

JULY 23, 1973

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, July 23, 1973 at 7:00 p.m.

PRESENT: Mayor T. W. Constable in the Chair  
Alderman E. L. Burnham  
Alderman M. M. Gordon  
Alderman B. M. Gunn  
Alderman D. A. Lawson (7:03 p.m.)  
Alderman W. A. Lewarne  
Alderman C. H. F. McLean  
Alderman J. L. Mercier  
Alderman V. V. Stusiak

STAFF PRESENT: Mr. M. J. Shelley, Municipal Manager  
Mr. E. Olson, Municipal Engineer  
Mr. D. Stenson, Assistant Director-Current Planning  
Mr. E. A. J. Ward, Deputy Municipal Clerk  
Mr. B. D. Leche, Municipal Clerk's Assistant

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:

"That Item #1 of the Municipal Manager's Report No. 56, 1973 (In Camera), which relates to the Federal-Provincial Employment Loans Programme 1971, be brought forward to the open meeting and be considered after "Original Communications"."

CARRIED

AGAINST -- ALDERMEN MERCIER AND LEWARNE

ALDERMAN LAWSON ARRIVED AT THE MEETING.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:

"That the Minutes of the Council meeting held on July 16, 1973 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

#### DELEGATION

Mr. Gerry Ast wrote to request an audience with Council on the question of Council hearing delegations.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN GUNN:

"That Mr. Ast be heard."

CARRIED UNANIMOUSLY

Mr. Ast then appeared and made the following comments about the subject of his presentation:

- (a) Council's action two weeks ago to not hear delegations on the question of altering shops closing hours regulations is an infringement on the freedom of speech and it is thus undemocratic.
- (b) On one hand, the Planning Department has published notices and written to people inviting public comment on the future development of the municipality whereas, on the other hand, this sort of thing was not being done with respect to the shops closing hour matter in that the public was being denied the right to speak to Council on the subject.
- (c) It would be helpful to Council to have delegations appear before it because there will likely be questions asked by the members of Council.

- (d) Sometimes it is better when a visual presentation is made rather than a written one.
- (e) Some people are able to communicate better in person than in writing.
- (f) A personal appearance before Council allows the speaker to elaborate on a written submission he may have made.
- (g) The retail merchant and the business man contribute a great deal, in many ways, to the welfare of the community and should therefore be allowed to address Council on any matter concerning them.
- (h) If he is denied an audience with Council on the shops closing matter, he intends to present a Brief on the matter to the Minister of Municipal Affairs.

*HIS WORSHIP, MAYOR CONSTABLE, pursuant to the power vested in him under Section 180 of the Municipal Act, returned for reconsideration the following motion that was considered by Council on July 9, 1973 and was defeated:*

*"That Council receive delegations on July 23rd in connection with the matter of shops closing hours".*

A vote was then taken on that motion, and it was carried with Aldermen Mercier and Burnham against.

#### ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

"That all of the below listed original communications be received and these items of the Municipal Manager's Report No. 55, 1973 which relate thereto be brought forward for consideration at the appropriate time."

CARRIED UNANIMOUSLY

Mr. P. D. Speers submitted a letter in which he expressed opposition to a proposal of the Provincial Government to develop land on Burnaby Mountain for housing purposes and suggested that instead the area concerned be designated as a "Green Belt".

*MAYOR CONSTABLE stated that he had talked to the Honorable Lorne Nicholson, the Provincial Minister responsible for housing, and had asked him to write a letter to Council explaining, in some detail, the development proposal which is the subject of the letter from Mr. Speers.*

*MAYOR CONSTABLE also mentioned that Mr. Nicholson was apologetic for the way the story appeared in the newspapers.*

*It was understood by Council that the letter from Mr. Speers would be returned to Council when the subject of the Provincial Government developing land on Burnaby Mountain receives further consideration.*

Mr. R. F. Schmid, Technical Director, Canada Summer Games Society, wrote to request permission to hold a 25-Mile Time Trial on August 4th commencing at 7:00 a.m. and completing by 9:30 a.m. along a route outlined on an attached map.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That the request of the Society be granted, subject to the approvals of the Municipal Engineer, the Burnaby Detachment of the R.C.M.P. and the Provincial Department of Highways."

CARRIED UNANIMOUSLY

Mr. Albert Francis submitted a letter complaining about motorcycles speeding in the lane between Sussex Avenue and Silver Avenue.

*Item #7 of the Municipal Manager's Report No. 55, 1973, which relates to the subject of the letter from Mr. Francis, was brought forward for consideration at this time. The following is the substance of that report:*

(7) Motorcycles - Lane between Sussex Avenue and Silver Avenue

The R.C.M.P. has reported as follows on the complaint of Mr. Francis:

- (a) Records show that Mrs. Francis called the R.C.M.P. on July 12th at 6:37 p.m. to file the complaint.
- (b) A police car was dispatched at 6:39 p.m. and the attending Constable subsequently reported he patrolled the area but did not see any motorcycle at that time so no further action could be taken due to the absence of any identifying data.
- (c) Unfortunately, there is no record of Mrs. Francis' call the following day and it has not been possible to ascertain if the call was received or who answered the phone. The complaint N.C.O. on duty that day said he does not recall it but it was a particularly busy day, as evidenced by the number of complaint received. On such occasions, any overload calls could have been taken by any one of several people.
- (d) Mr. Francis has been contacted and the foregoing information has been passed along to him with an apology. He was unable to offer any further clue which would help the R.C.M.P. confirm that the call was received and what was said in reply.
- (e) R.C.M.P. members are customarily polite and guarded in their remarks. If the comment mentioned in the letter from Mr. Francis was made, it would be an isolated instance because there is an absence of similar complaints. The continuing need for politeness and diplomacy has again been stressed to the complaint centre personnel.

It was recommended that a copy of the report at hand be sent to Mr. Francis.

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

CARRIED UNANIMOUSLY

Mr. W. C. Goodwin wrote to enquire as to when road and street lighting improvements can be expected in the 4400 to 4600 Blocks Barker Avenue.

*Item #19 of the Municipal Manager's Report No. 55, 1973, which relates to the subject of the letter from Mr. Goodwin, was brought forward for consideration at this time. The following is the substance of that report:*

(19) 4400 - 4600 Blocks Barker Avenue

The Municipal Engineer has already replied directly to Mr. Goodwin, as follows:

- (a) The subject portion of Barker Avenue is scheduled to receive storm drainage installations this year. In that regard, Barker Avenue will be included in one of the next two storm sewer tender calls expected to be issued within three or four weeks.
- (b) The street improvements desired by Mr. Goodwin are included in the current draft of the proposed 1974 Local Improvement Programme.

- (c) It is the intention of both the Engineering and Planning Departments to report to Council on July 30th concerning standards for Local Improvements in general. The Council should consider these reports before attempting to determine which standard may be the most suitable for Barker Avenue and, for that matter, all other streets included in the 1974 Programme.
- (d) There is little hope of removing utility poles from the street in the foreseeable future inasmuch as the cost of placing electrical and telephone distribution lines underground is prohibitive at the present time. It is hoped that the time will come when an overall programme, aimed at providing underground installations throughout urban areas, will be undertaken but it will be a venture of considerable magnitude. In the meantime, the best that can be done is to work around the pole lines and generally recognize and allow provision for future underground work within the existing road allowances.

It was recommended that a copy of the report at hand be sent to Mr. Goodwin and that he be asked to notify those appearing on the petition which was submitted of the contents.

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

CARRIED UNANIMOUSLY

*Alderman McLean stated that it has been reported that the Provincial Government has some \$10,000,000.00 available for underground wiring installations.*

*It was understood by Council that Mayor Constable would pursue the matter to determine whether it would be possible for the municipality to obtain funds for the purpose indicated.*

Mrs. Bette Zarazun, Chairman, Lochdale Area Community School Steering Committee, submitted a letter requesting that the police provide a "Beat Cop" in the Lochdale School area.

*Item #6 of the Municipal Manager's Report No. 55, 1973, which relates to the subject of the letter from Mrs. Zarazun, was brought forward for consideration at this time. The following is the substance of that report:*

(6) "Beat Cop" - Lochdale School Area

Superintendent Lambert of the Burnaby Detachment of the R.C.M.P. has written to Mrs. Zarazun to advise that the police have been fairly successful in solving offences in the Lochdale area and that it is now more a matter of crime prevention by parental supervision, increasing community involvement and police patrols.

He also pointed out that foot patrols are confined to high density areas such as Kingsway and Hastings Street.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:  
"That the report of the Manager be received and Mrs. Zarazun be sent a copy of a report that Council received on June 25, 1973 relating to youth social problems and she be informed of the action that was taken by Council then in connection with the matter."

CARRIED UNANIMOUSLY

Mr. C. S. J. McKelvey, Executive Director, Union of British Columbia Municipalities, submitted a circular letter advising that 70th Annual Convention of the U.B.C.M. will be held between September 12th and 14, 1973 in the City of Prince George.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:  
"That all members of Council wishing to attend the 1973 Convention of the U.B.C.M. be authorized to do so."

CARRIED UNANIMOUSLY

Mr. F. L. Pobst, Municipal Clerk, The Corporation of the District of Coquitlam, wrote to advise that the Council of Coquitlam supports a request of the Burnaby Council to have the Provincial Government assume all the costs of providing an extension of Broadway from Como Lake Avenue in Coquitlam at North Road to Gagliardi Way in Burnaby.

Mr. Harold Harnett, Secretary-Treasurer, Fraser Valley Mosquito Control Board, submitted a letter and a copy of a Brief that is being submitted by the Board to the Federal Public Enquiry into the use of herbicides and pesticides.

*MAYOR CONSTABLE stated that he would be recommending to Council on July 30th the appointment of Alderman Gordon as Council's representative to the Fraser Valley Mosquito Control Board.*

Mr. Donald F. C. Jones, Harron Holdings Ltd., submitted a letter indicating that he would be at a Council meeting when the question of converting the Silver Star Apartments at 6425 Silver Avenue to self-owned Strata Title suites is to be considered.

*The Council directed that the letter from Harron Holdings Ltd. be brought forward at the time Council considers the question of establishing a policy in respect of converting apartments to self-owned Strata Title suites.*

Mr. Dave De Roche, President, Serpent Archers Association, wrote to enquire as to the possibility of using the Stride Gravel Pit and grounds around it as an archery range.

*Item #21 of the Municipal Manager's Report No. 55, 1973, which relates to the subject of the letter from Mr. De Roche, was brought forward for consideration at this time. The following is the substance of that report:*

**(21) Stride Gravel Pit - (Serpent Archers Association)**

The Stride Avenue area is still being used to some extent for municipal operations, such as the use of sand for backfill in sewer and water trenches and the importing by both the municipality and private individuals of surplus excavation material which is required to bring the two old gravel pits up to a useable grade. Up until July 31, 1973, a certain section of the Stride Disposal Area will be open to the citizens of Burnaby for disposal of general household refuse.

