

MAY 28, 1973

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, May 28, 1973 at 7:00 p.m.

PRESENT: Mayor R. W. Prittie, in the Chair  
Alderman W. A. Blair  
Alderman W. R. Clark  
Alderman T. W. Constable  
Alderman J. D. Drummond  
Alderman M. M. Gordon  
Alderman D. A. Lawson  
Alderman G. H. F. McLean  
Alderman J. L. Mercier

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

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:  
"That all of the below listed original communications be received and those items of the Municipal Manager's Report No. 41, 1973 which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

Mr. Robert G. Brodie, President, Vancouver Symphony Society, wrote to express appreciation for the \$6,000.00 grant the Council gave the Society.

Ms. Joanne Protocky, Recording Secretary, Lower Mainland Parks Advisory Association, submitted a circular letter advising that the next meeting of the Association would be held at the Stanley Park Pavilion on Thursday, June 7, 1973.

Centre for Continuing Education, The University of British Columbia, submitted a circular outlining a Short Course in Community Planning that will be held between June 11 and 13, 1973 at the University of British Columbia.

Mr. J. C. Ralston, Barrister and Solicitor, submitted a number of letters pertaining to the effect Burnaby Road Closing By-Law No. 5, 1973 has had on Lots 2 and 3, Block "R", D.L.'s 85/79, Plan 8860.

*Item #5 of the Municipal Manager's Report No. 41, 1973, which relates to the subject of the presentations by Mr. Ralston, was brought forward for consideration at this time. The following is the substance of that report:*

(5) Lots 2 and 3, Block "R", D.L.'s 85 and 79, Plan 8860  
BURNABY ROAD CLOSING BY-LAW NO. 5, 1973

Mr. Ralston is representing Messrs. Moore and Duke (the owners of the above described Lots 2 and 3).

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The Heritage Village Society had originally requested the Parks and Recreation Commission to arrange for the closing, to traffic, the lane adjacent to the Lots 2 and 3 rather than closing the lane and taking title to it. Heritage Village wished to relocate a fence and this could not be done unless the lane was closed.

Directors of the Heritage Village have met with Messrs. Moore and Duke but apparently they are not satisfied with the answers they have been receiving.

The Municipal Solicitor has the following to offer on the subject matter:

- (a) An application for an Order-in-Council for the lane allowance cannot be made until the Mayor and Clerk sign a petition to that effect. This will not be done for some time in the future.
- (b) Section 513(b) of the Municipal Act has been used for at least 5 years for securing a Crown grant under Section 508 of the Municipal Act for road/lane allowances. Application for title to a road can only be made after the road is closed to traffic. The Department of Municipal Affairs confirms that this is the correct procedure.
- (c) The lane which was closed was dedicated by Plan 1995, in 1911. The land that became lane was once part of a parcel that is now part of the Heritage Village.

Plan 8860, which was deposited some time in 1946, merely created the Lots 2 and 3 referred to above but did not dedicate any property for road purposes. Because of this, Messrs. Moore and Duke have no rights under the Plans Cancellation Act because the lane was not dedicated from their properties. The Road Closing By-Law does not refer to Plan 8860; rather, it refers to Plan 1995. The Plan accompanying the By-Law was not prepared by officials of the Greater Vancouver Regional District but by Mr. B. Berting, the Municipal Surveyor.

- (d) The municipality can take advantage of Section 513(b) and Section 508 of the Municipal Act to close the lane allowance but it can also use the Plans Cancellation Act.
- (e) Mr. Armstrong of Heritage Village did not indicate the entire procedure was illegal, as claimed by Mr. Ralston. He did indicate that the fence was erected a few days before the By-Law was finally adopted.
- (f) There was no illegality in the method used to close the lane to vehicular traffic but there is the question of the fact the fence was built somewhat prematurely. There was no prior contact with the abutting owners because there is no legal requirement that this be done.

It was not being recommended that the By-Law be rescinded but there is a public relations problem which must be resolved. If the municipality could obtain consents from the adjacent property owners in order to secure title to the lane allowance, the matter would be resolved once and for all. Such consents are not necessary but it would be a pleasant way to conclude the matter.

