

AUGUST 14, 1972

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B.C., on Monday, August 14, 1972, at 7:00 p.m.

PRESENT: Acting Mayor J. Dailly in the Chair;
Alderman W. R. Clark
Alderman T. W. Constable
Alderman J. D. Drummond
Alderman H. G. Ladner
Alderman D. A. Lawson

ABSENT: Alderman W. A. Blair
Alderman G. M. Dowding
Mayor R. W. Prittie

STAFF PRESENT: Mr. B. McCafferty - Acting Municipal Manager
Mr. J. Plesha - Assistant to Manager
Mr. J. H. Shaw - Municipal Clerk
Mr. B. Leche - Assistant to Municipal Clerk
Mr. L. Armstrong - Planning Administrator
Mr. E. E. Glack - Municipal Engineer

The Acting Mayor announced that His Worship, the Mayor, was still ill and that his ailment had been diagnosed as Enteritis of the lower bowel and that he had been readmitted to hospital and would be absent from duty for several weeks.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:

"That the Minutes of the Public Hearing held July 31, 1972, and Minutes of the Regular Council meeting held August 7, 1972, be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LADNER:

"That the Original Communications be received."

CARRIED UNANIMOUSLY

* * *

ORIGINAL COMMUNICATIONS

- (a) Renfrew-Burnaby Heights Football Club wrote requesting permission to hold a parade on Sunday, August 20, 1972.
- (b) 5th Burnaby West Nootka Wolf Cub Pack, Boy Scouts of Canada, wrote requesting permission to hold a five-mile walkathon on September 16, 1972, from 9 a.m. to 1 p.m., and enclosed a map of the route to be used.
- (c) The South Burnaby Men's Club requested permission to hold a Tag Day in the South Burnaby area on September 15th and 16th, 1972.
- (d) Mr. Tom Goode, M.P., wrote on behalf of two constituents of the "Big Bend" area concerning the necessity of a floodgate near the end of Byrne Road, submitting that while the matter was not within the jurisdiction of the Federal Government, his concern for constituents prompted him to investigate the possibility of building such a floodgate.
- (e) Mrs. Jean G. McDonald wrote asking that she be granted a separate title for property legally described, "Lot 11W $\frac{1}{2}$, D.L.69, Plan 1321 (4125 Dominion Street), to enable her to build on the property and sell.

- (f) Floyd-Harris Arenas Ltd., proponents of the Four Rinks Arenas to be located on Sprott Street, wrote pointing out several requirements which had been fulfilled and which had been very costly toward the development of the site and asking that the Municipality state the tax assessment for the 7.75-acre property in a developed state, and also expressing the mortgage company's concern that assurance be obtained from the Municipality that in the foreseeable future it was not the intention of Burnaby Municipality to build any other arena or rink within the close vicinity of their Centre.

The Four Rinks Operation also asked that they be granted a two-year tax relief to help get the rinks operational.

- (g) Reverend John Holland, Kingsway Foursquare Church, wrote with reference to a prerequisite involved in a rezoning application made by their Church (RZ#3/72), one of which was the removal of a dwelling on the property within a two-year period. The Church was appealing to the Council to grant up to a five-year period to remove the income producing buildings on the property.
- (h) Mr. Stewart Bottomley wrote with reference to a requirement of the Municipality that he eliminate the circular driveway at the front of his property since he will be allowed only one sidewalk crossing in conjunction with certain Local Improvement surface works going on on Woodsworth Street. Mr. Bottomley appealed to the Council to allow his driveway to remain as a circular driveway, pointing to the work and expense involved establishing the driveway in this fashion to this point in time.
- (i) Mr. W. S. Adams wrote with reference to a sidewalk crossing at 6867 Broadway, requesting that he be allowed to maintain a curved driveway and garden rock wall now on the front allowance. Mr. Adams had been served with notice that only one crossing would be allowed to him in line with municipal regulations in conjunction with certain Local Improvement surface works being undertaken on Broadway at the present time.
- (j) Mr. and Mrs. L. G. Hadley wrote requesting that they be allowed a circular driveway to their property pointing to the notice which indicated the refusal of a sidewalk crossing to the East driveway at 6936 East Broadway, pointing out that the landscaping was designed for a safe entrance and safe exit and that closing off the one exit would establish a hazard.
- (k) Mr. and Mrs. James Mercier wrote deploring the lack of spraying for mosquitoes in the municipality and asking what plans were being made by the Council to relieve the mosquito infestation problem.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN LADNER:

"That Items (d), (e), (f), (g), (h), (i) and (k) be referred to Items 21, 6 ("In Camera"), 35, 20, 23, 22, 24 and 29 of the Manager's Report respectively for consideration at that time."

CARRIED UNANIMOUSLY

MOVED ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:

"That the request for a parade by the Renfrew-Burnaby Heights Football Club be granted and that the request by 5th Burnaby West Nootka Wolf Cub Pack for a walkathon be granted, and thirdly, that the Tag Day requested by the South Burnaby Men's Club be granted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:

"That Item (e) - the letter from Mrs. Jean G. McDonald, re Lot 11W₂, D.L. 69, Plan 1321 (4125 Dominion Street), be referred to the "In Camera" report of the Municipal Manager to be dealt with later in the meeting."

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NOTICE OF MOTION was given at the Council meeting on July 31st by ALDERMAN CLARK on the subject of "Borrowing for Sanitary Sewers".

The following motion was put by Alderman Clark, seconded by Alderman Ladner:

"WHEREAS the borrowing of capital funds for sanitary sewers is subject to the submission of a By-law to the electorate, either through the medium of a vote, or by counter-petition representing one-twentieth of ratepayers;

AND WHEREAS the Provincial Government has decreed that Municipalities in the Lower Mainland shall have constructed sewerage treatment plants by the year 1975;

AND WHEREAS the provision requiring mandatory reference to the rate-payers is costly and creates an element of doubt that Capital borrowing By-laws will gain approval, and is therefore inconsistent with the mandate for sewerage treatment;

THEREFORE BE IT RESOLVED: That the anomaly portrayed in this resolution be drawn to the attention of the Minister of Health and Welfare and Minister of Municipal Affairs, and that a request go forward for an amendment to the Municipal Act or for an Order-in-Council which would empower Municipal Councils to pass Loan By-laws for sanitary sewer purposes without any reference to the people."

The motion was CARRIED UNANIMOUSLY.

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ENQUIRIES

ACTING MAYOR asked whether there were any enquiries which the members of the Council wished to make.

Alderman Lawson noted that motorists travelling along Canada Way were not observing the new 30 m.p.h. speed limit and that at least half of the automobiles were travelling in excess of the new limit.

It was suggested that some type of banner or sign should be installed warning motorists of the change in speed limit, or a loud hailer be used by the R.C.M.P. in an effort to convey the message to the motorists.

It was decided that this matter be referred to the Traffic Superintendent in the Engineering Department for attention.

