

August 27, 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, August 27, 1973 at 7:00 p.m.

PRESENT:

Mayor T. W. Constable, in the Chair
Alderman E. L. Burnham
Alderman B. M. Gunn
Alderman D. A. Lawson
Alderman W. A. Lewarne
Aldermen G. H. F. McLean
Alderman J. L. Mercier
Alderman V. V. Stusiak

ABSENT:

Alderman M. M. Gordon

STAFF PRESENT:

Mr. B. McCafferty, Acting Municipal Manager
Mr. A. L. Parr, Planning Director
Mr. V. Kennedy, Deputy Municipal Engineer
Mr. E. A. J. Ward, Deputy Municipal Clerk
Mr. B. D. Leche, Municipal Clerk's Assistant
Mr. J. Plesha, Administrative Assistant

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:

"That the Minutes of the Public Hearing held on August 21, 1973 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That Item 1 of the Municipal Manager's "In Camera" report be brought forward for consideration after dealing with his Report No. 64, 1973."

CARRIED

AGAINST -- ALDERMEN BURNHAM AND LEWARNE

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That all of the below listed original communications be received and those items of the Municipal Manager's Report No. 64, 1973 which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

Ms. Barbara Harris, Chairman, Field Hockey Committee, 1973 Jeux Canada Games, wrote to express the appreciation of the Committee for the support it received from staff employed by the Municipality in assisting in staging the activities of the Field Hockey Committee during the Summer Games.

Mr. and Mrs. W. Heckman wrote to express their appreciation for the prompt attention given a request of themselves and a number of others concerning problems caused in the Miller-Maitland area by the presence of large dump trucks.

Mr. Allan Coleman, Acting Secretary, Barbers' Union, Local 120, Journeyman Barbers', Hairdressers', Cosmetologists' and Proprietors' International Union of America, submitted a letter expressing appreciation for the action taken by Council on August 20th to retain the existing Shops Closing Hours for the operation of Barber Shops in the Municipality.

The Honourable Norman Levi, Minister of Human Resources, wrote to express his appreciation for the action of Council in changing the name of the Social Services Department to the Human Resources Department.

Mr. Harvey Beech, Administrative Assistant to Premier Barrett, submitted a letter expressing appreciation on behalf of the Premier for a copy of a letter the Deputy Municipal Clerk sent to the three Burnaby M.L.A.'s regarding situations involving traffic in the East Burnaby area and at the Stormont Interchange of the Freeway.

Mr. Beech indicated that at least one of the M.L.A.'s would be able to attend the meeting Council plans to hold to discuss the situation.

Miss Liz Leyere, Secretary to John Reynolds, M.P. for Burnaby-Richmond-Delta, submitted a letter expressing appreciation to Council for sending Mr. Reynolds a copy of a letter addressed to the Minister of Veterans' Affairs for Canada and the Minister of Health Services and Hospital Insurance for British Columbia relating to the George Derby Health and Occupational Centre.

Messrs. F. Everton and A. G. Price of the Canadian Association of Amateur Rowers wrote to advise that action is being taken to complete contracts with their permanent staff to permit the implementation of their Project '76, which involves the establishment of a rowing centre on Burnaby Lake.

It was understood by Council that the Deputy Municipal Clerk would, when acknowledging the letter from the Canadian Association of Amateur Rowers, draw to its attention that Council's action of July 23, 1973 to endorse the proposal to establish a rowing centre on Burnaby Lake was on the bases that:

- (a) the Association follows the normal procedures of the Burnaby Parks and Recreation Commission relating to allocation of time for the use of Burnaby Lake;
- (b) the condition of occupancy and storage, etc., governing the matter would be handled through the Commission some time this Fall.

Mr. William Fryer wrote to enquire as to whether Council is considering the inclusion of the following Pubs in the municipality.

Item #12 of the Municipal Manager's Report No. 64, 1973, which relates to the subject of the letter from Mr. Fryer, was brought forward for consideration at this time. Following is the substance of that report:

(A) Neighbourhood Pubs

There is presently no provision in the Zoning By-Law for neighbourhood pubs.

