

OCTOBER 16, 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, October 16, 1972 at 7:00 p.m.

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

ABSENT:            Mayor R. W. Prittie;

STAFF PRESENT:    Mr. M. J. Shelley - Municipal Manager;  
                     Mr. J. H. Shaw - Municipal Clerk;  
                     Mr. E.A.J. Ward - Deputy Municipal Clerk;  
                     Mr. A. L. Parr - Planning Director;  
                     Mr. E. Olson - Municipal Engineer;  
                     Mr. J. Plesha - Administrative Assistant;

Acting Mayor Constable stated that Mayor Prittie had been discharged from the Vancouver General Hospital this morning and would be convalescing at home for two or three weeks.

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ORIGINAL COMMUNICATIONS

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

CARRIED UNANIMOUSLY

Mr. E. E. Peever, President, Burnaby Family Y.M.C.A., wrote to express appreciation for a grant in the amount of \$5,000.00 that Council made to the Association to assist in off-setting its capital fund deficit.

Mr. George H. Ashley, Executive Director, Big Brothers of British Columbia, submitted a letter expressing appreciation for a grant in the amount of \$6,000.00 that Council made to the Organization to help support the services it provides in Burnaby.

Mr. Don Jamieson, President, The Burnaby Striders Athletic Club, submitted a letter expressing appreciation for a grant Council made to the Club to support it in pursuing its activities.

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Mr. J. Juzkow, Chairman, Management Committee, Burnaby Association for the Mentally Retarded, wrote to invite the members of Council to attend the Official Opening of the Burnaby Activity Workshop on October 21st at 2:00 p.m.

Mr. Narayan P. Chaube submitted a letter:

- (a) expressing appreciation for the completion of improvements to the portion of Moscrop Street between Willingdon Avenue and Royal Oak Avenue;
- (b) suggesting that this part of Moscrop Street either be named in commemoration for the two youngsters who were killed in traffic accidents on the Street or that a suitable memorial be built in their names.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN CLARK:

"That Mr. Chaube be informed that Council is not prepared to change the name of the Street concerned because Moscrop Street is a part of a major road network traversing the Municipality and to change a portion of it to some other name would only cause confusion to those using the street or attempting to locate someone residing on it."

CARRIED UNANIMOUSLY

Mr. R. S. Macdonell, Manager, New Westminster Chamber of Commerce, submitted a letter on behalf of the Non-participant Housing Committee of the Canada Summer Games Society in which he enquired as to whether the municipality will be relaxing any of its By-laws in order to allow for the accommodation of many people who are expected to be attending the 1973 Canada Summer Games.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That action on the subject of the letter from Mr. Macdonell be deferred until consideration of Item 18 of the Municipal Manager's Report No. 66, 1972 later in the evening."

CARRIED UNANIMOUSLY

Mr. Royce W. Warren wrote to request that a study be made of social problems resulting from the growth of Burnaby and that, until this study is completed, a "freeze" be placed on all uncompleted multiple family dwellings.

Mr. John Gannon, Manager, Model Gardeners Ltd., wrote to suggest that a Trade Licence should not have been issued to Mrs. B. Moore, under the trade name of Model Gardeners, to operate a landscaping business because this is the same name as his Company.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN CLARK:

"That Items 12 and 17 of the Municipal Manager's Report No. 66, 1972, which deal with the subjects of the letters from Mr. Warren and Mr. Gannon, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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The following is the substance of those reports from the Manager:

- (12)(a) Civic growth (Warren)  
(b) Trades Licence (Model Gardeners)

It was recommended that action on the subjects of the letters from the above persons be deferred because staff has not had sufficient time to submit reports on the matters.

(17) Trades Licence - Model Gardeners

Some time ago, Mr. Gannon bought a landscaping business from Mr. Russell Moore who had been using the trade name of Model Gardeners. This was apparently an unregistered trade name which was subsequently registered by Mr. Gannon. All licences, except those which are issued to legally incorporated companies, are in the name of individuals.

Some time later Mrs. Moore appeared for a licence as a landscape gardener and used the same trade name. She was warned at the time that there was another company using this name and that the name was now incorporated through the Registrar of Companies. Mrs. Moore applied for a licence under the trade name "Model Gardeners" and, because there were no reasons to suggest that she did not qualify for a licence, one was issued in her name on October 3, 1972.