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It was recommended that the subject matter be referred to the Municipal Solicitor to conclude and that a copy of the report at hand be sent to the Parks and Recreation Commission and the Heritage Village.

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

CARRIED UNANIMOUSLY

Mr. T. J. H. Rorke, Chivers Realty Ltd., submitted a letter concerning the type of development he feels should be placed on land in the general Curtis-Aubrey area.

Mr. A. G. Henri and others submitted a petition indicating they are opposed to the plan of development the municipality is considering for land in the general Phillips-Aubrey-Curtis area.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:  
"That action on the submissions from Chivers Realty Ltd. and A. G. Henri and others be deferred until consideration of Item #17 of the Municipal Manager's Report No. 41, 1973 later in the evening."

CARRIED UNANIMOUSLY

Mr. R. A. Marshall and others submitted a petition expressing opposition to the construction of sidewalks on Avondale Street between Boundary Road and Smith Avenue.

*Item #19 of the Municipal Manager's Report No. 41, 1973, which relates to the petition from Mr. R. A. Marshall and others, was brought forward for consideration at this time. The following is the substance of that report:*

(19) Avondale Street from Boundary Road to Smith Avenue

The construction of curb sidewalks with pavement 28 feet wide on the subject street will not necessitate the removal of any trees or adversely affect the boulevards, although some pruning of low branches over the sidewalk area may be required for clearance purposes.

It was recommended that the standard of work approved for the street, pavement 28 feet wide with 5-foot wide curb sidewalks, be reaffirmed and that a copy of the report at hand be sent to the petitioners.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:  
"That action on the request of Mr. R. A. Marshall and others be deferred until a review is made of the policy in regard to road improvements constructed under the Local Improvement Sections of the Municipal Act, with it being understood that the work planned to be done on Avondale Street from Boundary Road to Smith Avenue be postponed in the meantime."

CARRIED

AGAINST -- ALDERMEN MCLEAN AND MERCIER

E N Q U I R I E S

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:  
"That Council, pursuant to Clause 9 of Schedule I of Burnaby Sign By-Law 1972, grant permission to erect temporary signs pertaining to the forthcoming By-Election on June 23, 1973 upon or over public property, except those lands dedicated as parks or schools."

CARRIED

AGAINST -- ALDERMAN BLAIR

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MAYOR PRITTIE recommended that, during the absence of Acting Mayor Blair, Alderman J. D. Drummond be appointed Acting Mayor from May 31st to June 5, 1973 and Alderman T. Constable from June 6th to 10, 1973.

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

CARRIED UNANIMOUSLY

When Alderman Constable enquired about the establishment of office buildings for the Provincial Government, Alderman McLean advised that he would be presenting his Motion, notice of which was served at the May 14th Council meeting, to Council at its June 11, 1973 meeting.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN LAWSON:  
"That the Council sponsor an all-candidate meeting in preparation for the By-Election that is to be held on June 23, 1973."

CARRIED

AGAINST -- ALDERMAN GORDON

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:  
"That Alderman Mercier ask representatives of the mayoralty candidates for advice as to how the all-candidate meeting(s) should be arranged."

CARRIED UNANIMOUSLY

When Alderman Lawson asked why water in the domestic supply was muddy during the past few days, the Municipal Engineer stated that this usually occurs when mains are being cleaned. He added that he would determine whether this was the actual situation.

When Alderman Mercier enquired, the Manager stated that a report would be presented to Council within a few weeks indicating the results of the autopsy that is being held into the death of fishes which have been found recently in Deer Lake.

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

CARRIED UNANIMOUSLY

TRAFFIC SAFETY COMMITTEE submitted reports on the matters listed below as Items (1) to (4) recommending the courses of action indicated for the reasons given:

(1) Fire Zone - Grange Street

As a result of considering a complaint concerning the inadequacy of the Fire Zone sign on Grange Street, it was recommended that no action be taken on the complaint because the sign is considered to be adequate and properly identifiable.

(2) Northbound Bus Zone on Willingdon Avenue at Dawson Street

It was recommended that the above bus zone be removed because it is rarely used and is difficult for bus drivers to use.