Alderman Ladner raised the question of the closure of a Day Care Centre and submitted that, while he did not have much information on the details of the closure, there were some disturbing facets present and he felt that Alderman Lawson had more information about the closure.

Alderman Lawson advised having received a complaint about the closure of this Day Care Centre and had looked into the matter. She had been unable to obtain information until the morning of this meeting and the eligibility of the operator of the Day Care Centre to conduct such Centre had been checked out. There were four children under care at first inspection. Mrs. Thouvenot, the operator, did not have a licence, and she had been given an opportunity to apply for a licence and had refused. Subsequent to this, the operator was told to reduce the number in care to two to conform with municipal regulations. During the next visit by Welfare Department personnel, six children had been found in the Day Care Centre and the operator was again reminded that two was the maximum and on this occasion she again refused application for a licence. She was at this point told that she would have to close down her Day Care Centre. However, on Friday, August 11th, in the afternoon, the operator came into the Municipal Hall to apply for a licence and this had been mailed to Victoria with a request for inspections.

Alderman Ladner expressed concern over the conduct of the staff at one point when it appears that the Mothers requested information about their children being accommodated in the home pending the issuance of the licence and an impertinent answer was received indicating that the Department was not prepared to consider the request of the parents.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CONSTABLE:
"That the problem of Mrs. Thouvenot's Day Care Centre be referred to the Manager for report on the aspect involving the staff of the Corporation and the inconvenience being caused to the Mothers of the children being accommodated in the subject Day Care Centre."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN CONSTABLE:
"That the Council resolve itself into a Committee of the Whole at 7:15 p.m."

CARRIED UNANIMOUSLY

R E P O R T S

ELECTION PROCEDURES COMMITTEE reported that the Municipal Clerk had been preparing for an enumeration of non-property owners in the municipality as Resident Electors for the new List of Electors. A number of enumerators had been chosen and would be paid at the rate of \$20.00 per eight-hour day plus 6 per cent holiday pay. The Committee attached a list of the names and addresses of the enumerators and submitted that application should be made to the Attorney General's Department for these people to be appointed as Commissioners for taking affidavits pursuant to Section 53 of the "Evidence Act". The Committee reported that it was planned to commence the enumeration on August 28th and complete same by September 15th. The Committee recommended that the Council endorse the actions of the Clerk to date, approve the rate of pay proposed for the enumerators, and authorize an application for an Order-in-Council appointing the enumerators as Commissioners for the purpose of taking the required Declarations.

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

CARRIED UNANIMOUSLY

GRANTS AND PUBLICITY COMMITTEE submitted the following recommendations:

- (1) Scientific Pollution and Environmental Control Society \$400.00

(The purpose of the grant was to help defray the costs of a presentation made by S.P.E.C. to a Public Inquiry into Waste Discharges from the Chemical and Petroleum Industries).

- (2) B.C.I.T. Directors' Fund \$3,000.00

(This grant would assist eight students who are taking business courses at B.C.I.T. on a project to gather public opinion with respect to the adequacy of many municipal services. The actual money was to be paid to those people supervising the project. It was further submitted that the results of the survey would be made available to the municipality. It was also submitted that the \$3,000 grant would be shared by each of the

three supervisors according to the amount of work put into the project).

(3) Burnaby Ladies Pipe Band \$250.00

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN LAWSON:
"That recommendation No. 3 of the Committee be adopted."

CARRIED UNANIMOUSLY

MUNICIPAL CLERK submitted a Certificate of Sufficiency with reference to the petition of D.A. and M.H. Hume and others requesting the paving to a width of 14 feet and to a depth of not more than 2 inches in the lane between Eglinton Street and Gilpin Street East from Mahon Avenue to E.P.L. Lot 79, D.L. 83, Plan 24961, as a Local Improvement lodged with the Clerk on the 2nd of August, 1972.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:
"That the Certificate of Sufficiency be received."

CARRIED UNANIMOUSLY

* * *

MUNICIPAL MANAGER submitted Report No. 50, 1972, on the matters listed below as Items (1) to (35), either providing the information shown or recommending the courses of action indicated, for the reasons given:

(1) Canadian Association of Fire Chiefs Annual Convention

The Manager recommended that the Fire Chief be authorized to attend the Canadian Association of Fire Chiefs Annual Convention in Kingston, Ontario, from August 20th to August 25th, 1972, at a total estimated cost of \$540.00.

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

CARRIED UNANIMOUSLY

(2) Cost Sharing - Sidewalk Construction
Subdivision Reference No. 239/71 - Eglinton Street
A. & L. Holdings Limited - #301, 4635 Imperial Street

The Manager reported on the establishment of a policy in 1967 whereby the Municipality shared in the cost of a sidewalk where constructed with curb and gutter by a private contractor on subdivision of land. The policy covered the municipal share which would be normally borne by the Municipality in the event the lots within the subdivision came under private ownership and similar works were constructed as a Local Improvement. The former provides for a developer to absorb 20% and the Municipality 80% of the cost with the developer being responsible for sidewalk crossings.

A. & L. Holdings Limited have requested that the Municipality share in the cost of constructing five-foot curb walks in the subject subdivision on Eglinton Street. The approximate length of curb walk required is 464 feet. The Municipality's contribution is 80% of the quoted price of \$1.65, or \$1.32 per foot for a total of \$612.48.

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The Manager recommended that authorization be given for the Municipality to pay \$1.32 per foot for approximately 464 feet of curb walk to be constructed by A. & L. Holdings Limited in the subject subdivision with the final total cost contribution to be based on the actual footage constructed.

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

CARRIED UNANIMOUSLY

(3) R.C.M.P. Monthly Report

The Officer-in-Charge, Burnaby Detachment, R.C.M.P., submitted a report covering operations of his Department for the month of July 1972.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:
"That the report be received."

CARRIED UNANIMOUSLY

(4) Proposed Mobile Home Park By-Law and Zoning Regulations

The Manager submitted a report prepared by the Planning Department following instructions received from Council in 1971 to establish standards for a new zoning district category to accommodate mobile homes. Three reports had been submitted in April, June and October, 1971, and comment had been obtained from the Advisory Planning Commission.

Pursuant to the background reports, the Planner submitted recommendations for proposed mobile home park district regulations for a new zone to be titled, "Mobile Home Park District (R7)".

The Planner also presented a draft by-law to be cited as "Burnaby Mobile Home Park By-Law 1972", which set out regulations for the development and operation of mobile home parks within the municipality. The Planner recommended that:

- (i) the Council give approval in principle to the proposed Zoning By-law Amendment for the establishment of a mobile home park district category and advance this to a Public Hearing;
- (ii) the Council adopt the proposed Mobile Home Park By-law and refer it to the Municipal Solicitor for review before proceeding with the necessary readings to implement its regulations.

The Manager recommended that the recommendations contained within the Planner's report be adopted.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:
"That the recommendation of the Manager be incurred in and that a copy of the report, regulations and by-law be sent to the Advisory Planning Commission for consideration and comment to the Council."