The Licence Department is not a Branch of Government concerned with the registration of Company names and this is not sufficient reason for the Department to refuse or revoke a licence.

Mr. Gannon was informed that his complaint was a civil matter and that he should consider initiating legal action that would be necessary to obtain the protection provided for under the registration of his Company's trade name.

It was recommended that Mr. Gannon be reformed that the Licence Department does not have the authority or jurisdiction to arbitrate the alleged infringement described in his letter and that he should consult a lawyer since the remedy sought is a matter of civil concern.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DOWDING:  
"That the recommendation under Item 12 of the Manager's Report, as it pertains to the letter from Mr. Warren, be adopted."

CARRIED

AGAINST -- ALDERMAN LADNER

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LADNER:  
"That the recommendation in Item 17 of the Manager's Report be adopted."

CARRIED UNANIMOUSLY

Mr. R. T. DuMoulin, Q.C., submitted a letter enclosing a submission relative to the effect rezoning of land in the Big Bend Area would have on properties owned by his clients (four property owners there) and requesting that a decision on the matter be deferred until the Planning Department has had an opportunity to submit a report on the situation.

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MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That the subject of the letter from Mr. DuMoulin; Burnaby Zoning By-law 1965, Amendment By-law Nos. 52, 1971, 39, 1972 and 53, 1972, and the motion advanced by Alderman Ladner at the last meeting of Council regarding the depreciation in land values resulting from rezoning, all be tabled until the October 23rd meeting."

CARRIED UNANIMOUSLY

Mr. H. Harnett, Secretary-Treasurer, Fraser Valley Mosquito Control Board, submitted a circular letter advising that the fall meeting of the Board will be held in the Recreation Centre in Mission on October 26, 1972 commencing at 8:00 p.m.

Mr. James G. Lorimer, Minister of Municipal Affairs, wrote to advise that he will re-examine a resolution of Council concerning vehicle parking in apartment areas when preparing legislation for the Spring Session of the Legislature.

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TABLED ITEMS

The following matter was then lifted from the table:

Ratification of Engineer's action regarding Contract No. 16, 1972 (Asphaltic Concrete Supply)

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:

"That Item 15 of Report No. 66, 1972, which deals with the above subject, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

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

(15) Asphaltic Concrete Supply Contract No. 16, 1972

The report Council considered on October 2nd regarding the above matter was prepared in an attempt to clarify a situation which had not been properly reported by the Engineer or the Manager when the Contract was recommended to be awarded to J. Cowe Ltd. at the Council Meeting on May 1, 1972. The report on October 2nd was not clearly presented in that the subject was not adequately covered.

The facts of the matter are as follows:

- (a) The municipality has a Local Improvement Contract and an Asphalt Supply Contract. The asphalt in the former is associated with concrete works whereas the asphalt for the latter is for overlays of existing streets and for patching material.
- (b) Contract No. 16 was a supply type of contract, which was split between J. Cowe Limited (who was to supply and lay asphalt for overlays) and Standard General Construction (who was to supply asphalt to be picked-up with municipal trucks and used for street patching purposes).

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- (c) Up to, but not including 1971, the municipality did not specify the streets to be overlayed in the supply contract. This was done in the Local Improvement Contract.
- (d) In 1971, the quantities estimated for the supply contract allowed for materials expected to be used on the streets named plus an allowance for unspecified streets which were anticipated would be done during the year.
- (e) The 1971 supply contract, which was awarded to Columbia Bitulithic Company, specified that Willingdon Avenue from Moscrop Street to Grange Street, Boundary Road from Laurel Street to Moscrop Street and Cariboo Road, would be part of the contract. For engineering reasons, as noted in a letter from the Engineer dated October 13, 1972, the streets were not done prior to the normal completion date of the Contract (April 30, 1972). Around the beginning of April, 1972, there was hope that at least one of these streets could be overlaid prior to the completion date. The Engineer, rightly or wrongly so, therefore did not carry the work forward and include it in the 1972 supply contract, which was in the process of being drafted and which was scheduled to close on April 26, 1972. On April 13, 1972, Columbia Bitulithic Company requested an extension to May 30, 1972 for its 1971 supply contract so that the Company could complete the above three projects. On April 19, 1972, tenders for the 1972 Local Improvement Contract were opened and it would seem that the prices were considerably lower than what were experienced in 1971. The Engineer therefore anticipated that it would not be prudent to recommend an extension to the 1971 Contract with Columbia Bitulithic Company. The matter was discussed with the Engineer and it was agreed that the municipality could not have the best of both worlds; in other words, if the municipality had good reason to believe prices would be lower for the 1972 Supply Contract, the 1971 contractor (Columbia Bitulithic Company) would need to be advised that the Manager could not recommend an extension of the contract with the Company prior to the April 26th tender closing date. It was not considered proper to recommend an extension to the 1971 Supply Contract so as to hold the contractor to his 1971 prices and then not give him the remaining three overlays if better prices were received for the 1972 works. Columbia Bitulithic was advised on April 25th prior to the submission of the Company's tender for the 1972 Supply Contract that an extension would not be recommended. At that time, it was too late to amend the scope of works for the 1972 Contract. An administrative error was made by the Engineer and the Manager by not including in the report to Council on May 1, 1972 a recommendation that the three remaining overlays also be included as part of the 1972 Supply Contract. The works in question were subsequently completed by the 1972 contractor at the rates under Supply Contract No. 16, 1972, at the specific direction of the Engineer, on July 19, 1972.

