

November 26, 1973

A regular meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, November 26, 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 (7:05 p.m.)  
Alderman W. A. Lewarne  
Alderman G. H. F. McLean  
Alderman J. L. Mercier  
Alderman V. V. Stusiak

STAFF PRESENT:

Mr. M. J. Shelley, Municipal Manager  
Mr. E. E. Olson, Municipal Engineer  
Mr. A. L. Parr, Planning Director  
Mr. E. A. J. Ward, Deputy Municipal Clerk  
Mr. J. Plesha, Administrative Assistant  
Mr. B. Leche, Municipal Clerk's Assistant

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That the Minutes of the Council meeting held on November 5, 1973 and the Public Hearing on the same date be adopted as written and confirmed."

CARRIED UNANIMOUSLY

ALDERMAN LAWSON ARRIVED AT THE MEETING.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN GORDON:

"That the Municipal Manager and Deputy Municipal Clerk submit a report explaining why there has been a delay in preparing the Minutes for Council meetings and how the situation can be corrected."

CARRIED UNANIMOUSLY

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That all of the below listed original communications be received and those items of the Municipal Manager's Report No. 88, 1973 which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

Community Planning Association of Canada submitted a circular inviting the members of Council to attend the 8th Lower Mainland Planning Congress on November 29, 1973 at 7:00 p.m. in the Sheraton-Villa in Burnaby.

Mr. J. E. Willis, Acting Executive Director, Canadian Federation of Mayors and Municipalities, submitted a circular inviting Council to offer its views on the possible restructuring of the Federation Organization by no later than December 31, 1973.

Mr. Willis also submitted a circular with which he forwarded a copy of the resolutions which were adopted at the 1973 Conference of the Canadian Federation of Mayors and Municipalities in Charlottetown last June.

Mr. C. G. Archibald, Assistant Superintendent of Schools, Board of School Trustees, School District No. 41, submitted a letter in which he provided school population statistics for Burnaby and other Municipalities for the past few years.

The Honourable James G. Lorimer, Minister of Municipal Affairs, wrote to answer three questions Council asked at its meeting on November 5th pertaining to the relocation of the Oakalla Prison Farm and a proposed alternate use for the land.

Mr. Lorimer also submitted a letter advising that the entire question of tax exempt properties in the Province is under active consideration by his Department and that it would be premature at this time to provide Council with an answer to the request it made at its October 15th meeting relating to grants to the Municipality in lieu of taxes on Provincial Government lands in the Municipality.

The Honourable David Barrett, Premier, submitted a letter relating to the Community Recreation Facilities Fund Act advising that he has forwarded a copy of a November 19th letter to him about the matter to the Minister of Recreation and Conservation for his attention.

Mr. C. G. Wardlaw, Chairman, Safety Committee, British Columbia Vocational School, submitted a letter requesting a meeting with a representative of the Municipality to discuss the matter of the crosswalk on Willingdon Avenue in front of the B. C. Vocational School and the B. C. Institute of Technology.

*Item #1 of the Municipal Manager's Report No. 88, 1973, which relates to the subject of the letter from the Safety Committee, B. C. Vocational School, was brought forward for consideration at this time. The following is the substance of that report:*

(1) Crosswalk - Willingdon Avenue (B. C. Vocational School)

As a result of considering the request of the Chairman of the Safety Committee of the B. C. Vocational School, it was recommended that the Deputy Minister of Highways be approached to appoint a representative from his Department who would be able to provide the best possible input of information into the overall question of ultimate development of Provincial holdings on both sides of Willingdon Avenue South of Canada Way.

It was also recommended that a copy of the report at hand be sent to the Chairman.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That the first recommendation of the Manager be amended by inserting the words "to the Municipality" after the word "provide" and the recommendations, with that amendment, be adopted."

CARRIED UNANIMOUSLY

*It was understood by Council that the Safety Committee of the B. C. Vocational School would be consulted after the Municipality ascertains the situation from the Department of Public Works to which reference is made in the report of the Manager.*

Mr. E. J. Parsons submitted a letter complaining about the condition the sidewalks on Willingdon Avenue South from Imperial Street were left in following its construction recently.

*Item #11 of the Municipal Manager's Report No. 88, 1973, which relates to the subject of the letter from Mr. Parsons, was brought forward for consideration at this time. The following is the substance of that report:*

(11) Willingdon Avenue South from Imperial Street

Two water valve boxes were inadvertently covered by concrete during the construction of the sidewalks in question. The contractor had to return and remove concrete, raise the valve boxes and replace the concrete. The concrete patch, being fresh, is a different colour than the remainder of the sidewalk but should eventually blend in, although it is possible some minor colour difference will remain.

Two curb returns on the subject street have had some asphalt emulsion spilled on them. The worst of them is at the Southwest corner of Willingdon Avenue and Kenny Court. These have already been noted as deficiencies and the contractor will need to clean the areas involved or remove and replace the sidewalk panels involved if cleaning is unsuccessful.

Three expansion joint fillers vary from a straight line by one-half inch to one inch, which is sufficient to be noticeable. No corrective action will be taken to replace the fillers. The Engineering Department has had to constantly remind contractors to place these fillers in a straight line.

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Several expansion joint fillers which are high in relation to the concrete by as much as ½ inch will be cut off to conform to the sidewalk level.

The contractor has been requested to sweep the sidewalks. There may have been a heavier than normal application of curing compound used which would cause a stain. This discolouration will eventually disappear, although it may take a few weeks longer than normal in this instance.

The original paving of the driveway between the Municipal sidewalk and the property line to reconnect an existing asphalt strip resulted in a depression which allowed standing water to collect. This was subsequently patched.

Mr. Parsons has indicated that he is not concerned with the appearance of a patch as he will be sealing the driveway in any event with a compound which prevents damage to the asphalt from gas and oil compounds.

As is standard practice, an on-site inspection will follow to ensure that all the corrective actions demanded by the Engineer are taken.

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

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

CARRIED UNANIMOUSLY

Mrs. Gerd Evans wrote to enquire as to when the Stride Dump is to be beautified.

*Item #27 of the Municipal Manager's Report No. 88, 1973, which relates to the subject of the letter from Mrs. Evans, was brought forward for consideration at this time. The following is the substance of that report:*

(27) Stride Dump

It was recommended that action on the matter of answering the question from Mrs. Evans be deferred until the December 3rd meeting when a report is expected.