CARRIED UNANIMOUSLY

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(5) Fire Protection Requirements - Preliminary Plan Approval
Application #1548 - GULF OIL BULK LOADING FACILITY --
Lot "H", D.L. 31, Plan 3659

The Manager reported that the Gulf Oil Limited had entered into commitments to extend a 12" watermain approximately 3,115 feet from an existing municipal main on the Barnet Highway to the Company's property line and an additional 1,000 feet across the frontage of the site.

In the report it was recommended that the Municipality pay to Gulf Oil the cost of supplying and installing five fire hydrants along the route of the extended main. The hydrants are not essential to the Gulf Oil water supply system, but will benefit municipal and private properties that are located on the extension between the Company's facility and the municipal main terminus on Barnet Highway. The lowest quotation which Gulf Oil received from the contracting firm for the five hydrants was received from Mathias & Nicol Limited, in the sum of \$5,260.

The Engineer also recommended that Gulf Oil be reimbursed in the sum of \$8,774.00 to cover the difference between the installation of asbestos cement pipe and ductile iron pipe. It is submitted that this 12" main should be iron pipe due to the unstable nature of the ground. The higher quality ductile iron pipe is expected to reduce the amount of maintenance that will have to be provided in the future by the Municipal Engineering Department.

The Manager recommended that authorization be given for the Municipality to bear the \$5,260 cost of supplying and installing five fire hydrants, and the \$8,774.00 difference in the cost of supplying and installing ductile iron rather than asbestos cement pipe.

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

CARRIED UNANIMOUSLY

(6) Hastings Street Urban Redevelopment

The Manager submitted three letters pertaining to a proposal call for the above development:

- (a) A letter from the Director of Planning to Central Mortgage and Housing Corporation enclosing a draft of a brief proposal call document;
- (b) A reply from the Department of Municipal Affairs agreeing to the approach of a two-stage proposal call;
- (c) A reply from Central Mortgage & Housing Corporation, agreeing with draft and proposing a two-month time period for the call.

The Planner advised that the draft was being finalized and it would mean that the closing date for the proposal calls would fall around October, 1972.

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

CARRIED UNANIMOUSLY

(7) Fatality Near 14th Avenue and Davies Street
(Item #21, Report No. 28, April 24, 1972)

A report was received by Council on April 24, 1972, concerning the death of a blind man who fell to his death in an excavation near 14th Avenue and Davies Street on April 8th. Council asked to be informed if the report arising out of the Coroner's Inquiry

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provided any additional information on the cause of the fatality.

It was reported that the Jury agreed with the Engineering Department's assessment that the Contractor was not negligent.

The Jury recommended the following three alternate methods of protecting future excavations:

- (a) complete backfill
- (b) suitable covering
- (c) fencing

The Engineer commented that complete backfilling would be impractical since re-excavation and pipe location would be required in order to commence the following day's work.

Suitable covering consisting of plywood decking supported by wooden beams such that the entire excavation would be covered might be practical where long delays were experienced in proceeding with the project; otherwise, it was submitted that it would not be practical - furthermore, the theft of plywood materials could be a problem and could render an excavation unsafe overnight.

Fencing off the excavation would in most cases seem to be the simplest and most satisfactory method of protecting excavations. Generally, excavating equipment along with flashing barricades are used to provide a barrier preventing accidental access to the excavation. An improvement on this would be to secure the area by means of ropes secured by tying to the construction equipment and onto steel posts driven into the ground.

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

CARRIED UNANIMOUSLY

(8) Use of Consulting Engineers on a Stand-by Basis

The Manager reported that the Engineer had reviewed all outstanding design requirements in the Engineering Department. Of the total of 60 approximately 20 have reached the critical stage and are required for work scheduled for completion this year. Lack of sufficient staff is the reason for the delay and it was therefore proposed that two consulting engineering firms be used on a stand-by basis to assist with peak loads that cannot be adequately handled by Municipal Design Engineers. One firm would be engaged for miscellaneous roads and lanes and the other for design of miscellaneous water and sewer installations.

The firms of Vector Engineering Limited and Web Engineering Limited had been engaged for stand-by design of miscellaneous roads and lanes, and design of miscellaneous water and sewer installations, respectively.

Estimates of costs will be obtained each time the firm supplies services and payment would be in accordance with the minimum fees published by the Association of Professional Engineers of B.C.

The Manager has authorized the Engineer to engage Vector Engineering Limited to check the design of N. D. Lea & Associates for works already under contract to J. Cewe Limited, at an estimated cost not exceeding \$1,000.

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

CARRIED UNANIMOUSLY

(9) Financing - Greater Vancouver Regional District

The Manager reported that on June 19, 1972, the Council authorized the Treasurer to make formal application to the Regional District for financing \$771,000 for parks purposes pursuant to By-law No.6073.

The Regional District Board had approved the financing and has requested that a security issuing by-law be passed as quickly as possible.

The Manager recommended that the said by-law be passed with the amount payable to the Greater Vancouver Regional District within 20 years at a rate of interest to be determined.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN CLARK:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(10) Camping in Central Park

On July 31, 1972, the Council was informed that the R.C.M.P. was not enforcing a regulation prohibiting overnight camping in Central Park. The Officer-in-Charge, Burnaby Detachment, R.C.M.P., reports that a search of their records indicates that somewhat of a similar problem occurred in 1969 and steps were taken to eliminate the problem and no further complaints can be found.

The procedure is that R.C.M.P. patrols in the Central Park area check camper type vehicles where it is obvious they intend staying overnight and advise them to move on. If such vehicles are not seen until late at night, the Police use discretion and do not normally disturb them in view of the lack of suitable alternate accommodation. The use of tents has not been noted.

The Police will step up patrols and it was recommended that the Municipality post suitable signs advising the public that overnight camping is prohibited. This was already being carried out by the Parks and Recreation Administrator.

If this course of action does not halt the problem, it may be necessary to close Central Park parking areas during evening hours.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LADNER:

"That the information be received."

CARRIED UNANIMOUSLY

(11) Tenders for Fire Hose

The Manager reported that tenders for the supply of 16,300 feet of fire hose and couplings had been received on Tuesday, August 8th, 1972. The tenders were opened in the presence of staff and representatives of the bidding firms. The lowest tender of the four received is the tender from Silver Line Fire Equipment Co. Ltd. for 16,994.00 plus 5% Provincial Tax. However, the best price on each item is as follows:

1. WILSON AND COUSINS LTD.	\$ 9,540.00
Item 1 - 2½" Hose, American Biltrite	<u>3,525.00</u>
Item 2 - 1½" Hose " "	<u>\$13,065.00</u>

Delivery is 6 to 8 weeks.

(While Goodall Rubber Co. Ltd. is \$20.00 lower on Item #2, it hardly warrants a separate contract for this difference. Also, the Fire Department is quite familiar with Biltrite Hose, having used it extensively in the past).

