

AUGUST 9, 1971

A regular meeting of the Municipal Council was held in the Council Chambers of the Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, August 9, 1971 at 7:00 p.m.

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

ABSENT: Aldermen Emmott and McLean;

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:  
"That minutes of the Council meetings of July 12, 13th and 15th,  
1971 be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN MERCIER:  
"That the delegations be heard."

CARRIED UNANIMOUSLY

#### DELEGATIONS

Mr. William H. Deverell, Barrister and Solicitor, spoke with reference to his client, Johnson and Franklin Wholesale Distributors Ltd., who had made application to have their Trades Licence reinstated, since their having been charged with being in possession and distributing obscene literature in the Greater Vancouver Area.

Mr. Deverell referred to the conviction obtained by the Courts in Vancouver re the obscene literature. The nature of the business of this Company was the distribution of books and magazines of all types.

The range of reading included comic books, dictionaries, nursery books etc. Mr. Deverell presented some samples to the Council and submitted that these were only books classed as normal reading material. Others carried suggestive covers but the reader was betrayed by the cover. The Company employed eleven persons of an age range from twenty to fifty-four years. The Company has a three and one-half year lease yet to run. The obscenity faction of their literature is in the gray area of the law. There is enormous difficulty to decide which is obscene and which is not. The Company relies on the acceptance into the Country, or literature, by the Customs Department. Most of the literature comes from the United States and the Federal Government (Department of Customs) determines which is allowed on one hand, and the same Government law enforcement agencies should not be acting as they are re obscene literature. Mr. Deverell said that Mr. Ed. Reiter was present and was the Customs Broker for the Company. Mr. Reiter was afforded an opportunity to speak and submitted his qualifications as eleven and one-half years

Aug/9/1971

as an officer in the Customs and Excise Branch in Vancouver and worked for Customs Brokers and now had a distribution company of his own. The literature was imported expressly for customs examination, in single copy, and they ruled whether the literature was acceptable or not. In the case of literature which was "borderline" reference was made to Ottawa for a decision on whether or not the material should be permitted into the Country. Decisions on the rulings from Ottawa can be appealed. Books accepted by the Customs are allowed to be imported. The Customs Department have written guide lines on what should be allowed for importation. Mr. Deverell submitted that import licences for better type books were sewed-up by other Companies and the Johnson and Franklin Organization must import literature of lesser known publishers and are attempting to import tape decks and other novelties in order to keep their business in the black.

Mr. Deverell was asked whether or not his client would be prepared to set up a separate group to examine material of its own and not rely strictly on Customs approval for the importation of their literature and Mr. Deverell advised that his client would not be prepared to do this.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That a Trades Licence be granted to Johnson and Franklin Wholesale Distributors Ltd. for the normal course of the licence and that such licence be reviewed upon the termination date and also be reviewed annually thereafter."

CARRIED UNANIMOUSLY

\* \* \*

The "Free Access to the Airport Committee" wrote submitting a brief which contained arguments to the Federal Government on their stand with respect to a toll-free access to the Vancouver International Airport referring particularly to the plan of the Federal Government to impose tolls on the Hudson Street Bridge.

Mr. Kohme appeared and advised he was the Director of the Sea Island Ratepayers Association which organization had joined with other Ratepayers Associations, political associations and other civically-minded interested groups to endeavor to get free access to the Vancouver Airport.

Mr. Kohme advised that the South Bridge connected Sea Island with Lulu Island and it appeared the Federal Government had categorically stated that it will impose a toll on every approach to the Airport.

His Worship, Mayor Prittie, advised of his interest in this matter while a member of Parliament, and submitted that the Hudson Bridge was being constructed to serve the Airport.

Mr. Kohme advised that the Richmond Council would support their efforts, as well as the Vancouver Council and approaches have been made to all other Councils in the Lower Mainland Area. It was submitted that this was a Regional matter and should receive the attention of the Greater Vancouver Regional District.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:  
"That this Council support the cause of the Free Access to the Airport Committee and that their Committee be referred to the Greater Vancouver Regional District for the support of that group in view of the effect of this proposal on the entire Vancouver Region."

CARRIED UNANIMOUSLY

Aug/9/1971

The Burnaby Chamber of Commerce submitted a Brief presenting arguments on behalf of the commercial community within the municipality for non-restricted shopping hours during the whole of the month of December.

It was noted that Mr. Bert Price, President of the Chamber, wished to speak on this matter at the meeting of August 23rd.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:  
"That the Brief be referred to the Municipal Manager for advice on open shopping hours within surrounding municipalities from December 1st to December 31st."

CARRIED UNANIMOUSLY

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:  
"That the correspondence be received."

CARRIED UNANIMOUSLY

The Burnaby Minor Hockey Association wrote requesting permission to hold a Walkathon on Sunday, October 17th over a route described in an attachment to their application.

The Association attached a copy of a provisional approval granted by the Burnaby Detachment of the R.C.M.P. to their walkathon.

The Centennial Co-Ordinator, Burnaby Centennial '71 Committee wrote extending an invitation to members of the Council to attend the Golf Tournament to be held on Saturday, September 11th at the Burnaby Mountain Golf Course.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That approval be granted to the Burnaby Minor Hockey Association for their Walkathon and that the invitation of the Burnaby Centennial '71 Committee be accepted."

CARRIED UNANIMOUSLY

Mrs. Madeline McIntosh wrote with reference to proposals of the Council to rezone certain portions of the Big Bend Area and more particularly the area along Byrne Road where her property is situated. She advised that the property had been zoned for industrial purposes for many years and there was a threatened approach to rezone the property for agricultural purposes and this was a matter about which she violently objected because of the fact that her property would be devaluated and her anticipated sale of the property would bring less resources for her to retire upon.

Mrs. McIntosh also criticized certain information which had been presented by the Assessment Department about her tax assessment and expressed the satisfaction that answers received from a member of the Tax Department about an error which apparently had occurred in presenting the assessment information to her.

Aug/9/1971

-4-

Mr. A. H. Pride, Chairman, Burnaby Parks and Recreation Commission, wrote with reference to a meeting held between members of the Burnaby Parks and Recreation Commission and members of the Planning Department when the broad objectives of the Department were presented to the Commission for their information and study.

Mr. Pride suggested that the Commission had considered recreational development in this area for some years but that ~~now~~<sup>that</sup> a land use plan for the area was being determined the Commission would appreciate additional time to consider in more detail the needs of the Commission for recreational purposes in the area.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:

"That the letter from Mrs. Madeline McIntosh and from the Chairman of the Parks and Recreation Commission be laid over pending Council's consideration of the Manager's item on the Big Bend Area Study to be brought forward later in the Agenda."

CARRIED UNANIMOUSLY

Mrs. George F. Bullock wrote asking that the Council give consideration to some form of reduced school taxes for Senior Citizens on limited fixed incomes. Mrs. Bullock urged the Council to put the item on their Agenda so that something concrete on this subject may be forthcoming before the next tax notices rolled around.

The letter was accompanied by a reply to Mrs. Bullock from the Municipal Clerk which explained the Council's position in this regard and indicated the Council's efforts toward obtaining legislation which would empower Council to grant relief to groups on fixed incomes.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the letter be received and the reply forwarded by the Municipal Clerk be indorsed."

CARRIED UNANIMOUSLY

Mr. G. R. Mark wrote with reference to the continuation of the barricade at Still Creek Avenue and North Road and criticized a report recently presented to the Council by the Traffic Safety Committee which indicated that the retention of the barricade was necessary on the basis of certain traffic counts which had recently taken place in the area.

Mr. Mark criticized the traffic counts and suggested that the barricade was no longer needed since the improvements to the North Road had been completed. Mr. Mark asked that the matter be reviewed.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That the request of Mr. Mark be referred to the Municipal Engineer for report to the Traffic Safety Committee on the specific references in the letter of Mr. Mark on the accuracy or inaccuracy of certain traffic counts which had taken place in the Sullivan Heights area in relation to the barricade at Still Creek Avenue."

CARRIED UNANIMOUSLY

Mr. Brian Coleman of the legal firm of Hean, Wylie and Company wrote with reference to the purchase of several lots in the Lister Court Subdivision by their clients Koehn Enterprises Ltd. from Arma Holdings Ltd. and Laurand Holdings Ltd. Mr. Coleman pointed out that these

Aug/9/1971

-5-

lots had been purchased for subdivision purposes on the promise that the lots would be serviced by the installation of a storm sewer and that a current application before the Council by Arma and Laurand for some relief in the matter of enclosure of the drainage course should not be granted.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That this matter be deferred pending consideration of Item #17 of the Manager's Report."

CARRIED UNANIMOUSLY

C. B. Pritchard wrote with reference to the request of residents North of Burnaby Lake to freeze all industrial development in this area in the interests of establishing an addition to the Burnaby Lake Park and referred, specifically, to the area surrounding Warner Loat Park where some tree growth existed which had a particular beauty and asked that the Council preserve this area surrounding Warner Loat Park and a small area opposite the Park to be added to the green area in this vicinity.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That this matter be deferred pending considerations of Item #33 of the Manager's Report."

CARRIED UNANIMOUSLY

The Refinery Manager, Shell Canada Limited wrote giving a historical review of the endeavours of Shell Oil Company to introduce and maintain environmental control equipment at their Burnaby Refinery Plant, attaching a statement of Shell Canada Corporate Policy on Environmental Control 1971 at Shellburn Refinery.

Reference was made to Item #12 of the Manager's Report which detailed some information received from Chevron Canada Limited about the installation of technical equipment which would reduce water pollution from the plant in Burrard Inlet.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That those organizations and individuals who presented objections to the expansion of the Chevron Refinery be forwarded the information presented by the Refinery Manager of the Shell Oil Company with respect to their Plant."

