

AUGUST 6, 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, August 6, 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 V. V. Stusiak
Alderman W. A. Lewarne
Alderman J. L. Mercier (7:02 p.m.)
Alderman D. A. Lawson (7:13 p.m.)

ABSENT:

Alderman G. H. F. McLean

STAFF PRESENT:

Mr. M. J. Shelley, 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

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN LEWARNE:

"That the Minutes of the Council Meetings held on July 23rd, 26th and 30, 1973 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

P R O C L A M A T I O N

Mr. Michael Ryan, Co-ordinating Chairman, Oxfam-Canada, submitted a letter drawing attention to the calamity in a number of drought-stricken countries in West Africa and requesting that Council declare the weekend of August 11th and 12, 1973 as African Drought Relief Weekend.

His Worship Mayor T. W. Constable then proclaimed August 11 - 12, 1973 as African Drought Relief Weekend.

ALDERMAN MERCIER ARRIVED AT THE MEETING.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN GORDON:

"That the matter of the municipality making a contribution to the appeal for donations for those suffering due to the drought mentioned in the letter from Oxfam-Canada be referred to the Grants and Publicity Committee for consideration and recommendation."

CARRIED UNANIMOUSLY

D E L E G A T I O N S

Mr. A. W. Laughlin, President, Laughlin Developments Limited, wrote to request permission to address Council on some zoning problems his company is experiencing in regard to the development on Lot 83 known as Loughheed Estates.

Mr. Laughlin submitted a further letter requesting that he be given the opportunity to address Council on August 20th rather than this evening.

Item 10 of the Municipal Manager's Report No. 59, 1973, which relates to the subject of the letter from Laughlin Developments Limited, was brought forward at this time.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GORDON:

"That the request of Laughlin Developments Limited to address Council on August 20th be granted and Item 10 of the Municipal Manager's Report No. 59, 1973 be tabled until that time.

CARRIED UNANIMOUSLY

Mr. E. W. T. Hnatiuk, Project Manager, Dawson Developments Limited, submitted a letter requesting that he be given permission to address Council on the matter of constructing Garden Grove Drive through the northern half of the Green Tree Village Development.

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:
"That Mr. Hnatiuk be heard."

CARRIED UNANIMOUSLY

Mr. Hnatiuk then spoke and made the following points:

- (a) There is an urgent need to continue with the construction of the road during the current dry season if further development of the property is to proceed on a reasonable schedule. Even during the dry weather, there is a substantial amount of stagnant water on the right-of-way.
- (b) Further delays in constructing the road would mean a long and costly postponement of the development program.
- (c) It will be necessary to excavate and remove several feet of peat material and preload some 1,000 feet of the road, which requires a substantial amount of lead time.
- (d) As regards the concern of some Council members relating to the performance of the company in constructing Phase I of the Green Tree Development, there has been close on-site supervision of the project by the company's architects and landscape architects. Clearing has been done under their surveyance and the company has not exceeded the clearing shown on the initial plans that were presented to the municipality, and in many cases has retained other trees very close to the building under construction. A substantial amount of planting of trees and shrubs will be involved in improving the overall landscaping of the site.
- (e) The company is making every effort to maintain the high quality of development expected by Council and feels quite confident that the expectations will be achieved or even exceeded.
- (f) With respect to the on-site burner mentioned in the report Council received from the Planning Department, it is intended to restore this area with mature trees at the time final design of the building has been established. The rear of the area, which backs onto the Forest Lawn Cemetery, would be heavily planted to provide a suitable screen.
- (g) The initial planning of the development took into account the municipality's Community Plan for the area.
- (h) The road would provide an alternate means of access to that currently being used and would thus relieve the nuisance being caused those residing on the other streets.
- (i) The road is in the lowest part of the property and this is why water is lying there all year round.
- (j) The company will, if required by Council, produce a plan showing the nature and extent of the restoration work which will be undertaken. The company would also produce a bond, in addition to the ones currently in the hands of the Corporation, to guarantee this restorative work. There is only the rear portions of the two lots in the area that need to be replanted.

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ALDERMAN LAWSON ARRIVED AT THE MEETING.

- (1) The Road is required by the municipality no matter what kind of development takes place on the subject property.