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

CARRIED UNANIMOUSLY

Mr. R. H. Blackwood, Clerk-Administrator, City of Port Moody, wrote to request that Council arrange, in concert with the Simon Fraser University, to ban motor vehicle traffic from Centennial Trail and other areas of Burnaby Mountain because of the noise caused by such traffic.

*Item #25 of the Municipal Manager's Report No. 88, 1973, which relates to the subject of the letter from Mr. Blackwood, was brought forward for consideration at this time. The following is the substance of that report:*

(25) Noise and Other Nuisances on Burnaby Mountain

It was recommended that action on the request from Port Moody be deferred until the December 3rd Council meeting when a report is expected to be submitted on the matter.

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

CARRIED UNANIMOUSLY

New Vista Place Recreation Society wrote to request a bus shelter at Edmonds Street and Mary Avenue.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GUNN:  
"That the request be referred to the Planning Department for consideration and report."

CARRIED UNANIMOUSLY

Mr. Arnold F. C. Hean, Q.C., Barrister and Solicitor, submitted a letter in which he offered comments on a proposal that taxis be restricted to carrying chattels weighing

no more than 15 pounds.

Mr. Hean also suggested that the question to be determined by Council in regard to taxis carrying such articles should be one involving solely the needs of the public.

Mr. R. E. Hunt, Secretary-Manager, Automotive Transport Association of B. C., also wrote to offer comments on the proposal concerning taxis being restricted to carrying chattels weighing nor more than 15 pounds.

Mr. G. W. Laphorne, Secretary, Burnaby Driver Owners' Association, also submitted a letter in which he offered comments on the same proposal involving taxis carrying chattels.

*Item #21 of the Municipal Manager's Report No. 88, 1973, which relates to the subject of the letters from Messrs. Hean, Hunt and Laphorne, was brought forward for consideration at this time. The following is the substance of that report:*

(21) Taxis Carrying Chattels

Advice has been received that the Motor Carrier Commission is currently operating under a pro tem appointment, which will expire on November 30, 1973, and is therefore unable to indicate when its decision will be available on an application of the taxi operators in Burnaby for authority to increase the weight of chattels taxis can carry from 25 pounds to 75 pounds. We have subsequently been advised that the cab companies have amended their application by requesting that the limit in the weight of chattels be reduced from 75 pounds to 25 pounds.

Should the Commission grant the application, it may be necessary for it to rule as to whether the total weight of any single shipment shall not exceed 25 pounds or whether the total weight of any single parcel shall not exceed 25 pounds. Should the Commission ruling not be definitive with respect to multiple shipments, it is understood that several parcels could be transported provided no one parcel exceeded 25 pounds.

The Chief Licence Inspector advises that required amendments to the subject By-Law would only have application to cab operations within the Municipality.

Although enforcement of a regulation involving the number of parcels transported on any one trip may not be difficult, imposition of a weight limit on chattels will present administrative and enforcement problems in that to obtain acceptable evidence for court purposes, parcels would require weighing on a scale certified as accurate.

It is not felt that the wording of the Vancouver By-Law relating to the hours when taxis can carry chattels is such that it would be easy to administer or enforce. This By-Law permits the transportation of personal items, portable by nature, at any time and restricts others to being transported between 7:00 p.m. and 7:00 a.m. It is difficult to determine what a "personal item, portable by nature" could be. At the November 6, 1972 meeting of Council, the Burnaby Cab and Commercial Vehicle By-Law was amended to permit the delivery of goods and chattels at any time without a passenger in a taxi cab. The Chief Licence Inspector is of the opinion that nothing has changed since then to warrant further amendments with respect to hours of operation and, in that cab companies do provide an immediate 24 hour service as regards chattel transport, it is still in the best interest of the private and business sectors of the community to not regulate such hours.

It was recommended that the Burnaby Cab and Commercial Vehicle By-Law not be amended at this time to provide for regulation of weight or numbers of parcels transported, or the hours parcels may be transported, by Burnaby taxi cabs in the Municipality.

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

CARRIED

AGAINST -- ALDERMEN GUNN AND LAWSON

ENQUIRIES

As a result of Alderman Gunn enquiring as to when a report would be submitted by the Planning Department indicating the conclusions of the public in respect of planning matters which were the subject of a series of meetings during the past three months or so, the Planning Director stated that he would endeavour to either inform Council shortly when that report could be expected or have the report soon.

Alderman Stusiak stated that the Minister of Veteran's Affairs, was expected to be visiting the George Derby Health and Occupational Centre on December 7th. He asked whether there had been a formal invitation extended to him to discuss the situation involving that site with the Mayor or the Council.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That Mayor Constable contact the Minister of Veteran's Affairs either by telegram or by letter, to invite him to the Municipality to discuss the subject of the Federal Government transferring the George Derby Health and Occupational Centre back to the Municipality."

CARRIED UNANIMOUSLY

REPORTS

RETURNING OFFICER submitted a report containing the results of the Election held on November 17, 1973 for the Offices indicated below:

MUNICIPAL ELECTION

NOVEMBER 17, 1973

TO WHOM IT MAY CONCERN:

In accordance with the provisions of Section 106 of the "Municipal Act" I give below the results of the votes cast for each candidate for the Offices indicated:

MAYOR (Two-year Term):

CLARK, Warren R.	4,743
CONSTABLE, Thomas W.	7,820
MERCIER, David M.	3,039
Rejected	158

ALDERMEN (Two-year Term):

AST, Gerald D.	6,592
BURNHAM, Edward L.	5,267
COOPER, William H.	5,108
EMMOTT, Alan H.	6,100
GORDON, Merrill M.	4,263
LAWSON, Doreen A.	7,404
LEWARNE, William A.	5,443
PRICE, Bert A.	5,402
RANDALL, Frederick G.	5,345
SNELL, Colin	5,193
Rejected	236

DIRECTOR OF THE BOARD OF THE G.V.R.D.  
(Two-year Term):

CLARK, Warren R.	4,816
CONSTABLE, Thomas W.	6,981
EMMOTT, Alan H.	4,678
GORDON, Merrill M.	1,749
GUNN, Brian M.	3,362
LAWSON, Doreen A.	3,564
MERCIER, David M.	3,379
Rejected	426
	313

SCHOOL TRUSTEE (Two-year Term):

BEGIN, Robert G.	6,582
BURKE, William H.	2,469
CLARK, Betty G.	7,501
JONES, James B.	6,151
NOBLE, Kenneth E.	1,138
ZARAZUN, Bette J.	5,026
Rejected	437

AND I HEREBY proclaim to be elected the persons having the highest number of votes for the various Offices, as set out above, as follows:

MAYOR:(For term ending December 31, 1975)

	<u>Majority</u>
CONSTABLE, Thomas W.	3,077

ALDERMEN:(For term ending December 31, 1975)

LAWSON, Doreen A.	812
AST, Gerald D.	492
EMMOTT, Alan H.	657
LEWARNE, William A.	41

DIRECTOR OF THE BOARD OF THE G.V.R.D.  
(For term ending December 31, 1975)

CONSTABLE, Thomas W.	2,303
EMMOTT, Alan H.	1,114

SCHOOL TRUSTEE:(For term ending December 31, 1975)

CLARK, Betty G.	919
BEGIN, Robert G.	431

GIVEN under my hand at Burnaby, B.C., this 23rd day of November, 1973, A.D.