Because liquor outlets of this type would be governed by the Provincial Liquor Act, such uses would not be permitted until the necessary amendments are made to that Act. Although that consideration is being given, research is still being conducted into the desirability and feasibility of permitting neighbourhood pubs.

Liquor Control Board officials who were recently contacted by the Planning Department could give no indication as to when the required amendments would be made to the Liquor Act or even if any would be passed. If any such amendments are made, each municipality could decide whether or not to make provision for the neighbourhood type of pub. The Planning Department would submit a further report on the matter at a later time.

The Planning Department presently feels that, if such a use is to be permitted, it should be confined to commercially zoned districts and not be located in residential areas.

It was recommended that Mr. Fryer be informed that his proposal to establish a neighbourhood pub in the municipality is premature and must await the passage of the necessary enabling legislation by the Provincial Government.

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

CARRIED UNANIMOUSLY

Mrs. and Mrs. Bruce Lucas submitted a letter in which they expressed opposition to the creation of a lane between Stanley and Allman Streets out to 6th Street.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:

"That the letter from Mr. and Mrs. Lucas be referred to the Municipal Engineer for consideration and report."

CARRIED UNANIMOUSLY

ENQUIRIES

Alderman Stusiak enquired as to when the Planning Department would be reporting on the location of the 200 acres on Burnaby Mountain that the Provincial Government is proposing to develop.

It was understood that the Planning Department would provide Council with an answer to this question as soon as possible.

Alderman Stusiak suggested that the Champlain Heights Shopping Centre, which is on the Vancouver side of Boundary Road, is such that it is causing difficulties with pedestrian movements across Boundary Road from the Burnaby side.

It was understood by Council that the Planning Department would investigate the situation and report accordingly.

Alderman McLean enquired as to what progress has been made in the considerations being given the matter of relocating the Slovenian Society from its property at 5762 Sprott Street.

It was understood that the Municipal Manager would provide Council with an answer to this question.

Alderman Lewarne indicated that he may be presenting a proposal aimed at determining where mobile homes should be located in the municipality. He explained that his concern about the need for such facilities has stemmed, in part, from the fact that the Central Park Auto Court and the Beuna Vista Auto Court are soon to be demolished and the tenants there will need to find a new place to live.

Alderman Gunn pointed out that land known as 8029 Texaco Drive was being advertised for sale.

He advised that this property lies within the area which was the subject of a study by N. D. Lea & Associates relating to the recreational potential of land on Burrard Inlet.

He mentioned that the telephone number on the advertisement was 253-4111.

It was understood that the Planning Department would contact the person selling the property to draw his attention to the fact the land lies within the area mentioned and possibly discuss the question of whether the municipality should purchase the property.

It was understood, as a result of an enquiry by Alderman Gunn, that the Planning Department would produce for Council a copy of the plan that is being used in the programme of land acquisitions for major road purposes.

Alderman Burnham served a Notice that he wished Council to consider a Motion at its meeting on September 4th relating to the appointment of staff members.

ACTING MUNICIPAL MANAGER indicated, as a result of an enquiry by Alderman Lewarne, that a report would be submitted to Council on September 4th relating to a complaint concerning Dominion Tire Company discharging noxious odors from its plant in the Big Bend area.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

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

CARRIED UNANIMOUSLY

R E P O R T

MAYOR CONSTABLE submitted a report recommending that Alderman M. M. Gordon be appointed as Acting Mayor for the months of September and October, 1973.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That the recommendation of the Mayor be adopted."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 64, 1973, on the matters listed below as items (1) to (16), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) 1973 Congress of National Recreation and Parks Association

It was recommended that a request of the Parks and Recreation Commission to authorize the attendance of Commissioner V. V. Stusiak at the above Congress in Washington, D. C. from September 29th to October 4, 1973 be approved.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN STUSIAK:

"That members of Council, when attending business on behalf of the municipality, be entitled to an amount equal to the economy air rate for travelling expenses."