In addition to these uses, it is known that there are certain unofficial and non-sanctioned uses which are occurring, such as trail bike riding, dune buggy practices, etc. Although the police attempt to control this situation, it is not always that easy to control effectively. Signs have been posted in the area to advise the public that the property is private and that no trespassing is allowed.

It is not felt the area is suitable for accommodation of any particular activity, such as archery, at least as long as the area is still being used by the general public. If the Parks and Recreation Commission was to consider accommodating sports in some way, the Stride Avenue area may perhaps be suitable. In view of that, it was recommended that the request of the Serpent Archers Association be referred to the Parks and Recreation Commission. If the Commission wishes to consider using the subject area, the Engineering Department will work with it to provide any information that may be required.

It was recommended that the Serpent Archers Association be requested to provide the Parks and Recreation Administrator, directly, with an indication as to its specific needs; and further, that a copy of the report at hand be sent to the Commission.

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

CARRIED UNANIMOUSLY

*Item #1 of the Municipal Manager's Report No. 56, 1973 (In Camera), reference to which was made at the beginning of this meeting, was brought forward for consideration at this time. The following is the substance of that report:*

Federal-Provincial Employment Loans Programme 1971

On August 28, 1972, the Council was informed that the Treasurer had filed with the Provincial Government claims for forgiveness of loans relating to the above Programme.

The amount of the loans was \$4,402,000.00 and the forgiveness was \$459,284.00.

The forgiveness was to take the form of a reduction in the principal sums to be borrowed.

The Treasurer had been informed at that time by the Department of Municipal Affairs that an attempt was being made to persuade Federal Authorities to consider making further forgiveness of loans because of the many labour strike situations which prevailed in B. C. during the forgiveness period. The Federal Government had already extended the forgiveness date from May 31st to June 30, 1972.

The Treasurer secured payrolls for the period between August 1st and September 30, 1972 from the contractors involved and submitted forgiveness claims in the amount of \$104,100.00. These claims were accepted by the Federal Government.

As this was a special deal for B. C. only, Federal officials are somewhat reluctant that publicity be given the matter. This is why the foregoing was being submitted to Council "In Camera".

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:  
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

T A B L E D I T E M

The following matter was then lifted from the table:

Shops Closing Hours

Mr. Donald Garcia, First Vice-President, New Westminster and District Labour Council, submitted a telegram requesting that Council postpone a decision on the question of change shops closing hour regulations until the Labour Council is able to prepare a presentation about the matter.

Admiral Drive-In Cleaners and others submitted a petition expressing opposition to the proposal to alter the shops closing hour regulations.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:  
"That further consideration of the question of altering the shops closing hour regulations be deferred until the August 6th Council meeting."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GORDON:  
"That Council be prepared to receive delegations on August 6th in connection with the shops closing hour matter, to be heard for a maximum of 5 minutes and on the basis that each will only be allowed to speak once."

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:  
"That the previous motion be amended by deleting reference to the specific length of time each delegate would be allowed to speak and substituting that with "for a length of time to be determined by the Mayor."

CARRIED

AGAINST -- ALDERMEN LEWARNE AND GORDON

A vote was then taken on the original motion, as amended, and it was carried unanimously.

Alderman Stusiak served a Notice that he would be presenting a Motion to delete a portion of Burnaby Shops Closing By-Law 1958 and replace it with words which will eliminate all reference to shops closing regulations.

### E N Q U I R I E S

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN LEWARNE:

"That the B. C. Hydro and Power Authority be requested to designate, as a "park and ride" terminal, the 11.38 acre site in the 7400 Block Buller Avenue now leased by Canadian Auto Carriers Limited from the Authority for the reason advanced in the motion Alderman Lewarne presented at the Council meeting on July 16, 1973."

IN FAVOUR -- ALDERMEN GUNN AND LEWARNE

AGAINST -- ALDERMEN BURNHAM, GORDON,  
LAWSON, MCLEAN, MERCIER AND  
STUSIAK

MOTION LOST

When Alderman Lawson enquired as to whether the meetings which were scheduled to be held with the public on the subject of the future development of the municipality would be at times which were convenient to the public, Mr. Stenson of the Planning Department replied that this would be done.

Alderman Lawson suggested that, because a great number of commercial establishments in Burnaby had made significant contributions to the Canada Summer Games, in terms money and services, arrangements should be made to use their products in selling commodities the public might wish when attending the various activities that will be carried on at the Games.

It was understood that the Municipal Manager would broach this proposal to the Canada Summer Games Society.

Alderman Lawson, as the Chairman of the Information Burnaby Committee, submitted a brochure entitled "Burnaby and Surrounding Area" that has been prepared to publicize the municipality.

She explained that the Committee had engaged someone to prepare the brochure. Alderman Lawson also explained the procedure that was followed in compiling the brochure.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:

"That the brochure "Burnaby and Surrounding Area" be received."

CARRIED UNANIMOUSLY

Alderman Lewarne expressed concern that a parking fee was being charged at the Centennial Park in Delta. He suggested that Council should express its disagreement with this proposal.

Alderman McLean explained that Delta had ceased maintaining the Park, with the result the Greater Vancouver Regional District had to assume that responsibility. He pointed out that the Regional District felt they could recover some of the maintenance costs by charging the parking fee. Alderman McLean hastened to add that this arrangement has been implemented in other Regional parks, such as one at Aldergrove, and has been in effect for some years where facilities require money to maintain.

Alderman Gunn served a Notice that he proposed to introduce a Motion that the Regional Parks Authority be asked to not charge a fee for parking for those visiting Regional park facilities.

Alderman Stusiak served a Notice that he wished to introduce a Motion that the Agendas for Council meetings be made available to anyone who wishes at the same time as they are distributed to the members of Council.

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

CARRIED UNANIMOUSLY

R E P O R T S

TRAFFIC SAFETY COMMITTEE submitted reports on the matters listed below as Items (1) to (8) recommending the courses of action indicated for the reasons given:

(1) Truck Route - Gilley Avenue

As a result of considering a request that Gilley Avenue be declassified as a truck route and that suitable signs prohibiting trucks over 30,000 G.V.W. from Gilley Avenue be erected at appropriate locations, it was concluded that the street in question should remain as a truck route but that consideration should be given the matter of creating a completely new truck route from the Rumble Street area to the proposed Marine Way through the Stride Avenue industrial area.

The reasons for this are:

- (a) though there are fewer homes on Stride Avenue between Marine Drive and 19th Street than on Gilley Avenue between Marine Drive and Rumble Street, trucks using Stride Avenue would need to continue on residentially-zoned streets for a considerable distance before reaching Kingsway, which is their ultimate goal;
- (b) although it cannot be argued that a runaway vehicle of any weight on Gilley Avenue would not cause serious damage to anything it struck, the same argument could be advanced for any runaway vehicle on any street with a steep grade. Many truck routes in Burnaby are on streets that have grades and are also used by school children.
- (c) the average decibel reading from the noise of trucks using Gilley Avenue was 82.2 whereas the By-Law limits the noise from trucks over 30,000 G.V.W. to 88 d.b.a. During the survey that was made, the noise from four trucks exceeded the 88 d.b.a., as did some passenger vehicles and motorcycles;
- (d) an origin-destination survey involving trucks over 30,000 G.V.W. revealed that 60% of them needed to use Gilley Avenue as the most desirable and direct route;
- (e) grade problems on Stride Avenue at its intersection with Marine Drive are such that a truck Eastbound on Marine Drive turning onto Stride Avenue encounters a 17% grade. There is also a severe grade where Stride Avenue takes a sharp dip at the railway crossing of the B. C. Hydro and Power Authority.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:  
 "That the report of the Traffic Safety Committee be referred back to the Committee in order that Mr. Al Zimmerman of 8510 Gilley Avenue can have an opportunity to make representations to the Committee about the use of Gilley Avenue as a truck route; and further, Mr. Zimmerman be informed as to when the Committee will next meet."

CARRIED UNANIMOUSLY

(2) Parker Street and Delta Avenue

It was recommended that no action be taken on a request for a change in the traffic control arrangements at the above intersection because investigation revealed no warrants for any changes or additions.



MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:  
"That the Burnaby School Board and the P.T.A. representing the Parker-Delta area be sent a copy of the report from the Traffic Safety Committee."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:  
"That the recommendation of the Committee be adopted."

CARRIED

AGAINST -- ALDERMAN GORDON

(3) Holdom Avenue between Hastings Street and Pandora Street

It was recommended that Council endorse a suggestion of the Municipal Engineer to ask the Provincial Government to consider the introduction of legislation in the Motor Vehicle Act which would prohibit parking on the side of a street adjacent to schools during normal school days and that no action be taken on a request of the Burnaby School Board to prohibit cars parking on Holdom Avenue between Hastings Street and Pandora Street.

(4) North Road between Cottonwood Street and Loughheed Mall

As a result of considering a request for crosswalk facilities on the above portion of North Road, it was recommended that Council concur with a proposal of the Municipal Engineer to commence negotiations with the Provincial Government and the District of Coquitlam for their participation in and approval of the cost of installing a traffic signal on North Road at Cameron Street.

(5) Marine Drive and Byrne Road

It was recommended that no action be taken a request for a traffic signal at the above intersection because warrants for such an installation are not met.

The Engineer investigated the possibility of widening Byrne Road South of Marine Drive in order to provide additional lanes for moving traffic but concluded that this was not feasible due to grade problems, limited road allowances and the need for a costly relocation of utility services plus a retaining wall and fill.

(6) Holdom Avenue and Parker Street

It was recommended that no action be taken on a request to paint a school crosswalk at the above location because this is not warranted.

(7) Edmonds Street and Mary Avenue

It was recommended that no action be taken on a request for a pedestrian signal at the above intersection because warrants for such a device are not met.

*Alderman Gordon suggested that the reason relatively few pedestrians were observed to be crossing Edmonds Street at Mary Avenue was that many who might wish to do so would not due to the fact, being old, they were frightened of attempting to cross.*

*He also stated that the consideration given the request by the Committee was hurried and that more time should have been allowed for observations.*

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:  
"That the subject of the report from the Traffic Safety Committee be referred back to the Committee for review in the light of the above two points made by Alderman Gordon."

CARRIED UNANIMOUSLY

(8) Truck Routes

As a result of considering the matter of trucks using Cariboo Road, even though this street is not a designated truck route, and due to the increased industrial development and activity in the Eastlake City Area plus the fact commercial traffic leaving the Freeway at Stormont Avenue places a greater demand on connecting road links to the Freeway, it was recommended that the following streets be improved as integral parts of a truck route connecting the Trans Canada Highway (Freeway) to the established truck route leading to Lougheed Highway:

- (a) Stormont Avenue between the Stormont Interchange and Cariboo Road;
- (b) Cariboo Road from Stormont Avenue to Government Street;
- (c) Government Street between Cariboo Road and Winston Street at Brighton Avenue.

