promote his business or if it is being held on behalf of some organization."

CARRIED

AGAINST -- ALDERMAN CLARK

Mrs. L. Milani submitted a letter expressing concern regarding the quality and maintenance of homes peripheral to the Barnet - Pandora - Hastings - Duthie Area.

She also made reference to a home on the South side of the 7100 Block Hastings Street being in an unfinished state.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That Mrs. Milani be informed of the situation in respect of zoning in the subject area; and further, the Building Department investigate the situation regarding the unfinished home on the South side of the 7100 Block Hastings Street to determine whether any remedial action should be taken."

CARRIED UNANIMOUSLY

Staff Secretary, Resources for Native Progress Association, submitted a letter requesting permission to hold a Moccasin Miles Walk on May 14th to 16, 1971 inclusive along a route outlined in her submission.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That permission be granted to the Association to conduct its activity at the times and along the route indicated, subject to:

- (a) The approval of the R.C.M.P.
- (b) The Provincial Department of Highways having no objection to the use of any arterial highways in the municipality that may be involved."

CARRIED UNANIMOUSLY

Mr. J. J. Uselman submitted a letter expressing concern regarding the noise generated by diesel trucks on Canada Way, particularly between Sperling Avenue and Douglas Road.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That Item (4) of the Municipal Manager's Report No. 21, 1971, which deals with the subject of the submission from Mr. Uselman, be brought forward at this time and Mr. Uselman be advised of the information in that report."

CARRIED UNANIMOUSLY

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

(A) Noise Complaint (Uselman)

The Noise By-law is in an advanced state of completion and should be presented to Council very shortly.

Secretary-Treasurer, Burnaby School Board, submitted a letter advising of the action which has been taken by the Board as a result of reviewing the matter of acquiring land for the Stoney Creek School Site, as it relates to a rezoning under Reference No. 37/70.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That consideration of the submission from the School Board be deferred until the amendment to the Zoning By-law covering the rezoning proposal in question is to be deliberated by Council."

CARRIED UNANIMOUSLY

Attention was drawn to the fact that each member of Council has been given a letter from the Jamboree Committee of the Second Burnaby Heights Boy Scouts expressing appreciation for a grant in the amount of \$100.00 that Council made to assist Scout Michael Hoffman in making a trip to Japan.

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

CARRIED UNANIMOUSLY

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MAYOR PRITTIE mentioned that Mr. J. G. Lorimer, M.L.A., had asked the Minister of Highways at a session of the Legislature a number of questions pertaining to expenditures by the Provincial Government on arterial highways in Burnaby for maintenance and snow clearance between the years 1966 and 1970 inclusive.

MAYOR PRITTIE pointed out that Mr. Lorimer had been informed, as a result of his questions, that the Provincial Government had spent approximately \$75,000.00 in the fiscal year 1969/70 on both maintenance and snow removal for the arterial highways in question.

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QUESTION AND ANSWER  
PERIOD

As a result of Alderman McLean enquiring as to what was developing in connection with meetings on the major highways issue that he had raised on numerous occasions over the past few months, the Municipal Manager replied that three meetings have been held thus far -one was a general discussion, the other was to determine the problems involved, and the third was to make a composite of the various situations in the municipalities involved.

\* \* \*

Alderman McLean mentioned that it appeared the sidewalks which were built in the 6600 Block Halifax Street are at an elevation greater than should be the case.

It was understood by Council that the Municipal Engineer would submit a report indicating whether the sidewalk was constructed in a proper manner.

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REPORTS

ALDERMAN LADNER, as the Liaison with the Planning Department, submitted a report recommending the following priorities for work projects in the Planning Department:

<u>ITEM</u>	<u>PRIORITY</u>
II (5) Mobile Home Study Follow-up - Tourist Trailer Facility Review	B
II (12) Senior Citizens Recreation Centre	
II (13) Kiwanis Housing	A1
V (12) Forest Lawn Cemetery Study	B
V (15) 10th Avenue - 15th Street Area (Truck Traffic on 10th Avenue)	A1
VI (10) Review of overall traffic pattern In the Grange Area	
IX (5) Mobile Home Park By-law and Zoning Standards	A1
IX (10) Report on Regulations between conflicting land uses	
X (6) S.F.U. Boundary Study	A2
X (7) Department of Highways Works Yard Site	B
X (8) Central Area Convention Centre	B
X (9) Study of alternative sites for halfway houses	A3

Alderman Ladner also recommended that the "Sidewalk Study" (VI) (9) be given A1 priority.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That the recommendations contained in the report from Alderman  
Ladner be adopted."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 21, 1971 on the matters listed below as Items (1) to (14) either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) Inter-City Express (1955) Limited; British Pacific Transport Limited; Overland Freight Lines Limited  
7976 WINSTON STREET

Applications have been received from the above firms for trade licences to operate their businesses at 7976 Winston Street.