In the opinion of the Manager, there is no impropriety of any kind in the case at hand. It was a pure and simple oversight that specific reference was not made to the three streets mentioned above in the report to Council on May 1, 1972. The situation was recalled by

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the Manager on September 26, 1972 when a copy of a letter from the Engineer to Jack Cewe Limited was received. This letter authorized the Company to do certain extra lane paving and miscellaneous work which was also referred to in the report to Council on October 2, 1972. In discussing with the Engineer whether or not it would be prudent to have such extra work also approved by Council before being added to the Contract, it was realized that Council had not been informed of the three overlays.

As for miscellaneous paving jobs, the Engineer should have authority to do minor paving works under a contract, at his discretion, up to a provision<sup>al</sup> cost placed in the Supply Contract, such sum to be approved by Council. This is basically what he has been doing when adding minor works from time to time but Council has not been made aware of how much allowance was included in the 1972 Supply Contract for this purpose. When Council awards future supply contracts, it will be made clear what allowance is provided for miscellaneous unspecified work so Council knows the discretion that is being given to the Engineer.

Hopefully, there will be no confusion or misunderstanding as to the exact authority of the Engineer.

*Alderman Drummond stressed that Council should realize, when awarding contracts of the type mentioned in the report of the Manager, that the amount of the tender may not necessarily be the value of works that are performed pursuant to the contract. He added that when a Company is prevented from performing a contract, through no fault of its own, it is not fair to remove some of the items in the contract even though a new contract may contain more favourable prices. He pointed out that if the opposite situation occurred, the same course of action would certainly not be taken.*

*Alderman Drummond asked how many times oversights occurred in administering contracts of the sort mentioned by the Manager. He also remarked that the sum of \$42,700.00 could not be considered a minor addition or deletion to a contract.*

*Alderman Clark stated that he wished to concur with the comments of Alderman Drummond and that he too strongly disapproved of the actions which have been taken by the Municipal Engineer in connection with the subject under discussion.*

*Alderman Drummond expressed remarks about situations relating to road and sidewalk works that he had drawn to the attention of the Municipal Manager and suggested that the action taken by the Manager was not necessarily the correct one.*

*Alderman Drummond also pointed out the differences in the tendered amounts for Local Improvement Paving Contracts in the years 1970 to 1972 inclusive and the value of the actual works done.*

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:

"That Council confirm its October 2nd decision to ratify the action of the Municipal Engineer in removing three items from a Contract with Columbia Bitulithic Company for the supply and application of asphaltic concrete and placing them in a new contract with Jack Cewe Ltd."

CARRIED

AGAINST -- ALDERMEN DRUMMOND AND  
CLARK

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### ENQUIRIES

When Alderman Clark enquired as to what progress was being made in efforts to have the railway companies not use its lines where they cross important roadways, during rush hours, the Municipal Engineer stated that his Department could possibly produce some information on the matter within two weeks. The Planning Director indicated that he did not know how long it would take his Department to prepare and submit a report on the matter.

Alderman Blair suggested that Council should revive the matter of connecting the Stormont Interchange of the Freeway via Newcombe Street with McBride Boulevard.

Municipal Manager stated that this proposal was included in the Position Paper which was being presented to the Provincial Government in regard to the question of City Status.