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GUNN:

"That the recommendation in Item 16 of the Municipal Manager's Report No. 59, 1973, which was that consent be given to Dawson Developments Limited to clear Garden Grove Drive on the understanding that:

- (a) no disturbance of any kind will take place beyond the 66 foot alignment and the two designated burner sites;
- (b) the company will provide a suitable restorative landscape treatment to the hillside site mentioned in the report;

be adopted on the condition that the company will provide a bond, in addition to the ones the Corporation currently has on hand from the company, to guarantee the restorative work only.

A vote was then taken on all of the above motion except for the condition concerning the posting of a bond, and it was carried unanimously.

ALDERMAN LEWARNE LEFT THE MEETING.

A vote was then taken on the question of Dawson Developments Limited posting the bond mentioned in the above motion, and it was carried with Aldermen Stusiak, Gordon and Burnham against.

ALDERMAN LEWARNE RETURNED TO THE MEETING.

The following wrote requesting an audience with Council in regard to the matter of Shops Closing Hours:

- (a) Mr. Angus J. Macdonald, Manager, Burnaby Chamber of Commerce
- (b) Mr. Ross Douglas, General Manager, Retail Merchants Association of Canada (B.C. Division)
- (c) Mr. R. Fenney, Store Manager, Woolco Department Stores
- (d) Mr. G. McDonald, Secretary, Lougheed Mall Merchants Association
- (e) Mr. David H. Moore, Planning and Development Manager, Crown Zellerbach
- (f) Mrs. Phyllis Thom of Brentburn Books Limited, on behalf of merchants in the Brentwood Shopping Mall
- (g) Mr. G. Ast of Ast Electronics Limited
- (h) Mr. C. K. Cole
- (i) Mr. Kam Yew, President, Lower Mainland Independent Grocers Association
- (j) Mr. Allan Coleman, Acting Secretary, Local 120, Journeymen Barbers', Hairdressers', Cosmetologists' and Proprietors' International Union of America
- (k) Mr. Al Principe of Principe's "Happy Hair" Stylists
- (l) Mr. Donald Garcia, First Vice President, New Westminster and District Labour Council

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:

"That all of the above delegations be heard."

CARRIED UNANIMOUSLY

- (a) Mr. T. Brian Prentice, President of the Burnaby Chamber of Commerce, appeared and made the following points in addition to those which were contained in a Brief the Chamber submitted to Council some weeks ago:

- (1) The two major points in the original submission were the relaxation of Shops Closing Hours during the month of December and additional shopping hours for one more night a week than is presently allowed.
- (2) The Chamber has now abandoned the proposal concerning extra shopping hours on an additional night in each week but wishes to reemphasize its request for the

(2) (Cont'd)

additional hours in December.

(3) The Chamber conducted a survey which revealed that 90% of all stores canvassed favoured the elimination of closing hour regulations during the month of December because this would benefit shoppers and allow shops to do more business at a time when there is a demand for additional services.

(4) Though shops are presently allowed to remain open for longer than normal hours on the seven nights preceding Christmas, there are really only four additional nights because the Shops Closing By-law permits stores to remain open on Thursdays and Fridays until 9:00 p.m. irrespective of whether they precede Christmas or not.

(5) If stores are not open in Burnaby, people will obviously go elsewhere. This situation has been researched and was confirmed.

(6) Even though Council may allow stores to remain open longer than the current regulations permit, shops do not need to if they so choose.

(7) Shoppers desire longer hours.

(8) The majority of merchants are opposed to extended opening hours all year long, they only wish them for the month of December.

(9) Merchants in shopping centers are not required to stay open longer if they choose not to and would not be evicted if they did not maintain the same hours as other shops in that centre.

(10) The Chamber of Commerce would not be opposed to a referendum on the question of Shops Closing Hours but would prefer that it not be held at the annual election.

(b) Mr. Ross Douglas, B.C. Division, Retail Merchants Association of Canada, then appeared and presented a Brief in which the following points were made in addition to those presented in an earlier submission:

(1) The Association objects to a further extension of retail store opening hours.

(2) The cost of remaining open longer will increase the price of the goods to the consumer.

(3) Convenience to the buying public is of greatest importance.

(4) Many surveys in eastern Canada and in the United States prove that extended store hours are costly. In the U.S., the trend is to curtail some of the existing opening hours.

(5) Many one-person operations and "small staff" retailers will find it increasingly difficult to live with extended opening hours, and the costs arising therefrom force many retailers into bankruptcy.