The applications are being referred to Council at this time for a decision as to whether they should be granted.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:  
"That Council refuse to grant a business licence to each of Inter-City Express (1955) Limited, British Pacific Transport Limited, and Overland Freight Lines Limited to operate from premises known as 7976 Winston Street and the three Companies be given three months to discontinue their occupancy of the said premises."

CARRIED UNANIMOUSLY

- (2) Out-of-Pocket Expenses (Parks and Recreation Commission)

The Parks and Recreation Commission has advised that it has included in its budget for the current year an amount of \$2,500.00 to cover out-of-pocket expenses.

The Commission will be reviewing the expenses and anticipates being able to produce a more accurate figure later this year.

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

CARRIED UNANIMOUSLY

- (3) (a) Lot 3, Blk. 9, D.L. 32, Pl. 2250 (Kennedy - 5990 Sussex Avenue)  
(b) Lot 28, Blk. 7, D.L. 32, Plan 1229 (Winged Voyageurs Resorts Ltd. -  
6006 McMurray Avenue)  
GRANGE STREET EXTENSION

It was being recommended that Council pass a By-law to expropriate the above described properties, which are required for an extension of Grange Street.

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

CARRIED UNANIMOUSLY

(4) Truck Traffic (Uselman)

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

(5) Easement - Subdivision Reference Nos. 169/70 and 23/71  
(Lister Court between Moscrop and Fir Streets)

On February 8, 1971, the Council authorized the acquisition of easements in connection with properties covered by Subdivision Reference #169/70, as shown more particularly on an attached plan (a).

The developer subsequently applied for approval to subdivide several properties adjacent to and West of those covered by Reference No. 169/70. The new subdivision number 23/71 now applies.

The result of this is that an extension of the easements are required and the subdivider has submitted a new right-of-way plan to cover these easements.

It was being recommended that Council authorize the:

- (a) Release of those easements shown on plan (a)
- (b) Acquisition of the easements shown on plan (b)
- (c) Execution of the documents relating to both the release and acquisition of the easements.

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

CARRIED UNANIMOUSLY

*It was suggested in Council that consideration should perhaps be given to cul-de-sacing Carlton Avenue at Moscrop Street in order to prevent traffic "short-cutting" through the residential area North of Moscrop Street.*

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:  
"That the suggestion outlined above be referred to the Traffic Safety Committee for investigation and report."

CARRIED UNANIMOUSLY

(6) Fish - Deer Lake

The Medical Health Officer has reported the following results of an investigation that was made regarding dead fish being found in Deer Lake:

- (a) studies of the quality of water in Deer Lake by the Municipal Health Department and the Dominion Department of Fisheries have not revealed anything that could have been responsible for the number of dead fish which were observed;
- (b) the Ph of the water was 6.8, which is very close to the neutral calculation of 7;
- (c) dissolved oxygen was 12 parts per million. The particular type of fish that is found in the Lake can survive in as little as 3 parts per million dissolved oxygen;
- (d) the Dominion Fisheries Department was of the opinion that the fish had died of fin-rot, which is associated with fungus growth on the gills;
- (e) bio-assay at 100% showed no mortalities with Cohoe fry after 96 hours;
- (f) as dead fish are still being observed, a second investigation is underway;
- (g) samples of water from the Lake and incoming tributaries have been taken, along with specimens of fish;
- (h) a further report will be submitted when results are received from the Fisheries Laboratory.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:

"That the report of the Manager be received and the information contained therein be conveyed to the person who wrote to Council in regard to the question of Deer Lake being polluted and dead fish being there."

CARRIED UNANIMOUSLY

(7) Lot 14, Blocks 10/11/18/19, D.L.'s 6/8/56, Plan 18558  
3201 Noel Drive (Gorny)  
NOEL DRIVE LAND ACQUISITIONS

As a result of further negotiations to acquire the above described property, following the expropriation of the land, it was being recommended that Council accept the settlement which was arranged, it being that:

- (a) The owner be paid \$31,000.00 for the property.
- (b) The tax adjustment date be April 1, 1971.
- (c) The Corporation take possession of the property on April 1, 1971.
- (d) The owners have rent-free occupancy of the house up to June 30, 1971.