Alderman Ladner suggested that, if consideration was to be given Alderman Blair's proposal, then the question of extending Edmonds Street Eastward to connect to Newcombe Street should be included in that consideration because it is part of the same basic Major Road Network.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN BLAIR:

"That a report be submitted to Council indicating the current status of the situations involving:

- (a) a proposed connection of the Stormont Interchange of the Freeway via Newcombe Street with McBride Boulevard.
- (b) A planned Eastward extension of Edmonds Street to connect with the Stormont - Newcombe - McBride route."

CARRIED UNANIMOUSLY

Alderman Dailly drew attention to an incident which occurred last week whereby fine sand, allegedly from the Shellburn Operations, fell over a part of North Burnaby.

Municipal Manager stated that he had received a copy of a letter written to the Medical Health Officer by Mr. Fisher of Shellburn indicating that the Shell Oil Company would be removing the sand. He added that Shellburn had not advised why the upset occurred.

The Manager was directed to submit a comprehensive report on the matter mentioned by Alderman Dailly, including the extent of the dust fallout.

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R E P O R T S

MUNICIPAL CLERK submitted a Certificate of Sufficiency covering the Local Improvement Ornamental Street Lighting Programme for the Simon Fraser Hills Area East from Eastlake Drive on Centaurus Drive and Centaurus Circle to Beaverbrook Drive and North from Beaverbrook Drive on Beaverbrook Crescent a distance of approximately 1,100 feet.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DAILLY:  
"That the Clerk's Certificate be received and a By-law be prepared to authorize the work covered by the Certificate."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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MUNICIPAL MANAGER submitted Report No. 66, 1972 on the matters listed below as Items (1) to (19), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Monthly Report of R.C.M.P.

A report of the R.C.M.P. covering the policing of the municipality during the month of September, 1972 was being submitted herewith.

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

CARRIED UNANIMOUSLY

(2) Monthly Report of Canada Summer Games Society

A report of the 1973 Canada Summer Games Society outlining its activities up to October 5, 1972 was being submitted herewith.

*Alderman Lawson stated that:*

- (a) *The water lilies which were dredged from Burnaby Lake are growing back.*



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(b) *The sides of the channel that was cleared are sloughing and silt is entering the Lake from Still Creek.*

*She enquired as to what method would be employed to control the situation.*

*Municipal Manager indicated that the Parks and Recreation Administrator has the matter under advisement and that soundings have been taken in the Lake to ascertain the exact situation.*

*The Manager was directed to provide Council with a report indicating the steps that would be taken to rectify the situation mentioned by Alderman Lawson.*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:  
"That Item 2 of the Manager's Report be received."

CARRIED UNANIMOUSLY

(3) Lane Between Denbigh and Elgin Avenues from Oakland Street South to the South Property Line of Lot 5, S.D. "A", Block 4, D.L. 94, Plan 10673

The following is a cost report prepared by the Municipal Treasurer pursuant to Section 601 of the Municipal Act covering the construction and paving of the above lane as a Local Improvement:

Length of work	425 feet
Estimated cost of work	\$3,400.00
Actual frontage	595.32 feet
Taxable frontage	589.32 feet
Owner's share of the cost of the work	\$589.32
Estimated lifetime of the work	10 years
Frontage tax levy	5 installments of \$2.57 per taxable front foot

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The Municipal Engineer has already advised Jack Cewe Limited, in writing, that the paving only of the lane should be added to Asphaltic Concrete Supply Contract No. 16, 1972. This paving should cost approximately \$750.00. The balance of the work, which involves reconstruction of the lane, will be done by municipal forces as is the practice.

It was recommended that:

- (a) the cost report be received and a by-law be prepared to authorize the construction of the work.
- (b) the decision of the Municipal Engineer to add the paving of the lane to Asphaltic Concrete Supply Contract No. 16, 1972 be ratified.

- (4) Lane North of and Parallel to 14th Avenue, East from 13th Street to the E.P.L. of Lot 20, Block 2, D.L. 29, Plan 3035

The following is a cost report prepared by the Municipal Treasurer pursuant to Section 601 of the Municipal Act covering the construction and paving of the above lane as a Local Improvement:

Length of work	430 feet
Estimated cost of work	\$ 5,000.00
Actual frontage	554.40 feet
Taxable frontage	554.40 feet
Owner's share of the cost of the work	\$ 554.40
Estimated lifetime of the work	10 years
Frontage tax levy	5 installments of \$.257 per taxable front foot

The Engineer wishes authority to add the paving of the lane to Asphaltic Concrete Supply Contract #16, 1972. The estimated cost of this paving is \$750.00, and the balance of the work will be done by municipal forces.