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(3) School Crosswalk - Grange Street and Nelson Avenue

It was recommended that a marked crosswalk not be installed at the above location because no warrants exist for such an installation.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN CONSTABLE:

"That the above three recommendations of the Committee be adopted."

CARRIED UNANIMOUSLY

(4) Walkway between Paulus Crescent and Cliff Avenue

At the time the area was originally subdivided, a 10-foot wide allowance was acquired for the subject walkway. This was to provide a shorter and vehicle-free pedestrian route from the area to Cliff Avenue. It was deemed especially desirable for school children travelling to and from Sperling Avenue School.

In May, 1969, a request was received to have the walkway closed because, primarily, of vandalism being caused by those using the walkway.

The Council, at that time, canvassed the area to the East of Cliff Avenue to determine whether the residents were in favour of closing the walkway and directing pedestrians to a recently opened lane between Paulus Crescent and Cliff Avenue just North of Gibson Street. The only replies were those in opposition to the proposed closure.

As a result of further complaints about a purported vehicular use of the walkway, the Council on January 26, 1970 authorized the erection of pedestrian barricades at both the Paulus Crescent and Cliff Avenue ends of the walkway.

On March 24, 1970, a further complaint was received concerning children swinging on the barricades at the walkway and riding their bicycles and horses over private property adjacent thereto. It was suggested to the complainant then that he build a fence to keep trespassers out.

On February 2, 1972, a complaint was received regarding the use of the walkway by persons who were depositing L.S.D. in the ash pit at the base of a chimney.

A further complaint was received on April 14, 1972 regarding private property adjacent to the walkway being abused.

On February 7, 1973, the four property owners adjacent to the walkway requested its closure.

On March 26, 1973, the Council resolved to retain the walkway.

The Council, on April 5, 1973, received a petition signed by 46 residents of the area expressing concern for the safety of those using the walkway. Reference was made in that petition to two accidents which were claimed to be caused as a direct result of the walkway.

On April 9, 1973, the Council decided to close the walkway. This decision has now brought about a request to have the walkway reopened. The main concern of these people is that pedestrians will now need to walk along a vehicular facility which does not have separate pedestrian walks.

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Staff has always felt the walkway should be retained because it was considered to be the safest route available for pedestrians. Not having the walkway means pedestrians will need to use the same facility as vehicles for about 900 additional feet if he uses the lane North of Gibson Street or 1,400 feet if he uses Gibson Street.

The greater majority of traffic in the lane at the end of the walkway is driven by those residing in the area.

The walkway crossing of the lane was recently signed with standard pedestrian crosswalk signs to assist motorists in determining the exact location of the crossing. To control the children from darting into the lane, pedestrian barricades could be installed at the lane entrances.

It was recommended that the walkway between Paulus Crescent and Cliff Avenue be reopened and that pedestrian barricades be installed in the walkway to prevent children from darting into the lanes.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN BLAIR:  
"That the recommendation of the Committee be adopted."

IN FAVOUR -- MAYOR PRITTE, ALDERMEN  
CONSTABLE, BLAIR AND  
GORDON

AGAINST -- ALDERMEN DRUMMOND, LAWSON,  
CLARK, MCLEAN AND MERCIER

MOTION LOST

MUNICIPAL MANAGER submitted Report No. 41, 1973, on the matters listed below as Items (1) to (23), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Resident Parking on Public Road Allowances

It was recommended that the following resolution, which relates to the captioned matter, be submitted to the U.B.C.M. for consideration at its next Conference:

"WHEREAS the parking of vehicles on highways adjacent to or in the vicinity of buildings or real property used by the public, including hospitals, libraries, schools, museums, arenas, exhibitions and parks makes it impossible or inconvenient for the residents of the said highways to park their own vehicles on the said highways.

NOW THEREFORE BE IT RESOLVED that Section 125(1) of the Motor Vehicle Act be amended to add the following as Clause (d1):

'provide for the setting-apart and allotting of any highway or part thereof adjacent to or in the vicinity of any building or real property used by the public, for the exclusive use of residents of the said highway or parts thereof for the parking of vehicles and for the regulation of such parking.'