IN FAVOUR -- ALDERMEN GUNN, STUSIAK AND
LEWARNL

AGAINST -- ALDERMEN BURNHAM, LAWSON, MCLEAN
AND MERCIER

DECISION LOST

(2) Canadian Council on Social Development Conference

It was recommended that Council approve the attendance of Miss M. Keir, Elderly Citizens' Co-Ordinator, at the above Conference in Ottawa, Ontario from September 16th to September 18, 1973.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:

"That the recommendation of the Manager be adopted."

UNANIMOUSLY

(3) Lot 2, Block 27, D.L. 186, Plan 1124 (4014 McGill Street)

It was recommended that Council authorize the demolition of the dwelling at the above location.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:

"That the recommendation of the Manager be adopted."

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:

"That action on the proposal outlined in the report of the Manager be deferred until he provides an indication as to the future intended use of the property in question and whether it would be feasible to sell the property at this time."

CARRIED UNANIMOUSLY

(4) Lots 16 and 17 N², D.L. 35 West 5 acres of 10 acre Part, Plan 2501
(Walkway from Lister Court to Inman Avenue)

It was recommended that Council authorize an exchange of the South 10 feet of the above described Lot 17 for the South 10 feet of the Lot 16 described in caption, with all legal costs associated with the exchange to be borne by the owner of the said Lot 16.

As a result of considering the report of the Manager, the Council instructed the Planning Director to consider the feasibility of installing stop signs at each end of the walkway in question in order to provide a measure of protection for pedestrians using the walkway.

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

CARRIED UNANIMOUSLY

(5) REZONING REFERENCE NO. 20/73

- (a) Parcel "B", Reference Plan 6223, Block 14, D.L. 74, Plan 2603
- (b) Lots 1, 2 and 3, Block 15, D.L. 74N₂, Plan 4173
- (c) Lot "A", Sketch 5573, Block 15 S. Part, D.L. 74N₂, Plan 2603

It was recommended that the following be added as a prerequisite to the rezoning of the above described properties to General Industrial District (M2):

"The dedication of 10 feet of the parcels for the widening of Norland Avenue plus a sufficient amount to provide a suitable corner widening truncation to be determined by a detailed engineering design."

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

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MERCIER:

"That action on the proposal in the report of the Manager be deferred until the September 4th meeting of Council in order to permit the Planning Director to offer his views on the matter of consolidating the properties concerned and resubdividing them into two sites rather than the one which is currently proposed."

CARRIED UNANIMOUSLY

(6) Burnaby Security Issuing By-Law No. 4, 1973

It was recommended that Council consider the above By-Law, which will authorize the financing of the work alluded to in the report amounting to \$1,700,000.00, and that the Municipal Treasurer be authorized to make the necessary application for the financing to the Greater Vancouver Regional District.

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

CARRIED UNANIMOUSLY

(7) Monthly Report of Health Department

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

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

CARRIED UNANIMOUSLY

(8) Monthly Report of Building Department

A report of the Chief Building Inspector covering the operations of his Department between July 16th and August 10, 1973 was being submitted herewith.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:
"That the report be received."

CARRIED UNANIMOUSLY

(9) Land Assembly - Cariboo Road Area

The Council was being provided this evening with information relating to the Land Assembly Scheme for the above area.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That the information be received."

CARRIED UNANIMOUSLY

(10) Hours of Work - West Vancouver Administrative Staff

Between June 4th and October 19, 1973, each inside employee, including exempt staff of the District of West Vancouver reports to work at 8:00 a.m. and takes 45 minutes for lunch. The extra 45 minutes that is accumulated for 9 days entitles the employee to take the 10th day off work.

This was done on the theory that it would increase productivity and not add to the cost of operation. Whether or not this has occurred is doubtful. The District is experiencing difficulty in freeing some of its employees and, in some cases, has found it necessary to employ temporary personnel.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(11) Land Expropriated by a Senior Government

The Solicitor has indicated that, so far as he is aware, there is presently no Federal or Provincial (i.e. British Columbia) legislation giving any special rights to the owner of lands which have been expropriated and which, after the expropriation has been completed and compensation paid, are no longer required by the expropriating authority. He adds that there is such a provision in the Statutes of Ontario and Manitoba.