2. SAFETY SUPPLY CO. LTD.	
Item 3 - 3" Hose, American Biltrite	\$ 1,412.20
Item 5 - 20 couplings, Akron Pyrolite	<u>940.60</u>
	<u>\$ 2,352.80</u>
3. SILVER LINE FIRE EQUIPMENT CO. LTD.	
Item 4 - 1" Hose, Hewit	\$ 474.00
	<u> </u>

The best prices for each of the five items are summarized as follows:

<u>Items</u>	<u>Bidding Firms</u>	<u>Prices</u>
1 & 2	Wilson & Cousins Ltd.	\$13,065.00
3 & 5	Safety Supply Co. Ltd.	2,352.80
4	Silver Line Fire Equipment Co. Ltd.	<u>474.00</u>
		\$15,891.80
	+ 5% S.S. Tax	<u>794.59</u>
		<u>\$16,686.39</u>

The Manager submitted the following recommendations:

- (i) THAT Items 1 and 2 be purchased from Wilson & Cousins Ltd. for a total amount of \$13,065.00 plus 5% S.S. Tax; and
- (ii) THAT Items 3 and 5 be purchased from Safety Supply Co. Ltd. for a total amount of \$2,352.80 plus 5% S.S. Tax; and
- (iii) THAT Item 4 be purchased from Silver Line Fire Equipment Co. Ltd. for a total amount of \$474.00 plus 5% S.S. Tax; and
- (iv) THAT a legal document be executed for the purchase of Items 1 and 2 and regular purchase orders for Items 3, 4 and 5.

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

CARRIED UNANIMOUSLY

(12) Group Housing Study

The Manager reported that the Apartment Study '69 Report considered apartment development in relation to housing demand in Burnaby. The need for a broadening of the approach to residential environment was stressed, with particular emphasis on the development of alternative forms of family accommodation to the single family residence in order to make available housing, at similar densities, for people unable to meet the increasing costs of house construction and to provide a wider choice of dwelling types.

The Manager attached a Planning Department study which included a review of the basic requirements for group housing and advanced proposals for their inclusion in the Burnaby Zoning By-law.

The report included proposed Zoning By-law text amendments (attached).

The Manager recommended that Council approve in principle the Planning Department's proposed amendments to the Burnaby Zoning By-law; and that the proposed amendments be forwarded to a Public Hearing.

APPENDIX: PROPOSED ZONING BY-LAW TEXT AMENDMENTS

1. ZONING DISTRICT STANDARDS:

Section 108. RESIDENTIAL DISTRICT (R8)

This District provides for the development of group housing projects which are designed primarily for the accommodation of families with children.

Section 108.1 Uses Permitted:

- (1) Group housing dwellings
- (2) Two family dwellings
- (3) Single family dwellings
- (4) Home occupations
- (5) Accessory buildings and uses

Section 108.2 Conditions of Use:

- (1) The permitted gross density of a group housing development shall be determined in accordance with the following table:

Existing Zoning of Proposed Group Housing Site	Minimum Amount of Lot Area to be Provided for Each Dwelling Unit in a Group Housing Development.
R1	9600 sq. ft.
R2	7200 sq. ft.
R3	6000 sq. ft.
R4	4300 sq. ft.
R5	3600 sq. ft.
Other	7200 sq. ft.

- (2) A group housing development shall be designed in such a manner as to create an attractive residential environment in keeping with the area in which it is situated.
- (3) A group housing development shall be located not less than:
 - a) One-half a mile from an existing elementary school.
 - b) One-half a mile from an existing park facility.
- (4) A group housing development shall be subject to Preliminary Plan Approval in accordance with the provisions of Section 7.3 of this By-law.

Section 108.3 Height of Buildings:

The height of a building shall not exceed 30 feet nor 2 storeys.

Section 108.4 Lot Area and Width:

Each lot for a group housing development shall have an area of not less than 2 acres and a width of not less than 200 feet.

Section 108.5 Lot Coverage:

The maximum permitted coverage of the lot shall be determined in accordance with the following table:

Existing Zoning of Proposed Group Housing Site	Maximum Permitted Coverage
R1	30 percent of the lot area
R2	35 percent of the lot area
R3	40 percent of the lot area
R4	40 percent of the lot area
R5	40 percent of the lot area
Other	35 percent of the lot area

Section 108.6 Usable Open Space:

Usable open space shall be provided on the lot at a ratio of not less than 500 square feet for each dwelling in a group housing development.

Section 108.7 Yards:

Front, side and rear yards shall be provided in accordance with the following table:

Existing Zoning of Proposed Group Housing Site	Minimum Front Yard Depth	Minimum Width of Each Side Yard	Minimum Rear Yard Depth
R1	30 ft.	15 ft.	30 ft.
R2	25 ft.	12 ft.	30 ft.
R3	20 ft.	12 ft.	25 ft.
R4	20 ft.	12 ft.	25 ft.
R5	20 ft.	12 ft.	25 ft.
Other	25 ft.	12 ft.	30 ft.

Section 108.8 Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this By-law.

2. OTHER ZONING BY-LAW REGULATIONS:

(1) Section 3 - Definitions:

"Dwelling, Group Housing" means a block of three or more individually attached family dwelling units located on a single lot in the form of rows, clusters or groups, where each dwelling unit, which may be separated from its neighbour by a floor, has its own individual external access, shares one or more party walls, and with each dwelling unit having its own separate patio garden and/or sharing a common courtyard.

"Dwelling, Row Housing" means a block of at least two and not more than eight side by side family dwelling units, with each dwelling unit on a separate lot and attached to its neighbour at its side, and in which each family dwelling unit shall be separated from each other by a party wall.

(2) Section 5.1 - Designation of Districts:

The addition of the R8 Residential District to the zoning district schedules, as follows:

1.	RESIDENTIAL	R
	Residential	R1
	Residential	R2
	Residential	R3
	Residential	R4
	Residential	R5
	Residential	R6
	Residential	R7
	Residential	R8

(3) Section 6.10 - Minimum Floor Area for Dwelling Units:

"No group housing dwelling shall contain less than 1200 square feet of floor area for each dwelling unit."

(4) Section 6.14 - Fences:

"In R8 Districts fences, walls or hedges not greater than 6 feet in height may be located anywhere on a lot (subject to the vision clearance provisions of Section 6.13)".

(5) Section 7.3 (2) - Preliminary Plan Approval:

(f) "In the case of apartment or group housing development proposals, the submission of either, at the choice of the applicant, a true-to-scale perspective or model, together with a detailed plan of landscaping and usable open space".

(6) Section 800.4 - Required Off-Street Parking Spaces:

"Group housing dwellings - 1.5 spaces for each dwelling unit".

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:
"That the report of the Municipal Manager and Municipal Planner on the Group Housing Study be referred to the Advisory Planning Commission for consideration and comment to the Council."

CARRIED UNANIMOUSLY

- (13) Proposed Demolition of Municipality Property
Lot 14, Blks. 12/13, D.L. 79, Plan 2298
4162 Norland Avenue

The Manager reported on the dwelling on the above property advising that the building which had been constructed in 1929 had deteriorated during the six years. It had been owned by the Municipality and, in the opinion of the Land Agent and Chief Building Inspector, was no longer suitable for occupancy.