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

CARRIED UNANIMOUSLY

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(2) Quarterly Report of Social Services Department

A report of the Social Service Administrator indicating social allowance disbursements and case loads for select months in 1973 as compared to those same months in 1972 was being submitted herewith.

*The following questions were raised in Council as a result of discussing the recently announced increases in social welfare rates:*

- (a) *How many recipients in Burnaby will now receive less than before because of the fact they will not be entitled to receive such extras as allowances for clothing?*
- (b) *Is Burnaby receiving an inordinate number of persons seeking aid who have recently arrived from other Provinces in Canada?*
- (c) *What number of people on welfare travel from the Lower Mainland to the East and how does this compare to the reverse situation?*
- (d) *What kind of aid do persons from the East receive?*

*It was understood by Council that a report would be submitted answering the above questions and providing any other information about the general subject that is deemed relevant.*

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That the report of the Social Services Department be received."

CARRIED UNANIMOUSLY

(3) Easement - Portion of Lot 38 Except that Part subdivided by Plan 40649, D.L. 135, Plan 3234

It was recommended that Council authorize the:

- (a) acquisition of an easement, for sanitary sewer purposes, over a portion of the above described property at no cost to the Corporation;
- (b) execution of the document associated with the matter.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN BLAIR:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(4) Major Road - Beecher Park

The sketches requested by Council relating to the above matter were being provided to the Council this evening.

The first sketch illustrates the Beecher Park site as it existed prior to 1970. It also shows that the Northeast corner of the original park site, which was required for a road, is to be replaced by all of the area remaining from the acquisition of adjacent land when the Nation Way right-of-way was acquired. There will be no decrease in the size of the park as the area in Triangle 2 is actually greater than the area in Triangle 1.

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The second sketch illustrates the contours of the ground and general vicinity of Beecher Park, and the location of the stream passing through the Park site. The open watercourse is to be preserved and landscaped.

A third sketch shows the residential subdivision related to the Park and the street network in the area.

Pedestrian access to Beecher Park from the surrounding area would be via Springer Avenue and Parklawn Drive, which are residential streets.

It was recommended that a copy of the report at hand be sent to the Parks and Recreation Commission.

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

CARRIED UNANIMOUSLY

(5) Lots 2 and 3, Block "R", D.L.'s 85 and 79, Plan 8860  
BURNABY ROAD CLOSING BY-LAW NO. 5, 1973

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

(6) (Withdrawn)

(7) Monthly Report of Health Department

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

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

CARRIED UNANIMOUSLY

(8) Monthly Report of Fire Department

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

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

CARRIED UNANIMOUSLY

(9) Coach House - Kingsway and Royal Oak Avenue

The Chief Building Inspector has reported as follows on a suggestion that an old Coach House at Kingsway and Royal Oak Avenue be relocated to Heritage Village:

- (a) The building in question was inspected on May 10, 1973 and it was determined that, because of the extensive conversions which have taken place, there is some question as to the value of the structure as it stands in terms of authenticity and architectural character. The numerous alterations over the years to the interior of the building have stripped it of any architectural detail quality which it might have once possessed. It is impossible to determine whether the building ever possessed any noteworthy interior architectural quality.



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- (b) Outwardly, the building appears to have little to offer in the way of architectural historic significance. The upper storey windows of the old style double-hung, four-light sash, and the small rather plain brackets beneath the roof soffit surrounding the building are the only apparent items of original construction.
- (c) Apart from the lack of intrinsic architectural value in the building, it is of such size and height as to preclude its being moved to the Heritage Village site.

The Executive Director of the Century Park Museum Association has advised that the Coach House is unsuitable for relocation to Heritage Village because of:

- (1) its size, for which at this time no suitable location in the Village exists;
- (ii) its condition, since it is in need of considerable work before its use as a museum display could be realized;
- (iii) the modifications over the years, which have changed both structure and appearance to a degree that have made it unsuitable for use as it now exists and extremely expensive to restore or reconstruct in original form.
- (iv) the fact the Master Development Plan and Plot Plan being prepared for the expansion of Heritage Village has yet to be considered by the Board of Directors of the Association;
- (v) funds available in the 1973 Budget for the CPMA/Heritage Village are already committed to other Museum development projects or are being considered for other uses.