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

CARRIED UNANIMOUSLY

ALDERMAN BLAIR ARRIVED AT THE MEETING.

- (8) (a) Water Lot 6317  
(b) Lots 186 and 187, D.L. 165, Plan 1050

The above Water Lot is sub-let by the Corporation to Weldwood of Canada Limited and MacMillan Bloedel and Powell River Industries Limited for booming grounds and log storage.

The portion sub-let to Weldwood is the upper river end from approximately the end of Sussex Avenue to within 200 feet of the end of Byrne Road. The annual rental for this Lot is \$3,262.83.

Weldwood's lease on its portion of the Water Lot expires on May 15, 1971, and the Company has requested a renewal of the lease.

In conjunction with the lease of the Water Lot, Weldwood leases municipally-owned foreshore property described as Lots 186 and 187, D.L. 165, Plan 1050. This land was originally required for a log dumping facility which the Company operated some years ago but, at the present time, the facility has fallen into disrepair and the Company has not made any use of the property for some time even though it has paid a lease rental for it.

The municipality's head lease from the North Fraser Harbour Commissioners expires on October 17, 1972.

In view of this, it was being recommended that the Corporation sub-let to Weldwood of Canada Limited that portion of Water Lot 6317, except the part shown outlined in red on a plan prepared by Kenneth B. Wilson, B.C.L.S., dated October 29, 1954 for a period of one year from the expiry date of the present lease, at an annual rental of \$3,262.83; and further, that, as the Company has no apparent use for the aforescribed Lots 186 and 187, its request for a further renewal of the lease for this property not be entertained.

*A suggestion was made in Council that, even though the Manager was recommending against the renewing of the lease of the Lots 186 and 187 in question, the Corporation should perhaps continue leasing that property if Weldwood of Canada Ltd. is prepared to pay a rental for it.*

*An enquiry was also made as to whether the present lease contains a clause obligating the Company to keep the areas involved free of debris from its operations.*

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN LADNER:  
"That the matter of renewing the leases which are the subject of the report of the Manager be tabled until the April 5th meeting in order to allow:

- (a) For clarification of the point regarding an extension of the lease covering the Lots 186 and 187, as detailed above.

- (b) For the provision of an answer to the question concerning the keeping of the property in question clean, as indicated above."

CARRIED UNANIMOUSLY

(9) Claim - Konkin (5497 Buchanan Street)

It was being recommended that Council authorize the payment of \$500.00 to the above noted as settlement of a claim from him for damage caused his property by flooding, subject to the necessary releases being obtained.

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

CARRIED UNANIMOUSLY

(10) Outstanding Rezoning Applications

The Municipal Clerk will be reporting separately on amendments to the Zoning By-law where the applications for rezoning:

- (a) Have been withdrawn by the applicant.
- (b) Have been superseded by more recent applications.
- (c) The rezoning proposal has been divided into two parts.

The following is a list of outstanding rezoning proposals plus two that have been abandoned:

Outstanding Rezonings

<u>Reference No.</u>	<u>Address/Location</u>	<u>Expiry Date</u>
47/69	7490 and 7480 Kingsway	April 19, 1971
81/69	7331 Hubert, 7478, 7468, 7416, 7430, 7456 Britton, 7397 Kingsway	May 16, 1971
13/69	350, 360 and 370 S. Howard	April 1, 1971
32/69	6725 Russell	"
35/69	5958 East Hastings	"
42/69	331, 341, 353, 361 and 381 Ellesmere	"
50/69	7337 Hubert, 7425 and 7435 Kingsway	"
66/69	5485 Lane	"
69/69	6430, 6470, 6490 Fern 6531, 6543, 6507, 6519 Lily	"
16/69	5146 Laurel	"
77/69	5633 Kingsway	"
18/69	5909 and 5945 Pioneer	"
52/69	7064, 7050, 7036, 7022, 7008, 6984, 6966, 6950 Elwell	"
91/68	8611 Armstrong	"
62/68	6550 Canada Way	"
75/68	7247 Fulton	"
97/68	4136 Canada Way	"
107/68	6450 Telford	"
111/68	7410, 7414, 7408 Edmonds 7415, 7405 19th Avenue	"