The matter is contained in a working paper on expropriation that has been prepared by the Law Reform Commission of British Columbia.

In the case of the George Derby land, if Council is so disposed, representation should be made to the Federal Government to reconvey the land to Burnaby. The disposition of the "Jericho" land in Vancouver, while not a parallel case, could be cited in support. If after the George Derby lands were reconveyed to Burnaby they were to be expropriated by the Provincial Government, the entire exercise would have accomplished nothing.

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

CARRIED UNANIMOUSLY

(12) Neighbourhood Pubs

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

(13) Lot 460, D.L. 126, Plan 40198
(1381 Springer Avenue)
REZONING REFERENCE NO. 56/72

A plan of development for a Rest Home on the above property, which is considered acceptable, has been received. This plan reflects the concerns raised by neighbours earlier in that the building on the property will receive only minor exterior alterations, including the elimination of existing sliding doors to the balconies facing abutting residences and the restriction of the use of these balconies for emergency exits only, through the introduction of a gate and appropriate signing. Also, a fire exit from the second storey balcony has been designed in the character of the existing structure.

A list was provided to Council on August 20th of all Community Care Facilities in the municipality including locations and capacities of them.

The smaller rest home plays a definite part in the housing of Senior Citizens because, regardless of where sited, a regional service for those families wishing to place relatives in a "homey" atmosphere where a wider range of benefits and more personalized service is available.

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It was recommended that the Amendment to the Zoning By-Law covering the rezoning of the subject property to P5, be given Third Reading followed by Final Adoption.

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

CARRIED UNANIMOUSLY

(14) Portion of Eton Street from Gamma Avenue
SUBDIVISION REFERENCE NO. 42/72

It was recommended that Council authorize the sale of the Northerly 6 feet of the above portion of the Eton Street right-of-way, which right-of-way has been cancelled, for the sum of \$1.00, and authorize the municipality to contribute approximately \$75.00 toward the cost of preparing a subdivision plan, providing the purchaser of the said 6 feet contributes \$50.00, for the land.

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

CARRIED UNANIMOUSLY

(15) Parcel "A" Explanatory Plan 36132, S.D. 2/3, Block 13, D.L. 161, Plan 1742
(8744 Joffre Avenue)
PRELIMINARY PLAN APPROVAL NO. 2199

It was recommended that Council authorize the issuance of Preliminary Plan Approval for the development of a second industrial building on the above property.

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

CARRIED UNANIMOUSLY

(16) Proposed Westridge Pump Station #1
PRELIMINARY PLAN APPROVAL NO. 2314

It was recommended that Council authorize the granting of Preliminary Plan Approval to the Greater Vancouver Regional District for the installation of a proposed Pump Station at the North end of the Cliff Avenue road allowance and also the issuance of permits which are necessary for the development to proceed.

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

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That action on the proposal in the report of the Manager be deferred until the September 4th meeting in order to permit the Planning Director to submit a report indicating the effect the building of the Pumping Station would have on pedestrian access to the area North of the Pumping Station."

CARRIED UNANIMOUSLY

Item #1 of the Municipal Manager's In Camera Report No. 65, 1973 was then considered.

(1) 5794 Sussex Avenue (Frith)
SHEPHERD STREET ALLOWANCE

As a result of negotiations which have continued since April this year concerning structures at the above location encroaching on the Shepherd Street allowance, the lawyer for the owner of property known as 5794 Sussex Avenue and representatives of the municipality have reached agreement on a proposed settlement which involves the following:

- (a) That the municipality bear the cost of preparing plans that would be required for the subdivision of the property into two duplex lots and one single family lot.

- (b) That the tenants in the encroaching dwelling be given notice to vacate as of September 30, 1973.
- (c) That the municipality bear the cost of demolishing the encroaching buildings.
- (d) That the municipality contribute \$850.00 toward the cost of constructing a new carport on the owner's property.