It was recommended that:

- (1) the subject Coach House not be relocated to Heritage Village;
- (2) a copy of the report at hand be sent to Mr. Jean-Pierre Daem, the Century Park Museum Association and to the Manager of the Design and Construction Department of Canada Safeway Limited.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN GORDON:

"That the recommendation of the Manager be adopted; and further, Mr. Daem be thanked for the interest he showed in connection with the Coach House and the Manager of the Design and Construction Department of Canada Safeway Limited also be thanked for the consideration he gave the suggested relocation of the Coach House."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CONSTABLE:

"That the Century Park Museum Association be requested to consider preparing a catalogue of buildings in the municipality which are deemed to have historical significance so that this catalogue can be used as a guide when future acquisitions of such buildings are being considered."

CARRIED UNANIMOUSLY

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(10) Lane South of and Parallel to Patrick Street from Buller Avenue to the W.P.L. of Lot "D", Block 8E $\frac{1}{2}$ , D.L. 159, Plan 13791

It was recommended that the following cost report relating to the construction and paving of the above lane, as a Local Improvement under the petition section of the Municipal Act, be received:

Length of work		210'
Estimated cost of work	\$	735.00
Actual frontage		360'
Taxable frontage		360'
Owners' share of the cost of the work	\$	360.00
Estimated lifetime of the work in years		10
Frontage tax levy		5 installments of \$.257 per taxable front foot

It was also recommended that a By-Law be prepared to authorize the construction of the work.

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

CARRIED UNANIMOUSLY

(11) Easements and Right-of-Ways

It was recommended that Council pass the following resolution, to become effective immediately, relating to the acquisition of easements and right-of-ways:

"The Municipal Council does hereby authorize the acquisition, in 1973, of all easements and right-of-ways required for Municipal purposes and the payment of compensation therefor not exceeding \$100.00 in each case."

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

CARRIED UNANIMOUSLY

(12) Burnaby Noise or Sound Abatement By-Law 1972

A report dated May 24, 1973 from the Staff Technical Sub-Committee on Noise Emission was being distributed this evening, along with a copy of the captioned By-Law.

The Sub-Committee is recommending that implementation of a noise level reduction planned for Commercial, Industrial, Comprehensive Development or Agricultural Districts to take place on June 2, 1973 be deferred until June 2, 1974 but that the further reduction planned for June 2, 1978 be implemented as planned.

It was recommended that:

- (a) Sections 9, 10, 11 and 12 of the By-Law, which relate to noise level reductions and apply to all noise emissions other than vehicular, be retained for a further period of one year;
- (b) Municipal and R.C.M.P. authorities proceed with a comprehensive system of road measurement stations and strict enforcement and prosecution of persons operating motor vehicles and contravening the noise emission standards set forth in the By-Law;

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(c) A copy of the total submission presented to Council this evening be sent to the Greater Vancouver Regional District.

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

CARRIED

AGAINST -- ALDERMAN GORDON

(13) Winston Street

It was recommended that Council request the Parks and Recreation Commission to assume responsibility for the maintenance of the Northerly boulevard of the Winston Street collector adjacent to residentially-developed properties between Brighton Avenue and Phillips Avenue when and as development of the boulevard landscaping takes place, including the triangular area of landscaping on the South side of Winston Street immediately East of Lozells Avenue.

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

CARRIED UNANIMOUSLY

(14) Agreements - Golf Professional

It was recommended that Council authorize the execution of agreements with the Professional for golf facilities.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN MERCIER:  
"That the submission from the Manager be referred back to the Parks and Recreation Commission for an indication as to the consideration given the matter of the length of the terms of the agreements."

CARRIED

AGAINST -- ALDERMEN DRUMMOND, CLARK,  
LAWSON AND BLAIR

(15) Public Address System - Municipal Ice Rink

The above public address system was working adequately on Saturday, May 12, 1973 but on May 13th, when Alderman Constable used the system during Opening Ceremonies, the unit misbehaved badly. A serviceman was called on May 14th and after three attempts he succeeded in rectifying the problem.