The Manager submitted the results of an inspection by the Chief Building Inspector and it was the opinion of the Chief Building Inspector and the Land Agent that the building be demolished following vacation of the premises by the tenants in the building in eight weeks' time.

The Manager recommended that the house at 4162 Norland Avenue be demolished.

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

CARRIED UNANIMOUSLY

- (14) Social Service Quarterly Report

The Social Service Administrator submitted a report indicating Social Allowance disbursements and caseloads for select months in 1972 as compared to those same months in 1971.

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

CARRIED UNANIMOUSLY

- (15) Municipal Subdivision - D.L. 86 - Stage III B
(Item #15, Report No. 22, Meeting April 4, 1972)

The Manager submitted a report of the Planner relative to the above referring to discussions by staff resulting from instructions from Council pursuant to Item #15 of the Manager's Report No. 22, 1972, relative to the preservation of trees in the D.L. 86 Stage III B area.

The discussions by staff led to some refinement to the approach in this regard and these were submitted for Council's information.

In summary, the survey crews were marking the rights-of-way and a tree service company had been engaged to cut a swath down each side of each right-of-way by power saw to clearly delineate the rights-of-way before slashing contractors arrive. Separate contracts would be let for clearing and grubbing and the slashing contractor will be required to remove the timber from the site and will reseed it as part of the contract.

The Municipal Solicitor has been requested, in preparing the contract to specify penalties for damage or destruction of trees other than those on the rights-of-way. A Municipal Inspector will be assigned to supervise clearing operations at all times.

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

CARRIED UNANIMOUSLY

ALDERMAN LAWSON questioned the Engineer on whether any consideration had been given to the development of road right-of-ways taking into account the best groves of trees in the area.

Mr. Armstrong advised that the original design of the area had taken this facet into consideration and in fact, during the planning of the whole area, the protection of the trees had been of concern to the Municipality. Some disappointment had occurred in that when development takes place, the trees which were to be protected suddenly disappeared.

ALDERMAN LAWSON enquired as to whether or not the lot lines in the subdivision had been positioned to save trees.

Mr. Armstrong submitted that the Department had so positioned the lot lines where it was possible to do so.

The Solicitor was asked to give his report on whether or not the preservation of trees in the area could be included as a restrictive covenant.

(16) Proposed Relocation of East/West Lane South of Imperial Street and East of Merritt Avenue

The Manager reported that two properties separated by a lane legally described, Lot "A", Block 7, D.L. 97, Plan 14581 - 5756 Imperial Street and Lot 14, Block 7, D.L. 97, Plan 14522 - 6850 Merritt Avenue, were involved in a proposed development. The development is a retail building supply and the establishment proposes to move onto Lot 14 which is zoned M4 Special Industrial District which does not permit retail building supply businesses. The developer has suggested exchanging the existing lane for a new East-West lane along the South side of Lot 14 and consolidating the redundant lane and Lots 14 and Lot "A" into one site.

The Planning Director recommended that Council authorize the introduction of a Road Exchange By-law subject to the following conditions:

- (i) The granting of a 20-foot easement over the former lane allowance to protect an existing sanitary and storm sewer.
- (ii) The consolidation of Lot "A", Lot 14 and the former lane allowance into one site.
- (iii) The deposit of sufficient monies to cover the costs of constructing a new lane.
- (iv) The retention of the existing drainage easement on Lot "A".
- (v) The costs of surveys, documents and registration being borne by the applicant.

The Manager recommended that authority be given to introduce a Road Exchange By-law subject to the conditions outlined in the report.

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

CARRIED UNANIMOUSLY

- (17) Rezoning Reference #30/72
Lot 1, Exc. Expl. Plans 12809 & 14855, Block 4, D.L.59, Plan 3050

The Manager reported that the above rezoning had been approved in principle and the applicant had now submitted objections to:

- (i) the dedication of the North 25 feet of the subject property and Lot "B" to the West to accommodate the future widening of the Lougheed Highway;
- (ii) the consolidation of the remnants (after the dedication mentioned above) of both parcels into one site.

The existing station is on the adjoining Lot "B" and is leased to Standard Oil Company adjoining. The owner objects to the dedication of the 25-foot portion for highway widening at this time and is prepared to negotiate with the Municipality at some future date.

The owner of the subject property has agreed to dedicate the 25 feet subject to the costs of transfer being the responsibility of the Municipality. It is normal policy for the applicant to bear these charges and the applicant in this case is also required to submit a subdivision plan creating the 50-foot site, the costs of both these requirements to be that of the owner or the applicant.

The Manager recommended that consolidation be rescinded as a prerequisite to rezoning; and that dedication be required only of the owner of Lot 1 part, Block 4, D.L. 59, Plan 3050, and that all costs of dedication be borne by the applicant.

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

CARRIED UNANIMOUSLY

- (18) Acquisition of Easement
Lot 5S½, Blk. 19, D.L. 34, Plan 1355
3966 - 65 Gilpin Street (SANTORO)

The Manager reported that a 10-foot easement was required for the extension of the sanitary and storm sewers to the subject Lot and that the Land Agent had negotiated the acquisition of the easement for the sum of \$1.00.

The Manager recommended that the easement be acquired for the subject Lot.

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

CARRIED UNANIMOUSLY

- (19) Proposed Utility Easement, Lot 9, Blk. 14, D.L. 166A, Plan 1751

The Manager submitted a report of the Planner relative to an easement requirement by B.C. Hydro and Power Authority to service a proposed new sub-station being constructed by Commonwealth Construction Ltd. on adjacent lands. Originally, lines were to be installed overhead from Tillicum Street, however, an alternative to this proposal was developed whereby the utility lines could be extended from Mandeville

Avenue by easement through the municipally-owned property described in caption with the terminal service pole being situated adjacent to the substation. The Planning Department recommended that the necessary authority be granted for the provision of the utility easement covering the most Easterly 20 feet of the subject property. Final execution of the Easement Agreement would be contingent upon written confirmation being received of verbal tentative agreements established with B.C. Hydro, B.C. Telephone Company, Canadian National Railway and Commonwealth Construction.

It was recommended by the Manager that authorization be given to provide a utility easement on the most Easterly 20 feet of the subject lot, subject to the condition that if the easement is required for future development, all costs associated with removal or alterations will be borne by the holder of the easement.

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

CARRIED UNANIMOUSLY

- (20) Letter - Mr. John Holland, 4061 Kingsway
REZONING REFERENCE #3/72
Lot 6, D.L. 34, Plan 849
Kingsway Foursquare Christian Education Centre

The Manager submitted a letter from Mr. John Holland, Pastor of Kingsway Foursquare Church, asking that the time limit for removal of certain structures on the property which they are developing for a senior citizens' project be extended from two years to three years or to read, "within two years of completion of the construction".