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<u>Reference No.</u>	<u>Address/Location</u>	<u>Expiry Date</u>
20. 120/68	3410, 3430, 3440 Bell Avenue 9230, 9240 Cameron	April 1, 1971
21. 114/68	7459 12th Avenue	"
22. 108/67	5946 Willingdon	"
23. 97/67	4462, 4472 Buchanan	"
24. 84/67	4075 Moscrop	"
25. 73/67	4375 Grange	"
26. 65/67	6138 Rumble	"
27. 61/67	4395 and 4385 Grange	"
28. 57/67	7137 Canada Way	"
29. 3/67	6622 Lougheed	"
30. 131/66	7271 Acorn	"
31. 20/65	6961 Lougheed	"
32. 101/67	N.W. corner Clare Avenue and Frances Street	"
33. 37/65	N.E. corner Lougheed and Delta	"
34. 53/65	1848 Delta Avenue 5030 Halifax Street	"

The following applications have been abandoned:

		<u>Applicant</u>
1. 58/68(a)	9920 Lougheed	Home Oil
2. 39/66	N.E. Corner Lougheed and Ellerslie	P. & D. Rancoe

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER  
"That the submission from the Manager be received."

CARRIED UNANIMOUSLY

(11) Big Bend Area (Stage I)

The Planning Department has indicated that its report covering Stage I of the study being made of the land use situation in the Big Bend Area will be available for Council at its meeting on March 29, 1971.

*The report of the Planning Department mentioned by the Manager was distributed to the members of Council.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:  
"That the submissions from the Manager and the Planning Department be received and tabled until the April 5th meeting."

CARRIED UNANIMOUSLY

(12) Bonding on Building Construction Projects

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

- (a) A hasty review of bonding requirements on building construction projects has been made and various people involved in such projects have been contacted.
- (b) The concensus of opinion of those contacted is that, on building project bonds to the amount of 50% of the contract price for performance or 50% of the cost of labour services, materials and hired equipment for labour and materials, is ample.
- (c) Providing the Canadian Construction Association standard form of contract agreement, or something equal thereto, is used by an owner, and provided that owner is careful to pay on progress draws to the Contractor only for the work performed and not allow the contractor to overdraw on the job, then in every case on a building project a 50% performance bond and a 50% labour and materials bond will be ample to protect the owner in the event of failure of a contractor.
- (d) 50% bonds will provide ample funds, together with the 15% holdback in the contract plus monies on hand for work not yet claimed, to allow a building to be completed without extra cost to the owner.
- (e) As regards the difference between 50% and 100% bonds and the possible restriction on certain contractors to bid a job where 100% bonds are specified, there is no restriction brought about by the coverage requested in the bonds.

- (f) Bonds are only awarded to a general contractor after the bonding underwriter has made a careful assessment of the capability of the contractor to perform the job for which the bonding is sought.
- (g) The assessment includes the contractor's experience, his plant, his work on hand and his financial resources, among other things, all in relation to the specific job.
- (h) If the underwriter is satisfied in his assessment, the contractor will obtain bonds requested regardless of the amount of coverage specified.
- (i) Bonds are not issued with mixed coverage.
- (j) The actual cost of bonding in relation to the cost of a building project is slightly more than  $\frac{1}{2}\%$  for 50% coverage and just under  $\frac{3}{4}\%$  for 100% bond coverage.
- (k) Consultants fees are a part from the cost of a building project but are based generally as a percentage of the tendered cost of a project. The bond costs form a part of the tendered building price, hence consultant's fees paid by an owner will rise in proportion to the bond costs and any additional costs a contractor might want to insert in his tender price for his time taken in obtaining bonds. Where the difference in the cost of bonds between 50% and 100% coverage cannot be justified in need, the combined added cost of the higher bond coverage and the consultant's fee becomes an extra expense to a project most difficult to justify.
- (l) 50% coverage for performance and labour and materials bonds has always been sufficient for building construction projects.
- (m) All of the foregoing has reference only to building construction projects and not to public works projects.
- (n) If changes are being contemplated in bonding requirements on building projects, there are one or two other aspects of the tendering procedures allied to bonding, but not covered above, which should be reviewed in the interest of simplifying the procedures.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN McLEAN:  
"That, in future, it be required that there be 50% coverage for performance and labour and materials bonds for building construction projects instead of the 100% that is required now."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:  
"That the Chief Building Inspector enlighten Council about those aspects of the tendering procedures mentioned under item (n) above so that Council can determine whether any changes should be made."