The system is now working normally.

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

CARRIED UNANIMOUSLY

(16) Contract #5, 1973 - Storm Drainage

It was recommended that Council accept the tender of Arthon Construction Limited in the amount of \$136,992.30 for the supply and installation of the storm sewers described in the report, with final payment to be based on the actual quantities and unit prices tendered.

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

CARRIED UNANIMOUSLY

- (17) (a) West Side of Burnaby Mountain  
(b) Future Development of Municipality

It was recommended that the Planning Department:

- (1) establish a programme of meetings and engage in discussions with any group so desiring on any subject directly or indirectly related to the future of Burnaby but, if possible, related to the Urban Structure Policies shown listed in Appendix I attached to the report at hand;
- (2) prepare a report summarizing the findings of such meetings for presentation to Council no later than October 29, 1973.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN LAWSON:  
"That the recommendations of the Manager be adopted."

CARRIED

AGAINST -- ALDERMEN CLARK, GORDON  
AND MCLEAN

(18) Major Roads Study

The above Study is progressing satisfactorily and the first computer test results should be available in approximately three weeks.

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

CARRIED UNANIMOUSLY

(19) Avondale Street from Boundary Road to Smith Avenue

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

(20) Kensington Arena

When the above facility was being designed, consideration was given the matter of including a Meeting Room cum Social Lounge type of room in the proposed Arena.

It was decided to concentrate efforts toward building a Rink with high quality ice machinery and skating surface together with ancillary dressing rooms, etc., all housed in a building that would be attractive in a residential setting.

At one time, consideration was given the matter of providing spectator seating of 500 to 3,000 but it was concluded that the Rink should be a participation facility and thus 600-seat spectator capacity was considered ample. There are other rinks in the Lower Mainland which can provide greater seating capacity.

The Project Co-Ordinator for the Parks and Recreation Commission, the Chief Building Inspector for the municipality, has determined that the Company moving excavated material for the Arena would load trucks if the Corporation provided them so that the material could be delivered to any locations of our choice.

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

CARRIED UNANIMOUSLY

(21) Nelson Avenue at Both Imperial Street and the Railway Tracks to the South

In a letter dated September 10, 1958, the then Minister of Railways indicated an inflexible attitude toward the removal of the stop signs on Nelson Avenue at the railway tracks. He was also critical of the municipality's action in removing stop signs from other streets where they cross railway tracks. Because of this, the Municipal Engineer has felt it may not be wise to point out locations where there is a more restrictive sight distance than the subject crossing lest the Department of Railways orders the Corporation to install stop signs at those locations as well.

There is no problem of congestion at the crossing in question that is related to the stop signs there. During a visual examination, 193 vehicles were counted travelling Southbound in a one hour period on Nelson Avenue from Imperial Street. At no time did the existence of the stop signs cause the traffic to back up to Imperial Street. This may be due to the fact very few of the signal phases released enough vehicles to fill the storage area. It was also noted that 156 of the 193 vehicles did not come to a complete stop at the stop signs.

The Engineer is still not certain that the municipality has any cause to again request the removal of the stop signs without being required to provide railway protection signals.

MOVED BY ALDERMAN DRUMMOND, SECONDED BY ALDERMAN MERCIER:  
"That the report of the Manager be received and the subject matter of it be referred back for a recommendation as to what can be done to resolve the problem of most motorists disobeying the direction on the stop signs at the railway tracks in question."

CARRIED UNANIMOUSLY

(22) Lease - Lot 133, Block 6, D.L. 74S½, Plan 39624  
(Rezoning Reference No. 44/70)  
BURNABY ASSOCIATION FOR RETARDED CHILDREN

It was recommended that the lease of the above property to the Association indicated in caption remain at \$4,400.00 per year and that the following terms apply to the lease:

- (a) it be renegotiated every 5 years after the first 10 year period;
- (b) the term be extended from 30 years to 60 years;
- (c) all improvements on the site at the termination of the lease become the property of the municipality;
- (d) the lease become effective July 1, 1973 but that this date be subject to change depending upon the actual date construction commences on the site.