CARRIED UNANIMOUSLY

Mr. L. Warne wrote with reference to Rezoning Reference No. 20/71 dealing with the rezoning of property in the 7700 Block Edmonds Street for commercial purposes to permit the erection of a dental clinic.

Mr. Warne drew attention to the fact that two other businesses in the 7700 and 7800 Blocks Edmonds Street backing onto Wedgewood Street were denied access to their property from Wedgewood Street and it was suggested that if access were granted for the proposed new dental clinic a precedent would be set for access to these other two businesses.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That this item be referred to Item #15 of the Manager's Report."

CARRIED UNANIMOUSLY

Aug/9/1971

Mrs. Hazel L'Estrange wrote requesting answers with explanations to three questions:

- (I) In what way will the proposed Anti-Noise By-law help to eliminate the increasing noise from the oil refineries in North Burnaby?
- (II) What explanations does Council have regarding the letter to the editor of the Vancouver Sun which stated that the wishes of 85% of the residents in a particular area were overruled and as a result are to have ornamental lighting?
- (III) Who is responsible for the eye polluting apartments at Sperling Avenue and Lougheed Highway? Was the Planner overruled by the Council on these plans and what happens to the service station presently located nearby?

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:  
"That the questions posed by Mrs. L'Estrange be referred to the Manager for his attention and reply to the writer."

CARRIED UNANIMOUSLY

The North Burnaby Youth Corps wrote following their presentation to the previous Council meeting on July 26th when the sum of \$500.00 was granted to the Organization in response to their request for a grant to assist in their activities to help rehabilitate young people.

Mr. King, Spokesman for the Youth Corps attended and referred to financial information which had been presented with the letter from the Youth Corps to this meeting which indicated that an additional \$1,312.88 was required in order for the Youth Corps to meet its commitments.

Mr. King referred to activities which were in progress and which were meeting with success and were encouraging other young people in trouble, particularly with drugs, to come to the Youth Corps for assistance.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
"That this matter be referred to the Parks and Recreation Commission for information on whether or not the activities of the Burnaby Youth Corps overlapped other activities sponsored by the Parks and Recreation Commission and that specific direction be made to the Recreational Director and the Programme Director of the Commission to consider whether or not the Youth Corps programme could be co-ordinated with existing programmes and for a recommendation with regard to the application of the Youth Corps for an additional grant to their organization."

CARRIED

AGAINST -- ALDERMEN LADNER, DAILLY  
AND MERCIER

Aug/9/1971

The information presented with the letter from the North Burnaby Youth Corps indicated that while they were a volunteer organization they were at the present time employing certain members under the Federal Government Youth Assistance Plan and that these were paid employees assisting in the Programme.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILY:

"That the Council do now resolve into a Committee of the Whole (8:15 p.m.)."

CARRIED UNANIMOUSLY

\* \* \*

TABLED AND DEFERRED  
ITEMS

(a) Agreement - Canada Summer Games Society

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:

"That authority be granted to execute the agreement between this Corporation and the Canada Summer Games Society."

CARRIED

AGAINST -- ALDERMAN CLARK

(b) Planner I - Transportation

The engagement of a Planner I - Transportation, in the Planning Department had been considered at the last meeting on July 26th when a schedule of works, presently on the docket of the Transportation Division of the Planning Department, was presented and the Council had tabled the item for further study.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager as contained in Item #15 of the Manager's Report No. 47, that the position of Planner I - Transportation be established and the position be filled; be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:

"That Items (6) and (11) contained within the summary of work prepared in relation to the Transportation Division of the Planning Department be brought forward for specific Council approval before any work on these items is to proceed."

CARRIED UNANIMOUSLY

Aug/9/1971

(c) Subdivision Reference No. 56/70 (Buffalo Street)

Reference was made to previous reports of the Municipal Manager made in January wherein the Council agreed to a cost-sharing arrangement for the portion of Buffalo Street which was beyond the limits of the subdivision being undertaken by the Norburn Construction Company in this area, and it was suggested that the later motion which provided that no cost-sharing be granted by the Corporation be rescinded.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DRUMMOND:

"That this matter be tabled pending a report on the current situation in regard to this subdivision in relation to the subject portion of Buffalo Street and that included with the report, an up-to-date cost of the work be submitted."

CARRIED UNANIMOUSLY

(d) 6557 Elgin Avenue (Reeves)

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DRUMMOND:

"That Item #44 of the Municipal Manager's Report be brought forward."

CARRIED UNANIMOUSLY

The Manager reported that at the July 26th Council Meeting Mr. Ruddy of the legal firm Farris, Farris, Vaughan, Wills and Murphy appeared as Solicitor for Mrs. Reeves and requested that Council consider allowing his client the opportunity of providing accommodation for eight persons.

The matter had been tabled pending a report from the Solicitor.

On July 26th Mr. Ruddy indicated that he had approached a member of the Board of Variance whose reaction was that the matter should be dealt with by Council rather than the Board. There was insufficient frontage contained within the property to allow P5 Institutional zoning and Mr. Ruddy was asking Council to provide some means by which his client could accommodate eight persons.

The Manager outlined the regulations pertaining to the R5 zone in which the property is presently situated and the P5 zone requirements which indicated the difference in the frontage requirement that held by the Solicitor's client in each case.

Mrs. Reeves' property did comply with the 9,600 square foot provision contained in the P5 Institutional zone.

Taking all circumstances into consideration it was the opinion of the Planning Department that the only means by which rezoning could be achieved would be to amend the minimum frontage requirements of the P5 District and this course of action cannot be recommended as the implications were far reaching.

The Manager recommended that the frontage requirements of the P5 District not be altered.



Aug/9/1971

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That Mr. Ruddy be heard."

CARRIED UNANIMOUSLY

Mr. Ruddy submitted that there would be a hardship on the three people who were presently housed in the home and who would have to be removed if the present regulations must obtain.

Mr. Ruddy presented a statement showing income from five persons within the rest home and income assuming that eight people were allowed and it was suggested that with eight people there would be sufficient income to support the continuation of the rest home operation. However five people would not provide sufficient income. Mr Ruddy advised there had been one minor change and that was that there had been an increase in rates payable by the people in the rest home by \$15.00 per month which did change the financial picture some. The operation of the rest home was the sole source of income of Mrs. Reeves. Mr. Ruddy drew attention to the brief submitted to the last Council meeting and a petition signed by eighteen neighbours who had no objections to the increase in clientele.

It was suggested by Mr. Ruddy that both sub-sections were not a requirement and that if a single requirement, either the square foot area or the frontage, prevailed then it was not necessary to have the other, the way the section was worded. Mr. Ruddy drew attention to several other similar sections in the By-Law which provided that one requirement and the other was necessary whereas the pertinent section in this case did not include the word "and". It was understood by Mr. Ruddy that there had been cases where if the square foot area was met then the frontage was not required.

Mr. Ruddy also pointed out that the operation has been declared a non-conforming use in 1964, 1965 and the following June of 1965 when the new By-Law was passed and the rest home has always had more than the allowed number for which her client was licenced. This situation was aided by different Department of the municipality and particularly the Welfare Department.

It was submitted that under the circumstances, it could not be said that the use was unlawful. Municipal inspections had been made of the building and approval had been forthcoming with regard to safety for rest home purposes.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:  
"That the Manager and Mayor be asked to study the matter further and determine some means whereby a licence may be granted to Mr. Ruddy's client so that she may be allowed to proceed with the operation of her rest home caring for eight persons and further that the By-Law be reviewed with respect to similar situations in the Municipality."

CARRIED UNANIMOUSLY

(e) Entrance to New Vista Senior Citizens' Project

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:  
"That the New Vista Society be advised that their Society would be obligated to bear the cost of constructing the access road from Edmonds Street to the new development project of the New Vista Society."

CARRIED UNANIMOUSLY

Aug/9/1971

(f) Subdivision Reference No. 86/71 (Blaine Drive)

A letter was received from Chiver's Realty Ltd. with regard to this subdivision and the applicants were requesting that they be relieved from the requirement which makes it mandatory for them to construct an access road to their subdivision from Curtis Street a distance of 145 feet.

It was submitted that this requirement was not indicated in the letter of preliminary approval of June 25, 1971 and had therefore not been considered by their firm in structuring their economic costs.

As the portion of road was clearly outside the limits of the subdivision and was not essential to the subdivision servicing, it was felt that the municipal request to extend Blain Drive to the North was unfair and places a substantial extra cost on their subdivision.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
"That this matter be referred to the Manager for a report on the specific request of the subdivider in this instance."

CARRIED UNANIMOUSLY

HIS WORSHIP, THE MAYOR, DECLARED A RECESS AT 9:05 P.M.

THE COUNCIL RECONVENED AT 9:15 P.M.

QUESTION AND ANSWER PERIOD

ALDERMAN BLAIR gave Notice of Motion that he would be introducing a motion at the next meeting of the Council with respect to the theft of bicycles in the municipality.

The Engineer was queried about plans for a right-turn lane from Deer Lake Avenue onto Canada Way and asked when the design would be ready and it was submitted by the Engineer that such design would be ready in three to four weeks time and that the Provincial Government had given a go-ahead on the design. With regard to the left-turn slots off Canada Way onto the Kensington Avenue Overpass, it was submitted that the signals for this purpose were presently being prepared, however, initial plans covered only the signals for the entrance of Gilpin Street for fire vehicles.

The Manager was asked to bring forward a report on the installation of an air conditioning system within the Municipal Hall building.

\* \* \*

R E P O R T

The Pollution Committee reported that several more cases have arisen where owners of unconnected premises are financially unable to connect to the municipal sewer and have requested that the Corporation undertake the work and charge the costs to their tax accounts.

The Pollution Committee has made arrangements, through the Purchasing Department, to receive bids from local contractors for this work.