The property is presently zoned R5, which would permit the construction of two duplex dwellings and one single family dwelling. The survey for this proposed subdivision would cost approximately \$325.00 plus \$25.00 for related registration fees. The Engineering Department would perform all work associated with the survey.

The total cost of demolishing the two buildings which are encroaching would be approximately \$800.00.

If the settlement is approved, the Local Improvement work for Shepherd Street could be included in the next contract that is awarded for such works.

It was recommended that the following terms of settlement in connection with the matter be approved on an ex gratia basis:

- (i) That the municipality bear the cost of preparing and registering survey plans that are required for a subdivision of the subject property into two duplex zoned lots and one single family lot (approximately \$350.00) but, if there are any servicing costs associated with the subdivision, they be assumed by the owner.
- (ii) That the owner give his tenants a notice to vacate the premises encroaching on the understanding that vacancy will occur no later than September 30, 1973.
- (iii) That the municipality bear the total cost of demolishing the encroaching dwelling and garage (approximately \$800.00).
- (iv) That the municipality contribute \$850.00 toward the cost of constructing a new carport on the property.

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

BY - L A W S

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That "BURNABY SECURITY ISSUING BY-LAW NO. 4, 1973" (#6347) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That the Committee now rise and report the By-Law complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That "BURNABY SECURITY ISSUING BY-LAW NO. 4, 1973" be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That the Council do now resolve into a Committee of the Whole to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 54, 1972"."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #56/72

Lot 460, D.L. 126, Plan 40198
1381 Springer Avenue

FROM RESIDENTIAL DISTRICT TWO (R2) TO COMMUNITY INSTITUTIONAL DISTRICT (P5)

PLANNING DEPARTMENT submitted a report advising that Mr. Hank Lum of 1370 Crestlawn Drive had written on May 17, 1973 to forward a second petition signed by 91 persons urging Council to reconsider the objections of the people to this rezoning proposal.

PLANNING DEPARTMENT pointed out that in Item #13 of the Municipal Manager's Report No. 64, 1973, which Council received earlier in the evening, the matters concerning Mr. Lum and the others seemed to have been resolved to their satisfaction.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN GUNN:
"That action on this rezoning proposal be deferred until more up-to-date information can be supplied as to the vacancy rate in Rest Homes."

IN FAVOUR -- ALDERMEN BURNHAM AND GUNN

AGAINST -- ALDERMEN LAWSON, LEWARNL,
MCLEAN, MERCIER AND STUSIAK

MOTION LOST

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN STUSIAK:
"That the Committee now rise and report the By-Law complete."

CARRIED

AGAINST -- ALDERMAN GUNN

THE COUNCIL RECONVENED.

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

CARRIED

AGAINST -- ALDERMAN GUNN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 54, 1972" be now read three times."

CARRIED

AGAINST -- ALDERMAN GUNN

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MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the Council do now resolve into a Committee of the Whole to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 21, 1973"."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #18/73

Lot "A" Except South 122 feet and Except Explanatory Plan 14336,
Block 36, D.L.'s 122/3/4, Plan 4912

1001 Delta Avenue

FROM NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

PLANNING DEPARTMENT reported that all of the prerequisites in connection with this rezoning proposal have been satisfied.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LAWSON:

"That Council not approve the second stage of the development planned by the B. C. Telephone Company on the above described property as part of the plan which has been submitted in connection with the rezoning proposal."