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It was also recommended that the Association:

- (i) be advised that, according to the Municipal Act, it is not tax exempt but it can apply annually for a grant in aid;
- (ii) be provided with a copy of the report at hand.

It was further recommended that Council authorize the preparation and execution of the lease document required.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MCLEAN:  
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(23) Lane behind 1106 Boundary Road

The above lane allowance is unconstructed but does have continuity insofar as its allowance is concerned. The allowance presently has a power line located on it which serves abutting properties.

The allowance is only 16 feet wide and the construction of a roadway for the entire length of the lane would be difficult and costly.

The Company who requested the cancellation of the lane, R. E. Porter Ltd., wishes to construct an addition to its existing building and take access from the rear. The Company has been advised that it may construct the lane to municipal standards at the rear of its property, a distance of some 88 feet. The municipality will provide him with two crossings from the lane afterwards.

The Engineer was recommending that the lane not be cancelled because:

- (a) this would pose problems with respect to the power line there;
- (b) the block in which the lane is located may benefit some day by the existence of the lane;
- (c) the request of the Company does not appear to be indicative of the desire of all the property owners in the block.

It was recommended that Council concur with the Municipal Engineer and that R. E. Porter Ltd. be sent a copy of the report at hand.

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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BY - LAWS

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:

"That:

BURNABY SECURITY-ISSUING BY-LAWS NOS. 2 and 3, 1973 (#6291 and #6292)  
BURNABY ROAD CLOSING BY-LAW NO. 7, 1973 (#6294)  
BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW (#6295)  
NO. 16, 1973

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 CLARK, SECONDED BY ALDERMAN MCLEAN:

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

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN CONSTABLE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CLARK, SECONDED BY ALDERMAN MCLEAN:

"That:

BURNABY SECURITY-ISSUING BY-LAWS NOS. 2 and 3, 1973  
BURNABY ROAD CLOSING BY-LAW NO. 7, 1973  
BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 16, 1973

be now read three times."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1972 came forward for Reconsideration and Final Adoption. This By-Law provides for the following proposed rezoning:

Reference RZ #3/72

Lot 6, D.L. 34, Plan 849 - 4045 Kingsway (Kingsway Foursquare Church)

FROM RESIDENTIAL DISTRICT FIVE (R5) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

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

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1972 be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That:

BURNABY LOAN AUTHORIZATION BY-LAW NO. 1, 1973 (#6275)  
BURNABY LEASE AUTHORIZATION BY-LAW NO. 3, 1973 (#6233)  
BURNABY LOCAL IMPROVEMENT FINANCING BY-LAW NO. 1, (#6289)  
1973  
BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 15, (#6290)  
1973

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:

"That BURNABY BICYCLE LICENCING BY-LAW, 1973 (#6253) be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED

AGAINST -- ALDERMAN MERCIER

Alderman Drummond, as the senior Alderman, then spoke and drew attention to the fact this would be the last Council meeting Mayor Prittie would be attending.

He commended Mayor Prittie for his past services, stating in that regard that Mayor Prittie had exhibited a high degree of fairness, dedication and honesty in discharging his responsibilities.

Alderman Drummond also pointed out that Mayor Prittie would, with the position he would now be occupying as Assistant Deputy Minister of Municipal Affairs, have been involved in all three levels of Government in Canada.

Alderman Drummond presented Mayor Prittie with a desk set on which was a suitable inscription commemorating the occasion of his retirement.

Mayor Prittie expressed his thanks to everyone with whom he had been associated as the Mayor of Burnaby, stating that he had enjoyed all of his relations with members of Council and staff.

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN MCLEAN:

"That the Council meeting scheduled to be held on Monday, June 4, 1973 be cancelled."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN CONSTABLE, SECONDED BY ALDERMAN GORDON:

"That Aldermen Blair, McLean and Lawson be appointed as delegates of Council at the Canadian Federation of Mayors and Municipalities Conference."

CARRIED UNANIMOUSLY