CARRIED UNANIMOUSLY

(13) Reference RZ #11/71  
Lots 24, 25 and 26, S.D. 1/18, R.S.D. 21/33, Block 3, D.L. 28S,  
Plan 2105

FROM COMMUNITY COMMERCIAL DISTRICT (C2) TO DRIVE-IN RESTAURANT  
DISTRICT (C7)

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

It was being recommended that this application be approved for  
further consideration and that, as prerequisite to the rezoning being  
effected, the following be undertaken:

- (a) The consolidation of the properties into one site.
- (b) The submission of a suitable plan of development for  
the site.
- (c) The provision of an undertaking that all existing  
structures on the properties will be removed within six  
months of the rezoning being completed.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:  
"That the recommendation of the Planning Department be adopted and  
the rezoning proposal which is the subject of its report be  
advanced to the Public Hearing which is being held on April 21,  
1971."

CARRIED UNANIMOUSLY

(14) Loan Authorization By-laws

The following Federal - Provincial Special Development Loans have  
been approved:

(a) Miscellaneous Parks	\$415,000.00
(b) Stride Avenue Secondary School Recreation Facilities	60,000.00
(c) Senior Citizens' Recreation Hall Confederation Park	200,000.00
(d) Senior Citizens' Recreation Building Kingsway at Edmonds	279,000.00
(e) Winston Street Construction	351,000.00

The Loan Authorization By-laws for the funds involved were approved  
by the Inspector of Municipalities on March 23, 1971.

The site on which the Senior Citizens Recreation Centre in North  
Burnaby is to be built is on land owned by the School Board.

The Parks and Recreation Commission Administrator advises that it  
is anticipated the planned property exchange with the School Board  
whereby the Corporation will obtain title to the site as part of  
Confederation Park may take some time. In the meantime, the

Commission is asking approval of the School Board to permit the project to proceed immediately. Plans and specifications for the building are in the hands of the Chief Building Inspector.

It was being recommended that the By-laws in question, with the amounts actually approved by the Inspector of Municipalities, be finally adopted by Council.

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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BY - L A W S

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

- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 1, 1971" #5868
- "BURNABY ROAD DEDICATION BY-LAW NO. 2, 1971" #5869
- "BURNABY BOARD OF VARIANCE BY-LAW 1971" #5843

and that they now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN MERCIER:  
"That the By-laws 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-laws."

CARRIED UNANIMOUSLY



Municipal Manager pointed out that the Legal Department had prepared two alternative wordings for Section 13 of the Board of Variance By-law.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN EMMOTT:  
"That the following be inserted as Section 13 of Burnaby Board of Variance By-law 1971:

"In an appeal is allowed by the Board, and if a permit is required by a By-law of the Corporation, the appellant shall, within 90 days of the date of the decision of the Board, apply to the Building Inspector of the Corporation for a permit. If the appellant does not apply for a permit within the said period of 90 days the decision of the Board shall be void."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That Burnaby Board of Variance By-law 1971 be amended by adding a clause whereby an appeal will not be determined by the Board of Variance without the presence of the appellant, unless the said appellant has so requested the Board."

IN FAVOUR -- ALDERMEN LADNER AND BLAIR

AGAINST -- ALDERMEN CLARK, EMMOTT, MERCIER AND McLEAN

MOTION LOST

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:  
"That the Committee do now rise and report the By-laws 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 CLARK:  
"That:  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 1, 1971"  
"BURNABY ROAD DEDICATION BY-LAW NO. 2, 1971"  
"BURNABY BOARD OF VARIANCE BY-LAW 1971"  
be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN EMMOTT:  
"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. 54, 1969" #5594."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ. #13/60

FROM RESIDENTIAL DISTRICT FOUR (R4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Lots 1, 2, 3 and 4, Block 80, D.L. 127, Plan 4953

(350, 360 and 390 South Howard Avenue)

The Planning Department reported as follows in connection with the prerequisites associated with this rezoning proposal:

- (a) The intending developer, as a result of further discussions with the Planning Department, submitted revised plans which meet the requirements of the Zoning By-law.
- (b) These plans resolve the problems outlined in the March 19, 1971 report from the Department; namely, the landscape plan, an indication of the development of the required usable open space and the discrepancies between the building plan, the landscape plans and the applicant's expressed desires for the development.
- (c) The applicant has completed the purchase of the Lot 1 described above from the Corporation and is in the process of registering the consolidation plan.  
  
Registration of this plan would be completed before fourth reading.
- (d) As the prerequisites are nearing completion, it was being recommended that the Amendment to the Zoning By-law be given third reading, with Final Adoption to follow when all the prerequisites have been satisfied.

