

MAY 31, 1971

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, May 31, 1971 at 7:00 p.m.

PRESENT: Mayor R. W. Prittle in the Chair;
Aldermen Blair, Clark, Dailly (7:10 p.m.),
Drummond, Emmott, Ladner and McLean;

ABSENT: Alderman Mercier

HIS WORSHIP, THE MAYOR, Issued a Proclamation proclaiming Tuesday, June 1, 1971 as Census Day and urging all citizens to co-operate with the Dominion Bureau of Statistics in conducting the National Census.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:
"That the Original Communications be received."

CARRIED UNANIMOUSLY

ORIGINAL COMMUNICATIONS

A letter was received from the B. C. Motels & Resorts Association complaining about the Burnaby Central Secondary School Grounds being used to accommodate trailers, campers and tenters along with their occupants on the 8th and 9th of May last in connection with some event taking place at the School.

The Association drew attention to the fact that there were motel and hotel facilities within the municipality which could be used for this purpose and deplored the use of these trailers and campers on this occasion.

No information was available on the event, or the reasons for use of mobile equipment on this occasion.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN LADNER:
"That the matter be tabled pending the receipt of further information on this matter."

CARRIED UNANIMOUSLY

Mr. & Mrs. B. Hoffmeister wrote complaining that they were unable to arrive at a satisfactory settlement for the acquisition of their property which had recently been expropriated for park purposes in the Sullivan Heights Area.

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Mr. and Mrs. Hoffmeister submitted an offer to dispose of the property to the municipality for the sum of \$36,300.00 itemizing each segment of the property and improvements within the offer.

Alderman Ladner submitted that this was at the expropriation stage and was a matter of arriving at an acceptable compensation settlement by both parties. The proceedings also provided that either party can bring the matter to arbitration.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:
"That the Manager be instructed to take whatever steps are necessary to bring this matter to arbitration."

CARRIED UNANIMOUSLY

It was understood that the passage of the foregoing matter would not preclude negotiations continuing with Mr. and Mrs. Hoffmeister.

Contained within the letter from Mr. and Mrs. Hoffmeister was a statement that certain people on the North Road had had difficulty in arriving at a settlement with this Corporation and it was suggested this statement be checked out.

Amchitka 2 wrote forwarding some literature used in their campaign to attempt to have any further atomic blasts take place at Amchitka Island, pointing out that these islands are located on the Great Earthquake Fault which effects the Japanese, Southern Asia and North American and South American coast lines. Amchitka 2 asked that the Council endorse the following resolution and also asked for ideas for action from the Council in regard to this matter:

"That, whereas no authoritative body independent of the U.S. Atomic Energy Commission is on record as having made a study of the Amchitka area to determine the effects of the 1969 1.2 megaton test, and,

Whereas, the U. S. National Academy of Science, in the Pitzer Report, expressed deep concern about the seismic effects of the 1969 test on Amchitka Island, and,

Whereas, there are many scientific bodies and individual scientists who feel that such tests provide a real and present danger to nations and animal life in the earthquake belt area, and,

Whereas, no scientist or scientific body can give absolute assurance that such testing will not trigger catastrophic earth and sea disasters, and,

Whereas, most scientific bodies and individuals accept as being inevitable the danger of radioactive leakage into the sea and atmosphere from such a test, therefore,

Be it resolved that we will engage in a thoughtful and earnest campaign to convince the U.S. Government that further testing on Amchitka Island must be stopped in order to protect the best interests of the people of the international community within the earthquake belt area, including the United States."

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His Worship, the Mayor, submitted that matters which were not the direct concern of a Municipal Council should not be debated by a Council. It was his view that this was a matter which was of national and international concern and did not fall within the purview of Municipal Councils which were concerned with local legislative and administrative affairs.

It was submitted that the Council should voice an objection on behalf of the people of the municipality.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN DRUMMOND:
"That the resolution submitted by the Amchitka 2 organization be endorsed."

This Motion was ruled out of order by His Worship, the Mayor.

Mr. T. Osborne wrote asking if some consideration could be given to some Local Improvement works in the 7400 Block Rosewood Street.

The letter from Mr. Osborne was accompanied by a reply to Mr. Osborne written by the Municipal Clerk which explained the current situation with regard to Local Improvements and also that the matter would be placed in the hands of the Engineer for consideration when Local Improvement works next were under consideration.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the letter be received and the reply of the Clerk be endorsed and that the content of the letter be tabled pending further information from the Municipal Engineer."

CARRIED UNANIMOUSLY

J. E. Saunders wrote drawing attention to development which had taken place West of Westminster Avenue and South of Canada Way following rezoning when some industrial development took place and a Shrine Temple was constructed.

A small triangle of land was left between Westminster Avenue and Wayburne Street running out to Canada Way which was to be improved to provide a buffer between the industrial area and the residential areas. No improvements had been made to this area and Mr. Saunders asked for information as to when this buffer zone would be completed.

Item 18 of the Manager's Report covered the request contained in Mr. Saunder's letter.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CLARK:
"That Item (18) of the Manager's Report be brought forward."