The Planner reported that the Church argued that the time limit resulted in hardship and requested that the buildings be allowed to remain for five years. The Department could not support such a period and recommended to Council that the maximum length of time be two years from the time the rezoning is passed. This recommendation had been adopted by the Council.

The Department had reviewed the latest request and was unable to recommend adoption. The improvements are non-conforming with the passage of the new zoning of the property. Normally, the period for removal of buildings is six months. However, recognizing that there were extenuating circumstances, the Department recommended two years rather than the usual six months. It was suggested that the existing buildings detract from the development and their presence on the same site would detract from the environment which the Church is attempting to create. For these reasons, the Planning Department was not prepared to recommend any change.

The Manager recommend that the Council reaffirm its decision to have the applicant remove the non-conforming uses from the front portion of the subject property within two years.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CONSTABLE:
"That the recommendation of the Manager be adopted, provided that the applicant be advised that at the end of the two years or at any time they feel they have a case for change, a re-application could be submitted to the Council."

CARRIED UNANIMOUSLY

(21) Letter - Mr. Tom Goode, M.P., Burnaby-Richmond-Delta
Flooding in the Fraser River Area

The Manager referred to a letter from Mr. Goode on the Agenda for this Council meeting concerning enquiries about the necessity of a floodgate at the end of Byrne Road.

The Engineer reported that in December 1969, Burnaby made application to the Deputy Minister of Water Resources for assistance in constructing dykes, floodgates and pumps along the Fraser River under the Fraser River Flood Control Programme. This Programme originates from an agreement between the Federal and Provincial Government dated May 1968.

The Burnaby application was rated a low priority and was to be reviewed possibly in 1975.

The Engineer reported that except in periods of exceptionally high river levels, floodgates by themselves will not help. The floods experienced, except in 1948, 1967 and 1972, have been caused by rain water draining into the ditches and unable to drain out because of high river levels. It was submitted correction of the problem was to be found in building the dykes, install floodgates and pumps. The pumps at the foot of Byrne Road, particularly, would have to be very large, a capacity of some 40,000 G.P.M.

The Manager recommended that the information contained in report be forwarded to Mr. Tom Goode, M.P.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN CLARK:

"That the recommendation of the Manager be adopted and that in view of the Federal Government participation Mr. Goode be asked to urge upon the Federal Government that a survey of the situation be undertaken prior to 1975 as presently scheduled and allow the application to go forward at an earlier date."

CARRIED UNANIMOUSLY

(22) Letter - W. S. Adams, 6867 Broadway Sidewalk Crossings

The Manager referred to a letter from Mr. Adams appearing on this Agenda objecting to abandonment of the driveway crossings at his address.

The Municipal Manager reported that:

- (i) the entire loop section of the driveway is outside the property and is located on the municipal boulevard;
- (ii) the Westerly leg of the loop crosses into the boulevard frontage of the property next door and will connect to their driveway. If this were permitted, it could be a source of complaint from the owner of 6845 Broadway either now or in the future;
- (iii) driving along a boulevard except when entering into a property on an approved driveway is a violation of Section 191, Provincial Motor Vehicle Act.

The Manager recommended that Council approve the proposed construction of only one vehicle crossing in approximate alignment with the applicant's main driveway and Mr. Adams be so informed.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(23) Letter - Mr. Stewart Bottomley,
5709 Woodsworth Street - Circular Driveway

The Manager reported on a letter appearing on this Agenda from Mr. Bottomley requesting retention of a circular driveway at the subject location.

Previous inspections had been made by the Engineer to determine the location of crossings prior to Local Improvement Works being installed. Many crossings are turned down for various reasons. In the subject case, the Westerly crossing was denied as unnecessary for the following reasons:

- (i) The normal argument for loop driveways is a safety feature. As Woodsworth is a minor 28-foot residential street with very low volumes of traffic, this argument is invalid.
- (ii) As shown on the attached sketch the loop is of a poor design.
- (iii) The Westerly driveway ties in with the next door neighbour's driveway. The combined crossing would be approximately 40 feet at the curb.

The Manager recommended that only one maximum width 20-foot residential crossing be permitted at the subject location; and that Mr. Bottomley be informed accordingly.

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

CARRIED UNANIMOUSLY

(24) Letter - Mr. and Mrs. Hadley, 6936 East Broadway -
Sidewalk Crossing

The Manager referred to a letter from Mr. and Mrs. Hadley on this Agenda relative to a dual access to a circular driveway at the subject location.

The Engineer had reviewed this case and considered this to be one instance where a loop type driveway was acceptable as a loop provided a safer entrance and exit since there is a high cedar hedge along the front property line.

The Manager recommended that two sidewalk crossings be installed to provide access to the existing circular driveway at this location and that Mr. and Mrs. Hadley be informed accordingly.

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

CARRIED UNANIMOUSLY

(25) Lot 119, Blk.5, D.L. 32, Plan 39167
CD Proposal - Nelson Avenue (RZ#24/70)

The Manager submitted a report and advanced a report of the Planner regarding this CD proposal. Included in the Agenda was a letter from W. Ralph Brownlee, Architect, advising that he had been instructed by his clients, Yukon Properties Ltd., owners of the subject site to request that the application for "change of plan" scheduled to go before the Council be withdrawn.

It was proposed that a meeting be held in the immediate future.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN CLARK:
"That the subject of Item #25 of the Manager's report be referred back to the Planner for further consideration."

CARRIED UNANIMOUSLY

(26) Engineer's Special Estimates

The Municipal Engineer submitted a report covering special estimates of work in the total amount of \$5,534.00.

The Manager recommended that the estimates be approved as submitted.

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

CARRIED UNANIMOUSLY

(27) Proposed expansion of Bonsor Park and Community Plan No. 4 (Kingsway - Nelson Avenue)

The Manager reported that the Parks and Recreation Commission had passed a motion recommending that the subject Community Plan be amended to reflect the intention to expand Bonsor Park. The Manager reported that approval had been granted to a report of the Director of Planning concerning the development and expansion of this Park in three stages so that the Park would be increased from its 7.3-acre size to an ultimate park area of 14.3 acres with the acquisition of land as far East as Nelson Avenue.

The report pointed up the development and expansion needs based on growing population in the particular area. The development would include major facilities such as ice rinks, recreation centres and sports fields.

The Planner recommended that the Parks and Recreation Commission adopt the proposed expansion of Bonsor Park as set forth in the Park Acquisition Programme and recommended that the Council amend Community Plan No. 4 (Kingsway - Nelson Avenue) to reflect this proposal.

The Manager recommended that the Council direct the Planning Department to amend the subject Community Plan to reflect the proposed expansion of Bonsor Park.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:
"That the report be received and referred to the Advisory Planning Commission for consideration and report to the Council."

