

JUNE 5, 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, June 5, 1972 at 7 p.m.

PRESENT: Alderman J. Dailly  
Alderman D. Lawson  
Alderman W. A. Blair  
Alderman W. R. Clark  
Alderman G. Dowding  
ABSENT: Mayor Prittie,  
Aldermen Ladner, Constable  
and Drummond;

STAFF PRESENT:  
Mr. M. J. Shelley, Municipal Manager  
Mr. J. H. Shaw, Municipal Clerk  
Mr. E. A. J. Ward, Deputy Mun. Clerk  
Mr. A. L. Parr, Director of Planning  
Mr. E. Olson, Municipal Engineer

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:  
"That Alderman Dailly be appointed as Acting Mayor for this meeting."

Carried Unanimously.

ORIGINAL COMMUNICATIONS

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

Carried Unanimously.

Mr. R. A. Hosegood, Secretary Manager, Society for the Prevention of Cruelty to Animals wrote to request permission to hold a Tag Day in the Municipality.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:  
"That permission be granted to the Society to conduct its campaign on October 27th and 28th, 1972."

Carried Unanimously.

Mrs. C. A. Moore submitted a letter asking that steps be taken to eliminate a dust problem resulting from vehicular traffic travelling on Esmond Avenue adjacent to the Vancouver Heights Reservoir Park Site, and using the parking lot at the park site.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:  
"That action on the request of Mrs. Moore be deferred until consideration of Item 3 of the Municipal Manager's Report No. 36, 1972 later in the evening."

Carried Unanimously.

Mr. Leslie E. Ballentine wrote to express opposition to a proposed redevelopment of land on the west side of Burnaby Mountain. Mr. Ballentine also asked a number of questions in regard to the proposal.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LAWSON:  
"That the letter from Mr. Ballentine be referred to the Planning Director for a reply to the questions."

Carried Unanimously.

Mr. H. Harnett, Secretary-Treasurer, Fraser Valley Mosquito Control Board, submitted a letter pertaining to a proposed revised formula for the assessment of members of the Board.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DOWDING:  
"That action on the submission from the Fraser Valley Mosquito Control Board be deferred until after Alderman Constable, who is Council's representative on the Board, submits a report following his meeting with the Board and the Chief Public Health Inspector for Burnaby in connection with the matter of malathion being used for mosquito control."

Carried Unanimously.

The Honorable W. D. Black, Minister of Highways submitted a letter indicating that his Department has concluded that 40 m.p.h. is the most suitable speed limit for the portion of Canada Way just west of Imperial Street to Kensington Avenue.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LAWSON:

"That the Minister of Highways be asked to reconsider his decision because the reasons advanced by Council some months ago in support of a reduction in the speed limit on Canada Way from 40 m.p.h. to 30 m.p.h. are still considered valid; and further, all those who made representations to Council in connection with the matter be sent a copy of the letter now at hand from the Minister of Highways."

Carried Unanimously.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN CLARK:

"That the Municipal Manager be asked to bring down a report on a procedure through which the preservation and conservation of streams might be accomplished."

Carried Unanimously.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN LAWSON:

"That the sum of \$2,000.00 be made available to the Parks and Recreation Commission from the Contingency Account for the preparation of a Horticultural display at the 1972 Pacific National Exhibition."

Carried,  
Alderman Blair against.

#### TABLED ITEMS

A Motion to adopt the recommendations contained in a report the Housing Committee submitted to Council on May 29th was lifted from the table.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DOWDING:

"That the matter be tabled until the June 12th Council meeting."

Carried Unanimously.

ALDERMAN DOWDING then served the following Notice of Motion:

WHEREAS the Rent Control Act being Chapter 338 of the Revised Statutes of British Columbia 1960 empowers certain Municipalities to make regulations with respect to establishing a rental board;

AND WHEREAS the Landlord and Tenant Act 1960 as amended provides for a rental grievance board but without binding authority to resolve important issues between parties to a dispute;

BE IT RESOLVED that the Union of British Columbia Municipalities request the Provincial Government to extend the provisions of the first-named Act to every municipal government;

AND BE IT FURTHER RESOLVED that the Landlord and Tenant Act be amended to permit wider discretionary powers to a grievance board in dealing equitably with disputes between landlords and tenants.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CLARK:

"That the Council now resolve itself into a Committee of the Whole."

Carried Unanimously.

MUNICIPAL MANAGER submitted Report No. 36, 1972 on the matters listed below as Items (1) to (4), either providing the information shown or recommending the courses of action indicated for the reasons given:

**(1) Shell Canada Limited Refinery.**

Shell Canada Limited has written to explain what occurred when there was an upset in its Fluid Catalytic Cracking Unit on May 23, 1972. In that regard, the Company has indicated that during the start-up of the Unit, a pressure imbalance resulted in the atmospheric discharge of oil soaked catalyst. The Company has added that the situation was corrected in less than two minutes and the unit returned to normal operation shortly thereafter.