(6) Many of the larger firms are staffed by commission clerks.

(7) Quite a number of these firms are foreign conglomerates and the profits they derive are often taken out of the country and almost always taken out of the province.

(8) A copy of the Provincial Act from Quebec relating to store closing was being left with Council this evening. This legislation works to the satisfaction of the buying public and retailer in the Province.

(b) Cont'd

- (9) Five years ago, chain stores and department stores did nearly 50% of the retail business in Canada. Now they do only 37.6% while the independent retailers do the remainder. The independent is the backbone of the business community in Canada. He is the one who spends the profits, if any, in the community in which he does business and caters most satisfactorily to the consuming public.
- (10) The Association would not be opposed to a referendum being placed before the electorate on the question of Shops Closing Hours.
- (11) The Provincial Government should repeal the provisions in the Municipal Act which presently empower municipalities to regulate the hours of opening for shops.

(c) Mr. R. Penney of Woolco Department Stores then spoke and made the following points:

- (1) Businesses should be able to select their own hours of operation because this, among other things, is one of the ingredients of competition.
- (2) The Consumer wants longer shopping hours, especially now when a great number of people working are mothers who must shop for their family's needs.
- (3) It is difficult to compete effectively with stores in other municipalities where there are no shops closing regulations.
- (4) There are between 95 and 100 people working in Woolco on a normal day between 9:00 a.m. and 6:00 p.m. Another 50 or more are engaged to work on the days when the store is allowed to remain open until 9:00 p.m., depending on the season and demands of the public.
- (5) Woolco wants open hours all year round.
- (6) The prices of Woolco's goods would not be increased as a result of incurring additional costs as a consequence of remaining open for longer hours than is presently allowed.

(d) Mr. G. McDonald, Secretary of the Lougheed Mall Merchants Association then spoke and made the following points:

- (1) His group was specially concerned with the small shop owner at the Lougheed Mall.
- (2) The competition from stores in the neighbouring municipality of Coquitlam is adversely affecting business at the Mall because there are no closing hour regulations in Coquitlam. The same situation prevails, to a slightly lesser extent, as regards Surrey.
- (3) Eight percent of the small merchants support the proposal for unlimited opening hours during the month of December.
- (4) Most of the buying public have indicated that they would prefer the shops in the Mall to remain open longer in the month of December than is presently permitted.
- (5) Forty percent of the shoppers at the Mall reside in Coquitlam, 12% in Burnaby, and the remainder elsewhere.
- (6) Many of the merchants find it difficult to accommodate their customers and this would be overcome if they were allowed to remain open longer than presently allowed.

(e) Mr. D. H. Moore of Crown Zellerbach then spoke and made the following points:

- (1) Stores in Vancouver and in some other municipalities would likely be affected if shops in Burnaby were allowed to remain open for longer periods than presently permitted.
- (2) Efficient business operations will profit from extended opening hours; inefficient ones would not.
- (3) The work force would benefit inasmuch as more people would be employed; the purchaser would benefit, the store operator would profit from it; and in general the community would benefit as well.
- (4) It was quite possible that some stores could lower the prices of their goods if volume sales resulting from longer opening hours justified such action.
- (5) The "small" merchant can provide for personalized service than the large department stores.
- (6) A market survey for the Lougheed Mall area indicates that sales at the Crown Zellerbach at the Lougheed Mall should be 20% greater than its store in Surrey.
- (7) There are approximately 32 full time employees at the Surrey Crown Zellerbach store and 30 half-time employees whereas the corresponding figures at the Burnaby store are 28 and 10.
- (8) As is required by law, part-time employees are paid a minimum of four hours wages whether they work that long or not and the requirements of the Minimum Wage Act and Holiday Act are naturally followed.
- (9) The consumer examines price, service and location when shopping.

(f) Mrs. Phyllis Thom then spoke on behalf of the Merchants Association at the Brentwood Shopping Centre and made the following points:

- (1) Her Association represents a majority of the "small" merchants at Brentwood.
- (2) The members do not favour extended shopping hours, except possibly during December.
- (3) Under the terms of a Shopping Centre lease, individual stores have no freedom of choice regarding their hours of business and therefore need the protection afforded by Municipal By-laws.
- (4) Longer hours can hardly be regarded as a progressive step when every other form of employment anticipates shorter hours.
- (5) Though most consumers would likely indicate a preference for longer shopping hours, none of them would be prepared to pay more for the extra convenience or get less service nor would they be willing to work in a store that was open from 5:00 p.m. until 10:00 p.m. every night.
- (6) There is a problem of finding reliable and responsible staff to work all the additional hours and, of course, there is an increase in the costs of operation when extra staff are employed; it is a fallacy that longer opening hours produce additional revenue.