CARRIED UNANIMOUSLY

(28) Rezoning Reference #54/72

Proposed Conveyor - Kask Brothers Ready Mix Concrete Ltd.
Parcel "A", Blk. 2, D.L. 215, Plan 3082

Item 39 (Supplementary) Report No. 46, Meeting July 17, 1972

The Manager reported on the Council's deliberations on this subject on July 31, 1972, when the Company requested approval of construction of a conveyor to transport concrete aggregate from Burrard Inlet to the Company plant at 7501 Barnet Highway. Council agreed to grant the easement being sought by the Company and approved for further consideration the rezoning of the land involved to Heavy Industrial (M3) District.

The Manager attached the report of the Planning Department on the proposed rezoning for referral to a Public Hearing.

The Planner recommended against granting an industrial easement through Park property. However, should Council wish to proceed with the By-law, the following should be established as conditions of rezoning:

- (i) The establishment of a value of the lease.
- (ii) The establishment of maximum length of the lease at five years.
- (iii) The submission of a suitable plan of development for the conveyer.
- (iv) The deposit of sufficient monies to guarantee that the conveyer is built according to plan and without disturbance to the natural amenities of the property.
- (v) The submission of an undertaking that the conveyer will not involve industrial development on the waterfront.
- (vi) The costs of all surveys and documents being borne by the applicant.
- (vii) The deposit of sufficient monies to guarantee the removal of the conveyer at the end of the lease date.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DRUMMOND:
"That the report be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DRUMMOND:
"That the proposed rezoning under Reference RZ#54/72 go forward to a Public Hearing with the prerequisites as established by the Municipal Planner."

CARRIED UNANIMOUSLY

- (29) Letter - Mr. and Mrs. James Mercier
5526 Patrick Street
Mosquitoes

The Manager referred to a letter on the Agenda for this Council meeting from Mr. and Mrs. James Mercier concerning personal problems caused by mosquitoes.

The Manager reported that incidents of mosquito infestation are being documented by the Municipal Health Department and that Alderman Constable would report to Council on the matter at this meeting.

ALDERMAN CONSTABLE recapped previous actions of the Council submitting that on May 8th a presentation had been made by the S.P.E.C. organization urging a halt on the use of Malathion to control the mosquito problem. At that time the Council did not necessarily agree that the use of the chemical should be withdrawn.

On June 22nd a report was submitted by Alderman Constable which Council had passed. This allowed the continuation of the use of Malathion and suggested that ravines may be spot checked with hand spraying. The use of aerial spraying and or hand spraying would only be carried out on the basis of the incidence of complaints in a particular area. In this regard, the Council was not undertaking anything different from its actions in the past. It was submitted that there had been a worse infestation of mosquitoes during the past week. 118 complaints were registered from the whole of Burnaby. The employment of aerial spraying could not be recommended notwithstanding the worsening of the infestation and the complaints received. Health Department personnel have been spot checking to locate the worst areas and it was suggested that the use of Malathion would not be as bad as the nuisances from mosquitoes in some areas.

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The worst areas seem to be located in the Sullivan Heights subdivision, 82 enquiries had been received from this area asking for some form of control. On the other hand, a petition representing 22 ratepayers had been received protesting any spraying.

A programme of larviciding was going on on the Big Bend area including the Trapp Road area. Furthermore, some experiments were proceeding in the area of Warner Loat Park and these experiments would be the subject of a report later on.

Alderman Constable recommended that aerial spraying be withheld at the moment and that there be a waiting period to allow time for further developments one way or the other.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CONSTABLE:
"That Mr. and Mrs. Mercier be advised that the spraying operations for the control of mosquitoes is the same during the current season as it has been in previous years."

CARRIED UNANIMOUSLY

(30) Special Care Home
New Vista Society
RZ#41/72 - District Lot 30

The Manager submitted a report of the Planner relative to the rezoning of a site for a special care home from RMI to CD zoning by the New Vista Society advising that a suitable plan of development had been presented by the applicant and it was recommended that a Public Hearing be scheduled by Council in two weeks' time, subject to clarification and resolution of any pertinent details affecting this project.

The Manager recommended that the report of the Planning Director be adopted.

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

CARRIED UNANIMOUSLY

(31) Unightly Premises and Poultry on Residential Property
(Item #25, Report No. 46, Meeting July 17, 1972)

The Manager referred to a letter received by Council from Mr. and Mrs. Furlani complaining about the condition of a neighbour's property (Mr. G. Jones) contending that he was in contravention of the Unightly Premises By-law and also was in violation of the By-law prohibiting the keeping of poultry in a residential zone.

The Medical Health Officer submitted a chronology of action taken with regard to this complaint beginning in October 1963 when a summons was issued to Mr. Jones and he was fined by the Police Court Magistrate, until October 1971 when the property was cleared to the requirements of the Burnaby Unightly Premises By-law.

Further complaints were received on July 11, 1972, following subdivision of the Furlani property and the erection of a fence between the Jones and Furlani property. The latest complaint was regarding unsightliness, the keeping of poultry and an obscene picture in the Kitchen window of 6565 - 12th Avenue, facing the Furlani dwelling. Inspection on this complaint reveals that the Jones property does not contravene the Unightly Premises By-law and it was stated that the fence erected by Mr. and Mrs. Furlani did not enhance the quality of the Jones' property.

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As far as the poultry complaint was concerned, it was submitted that poultry had been maintained on the property for many years and it was considered necessary to receive a legal opinion from the Municipal Solicitor as to whether the keeping of poultry on this property was a legal non-conforming use.

The Medical Officer recommended:

- (i) We do not consider that there is a contravention of the Unsightly Premises By-law at this time. We are prepared, however, to make periodic inspections to ascertain the condition of the property.
- (ii) (a) That action regarding the keeping of poultry on this property be deferred until the Solicitor has advised of the legal aspects of zoning.

(b) That the Health Department carry out very early morning inspections to ascertain the extent of noise made by the rooster crowing.
- (iii) We would recommend that the subject of the picture in the window be referred to the Municipal Solicitor.

The Manager recommended that the recommendations of the Medical Health Officer be adopted.

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

CARRIED UNANIMOUSLY

(32) Community Plan Area #6 - Kingsway/Edmonds Apartment Study Area "O"

The Manager forwarded a report of the Municipal Planner on the above subject designed to revise the Apartment Study, Area "O" and Community Plan Area #6. The specific amending proposals submitted by the Planner involve land between Acorn Avenue and Salisbury Avenue and it was submitted that, rather than develop this area as an RM5 designation, it would be appropriate to alter the development to a blend of apartment and appropriate commercial uses to complement the commercial development on the opposite side of Kingsway (Middlegate Shopping Centre) and to further add to the developing institutional area to the East. It was submitted that the fully developed recreation/amenity level serving a high-rise residential tower would not be inappropriate to the situation.

It was recommended that overall densities for these sites be based on a composite of RM5 and C3 floor area ratio.

The Planner also reported on the block of land lying to the South-East quadrant on the Kingsway/Edmonds section. This area was already serviced by a supermarket and a number of modest single family dwellings in fair to poor condition and a small commercial building. The block would seem to be a logical extension of the present Apartment Study and Community Plan for the area and it was the Department's recommendation that the block be designated for medium density RM4 Apartment Development and Commercial (CD) uses.