Aug/9/1971

The Committee listed the nine addresses at which the work was to be undertaken together with the lowest bid amount received from various contractors who bid for these jobs. Total cost of the work amounted to \$3,326.90 according to the bids received.

The Committee recommended that Council authorize the work to proceed, accepting the low bid as recommended by the Municipal Engineer and that Council allocate the necessary funds for this purpose.

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

. CARRIED UNANIMOUSLY

\* \* \*

MUNICIPAL MANAGER'S REPORT NO. 48, 1971  
"In Camera"

The Manager's Report #48, 1971 "In Camera" dealing with labour relations as a function of the Greater Vancouver Regional District (Item 10 Manager's Report No. 41, - Council Meeting - June 21, 1971)

The Council had tabled this item on June 26 pending the attendance of Mr. Leslie to give his impressions of the advantages and disadvantages of the Greater Vancouver Regional District taking over labour relations as a function and to this Corporation utilizing the services of the expanded Labour Relations Bureau under the Regional District.

Item #48 set out a number of questions put to the Administrator of the Greater Vancouver Regional District relative to this subject and provided the answers given by the Administrator (Mr. George Carlisle).

Alderman Mercier questioned Mr. Leslie on the content of the question and answer report and submitted that he could not find anything which the Greater Vancouver Regional District could do if the Labour Relations Function was under the Regional District's wing, which the Labour Relations Bureau as it is presently constituted could not do now.

In reply Mr. Leslie advised that he could not see much difference from a cost view point or from other view points, however one advantage would accrue and that was that the present operation was limited in terms of its usefulness to the whole area and that while at the present time the number of municipalities in the Bureau was limited, other municipalities are members of the Greater Vancouver Regional District and they automatically would have a voice in an expanded Labour Relations Bureau under the Regional District.

The Manager read the report containing the questions and answers, directed to and from Mr. Carlisle, to refresh the minds of the Council. Other questions and answers followed the reading of the report as follows:

- (1) Would the calling of a strike in another municipality force Burnaby employees into a strike position?
- A. *Burnaby is a separate bargaining unit and must vote independently so that a strike in another area would not necessarily mean a strike in Burnaby.*

Aug/9/1971

- (2) How long, in the opinion of Mr. Leslie, would it take the Union to become one bargaining unit if the Councils of the Greater Vancouver Area amalgamated their forces?
- A. *The Canadian Union of Public Employees is already heading for one bargaining unit at the present time and the constitution of a Regional bargaining unit on the employers side would not change this situation.*
- (3) Will the flexibility presently enjoyed by the Burnaby Negotiating Team be prejudiced?
- A. *The flexibility presently enjoyed would in all probability remain although the C.U.P.E. would like to see bargaining on a Regional basis. With respect to an enquiry re personnel of the Personnel Department and whether or not there would be any change in the duties of these personnel under the Regional arrangement in view of an inevitable expanded Labour Relations Staff, the reply was that there would be no change in the duties of these members of the Personnel Department who would still be required to assist the Labour Relations Bureau.*

A general discussion on the pros and cons of Burnaby entering a Labour Relations arrangement under the Greater Vancouver Regional District was then held.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:

"That this Council inform the Greater Vancouver Regional District that Burnaby Municipality is not prepared to join the proposed new Labour Relations arrangement as a function of the Greater Vancouver Regional District at this time."

CARRIED

AGAINST -- MAYOR PRITTIE AND  
ALDERMAN BLAIR

\* \* \*

Mr. Doig of Arma and Laurand Holdings Ltd. appeared with reference to the question of the municipal requirement to pipe the watercourse through the Lister Court Subdivision.

The Manager submitted a report (Item #17, Report No. 49) on this subject and referred to the letter on the Agenda for this meeting from Hean, Wylie and Company on behalf of their client Koehn Enterprises Ltd. who have purchased several lots in the subdivision and who were objecting to the possible deletion of the piping of the watercourse.

The Manager referred to the Minutes of the last Council Meeting which stated that if the watercourse was to be diverted, then the complete watercourse was to be enclosed.

The Manager reported further that the Planner and Engineer had met with Mr. Doig and that there was a difference of opinion about what edict the Council had laid down at the Council meeting.

Notwithstanding, the Manager attached a sketch which indicated that there were three subdivisions running concurrently, one after the other, (S.D. Ref. #160/70, 23/7 and 76/71).

Aug/9/1971

The sketch accompanying showed the watercourse wandering through the lots and particularly those in S.D. Ref. #76/71.

Adverting to the case of the Koehn Bros. it was clear that they purchased the lots on the understanding that the watercourse through the rear of the lots was to be piped to clients already to build houses on the lots they have purchased.

The Manager reported that photographs taken of the watercourse indicated that the present condition of the course was not aesthetically desirable. Furthermore, information is available on other developments on the watercourse, which have previously been required to pipe the watercourse, and have actually done so.

The Manager commented on a statement of the Engineer who had taken issue with a statement in the letter from Arma and Laurand Holdings Ltd. that the water in the stream was mainly groundwater and there was "very little surface runoff", advising that the catchment area involved with the watercourse was approximately 100 acres of land from which storm drainage was tributary to the watercourse and the estimated flow in this watercourse would be approximately 60 cubic feet per second, using a ten year rainfall intensity curve at 16 minutes of concentration and 40% runoff.

Taking all factors into consideration the Manager recommended that the motion passed at the last meeting be rescinded, and that the watercourse be piped as recommended. Mr. Doig appeared and read a copy of the resolution from the Minutes of the July 26th Council meeting which he contended differed from the information related in the Manager's Report.

Furthermore, Mr. Doig contended that if the contractors have a disagreement then this was a matter between the developer and Koehn Enterprises.

Mr. Doig referred to the 100 acre catchment area alluded to by the Engineer and related in the Manager's Report and submitted that this was a small stream and that there had been no flooding in the past and no trouble in the Westburn Park where this stream flowed.

Mr. Doig contended that the policy covering enclosure of drains in all circumstances was a poor policy as it was never in his opinion good that all situations should be treated in the same way. It was his contention that the municipality would end up with no streams whatever and this would not be a desirable situation.

It was submitted that a 15 foot easement could be given at the back of the properties and the stream could be located within this easement area.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN MERCIER:

"That the former resolution of Council be confirmed on the understanding that the developers be required to only enclose that part of the watercourse where it is to be altered within the subdivision."

AGAINST -- MAYOR PRITTIE, ALDERMEN  
DRUMMOND, CLARK AND BLAIR

MOTION LOST

Aug/9/1971

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:  
"That the entire watercourse involved in Subdivision Reference  
#160/70, 23/71, and 76/71 be enclosed in accordance with the  
existing policy of this Corporation."

CARRIED

AGAINST -- ALDERMEN MERCIER,  
AND DAILLY

\* \* \*

MUNICIPAL MANAGER'S REPORT NO. 49, 1971

- (1) Complaint by Mrs. I. Owens, 4075 Spruce Street on Lombardi  
Poplars on Neighbour's Property  
Item 11 - Manager's Report No. 47, 1971

The Manager reported the Solicitor's opinion on whether or not  
the trees involved in this complaint were a public or a private  
nuisance and submitted the Solicitor's opinion that it was not  
his belief the trees on the property adjacent to the property of  
Mrs. Owens could be classified as a public nuisance.

The Manager recommended that the type of problem in question  
be continued to be treated as a civil matter between the two  
parties concerned.

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

CARRIED UNANIMOUSLY

- (2) Demolition of Municipal Houses  
(a) 45 North Stratford Avenue  
(b) 4323 Dundas Street

The Manager reported that these properties had been Corporation  
rentals for many years and have recently become vacant. It was  
the Land Agent's opinion that these residences should not be  
re-rented due to their poor state of repair and he had requested  
authority to have them demolished.

The Manager supplied information for the Council on the condition  
of the buildings and recommended that authority be given to demolish  
both buildings.

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

CARRIED UNANIMOUSLY

- (3) Extension of Sewer Main - Subdivision Reference No. 86/71  
Blaine Drive

Aug/9/1971

The Manager reported that in order to provide sanitary sewer for the captioned 23 lot subdivision, approximately 82 feet of sewer must be laid. This sewer would be laid in an easement to be acquired by the developer West of Blaine Drive.

The estimated cost of constructing the sewer was \$1,100.00 and the Manager recommended that the extension of sewer main be made at municipal expense in accordance with the present policy.

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

CARRIED UNANIMOUSLY

(4) Social Service Quarterly Report

The Manager submitted the quarterly report of the Social Service Department for the information of the Council.

(5) 1973 Canada Summer Games Capital Budget

The Manager reported that the Council at the July 26th meeting received a communication dated June 25th, 1971 from Mr. Ramsell, President, 1973 Canada Summer Games, addressed to Mayor Prittie.

The revised budget submitted was approved subject to determining the purpose of the extra \$5,000.00 (approximate).

The Manager reported that the Treasurer had showed Burnaby's share of the capital cost to be \$257,500.00 whereas in actual fact the budget has been amended and the latest figure should be \$262,917.00. The latest revision approved by Council is for an extra \$7,082.00 making the Burnaby share \$269,999.00.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That the information contained in Items (4) and (5) of the Municipal Manager's Report No. 49 be received."

CARRIED UNANIMOUSLY

(6) Dredging Burnaby Lake

The Engineer advised that dredging of Burnaby Lake was nearing completion with a small section left at the extreme West end of the rowing course. Some problem was being encountered in locating sufficient spoil areas at the West end of the Lake to complete the dredging of the entire course and a letter was submitted from Associated Engineering Services which explained the problem.

A meeting of interested parties had been held and it was confirmed that there would be no objection from the Canada Games Committee or from the Parks Administrator if it should become necessary to shorten the runout on the rowing course by a maximum of 200 feet. If this shortening became a necessity the area would not be dredged. This is in an area which is proposed for buildings and bleachers and the only change in the overall development would be that these bleachers and buildings would have to be constructed on piles rather than floating structures.