It was also recommended that the truck route outlined be restricted from use by commercial vehicles with "low-bed" semi-trailers.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That the recommendations of the Committee covering Items (3), (4), (5), (6) and (8) be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That the Municipal Engineer submit a progress report, after consultation with the Department of Highways, indicating the situation with respect to improvements scheduled for the Stormont Interchange of the Freeway, with it being understood that he will include an indication in his report as to how much longer the preloading material that has been placed on Gagliardi Way between Lougheed Highway and the Stormont Interchange will remain."

CARRIED UNANIMOUSLY

DEPUTY MUNICIPAL CLERK submitted a Certificate of Sufficiency covering the following Local Improvement Projects:

THE CORPORATION OF THE DISTRICT OF BURNABY

CERTIFICATE OF SUFFICIENCY

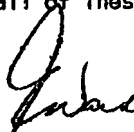
1973 LOCAL IMPROVEMENT PROGRAM

Section 589(1) of the Municipal Act provides, in part, as follows:

"589(1) - unless within one month after the publication of the required notice a majority of the owners representing at least one half of the value of the parcels liable to be specially charged, petition the Council not to proceed with it, the work may be undertaken as a Local Improvement."

Insufficient petitions have been received against all the Local Improvement Projects shown on the attached schedule.

The Council can therefore proceed with all of these works.



E. Ward  
DEPUTY MUNICIPAL CLERK

DATED THIS 16th DAY OF JULY, 1973

Madam/Gentlemen

Re: 1973 LOCAL IMPROVEMENT PROGRAM

In accordance with Section 589 of the Municipal Act, I beg to report that I have published in a newspaper circulating in the Municipality and also served upon the owners of property affected, Notices of Intention to construct, as a Local Improvement, pavement, pavement widening and/or sidewalks, as indicated on the streets described below:

| PROJECT NUMBER  | DESCRIPTION OF WORK  | 51%           |                            |                   | TOTAL ASSESSED | 50%       | TOTAL                   |
|---|--|---------------|----------------------------|-------------------|----------------|-----------|-------------------------|
|   |  | NO. OF OWNERS | REQUIRED TO DEFEAT PROJECT | NO. OF OBJECTIONS | VALUE OF LAND  | REQUIRED  | PETITIONERS' ASSESSMENT |
| <u>Pavement to a width of 28' with Curbs both sides of:</u>   |  |               |                            |                   |                |           |                         |
| 73-001  | Piper Avenue from Government Street to 44' South of the NPL of Lot 54 DL 40 Plan 28091   | 15            | 8                          | NIL               | \$146,375      | \$73,190  | NIL                     |
| 73-002  | Lozells Avenue from Government Street to 36' South of the NPL of Lot 46 DL 42 Plan 23102 | 16            | 9                          | NIL               | \$148,085      | \$74,045  | NIL                     |
| 73-003  | Sardis Crescent from Nelson Avenue to Grafton Street                                     | 20            | 11                         | NIL               | \$210,425      | \$105,215 | NIL                     |
| <u>Pavement to a width of 28' with 5' curb sidewalk on the north side and curb only on the south side of:</u> |  |               |                            |                   |                |           |                         |
| 73-004  | Keith Street from Royal Oak Avenue to the ravine east of MacPherson Avenue               | 52            | 27                         | 6                 | \$419,155      | \$209,580 | \$44,550                |
| 73-005  | Patrick Street from Royal Oak Avenue to MacPherson Avenue                                | 42            | 22                         | 12                | \$328,620      | \$164,310 | \$89,450                |

-12-

522

| PROJECT NUMBER  | DESCRIPTION OF WORK                                     | NO. OF OWNERS | 51% REQUIRED TO DEFEAT PROJECT | NO. OF OBJECTIONS | TOTAL ASSESSED VALUE OF LAND | 50% REQUIRED | TOTAL PETITIONERS' ASSESSMENT |
|---|---|---------------|--------------------------------|-------------------|------------------------------|--------------|-------------------------------|
| <u>Pavement to a width of 36' with curbs on both sides of:</u>  |   |               |                                |                   |                              |              |                               |
| 73-006  | Bonsor Street from Brief Street to Beresford Street     | 5             | 3                              | NIL               | \$336,225                    | \$168,115    | NIL                           |
| <u>Pavement to a width of 60' with a 6' curb sidewalk on the west side and curb only on the east side of:</u> |   |               |                                |                   |                              |              |                               |
| 73-007  | Brighton Avenue from Lougheed Highway to Winston Street | 8             | 5                              | NIL               | \$658,955                    | \$329,480    | NIL                           |

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the Certificate of Sufficiency of the Deputy Municipal Clerk be received and appropriate By-Laws be prepared to authorize the construction of the Projects listed in the Programme."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 55, 1973, on the matters listed below as Items (1) to (24), either providing the information shown or recommending the courses of action indicated for the reasons given:

- (1) (a) Lot 1, Sk. 12477, S.D. 5/6 Pt., Blks. 1/4/6, D.L. 125, Plan 10378  
 (b) Lot 1 Ex. Sk. 12477, S.D. 5E Pt. & 6, Blks. 1/4/6, D.L. 125, Plan 10378  
 (c) Lot "A", Ex. Sk. 8843 & Ex. Sk. 4800, Blk. 5, D.L. 125, Plan 3347  
 (d) Pcl. 1, Expl. Pl. 8843, S.D. "A", Blk. 5, D.L. 125, Plan 3347  
REZONING REFERENCE NO. 66/70

The Planning Department has reported as follows on the above rezoning proposal:

- (i) In Community Plan "D", which Council adopted on June 1, 1971, the site was recommended for redevelopment at an RM4 density.
- (ii) The rezoning of the site to RM3 was introduced to Council on January 18, 1971 but Council stipulated that the developer adhere to the RM4 medium density apartment designation.
- (iii) The Planning Department requested that the entire site be consolidated but the developer, until this time, has not been able to acquire one of the parcels (Lot "D" Reference Plan 12477) to achieve this end.
- (iv) The entire site is now under the control of Imperial Ventures Limited in place of the previous developers, Edgewater Construction Limited.
- (v) The rezoning application includes all of the lots described in caption above.
- (vi) The gross area is approximately 4.2 acres.
- (vii) It is now considered that the appropriate zoning for the site is Comprehensive Development District (CD).
- (viii) The unit density of 80 per acre and the regulations of the RM4 zone should be used as a guide.
- (ix) Two point-block faceted 17 storey apartment towers are proposed. Underground parking is provided at a ratio of 1.5 parking spaces per unit plus 17 visitor parking spaces. Sixty-five 1-bedroom suites and 136 2-bedroom suites are proposed, although the developer would like the option of introducing some 3-bedroom units without increasing either the number of suites or the overall floor area. If that was done, the mix would be 99 1-bedroom suites, 68 2-bedroom suites and 34 3-bedroom suites. All suites would have generous areas. A swimming pool and an accessory amenity building is to be provided. Extensive landscaping and terracing will be undertaken as well.
- (xi) Road and area dedications are provided along the Western and Southern boundaries of the site for the extension of Bellwood Street South and connecting with a proposed frontage road along Loughheed Highway and a contemplated express public-transit facility along the Highway. Construction of the project will be subject to the completion of Bellwood Avenue North to Ridgelawn Drive, which is scheduled this year.

(xii) All access is from Bellwood Avenue to the West of the site. None will be provided to the site from Springer Avenue at Loughheed Highway. A minimum distance of 90 feet is maintained between any residential building and Loughheed Highway.

(xiii) It was recommended that the application to rezone the subject property to Comprehensive Development District (CD) be approved in principle and be advanced to the Public Hearing that is being held on August 7, 1973, and that the following prerequisites be established in connection with the proposal:

- (A) The submission of a suitable plan of development for the site.
- (B) The submission of a suitable subdivision plan dedicating the rights-of-way deemed requisite and consolidating the overall net site into one lot.
- (C) The deposit of monies to cover the costs of constructing the roads and all other municipal services deemed requisite.
- (D) The provision of underground wiring and ornamental lighting.
- (e) Any general condominium guidelines that may be approved by Council.

It was recommended that Council adopt the recommendation of the Planning Department.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:  
"That the recommendation of the Manager be adopted."

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:  
"That, in addition to the above prerequisites, the developer be required to provide 2 parking spaces per unit plus the number of visitor parking spaces required."

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:  
"That the Planning Department survey the parking situation at apartment and condominium developments to determine the number of occupants who are using such facilities and whether they are adequate to accommodate the needs of the occupants."

IN FAVOUR -- ALDERMEN MERCIER, STUSIAK,  
MCLEAN AND LEWARNE

AGAINST -- MAYOR CONSTABLE, ALDERMEN  
LAWSON, BURNHAM, GORDON AND GUNN

MOTION LOST

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:  
"That the above proposal requiring the developer to provide 2 parking stalls be referred to the Planning Department for its views."

IN FAVOUR -- ALDERMEN LAWSON, MERCIER,  
STUSIAK

AGAINST -- MAYOR CONSTABLE, ALDERMEN  
BURNHAM, GORDON, GUNN, LEWARNE  
AND MCLEAN

MOTION LOST

-16-

A vote was then taken on the motion concerning the provision of 2 parking stalls, as detailed above, and it was carried with Aldermen Lawson, Marcier, Stusiak and Lewarne against.

A vote was then taken on the original motion to adopt the recommendation of the Manager, and it was carried unanimously.

*The Council also suggested that arrangements be made by the Planning Department to ensure that the facade on the buildings proposed to be constructed in the above development proposal facing the Lougheed Highway be such as to adequately protect the occupants of the suites on that side from noise off the Highway.*

(2) Allowances

It was recommended that Council approve the following abatement of percentage addition charges under Section 411 of the Municipal Act:

|                   |                       |                |                |
|-------------------|-----------------------|----------------|----------------|
| Anne M. Duller    | Lot 108, Block 2 Pt., | 1972 penalties | \$50.03        |
| 7064 Sierra Drive | D.L. 216, Plan 11656  | 1973 interest  | 23.44          |
|                   |                       |                | <u>\$73.47</u> |

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(3) Auditors

As a result of considering a suggestion that proposals be invited for the services of outside Auditors, it was recommended that the Mayor and Liaison with the Finance Department meet with the present Auditors:

- (a) to clearly understand the function they perform and the type of special studies they can undertake;
- (b) at least once year, to discuss matters of interest.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:  
"That the recommendation of the Manager be adopted."

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN BURNHAM:  
"That the Mayor and Liaison with the Finance Department also investigate and report on the advisability of seeking proposals from companies who may be interested in performing the Corporation's audit."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion, and it was carried unanimously.

MAYOR CONSTABLE DECLARED A RECESS AT 9:05 P.M.

THE COMMITTEE RECONVENED AT 9:20 P.M.