In conjunction with this proposal, it was recommended that improvements to the design and facilities of the transit bus loop be arranged as an adjunct to the adjacent institutional facilities now nearing completion. Improvements to the intersection of Britton Street with the South side of Kingsway were included in the amending proposal as well.

Finally, in order to simplify the internal road pattern in the Community Plan and improve approaches to certain internal high density apartment sites, and further, to permit the preservation of a good stand of evergreens in the Beresford road allowance which can consequently be incorporated into the public park, it was proposed to make a minor amendment to the Greenford Avenue cul-de-sac, linking it to Salisbury Avenue, rather than to Griffiths.

The Planner recommended that the amendments outlined in his report and illustrated on accompanying revised site plans "B", "C" and "D" be adopted as amendments to the 1969 Revised Apartment Study, Area "O", and Community Plan No. 6, Subdivision Plan and Conceptual Plan, respectively.

The Manager recommended that the recommendations of the Director of Planning as contained within his report be adopted.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:

"That the report of the Planner on revisions to Community Plan Area No. 6 - Kingsway/Edmonds Apartment Study Area "O" be referred to the Advisory Planning Commission for study and comment to the Council."

CARRIED UNANIMOUSLY

(33) Public Bodies Information Act

The Manager submitted for the information of Council a copy of statements prepared in compliance with the Public Bodies Information Act. The statements were for the financial year ended December 31st, 1971.

The Manager submitted that in 1962 the Council established a price of \$1.00 per copy for the public purchase of this document and submitted that unless otherwise directed the practice of charging the public \$1.00 per copy would be continued.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN CONSTABLE:
"That the report be received."

CARRIED UNANIMOUSLY

(34) Extension of Completion Date Contract No. 18, 1972
Storm Drainage - Gosal Bros. Contracting Limited

The Manager reported that the completion date for this Contract had been extended from June 30, 1972, to August 19, 1972.

The Contractors were now asking for a further extension because of the effect of the municipal strike and the fact that in order to keep his crews working during the strike, it was found necessary to work on another commitment outside of Burnaby. As a result, the work on Contract #18, 1972 was not initiated until July 10, 1972. The Contractor was requesting an extension to September 10, 1972. The Engineer recommended that the completion date for Contract #18, 1972 be extended to September 10, 1972, without implementation of the \$100.00 per day liquidated damages clause contained therein.

The Manager recommended that the completion date of the subject contract be extended to September 10, 1972 without implementation of the \$100.00 per day liquidation damages and subject to the extension of the Performance Bond.

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

CARRIED UNANIMOUSLY

(35) Floyd-Harris Arenas Limited

The Manager submitted a report on a letter from this firm which appeared on the Agenda for this meeting. The letter asked three questions:

- (i) Would Burnaby please state what the tax assessment of the 7.75-acre property will be when developed?
- (ii) Are there any intentions of the Municipality of building any other arena rink within the close vicinity of the Centre? This information is required for the Mortgage Company.
- (iii) A request was made for consideration to be allowed the four rinks development in the form of a two-year tax relief to help get the rinks operational.

The Manager advised that in response to the first question, a tax assessment of \$21,500.00 at the 1972 mill rates for Stage I of the development would be imposed, and a further \$475.00 would follow when Stage No. II was completed.

The second; the developer realizes that the Municipal Rink is located very near his proposed development. Recently, Council and the Parks Commission approved the construction of a rink at Kensington rather than an expansion of the existing rink.

Thirdly, Council has no power to grant tax relief to private enterprise.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LAWSON:
"That the Parks and Recreation Commission be asked to consider whether or not an arrangement might be entered into with the Four Rinks project to purchase ice time for public use similar to the arrangement entered into with other ice facilities in the municipality."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

* * *

BY - LAWS

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:

"That:

- "BURNABY LOAN AUTHORIZATION BY-LAW NO. 2, 1972" (#6135)
- "BURNABY CAPITAL EXPENDITURE PROGRAMME BY-LAW 1972" (#6148)
- "BURNABY SECURITY-ISSUING BY-LAW NO. 5, 1972" (#6149)
- "BURNABY ROAD CLOSING BY-LAW NO. 9, 1972" (#6147)

be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-laws."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LAWSON:

"That:

- "BURNABY LOAN AUTHORIZATION BY-LAW NO. 2, 1972"
- "BURNABY CAPITAL EXPENDITURE PROGRAMME BY-LAW 1972"
- "BURNABY SECURITY-ISSUING BY-LAW NO. 5, 1972"
- "BURNABY ROAD CLOSING BY-LAW NO. 9, 1972"

be now read three times."

CARRIED UNANIMOUSLY

* * *

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:

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

- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1972" (#6132)
- "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1972" (#6098)

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1972" provides for the following proposed rezoning:

Reference RZ#81/71

FROM RESIDENTIAL DISTRICT FIVE (R5) TO COMPREHENSIVE DEVELOPMENT (CD)
(The area between Spratt Street and a point approx. 100 ft. North of Hardwick Street from a point 132 feet East of Ardingley Avenue Easterly a distance of 462 feet) - Proposed Ice Arena

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1972"
provides for the following rezoning:

Reference RZ#10/72

FROM RESIDENTIAL DISTRICT FIVE (R5) TO PARKING DISTRICT (P8)
AND SERVICE COMMERCIAL DISTRICT

7864 - 18th Avenue, 7865 - 17th Avenue, 7874 - 18th Avenue and
7439 - 6th Street

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

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:
"That the Committee now rise and report the By-laws complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:
"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 40, 1972"
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1972"

be now read three times."

CARRIED UNANIMOUSLY

* * *

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1972" (#6094)
provides for the following rezoning proposal:

Reference RZ#18/72

FROM RESIDENTIAL DISTRICT FOUR (R4) TO NEIGHBOURHOOD INSTITUTIONAL
DISTRICT (P1) -- 4848 Willingdon Avenue

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

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 30, 1972" (#6097)
provides for the following rezoning proposal:

Reference RZ#2/72

FROM RESIDENTIAL DISTRICT FIVE (R5) TO COMMUNITY INSTITUTIONAL
DISTRICT (P5) -- 5090 Victory Street

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK:
"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1972" (#6094)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 30, 1972" (#6097)

"BURNABY STREET AND TRAFFIC BY-LAW AMENDMENT BY-LAW
NO. 3, 1972" (#6134)

"BURNABY COUNCIL INDEMNITY BY-LAW 1972" (#6133)

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

CARRIED UNANIMOUSLY

August/14/1972

THE MAYOR DECLARED A RECESS AT 8:45 P.M.

THE COUNCIL RECONVENED AT 9 P.M. AS COMMITTEE OF THE WHOLE "IN CAMERA".

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LAWSON:

"That leave of absence be granted to Aldermen Blair, Dowding, and
His Worship the Mayor."

CARRIED UNANIMOUSLY

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