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EDWARD A. J. WARD,  
Returning Officer.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:  
"That the report of the Returning Officer be received."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 88, 1973, on the matters listed below as Items (1) to (29), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Crosswalk - Willington Avenue (B. C. Vocational School)

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

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN MERCIER:  
"That Item #29 of the Municipal Manager's report, which deals with the Chevron Refinery Expansion proposal, be brought forward for consideration at this time."

CARRIED UNANIMOUSLY

(29) Chevron Refinery Expansion Proposal

A report of the Planning Department relating to the above proposal was being submitted to Council this evening.

The members of Council will find two booklets on the proposed Expansion Programme attached to their Agendas.

There is also a considerable volume of past correspondence on the subject and this can be made available on request.

It was recommended that the proposal to expand and modernize the Chevron Refinery be approved in principle, conditional upon the satisfaction of all those commitments respecting environmental matters and use compatibility and subject to the fulfillment of all relevant By-Law requirements and those specific topics mentioned under "Implementation" in the report of the Planning Department.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GUNN:  
"That the report of the Manager be tabled until the December 10th meeting in order to allow all members of Council an opportunity to thoroughly examine the submission."

CARRIED

AGAINST -- ALDERMAN LEWARNE

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN MERCIER:  
"That all individuals and groups expressing an interest in the subject matter of the report from the Manager be invited to provide input on the proposal in time for the December 10th meeting of Council."

CARRIED UNANIMOUSLY

Alderman McLean mentioned that he intended to resubmit a proposal to Council early next year aimed at having the Provincial Government amend the Municipal Act to require that Council representatives on the Board of Directors for the Regional District be appointed by Council, as was formerly done.

Alderman Mercier served a Notice that he proposed to introduce a motion to Council designed to rectify a situation whereby candidates seeking Office as a member of Council cannot also run for a Director's position on the Regional District if the term of office for that latter position is not vacant at the same time.

(2) Christmas Bonus - Social Assistance Recipients

It was recommended that Council approve an arrangement whereby Christmas Bonuses be paid to those in receipt of social allowances during the month of December, 1973 at the rate of \$20.00 for each head of family and \$10.00 for each single person, on

the basis that the Provincial Government bears 85% of the cost.

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

CARRIED UNANIMOUSLY

*It was indicated in Council that steps should be taken to ensure there is no duplication between the Christmas Bonus arrangement which is the subject of the Manager's report and money which is disbursed by the United Community Services Christmas Cheer Fund.*

(3) Monthly Report of Fire Department

A report of the Fire Chief covering the activities of his Department during the month of August, 1973 was being submitted.

*A question was raised in Council as to why the report at hand was approximately three months late.*

*It was understood the Fire Chief would provide Council with an answer to this question.*

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

CARRIED UNANIMOUSLY

(4) Lot "C", D.L. 138, Plan 12221  
(7461 Aubrey Street)

Two applications to subdivide the above property have been rejected, not only because all subdivision is, by Council policy, considered to be premature for land on the West side of Burnaby Mountain but because the specific property is required for road purposes as an extension<sup>to</sup> Burnwood Avenue in order to relocate Phillips Avenue to an acceptable grade and to reflect the general framework of the North-East Burnaby Plan which is the current guide for the area.

The reference in the letter from Mrs. M. Brophy to land banking does not alter the status of the property in respect of road need but arises from a general letter written to all property owners in the Aubrey-Phillips area indicating an interest in acquiring vacant land in the area for land assembly purposes.

A chronology of events relating to the subject at hand, which began in August, 1968 and is still continuing, was being provided to Council herein.

It was recommended that:

- (a) Mrs. Brophy be advised that the subject Lot "C" is still required for road and that therefore it is not possible to provide written assurance that the property will not be required by the Municipality;
- (b) the Land Agent continue to negotiate the acquisition of the property;
- (c) Mrs. Brophy also be informed that the Municipality cannot prevent the owner of the property, Mr. Alexander, from selling his land on the open market.

*It was suggested in Council that there did not seem to be a need to relocate Phillips Avenue in the manner indicated in the report because there is not too much difference between the grades or topography on the existing Phillips Avenue alignment and the proposed new road.*

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:  
"That action on the subject of the report from the Manager be deferred until he provides Council with a report on the above suggestion."

CARRIED UNANIMOUSLY



(5) Subdivision Servicing Agreement

As a result of considering a request of Council to rephrase the words in Paragraph 4 of the proposed Subdivision Servicing Agreement so as to give some definition to the term "good cause", it was suggested that this paragraph be reworded as follows:

"The Subdivider covenants and agrees to complete the Works on or before the day of , 197 , but the Municipal Engineer of the Corporation may in his discretion upon good cause (including but without limiting the generality of the foregoing, strikes and lock-outs) being shown extend the time for completion of the Works. Should the Subdivider fail to complete the Works by the due date or if he shall become bankrupt or insolvent, or compound with his creditors, or commit any act of insolvency or if at any time this Agreement or any part thereof or the Works or any part thereof are, in the judgment of the Municipal Engineer of the Corporation, not constructed, installed, executed or performed, or not being constructed, installed, executed or performed in a sound and workmanlike manner or to his satisfaction or in all respects in strict conformity with the drawings, specifications and conditions and with this Agreement, the Corporation may upon giving notice in writing by registered mail to the Subdivider at his address hereinbefore set forth, or at such other address as the Subdivider may from time to time designate in writing, complete the Works. All expenses incurred by the Corporation in completing the Works shall be charged to the Subdivider."

It was recommended that Council authorize an amendment to:

- (a) the standard Subdivision Servicing Agreement by adding the following to Clause 10:

"The said certified cheque and the amount thereof or the said irrevocable letter of credit and the amount thereof shall be forfeited to the Corporation if the Contractor does not complete the Works by the date mentioned in Paragraph 4 hereof.";

- (b) Paragraph 4 of the said Agreement, as detailed above.