CARRIED UNANIMOUSLY

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The Manager reported that the Planner had been engaged in recent months in working with Dominion Construction and other involved parties toward acceptance of a suitable plan for a treed-screen buffer along the West side of Westminster Avenue prior to development of the Wayburne Industrial Park, the developer agreed to share the cost of necessary tree planting with the municipality on a 50/50 cost sharing basis to a maximum contribution of \$2,000.00 by Dominion Construction. A plan has been worked out and referred to the Parks and Recreation Department for comments and cost analysis. It is felt the plan basically represents a good standard of landscape design and could be implemented during the current season if the costs and maintenance formula prove acceptable.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:

"That the report of the Manager be received and that the contents thereof be referred to Mr. Saunders.

A letter was received from the Burnaby Historical Society advising that no meeting place or headquarters had been presently designated to their organization and the Society was desirous of obtaining a permanent location. The Council was asked to consider the Society's request for such accommodation.

Discussion ensued on the possibility of locating the Historical Society in the new Heritage Park development and it was suggested this was a matter for joint consideration by the Parks and Recreation Commission and the Centennial Committee.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:

"That the request of the Burnaby Historical Society be referred to the Parks and Recreation Commission and the Centennial Committee for joint discussion and report."

CARRIED UNANIMOUSLY

The Chairman, of the Burnaby Parks and Recreation Commission wrote advising that the Commission feels that a Money By-law will be necessary within the next year to provide long-term needed capital and also there is a strong feeling amongst the Commission that the needed indoor swimming pool #2 must not depend upon the passage of a By-law for its construction.

The Commission is determined to start construction of Pool #2 early in 1972 and at the present time budget allotments stand at \$404,900.00 and it is planned to allot sufficient funds in this account in 1972 to complete the financing of the pool which is estimated to cost \$600,000.00. The Commission had decided to alter this year's priority to provide a further \$138,000.00 to the pool fund. The amount would be found by curtailing operating budget items and would be spread by a reduction in funds among many areas, minimizing the impact on maintenance, operation and programme.

The Chairman of the Commission requested authority to reallocate \$138,000.00 within the Annual Budget to "Allocation for Capital Expenditure - Indoor Pool #2".

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:

"That the request of the Parks and Recreation Commission be granted and that application be made to the Inspector of Municipalities, Department of Municipal Affairs for an amendment to the Annual Budget at this time which would reflect the actions of the Commission."

CARRIED UNANIMOUSLY

TABLED ITEM

Rezoning Application #21/71 Re: Debate by Council of the merits of deleting the property at the South-West corner of Duthie Avenue and Pandora Street and the triangular portion of land situated at the North-West corner of Duthie Avenue and Hastings Street from the Apartment Study.

Alderman Ladner drew attention to the debate on this subject which was held on March 15, 1971 and suggested that, since a decision was made at that time to retain this area in the Apartment Study, that any considerations of the matter at this time were out of order.

It was further suggested that the entire picture revolving around the rezoning of this area for apartment purposes should be looked at in view of the delegations and petitions received and in view of the parks within the area, the school situation and the traffic generated, so that people in the area can rest assured that they will not be faced with continual rezoning applications for apartments to be erected in this area.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN CLARK:
"That the area covered by Lot 17, Block 2, D.L. 207, Plan 4032 and the triangular area immediately to the South at the North-West corner of Duthie Avenue and Hastings Street be removed from the Apartment Study."

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

AGAINST -- ALDERMEN EMMOTT, BLAIR,
LADNER AND MAYOR PRITIE

The negative motion was declared lost.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:
"That the Public Hearing be held on Tuesday, June 22, 1971 at 7:30 p.m. for the purpose of considering miscellaneous rezoning applications presently before the Council."

CARRIED UNANIMOUSLY

* * *

QUESTION AND ANSWER
PERIOD

ALDERMAN McLEAN advised that the Port of Vancouver Development Committee was to be abolished and since the Council held membership on this Committee it was felt members of the Council may wish to comment on the proposed abolishment of the Committee. The Council was requested to make any comments at the next Council meeting.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN EMMOTT:
"That the Council resolve itself into a Committee of the Whole at 7:45 p.m."

CARRIED UNANIMOUSLY

REPORTS

POLLUTION COMMITTEE

RE: Sewer Connections

The Pollution Committee reported on the programme undertaken to ensure that all unconnected buildings and structures within the municipality are connected to the existing sewer trunks.

Last year 1,502 notices were mailed to owners in the municipality indicating it was now a requirement to be connected to the Municipal sewer.

It was discovered that approximately 1,100 of these were actually unconnected and of these:

- (a) 30 have been granted waivers.
- (b) 76 have been granted one year extensions.
- (c) 72 are in the process of being prosecuted for failure to connect.

The remainder of approximately 922 have connected or are in the process of doing so, and virtually all should be connected by June 30, 1971.

It has become apparent that in several cases owners of unconnected premises were financially unable to connect to the sewer at this time and requests were received that the Corporation undertake the work and add the costs to their tax accounts.