The applicant, P.H.D. Investments Ltd., submitted a letter requesting an opportunity to address Council on the rezoning proposal.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MERCIER:  
"That a spokesman for P.H.D. Investments Ltd. be heard."

CARRIED UNANIMOUSLY

Mr. W. A. Husdon appeared and made the following comments:

- (a) If the subject amendment By-law received third reading this evening, it would be greatly appreciated if Council could finally adopt the By-law on March 31, 1971.

- (b) Due to delays and misunderstandings between the applicant and the Planning Department, the Company has been forced into an awkward situation.
- (c) The first plans were placed in the hands of the Planning Department on December 6, 1970 and they have been changed three times. At one time, the plans laid in the Planning Department for ten days without being examined.
- (d) The mortgage commitment pertaining to the development proposal expires on April 1, 1971 and, if the Company was not able to proceed by that time, it would lose its standby fee.
- (e) Men who would be employed on the project are currently unemployed and, in some cases, are on welfare.
- (f) Other developers have experienced similar problems with the Planning Department.
- (g) The acceptability of development plans by the Planning Department is left to the sole discretion of one employee in that Department, Mr. D. Stenson.
- (h) The development plan selected incorporates extra features such as a swimming pool, a sauna, recreational facilities, and other things.

*The Planning Director, Mr. A. L. Parr, pointed out that the processing of development plans could be expedited if the Planning Department was to deal with one person only who was acting on behalf of the developer or owner. He added that delays are sometimes experienced because various persons representing the owner become involved with the development plans and they are sometimes at variance with each other, consequently the Planning Department is not certain of the desire of the developer.*

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN EMMOTT:

"That the Municipal Manager investigate both the allegations made by Mr. Husdon and the general procedure for handling development plans to determine whether:

- (a) There is any substance to the claims of Mr. Husdon.
- (b) The procedure for processing development plans, either relating to rezoning proposals or otherwise, could be improved so as to not cause any unnecessary delays."

CARRIED UNANIMOUSLY

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 BLAIR:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 54, 1969"  
be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN MERCIER:  
"That BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 54, 1969  
be brought forward for Reconsideration and Final Adoption at the  
Council meeting to be held on Wednesday, March 31, 1971."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:  
"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. 7, 1971"#5852."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference FZ # 64/70

FROM RESIDENTIAL DISTRICT FIVE (R5) to MULTIPLE FAMILY  
RESIDENTIAL DISTRICT THREE (RM3)

- (a) Lots 10, 11 and 12E½, Block 1, D.L.'s 121/187, Plan 1354
- (b) Lot 12W½, Block 1, D.L. 121, Plan 1354

(4153, 4165, 4193 and 4197 Albert Street )

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

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

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 LADNER, SECONDED BY ALDERMAN McLEAN:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 7, 1971"  
be now read a Third Time."

CARRIED UNANIMOUSLY

\* \* \*

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1970 #5827  
came forward for Reconsideration and Final Adoption. This By-law  
provides for the following proposed rezoning:

Reference RZ #60/70

FROM TOURIST COMMERCIAL DISTRICT (C5) TO MULTIPLE FAMILY  
RESIDENTIAL DISTRICT ONE (RMI)

- (a) Pcl. "A", Expl. Pl. 12407, S.D. 19, Blk. 4, D.L. 125, Pl. 3520
- (b) Pcl. | Expl. Pl. 9640, S.D. 18, Blk. 4, D.L. 125, Pl. 3520
- (c) Pcl. "A", Expl. Pl. 9640, S.D. 18, Blk. 4, D.L. 125, Pl. 3520

(5511, 5489 and 5537 Loughed Highway)

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

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN CLARK:

"That:  
"BURNABY ROAD CLOSING BY-LAW NO. 4, 1971" #5865  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 64, 1970" #5827  
"BURNABY LOAN AUTHORIZATION BY-LAWS NOS. 1 to 5 INCL. 1971"

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

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN EMMOTT:

"That the Council now resolve itself into a Committee of the Whole  
to consider and report on:

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1970"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 48, 1966"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 69, 1968"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 35, 1969"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1968"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1967"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 4, 1966"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1965"
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 20, 1966"

CARRIED UNANIMOUSLY

These By-laws provide for the following proposed rezonings:

The reasons for abandoning the By-laws are also indicated.