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

CARRIED UNANIMOUSLY

(6) Restitution for Vandalism

It has been determined that, if vandals were employed by the Corporation to do restitutional work, they would be required to pay Union dues in proportion to the amount of time worked and to be in possession of a temporary working card. They would not necessarily be required to become members of the Union.

The Personnel Department has submitted a report, which was being provided herewith, on the question just outlined, and has pointed out that the Union could not prevent the Corporation from establishing the type of employment projects in question or from employing persons who have damaged parks property. The President of Local 23 of the Union was only concerned that this practice not reduce the work level of present employees or cause lay-offs.

There would be a problem inasmuch as persons employed to repair damage would likely not have the skill, knowledge or ability to make the repairs, the result being that they would require extensive supervision by municipal employees. They would also require tools and supplies. There would undoubtedly be less cost to the Corporation to make the repair with its own staff than the cost involved in supervising and instructing a young and inexperienced person.

With respect to the question of what would be required to allow the Courts to mete out a sentence requiring the performance of restitutional work, the Municipal Solicitor has advised that a Judge has ample authority under Section 20 of the Juvenile Delinquents Act to require the performance of restitutional work. He has added that the Judge could require the juvenile offender to pay restitution for the damage done and, if the Judge is satisfied that the parent of the child has failed to exercise due care over him, he may order the damages be paid by the parent of the child.

The Solicitor has also indicated that, if the convicted offender is an adult and is placed on probation, the Court may require him to make restitution or reparation. This could be done either in terms of money or performance of work to repair the damage.

The subject matter is obviously a very complex one but is nonetheless worthy of further study.

It was recommended that a copy of the report at hand be sent to the Youth Programme Working Committee for consideration and recommendation.

*It was suggested in Council that Judge L. Goulet and the Family Court Committee also be sent a copy of the subject report.*

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(7) Eastern Burrard Inlet Development Concept

\*A report of the Planning Department relating to the above matter was being submitted to Council this evening.

The Parks and Recreation Commission considered this report on November 21st when it concurred in all of the five recommendations therein.

It was recommended that Council adopt these recommendations, which are as follows, and that a copy of the report be sent to the Burnaby-Burrard Inlet Parks Committee, Ms. Kathleen McBurnie, and Mrs. Pauline Moore:

that Item 5 of Appendix I in the report "A Development Concept for the Eastern Segment of the Municipal Burrard Inlet Foreshore" be amended in the following manner:

- (i) that Council endorse in principle the commencement of a reclamation programme involving sufficient lands for the establishment of a pedestrian parkway along the foreshore park strip culminating in the development of swimming beaches at the Barnet site following acquisition of the appropriate parcels and the completion of the required park design;
- (ii) that provision be made in the 1974 Parks Capital Works Programme for the retention of a Landscape Architect to prepare, in liaison with the Parks and Planning Departments, a detailed design for the Marine Park system;
- (iii) that <sup>be made</sup> provision/in the same Programme for the retention of an Engineering Consultant to advise, in collaboration with the Landscape Architect, on detailed reclamation procedures;
- (iv) that the Municipality make application to the Department of Highways for the municipal acquisition and dedication of the redundant road allowance immediately South of the Barnet Beach site for park purposes;

- (v) that the Planning Department include in its work programme a study of the Western section of Burrard Inlet, examining its possible retention and development for park purposes.

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

CARRIED UNANIMOUSLY

*In response to a question, the Planning Director stated that the Barnet Beach "core" would be linked by waterfront walkways with the Kapoor site and that there would be one continuous beach between the two.*

*Alderman McLean pointed out that the Canadian Pacific Railway effectively sterilizes approximately six and one-half miles of land along Burrard Inlet because of its rail line. He suggested that an attempt should be made to have this rail line relocated because it interferes with the potential recreational development of the area.*

*Alderman McLean also suggested that arrangements should be made to dump fill on the Bestwood site to stock pile it for future use. He added that the Engineering, Planning and Parks Departments could determine the type that would be suitable.*

*Alderman McLean concluded by suggesting that the Minister of Urban Affairs should be asked to indicate the ramifications of the rail relocation policy referred to above.*

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN BURNHAM:

"That an estimate be produced of the cost involved in stock piling suitable fill material, as it becomes available, on the Bestwood site commencing in 1974, after \* *Chin* permission is received from the C.P.R., the National Harbours Board and the Texaco *Tex* Oil Company."

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:

"That the above motion be referred to the Parks and Recreation Commission for comment."

CARRIED UNANIMOUSLY

#### (8) Bicycle Paths

The Parks and Recreation Commission noted that the Planning Department is presently working on the arterial trail system and that the proposal advanced in Council concerning bicycle paths, being related, should be considered in conjunction with the study by the Planning Department.

It was recommended that the proposal relating to bicycle paths, which Council received at its November 13th meeting, be referred to the Planning Department for incorporation in the study presently underway by that Department on the arterial trail system.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

#### (9) Parks and Recreation Administrator

Mr. B. R. Wilkinson, the Parks and Recreation Administrator, has advised of his plans to leave the service of the Municipality on June 30, 1974.

The Parks and Recreation Commission was advised of this on November 21st and accepted Mr. Wilkinson's resignation with regret.

Mr. Wilkinson has seen his Department grow from a relatively small operation to the size it is today. Burnaby's parks and recreation system is recognized as being one of the best in British Columbia and the Manager is certain Mr. Wilkinson had a significant role to play in its development, as did all Parks and Recreation Commissions.

Mr. Wilkinson's philosophical approach to parks and recreation has been sound.

He proposes to move to Vancouver Island where he intends to do consulting work in his chosen field and to manage a real estate holding he has on the Island.

The Manager will be reviewing the organizational needs of the Department and will be consulting with the Commission about the matter.

It was recommended that Mr. Wilkinson's resignation be accepted effective June 30, 1974 and that he be thanked for the dedicated service he has rendered to the Municipality over the past 20 years.

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

CARRIED UNANIMOUSLY

(10) Health Unit in West Building of Municipal Hall

Services  
The Minister of Health and Hospital Insurance has written to advise that a grant in the amount of \$60,000.00 will be made available to the Municipality by the Provincial Government to assist with the construction of the Health Unit in the Municipal Hall-West Building.

It was recommended that a suitably-worded letter of acknowledgement and appreciation be sent to the Honourable Dennis Cocke, the Minister in question.