CARRIED

AGAINST — ALDERMAN STUSIAK

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 21, 1973" be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That:

"BURNABY LEASE AUTHORIZATION BY-LAW NO. 8, 1973"	(#6334)
"BURNABY BUILDING BY-LAW 1973"	(#6333)
"BURNABY ELECTRICAL CONNECTION REGULATION BY-LAW 1973"	(#6336)
"BURNABY PLUMBING BY-LAW 1973"	(#6335)

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 MERCIER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 26, 1973" (#6337) 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 #33/73

Lots 5, 6, 7, 8 and 9, Block 85, D.L.'s 127/218, Plan 4953

5361 and 5381 Hastings Street; 5470 Empire Drive; 5395 Hastings Street and 5360 Capitol Drive

FROM RESIDENTIAL DISTRICT FOUR (R4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That, in addition to the three prerequisites which have been established in connection with this rezoning proposal, the development planned to be built on the site be restricted to a height of no more than two storeys or 30 feet, visible from the Empire Drive elevation."

CARRIED

AGAINST -- ALDERMEN GUNN AND MCLEAN

In response to a question, the Planning Director stated that in consultation with the Legal Department he ascertained that Council has no legal authority to demand that owners of apartments include the fee charged for tenant parking on the property in the rent for the suites.

It was understood by Council that the Solicitor would submit a formal report on the matter.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED

AGAINST -- ALDERMEN GUNN AND MCLEAN

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED

AGAINST -- ALDERMEN GUNN AND MCLEAN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 26, 1973" be now read two times."

CARRIED

AGAINST -- ALDERMEN GUNN AND MCLEAN

ALDERMAN MERCIER LEFT THE MEETING.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1973" (#6338) 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 #39/73

Lot 1, D.L. 127, Plan 27911

216 Howard Avenue

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

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN BURNHAM:
"That, in addition to the four prerequisites which have been established in connection with this rezoning proposal, it be required that the development plan for the site include the provision of a decorative wall on the outside facing the residences on adjoining properties."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That the Committee now rise and report progress on the By-Law."

CARRIED UNANIMOUSLY

CITY COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 27, 1973" be now read twice."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 28, 1973" (#6339) be now introduced and that Council resolve itself into a Committee of the Whole to consider and report on the By-Law."

CARRIED UNANIMOUSLY

By-Law provides for the following proposed rezoning:

Reference RZ #36/73

Lots 10, 11, 12 and 13, Block 4, D.L.'s 116/186, Plan 1236

4095, 4085, 4075 and 4065 Albert Street

FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

ALDERMAN MERCIER RETURNED TO THE MEETING.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED

AGAINST -- ALDERMAN MCLEAN

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED

AGAINST -- ALDERMAN MCLEAN

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 28, 1973" be now read two times."

CARRIED

AGAINST -- ALDERMAN MCLEAN

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN STUSIAK:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1973" (#6340) 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 #41/73

Lots 1 to 9 inclusive, Block 4, D.L.'s 171/187, Plan 1354

204 South Rosser Avenue; 4412, 4418, 4424, 4430, 4440, 4456, 4470 and 4476 Pandora Street

FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Mr. T. Brian Prentice submitted a letter clarifying and enlarging on answers he provided to members of Council at the Public Hearing which was held on this rezoning proposal on August 21, 1973.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN LAWSON:

"That Council not proceed with "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 29, 1973"."

CARRIED

AGAINST -- ALDERMEN STUSIAK AND MERCIER

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN LAWSON:

"That the Committee now rise and report."

CARRIED

AGAINST -- ALDERMEN STUSIAK AND MERCIER

THE COUNCIL RECONVENED.

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

CARRIED

AGAINST — ALDERMEN STUSIAK AND MERCIER

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MCLEAN:
 "That the area bounded by the lane between Albert and Pandora Streets, Rogers Avenue, Triumph Street and Willingdon Avenue be deleted from the Apartment Study."

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GUNN:
 "That the foregoing motion be amended by adding:

"and that all the owners of property in the area just described be notified of Council's decision to delete their lands from the Apartment Study."