Arrangements have been made to the Purchasing Department to receive bids from local contractors for the work and the Committee recommended that Council authorize the work to be done for the first eight cases which came to light, accepting the low bid in each case, and that Council allocate the necessary funds for the purpose.

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

CARRIED UNANIMOUSLY

Re: Land Fill Operations

The Committee advised that discussions were in progress to prepare the terms of reference for a By-law designated to control land fill operations on private property.

A draft of this By-law will be presented to Council as soon as it becomes available.

Re: Disposal of Non-Putrescible Material

The Committee advised that steps were being taken to secure areas in the municipality which would be made available to Burnaby residents for the purpose of disposal of stumps, building refuse and other non-putrescible material.

A complete report would be presented to Council when present negotiations are complete.

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the information contained in the latter two items of the Pollution Committee's Report be received."

CARRIED UNANIMOUSLY

A question was raised on the disposition of the portion of the Kaller Report on the disposal of solid wastes. It was suggested that action should be taken on the report by the Regional District and that that body should allot some person to work full time on the problem so that municipalities such as Burnaby will not be faced with a crisis in the disposal of solid wastes at some time in the future when land fill areas become saturated and there are no other means for disposal of these wastes.

It was suggested that Mr. Bunnell of the Regional District had been asked to do some work on the Kaller Report. It was also pointed out that the land fill operation was not popular in some areas of the Regional District, specifically those areas where there are large blocks which can be used for land fill purposes.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:

"That Burnaby's Regional Representative to the Greater Vancouver Regional District be asked to raise this item re: land fills for solid wastes at the next meeting of the Board with the request that some positive steps be taken toward a solution to the problem."

CARRIED UNANIMOUSLY

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MANAGER'S REPORT NO. 39,
1971

- (1) Frontage Requirements - S.D. Ref. #13/71
D.L. 90, Block 1, Lot 31, Plan 355
7827 Goodlad Street

The Manager recommended that the requirements of Section 712(1) of the Municipal Act be waived as they apply to Subdivision No. 13/71 in relation to one of the lots to be created by this subdivision.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CLARK:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

- (2) Central Park Swimming Pool - Gas Service

The Manager reported that the Burnaby Parks and Recreation Commission had taken over operation of the Central Park Swimming Pool for the Central Park Committee and the B. C. Hydro required a formal contract for the provision of gas service to this Pool forwarding two copies of a "Firm Gas Service Agreement".

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The Parks and Recreation Commission have authorized the agreement and it was recommended that authority be granted to have these agreements executed by the officers of the Corporation.

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

CARRIED UNANIMOUSLY

(3) Acting Municipal Manager

The Manager advised that he would be at a Conference of the Canadian Federation of Mayors and Municipalities in Saskatoon from June 14 to 18 inclusive and it would be desirable to have someone recognized on staff who could act in the Manager's capacity for the short term.

It was also suggested that undoubtedly there would be other occasions due to sickness or business that the Manager would be absent until a definite decision was made regarding an assistant, it would appear that a "standing" authority for someone to assume the duties of this office would be in order.

It was recommended that until further notice Mr. S. B. McCafferty, as part of his duties as Municipal Treasurer, be appointed Acting Municipal Manager to act, if necessary, with full authority in any absence of the Manager.

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

CARRIED UNANIMOUSLY

(4) Burnaby Sign By-law

The Manager reported that originally, sign regulations were to form part of the Zoning By-law and proposed standards designed to cover signs in the municipality were to be included in earlier drafts of the By-law. It had been decided subsequently to separate the two and that signs should be the subject of its own By-law.

Initial drafts for a separate Sign By-law were prepared during 1965 and 1966. Additional research was carried out in 1968 including a detailed review of sign regulations in other municipalities discussions with Lower Mainland officials and other municipal departments.

The Manager submitted a report which followed these discussions and subsequent review, and discussion, and receipt of comments and suggestions from Building, Engineering and Legal Departments.

The Manager recommended that the report be referred to the Advisory Planning Commission and other interested groups for comment prior to any action being taken by the Council.

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

CARRIED UNANIMOUSLY

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There was some criticism levelled at the composition of the report presented and the quality of the document. It was suggested that, in a proposal form, the document could be produced for less cost. The characterizations were of somewhat an elementary type and were not entirely acceptable to members of the Council.

It was explained that the document was intended to try and illustrate a dry subject to the organizations interested and to the public.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN EMMOTT:

"That the original motion be amended by adding the words "and the Advisory Planning Commission be asked to invite comment from the public or other groups concerned within the municipality"."

CARRIED

AGAINST -- ALDERMAN DRUMMOND

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:

"That the motion, as amended be tabled pending a report from the Manager on the cost of preparation of the document forming the sign by-law proposal and a comparison be provided with a cost of producing the document on ordinary bond paper."

CARRIED

AGAINST -- ALDERMAN CLARK

- (5) New Vista Society - Senior Citizen's Project
Construction of Road - (Item 13, Manager's Report No. 37,
Council Meeting May 25, 1971)

The Manager reported that the above subject had been dealt with previously and tabled pending a report as to whether or not the municipality could advance money to the Society on an account receivable basis or as a Local Improvement.