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

CARRIED UNANIMOUSLY

(11) Willingdon Avenue South from Imperial Street

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

(12) REZONING REFERENCE NO. 78/72

- (a) Lots 1, 4, 5, 6, 7 and 8, Block 33, D.L. 34, Plan 1355
- (b) Lots "A", "B", and "C", S.D. 9, Block 33, D.L. 34, Plan 3979
- (c) Lots "A", "B", "C" and "D", S.D. 2/3, D.L. 34, Plan 1911

It was recommended that Council approve in principle a proposal to rezone the above described properties to COMPREHENSIVE DEVELOPMENT DISTRICT (CD) and stipulate that, as prerequisite to the rezoning being effected, the following be undertaken:

- (1) The submission of a suitable plan of development for the site.
- (2) The consolidation of the subject properties into one site.
- (3) The deposit of monies to cover the cost of constructing all requisite services to the site, including ornamental street lighting with underground wiring, sanitary sewers, and roads with sidewalks.
- (4) The provision of all electrical servicing (including electrical kiosks, wherever soil conditions permit), telephone, and cable installations underground throughout the development.
- (5) The removal of all existing structures from the site within six months of the rezoning being completed.
- (6) The satisfaction of all requisite condominium guidelines.

*The Council, as a result of considering the report of the Manager, asked that the Planning Department discuss with the applicant the following matters:*

- (i) *The provision of a playground or neighbourhood park so as to enhance the recreational aspect of the development.*

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- (ii) *The complete enclosing of the swimming pool planned to be built.*
- (iii) *Making the buildings to be constructed as soundproof as possible because of the noise from traffic that is in the area.*
- (iv) *Some other arrangement at the Grange-Patterson intersection which will improve turning conditions for traffic there.*

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

CARRIED UNANIMOUSLY

(13) Monthly Report of Health Department

A report of the Medical Health Officer covering the activities in his Department during the month of October, 1973 was being submitted herewith.

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

CARRIED UNANIMOUSLY

(14) Renovations to Municipal Hall

Because it is considered prudent in planning the renovation programme for the Municipal Hall in preparation for the construction of the West Building for the Health and Human Resources Departments that there be some co-ordination in landscaping the common grounds for both buildings and as Mr. B. Freschi, Architect, has demonstrated a satisfactory performance in preparing the working drawings and specifications for the West Building and the landscaping for it, it was recommended that Mr. Freschi, of the firm Keith-King and Freschi, be engaged to continue with the planning, designing and preparation of preliminary estimates, and preliminary design drawings for the renovation of the Municipal Hall and the landscaping and development of the grounds of the Municipal Complex.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN BURNHAM:  
"That provision be made in the landscaping arrangements for the Municipal Complex for featuring Burnaby's Official Flower."

CARRIED UNANIMOUSLY

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

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN BURNHAM:  
"That the previous motion be tabled until the December 3rd Council meeting so that the Chief Building Inspector can provide Council with details of the proposed renovations to the Municipal Hall."

CARRIED

AGAINST -- MAYOR CONSTABLE, ALDERMEN GORDON,  
STUSIAK AND LEWARNE

*See Page 31 for another resolution on the foregoing matter.*

(15) Contract #6, 1973  
(Municipal Subdivision - D.L. 86, Stage IIIB)

It was recommended that Council authorize an extension of the completion date in the above Contract from November 30, 1973 to May 30, 1974 without implementation of the \$100.00 per day liquidated damages clause therein, subject to the following conditions:

- (a) That as much of the underground works presently outstanding, which in the opinion of the Municipal Engineer can be installed, be completed in 1973.

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- (2) That the Contractor protect, at his own cost, all facilities installed and inspect the jobsite daily to control water runoff.
- (3) That work on any outstanding jobs carried over into 1974 be recommenced at the earliest possible time in 1974.
- (4) That there be a clear understanding that all work required to complete Contract #6, 1973, be done at the unit prices contained therein.
- (5) That the Performance Bond and insurance matters pertaining to the Contract be extended for the same length of time.
- (6) That no further extensions of time be approved for the works except for time lost because of impossible weather or other factors that in the opinion of the Municipal Engineer are beyond the Contractor's control.

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

CARRIED

AGAINST -- ALDERMAN GUNN

(16) (Withdrawn)

(17) REZONING REFERENCE NO. 46C/68  
Lot 89, D.L. 4, Plan 37535

It was recommended that Council approve the revisions in the original development plan for the above described property detailed in the report and stipulate that a suitable plan of development be provided as a prerequisite to the passage of the amendment to the Zoning By-Law that is required to formalize the change in the plan.

It was also recommended that the proposal be advanced to the Public Hearing that will be held on December 18, 1973.

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

CARRIED UNANIMOUSLY

(18) Lougheed Highway - Signal Progression

As a result of consideration being given a suggestion Alderman Mercier made at the October 15th Council meeting that some remedial action be taken to alleviate traffic problems at the Lougheed-Delta intersection, the Engineer has indicated that he wrote to the Department of Highways on July 4, 1973 to ask that it examine the present signal system on the Highway because of serious congestion being experienced.

The Engineer received a reply on July 23, 1973 indicating that an evaluation of the signal control on the Highway would be undertaken as soon as the heavy load of signal and lighting installations eases.

Research into the matter will be quite extensive and time consuming but a further letter has been written to determine the progress being made.

*It was suggested in Council that the Municipal Engineer conduct a count of the traffic using Delta Avenue North of Lougheed Highway.*

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

CARRIED UNANIMOUSLY

(19) Safe Driving Week

It was recommended that Council authorize the erection of a temporary sign at the

intersection of Canada Way and Kensington Avenue for the duration of Safe Driving Week, which is from December 1st to December 7, 1973, as more particularly detailed in the report.

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

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN LAWSON:  
"That, in addition to the location mentioned in the report of the Manager, the same type of sign be erected on all arterial highways in the Municipality."

IN FAVOUR -- ALDERMEN GUNN, LAWSON, MCLEAN  
AND MERCIER

AGAINST -- MAYOR CONSTABLE, ALDERMEN GORDON,  
BURNHAM, STUSIAK AND LEWARNE

MOTION LOST

A vote was then taken on the original motion, and it was carried with Aldermen Gunn and Gordon against.