It was recommended that:

- (a) the cost report be received and a by-law be prepared to authorize the work.
- (b) the paving only of the lane be added to Asphaltic Concrete Supply Contract No. 16, 1972.

- (5) Lane Between Hardwick Street and Woodsworth Street from Douglas Road to Godwin Avenue

The following is a cost report prepared by the Municipal Treasurer pursuant to Section 601 of the Municipal Act covering the construction and paving of the above lane as a Local Improvement:

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Length of work	750	feet
Estimated cost of work	\$ 2,700.00	
Actual frontage	1,409.00	feet
Taxable frontage	1,386.00	feet
Owner's share of the cost of the work	\$ 1,386.00	
Estimated lifetime of the work	10	years
Frontage tax levy	5 installments of \$.257	per taxable front foot

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN DAILLY:

"That the recommendations of the Manager covering the above three items be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN CLARK::

"That the Municipal Manager submit a report to Council indicating the value of paving work he feels the Municipal Engineer should be allowed to approve without seeking the concurrence of Council."

CARRIED UNANIMOUSLY

(6) Monthly Report of Building Department

A report of the Chief Building Inspector covering the operations of his Department from September 11 to October 6, 1972 was being submitted herewith.

MOVED BY ALDERMAN DAILLY, SECONDED BY ALDERMAN LADNER:

"That the report be received."

CARRIED UNANIMOUSLY

(7) 7600 and 7700 Blocks McGregor Avenue (Jackson)

The owners of properties at 7707/09/11/13/15/17/19/21 Royal Oak Avenue have planted evergreens along the easterly and southerly boundary lines of their properties. A strip of blacktop approximately 160 feet long and 4 feet wide was removed to accommodate this plant material.

The Manager of the Safeway Store at 7641 Royal Oak Avenue has promised to complete construction of a chain link fence in the near future.

In addition to the foregoing, the two retail proprietors frequently employ a mechanical sweeper to remove litter from the blacktopped parking areas of their properties.

The refuse at the Bits and Pieces Store at 7711/13 Royal Oak Avenue is now stored and disposed of in a satisfactory manner.

It was recommended that a copy of the foregoing report be sent to the person who complained to Council on March 20th about the littering problem in the area, Miss E. Jackson.

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

CARRIED UNANIMOUSLY

(8) Remembrance Day

Since Remembrance Day (November 11, 1972) falls on a Saturday this year, it was recommended that the Municipal Hall and Court Offices be closed on November 13, 1972 in lieu, and that all employees covered by the C.U.R. Agreement, Fire Department non-operational employees, and all Municipal exempt staff receive this day as one of the 10 guaranteed statutory holidays.

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

CARRIED UNANIMOUSLY

(9) Lougheed Mall Pedestrian Underpass  
(Mutual Construction Limited)

It was recommended that Council authorize an extension of the completion date on the above contract to December 15, 1972 without implementation of the \$100.00 per day liquidated damages clause therein, and that the performance bond relating to the contract be extended for the same period of time.

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

CARRIED UNANIMOUSLY

(10) Estimates

It was recommended that the Municipal Engineer's Special Estimates of Work in the total amount of \$34,400.00 be approved.

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

CARRIED UNANIMOUSLY

(11) R.C.M.P. Communications Control Centre

It was recommended that Council accept the tender of Technical Products Engineering Company in the amount of \$43,947.00 for the equipment required to upgrade the Communications Control Centre in the R.C.M.P. office, plus \$1,500.00 for installing the equipment.

It was also recommended that Council authorize the allocation of an additional appropriation amounting to \$8,847.00 from general revenue funds for capital purposes in the 1972 recast budget to cover the total cost of the proposal.

*It was drawn to the attention of Council that the amounts in the recommendations of the Manager should be increased from \$43,947.00 to \$44,947.00 and \$8,847.00 to \$9,847.00.*

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MOVED BY ALDERMAN DOWDING, SECONDED BY ALDERMAN CLARK:

"That the recommendation of the Manager be changed to reflect the increases just mentioned and then be adopted."