Since the Society is not a Committee of Council and is registered under the Societies Act it is not possible for the municipality to make an advance to the Society.

The Municipality is specifically prohibited from becoming a lending Institute.

Regarding the Local Improvement aspect, it was submitted that the property on either side of the proposed road is privately-owned and it is a question of whether or not the private properties will receive any benefit from the work.

The Manager suggested the Council was required to make a decision as to whether or not to make a grant of the amount of money involved for the work in question. If the cost is assumed then the charges would show against the Contingency Section of the "Special Roads Project" of the Capital Budget.

A question was raised as to whether or not the cost would be a shareable item with the Federal and Provincial, which levels of Government were involved in the tri-party agreement covering the development by the Society. It was submitted by Alderman Ladner, a delegate to the Society, that there is no cost-sharing arrangement on the second phase of the project.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DRUMMOND:

"That the matter be tabled pending clarification of whether or not the cost of the road is a shareable item with the Provincial and Federal Governments, under the appropriate section of the National Housing Act and also to determine the effect the addition of the cost of the road would have upon the rental rate set for the suites in the building."

CARRIED UNANIMOUSLY

(6) Business Tax Rate

The Manager brought forward two resolutions prepared by the Council in November 23, 1970 dealing with the above subject; the first of which asked that an amendment be introduced to the Municipal Act which would provide for business tax to be collected in any year on the basis of the previous years tax rate, provided further, that the Council may on, or before May 15th alter the business tax rate for that year. Coupled with this would be provision for collection of any amounts due, or rebates of amounts overpaid.

The second resolution concerned procedures necessary with Trades Licence fees and Business Tax and called for changes that would streamline these procedures. The Municipal Act would have to be amended and the resolution requested that, in instances where business tax is charged, a Trades Licence fee be not imposed or alternatively, a Trades Licence fee be charged over and above a Business Tax.

The Manager had been asked to examine these resolutions in concept and indicate to Council the change in procedures that would be necessary.

The Manager reported that while there was no certainty that the Government would do anything about the resolution because the Deputy Minister of Municipal Affairs had remarked on different occasions that the act was written in its current manner to prevent Councils from altering Business Tax rates as a means of balancing budgets. The resolution appeared to retain the present system but gives additional flexibility and it was recommended this resolution be passed by Council and submitted to the Government through the U.B.C.M.

It was felt there was some interest in Victoria about this subject. The method employed by the municipality to keep within the law tends to confuse business men at times. Burnaby's practice is to issue a combination licence-business tax bill.

Under our procedures, bills are mailed in December and consequently most of the money is collected in January which greatly helps our cash position. Under the Municipal Act, and until recently, the Vancouver Charter, licence fees paid are abated against business taxes, which is most confusing.

The Manager suggested an alternative for the second resolution and drew attention to the fact that effective the year 1970, Vancouver City was no longer required by its Charter to abate Business Tax by licence fees thus separating completely licences from business tax.

It was recommended that Council consider petitioning the Government through the U.B.C.M. for the right to discontinue the abatement of licence fees paid against business taxes paid by the same business.

(7) Business Tax Rate

The Manager reported that in 1965, Burnaby brought into effect a business tax of 6½% of the assessed rental value of real property or 1% of the assessed value of landlord and tenant fixtures (machinery).

Rates chargeable in adjoining Vancouver and New Westminster were 7% and 9% respectively. No alternate tax on machinery is levied in Vancouver.

The Manager explained other considerations given in 1969 to an increase following Vancouver's increase in that year to a rate of 8%. However, an amendment to the Municipal Act resulted in a reduction in the tax on machinery from 1% to .65%.

In 1970, the tax was increased to 7% and the By-law was applicable to the year 1971. At the time it was suggested the Business Tax rates be reviewed each year immediately following consideration of the Annual Budget hence, the matter is before the Council at this time.

Further comparisons were given by the Manager with Vancouver and with New Westminster where the tax was reduced to 5%, however the base was revised and the level of business tax remains appreciably the same.

Increasing the rate from 7% to 7½% should realize a further \$120,000.00 for Burnaby plus normal growth through changes in rental value. If an increase is considered, the alternate tax on machinery should be increased accordingly, i.e. if the rate were increased to 7½%, the machinery tax rate should also be raised to .75%.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That Council concur with both recommendations advanced with regard to resolutions to the U.B.C.M. Convention as contained in Item (6) of the Manager's Report."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN McLEAN:

"That no change be made in the Business Tax By-law to be passed later this year which would authorize the Business Tax rate for the year 1972."

CARRIED

AGAINST -- ALDERMAN LADNER AND DAILLY

(8) Subdivision Reference #80/71

The Manager recommended that the Corporation accept and execute an easement over Lots 3 and 4 of the North half of Lot 1, Block 2, D.L. 206, from James Henry Docherty and Rita Docherty of 925 Sperling Avenue and from William Robert Miller of 931 Sperling Avenue for drainage purposes.