(20) Contract #13, 1973  
(Local Improvement Stage III, Part I)

authorize  
It was recommended that Council/an extension of the completion date in the above Contract from November 30, 1973 to May 30, 1974 without implementation of the \$100.00 per day liquidated damages clause therein, subject to the following conditions:

- (a) That as much of the work as can possibly be done, in the opinion of the Municipal Engineer, be completed in 1973.
- (b) That <sup>the</sup> Contractor protect, at his own cost, all facilities installed against water erosion until final acceptance of the works.
- (c) That work on any outstanding jobs carried over into 1974 be recommenced at the earliest possible time in 1974.
- (d) That there be a clear understanding that all work required to complete the Contract be done at the unit prices contained therein.
- (e) That the Performance Bond and insurance matters relating to the Contract be extended for the same length of time.
- (f) That no further extensions of time be approved except for time lost because of impossible weather conditions or other factors that, in the opinion of the Municipal Engineer, are beyond the Contractor's control.

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

CARRIED UNANIMOUSLY

(21) Taxis Carrying Chattels

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

MAYOR CONSTABLE DECLARED A RECESS AT 9:00 P.M.

THE COMMITTEE RECONVENED AT 9:20 P.M.

(22) Parks and Recreation Commission

The Parks and Recreation Commission has advised that there would be no advantages in having an elected Commission and therefore favours the retention of the present system whereby the members are appointed by Council.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That the report of the Manager be received and there be no change from the present policy whereby members of the Parks and Recreation Commission are appointed by Council."

CARRIED

AGAINST -- ALDERMAN GUNN

(23) 1775 Douglas Road  
PRELIMINARY PLAN APPROVAL APPLICATION NO. 2401

The Municipal Engineer has checked with the Municipal Solicitor about the matter of posting a sign prohibiting traffic from backing into the above site from Douglas Road and has been informed that, though the Engineer has the authority to erect the necessary signing to control traffic on municipal streets, the enforcement of such signing would be so difficult it would probably negate any value in such a course of action.

They also feel that, once reliance has been placed on signing as an answer to servicing a site such as the one in question, it would be difficult to refuse the same treatment to other developments of a similar type.

A drop bar across the driveway serving the subject property that could only be opened on detection from a vehicle leaving the property would be controlled and maintained by the owner and there would be no guarantee it would be kept in operational condition.

It was recommended that Council ratify the decision of the Municipal Engineer to not permit a vehicular crossing to 1775 Douglas Road from Douglas Road and that T. and K. Construction Limited, the owner of the property, be sent a copy of the report.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

CARRIED

AGAINST -- ALDERMEN GUNN, MCLEAN, STUSIAK  
AND MERCIER

(24) Burnaby Road Acquisition and Dedication By-Law No. 11, 1964  
(Simpsons-Sears)

It was recommended that Council authorize the preparation of an Amendment to the above By-Law to delete Paragraph 2(a) thereof, which will cancel the acquisition of land for a corner truncation at Fern Avenue and Nelson Avenue since this acquisition is no longer necessary.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(25) Noise and Other Nuisances on Burnaby Mountain

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

(26) Residential Condominiums and Conversions

It was recommended that Council approve the following general report on Residential Condominiums and Conversions as a guide to the handling of future requests for Council approval of Strata Title Plan Applications, specifically Part II, Sections 2.1 and 2.2 regarding residential condominiums and Part III, Section 3.1, regarding condominium conversions, on the understanding these guidelines will not limit Council's discretionary powers to consider Strata Plan Approvals for a given residential project on its own merits in accordance with recent amendments to the Strata Titles Act:



SUBJECT: GENERAL REPORT ON RESIDENTIAL  
 CONDOMINIUMS AND CONVERSIONS  
 CONSOLIDATED AND REVISED NOVEMBER, 1973  
 REVIEW BY MUNICIPAL SOLICITOR

### 1.0 Introduction

As a result of discussions of the consolidated and revised General Report with the Municipal Solicitor the following modifications have been recommended and incorporated in the consolidated final draft of the Guidelines, attached.

The modifications are primarily to:

1. Assure continuity of control by the applicant both before and after the registration of the Strata Plan so that condominium requirements agreed to before registration of the Strata Plan can be implemented as Strata Corporation Bylaw amendments immediately after the registration of the Strata Plan.
2. Clarify various wordings to conform to a more strict and precise legal interpretation.
3. Include the amendments adopted by Council on November 19, 1973 on Point 2.1.3 with regard to Communal Facilities.

### 2.0 Modifications

1. Clause 2.1.6:

Add the word "proposed" so as to read:

....requisite proposed Strata Corporation Bylaws....

Add also the following statement:

The applicant for Municipal approval of the Strata Plan shall agree to have full control over the project both before and after the registration of the Strata Plan so that requisite conditions for the Municipal approval of the Strata Plan which require amendment of the Strata Corporation Bylaws will be undertaken immediately upon the registration of the Strata Plan.

2. Clause 2.1.3:

Adjusted by Council to read:

It is required that all communal facilities be constructed to emphasize the ease of maintenance, durability, and the ability to withstand continuous use by affected resident groups.

3. Clause 2.1.8:

Delete sentence in second paragraph:

"The prospective buyer should be informed by the applicant that the Municipality would not be liable for or be responsible for the enforcement of the detailed information contained in the prospectus."

Add Clause 2.1.8. p)

A statement shall be provided in the prospectus in a prominent location stating that the prospectus is an accurate and factual representation by the applicant/developer/vendor of the particulars on the subject strata title project, that the prospectus is provided solely for the information and record of the prospective purchaser, and that the Municipality of Burnaby neither guarantees the contents of the prospectus nor bears any responsibility for its enforcement.

## 4. Clause 2.1.8. c)

Delete the words "proposed future owners"

Substitute:

"Strata Corporation and the proportion to be borne by individual strata unit owners."

## 5. Clause 2.1.8. h)

Add the word "proposed" between the words "any" and "amendments"

Delete the word "thereto" and

Substitute "to the Strata Corporation Bylaws."

## 6. Clause 2.1.8. i)

Convert period to a comma, and add "and over common property"

## 7. Clause 2.1.8. k)

Add the word "and" prior to "garbage collection" and end sentence with a period after "collection"

Delete reference to "fire protection, policy protection, etc."

Add a new third paragraph as follows:

"A statement that particulars on fire protection, police protection, school facilities, and public transportation may be obtained at the Municipal Hall."