(4) Nation Way

Nation Way has been proposed as an arterial street from a long-range view.

The location of the corridor in which Nation Way would be located is approximately midway between the present Willingdon Avenue and the proposed Kensington Avenue, both of which are arterial routes approximately 1½ miles apart.

Although Nation Way will be given consideration in the Major Road Study, it must be borne in mind that this Study will indicate deficiencies in the current street network and where improvements will be required by 1985 for a better level of traffic service. Should it be determined that an adequate level of traffic service, in terms of 1985 traffic, is available on the current street network, it is conceivable that Nation Way may not need to be developed until some time after 1985.



-17-

It must be appreciated that regional economic and development policies, and Burnaby's as well, could appreciably alter the community needs in terms of streets, with the result the need for Nation Way may occur earlier or later than presently expected.

Nation Way has not been included in the high priority category and is therefore not in the 1973-1979 Capital Improvement Programme.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN MCLEAN:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN BURNHAM:

"That Item #20 of the Municipal Manager's Report No. 55, 1973 be dealt with at this time."

CARRIED UNANIMOUSLY

(20) Branch Library - Burnaby Centre

On May 29, 1972, the Council, with the concurrence of the Library Board, appointed Mr. W. Ralph Brownlee to prepare plans and specifications for the interior layout of the portion of the Burnaby Centre to be leased for Library Purposes.

No actual Client/Architect Agreement was executed as plans had not been advanced to the point where a definite final estimate cost of work was available. Mr. Brownlee has now advised that he is not able to devote the time to complete his assignment and has asked that he be relieved of his commission.

The Chief Building Inspector for the Corporation, Mr. M. J. Jones, was appointed as the Corporation's representative to work with the Architect.

The Library Board, at a meeting on July 19, 1973:

- (a) accepted Mr. Brownlee's offer to cease work on the subject Branch Library and approved the payment of \$1,135.00 to him representing full payment of professional services rendered, subject to his giving the Corporation all tracings that were prepared in his office relating to the subject project, including those of his mechanical, electrical and structural consultants; and further, directed that Mr. Brownlee's invoice in the amount of \$890.00 for the electrical designs be held in abeyance pending the engagement of another consultant to complete the work;
- (b) recommended the appointment of Mr. Bruno Freschi of Keith-King & Freschi as the Architect to complete the project under the direction of the Chief Building Inspector;
- (c) reaffirmed the Chief Building Inspector as Project Co-Ordinator for the Branch Library project in question.

It was recommended that:

- (i) Council concur with the action taken by the Library Board;
- (ii) a copy of the report at hand be sent to the Board;
- (iii) The Chief Building Inspector be asked to make the necessary arrangements to conclude the Agreement with Mr. Brownlee and to prepare the necessary Client/Architect Agreement with Mr. Freschi for the consideration of the Library Board and the Council.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN GORDON:

"That the three actions taken by the Library Board, as detailed above in the report of the Manager, be dealt with separately."

CARRIED UNANIMOUSLY

-18-

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:  
 "That point (a) in the report of the Manager be endorsed."

CARRIED

AGAINST -- ALDERMEN BURNHAM AND MCLEAN

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:  
 "That point (b) in the report of the Manager be endorsed."

CARRIED

AGAINST -- ALDERMAN MCLEAN

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:  
 "That point (c) in the report of the Manager be endorsed."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:  
 "That recommendation (iii) in the report of the Manager be adopted."

CARRIED

AGAINST -- ALDERMAN MCLEAN

(5) Burnaby Centre  
REZONING REFERENCE NO. 74/69

The Planning Department has reported as follows on the above rezoning proposal:

- (a) The rezoning of the property concerned to Comprehensive Development District (CD) was approved by Council on August 23, 1971. As is required, the plans of development formed a part of the Amendment to the Zoning By-Law in question.
- (b) Ever since construction of the project began, a number of deviations from the approved development plan have taken place. Some have had a major impact on the function and design of the development. A total of 26 items involving discrepancies from the approved plans have been noted and have been brought to the attention of the Architect and owners several months ago. They were also informed that, while some of the changes were either minor or represented possible improvements in the scheme, there were others which were so major and/or deleterious to the character and functioning of the development that they could not be accepted as conforming to the approved plans.
- (c) The principals agreed to revize the Architectural Plans to reflect those changes which could be supported as minor or as improvements and also to work toward a redesign of those unacceptable altered elements so as to bring them into conformity with the character intended in the original design. They also agreed to not engage in any further on-site work relating to elements of the project which were considered unacceptable and which were felt required remedial work with Council's concurrence.
- (d) In general terms, it has been the experience that on major development projects there is frequently a desire on the part of the developer to make some adjustments to the design or details of the project as a consequence of encountering conditions on the site, the unavailability of specified materials, or for other reasons. In recognition of both the philosophy of the Comprehensive Development approach and the need for some flexibility to account for unforeseen circumstances, it has been the policy of the Planning Department to approve upon request only those changes which are considered to be minor relative to the scale and basic character of the project and which reflect an equivalent or better standard of design and construction and do not materially affect the density, bulk or category of use of the development. Any changes proposed

affecting the latter aspects or substantially affecting the appearance of the project are considered to represent major departures, which would require an amendment to the Zoning By-Law. To date, this approach has been satisfactory in that it is believed that both the intent and the letter of the Comprehensive Development (CD) regulations have been respected.

- (e) In the case of the subject project, it was recommended that the minor alterations be accepted.

Examples of these are:

- i) the substitution of textured balustrade panels for the original flat-surfaced elements,
  - ii) changes to the spandrel panels on the residential towers,
  - iii) minor interior layout changes
  - iv) the introduction of intermediate screening panels to the parking structure at the easterly end of the project.
- (f) The items listed below are the major basic changes which cannot be approved without appropriate amendments to the Zoning By-Law. They are, for the most part, a consequence of the developer's decision to proceed on a project management basis with his contractor and to accept changes to the basic structural frame system for the building and the mechanical (heating and air conditioning) system.

These items are:

- i) the substitution of glazed ceramic tile on steel stud walls for the originally approved giant brick as the principal exterior wall cladding at the commercial mall level. (This change was evidently necessitated due to the inability of the post-tensioned slab construction to satisfactorily carry the loading of a brick wall construction. The project architect has selected a blend of earth-tone and orange tile and has designed a pattern to be used throughout where brick was specified. A good deal of the material has been applied already and the effect may be viewed on site)
- ii) the major redesign of the amenity plaza at the commercial roof level, including both activity areas and deck landscaping. (This arose from the reduced load-carrying capacity of the structural slab and the introduction of a raised-roof area to accommodate a public library mezzanine. A revised concept for amenity deck development has been submitted, using light-weight structures to accommodate planters and positioning major planting over column locations, and providing an interesting variety of forms and spaces for actual use by building tenants as well as to provide an attractive view from above. Provision is also being made for an elevated pedestrian walkway that is part of the projected system linking the project with future ones on adjacent sites on both sides of Kingsway in a manner compatible with the new structural system. The plans are quite well developed and detailed landscape and architectural design is proceeding steadily)
- iii) the introduction of a major boiler room and related mechanical facilities on the North face of the project and within the parking substructure in place of the individual boiler and mechanical facilities in penthouses atop the three towers. (This change was made in order to realize economies in heating system costs and was made without any form of prior approval. The manner in which the boiler room projection, cooling tower enclosure, vent stacks and the like has been handled is unapproved and is totally unacceptable. The Architect has proposed a revised enclosure design for the North elevation which satisfactorily treats this protuberance as an integral part of the building, using materials and design elements related to those used elsewhere in the development. Other features on this face have been altered and must also be

-20-

- vi) considered.)
- iv) changes to the fenestration of two faces on each of the residential towers. (Concrete vertical bands have been introduced in locations on the East and West faces of Tower 1 and on the North and South faces of Tower 2 in place of the originally proposed window and spandrel treatment. The change does not result in any undesirable effect within the suites, which are amply daylighted already, and actually provides a more interesting facade than was previously offered.)
- v) relatively minor interior use changes, including increases in restaurant and drug store floor area and adjustments of other use spaces. (The impact of these changes on the overall project is minor and the alterations are consistent with the diversified comprehensive nature of the scheme.)
- (g) The developer's Architects are well advanced in their preparation of drawings indicating a suitable treatment of the above matters and assurance has been received that they will shortly have a complete amended set of development plans representing those minor changes already accepted together with those five proposed above.
- (h) It was recommended that Council agree to consider an amendment to the By-Law that rezoned the subject property to Comprehensive Development District (CD) to reflect both the changes which have already been made and those which are proposed, and that this amendment be included on the Agenda for the Public Hearing scheduled to be held on August 7, 1973.

It was recommended that the recommendation of the Planning Department be adopted.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That the report of the Municipal Manager be referred to the Municipal Solicitor for an opinion as to the legal rights of Council in regard to the alleged violations of the development plan mentioned in the report, such as whether:

- (A) a penalty can be imposed on the developer;
- (B) the Corporation can require that the building be reconstructed in accordance with the plan that was approved as part of the amendment to the Zoning By-Law that rezoned the property to Comprehensive Development District (CD)."

CARRIED

AGAINST -- ALDERMEN STUSIAK  
AND MERCIER

(6) "Beat Cop" - Lochdale School Area

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

(7) Motorcycles - Lane between Sussex Avenue and Silver Avenue

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

(8) Burnaby Lake Pavilion

On May 15, 1972, the Council authorized a contribution of \$140,000.00 to the Canada Summer Games Society for the construction of the above facility. It was now recommended that Council authorize the release of the sum mentioned, with \$131,245.72 to be paid immediately to the Society and the remaining \$8,764.28 to be used for the supply of furnishings for the Pavilion as accounts of the Society are approved by the Corporation.

MOVED BY ALDERMAN LENARNE, SECONDED BY ALDERMAN MCLEAN:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(9) Rowing Centres (Canadian Association of Amateur Oarsmen)

A group of volunteers from various rowing and canoeing organizations has suggested to the Parks and Recreation Commission the formation of a group to be called The Burnaby<sup>Lake</sup> Aquatic Association. This Association feels it is vital to consider the long range development of Burnaby Lake and that as soon as the 1973 Canada Summer Games are over the matter should be placed in the hands of a responsible group, such as the Parks and Recreation Commission, for further study.

The Commission, on July 18, 1973, endorsed the proposal of the Canadian Association of Amateur Oarsmen to include Burnaby Lake in a programme of establishing rowing centres in Canada for the development of international calibre oarsmen, provided the Association follows the normal procedures of the Commission relating to allocation of time for the use of the Lake and on the basis that the conditions of occupancy and storage, etc., governing the matter will be handled through the Commission some time this Fall.

The Commission also approved in principle the formation of an advisory body - The Burnaby Lake Aquatic Association - to be used as a device for the Commission to administer the use of the rowing course.