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

CARRIED UNANIMOUSLY

(9) Tenders for Storm Drainage Contract #1, 1971

The Manager reported that tenders had been received for the supply and installation of storm drainage materials for approximately 14,000 feet of mains ranging in sizes from 8 to 36 inch diameters, including manholes, catch basins and leads and house connections.

Tenders were opened in the presence of staff and representatives of the firms bidding.

The Engineer and Purchasing Agent recommended that the tender of the lowest bidder, being United Contractors Limited for the sum of \$370,829.76 with actual payments to be based on unit prices tendered, be accepted and the Manager concurred.

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

CARRIED UNANIMOUSLY

(10) Big Bend Area Study - Interim Report

The Manager submitted a report entitled "Big Bend Area Study - Interim Report" dated May 27, 1971, prepared by the Municipal Planner and forming a second stage of the Study which had been earlier requested by the Council. The report was accompanied by plans indicating certain Preliminary Plan Approvals which were pending in the area and mention was made of two rezoning applications (RZ #50/70 and RZ #5/71) which were outstanding together with an outstanding subdivision application (S.D. 9/70). One of the plans accompanying the report gave an indication of the proposed land use areas for the area and indicated divisions into agricultural, industrial, recreational, agricultural/recreational uses.

The report recommended with regard to the Preliminary Plan Approvals that Items (1) to (4) (P.P.A.'s 1403, 1449, 1470, 1481) being located in areas that are in conformity with the land use proposals which have been advanced, be authorized for processing.

It was suggested the remaining five applications which were not in keeping with the goals and objectives established for the area were recommended for continued deferment pending the rezoning of the various area designations to reflect the land use area proposals.

With regard to the rezoning applications, it was recommended that RZ #50/70 covering the rezoning of the property from R2 Residential to M3 Industrial at Marine Drive and Greenall Avenue be now approved (reaffirming the Department's earlier recommendation in view of the industrial zoning being of a non-conforming nature with the zoning which was recommended for the area under the subject report).

The second application RZ #5/71 requests the rezoning of a parcel of land located at the South-West corner of 17th Avenue and Willard Street from M3 Industrial and R5 Residential to R5 Residential. This zoning would conform with the Big Bend Study Area proposal for the maintenance of the low density residential development along the South side of Marine Drive with the boundary of the residential area reflected, wherever possible by the existing subdivision pattern. The Department recommended the forwarding of this rezoning application to a Public Hearing for further Council consideration.

With reference to Subdivision Application S.D. Ref. #9/70, it was submitted that this proposal is related to RZ #5/71 and would provide for the subdivision of Lot "A" into five or six duplex sized properties. A difficult intersection would be created at the confluence of 17th Avenue, Willard Street and Marine Drive, resulting from the improvement of 17th Avenue. It was therefore suggested that the Planning Department work with the developer in producing a subdivision design that would preclude the connection of 17th Avenue with Willard Street.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That the recommendation concerning the approval of Preliminary Plan Approvals #1403, 1449, 1470, 1481 and the retention of the remaining five Preliminary Plan Approval applications as contained in the report be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN McLEAN:

"That the recommendation with respect to Rezoning Application No. 5/71 situated at the South-West corner of 17th Avenue and Willard Street be adopted."

CARRIED UNANIMOUSLY

With reference to Rezoning Application No. 50/70 (property at the South-West corner of Marine Drive and Greenall Avenue), Alderman Ladner volunteered to meet with the applicant to endeavor to work out a solution to the problems which had previously been encountered, regarding this application, involving the dedication of a portion of the land for lane purposes at the rear of the property.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That this application be tabled and referred to Alderman Ladner for review and to provide an opportunity to find a solution to the problems of rezoning of this property."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:

"That the recommendation of the Planner with respect to Subdivision Reference No. 9/70 be concurred in."

CARRIED UNANIMOUSLY

Some discussion followed on the general use plan attached to the report with the Planner explaining the reasons for the proposed relocation of the Marine Drive to the South for the purpose of balancing-off the industrial and agricultural land. It was submitted that there was still sufficient space in the proposed industrial areas to contain areas equal to three times the size of the Lake City Industrial Area. If, in the future, industrial zoning needed to expand the road could revert back to the area of the B. C. Hydro Right-of-Way and allow for more acreage to be used for industrial purposes.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:
"That this aspect of the Big Bend Area Study - Interim Report be tabled to a Special Meeting at a time to be determined by His Worship, the Mayor, so that the report may be considered in more detail."