8. Delete last paragraph of Clause 3.0.9 as superceded.

BURNABY PLANNING DEPARTMENT  
NOVEMBER 22, 1973

REFERENCE:      GENERAL REPORT ON RESIDENTIAL  
CONDOMINIUMS AND CONVERSIONS  
CONSOLIDATED AND REVISED NOVEMBER, 1973

INTRODUCTION

Under the recent amendments to the Strata Title Act 1966 all conversions of existing multiple dwelling rental suites to self-owned Strata Title suites must have the approval of the Municipal Council.

Bill 124, which amends the Strata Titles Act, gives the Municipality 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.

Representatives of those Municipal Departments felt to have an interest in the general topic of condominium housing have studied the matter and collaborated in developing a proposed set of guidelines to assist Council in dealing with applications for residential Strata Title developments in general.

The comments of the Advisory Planning Commission have now been integrated into the Consolidated and Revised General Report.

The attached report represents the conclusions drawn from this study together with a general discussion of the ramifications of various aspects of the principle as it applies to both new residential developments and conversions of existing apartments and duplexes. It is hoped that this material will provide Council with the background information it desires in order to establish guidelines which can be used to provide direction for those interested in applying for Strata Title Approval, to enable the Planning and other departments to measure proposals against some criteria in preparing reports for Council on future specific applications, and to assist Council in consideration of the merits of specific requests for approval.

GENERAL REPORT ON RESIDENTIAL CONDOMINIUMS AND CONVERSIONS  
CONSOLIDATED AND REVISED OCTOBER 1973

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GENERAL REPORT ON RESIDENTIAL CONDOMINIUMS AND CONVERSIONSGeneral Guideline Note

The following report is to be utilized as a guideline for the consideration of requests for approval of Strata Plans for residential purposes under the Strata Titles Act. However, it is emphasized that the report is not a strict regulating document. Council will retain full discretionary powers to consider strata plan approvals for a given residential proposal on its own merits in accordance with the recent amendments to the Strata Titles Act.

PART I BACKGROUND1.0 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. Market factors of increasing costs, unmatched by increases in rents, changes in the Income Tax Act and changes to the Landlord and Tenants Act have resulted in a dramatic slowdown of rental starts.

#### 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) The provision of housing through condominiums is one mode of satisfying the physical need of a growing population. However, once this physical need is satisfied, then the resident will make demands in the area of social needs. Because of the governmental structure of Strata Corporations, these needs become easily vocalized and complicated due to the independent social structure which is created by a Strata Corporation. The anticipation of these social demands must be included in the physical aspects of the condominium project.
- 3) 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

- 4) 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
- a) the ease of access to outdoor space, and
  - b) 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

- 5) In one study based on condominium townhouses, the residential satisfaction of condominium owners tended to be a function of
- a) the sociability of condominium owners and their ability to get along with each other,
  - b) 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
  - c) the physical quality, appearance, and maintenance of the condominium units and the condominium project.
- 6) 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

- 7) 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, remodelling of the building, and additions to the building (i.e. porches, screen doors, carports, fences, storage sheds, etc.).
- 8) Duplexes possess almost all of the family oriented advantages of single-detached dwellings.
- 9) 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

- 10) 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) A total minimum parking ratio of 1.7 parking spaces per unit consisting of 1.5 for residents and 0.2 for visitors should be maintained for townhouse and family oriented situations.
- b) A total minimum parking ratio of 1.5 parking spaces per unit consisting of 1.3 for residents and 0.2 for visitors should be maintained for Low-Rise and High-Rise Apartments.
- c) In Strata Corporations in excess of 100 units, provision be made for long stay parking; that is, for recreational vehicles, boats, trailers, etc.
- 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.

It is required that all communal facilities be constructed to emphasize the ease of maintenance, durability, and the ability to withstand continuous use by affected resident groups.

- 4) Driveways and concrete curbs to the municipal standard shall be required in condominium projects as follows:
  - a) Curbs and gutter and/or curb walks are to be required on all internal Strata Title streets, with standard drop sections where necessary to gain access to the adjoining parking areas.
  - b) An extruded concrete curb is to be provided on asphalt, to the specifications of the Engineering Department, for the perimeter of the Strata Title parking areas.
- 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 common property 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 proposed Strata Corporation By-laws for perusal.

The applicant for Municipal approval of the Strata Plan shall agree to have full control over the project both before and after the registration of the Strata Plan so that requisite conditions for the Municipal approval of the Strata Plan which require amendment of the Strata Corporation Bylaws will be undertaken immediately upon the registration of the Strata Plan.

- 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 condominium purchaser must have been supplied with a complete prospectus of the project by the developer. The purchaser must acknowledge receipt of and the fact that he has read the prospectus in writing.

The authorized applicant should sign the submitted prospectus attesting to its veracity as a factual information document.

The prospectus shall fully explain:

- a) Where the developer is arranging the financing. Particulars of the terms and conditions upon which it is intended to sell the proposed condominium units, together with a full disclosure of all financing or bonusing showing true interest, and if any particular forms of contract are to be used, these shall be attached to the prospectus.
- b) The taxation situation including the relationship of the homeowner grant.
- c) Details of proposed management contracts, monthly servicing costs and any other servicing costs, to be borne by the Strata Corporation and the proportion to be borne by individual strata unit owner.
- d) Particulars of arrangements to govern the handling of deposits and other monies received between the time of purchase by the prospective owners and that period during which the developer has retained title.
- e) Particulars of all encumbrances both existing and proposed and the provisions made or to be made for their discharge.
- f) Any other financial arrangements, including joint use contract, if any, affecting the individual condominium owners.
- g) The unit entitlement.
- h) The Strata Corporation By-laws and the Strata Titles Act, including any proposed amendments to the Strata Corporation Bylaws.
- i) Explanation of the limits of individual control over a condominium owner's particular unit, and over common property.

- j) Enumeration of communal facilities and any details of ownership concerning these facilities including responsibility of owner to contribute to costs of replacement.
- k) Enumeration of existing utility services and utility service arrangements made or proposed to be made for the strata plan, including water, sewerage, electricity, gas and telephone service, and particulars of access, roads, parking, sidewalks, street lighting and garbage collection.

Particulars of utility services to individual suites, including water, sewerage, electricity, gas, telephone and cablevision services, as well as heating, including metering and payment thereof.

A statement that particulars on fire protection, police protection, school facilities, and public transportation may be obtained at the Municipal Hall.