Aug/9/1971

Pile type construction was less expensive than floating structures.

The Summer Games Committee were beginning to consider the Second Phase of the Project - the construction of storage buildings for rowing shelves and launching facilities, together with spectator viewing stands; and in this connection will be investigating in more detail the proposed additional structures to be required and their method of construction.

The Manager submitted a P.S. that he had been advised the course would have to be shortened by 300 feet as the contractor had run out of space for spoil. Apparently the course will be moved 100 feet further East and shortened by 200 feet, which will mean they will still have 100 feet more than the Olympic standard when finished. The seating capacity as far as spectator area is concerned, will not be affected.

The letter referred to from the Associated Engineering Services Ltd. indicated that there had been some difficulty experienced in the spoil area at the West end of the Lake in that there had been a water leakage toward the "Gun Club" property. Diversions of the flow of water had been made and the matter had been brought under control, however, it was agreed that the contractor discontinue the midnight shift.

The following day some benefit was observed from the lesser pumping period.

With the present rate of progress, using the two shift per day, only 200 feet of dredging per day was being accomplished with approximately 1,500 feet to complete the clearing of the hammerhead area at the West end and the Company considered that the time had arrived when discussions should take place with the Canada Summer Games Committee and a meeting was held as mentioned in the Manager's Report.

The letter from Associated Engineering indicated however, that because of the decrease in dredging work a recent decrease in cost would also result commensurate with the reduction in the area to be dredged, which would offset the extra cost which the contractor had indicated would be claimed because of the deletion of the third shift in each day.

Some concern was expressed over the indicated claim set out in the letter from Associated Engineering Services Ltd. which would be placed by the contractor owing to the shorter work day and the smaller dredging area which would be accomplished as a result. It was suggested that the consultants should have anticipated situations like this, possibly arising, and that the whole matter should be investigated.

The Engineer advised that he was concerned with both the agreement with Associated Engineering Services Ltd. and with the dredging contractor and he would be meeting with the principals of both Companies to be brought up to date insofar as the agreements were concerned.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That the information be received."

CARRIED UNANIMOUSLY



- (7) Local Improvement Cost Report per Section 601 of the Municipal Act -- Grange - Dover, Kingsway and Royal Oak  
(Item 19, Manager's Report No. 47,)
- 

The Manager submitted the above cost report covering the Grange - Dover, Kingsway and Royal Oak proposed Local Improvement work pursuant to Section 601 of the Municipal Act.

- (8) Local Improvement Cost Report per Section 601 of the Municipal Act -- Hazel Street - McKercher to McMurray Avenue  
(Item #24, Manager's Report No. 47)
- 

The Manager submitted a cost report on this Local Improvement Project pursuant to Section 601.

The Manager recommended, in both cases, that the report be received.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That the information contained in Items (7) and (8) of the Manager's Report No. 49 be received."

CARRIED UNANIMOUSLY

- (9) Re: Establishment of Policy - Construction of Retaining Walls in Lanes
- 

The Manager reported on the need for a different policy regarding the provision of retaining walls in existing lanes. The Manager noted several methods employed which were temporary, at best, when compared to a properly designed and constructed concrete retaining wall.

The Engineer submitted that, in the past, the Corporation was initially responsible for creating conditions now causing lane retention programmes either directly or indirectly.

There was a considerable backlog of requirements for retaining walls in lanes, roughly estimated to total some \$150,000.00 to \$200,000.00. A programme of probably ten years or so would be needed to cure the problems.

The Manager reported that the Engineer recommended a programme be commenced in 1971 to rectify problems requiring protection of the lane and/or private property from further "sloughing" which in turn results in nuisances and possible measurable damages and hazardous conditions. The importance of the programme was emphasized so that our investment in paved lanes could be protected.

The Engineer suggested that, at least for 1971, an appropriate amount would be \$15,000.00. This amount could be taken from the C.I.P. Budget.

The Engineer recommended that this year's programme commence with the following lanes, listed in order of priority and providing funds hold up within the \$15,000.00 amount:

- (1) Stratford-Warwick Lane North of Dundas;
- (2) Warwick-Sea Lane North of Dundas;
- (3) Holdom-Ellesmere Lane North of Dundas;
- (4) Georgia-Union Lane East from Springer;
- (5) Bessborough-Harvour View Lane.

Aug/9/1971

It was noted that the subdivider is now required to build retaining walls where necessary in a new subdivision and on any unopened new lanes.

The Manager recommended that the municipality accept the programme or policy of providing retaining walls where deemed necessary by the Municipal Engineer in existing lanes over a period of ten years at municipal expense; and that the first lanes to be affected be those recommended by the Engineer in the order of priority suggested; and that the 1971 allotment for this work be \$15,000.00; and that the 1971 allotment be financed from the Contingency Account in the "Roads Section" of the C.I.P.

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

CARRIED

AGAINST -- ALDERMAN MERCIER

(10) Burnaby Local Improvement Charges  
By-law 1971 #5858  
(Grange and Hazel Streets)

In connection with the initiation as Local Improvements of the works on Grange and Hazel Streets, it will be necessary to amend the above mentioned By-law by adding the following paragraphs to Schedule "A":

46' pavement with six-foot curb sidewalks:

- (a) The construction and/or reconstruction of streets, together with Portland cement concrete curb sidewalks 6' wide on both sides of the street, asphaltic pavement not greater than 8" in thickness to a width between curb faces of 46' including retaining walls, storm drainage facilities and boulevard restoration incidental thereto and the acquisition of land necessary to the project;
- (b) \$ .92 per taxable front foot in fifteen annual instalments except that where a pavement is already in place for which local improvement charges are currently being paid, the annual rate shall be reduced by \$ .37 to the affected owners only, and where a four-foot sidewalk is already in place for which local improvement charges are currently being paid the annual charge shall be reduced by a further \$ .37 to the affected owners only.

As time is of the essence, the Bylaw amendment will be placed before Council on August 9, 1971, for its consideration.

The Manager recommended that the Bylaw be amended accordingly.

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

CARRIED UNANIMOUSLY

Aug/9/1971

(11) Firehall No. 6 - Government Road and Brighton

The Manager reported that the 1972 C.I.P. Budget contained funds allocated for the erection of Station No. 6 and the purchase of a new 1,050 gpm pumper truck.

The area where the station will serve is expanding rapidly and it was desirable that an architect be appointed as soon as possible in anticipation of a construction start this year so that the building would be completed in 1972.

The property had been purchased and plans were for a 2-bay one storey structure.

Good service had been obtained from Eng and Wright Architects in the design of No. 1 Fire Hall and they are familiar with our requirements.

The Manager recommended that authority be granted to engage Eng and Wright to design and supervise construction of No. 6 Fire Hall Station; and that the Architect be asked to prepare preliminary drawings for consideration.

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

CARRIED UNANIMOUSLY

The Municipal Manager was asked to investigate the practicability of hiring an Architect on the Municipal Staff.

(12) Re: Chevron (Canada) Limited  
Water Pollution Control Facilities  
Preliminary Plan Approval #1559

The Manager reported that the Planning Department had issued the above Preliminary Plan Approval to Chevron (Canada) Limited to permit installation of a new drainage facility at their tank farm site which would enable them to meet provincial government standards of efficient water quality.

The Manager described the installation which would result in a four stage purification of the water before efflux to the Inlet. The Manager recommended that all parties making representations to Council with regard to Chevron's modernization programme be advised of this information.

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

CARRIED UNANIMOUSLY

(13) Burnaby Road Closing By-Law No. 6, 1971 (#5901)  
Closure of Portions of Buckingham Avenue,  
Wallen Avenue, Braemer Avenue and Adjacent Lanes

The Manager reported that the Council had authorized the Planning Department to initiate this road closing as part of the process of creating a proposed church site in D.L. 86 (RZ Reference No. 14/71). An alternate site is being considered.

Aug/9/1971

The suggestion was that it would be appropriate to continue with the road closing procedure as the subject roads would eventually have to be closed as a part of the D.L. 86 development plan.

There had been expense incurred so far on plans and documents.

The Manager recommended that the Council proceed with the Road Closing By-Law.

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

CARRIED UNANIMOUSLY

(14) Rezoning Reference #47/71  
Lot "C", Blocks 1/2, D.L. 97, Plan 15308  
6205 and 6213 Kingsway

The Council considered this application at the July 26, 1971 meeting and it was felt to have merit<sup>and</sup> the Planning Department was asked to indicate the prerequisites and would recommend if the rezoning were to be permitted.

The Planner outlined the following prerequisites:

- (1) The submission of a suitable plan of development.
- (2) The dedication of the North 20' of the subject property to provide alternate access other than Kingsway to the subject and adjacent properties fronting on Kingsway as indicated on the attached sketch.
- (3) The deposit of sufficient monies to be held in Trust to cover the cost of constructing the subject lane.

The Manager recommended that the prerequisites recommended by the Planning Department be accepted and the applicant be advised accordingly.

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

CARRIED

AGAINST -- ALDERMAN MERCIER

(15) Rezoning Reference #20/71  
North 62' of Lot 2A, Blocks 2 to 4 inclusive,  
D.L. 28, Plan 2162 - 7726 Wedgewood Street

The Manager reported on a letter received at the July 26th meeting from Mr. L. Warne inquiring as to how Council could allow a zoning which under the C2 requirements must have a minimum of 50' and a minimum area of 6,000 square feet whereas the subject property only had a frontage of 42'.

The Planning Department reported the front 125' of the subject property was already zone C2. The lot existed prior to passage of the Zoning By-Law in June, 1965 and therefore has the status of a legal non-conforming C2 classification. The effect of the present application would be to bring the lot closer to the requirements of the By-Law.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BLAIR:  
"That the information be received and the complainant be advised of the content of the report."