- (7) The public will be confused and frustrated when shopping at stores along Kingsway and Hastings Street when he finds that all of them are not maintaining the same hours of operation.
- (8) An unnecessary additional burden will be placed on the small stores if they, to compete, maintain the same opening hours as department stores and shopping centres.

Mr. Greenwood, who stated he was speaking on behalf of the owners of the Lougheed Mall and the Brentwood Mall, addressed Council at its request and confirmed that landlords can control the closing hours for shops in their centres. He added that this was done to ensure consistency and for the shoppers convenience. A lease with a merchant could be terminated if the merchant did not remain open the hours the shopping centre required. He was not in favour of longer opening hours for shops.

(g) Mr. G. Ast then spoke and made the following points:

- (1) His operation, Ast Electronics Limited, was not represented by the Burnaby Chamber of Commerce.
- (2) He was a member of the Retail Merchants Association.
- (3) He favours the regulation of closing hours for shops.
- (4) Merchants in Surrey are not pleased with the extended hours of operation there.
- (5) The surveys to which Mr. Penney of Woolco referred showed preference for longer opening hours on Thursdays and Fridays. The situation with respect to the Prince Edward Island survey was not relevant insofar as Burnaby was concerned. Though the survey showed an increase of 15% in business as a result of extended opening hours, it did not reveal whether profit increased by the same percentage.
- (6) Hardware merchants want regulated closing hours and so do many other groups.
- (7) There was an article in the Columbian recently describing how shopping facilities in a town in New Jersey destroyed the town.
- (8) Longer shopping hours adversely affect community participation in other activities such as public meetings and fund raising campaigns.
- (9) A number of slides that were taken, which he would display now, showed that there were a great number of vacant parking spaces at various shopping centres in Burnaby on a Thursday evening roughly between 8:00 p.m. and 8:30 p.m. This suggests that shoppers were not taking advantage of the extended opening of stores on that evening.

Mayor Constable declared a recess at 9:05 p.m.

THE COUNCIL RECONVENED AT 9:20 P.M.

- (h) Mr. C. K. Cole then spoke and stated that, as a consumer, he was alarmed at the proposal for extended opening hours of shops because this would likely produce higher costs which would be passed on to the consumer. He added that, as an independent merchant, he found the prospect of longer hours frightening because he would not be able to compete with the large stores. Mr. Cole stated that, if the situation became critical, he would likely need to apply for social assistance.

Mr. Cole advised that he was a barber and that the points he made were supplementary to those in a brief Council received earlier from him.

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Mr. Cole concluded by suggesting that those stores ^{which} are open longer than others should be assessed a higher business tax to reflect the increase in business they would experience.

(i) Mr. Douglas Jung then spoke on behalf of the Lower Mainland Independent Grocers' Association, and made the following points:

- (1) There were 151 members of the Association, 39 of which were in Burnaby.
- (2) He concurred with the views expressed by the Retail Merchants' Association in its submission earlier, Mrs. Thom and Mr. Cole.
- (3) He did not concur with the spokesman for Crown Zellerbach Stores Limited, Mr. D. H. Moore, and took exception to Mr. Moore's statement concerning inefficient businesses.
- (4) Small businesses are able to provide more personalized service.
- (5) The members of the Association are dealers in food products only and, because large food store retailers are able to purchase their food products at a relatively low cost due to volume purchases, the small grocer naturally suffers from this.
- (6) The corner grocery type of operation is anecessity to the community.
- (7) The income for such operations is not too great, the average being between \$6,000.00 and \$10,000.00 per year.
- (8) In 1970, an application was made by the Southland Corporation, representing the 7-Eleven Stores, for longer opening hours but it did not come before Council.
- (9) The corner grocery relies on family manpower which is its only resource.
- (10) There is a moral obligation on the part of Council not to change the Shops Closing Hour regulations. If such a change is being considered, fair notice of the proposal should be given.
- (11) One-third of the corner grocery operators are owned and the other two-thirds lease theirs.