The Canadian Association of Amateur Oarsmen wrote on July 18th to advise that no additional expenditures would be required to develop the rowing centre.

The Commission is concerned about the exclusive use, until October, 1976, of storage and office space and it is not prepared to accept this feature. It is prepared to approve the allotment of specific times for use of the facility and to further discuss the question of occupancy and storage some time this Fall.

It was recommended that:

(a) the action taken by the Parks and Recreation Commission, as detailed above, be endorsed;

(b) a copy of the report at hand be sent to The Canadian Association of Amateur Oarsmen, the Parks and Recreation Commission, the B. C. Rowing Association, the Canoe B. C. Association, the Canadian Canoe Association, the Canoe Touring and Recreational Association of B. C. and the Canada Summer Games Society.

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

CARRIED UNANIMOUSLY

*The Municipal Manager mentioned, as a result of an enquiry, that he would be submitting a report to Council on the effect a rowing course on Burnaby Lake might have on the use of the Lake as a Bird Sanctuary.*

(10) Coroner's Districts

The Office of the Attorney General has written to outline a plan for the creation of a Coroner's District to be connected with the Court facilities in the City of New Westminster involving that City, the Districts of Surrey, Burnaby, Coquitlam, Delta and the Cities of Port Coquitlam and Port Moody.

At the present time, the only municipalities in the Province operating Coroner's Courts with a full time Coroner and appropriate supporting staff whose salaries are paid by the municipality are the Cities of Vancouver and New Westminster. New Westminster is put to considerable additional expense because of the number of Coroners' cases dealt with in the municipality's facilities involving persons who, at the time of their death, were residents of adjoining municipalities. Under the present legislation, New Westminster is powerless to recover any further costs as it is already charging the maximum allowed under the Coroners' Act.

New Westminster also faces the problem of rising costs brought about by increases in both volumes of work and wage levels.

Appropriate legislation has now been passed by the Provincial Government to establish a Coroner's District and all of the municipalities listed earlier are now being asked to be included in the Coroner's District.

Coroners' fees are too low and they should be updated, which will require an amendment to the Coroner's Act. If the fees reflected the current cost then the deficit in the operation would be minimal. The City of New Westminster is again making representations to the Province to have the fees increased.

If Burnaby was to participate in the financing of the Coroner's District, then it would have some say in the operation of the District as far as budgetary control is concerned. The representation of the participating municipalities is not explained in the memorandum that has been received from the Attorney General's Department. Further clarification is required on that point.

It is the intent of the legislation to apportion the cost of the Coroner's Office residual after recovering from other jurisdictions. New Westminster's estimate for 1973 is:

|   |                   |
|---|-------------------|
| Total                                   | \$ 83,600.00      |
| Less recovered from other jurisdictions | <u>29,000.00-</u> |
|   | 54,600.00         |
| Less chargeable to New Westminster      | <u>9,000.00</u>   |
|   | 45,600.00         |
| Burnaby's share                         | <u>12%</u>        |
|   | \$ 5,472          |

For 1972, Burnaby's costs were:

|                                   |                   |
|-----------------------------------|-------------------|
| Paid to New Westminster           | \$ 5,417.00       |
| Paid to other jurisdictions       | 3,561.00          |
| Paid to Burnaby's Coroner         | 1,425.00          |
| Other costs                       | 7,963.00          |
| Received from other jurisdictions | <u>(2,328.00)</u> |
|                                   | \$ 16,038.00      |

Under the new legislation, Burnaby's costs will continue at the same level as before plus 12% of New Westminster's residual undistributed cost.

It is felt Burnaby should bear its fair share of the cost of operating a Coroner's District but there is concern that the fees are too low and that there is no representation proposed as far as budgetary control is concerned.

It was recommended that:

- (a) the Attorney General be advised that Burnaby wishes to be included in the Coroner's District and pay 12% of the cost of the Coroner's Office residual after recovering from other jurisdictions, subject to:
  - (i) the Provincial Government raising the fees that can be charged under the provisions of the Coroner's Act;
  - (ii) the various municipalities involved having representation in the administration of the Coroner's District, especially in the area of budgetary control;
- (b) all of the municipalities involved, including New Westminster, be asked to support the previous recommendation and to advise the Provincial Government accordingly;
- (c) a copy of the report at hand be sent to the three Burnaby M.L.A.'s.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:  
"That the recommendations of the Manager be adopted."

IN FAVOUR -- ALDERMEN STUSIAK, LEWARNE,  
LAWSON AND BURNHAM

AGAINST -- MAYOR CONSTABLE, ALDERMEN  
GORDON, GUNN, MCLEAN, MERCIER  
MOTION LOST

*It was the consensus of opinion of those who voted against the previous motion that their reason was that the Provincial Government should bear the complete costs of Coroners' services.*

Alderman Gordon gave notice that it was his intention to introduce a resolution, to be placed before the forthcoming U.B.C.M. Convention, which would call for the Provincial Government to assume the complete costs of Coroners' services.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:  
"That a letter be sent to the City of New Westminster, with a copy to the office of the Attorney General, explaining why the above motion to adopt the Manager's recommendations failed to pass."

CARRIED UNANIMOUSLY

*MAYOR CONSTABLE was asked to contact Mayor Tonn of Coquitlam to ascertain the reason for that Municipality's refusal to participate in the scheme involving the Coroner's Districts.*

(11) Business Tax

The total expected revenue from business tax this year is over \$2,000,000.00 and accounts receivable at the present time amount to \$99,940.00.

The decision of the Supreme Court of Canada relating to an appeal against the manner in which the 1972 annual rental value of MacMillan Bloedel Ltd. in Port Alberni was established is not retroactive insofar as Burnaby is concerned because the 1972 and 1973 Business Tax Rolls are valid and binding and the time for appeal is now past. The decision, however, establishes a principle which must be recognized.

As far as is known, the following 13 municipalities in B. C. levy a business tax:

- |                 |               |
|-----------------|---------------|
| Campbell River  | Port Moody    |
| Coquitlam       | Powell River  |
| Gold River      | Prince Rupert |
| Kitimat         | Saanich       |
| New Westminster | Vancouver     |
| North Cowichan  | Victoria      |
| Port Alberni    |               |

Added weight to Burnaby's request for a change in legislation to allow the imposition of the business tax in the manner that has been used could be obtained if all the municipalities were asked to approach the Department of Municipal Affairs for the legislation required.

It was recommended that the Municipal Clerk be instructed to contact the 13 municipalities asking them to endorse Burnaby's stand and to urge the Provincial Government to take the appropriate action to provide the legislation desired.

It was also recommended that the municipalities be sent a copy of Item #24 of the Municipal Manager's Report No. 51, 1973, which Council received a short time ago on the subject matter.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN LAWSON:  
"That the Municipal Manager submit more detailed information on the status of the business tax accounts receivable that are referred to in his report as to their

collectability and whether the percentage of them is out of the ordinary."

CARRIED UNANIMOUSLY

(12) Subdivision Servicing Agreement  
SUBDIVISION REFERENCE NO. 60/73

It was recommended that Council authorize the execution of a Servicing Agreement for the above subdivision, particulars of which are as follows:

Subdivider

Name: Broten Construction Ltd. (O.A. Broten)  
Address: 8455 - 14th Avenue, Burnaby 3. B.C.

Legal Description of all properties within the subdivision:

South half of Lot 65, Plan 1146, and  
Lot 274, Plan 43807, D.L.92, Gp.1, N.W.D.

3 Description of Services to be installed by the subdivider:

According to Schedule attached  
(Note: this schedule is prepared by the Engineering  
Department based on the approved Engineering Design  
Drawing #730529)

4 Completion date:

The 15th day of September, 1973

6 Contractor:

Harvey Construction Ltd.,  
7050 Greenwood Street, Burnaby 2.

Contract Price:

Full Amount:- \$ 17,978.00

8 Insurance

Copies of all insurance policies as required in the  
body of the servicing agreement are in the Legal  
Department. (Note: these cover: Comprehensive  
General Liability, Subdivider's Contingency Liability,  
Completed Operations Liability, Contractual Liability  
and Automobile Liability. The contractor's insurance  
policies are acceptable if he is doing the work for  
the subdivider).

9 Inspection Fee

4% of full contract price: \$ 719.12

10 Irrevocable Letter of Credit posted with Municipality

\$ 19,200.00 (an amount in excess of the actual contract)



(13) Subdivision Servicing Agreement  
SUBDIVISION REFERENCE NO. 177/70

It was recommended that Council authorize the execution of a Servicing Agreement for the above subdivision, particulars of which are as follows:

Subdivider

Name: Cardinal Developments Ltd.,  
 Address: 1430 East 57th Avenue,  
 Vancouver. B.C.

Legal Description of all properties within the subdivision:

Parts of Lots 1 and 2 of Parcel 'C', Plan 6877, and  
 Lot 'D', Plan 3219,  
 all of Block 2, D.L.75, Group 1, N.W.D.

3 Description of Services to be installed by the subdivider:

According to Schedule attached  
 (Note: this schedule is prepared by the Engineering  
 Department based on the approved Engineering Design  
 Drawing No.720514)

4 Completion date:

The 31st day of October 1973

6 Contractor:

Name: Kan Holdings  
 Address: Suite 1,  
 4647 Kingsway, Burnaby 1.

Contract Price:

Full Amount: \$ 143,433.75

8 Insurance:

Copies of all insurance policies as required in the  
 body of the servicing agreement are in the Legal  
 Department. (Note: these cover: Comprehensive  
 General Liability, Subdivider's Contingency Liability,  
 Completed Operations Liability, Contractual Liability,  
 and Automobile Liability. The contractor's insurance  
 policies are acceptable if he is doing the work for  
 the subdivider).

9 Inspection Fee:

4% of full contract price: \$ 5,737.35

10 Irrevocable Letter of Credit posted with Municipality

\$ 143,433.75

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GORDON:

"That the recommendations of the Manager covering Items #12 and #13 be adopted."

CARRIED UNANIMOUSLY

(14) Estimates

It was recommended that the Special Estimates of Work of the Municipal Engineer in the total amount of \$6,500.00 be approved.

MOVED BY ALDERMAN MCLFAN, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(15) Condominiums

Under recent amendments to the Strata Title Act, all conversions of existing multiple dwelling rental suites to self-owned Strata Title suites must have the approval of Council:

The municipality has the authority to approve a Strata Plan or refuse to do so, or approve it subject to such terms and conditions as are considered appropriate. The decision of the municipality is final.