CARRIED UNANIMOUSLY

Aug/9/1971

Reference was made to a further letter from the complainant Mr. L. Warne on the Agenda for this meeting.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That the most recent letter from Mr. Warne together with Item #15 of the Manager's Report No. 49 be brought forward when this rezoning application is next discussed by the Council."

CARRIED UNANIMOUSLY

(16) Re: Policy - Burning Permits

The Manager attached a report of the Fire Chief who had been invited to attend this meeting, dealing with the general policy used by his Office under Council's direction, with respect to the issuance of burning permits. The Fire Chief submitted that his Department had restricted permits as there had been more and more people becoming pollution conscious and telephone calls and complaints took up much staff time.

Land clearing seems to be the only area of conflict as most citizens appear to have accepted the necessity of stringent regulations.

The Fire Chief then presented a number of statistics to justify his actions in refusing burning permits on land clearing projects and submitted that there appeared to be only three alternatives:

- (1) Availability of dumping areas in Burnaby.
- (2) Relaxation of burning regulations (not recommended).
- (3) Availability of a wood hog machine.

The Fire Chief submitted that refusal of a burning permit to Mr. Friesen was based on sound and reasonable grounds. The location was too close to homes on both sides of Seventh Street and both sides of Morley Avenue and there was a danger of fly ash and fire hazard to these homes. In addition, a playground was located nearby and there was a hazard to children.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That the current policy with respect to the issuing of burning permits be confirmed and the actions of the Fire Chief with respect to the application by Mr. Friesen be endorsed."

CARRIED UNANIMOUSLY

HIS WORSHIP, THE MAYOR, WITHDREW FROM THE COUNCIL CHAMBER.

ALDERMAN MERCIER ASSUMED THE MAYOR'S CHAIR.

(18) Statement of Revenue and Expenditures

The Treasurer submitted a report covering Revenue and Expenditures for the period January 1st to July 18, 1971.

Aug/9/1971

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN LADNER:  
"That the statement of Revenue and Expenditure be received."

CARRIED UNANIMOUSLY

(19) Re: Agreement with Golf Professional, T. Wenn  
for Operation of the Kensington Pitch and Putt Golf Course

The Manager reported that the Parks and Recreation Commission had, on August 4, 1971, approved of an agreement with the Golf Professional for the operation of the Kensington Pitch and Putt Course.

The Manager outlined the terms of the agreement and advised the Parks and Recreation Commission had recommended that the municipality execute the agreement which had already been executed by the Golf Professional.

The Manager recommended that the Mayor and Clerk be authorized to execute the agreement on behalf of the municipality.

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

CARRIED

AGAINST -- ALDERMAN MERCIER

(20) Re: 10' Storm Sewer Easement Requirement,  
Rezoning Reference #26/71

The Council had expressed concern earlier that the requirement of a 10' wide easement along the East property line of Lot 1 would not limit the development potential of the said lot.

The Manager reported that the Planning Department confirmed that this should not restrict development as:

- (a) the full site area can be used for the floor area ratio calculations regardless of the easement, and
- (b) within this zone, a side yard of 20' is required, 10' of which will be under easement.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:  
"That the information be received."

CARRIED UNANIMOUSLY

(21) Re: Power Poles in Central Park Garden Village Area

The Manager reported, as a result of an inquiry at the Council meeting on May 17th, as to whether four power poles on various streets in the above area would be removed when ornamental street lights were installed.

The query included a request for information on whether it would be possible for the residents of the area to pay the costs of removal.

The Manager attached plan which indicated the poles, which would become redundant when the proposed ornamental lighting system was activated and at that time these poles would be removed at no expense to the municipality. The pole on Pine Street at the lane West

Aug/9/1971

of Huxley would remain in order to provide continuity of service for both Hydro and telephone plant into the lane from which the properties are served.

An estimate of the cost of completely removing two poles as well would necessitate underground construction and would cost approximately \$8,094.00 for the required underground work to permit removal of three poles, two of which are on Huxley and one on Pine Street. The poles carry primary voltage conductors and these are very costly to put underground. No information was, as yet, forthcoming from the Telephone Company.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:  
"That the information be received."

CARRIED UNANIMOUSLY

(22) Re: F.P.S.L. Storm Drainage Contract #1  
United Contractors Limited

The Manager reported this Firm had requested an extension of time from July 31 to August 31, 1971 to complete the above contract giving reasons for the request for the extension.

The Manager reported that the Engineer recommended the contract be extended as requested.

The Manager recommended that the contract be extended to August 31, 1971 with appropriate bonding extension, but without the imposition of the \$100.00 per day liquidated damages.

(23) Re: F.P.S.L. Storm Drainage Contract #2  
Norburn Construction Company Limited

The Manager reported that this Company had requested an extension of time on the subject contract without the imposition of the liquidated damages from July 24th to August 10, 1971.

The Engineer had reviewed the request and recommended that the time for completion of the contract be extended to August 10, 1971.

The Manager recommended that the contract be extended to August 10, 1971 with appropriate bonding extension, but without the imposition of the \$100.00 per day liquidated damages.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:  
"That the recommendations of the Manager with respect to the extension of the contracts of United Contractors Limited and Norburn Construction Company Limited be adopted."

CARRIED UNANIMOUSLY

(24) Miscellaneous Storm Sewer Easement -  
Lot "A", Block 12, D.L. 68, Plan 13374 -  
3747 Sunset Street (Braddell)

The Manager reported that an easement was required to facilitate construction of a storm sewer head on property involving construction of a sewer on Sunset Street. The owner was willing to grant the easement provided a chain link fence was erected 28' x 3' on the portion of his property overlooking the watercourse. The estimated cost of the fence was \$250.00.

Aug/9/1971

The Lands Department recommended acceptance.

The Manager recommended that a chain link fence 28' x 3' be erected in exchange for the granting of the easement over the subject property and that authority be granted to accept and execute the easement.

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

CARRIED UNANIMOUSLY

(25) Re: Engineer's Special Estimates

The Engineer submitted Special Estimates of Work in the total amount of \$5,000.00 and the Manager recommended that the Estimate be approved as submitted.

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

CARRIED UNANIMOUSLY

HIS WORSHIP, THE MAYOR, RETURNED TO THE DIAS AND ALDERMAN MERCIER RESUMED HIS SEAT AS ALDERMAN.

(26) Re: Personnel Department Monthly Report

The Personnel Department submitted a report covering activities of the Department as of August 1, 1971.

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

CARRIED UNANIMOUSLY

(27) Re: Sanitary Sewer Extension  
Subdivision Reference No. 88/71  
Taralawn Court  
(Item 28, Manager's Report No. 45, Council Meeting  
July 12, 1971)

The Manager referred to the subject item of his Report No. 45 concerning provision of a sanitary sewer to this ten-lot subdivision and it was originally thought that sewer had to be laid through unsubdivided land.

The Manager advised that information had now been received from McElhanney Surveying and Engineering Limited, consultants for the owner, that the sanitary sewer from the proposed development can be directed to the South to connect to an existing sanitary sewer at Taralawn Court and the Engineer therefore wishes to withdraw his request for approval for the extension of sanitary sewer from the North.

The Manager recommended that no action be taken on Item #28 of the Manager's Report No. 45, 1971.

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

CARRIED UNANIMOUSLY



Aug/9/71

(28) Re: Sale of Dwelling only at 6007 Nelson Avenue

The Manager submitted a list of bids received for the purchase of the dwelling at this property and advised that all bids had been opened in the presence of staff members and were accompanied by a certified cheque for the correct amount.

The Land Department recommended that Bid No. 4, submitted by Mr. D. A. Copan, 4667 Highlawn Drive, Burnaby 2, B. C. in the amount of \$1,700.00 be accepted.

The Manager recommended that the tender of Mr. D. A. Copan in the amount of \$1,700.00 be accepted.

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

CARRIED UNANIMOUSLY

(29) Re: Sewerage & Drainage Easement  
Subdivision Reference #22/70

On June 21, 1971 Council authorized acceptance of easements for the above subdivision according to an attached plan. The developer has since requested permission to install the sewer on Lot 98 farther North in order to preserve a line of trees thus necessitating that the 5' easement, already approved, be increased to 10'. The following information applies:

A. Legal Description:

Lot 98, D.L. 43, Plan 39458

B. Details of Ownership:

Phillip John Alexander - photo engraver of  
3497 Lozells Avenue,  
Burnaby 2, B. C.

C. Description of Easement:

The existing 5' easement is increased to 10' and is located on the South side of Lot 98 as indicated on an attached plan.

D. The easement is required for sewerage and drainage works and is to be provided at no cost to the Corporation.

E. The property is located at:

3497 Lozells Avenue,  
Burnaby 2, B. C.

The Planning Department recommended that the easement be granted.

The Manager recommended that Council authorize the increase in the easement and the acceptance and execution of the necessary documents.

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

CARRIED UNANIMOUSLY

Aug/9/1971

(30) Re: Power of Attorney - Nelson & Harvey Ltd.  
Custom Brokers

The Manager reported that the above Firm of Custom Brokers, which had acted as Custom Brokers for the municipality for some time, had changed their name to Border Brokers Limited and required a new "Power of Attorney" form to be completed by the municipality.

The service rendered is most useful when importing materials and books from the United States and the cost of this service is very reasonable. The Company has an office in Burnaby and the Purchasing Agent recommended that the Power of Attorney be authorized.

The Manager recommended that the Mayor and Clerk be authorized to execute the document in question.