CARRIED UNANIMOUSLY

(11) Vacant Lot Next To 3731 Regent Street

The Manager reported in response to Alderman McLean's enquiry about the vacant lot next door to 3731 Regent Street legally described as Lot 10, Block 14, D.L. 69, Plan 1558:

- (a) The property was acquired by the municipality for non-payment of taxes in 1932.
- (b) The house on the property was rented to the former owner until approximately two years ago. The house has now been demolished.
- (c) Recent studies by Freeway Consultants for the City of Vancouver makes future development in the immediate area of the property undesirable. as there is a possibility the area may be required for interchange purposes should the Regional District designate Boundary Road as a Freeway route in conjunction with the proposed underground Vancouver-Grandview Freeway.
- (d) It was recommended that the lot not be sold and that it be held in reserve until such time as clarification is received from the Regional District on the Regional Freeway routes.
- (e) The Planning Department would not object to the use of the property for recreational purposes on a interim basis. 19 families are resident in the immediate area.
- (f) It was the contention that the Parks Commission should look into the use of the lot for a tot-lot.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LADNER:
"That the use of Lot 10, Block 14, D.L. 69, Plan 1558 for recreational purposes be investigated by the Parks and Recreation Commission and a report be submitted to the Council accordingly."

CARRIED UNANIMOUSLY

(12) Section 411 of the Municipal Act

The following has made application under Section 411 of the Municipal Act for rebate of percentage additions on the respective property:

M.E. Gaskill, 4171 Pender Street, Burnaby 2, B. C.	Lot 19, Blk. 9, D.L. 121, 1970 Penalties \$29.11 Plan 1054, Code: 4019218
	<u>\$29.11</u>

To date, 1971 allowances which have been approved under this section, not including the above, total \$122.36.

It was being recommended that approval be given to this rebate.

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

CARRIED UNANIMOUSLY

(13) Chevron Canada Limited Plant Modernization - Preliminary Plan Approval #1435

The Manager attached a copy of the proposal agreed to with the B. C. Research Council in connection with the study that Council had requested Dr. McIntyre of the Research Council to undertake.

Terms of reference were fairly broad but it was hoped that the conclusions would be precise. Discussions had been held with Chevron Canada Limited and Mr. Harry Fuller so that both were well aware of the approach being taken and no objections seemed to be evident from either source.

Dr. McIntyre will visit the plant taking tests where possible and will meet with Mr. Fuller and two or three others in his group so that the points of concern raised can be fully explored.

Dr. McIntyre indicated that the \$2,000.00 budget suggested would appear to be adequate. A report was expected in two to three weeks time.

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

CARRIED UNANIMOUSLY

JHS/hb

May/31/1971

(14) Chevron Canada Limited Plant Modernization
Application for Temporary Building Permit -
Pole type Storage Shelter

The Manager reported on a request for approval to erect a temporary building urgently needed for the purpose of interim storage of project material for construction which had already been purchased and was now being received at the Burnaby Refinery. The planned structure was to be pole-type requiring no foundation other than a level site and the net value was \$3,500.00 after dismantling. The application was for a six-month permit with option for a renewal. The Manager submitted that his Department was unable to recommend any temporary approval which might imply that development approval for the Refinery project was necessarily forthcoming. Materials for the modernization project had to be ordered as much as a year ago and the delay had been brought on by the need for closer examination of the project.

The Manager recommended that a temporary permit for six months be authorized without an option for renewal on the distinct understanding that the granting of the permit is in no way to be considered as approval of the modernization project, and that the structure was to be used strictly for the purpose of interim storage of project construction material.

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

CARRIED UNANIMOUSLY

(15) Proposed Amendment to the Montecito Development Plan (RZ#143/66)

The Manager reported that Dawson Developments Ltd., developers of Villa Montecito, had made a request to amend the approved plans of Stage 3 of the Villa Montecito development. The Manager reviewed the plans as formalized by the adoption of a by-law previously and submitted that the first stage had been fully completed with two high-rise buildings now under construction. Revised development plans for Stage 3 had been received and were substantially outside the terms of the approved CD plan and an amendment to the Zoning By-Law will be required.

A condominium type, rather than a rental type accommodation, is to be developed and a number of apartment units have been replaced by individually-owned town houses. The following changes have been noted:

- (a) the total number of dwelling units in this Stage has been reduced from 237 to 204;
- (b) the FAR of approximately .64 has not been changed;
- (c) the density has been reduced from 21.0 to 18.2 units/acre;
- (d) the proposed accommodation provides for more three-bedroom and four-bedroom units and less two-bedroom units.

The concept of the amended proposal appears to satisfy the criteria originally established for the development and the proposal appears compatible in its architectural concept and expression with Stage 1 and 2 of the Montecito project.

It was recommended that the Council agree to accept the amendments as outlined which will require a Public Hearing and By-law amendment for Stage 3 of the Montecito project. It was further recommended that the application be forwarded to a Public Hearing with final reading of the Amending Zoning By-law to be subject to the submission of a detailed and suitable plan of development.

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MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That the recommendations of the Manager be adopted and that the application for amendment to Stage 3 of the Montecito project be forwarded to a Public Hearing."

CARRIED UNANIMOUSLY

THE MAYOR DECLARED A RECESS AT 9 P.M.

THE COUNCIL RECONVENED AT 9:10 P.M.

(16) Easement - RZ#12/71

The Manager recommended that an easement be acquired over portions of Lot 284, D.L's 6/10, Plan 38574 AND Portion of Lot 67, D.L's 6/10/56/148, Plan 31569, from Dunhill Developments Ltd., North Vancouver and Lake City Industrial Corporation Ltd., Vancouver, for sewerage and drainage purposes at no cost to the Corporation.