The following represents the general guidelines to be followed for new residential condominiums and conversions of the types mentioned above:

GENERAL REPORT ON RESIDENTIAL CONDOMINIUMS AND CONVERSIONS

INDEX

PART I Background

1.0 Background  
1.1 Definition  
1.2 Historical Summary  
1.3 Growth of Condominiums  
1.4 Favourable Financial Conditions  
1.5 Strata Titles Act  
1.6 Social Factors  
- General Comments  
- Low Rise and High Rise Apt. Condominiums  
- Townhouse Condominiums  
- Duplex Condominiums  
- Rental vs Ownership

PART II NEW RESIDENTIAL CONDOMINIUMS

2.0 Guidelines  
2.1 General Condominium Guidelines  
2.2 Specific Condominium Guidelines  
2.2.1 High Rise Apartment Condominiums  
2.2.2 Low Rise Apartment Condominiums  
2.2.3 Townhouse Condominiums  
2.2.4 Duplex Condominiums

PART III RESIDENTIAL CONDOMINIUM CONVERSIONS

3.0 General Comments  
3.1 General Conversion Guidelines  
3.2 Specific Conversion Guidelines  
3.2.1 High Rise Apartment Conversions  
3.2.2 Low Rise Apartment Conversions  
3.2.3 Townhouse Conversions  
3.2.4 Duplex Conversions.

GENERAL REPORT ON RESIDENTIAL CONDOMINIUMS AND CONVERSIONS

PART I BACKGROUND

1.0 Background

The condominium concept is not the housing panacea - all it does is add a new dimension. Although operational difficulties still remain to be resolved, in the long run, condominium appears to be a viable concept. The following report represents an informational synopsis of the condominium situation and an outline of suggested criteria for the approval of new residential condominiums and condominium conversions in the Municipality of Burnaby.

1.1 Definition

A residential condominium is defined as individual ownership in fee simple of a one-family unit in a multi-family structure coupled with ownership of an undivided interest in the land and in all other parts of the structure held in common with all of the other owners of one-family units.

1.2 Historical Summary

The existence of condominiums has been recorded as far back as 2500 years ago. Post World War I Europe experienced renewed interest in condominiums. For instance, today 90% of units built in Belgium are condominium.

The last two decades have seen the passage of notable state legislation authorizing condominium ownership in the United States and in Australia. Canada then has been one of the last major countries to adopt condominium legislation. The first provinces to pass condominium statutes were British Columbia and Alberta on September 1, 1966.

1.3 Growth of Condominiums

A scarcity of usable urban land and concomitant high consumer demand for shelter appears to be a common thread which ties together those situations where condominiums have become popular.

A few long range reasons cited by Authorities for the increase in the popularity of condominiums have been

- 1) the increasing cost of land;
- 2) urbanization and
- 3) a probable increase in family households.

Condominiums are especially attractive to the following groups:

- 1) Families with 1 or 2 small children, whose head is between 25 and 35 years old. A condominium row-house is a way to provide ownership for families priced out of the single-family home in major urban centres.
- 2) Older families with grown children or older couples have also been attracted to condominiums, which are in some cases smaller than their former homes, represent usually a lower capital cost and a freedom from household chores at a stage in their lives when recreational pursuits and the accommodation of physiological constraints are of greater importance. Low rise and high rise apartment condominiums are especially attractive to this group.

- 3) Non-child family groups who desire ownership in conjunction with maintenance-free accommodation in close proximity to urban amenities and to places of work are attracted to condominiums - low rise and high rise apartment condominiums in particular.

#### 1.4 Favourable Financial Conditions

Brief mention is made of the favourable financial conditions which have made condominiums appear so attractive as a purchase proposition. A significant price spread has been maintained between condominiums and comparably located single-detached dwellings. N.H.A. regulations allow loan ratios of 95% of the value of the home, up to \$30,000. for a new home and \$23,000. on a used home. In addition, B.C.'s Home Acquisition Act provides a \$5,000. second mortgage or \$1,000. grant for purchase of new homes, or a \$2,500. second mortgage or \$500. cash grant for purchase of older homes. There is also the annual homeowner grant. What this outlined situation signifies is that:

- a) Home ownership has been made easier to attain.
- b) The terms are more favourable in buying a new condominium than an older single-detached dwelling.
- c) Condominiums appear to be lower in price than comparative new single-detached dwellings.
- d) The downpayment required for condominiums is generally low.

From the point of view of the developer, condominium residential development allows the developer to commit his equity for short terms and to pass on any fluctuations in interest rates directly to the buyer.

Rental residential development requires a long term commitment of equity by the developer/owner.

In the case of condominium conversions, it appears that the aggregate worth of a condominium apartment is significantly higher than its worth as a rental apartment. The pressure to convert rental apartments for condominium has also been increased by recent tax changes, which have made the holding of rental apartments unattractive as tax shelters for small investors.

#### 1.5 Strata Titles Act

A brief summary of the major sections of the Strata Titles Act - 1966 is presented.

1. The registration of a strata plan is required delineating the boundaries of the land and locations of the building(s). Each strata lot is identified on the strata plan and its boundaries are defined by reference to floors, walls and ceilings. The strata plan may be registered only when the physical shell of the condominium is substantially complete showing the actual location of floors, walls and ceilings.
2. An attached schedule will specify the unit entitlement of each lot and the aggregate unit entitlement. This entitlement defines the voting shares of each owner, the share of each owner in the common property and the consequent like proportion of expenses.
3. A strata lot may be transferred, leased, mortgaged, or otherwise dealt with in the same manner and form as any land the title to which is registered under the Land Registry Act.
4. The registered name, "The Owners, Strata Plan No....." designates a strata (condominium) corporation of which all owners are automatically members. A strata corporation among its powers and attributes has perpetual succession, may sue and be sued, and may buy or sell land under certain

circumstances (i.e. special resolution).

5. The Act also provides a set of Bylaws in First and Second Schedules. These Bylaws not only regulate the building but also provide for the operation of the corporation. The First Schedule cannot be added to, amended, or repealed except by unanimous resolution, while the Second Schedule cannot be added to, amended, or repealed except by a special resolution requiring the assent of 75% of the members of the corporation.
6. The recently enacted Bill 124, which amends the Strata Titles Act, gives the Municipal Council the authority to approve a strata plan or refuse to approve it, or to approve it subject to such terms and conditions as it considers appropriate, and the decision of the Municipality is final.

#### 1.6 Social Factors

##### General Comments

1. A tentative assertion arising out of research is that satisfaction with one's neighborhood can override dissatisfaction with one's unit. In condominium townhouses, stress should be placed on communal and community recreation facilities, greater open space around units, and suitable play areas for both younger and older children. In higher density low-rise and high-rise condominiums, stress should be placed on communal and community recreation facilities, greater open space around projects, and proximity to comprehensive commercial facilities.
2. Space dissatisfaction is of primary importance in the initial stages of housing improvement but once space requirements are met, discontent with equipment and the layout of rooms supersedes space satisfaction.

##### Low Rise and High Rise Apartment Condominiums

3. In general, high rise and low rise corridor/elevator apartments appear to be unsuitable as child-rearing environments. High rise apartments place too great a distance between the mother and her children when they are playing outside the dwelling. Two important cited variables in child raising environments are
  - 1) the ease of access to outdoor space, and
  - 2) the amount of separation from adjacent neighbours.Apartment corridors and elevators tend to become a public no-man's land over which little control and surveillance of children is possible.

##### Townhouse Condominiums

4. In one study based on condominium townhouses, the residential satisfaction of condominium owners tended to be a function of
  - 1) the sociability of condominium owners and their ability to get along with each other,
  - 2) the willingness of owners to accept and adjust to the condominium concept of housing, in particular to a higher density (vis-a-vis single-detached dwellings) family-oriented situation and
  - 3) the physical quality, appearance, and maintenance of the condominium units and the condominium project.

- 5. One specific concern of condominium owners is the high exterior noise levels and high visibility of children in townhouse condominiums. In part this situation may be alleviated by a decrease in unit densities and the provision of adequate play areas for both younger and older children.

Duplex Condominiums

- 6. The major difficulty in duplex condominiums would stem from the fact that the Strata Corporation will be composed of two equal owners. Any disagreement between the two owners would create a deadlock situation. The potential areas of disagreement include the maintenance of the grounds, the maintenance of the exterior of the building, remodeling of the building, and additions to the building (i.e. porches, screen doors, carports, fences, storage sheds, etc.).
- 7. Duplexes possess almost all of the family oriented advantages of single-detached dwellings.
- 8. Serious consideration should be given to the actual subdivision of side-by-side duplexes into two separate lots. This situation appears to be common in many Canadian cities. Within the existing Burnaby Zoning Bylaw the actual subdivision of duplexes may be achieved through the use of the R6 - Residential District Zone.

Rental versus Ownership

- 9. The ownership factor appears to significantly affect the attitude and behaviour of condominium residents. This is not to imply that the needs of row house tenants are any less than those of row house owners but rather that their needs differ. For example, condominium owners must jointly oversee the management of the project. Owners may remodel the interior of their units extensively. In addition, owners see their housing unit as a major investment and their attitudes, for instance as regards the landscaping and maintenance of the project, tend toward protecting their investment.

In general, it also appears that ownership represents a greater sense of permanency to the resident in contrast to tenancy. The purchase and sale of units (legal) is a relatively complex procedure whereas the signing and cancelling of leases is almost perfunctory.

PART II NEW RESIDENTIAL CONDOMINIUMS

2.0 Guidelines

2.1 General Condominium Guidelines

- 1. A minimum parking ratio of 1.5 parking stalls per unit should be maintained.

The present Zoning Bylaw requires 1.0 parking stalls per unit for row housing and low rise apartments and 1.25 parking stalls per unit for high rise apartments. The September 1971 Apartment Parking Study carried out by the Planning Department had recommended that a parking ratio of 1.3 parking stalls per unit for all forms of apartment development be instituted. The standard for the recently adopted R8 (Group Housing) District is 1.5 parking stalls per unit. Both the

Fire Department and the Engineering Department have expressed their concern regarding the adequacy of existing parking requirements. Burnaby has no policy to encourage street parking in apartment areas and for townhouse condominium projects, in particular, there are often no "streets" per se suitable to accommodate extra resident or visitor parking. Provisions for visitor parking are not mentioned specifically in the existing Zoning Bylaw. Recently the need to provide parking facilities to accommodate trailers, boats, campers and other recreational vehicles has become evident especially in condominiums.

In condominiums, at least one parking stall is (and should be) included in the purchase price of a unit. This situation may represent an inefficient allocation of parking stalls since each owner may not necessarily own a personal vehicle at the time of purchase - thus requiring an increase in the parking ratio.

We would add that a few recent developers in Burnaby of their own volition have felt that a parking ratio of 2 parking stalls per unit should be provided for condominium townhouses.

2. No parking should be allowed within any condominium driveway or designated fire lane.

This requirement is to be included in the Strata Corporation Bylaws. Upon the advice of the Fire Department, the Burnaby parking control officer should be empowered to enforce this requirement.