Shell Canada Limited also has pointed out that, during the period in question, its wind recorder showed that wind was blowing at 5-8 m.p.h. from east to west and, under these circumstances, residents to the west of the refinery could have experienced an odour for a short period as a result of the upset. The Company has also mentioned that, coincidentally, a very similar odour was reported by persons residing to the east of the Refinery, which could not have originated at Shellburn because of the wind direction. The Company has concluded that it regrets having caused an annoyance and is ensuring that its procedures are being thoroughly reviewed in an attempt to eliminate a recurrence of such an incident."

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:  
"That the report of the Manager be received."  
Carried Unanimously.

**(2) Federal-Provincial Employment Loan Program.**

The Provincial Government has been contacted in regard to a story which appeared in the May 31st issue of the Vancouver Sun that another extension for completion of work under the Program has been granted by the Federal Government. It is intended to apply for extensions to all of the projects underway in Burnaby that were not completed by the deadline because of the strike.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN DOWDING:  
"That the report of the Manager be received."  
Carried Unanimously.

**(3) Esmond Avenue and Vancouver Heights Reservoir Site.**

The following was being submitted as a result of Council receiving a letter earlier in the evening from Mrs. C. A. Moore regarding dust at the above location. The Parks and Recreation Administrator advises that the area in question is being developed in stages. At the moment, the lot is a rough graded gravel area but the next stage includes a building and probably the paving of the lot. The Municipality will apply calcium chloride or oil to the lot as a maintenance item as soon as convenient following the termination of the strike.

As for the construction of curbs and pavement widening on Esmond Avenue, this work is included in the 1972-73 Local Improvement program and is scheduled to be initiated either later this year or early next year. Providing the work is approved by the abutting property owners, construction could be commenced some time in 1973.

It was recommended that a copy of the foregoing report be sent to both Mrs. Moore and the Parks and Recreation Commission.

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

(4) Brentwood Gardens - Broadway and Holdom Avenue.

The Chief Building Inspector has advised that the problems associated with Stage 1 of the above development have been corrected and the Company is now proceeding with Stage 3 of the development.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:

"That the report of the Manager be received."

Carried Unanimously.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DOWDING:

"That the Committee now rise and report."

Carried Unanimously.

The Council reconvened.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN DOWDING:

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

Carried Unanimously.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That Burnaby Zoning By-law 1965, Amendment By-law No. 39, 1972 be tabled until the June 12th meeting."

Carried Unanimously.

BY-LAWS

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That:

Noise Prevention By-law 1947, Repeal By-law 1972" be now introduced and that Council resolve itself in to a Committee of the Whole to consider and report on the By-law."

Carried Unanimously.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

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

Carried Unanimously.

The Council reconvened.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

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

Carried Unanimously.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That:

Noise Prevention By-law 1947, Repeal By-law 1972" be now read Three Times."

Carried Unanimously.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That:

Burnaby Zoning By-law 1965, Amendment By-law No. 35, 1972	#6113
Burnaby Zoning By-law 1965, Amendment By-law No. 36, 1972	#6114
Burnaby Zoning By-law 1965, Amendment By-law No. 37, 1972	#6115
Burnaby Zoning By-law 1965, Amendment By-law No. 38, 1972	#6116

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 CLARK, SECONDED BY ALDERMAN BLAIR:

"That the Committee now rise and report progress."

Carried Unanimously.

The Council reconvened.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

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

Carried Unanimously.

June 5, 1972.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN BLAIR:

"That:

Burnaby Zoning By-law 1965, Amendment By-law No. 35, 1972 #6113

Burnaby Zoning By-law 1965, Amendment By-law No. 36, 1972 #6114

Burnaby Zoning By-law 1965, Amendment By-law No. 37, 1972 #6115

Burnaby Zoning By-law 1965, Amendment By-law No. 38, 1972 #6115

be now read Two Times."

Carried Unanimously.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN LAWSON:

"That:

Burnaby Zoning By-law 1965, Amendment By-law No.22,1972 #6059

Burnaby Noise or Sound Abatement By-law 1972,

Amendment By-law No.1,1972 #6112

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

Carried Unanimously.

When Alderman Clark endeavoured to return, for reconsideration, the action taken by Council with respect to a recent rezoning proposal involving land on the south side of Pandora Street, (B Z 11/72), he was informed that this was not permissible under the Procedure By-law of the Municipality because the matter has already been reconsidered by Council and the By-law does not permit the reconsideration of something which has received reconsideration.

MOVED BY ALDERMAN DOWDING, SECONDED BY ALDERMAN LAWSON:

"That the Council now resolve itself into a Committee of the Whole "In Camera"."

Carried Unanimously.