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

CARRIED UNANIMOUSLY

(31) Re: Application to Rezone Lot 1 N½ and S½, Block 32, D.L. 34  
from R5 Residential to CD Comprehensive Development to  
permit the construction of a High-Rise Senior Citizens  
Apartment Building

The Manager submitted a report of the Planner on previous considerations of the above rezoning application of properties which are part of a block of land owned by the Four Square Alliance Church situated on Kingsway between Inman and Patterson Avenues. The Planner provided some background information on the Church to build a high-rise senior Citizens apartment building and dwelt on the roads and services which would be necessary to service the property.

The Planner recommended that the applicant make the required dedication for an extension of Lindsay Avenue on his site, and contribute to the cost of road construction. The Planner also recommended that the applicant be responsible for the cost of constructing a storm sewer to serve the site estimated to be \$6,850.00.

A further recommendation by the Planning Department was that the applicant grant a 10-foot wide easement which would be required for future sewer services along the South property line of the site.

The Planner gave details of a development plan submitted by the applicant's architect and stated that the shape and siting of the building were acceptable in that they reflect a satisfactory relationship with future uses, buildings and spaces, as envisaged by the comprehensive development plan for the total of the applicant's land in this area. Vehicular access to the site would be obtained from Inman Avenue and, in future, from Lindsay Avenue when this road will be developed.

The Planning Department recommended that the application be forwarded to a Public Hearing and the Final Readings of the amending Zoning By-Law be subject to the following prerequisites:

- (1) Consolidation of the two properties into one site.
- (2) The dedication of a portion of the Lindsay Avenue cul-de-sac.
- (3) The granting of a 10-foot wide sewer easement along the South property line.

Aug/9/1971

- (4) The deposit of monies to cover the cost of providing storm drainage facilities to the site.
- (5) The submission of a letter whereby the applicant undertakes to remove a portion of a proposed driveway located in the Lindsay cul-de-sac dedication and the installation of proper crossings, at his expense, once Lindsay Avenue will be constructed.
- (6) The submission of a suitable plan of development.
- (7) The deposit of monies to cover the applicant's share of the construction of the Lindsay Avenue cul-de-sac.

The Manager recommended that the Planner's recommendations be accepted.

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

CARRIED UNANIMOUSLY

- (32) Re: Rezoning Reference #31/71  
Lot 4, Block 24, D.L. 99, Plan 2012  
Cloverlawn Investments Ltd.

The Manager referred to the appearance of Mr. Leslie E. Harowitz before the Council on July 26th as Solicitor for Cloverlawn Investments to argue that his client had not been properly informed of the rezoning proposal covering the above described property which was being considered by the Council.

The Council directed that a report be submitted outlining the sequence of events in this matter and the Manager attached a chronology based upon the administration's knowledge of events. No argument was presented by the Solicitor as to why the zoning change should not take place, an indication was given only that his client had ascertained that the zoning permitted a proposed use. Presumably, the Planning Department provided this information which was quite correct at that time. The question of rezoning occurred after the agreement for sale had been consummated.

The Planning Department still recommended that the rezoning proceed unless there is cogent argument based on land use considerations raised against this rezoning at the August 9th Council meeting.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That the rezoning of Lot 4, Block 24, D.L. 99, Plan 2012 proceed to rezoning to Residential District Four (R4)."

CARRIED

AGAINST -- ALDERMEN  
DRUMMOND & CLARK

Mr. McGowen appeared on behalf of the Mac's Milk Company, which Company wished to develop the property.

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

CARRIED UNANIMOUSLY

Aug/9/1971

Mr. McGowen reiterated the comments of Mr. Harowitz made earlier that Cloverlawn had bought the property on April 16th, 1971 and had checked with the Planning Department regarding the rezoning and there was no indication of any change in zoning.

At that time, the Company acted in good faith and showed intention to proceed with the development of the property. The Company was not seeking any special treatment. It was pointed out the property had been zoned commercially since 1948 and the hurry apparent in the current rezoning at this time was questioned. It was conceded that the rezoning was initiated by a petition from the area.

On the question of values of the property, Mr. McGowen said their Firm had had an independent appraisal made which indicated that the following values would apply to the property:

- (1) As C1 Commercial - \$28,500.00.
- (2) As R4 Residential District Four - \$14,900.00.
- (3) As R5 Residential District Five - \$16,000.00 (the lot is not large enough for this zoning classification).

It was submitted by Mr. McGowen that an attractive brick building would be constructed on the property. The Mac's Milk organization has 370 stores from the Province of Ontario and in other Provinces Westward to British Columbia. It was felt the subject property was in a good neighbourhood as their clientele would be drawn from up to six blocks from the proposed store. There have been some people opposed to the development of the property commercially as far back as 1960 and the question of the sudden change at this time was noted and if there was to be a change what prevented such change being made earlier.

ALDERMAN DAILLY WITHDREW FROM HIS COUNCIL SEAT.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That the property under Reference RZ #31/71 be referred to the Municipal Manager to investigate and report on the possibility of entering into a suitable land exchange which would be mutually agreeable to the Corporation and to Cloverlawn Investments Limited."

CARRIED

AGAINST -- ALDERMAN DAILLY

(33) Re: Burnaby Lake Regional Park

The Manager reported on a direction from the Council, on June 28, 1971, that the Parks and Recreation Commission be asked to indicate the advisability of land North of the Great Northern Railway Tracks North of Burnaby Lake being acquired to connect with the Regional Park planned in the area. The Commission was asked to give reasons and at the same time the Vancouver-Fraser Park District was asked to indicate its feeling on the question that whether or not it would be prepared to assume the cost of acquisition. The Parks and Recreation Commission had discussed the matter on August 4th. No word was heard from the Park District.

The report from the Parks Commission was at the staff level and was as a result of a discussion between the Vancouver-Fraser Park District and the Parks and Recreation Commission. It was the feeling of the two staff groups that a park link through the industrially zoned area from the industrial area North of Winston to Burnaby Lake Regional Park had merit. The report centered on

Aug/9/1971

the only vehicular access to the Burnaby Lake Regional Park by Piper Avenue and concentrated on the development of this park link in this vicinity, pointing out that, Warner Loat Park already existed along Piper Avenue and that expansion would include the natural features of Eagle Creek, parking could be provided and services were available. Furthermore, a grade separation could be installed to ensure safety of the park users from the railway traffic.

The Committee moved and seconded that:

- (a) acquisition of approximately 15.5 acres for Regional Park purposes, and the further addition of the 5.5 acres of Warner Loat Park is considered to be desirable, and
- (b) notwithstanding the desirability, the land acquisition funds have prior demands for a number of years and that unless substitute funds are forthcoming it is not within the Parks and Recreation Commission's financial ability to acquire this property.

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

CARRIED UNANIMOUSLY

- (34) Re: Sewerage and Drainage Easement  
Subdivision Reference #65/71

The Manager recommended that an easement be acquired over Lots 442 and 443, D.L. 126 from A. & G. Construction Co. Ltd. being a 15-foot wide easement on the West end of Lots 442 and 443 required for sewerage and drainage purposes at no cost to the Corporation.

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

CARRIED UNANIMOUSLY

- (35) Re: Lease of 7072 Cariboo Road - Allsup  
Lot 10 (Exc. Exp. Plan 9817), Block 1, D.L. 14, Plan 3047  
(Item 4, Manager's Report No. 4, 1971 (In Camera)  
Council Meeting January 18, 1971)

The Manager recapped previous considerations of a lease to be entered into with Mr. C. R. Allsup and he was allowed to use the dwelling on the property for 3 months, rent free, and then \$50.00 per month thereafter.

Mr. Allsup subsequently sub-let and notice of termination was sent to him and Mr. Allsup appeared before the Council on January 18th of this year.

After considering the representations and points made at the meeting, the Council resolved to:

- (1) lease the land to Mr. Allsup for the use of himself, his mother or his sister at a rental of \$50.00 per month on a month-to-month basis subject to a formal agreement being entered into;
- (2) review the rent charged in six months time;
- (3) inform Mr. Allsup that the use of the barn on the property is in violation of municipal regulations.

Aug/9/1971

It was subsequently discovered that the lease would have to include taxation in accordance with Section 336 of the Municipal Act and the occupant would be faced with the rental of \$50.00 per month plus one-twelfth of the annual taxes during occupancy consequently the arrangement was continued under rental basis without a formal lease document.

The Land Department has now reviewed the rent being charged on these premises and is of the opinion that in comparison with reasonable rents charged on other municipal houses the subject premises should be rented at a rate of \$70.00 per month.

The Manager recommended that the premises be rented without the benefit of a formal lease on a month-to-month basis to Mr. Allsup for \$70.00 per month effective January 1, 1972 (three months formal notice is required in accordance with the Landlord and Tenant Act).

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

CARRIED UNANIMOUSLY

- (36) Re: Burnaby Expropriation By-Law No. 1, 1971  
Lot 27, Block 24, D.L.'s 151/3, Plan 2001 (Bonsor Park)  
Hutton Property  
(Item 22, Manager's Report No. 45, Council Mtg. July 12, 1971)

The Manager reported that the Parks and Recreation Commission had received advice from the Clerk's Department that the Hutton property was to be deleted from the Expropriation By-Law noted in caption and the Commission had expressed concern that there was not a full understanding of the significance of the requirement of this piece of property for the initial development of Bonsor Park.

The Commission attached a plan showing the effect of the Hutton property on the Northeast corner of the park. This indicated that the house would not have to be moved to develop the site without the acquisition of the property. The number of playing fields running North and South would be reduced to one and the overall size of the playing field running East and West would be reduced.

In the opinion of the Commission, it was imperative that the property be acquired and the original recommendation to Council that the Commission be prepared to grant life tenancy to the Huttons at a rent mutually agreed upon despite the fact that the municipality had expropriated their property was confirmed.

The Manager reported that since the other Expropriation By-Law had been completed a separate <sup>one</sup> would be required.