3. A suitable plan of development for condominiums should specifically include provisions for adequate open space and suitable communal facilities.
4. Driveways and concrete curbs to the municipal standard shall be required in condominium projects.
5. Excepting townhouses and duplexes, a readily accessible resident representative of the Strata Corporation and the authorized Management Company is to be given authority to grant entry to the premises to the Municipal Departments of Building, Health, Assessment and Fire for emergency or inspection purposes.

This requirement is to be included in the Strata Corporation Bylaws.

6. At the time that the Strata Plans are submitted to the Municipality, the developer shall submit a complete copy of the requisite Strata Corporation Bylaws for perusal.
7. Any condominium previously approved by Council through the rezoning process shall be governed by the applicable approved suitable plan of development. In particular it is recommended that any new parking requirement approved by Council not be retroactive to include these previously approved condominium plans.
8. Each potential condominium owner shall be supplied with a complete prospectus of the project by the developer.

The prospectus shall fully explain:

- a) The true interest on financing noting the total cost to the buyer over the overall mortgage term.



- b) The taxation situation including the relationship of the homeowner grant.
- c) Management fees and any other costs to be borne by the individual owner.
- d) Any other financial arrangements affecting the individual condominium owner.
- e) The unit entitlement.
- f) The Strata Corporation Bylaws.
- g) Limits of individual control over a condominium owner's particular unit.
- h) Enumeration of communal facilities and any details of ownership concerning these facilities, including responsibility of owner to contribute to costs of replacement.
- i) Accurate sketch presentation outlining the relationship of a particular unit to other units and to adjacent common property.
- j) Accurate extent of the legal lot encompassing the particular Strata Corporation.

2.2 Specific Condominium Guidelines

2.2.1 High Rise Apartment Condominiums

- 1. In general, the zoning requirements of RM4 and RM5 - Multiple Family Residential Districts are utilized as guidelines within the specific zoning designation of the Comprehensive Development District.
- 2. The preceding condominium guidelines outlined apply.
- 3. Children should be discouraged in high rise condominiums.
- 4. Bachelor/Studio Suites should only be considered under exceptional circumstances where extensive communal facilities and usable open space are provided in the project.

2.2.2 Low Rise Apartment Condominiums

- 1. In general, the zoning requirements of RM2 and RM3 - Multiple Family Residential Districts are utilized as guidelines within the specific zoning designation of the Comprehensive Development District.
- 2. The preceding general condominium guidelines outlined apply.
- 3. Children should not be encouraged in the typical corridor/elevator low rise apartment condominium.
- 4. Bachelor/Studio Suites should only be considered under exceptional circumstances where extensive communal facilities and usable open space are provided in the project.

2.2.3 Townhouse Condominiums

1. In general, the zoning requirements of RM1 - Multiple Family Residential District are utilized as guidelines within the specific zoning designation of the Comprehensive Development District.
2. The preceding general condominium guidelines outlined apply.
3. The Community Plan guideline for low density multiple family housing of 10-12 units per acre should apply to all townhouse condominiums.
4. Play facilities for older children (paved court, basketball net, backboards, etc.) should be considered in addition to the usual play facilities provided for small children.
5. Underground wiring is to be provided. Ornamental lighting (morality lights) should be provided in larger townhouse condominium projects.
6. The following minimum suite sizes should be used as a guideline.

- 2 - Bedroom Unit - 900 sq. ft.
- 3 - Bedroom Unit - 1100 sq. ft.

For information, the recently adopted R8 (Group Housing) District which is actually a condominium category intended for the accommodation of families with children requires that each suite have a minimum size of 1200 sq. ft.

2.2.4 Duplex Condominiums

1. In general, the zoning requirements of the R4 and R5 - Residential Districts shall apply.
2. A suitable plan of development should be required. The developer shall complete the project landscaping before occupancy.
3. The use of maintenance-free exterior materials would be recommended. Painted surfaces should be kept to a minimum.
4. The general color specifications of any painted/stained surfaces shall be included in the Strata Corporation Bylaws. Any change to the exterior of the project would require the consent of both owners and be specified in the Strata Corporation Bylaws.
5. Separate Water, -Sewer, Hydro and Gas (where applicable) connections shall be provided to each unit.
6. The maintenance of the exterior of the building and any accessory development shall be the joint responsibility of both owners.

The responsibility for the maintenance of the grounds may be divided by the two owners along an imaginary line extending and projected along the common wall of the duplex.

7. Points 6 and 7 of Section 2,1 - General Condominium Guidelines shall apply.

PART III RESIDENTIAL CONDOMINIUM CONVERSIONS

3.0 General Comments

1. Condominium conversions appear to be financially attractive to developers. It had been mentioned previously that the value of a condominium unit tends to be substantially higher than the value of the same unit as a rental unit. The upgrading of an apartment conversion at the time of sale appears to emphasize cosmetic changes.
2. Condominium conversions do not increase the aggregate amount of housing available. It is noted that apartment condominium conversions would not be entirely suitable for families with children. Also, tying older persons (former tenants) into long term mortgage commitments in addition to water, hydro, and heating costs, tax payments and monthly maintenance costs, does not appear entirely reasonable. It appears that the aggregate monthly costs and payments may be substantially higher than for renting an apartment - although a long run equity position is developed.
3. Condominium apartment conversions probably constitute the lowest priced housing available for ownership.
4. It is suggested that overcrowding in inexpensive condominium conversions may be a potential problem. Existing rental apartments usually have limits on the number of permanent residents allowed in each unit. Some density limitation standard (i.e. persons per bedroom) may be eventually necessary regarding apartment conversions.
5. At the June 25, 1973 Council meeting, it had been mentioned that perhaps the vacancy rate in Burnaby could be used as one criterion for approving Strata Title conversions. We would advise that the vacancy rate is subject to continuous fluctuation. This approval procedure would appear subject to abuse as developers' attempt to convert before deadlines pegged to the vacancy rate.

It is suggested that the provision of an adequate supply of rental housing has regional, provincial and federal ramifications which is difficult to isolate and to resolve within any one Municipality such as Burnaby. If there exists a deficiency in the amount of rental units available at the present time, it is perhaps instructive to point out that this situation is in part a result of a change in federal taxation policies.

6. A long range problem is the potential difficulty in redeveloping condominiums and in particular condominium conversions. The assent of many individual owners would be required to redevelop a dilapidated condominium.
7. It appears that the sale of Bachelor or Studio units is not reasonable except in exceptional circumstances where extensive communal facilities are provided. The encouragement of one-room "homes" would appear to promote substandard housing.

8. It appears that the conversion of apartments built prior to 1964 may be unsuitable due to inadequate parking provided (parking ratio of 0.75 parking stalls per unit or lower).
9. A minimum parking ratio of 1.5 parking stalls per unit appears necessary. A few recent condominium rezonings have provided parking ratios of between 1.25 and 2.0 parking stalls per unit with a ratio of 1.5 emerging as a workable guideline. (See Section 2.1.1).

However to insist upon the upgraded parking ratio would appear to eliminate almost all conversions of, in particular, three-storey apartments which at present require a parking ratio of 1.0. Most three-storey apartments have limited potential to add additional parking spaces easily (i.e. limited site size, existing underground parking). However to approve three-storey apartment conversions without requiring an upgrading of the parking ratio to present day condominium standards may encourage developers to provide rental apartments now at a lower parking ratio with the intent of converting at some future date to condominium. In addition to approve conversions without requiring an upgrading of standards would appear to be at variance with the attempts of the Municipality to maintain a high level of standards in new condominiums. This situation could be justified if condominium conversions were shown to fill an important social need.

For information, it is noted that a few new condominiums have been approved by Council based on a parking ratio of the existing RM2 and RM3 Zoning regulations. It would appear difficult to go back on those decisions based on the recommended upgraded parking standards.

If the recommended parking standards are not adopted, the Strata Corporation shall provide a rebate and lease arrangement to achieve the optimum utilization of the available parking spaces.

### 3.1 General Conversion Guidelines

1. Any developer wishing to convert a rental residential project to condominium shall meet all applicable condominium guidelines in force at the time of the conversion application.
2. Points 1, 2, 3, 5, 6, 7 & 8 in the General Condominium Guidelines outlined in Section 2.1 of this report should apply to condominium conversions.
3. It is recommended that an independent health consultant be retained and that a certificate guaranteeing that the premises are free of any infestation is to be obtained by the developer.
4. Bachelor/Studio units should not be approved for conversion to condominium except under unique circumstances.
5. A suitable plan of development should be requested of all applicants for conversions, detailing any revisions or improvements to the project.

- 6. The developer shall submit a complete explanation of the provisions which have been established to protect the rights of tenants in the project and to relocate tenants who do not wish to buy.
- 7. In cases where the apartment project was constructed under bylaws not now in effect, the building should be treated as a new project and brought up to the standards of the Building Department in effect at the time conversion is being considered.
- 8. A standard form on each Strata Title conversion will be circulated to the Engineering, Building, Health and Fire Departments for comment.

3.2 Specific Conversion Guidelines

3.2.1 High Rise Apartment Conversions

- 1. The preceding outlined general conversion guidelines apply.

3.2.2 Low Rise Apartment Conversions

- 1. The preceding outlined general conversion guidelines apply. (See, in particular, Point 9 of Section 3.0 - General Comments for references to parking).

3.2.3 Townhouse Conversions

- 1. The preceding outlined general conversion guidelines apply.
- 2. Concrete curbs and driveways to the municipal standard shall be required in condominium projects.
- 3. Servicing of sites shall conform to the requirements of the Burnaby Subdivision Control Bylaw.


3.2.4 Duplex Conversions

- 1. The points outlined in Section 2.2.4 - Duplex Condominium shall apply.
- 2. Points 2, 4, 5, 6 & 8 of Section 3.1 - General Conversion Guidelines shall apply.

RECOMMENDATION:

It is recommended that the guidelines set out in the foregoing report under Part II, Sections 2.1 and 2.2, regarding new residential condominiums, and Part III, Sections 3.1 and 3.2, regarding residential condominium conversions, be adopted by the Council as guides in the future consideration of requests for approval of Strata Plans for residential purposes under the Strata Titles Act.

Respectfully submitted,

  
A. L. Parr,  
DIRECTOR OF PLANNING

KI/DGS/ea

It is hoped this material will provide Council with the background required to decide on the guidelines so that they can be used to provide direction for those interested in applying for Strata Title approval conversions.

It was recommended that the recommendations of the Planning Department in its report be adopted.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:

"That the submission from the Manager be referred to the Advisory Planning Commission for consideration and report."

CARRIED

AGAINST -- ALDERMEN STUSIAK AND LEWARNE

ALDERMAN STUSIAK LEFT THE MEETING.

(16) Greentree Village

On November 6, 1972, the Council received a detailed report on the concept for the development of Greentree Village. It is a 450 unit housing development on a 50 acre site which was formerly the most Westerly portion of the Forest Lawn Cemetery lands. At that time, the overall development concept was outlined in principle as the basis for a proposed rezoning of successive phases of the project. The alignment of the Major North-South Road, known as Garden Grove Drive, has been the subject of a considerable amount of thought and preliminary design work and was shown on the Community Plan which was presented to Council.