(1) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1970 #5727

Reference RZ #19/70

FROM RM5 TO C3

Lots 13 to 16 Inclusive, Block 8, D.L.'s 151/3, Plan 2155

(4256, 4280 and 4292 Kingsway -- Located on the South-East corner of Kingsway and Olive Avenue)

Received First and Second Readings - June 22, 1970 and Third Reading - Aug. 17, 1970  
(Letter of withdrawal from Applicant dated August 20, 1970)

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(2) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 59, 1969 #5599

Reference RZ #23/69

FROM R5 TO RM3

(a) Lots 10, 11, 12N $\frac{1}{2}$ , 17 and 18, Block 13, D.L.'s 151/3, Plan 2660

(b) Lots 1, 2 and 3, S.D. "C", Block 13, D.L.'s 151/3, Plan 4991

(c) Lot "D", S.D. "C"; Block 13, D.L.'s 151/3, Plan 4979

(d) Lot 19, Block 13, D.L. 153, Plan 2660

(6132 - 6192 Willingdon Avenue Inclusive and 6131 - 6179 Cassie Avenue inclusive -- Located between Willingdon Avenue and Cassie Avenue North from the B. C. Hydro and Power Authority right-of-way a distance of 338 feet)

Received First and Second Readings on November 3, 1969

(Letter from applicant withdrawing this application)

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(3) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 48, 1966 #4976

Reference RZ #47/66

FROM M2 TO R5

(a) (i) Lots 1 to 98 incl., Blk. 3, D.L. 77, Plan 3051

(ii) Lots "E" and "F", Blk. 3, D.L. 77, Plan 13680

(iii) Lots "C" and "D", Blk. 3, D.L. 77, Plan 13359

(iv) Lots 8 and 9, S.D. "E", Blk. 1, D.L. 75, Pl. 4147

(These parcels lie within that area bounded by Darnley Street on the North; Auckland Avenue on the East; Laurel Street on the South; and the W.P.L. of the above described Lots 8 and 9 on the West)

(b) (i) Lots 17 to 19 incl., S.D. "A", Blk. 1, D.L. 75, Plan 4147

(ii) Lots 1 to 4 incl. S.D. "E", Blk. 1, D.L. 75, Plan 4147

(These parcels lie within that area bounded by the Freeway on the West; the N.P.L. of the above described Lot 17 and Darnley Street on the North; the E.P.L. of the Lots 1 to 4 described above on the East, and Laurel Street on the South)

Received First and Second Reading on July 4, 1966

(This application was initiated by the Planning Department. It is now covered by the Central Area Land Assembly Resolution)

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(4) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 69, 1968 #5425

Reference RZ #98/68  
FROM R5 AND C4 TO C4

Lot 18, Block 2, D.L. 29, Plan 3035

(7585 Kingsway -- Located on the South side of Kingsway midway between Stride Avenue and Fourteenth Avenue and having a frontage of 155 feet)

Received First and Second Readings on October 28, 1968

*(Letter from applicant withdrawing this application)*

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(5) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 35, 1969 #5538

Reference RZ #33/69

FROM R5 AND M1 TO M1

Lot "A", S.D. 1, Block 3, D.L. 120, Plan 13545

(1641 Douglas Road -- Located on the South side corner of Douglas Road and Gilmore Avenue)

Received First and Second Readings on July 28, 1969

*(Replaced by RZ #43/69 -- Part II which rezoned the Northerly portion of this lot and others on Douglas Road to remove the portion of residential buffer strip. This residential strip was rezoned to M1 District)*

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(6) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1968 #5362

Reference RZ #34/68

FROM R1 TO P8

Lot 3 except Expl. Pl. 14411, Blk. 2, D.L. 59, Plan 3798

(2961 Bainbridge Avenue -- Located on the West side of Bainbridge Avenue from a point approximately 155 feet South of Lougheed Highway Southward a distance of 104 feet)

Received First and Second Readings on July 22, 1968

*(Superseded by RZ #88/68 which rezoned this lot and Lots 4 and 5 from Residential District One to Parking District (P8))*

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(7) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1967 #5123