It was suggested in discussion that Mr. and Mrs. Hutton be asked to provide sufficient legal rights to the Corporation to use a portion of their land by way of easement or some other legal document, which would allow for the full development of the playing fields in accordance with the plans of the Parks and Recreation Commission.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:  
"That this Corporation continue to negotiate with Mr. and Mrs. Hutton on the acquisition of their property."

CARRIED UNANIMOUSLY

Aug/9/1971

(37) Re: Sidewalk Crossing  
6832 Balmoral Street

The Manager referred to a letter on the Agenda for this Council meeting from Mr. T. W. Mills regarding a sidewalk crossing which the Engineer will not approve as it contravenes the Zoning By-Law.

The Manager reputed the statement of Mr. Mills that formal approval had been given for the parking arrangement and it was pointed out that the approval given for a parking area had been fenced and made into a play area for children living in the apartment.

Upon construction of curbs, all off-street parking areas are checked to conform with the Zoning By-Law and in this case the vehicles now parked in the right angle arrangement encroach into the street allowance and because of the limited area all vehicles would be required to back into the street to do their maneuvering.

There are three apartment buildings in the complex under the name of Balmoral Apartments, two of them owned by Mr. Mills. No word had been received from the third apartment owner about the required change in parking arrangements.

The Engineer is opposed from a traffic operation standpoint, to the retention of this parking lot, for the following reasons:

- (1) The vehicles are parked in violation of the Burnaby Zoning By-Law and are also in violation of Section 180(a) of the Provincial Motor Vehicle Act which prohibits parking on the boulevard.
- (2) Any drop in the curb would have to be well in excess of the standard width to accommodate the present usage.
- (3) Other apartments in the Block have landscaped their front yard areas with the result that this permitted use could detract from the area in general.
- (4) The maneuvering into the street is undesirable and could present an accident potential to vehicles and pedestrians alike.
- (5) Permission to continue using this area for parking could set a precedent that would weaken the municipality's efforts to clean up undesirable and unsightly front yard parking arrangements now rampant throughout many areas of Burnaby.

The Manager recommended that the By-Law not be amended; and that the Engineer be requested to work with Mr. Mills to arrive at possible alternative methods for resolving his parking problem within the confines of the present By-Laws.

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

CARRIED UNANIMOUSLY

(38) Wayburne Drive/Westminster Avenue  
Landscape Screening - Dominion Construction  
(Item 18, Manager's Report 39, Council Meeting May 31, 1971)

The Manager recaped the previous reports regarding proposals for landscaped treed screening in the vicinity of Westminster Avenue

Aug/9/1971

and the Gizeh Shrine Temple site. Originally, the cost of landscaping was estimated at \$4,000.00 and the developer of an industrial complex in this area, Dominion Construction Limited, had agreed to share on a 50-50 basis.

Subsequently, the landscaping of the entire Gizeh Shrine Temple site was a requirement of the Preliminary Plan Approval, however, the major tree screening involved in the aforementioned landscaping was to be a separate matter and to date no screen has been provided.

Plans submitted by Dominion Construction in May of this year were not considered feasible because of the cost range being from \$7,025.00 to \$11,761.00 and the Company had advised it was not prepared to increase its contribution above the \$2,000.00 limit.

The Planning Department had now been able to produce a plan which should be able to be executed for under \$5,000.00 initial costs which meet the basic criteria for the screening requirement. Roughly \$3,000.00 of this amount would be borne by the Corporation.

Maintenance of that portion of the landscaped strip within the Westminster road allowance would become the responsibility of the municipality and although we do not have a firm estimate of annual maintenance costs it is estimated to be in the vicinity of \$1,000.00 to \$1,500.00. The work would be done by the Parks and Recreation Department.

The Manager recommended:

- (a) that the work be authorized for the 1971 fall planting season;
- (b) that the Parks Department be asked to do the work;
- (c) that the work be financed from the Special Road Project Account in the C.I.P. ;
- (d) that the Parks Department be also asked to perform the maintenance work required with the thought that the extra cost for this work be reflected as an additional cost in the Department Budget at Recast.

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

CARRIED UNANIMOUSLY

### (39) Electronic Data Processing

The Manager attached a copy of a report dated August 4, 1971 from the Municipal Treasurer relative to the above subject in which he outlined the results of an extensive examination made into the use of a Tape and Disc Electronic Data System indicating the 8-year cost savings which would accrue to the municipality and indicated the differences between existing equipment and the new equipment.

The Treasurer noted the savings which would occur mainly in the Planning, Assessment and Engineering Divisions.

The Treasurer noted different types of I.B.M. equipment and gave the savings over the 8-year period together with the maintenance costs for the different type of equipment related to the number of staff which would be required to equal the output of the new type equipment.



Aug/9/1971

Reference was made to the Committee on the feasibility of a Regional Municipal Data Centre which was being investigated for introduction in about five years time and noted the municipalities who were interested in such a Centre as a result of an invitation having gone forward from the Municipal Clerk's Office.

The Treasurer recommended:

- (1) That Council authorize the acquisition of an I.B.M. Central Processor, Model 2020, SubModel 5, and a Model 2415 Tape Drive, and a Telex Model 5311 Disc Drive, with the provision that if the Telex equipment does not prove satisfactory, within three months, the I.B.M. unit be substituted.
- (2) In view of examinations being conducted of a new disc drive appearing on the market, which is put out by Ampex Limited, the examination to also include Telex Equipment, and in the event their findings favour Ampex, authority be given the Municipal Treasurer to substitute Ampex for Telex, provided the cost structure is the same or better.
- (3) In view of the possible advent of a Regional Municipal Data Processing Centre, in which case the Burnaby equipment would likely go into disuse and be sold, it was recommended that the equipment be acquired through the bank.

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

CARRIED UNANIMOUSLY

(40) New Automobile Temporary Storage Yards Recently Developed  
In Big Bend Area  
(Item No. 20, Municipal Manager's Report #47)

The Manager reported on the requirement laid down by the Council at the July 26th Council Meeting that a \$5,000.00 performance bond be obtained from each of Melchin's Auto Transport Limited and Nissan Automobile Company in connection with their temporary two month permit to be granted for the storage of Japanese motor vehicles on land in the Big Bend Area in view of a shipping strike in San Francisco and the fact that shipping firms were unloading their automobiles in Vancouver for retransit to the United States following conclusion of the strike.

The Manager reported that both Companies had agreed to place the \$5,000.00 performance bond and to submit a written undertaking that the automobiles would be removed within the two month period and that no more automobiles would be delivered to the sites.

The Manager recommended that the temporary permits be issued subject to the Companies each supplying a \$5,000.00 performance bond.

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

CARRIED UNANIMOUSLY

Aug/9/1971

(41) Equestrian Complex - Avalon Avenue (Item #8, Manager's Report No. 47, 1971)

The Manager referred to a query made in Council on July 26th, 1971 about the possible future extension of the above complex by the Parks and Recreation Commission and the indicated desire of the Municipal Council that such a complex be not enlarged.

The Manager submitted the comments of the Commission as follows:

- (1) All Commission plans, deliberations, and decisions were made on the basis of the intention of leasing approximately five acres to the Burnaby Horsemen's Association.
- (2) This area includes road allowances which the Parks and Recreation Commission does not yet have jurisdiction over.
- (3) The Horsemen's Association were anxious to start on clearing and building the first barn and the original lease covered a smaller area than the 4.93 acres pending the acquisition of jurisdiction over the road allowance by the Parks and Recreation Commission. Hence the request by the Commission to the Council to cancel these road allowances.
- (4) It has always been the Commission's intention to lease only approximately 5 acres to the Association and there is no intention of leasing any further portion of the equestrian site to the Burnaby Horsemen's Association. The plan is that the balance of the twenty acre equestrian site will be kept under the jurisdiction of the Parks and Recreation Commission and would be kept open for general public equestrian use.

The Manager recommended that the recommendations made in his report (Item 8, Manager's Report No. 47,) be adopted.

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

CARRIED UNANIMOUSLY

(42) Big Bend Area Study (Item #24, Manager's Report No. 47 - Council Meeting - July 26, 1971)

The Manager submitted a report dated August 6, 1971 in connection with the above Study.

At the meeting of July 26th, Items #5, 6 and 7 of the Planner's Report were referred back to the Manager for further study. Action on each of these items is recommended by the Planner in the following report and the Manager concurred in each case and recommended accordingly.

The report of the Planner recapped the progress made in the land use studies including the relocated Marine Drive and the general size and configuration of the related land use proposals.

Further to this, should Council endorse in principle the concepts outlined, the Department would also be in a position to make specific recommendations concerning the applications for Preliminary Plan Approval or business licences for the firms known as:

Aug/9/1971

- (1) Ben's Truck Parts of Canada Ltd. (P.P.A. #1488)
- (2) Pioneer Auto Salvage (Business Licence Application)
- (3) Dayton Storage and Towing (P.P.A. #1504)

In relation to the considerations of this report, Mr. Armstrong, Administrative Planner, made a slide presentation following the results of several meetings held with interested parties in the area, showing new proposals for the area.

Included in these new proposals was a new alignment for Marine Drive.

The Planner's Report referred to this realignment under the heading:

(a) Relocated Marine Drive

The report submitted that the through portion of this route had been shifted North of the B. C. Hydro Railway generally bringing the original relocated Marine Drive alignment to the vicinity of Byrne Road, at which point there was a South-Easterly shift approximately along the Prairie Street right-of-way towards the B. C. Hydro Railway. In that vicinity, the route follows alongside the Railway alignment, ultimately making a connection with the Queensboro interchange in the Thorn or Trapp Avenue vicinity. This route is anticipated to be of the same standard as the existing Marine Drive in Vancouver, with provision made for an ultimate six lane facility.