MOVED BY ALDERMAN EMMOTT, SECONDED BY ALDERMAN McLEAN:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That leave of absence be granted to Alderman Mercier from this meeting."

CARRIED UNANIMOUSLY

(17) Proposed Heliport Facility - Gizeh Shrine Temple -
Wayburne Drive at Woodsworth

The Manager reported that representatives of the Gizeh Shrine Temple have requested temporary permission for the use of an existing parking lot to provide a helicopter landing during the upcoming Shriners' Convention to be held May 31st to June 6, 1971. Interest had been expressed in developing a permanent facility in the future. Initially, there would be two flights per day.

The Department of Transport had examined the proposal and found it acceptable from a safety point of view and had prescribed an approach and take-off path. The D.O.T. were prepared to issue the temporary permit and would consider a permanent permit if certain conditions could be met in the actual facility and if the Council so approved.

It was observed that the parking lot was in close proximity to a residential area and it was recommended that the helicopter not be approved on a permanent basis.

The Manager submitted that the direction of Council on the matter of both the permanent and temporary use of this parking lot for this purpose was required.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN McLEAN:

"That permission not be granted to the Gizeh Shrine Temple for a permanent or temporary use of the parking lot facility for a landing area for helicopters."

CARRIED UNANIMOUSLY

It was suggested that the Shriners may be able to get permission from the B.C. Institute of Technology to use one of their parking lots or some other suitable place for their proposed heliport.

(18) Wayburne Way - Dominion Construction Landscape Screening

This item was brought forward during consideration of correspondence and in particular a letter from Mr. J. E. Saunders re the buffer zone between the residential and industrial zone in the vicinity of Westminster Avenue and Wayburne Street.

(19) Portion of Water Lot 6317 and 5870 - MacMillan Bloedel Ltd.
(Item Nos. 3 and 5, Manager's Report No. 37, Council Meeting May 25, 1971)

These leases were referred back previously to the Manager to ascertain if the rental rates were adequate. Contact was made by the Manager with the North Fraser Harbour Commissioners and advice was given that the Commission was concerned with exorbitant profits being made as a result of sub-letting water lot leases granted by the Commission.

Information was also received that at the expiration of Head leases on all water lots on the North Arm of the Fraser, the Commission would be leasing directly to the users of the water lot subject to the approval of the upland owners and there was an indication that a fee could be charged for this approval.

The Manager drew attention to the fact that another portion of the same water lot (Water Lot 6317) was re-leased to Weldwood of Canada Limited under the same terms and conditions as recommended for this portion. The Manager recommended that both leases (Water Lot 6317 and 5870 - MacMillan Bloedel Ltd.) be renewed on the terms and conditions as recommended at the Council meeting of May 25th.

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

CARRIED UNANIMOUSLY

(20) National Harbours Board Water Lots - Burrard Inlet

The Manager responded to an enquiry of Alderman McLean about the leasing of water lots in the Burrard Inlet and information had been received from the National Harbours Board that certain industries get authority to build out into the Inlet. Jurisdiction of the Harbours Board extends from the high water mark over the whole of Burrard Inlet. Construction of any kind on any water lot is subject to the provisions of the Navigable Waters Protection Act.

Water lot leases generally are granted for a twenty-year period subject to review every five years. Sub-letting of a National Harbours Board lease is subject to approval by the Board, a condition which is rigidly adhered to to prevent the Board from becoming a party to a situation where a lease has been obtained for a reasonable figure by one party who then for various reasons is able to obtain someone to sub-let the lease at an exorbitant profit.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN LADNER:
"That the information presented by the Manager be received."

CARRIED UNANIMOUSLY

(21) Glassphalt

The Manager reported that in keeping with the trend to recirculate waste materials the Engineering Department proposed to request our asphalt maintenance contractor, Columbia Bitulithic, to lay a 1½" to 2" overlay of "glassphalt" on Royal Oak between Gilpin and Eglinton, in order to test this material under Burnaby's climatic conditions and under heavier traffic conditions than the only other one in Canada (in Scarborough, Ontario), which was laid on 17th October, 1970.

Arrangements for the project were made with the collaboration of Glass Container Council of Canada. Reclaimed glass will be supplied by the Dominion Glass Company and will be crushed and graded similar to ordinary aggregate. Weather permitting, the laying of "glassphalt" would be held on June 18th. Similar test strips are to be laid in Montreal and other large cities in Canada.

Mr. Kaller, who will be attending the National Solid Wastes Seminar in Toronto in the week of June 6th to 12th, is instructed to double check the performance of "glassphalt" in Scarborough.

The Manager recommended that Council approve of this test strip.

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

CARRIED UNANIMOUSLY

(22) Contract with Jack Cewe Limited re Engineering and Construction of Services Corporation Subdivision D.L. 86, Stage 3 Phase I, 1971

The Manager submitted a request by Jack Cewe Limited for an extension of time on this Contract from May 31st to July 15, 1971. Comment was made in the request of Cewe Limited that there were overload problems of McElhanney Engineering and Surveying consulting Engineering firm for which the Corporation was responsible and the Manager confirmed that this firm of consultants was engaged in our F.P.S.D.L. programme.