- l) Accurate sketch presentation outlining the relationship of a particular unit to other units and to adjacent common property.
- m) Accurate extent of the legal lot encompassing the particular Strata Corporation as outlined on the Strata Plan to be registered with the Land Registry.
- n) A suitable plan of development detailing any revisions or improvements to the existing structures shall be provided.
- o) Details as to whether a caretaker's suite is to be provided as part of the common property.
- p) A statement shall be provided in the prospectus in a prominent location stating that the prospectus is an accurate and factual representation by the applicant/developer/vendor of the particulars on the subject strata title project, that the prospectus is provided solely for the information and record of the prospective purchaser, and that the Municipality of Burnaby neither guarantees the contents of the prospectus nor bears any responsibility for its enforcement.

## 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) A high proportion of Bachelor/Studio suites in a project without extensive communal facilities and usable open space is questionable.

### 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 and 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) A high proportion of Bachelor/Studio suites in a project without extensive communal facilities and usable open space is questionable.

### 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 designations 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 for townhouses and family oriented situations:
 

1 - Bedroom Unit	-	700 sq. ft.
2 - Bedroom Unit	-	900 sq. ft.
3 - Bedroom Unit	-	1100 sq. ft.

## 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 commitment 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) A high proportion of Bachelor or Studio units is questionable except in exceptional circumstances where extensive communal facilities are provided.
- 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.

3.1 General Conversion Guidelines (These guidelines are to apply to all multiple family dwelling conversion applications.)

- 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 and 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 by the applicant and that a certificate guaranteeing that the premises are free of any infestation is to be obtained by the developer.
- 4) A high proportion of Bachelor/Studio suites in a project without extensive communal facilities and usable open space is questionable.
- 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) For every conversion, the certification by qualified engineer/architects (at the applicant's expense) that the building is structurally and mechanically sound would be required. Such certification will include information as to the condition of the exterior and interior surfaces and details of the building. These certificates would, then, be processed by the Building Department.
- 8) A standard form on each Strata Title conversion will be circulated to the Engineering, Building, Health and Fire Departments for comment.

Specified services shall be brought up to the requisite standard as required by the relevant Municipal Departments.

- 9) At the time of application for a condominium conversion, the applicant should provide the existing occupancy rate of the subject project.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be amended by adding the following:

- (a) That the subject matter be reviewed in one year to determine how effective the guidelines have been.
- (b) That the possibility of making recommendations to the Provincial Government for possible revisions to the Strata Titles Act be considered following the review.
- (c) That the advisability of amending certain sections of the Zoning By-Law to reflect the regulations in the guidelines be also considered following the review."

CARRIED

AGAINST ---ALDERMAN STUSIAK

A vote was then taken on the original motion, as amended, and it was carried with Alderman Stusiak against.

(27) Stride Dump

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

(28) Estimates

It was recommended that the Special Estimates of Work of the Municipal Engineer in the amount of \$997,500.00 be approved.

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

CARRIED UNANIMOUSLY

(29) Chevron Refinery Expansion Proposal

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

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:  
"That the Municipal Hall Capital Improvement Programme/submit a report to Council on December 3rd on the proposed renovations to the Municipal Hall that were the subject of Item #14 of the Municipal Manager's <sup>Committee</sup> Report earlier this evening."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:  
"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

B Y - L A W S

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:  
"That:

- "BURNABY ROAD CLOSING BY-LAW NO. 10, 1973" (#6395)
- "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2, 1973" (#6403)

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:  
"That the Committee now rise and report the By-Laws complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:  
"That:

- "BURNABY ROAD CLOSING BY-LAW NO. 10, 1973"
- "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2, 1973"

be now read three times."

CARRIED UNANIMOUSLY

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1973" came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

Reference RZ #39/73

Lot 52, D.L. 127, Plan 27911

516 Howard Avenue

FROM RESIDENTIAL DISTRICT FOUR (R4) TO COMMUNITY COMMERCIAL DISTRICT (C2)

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

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1973" be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That:

"BURNABY TAXATION EXEMPTION BY-LAWS NOS. 2 TO 14 INCLUSIVE, 1973"

"BURNABY COUNCIL INDEMNITY BY-LAW 1974"

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That "BURNABY SUBDIVISION CONTROL BY-LAW 1971, AMENDMENT BY-LAW NO. 3, 1973" be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED

AGAINST -- ALDERMAN LEWARNE

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1973" (#6404) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #54/73

(a) Lots 11 and 12, Blocks 9/10, D.L. 80N $\frac{1}{2}$ , Plan 1831

(b) Lot 13 Except Explanatory Plan 14745, Blocks 9/10, D.L. 80N $\frac{1}{2}$ , Plan 1831

5849 and 5825 Kincaid Street; 4868 Canada Way

FROM RESIDENTIAL DISTRICT FOUR (R4) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

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

CARRIED UNANIMOUSLY



MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GUNN:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 43, 1972" be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1973 (#6405) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #42/73

- (a) Lots 7 and 8, Blocks 23/24, D.L. 32, Plan 1444
- (b) Parcel "F", Explanatory Plan 9114, Block 24, D.L. 32, Plan 812
- (c) Parcel "G", Reference Plan 14141, Block 32, D.L. 152, Plan 783

5034 and 5046 Newton Street; 5019 Kingsway

FROM RESIDENTIAL DISTRICT FIVE (R5) AND GENERAL COMMERCIAL DISTRICT (C3)  
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GUNN:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 44, 1973" be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 46, 1973" (#6407) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

Reference RZ #46B/68

Lot 90, D.L. 4, Plan 37535

9230 Lougheed Highway

This By-Law provides for a change in the development plans for the above described property.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GUNN:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 46, 1973" be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1973" (#6406) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED

AGAINST -- ALDERMEN GUNN, LEWARNE, AND STUSIAK

This By-Law provides for the following proposed rezoning:

Reference RZ #31/73

- (a) Lot "A", Except East 569.25 feet, Block 11, D.L. 70, Plan 9892
- (b) Lot 10W<sub>2</sub> Except Part on Plan 26625, D.L. 70, Plan 3216
- (c) Lot 10E<sub>2</sub> of the West half of D.L. 70E, Plan 3216

3100 Summer Avenue; 4331 and 4431 Dominion Street

FROM GENERAL INDUSTRIAL DISTRICT (M2) AND TOURIST COMMERCIAL DISTRICT (C5) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

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

CARRIED

AGAINST -- ALDERMEN GUNN, LEWARNE AND STUSIAK

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

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

CARRIED

AGAINST -- ALDERMEN GUNN, LEWARNE AND STUSIAK

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 45, 1973" be now read two times."

CARRIED

AGAINST -- ALDERMEN GUNN, LEWARNE AND STUSIAK

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN GORDON:

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

CARRIED UNANIMOUSLY