Reference RZ #50/67

FROM R5 AND C2 TO C3

- (a) Lot 1, Sketch 6692, Blk. 24, D.L.'s 151/3, Pl. 2001
- (b) Lot 1 except Pcl. "A", Expl. Pl. 6692, Blk. 24, D.L.'s 151/3, Pl. 2001
- (c) Lot 2 South 33 ft., Blk. 24, D.L.'s 151/3, Pl. 2001
- (d) Lot 2 except South 33 ft. Blk. 24, D.L.'s 151/3, Pl. 2001
- (e) Lots 3 to 6 incl. Blk. 24, D.L.'s 151/3, Plan 2001
- (f) Lots 28 and 29, Blk. 24, D.L.'s 151/3, Pl. 2001
- (g) Lots 30 to 32 incl. Blk. 24, D.L. 152, Pl. 2001
- (h) Lot 1 except Filing 65298, Blk. 25, D.L.'s 151/3, Pl. 2000
- (i) Lot 2 except Pcl. "C", Expl. Pl. 9064, Blk. 25, D.L. 152, Pl. 2000
- (j) Lot "C", Expl. Pl. 9064, S.D. 2 and 3, Bk. 25, D.L.'s 151/3, Pl. 2000
- (k) Lot "A", Blk. 25, D.L.'s 151/3, Pl. 6387

(7) Continued

(Located within the area between the West side of Nelson Avenue and the East side of Fern Avenue from a point approx. 200 feet South of the junction of Nelson Avenue and Fern Avenue Southward along the West side of Nelson Avenue a distance of 537 feet, and from a point approx. 245 feet South of the same junction along the East side of Fern Avenue Southward a distance of 332 feet)

Received First and Second Readings on May 2, 1967

*(Superseded by Rezoning #69/69 which rezones a portion of these properties to Parking District (P8))*

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(8) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 4, 1966 #4897

Reference RZ #28/66

FROM C5 TO RMI

- (a) Lot 18W $\frac{1}{2}$ , Sk. 9639, except Sk. 9640, Blks. 1/4 and 6, D.L. 125, Pl. 3520
- (b) Pcl. 1, Expl. Pl. 9640, S.D. 18, Blks 1/4 & 6, D.L. 125, Plan 3520
- (c) Pcl. "A", Expl. Pl. 12407, SD. 19, Blks 1/4 & 6, D.L. 125, Pl. 3520

(Located in the area bounded by Springer Avenue on the West, Broadway on the North, Holdom Avenue on the East and Lougheed Highway on the South)

Received First and Second Readings on February 21, 1966

*(Superseded by Rezoning Ref. #60/70 which rezones a portion of these properties to Multiple Family Residential District One (RML))*

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(9) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1965 #4823

Reference RZ 56/65

FROM R5 TO RM3

- (a) Lot 2, Except N. 60 ft. Blk. 34, D.L. 34, Pl. 1355
- (b) Lot 3, Expl. Pl. 13071 and Lot 3, Exc. Expl. Pl. 13071, both of Block 34, D.L. 34, Pl. 1355
- (c) Lots 4 South  $\frac{1}{2}$ , 5 South  $\frac{1}{2}$ , 6 South  $\frac{1}{2}$ , and 7 South  $\frac{1}{2}$ , Blk. 34, D.L. 34, Plan 1355
- (d) Lot 8 South  $\frac{1}{2}$ , Except North 50 ft., Blk. 34, D.L. 34, Pl. 1355
- (e) Pl. "A", Expl. Pl. 13003, S.D. 8, Blk. 34, D.L. 34, Pl. 1355

(Located on the North side of Grange Street between Barker Avenue and Halley Avenue extending Northward along Barker Avenue a distance of approx. 182 feet and along Halley Avenue a distance of approx. 232 feet)

First and Second Readings -- October 18, 1965

*(Superseded by Ref. RZ #138/66, 86/67, 112/67, and 92/68)*

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(10) BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 20, 1966 #4913

Reference RZ #45/65 and 46/65

- RZ #45/65 - Lot "A" Except Sk. 8843, and Except Sk. 4800, Blk. 5, D.L. 125, Plan 3347  
Lot "A", Sk. 8843, Blk. 5, D.L. 125, Pl. 3347
- RZ #46/65 - Lot 1 Except Sk. 12477, S.D. 5/6, Blks. 1/4 & 6, D.L. 125, Pl. 10378  
Lot 1, Sk. 12477, S.D. 5/6, Blk. 1/4 & 6, D.L. 125, Pl. 10378

(The above described properties are located within the block bounded by Springer Avenue, Lougheed Highway, Delta Avenue and Halifax Street)  
Received First and Second Readings on March 7, 1966  
FROM R2 TO RM4

*(Superseded by RZ #66/70)*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN EMMOTT:  
"That all of the above By-laws be abandoned."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

\* \* \*

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

CARRIED UNANIMOUSLY