CARRIED UNANIMOUSLY

- (12) (a) Civic growth (Warren)
- (b) Trades Licence (Model Gardeners)

(These items were dealt with previously in the meeting)

(13) Proposed Warehouse Sales Facility Regulations

It was recommended that the proposed amendment to the Zoning By-Law pertaining to warehouse sales facility regulations, which was the subject of a recent report from the Planning Department, be advanced to a Public Hearing on October 30, 1972 at 6:45 P.M.

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager be adopted, on the understanding that Council still expects the Advisory Planning Commission, to whom the proposals mentioned in the report from the Manager have been referred, will still offer its opinion on the matter."

CARRIED UNANIMOUSLY

- (14) Trades Licence - Johnson and Franklin  
Wholesale Distributors Limited

The above Company has again been convicted, and fined \$3,500.00, for the distribution of pornographic literature.

Further charges under the Criminal Code are pending and the case is to be heard in Burnaby Court on October 16, 1972, although it is understood the case will be adjourned.

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It was recommended that the Company be summoned to appear before Council to show just cause why its trades licence should not be revoked, irrespective of the outcome of the trial that is scheduled to be heard on October 16, 1972.

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

CARRIED UNANIMOUSLY

(15) Asphaltic Concrete Supply Contract No. 16, 1972

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

(16) Janitorial and Watchman Services - Municipal Hall and Justice Building

It was recommended that:

- (a) The tender of Smithrite Building Maintenance Ltd. in the amount of \$5,003.00 per month for the provision of janitorial services at the Municipal Hall and at the Justice Building be accepted.
- (b) Authority be granted to hire a Commissionaire for the Municipal Hall at an approximate cost of \$500.00 per month.

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

CARRIED UNANIMOUSLY

(17) Trades Licence - Model Gardeners

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

(18) Accommodation for Visitors to 1973 Canada Summer Games

The Zoning By-law allows for the keeping of up to 2 boarders or lodgers in each dwelling unit. This regulation applies in all residential districts.

The Zoning By-law restricts the use of trailers to motel or auto court sites at a ratio of one trailer for each motel or auto court unit. Otherwise, trailers are not presently permitted for living purposes, although the proposed Mobile Home Park District will make provision for the development of permanent mobile home subdivisions.

The Planning Department is opposed to any relaxation of existing standards in regard to the accommodation of people.

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The Chief Building Inspector and Chief Public Health Inspector agree with the Planning Department.

It was recommended that:

- (a) No amendments be made to the Zoning By-law that would satisfy the request of the Non-participant Housing Committee of the Canada Summer Games Society.
- (b) The representative of the Committee, Mr. R. S. Macdonell, be invited to confer with the Planning Department on any further matters pertaining to the accommodation of visitors who are expected to attend the 1973 Canada Summer Games.
- (c) A copy of the report at hand be sent to Mr. Macdonell, the City Administrator for New Westminster, the Canada Summer Games Society and the Burnaby Chamber of Commerce.

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

CARRIED UNANIMOUSLY

(19) Sign By-law (Neon Products Limited)

Mr. J. G. Hartree, Manager, Lease and Property Department, Neon Products Limited, has written to ask that the passage of the Sign By-law be delayed until representatives of the Illuminated Sign Manufacturers Association of B. C. have had an opportunity to peruse the By-law.

It has never been the understanding of the Planning Department that further consultation with the representatives mentioned would be held before the By-law was finalized inasmuch as several discussions and meetings have already been held with not just ISMA but Neon Products of Canada Ltd., Community Planning Association of Canada, Citizens' Council on Civic Development and the B. C. Petroleum Association. Many of the suggestions advanced by these Organizations have been incorporated into the By-law. The Council has already received a summary of the comments from these groups (January 13, 1972 and October 4, 1972).

It is the opinion of the Planning Department that there has been ample consultation with all concerned groups and that sufficient time has elapsed since the first draft Sign By-law was prepared in May, 1971 to permit final consideration to be given the By-law now. Further delay will merely extend the period within which undesirable sign structures can be erected. There is nothing to prevent the later amendment of the By-law if any problems arise from the implementation of its regulations.

In view of the foregoing, it was recommended that Council proceed with Final Adoption of the By-law.