Complementing the through facility is a proposed loop connection of two lanes (with provision for at least two additional lanes) that would at present, make at-grade crossings of the B. C. Hydro Railway.

(b) Byrne Road Industrial Strip

Recognizing the fact that practical considerations make the agricultural potential in the immediate area questionable and recognizing that the area is already in part, industrially developed, the Planning Department is now prepared to recommend the continued industrial use of this area. However, consistent with the general goals for the region a recommendation to up-grade the types and conditions of industrial use is also submitted. In this regard, a rezoning of the Byrne Road Industrial Area from M3 to M2, in addition to imposing more stringent screening and landscaping requirements, is recommended.

The boundaries of the area in question would be put forward at the next meeting of the Council.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN DAILLY:

"That approval in principle be given to the proposed relocation of Marine Drive as set out in the Planner's Report as well as the introduction of the Byrne Road industrial strip also as more particularly detailed in the Planner's Report."

CARRIED UNANIMOUSLY

The Planner then submitted recommendations with respect to Preliminary Plan Approvals and business licence applications as more particularly described earlier in the report and related above:

Aug/9/1971

- (1) Ben's Truck Parts of Canada Ltd. - P.P.A. #1488  
Byrne Road and Meadow Avenue (Lot 23 of "B", Block  
"A", D.L. 155A, Plan 21363).

The Planner recommended that the Byrne Road Industrial Area be rezoned from M3 to M2. In this regard, the boundaries of the area to be rezoned would be presented to Council at the next regular meeting. It was further recommended that the application for Preliminary Plan Approval for Ben's Truck Parts of Canada Ltd. be approved under M2 standards.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That the recommendation of the Planner with respect to the Preliminary Plan Approval for Ben's Truck Parts of Canada Ltd. be adopted."

CARRIED UNANIMOUSLY

- (2) Pioneer Auto Salvage, 4696 Marine Drive, Business  
Licence Application: P.P.A. required

The Planner recommended that a business licence not be granted to this firm but that they be given to December 31st, 1971 to relocate the business to a more suitable site. It was further recommended that the applicant be asked to post a \$3,000.00 letter of credit to serve as a performance bond to guarantee the relocation by the specified date.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN CLARK:  
"That the recommendation of the Planner with respect to the business licence application by Pioneer Auto Salvage be adopted."

CARRIED UNANIMOUSLY

- (3) Dayton Storage and Towing, 5689 Byrne Road, P.P.A.  
#1504

The Planner advised having discussed the M2 Industrial regulations with Mr. Dayton, however, it is his plan to tow or receive cars obtained from bailiff's seizures and to store and recondition such cars for monthly public auctions to be held at the site. This use is clearly outside the bounds of an M2 zoning.

The Planner recommended that in the absence of any other apparent alternative it was recommended that Council authorize the Land Agent to pursue further the matter of land exchange with Mr. Dayton.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That the recommendations of the Planner with respect to the Preliminary Plan Approval for Dayton Storage and Towing be adopted."

CARRIED UNANIMOUSLY

(43) Subdivision Approvals - Big Bend and Winston Study Areas

The Planner reported that although the Council did not direct that subdivision approvals be submitted to Council within the above areas the Department was forwarding for information only the fact that the Approving Officer was prepared to issue tentative approval on each of the following applications:

(a) S.D. Ref. 44/71

This property is located South of Winston Street between Piper and Lozells. The proposal is to create two parcels both of which are involved in the current rezoning proposals. Approval is not considered to be in conflict with the current land use proposals.

(b) S.D. Ref. 134/71

This property is located on the South side of Winston Street immediately East of the property referred to in S.D. #44/71. The proposal is to create three sites. Approval of this subdivision is not considered to be in conflict with the current land use proposal.

(c) S.D. Ref. 98/71

This property is located on the South side of Marine Drive West of Royal Oak Avenue. This proposal is not considered to be in conflict with the current land use proposals and it involved subdivision of only the frontage on Marine Drive.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That the information presented, with regard to subdivision applications in the Big Bend and Winston Street Study areas be received."

CARRIED UNANIMOUSLY

(45) Burnaby Lake Regional Park, Winston Street Park Link

The Manager referred to Council considerations on June 28th when various aspects of the Winston Street Area were considered, and referred to a suggestion that the acquisition of certain lands be considered on either side of Piper Avenue adjacent to Warner Loat Park.

The acquisition of two lots of land had been explored, one on the South-West corner of Piper and Winston and the other on the South-East corner involving five separate parcels. The tract on the West side of Piper Avenue involves 5.58 acres and the one on the East 6.52 acres, giving a total of 12.1 acres.

Acquisition costs of both parcels including houses would total approximately \$460,000.00. No funds were budgeted for this purpose, but it is conceivable that a special fund could be set aside for this purpose in subsequent years for a staged acquisition programme.

If Council was not prepared to consider an acquisition programme of this magnitude, there are alternatives that could be considered.

West Side Piper Avenue

Lot 87 on the West side of Piper is traversed by a pleasant watercourse. Acquisition of that portion of the property lying East of the West bank of the watercourse could provide a reasonable addition to the park link. Negotiations previously for this property were not consummated and recent discussions indicated that the property could be acquired for approximately \$100,000.00.

East Side Piper Avenue

If Council is not in a position to acquire the whole 6.52 acre track on the East side of Piper Avenue there appears to be a number of alternatives, all of which are being examined. Specific recommendations to the Council will follow.

The urgency in the whole matter at present involves the parcel of land on the West side of Piper. The acquisition of the whole 5.58 acre block is desirable but if this is not possible, the acquisition of the Easterly portion of approximately three acres is recommended.

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

CARRIED UNANIMOUSLY

(46) Sidewalk Crossings - 4100 Block Gilpin

The Manager referred to a communication on the Agenda from Mrs. Passey regarding the Engineer's refusal to allow two crossings to the property in question.

The Engineering Department, as a function of any street improvement programme, checks into all existing off-street parking facilities to see if they comply with the municipal by-laws and Provincial acts before granting permanent crossings.

Property at 4106 Gilpin Crescent was checked and found to have a loop driveway off Patterson. Loop driveways are generally acceptable and normally two crossings would be given, however, in this case the use of the driveway is violating both the Burnaby Zoning By-law and the Provincial Motor Vehicle Act in that the owners are parking a travel trailer of about 16 feet in length on the driveway. The Zoning By-law prohibits the parking of trailers in both the front and side yards. Secondly, due to the limited parking area of the driveway it has been found that vehicles are extending beyond the property line and occupying the area of the boulevard in violation of the Provincial Motor Vehicle Act.

The Engineer has suggested to the owners that they use the Southerly crossing which is opposite a gate in their fence and so utilize their rear yard for parking. There is some reluctance to park vehicles there, additional to one vehicle already parked in the back yard position.

An argument presented by Mrs. Passey is that the municipality constructed the existing crossings and while this may be so, the fact remains that there are violations of existing By-laws and Acts.

The Engineer recommended that a sidewalk crossing for the Northerly crossing be refused and the Manager recommended that the Northerly crossing not be permitted.

Aug/9/1971

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

CARRIED UNANIMOUSLY

- (47) Servicing Contract for Municipal Subdivision - D.L. 86,  
Stage 3 Phase I -- Jack Cewe Limited  
Item #22, Manager's Report No. 39, Council Meeting - May 31, 1971

The Manager reported that the original completion date for this contract was May 31, 1971 and that an extension had been granted by Council to July 15, 1971. The Company had made a request before the latest deadline for a further extension without giving proper reasons and a further letter was requested and was received on July 22nd, wherein they state that the work would require approximately two months further time to complete owing to the fact that there have been problems with their firm of Engineering Consultants, the nature of the ground has caused delays and the attendant extreme weather conditions, together with some delays experienced through the Pollution Control Board having to approve the water and sanitary sewer plans.

The Company also raised a point where the Corporation was distinctly at fault in other instances where work was held up and it can be argued that the Company has suffered some loss through having its progress payments and final release of holdback monies held up pending settlement of the third party problems by the Corporation.

The Engineer recommended and the Manager concurred that the Contract be extended to September 24, 1971 with an appropriate extension in the bonding requirements; and that the contractor be advised that this is the last request for extension that will be considered.

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

CARRIED UNANIMOUSLY

- (48) Parking Areas in Required Front Yards

The Manager reproduced a letter from the Board of Variance dated August 6th with regard to the results of the enforcement of Section 800.6 (1) of Burnaby Zoning By-law which prohibits parking areas within required front yards in residential districts.

It was submitted that as a result of recent denials by the Engineering Department in connection with 1971 Local Improvement Programmes covering street improvements the Board was being subjected to an abnormal number of appeals.

The Board is prepared to rule on the retention, or otherwise, of the parking areas but has some doubts as to whether such a ruling should also be taken as authority for the Municipal Engineer to authorize a sidewalk crossing. Decisions on three appeals before the Board were deferred pending clarification of this point. The Manager recommended that this matter be referred to his office for study and report.

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

CARRIED UNANIMOUSLY

Aug/9/1971

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LADNER:  
"That leave-of-absence be granted from this meeting to Aldermen  
Emmott and McLean."

CARRIED UNANIMOUSLY

HIS WORSHIP, THE MAYOR, reported verbally that the Community Planning Association were holding a Conference in Halifax during the period October 3rd to 6th and submitted that Alderman Ladner, as liaison, with the Planning Department, should be authorized to attend as there were items on the programme of municipal interest and value to Burnaby.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CLARK:  
"That Alderman Ladner be authorized to attend the Conference of the Community Planning Association of Canada to be held in Halifax from October 3rd to 6th inclusive."

CARRIED UNANIMOUSLY

\* \* \*



- 41 -

Aug/9/1971

The Council resolved into a Committee of the Whole "In Camera" at  
12:15 a.m.