Other reasons given for non-completion of the work, being the wet spring, were agreed to by the Engineering Department and this, coupled with the extreme wetness in the area to be developed in D.L. 86, would cause serious problems.

Another delay of one week had been caused by the Corporation to consider a problem of burning or disposing of clearing debris.

The Manager reported that although there may be a loss to the Municipality by virtue of the fact that the Corporation may not be able to command as high a price as previous subdivisions as the lots will not go on sale at a "prime" time. We have held the contractor up for five or six months on North Road through no fault of his own because of the delay by B.C. Telephone in moving a pole line, and under all these circumstances, it was recommended that the contract be extended to July 15, 1971, as requested by the contractor and that liquidated damages not be assessed.

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

CARRIED UNANIMOUSLY

(23) Confederation Park Elder Citizens' Recreation Centre
(Item 20, Manager's Report No. 37, Council Meeting May 25, 1971)

The Manager attached a letter from the Secretary of the Parks and Recreation Commission about the contract let for the above Recreation Centre advising that the contract covers more than just the construction of the building and the original communication referred to the building only.

The total contract price of \$172,687.00 compares with an estimate of \$188,000.00 for the same work.

The Manager recommended that Council authorize a change in the contract from \$154,627.00 to \$172,687.00.

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

CARRIED UNANIMOUSLY

(24) Building Department

The Chief Building Inspector submitted a report covering operations of his Department for the period April 26th to May 21, 1971.

(25) Medical Health

The Medical Health Officer submitted a report covering the activities of his Department for the month of April.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:
"That the reports of the Building Department and Medical Health Officer be received."

CARRIED UNANIMOUSLY

* * *

ALDERMAN CLARK GAVE NOTICE that he would be introducing the following motion during the next meeting of the Council:

*"WHEREAS the situation concerning unemployed Welfare recipients appears to be getting worse instead of better;
AND WHEREAS the increased numbers are creating an unnecessary load on the already overburdened taxpayer;
AND WHEREAS no positive steps appear to be taken by the senior levels of government to reduce this burden on the local level of government;
THEREFORE BE IT RESOLVED: "That this Council instruct our Municipal Manager to investigate whatever methods can be used through our Personnel Department to undertake the placement of these people in suitable employment within the community as a whole."*

* * *

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

BY - LAWS

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

"BURNABY EXPROPRIATION BY-LAW NO. 3, 1971" (#5902),
"BURNABY HIGHWAY EXCHANGE BY-LAW NO. 1, 1971" (#5912) and
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 26, 1971"
(#5913)

and that they be now read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 26, 1971" (#5913)
provides for the following rezoning proposal:

Reference RZ#37/70 Part II

FROM R2 AND M3 TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Southerly 2.083 acre portion of Lot 284, D.L's 6/10/56, Pl.38574

(Located approx. 300 ft. East along Centaurus Drive of the
intersection of Eastlake Drive and Centaurus Drive)

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

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:
"That the Committee now rise and report the by-laws complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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

"BURNABY EXPROPRIATION BY-LAW NO. 3, 1971",
"BURNABY HIGHWAY EXCHANGE BY-LAW NO. 1, 1971" and
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO.26, 1971"

be now read a Third Time."

CARRIED UNANIMOUSLY

ALDERMAN LADNER LEFT THE MEETING.

May/31/1971

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. 13, 1971" (#5874)."

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1971" (#5874) provides for the following rezoning proposal:

Reference RZ#3/71

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

- (a) Lot 20, S.D. 47 and 49, Block "B", D.L.'s 151/3, Plan 1936
- (b) Lots 21 and 22, Block 49, D.L. 153, Plan 1936

4308 and 4314 Maywood Street and 6662 McKay Avenue
(Located at the S.E. corner of McKay Avenue and Maywood Street)

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 BLAIR, SECONDED BY ALDERMAN McLEAN:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1971" be now read a Third Time."

CARRIED UNANIMOUSLY

ALDERMAN LADNER RETURNED TO THE MEETING.

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

- "BURNABY ROAD CLOSING BY-LAW NO. 7, 1971" (#5908)
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 14, 1971" (#5911)
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 13, 1971" (#5903)

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 BLAIR:
"That the Council meet in Committee on Wednesday, June 9, 1971, at 7:30 p.m. for the purpose of considering the Six-Year Capital Improvement Programme for the years 1971/76."

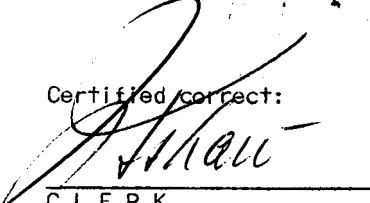
CARRIED UNANIMOUSLY

The meeting adjourned at 9:30 p.m.

Confirmed:

Certified correct:


MAYOR


CLERK