*Mr. D. R. Armitage, General Manager, Sign-o-Lite Plastics Limited, also wrote to ask that the Sign By-law be delayed.*

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MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That the letters from Neon Products Limited and Sign-o-Lite  
Plastics Limited, and the report of the Planning Department,  
dealing with the Sign By-law be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:  
"That Mr. Hartree be heard later in the evening when the Sign  
By-law is being considered."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DAILLY:  
"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

BY - LAWS

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That Burnaby Zoning By-law 1965, Amendment By-law No. 52, 1971,  
Burnaby Zoning By-law 1965, Amendment By-law No. 39, 1972 and  
Burnaby Zoning By-law 1965, Amendment By-law No. 53, 1972 be  
tabled until the October 23rd Meeting."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN CLARK:  
"That "Burnaby Local Improvement Construction By-law No. 16, 1972"  
#6161 be now introduced and that Council resolve itself into a  
Committee of the Whole to consider and report on the By-law."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.



Oct/16/1972

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:  
"That "Burnaby Local Improvement Construction By-law No. 16, 1972"  
be now read three times."

CARRIED UNANIMOUSLY

\* \* \* \*

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN LAWSON:  
"That the Council on now resolve itself into a Committee of the  
Whole to consider and report on "Burnaby Zoning By-law 1965,  
Amendment By-law No. 50, 1972" #6145 ."

CARRIED UNANIMOUSLY

This By-law provides for the following proposed rezoning:

Reference RZ #8/71

4225, 4249, 4271 and 4291 Marine Drive

FROM R2 TO CD

Mr. D. Pack, Mrs. V. Pack, Mr. and Mrs. P. Gibbons and Mrs. C. Nichols submitted letters expressing opposition to the development of apartments on land South of Imperial Street, including the property that is the subject of the above By-law.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DAILLY:  
"That Burnaby Zoning By-law 1965, Amendment By-law No. 50, 1972  
be abandoned."

CARRIED

AGAINST -- ALDERMEN LADNER AND  
CLARK

Acting Mayor Constable declared a Recess at 9:05 p.m.

The Council reconvened at 9:25 p.m.

Burnaby Sign By-law 1972 came forward for Reconsideration and  
Final Adoption.

Oct/16/1972

Mr. Hartree of Neon Products Limited was present and submitted a Brief on the subject of the By-law, which contained the following points:

- (a) There was a definite understanding between Neon Products Limited and other interested parties that the last draft of the proposed new Sign By-law would be made available for discussion with the Planning Department before it went to Council for final readings. This verbal agreement has apparently been overlooked by the Planning Department so Council was being asked to postpone final passage of the By-law until certain sections have been made more explicit. As an example, the Company cannot determine from the wording of Schedules (i) to (v) whether projecting signs will be allowed to project over public property. If they are so allowed, there appears to be no limit to the length of the projection. The Company is in favour of a more restrictive control of projecting signs and greater freedom with regard to fascia signs.
- (b) Consideration must be given to the problems of the various zones insofar as signs are concerned. However, a municipality the size of Burnaby, with its varied commercial and industrial developments, should not consider a sign by-law more restrictive than all surrounding municipalities. In these municipalities, the various types of signs are controlled under a system which relates the sign to the dimension of the development or store front in one way or another.
- (c) The proposed By-law attempts to relate the size of the sign to the building or land area. However, apart from the fact fascia sign areas are too limited for good store front design, the freestanding sign is not only too severely limited but the nature of control is very discriminatory. There also is no indication as to projection of freestanding signs over public property or otherwise.
- (d) All the above points were brought to the attention of the Planning Department but, apart from recommendations of Neon Products Limited regarding the wording of "animation", "flashing" and "revolving", the By-law appears to be exactly the same as the draft dated March, 1971.
- (e) There is absolutely no doubt that the proposed By-law will, if passed, result in a continuous series of time consuming appeals to Council or the Board of Variance.

*The Planning Director, Mr. A. L. Parr, stated emphatically that those represented by Mr. Hartree had been consulted on many occasions about the Sign By-law.*

Oct/16/1972

MOVED BY ALDERMAN LADNER, SECONDED BY ALDERMAN DOWDING:  
"That "Burnaby Sign By-law 1972" #6163 be now reconsidered and  
finally adopted, signed by the Mayor and Clerk and the Corporate  
Seal affixed thereto."

CARRIED UNANIMOUSLY

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Oct/16/1972

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

CARRIED UNANIMOUSLY