The rezoning of Phase I, at the Southerly extremity of the site, to CD was finalized in March, 1973. Rezoning applications for Phase II (immediately to the North) and for Phase III (at the Northerly end of the site but including the community facilities near the midpoint of the project) were introduced to Council on May 22, 1973. Phase II was the subject of a Public Hearing on June 12th and the amendment to the Zoning By-Law covering the proposal received Two Readings on June 18, 1973.

A written request has now been received from Dawson Developments Limited, the developers, requesting permission to clear and begin the preparation of the road base for Garden Grove Drive in those areas not yet zoned for development. The Company has indicated that its reason for this request is based on soil and drainage conditions encountered on the site, seasonal influences and an understandable desire to provide an internal construction road link within the boundaries of the site in preparation for the third phase.

It was recommended that Dawson Developments Ltd. be allowed to clear Garden Grove Drive on the understanding that:

- (a) no disturbance of any kind will take place beyond the 66-foot wide alignment for the street and the two designated burner sites;
- (b) the Company will provide a suitable restorative landscape treatment for the hillside site mentioned in its submission.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Manager be adopted."

IN FAVOUR -- MAYOR CONSTABLE, ALDERMEN GORDON  
LAWSON AND LEWARNE

AGAINST -- ALDERMEN MCLEAN, MERCIER, GUNN AND  
BURNHAM

MOTION NEGATIVED

ALDERMAN STUSIAK RETURNED TO THE MEETING.

(17) (a) Ellerslie Avenue

- (b) (i) Parcel "C" Explanatory Plan 9256, Except Explanatory Plan 11295, S.D. 7/8, Block 2, D.L.'s 44/78, Plan 3049 - 6917 Loughheed Highway
- (ii) Lot 9, Except Explanatory Plan 11295, Block 2, D.L.'s 44/78, Plan 3049 - 2756 Ellerslie Avenue

(iii) Lot 2, Blocks 1/C, D.L.'s 78/131, Plan 8696 -  
2605 Ellerslie Avenue  
REZONING REFERENCE NO. 35/71

It was recommended that Council approve the following land exchange proposal involving the above road and properties:

- (a) An exchange of land of equal area from the redundant portion of Ellerslie Avenue in return for a 66-foot wide road allowance running Easterly from Ellerslie Avenue to the E.P.L. of Lot 9, Except Explanatory Plan 11295, D.L.'s 44/78, Plan 3049, as more particularly shown <sup>OR</sup> a sketch accompanying the report.
- (b) Compensation in the amount \$20,655.00 to the municipality for the remainder of the area involved in the redundant portion of Ellerslie Avenue (approximately 12,672 square feet).
- (c) The acceptance of all other conditions and servicing requirements previously discussed with the Planning Department when the rezoning of the property concerned was being considered and development of the site was about to take place.
- (d) All legal costs and surveys required to complete the transaction being borne by the applicant.
- (e) A deposit of 25% of the total land cost, to be placed in trust, by the applicant, with the balance payable immediately prior to the conveyance of the redundant road allowance to the developer.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(18) Noise Nuisance - B. C. Hydro and Power Authority Central Park Line

The matter of train whistles at crossings and the attendant question of possible alternative means of signalization at rail crossings is currently the subject of an investigation by the Traffic Division of the Engineering Department. The Department of Commercial Transport, which is responsible for governing the pertinent legislation covering Provincially chartered rail lines, has been contacted about the matter. The requirements the municipality must meet to make an application to the Minister of Transport are quite extensive and require a considerable amount of input. For this reason, it is not expected that an application will be made for at least another three months. As soon as the requested information has been obtained, it is intended to advise Council of the findings and to provide a recommendation as to the making of appropriate applications to the Minister of Commercial Transport.

*MUNICIPAL ENGINEER stated that consideration would be given, in the study that is being made, the matter of installing yield signs at the road crossings of the railway where stop signs were in place at one time.*

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN BURNHAM:  
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(19) 4400 - 4600 Blocks Barker Avenue

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

(20) Branch Library - Burnaby Centre

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

(21) Stride Gravel Pit - (Serpent Archers Association)

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

(22) Contract #10, 1973 (Storm Drainage)

It was recommended that Council accept the tender of Gosal Bros. Contracting Limited in the amount of \$162,786.85 for the supply and installation of the storm sewers and related works detailed in the report, with final payment to be based on the actual quantities and unit prices tendered.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(23) 5429 Lougheed Highway (Totem Motel)  
REFERENCE REZONING NO. 53/70

Mr. A. F. C. Hean, Solicitor for the owners of the Totem Motel, expressed strong concern over the wording and the inference in the following sentence which appeared in the last paragraph of Item #14 of the Municipal Manager's Report:

"In summary, we are unable to corroborate the allegations made by Mr. Hean relating to instructions to withdraw the application and later assurance that it had been withdrawn."

Lest there be any doubt as to the intent of the statement, it should be clearly understood that the conclusion cited was based on discussions only with municipal staff and a thorough examination of only the Corporation's file records. The statement was not intended to imply that the municipality had done further checking by its staff of the references Mr. Hean quoted in his earlier submission. The letter of direction from the Municipal Clerk's Office, as a result of the Council meeting on July 9, 1973, read "The Council directed that you (Planning Director) submit a report indicating why the statements in question were not confirmed in writing by your Department." No direction was given that the staff were to contact Mr. Hean's suggested references and this was not done.

For the record and greater clarity, the sentence set out above should be restated:

"In summary, after discussion with only our staff and examination of only our file records, we are unable to corroborate the allegations made by Mr. Hean relating to instructions to withdraw the application and later assurance that it had been withdrawn: to the best of our information no such action took place."

It was recommended that a copy of the report at hand be sent to Mr. Hean.

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

CARRIED UNANIMOUSLY

(24) Burrard Inlet Recreational Development

A report has now been received from N.D. Lea & Associates dealing with an examination of the method and cost of land reclamation in the Eastern section of Burrard Inlet to determine its feasibility as a possible means of providing shoreline park development in Burnaby. Modes of access and the provision of parking are also included in the report.

The report has been reviewed recently by a Staff Committee. A number of minor points in need of clarification or amendment were brought forward as a result of this initial scanning. The consultant has provided a list of addendums which form part of the report, entitled "Land Reclamation and Access for the Burrard Inlet Shore Development".



Two additional supplementary reports mentioned in the main one relating to the intertidal ecology of Burrard Inlet and soil conditions within the study area have been provided to the Staff Committee.

The report provides feasibility information on technical matters relating to just one of several ways of providing recreational public access to the South shore of Burrard Inlet. As such, the finding of the report should be regarded only as a necessary component to the preparation of a development concept and implementation scheduled for the Burrard Inlet waterfrontage.

Considering the public interest shown in the recreational development of the recreational development of the Burrard Inlet area, the Council may wish to invite private concerns to make submissions about the matter.

It should be stressed that the report is not intended to reach a conclusion. N. D. Lea & Associates were to only gather data on certain aspects of the overall problem.

It was recommended that:

- (a) Council refer the report at hand, together with the one from N. D. Lea & Associates Limited, to the Parks and Recreation Commission for study and comment;
- (b) the staff involved study the report of N. D. Lea & Associates and include in its findings a recommendation as to a development concept and implementation schedule for the recreational use of the Eastern segment of the Burrard Inlet waterfrontage within the municipality;
- (c) copies of the report at hand and the N. D. Lea report, complete with addendum, be made available to any individual or group that wishes one and they be requested to submit written submissions on the matter by August 20, 1973.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:  
"That the recommendation of the Manager be adopted."

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN STUSIAK:  
"That the date for receiving written submissions on the subject of the report of the Manager be changed from August 20, 1973 to September 20, 1973."

CARRIED UNANIMOUSLY

A vote was then taken on the original motion, as amended, and it was carried unanimously.

*It was understood by Council that all who had signified an interest in the question of recreational development on Burrard Inlet would be sent a copy of the report of N.D. Lea & Associates.*

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN MERCIER:  
"That the members of Council tour the Burrard Inlet area commencing at 9:00 a.m. on August 25, 1973."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN CUNN:  
"That the Municipal Engineer provide information as to the cost of ascertaining the amount of offshore dredgable material in Burrard Inlet to which reference is made in the N. D. Lea report on Land Reclamation and Access for the Burrard Inlet Shore Development."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:  
"That the meeting extend beyond the hour of 10:30 p.m."

CARRIED UNANIMOUSLY

MAYOR CONSTABLE stated that a suggestion was made that Burnaby and New Westminster enter an advertisement in a centrefold being produced by the Columbian relating to the Canada Summer Games.

He indicated that the cost would be \$428.40 plus \$100.00 for a tabloid, but that this figure might be altered.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That Mayor Constable be authorized to:

(a) discuss with officials of the City of New Westminster the matter of placing a suitable advertisement in the Columbian newspaper concerning the Canada Summer Games;

(b) expend the funds required to pay for the advertisement."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COMMITTEE RECONVENED.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:

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

CARRIED UNANIMOUSLY

BY - LAWS

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ROAD DEDICATION BY-LAW NO. 1, 1973" be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

*The Deputy Municipal Clerk was asked to provide Council with background information relating to the above By-Law when it is returned for Reconsideration and Final Adoption.*

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ROAD DEDICATION BY-LAW NO. 1, 1973" be now read three times."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 3, 1973 came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

Reference RZ #73/71

Lots 5 and 6, D.L. 68, Plan 3431

4126 and 4136 Canada Way

FROM R5 TO P5

PLANNING DEPARTMENT reported that the prerequisites established by Council in connection with this rezoning proposal have been satisfied.

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 19, 1973 came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed text amendment:

PROPOSED ADDITION OF "OFFICES" TO LIGHT INDUSTRIAL DISTRICT (M5)

"The deletion of the existing uses in Sub-Clause (g), Clause (1), Section 405.1 (Uses Permitted), i.e., "Architectural, data processing, drafting, engineering and surveying offices", and their replacement by: "Business and professional offices".

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 22, 1973 came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed text amendment:

PROPOSED ADDITIONS AND CHANGES TO SECTION 7.8

(a) The deletion of the existing Clause (4) and its replacement by:

"Every application for rezoning or a land use contract shall be accompanied by a fee of \$25.00 for the first 25,000 square feet or less of land included in such application, plus \$1.00 for each additional 1,000 square feet or part thereof."

(b) The addition of Clause (7) to Section 7.8 to read:

"Notice of the Public Hearing shall be mailed to the owners and occupiers of all real property within the area that is subject to the rezoning or land use contract and to the owners and occupiers of all real property which abuts the area that is subject to the rezoning or land use contract."

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 3, 1973"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 19, 1973"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 22, 1973"

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

CARRIED UNANIMOUSLY