CARRIED

AGAINST — ALDERMEN MERCIER AND MCLEAN

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

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:
 "That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 30, 1973" (#6341) 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 #35/73

- (a) Lot "A", D.L. 34, Plan 15029
- (b) Lots 1, 2 and 4, Block 2, D.L. 34, Plan 1441
- (c) Lot 3, Blocks 2/3, D.L. 34, Plan 1441
- (d) Lot 1A, Block 2, D.L. 34, Plan 1441

3907 Kingsway; 5625, 5651, 5673, 5691 and 5607 Jersey Avenue

FROM RESIDENTIAL DISTRICT FIVE (R5) AND SERVICE COMMERCIAL DISTRICT (C4) TO
 MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:
 "That, in addition to the five prerequisites which have been established in connection with this rezoning proposal, the developer be required to provide concrete curbs and sidewalks on the side of the site abutting Jersey Avenue."

CARRIED

AGAINST — ALDERMEN LEWARNE, MERCIER
 AND STUSIAK

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

THE COUNCIL RECONVENED AT 9:15 P.M.

ALDERMEN LAWSON AND LEWARNE WERE ABSENT.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN BURNHAM:
 "That the Committee now rise and report progress on the By-Law."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 30, 1973" be now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1973" (#6342)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 32, 1973" (#6343)

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

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1973 provides for the following proposed rezoning:

Reference RZ #37/73

Lots 1, 2, 11 and 12, Block 10, D.L. 69, Plan 1321
4008 and 4024 Myrtle Street; 4025 and 4007 Regent Street

FROM RESIDENTIAL DISTRICT FIVE (R5) TO LIGHT INDUSTRIAL DISTRICT (M5)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 32, 1973 provides for the following proposed rezoning:

Reference RZ #34/73

Lots 12 and 13 Except Reference Plan 37631, Block 6, D.L. 119, Plan 2855
4461 Sumas Street

FROM MANUFACTURING DISTRICT (M1) TO PARKING DISTRICT (P8)

DEPUTY MUNICIPAL CLERK mentioned that a map of the area bounded roughly by Myrtle Street, Gilmore Avenue, the Freeway and Esmond Avenue showing ownership of land therein had been supplied to each member of Council this evening for examination in conjunction with the rezoning proposal covered by the above Amendment By-Law No. 31, 1973.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:
"That the Committee now rise and report progress on the By-Laws."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

ALDERMAN LAWSON RETURNED TO THE MEETING.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 31, 1973"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 32, 1973"

Let now read two times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 33, 1973" (#6344)

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1973" (#6345)

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

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 33, 1973 provides for the following proposed rezoning:

Reference RZ #74/69

- (a) Lots 2 and 3, Block 1, D.L. 151, Plan 10051
- (b) Lots 4, 5E $\frac{1}{2}$, 5W $\frac{1}{2}$, 12, 13, 14 and 15, Block 1, D.L. 151, Plan 1662
- (c) Lots 6, 7W $\frac{1}{2}$, 7E $\frac{1}{2}$, Except South 16 $\frac{1}{2}$ feet, Block 1, D.L. 151, Plan 1662
- (d) Lot 8, Except Part on Plan with By-Law 30078, Block 1, D.L.'s 151/3, Plan 1662
- (e) Lot 9, Except South 16 $\frac{1}{2}$ feet shown on Plan with By-Law 30078, Block 1, D.L. 151, Plan 1662
- (f) Parcel "A", Reference Plan 5548, of Lot 16, Block 1, D.L. 151, Plan 1662
- (g) Lot 16, Except Parcel "A", Reference Plan 5548, Block 1, D.L. 151, Plan 1662
- (h) Lot 17, Except Reference Plan 33109, Block 1, D.L.'s 151/3, Plan 1662

4205 - 4279 Kingsway inclusive; 4238 - 4298 Grange Street inclusive

FROM RESIDENTIAL DISTRICT FIVE (R5) AND GENERAL COMMERCIAL DISTRICT (C1) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1973 provides for the following proposed rezoning:

Reference RZ #49/73

Lot 278, D.L. 91, Plan 42810

6565 Humphries Avenue

FROM NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1) TO RESIDENTIAL DISTRICT ONE (R1)

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That:

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 33, 1973"

"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 34, 1973"

be now read three times."

CARRIED UNANIMOUSLY

ALDERMAN LEWIS RETURNED TO THE MEETING.