(j) Mr. Coleman then spoke and presented a Brief in which he made the following points on behalf of licenced barber shop owners in the municipality:

- (1) He was representing 95% of such owners who wished to see the present Shops Closing regulations retained.
- (2) The regulation has been in effect for some years and is generally accepted by residents of the municipality.
- (3) More than 50% of the barber shops in Burnaby are a "one-chair" operation and any extension of opening hours would work a hardship on these people as they would not be able to rotate their hours on a competitive basis without working extra hours themselves. At this time, the average number of hours worked by a one-chair operator is approximately 50 per week.

- (4) The trend of labour is generally for less hours of work and this ~~should~~ be considered when dealing with the matter of extending opening hours for shops.
- (5) The Council should recognize the fact that the majority of the barber shop owners want no change in the regulations since democracy thrives on majority decisions.
- (6) The present regulations allow barber shops to open on their normal closing day if there is a holiday in that week.
- (7) Shops are allowed to remain open at the present time on the 7 days preceeding Christmas until 9:00 p.m.
- (8) Of the 35 barbers who were visited, 32 expressed a desire for no change in the Shops Closing Hour regulations.

(k) Mr. Al Principe then spoke and made the following points:

- (1) He operates a barber shop at the Loughheed Mall and his son one at the Old Orchard Shopping Centre.
- (2) He hires people of all ages because his objective is providing quality service.
- (3) Business is improving because of an in-training programme for his employees that is designed to make them more efficient.
- (4) His hairstylists make more than \$200.00 per week for their labours. They are not classified as barbers.
- (5) The Department of Labour controls the hours an employer can work his employees.
- (6) There is a public demand for longer opening hours for barber shops and this situation should not be overlooked.
- (7) He was merely seeking the same hours of operation enjoyed by beauty parlours and most other shops in the municipality.
- (8) He has worked for many years as a barber and later a hairstylist but began to expand his operation in 1958. He presently has 14 hairstylists working for him.

- (1) Mr. Anderson of the New Westminster and District Labour Council then spoke and indicated those he represented were opposed to an extension of opening hours for shops. He pointed out that other people will be affected by longer opening hours besides those working in the shops. He added that it was likely many of those employed by stores would be required to work split shifts.

Mr. Anderson concluded by stating that he felt the Labour Council would support the idea of a Referendum on the question of extending shops opening hours.

Mrs. J. C. Bryant, Corresponding Secretary, Burnaby Council of Women, submitted a letter advising that it was the consensus of the members of the Council of Women, as well as a number of private citizens, that shops should stay open at night but that the matter should be left to the shopkeepers to decide.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN LEWARNE:

"That all of the correspondence which has been submitted this evening, and oral presentations, in connection with the Shops Closing matter be received."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That By-Law No. 3970, known as a by-law to regulate the closing hours of shops, be amended by the deletion of Sections 4, 5 and 6 and a new Section 4 be inserted to read:

"For the local convenience and well-being of the residents of the municipality, the Council does hereby exempt completely from the provisions of Section 859 of the Municipal Act, all shops as defined in Section 857 of the Municipal Act."

IN FAVOUR -- ALDERMEN STUSIAK AND MERCIER

AGAINST -- ALDERMEN BURNHAM, GORDON, GUNN,
LEWARNE AND LAWSON

MOTION LOST

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN GUNN:

"That Burnaby Shops Closing By-Law 1958 be amended so as to permit stores to remain open for the 14 days immediately preceeding Christmas on the same basis that is presently allowed for the 7 days preceeding Christmas."

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN STUSIAK:

"That the previous motion be amended by deleting all the words "the 14 days immediately preceeding Christmas" and substituting therefor "the month of December"."

IN FAVOUR -- ALDERMEN BURNHAM, STUSIAK,
MERCIER AND GORDON

AGAINST -- MAYOR CONSTABLE, ALDERMEN GUNN,
LEWARNE AND LAWSON

MOTION NEGATIVED

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

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN MERCIER:

"That the Shops Closing By-Law be amended to allow barber shops to remain open for the same hours as other classes of shops in the municipality."

CARRIED

AGAINST -- ALDERMEN GUNN AND LAWSON

Alderman Mercier served a Notice that he proposed to introduce a Motion that a Referendum be submitted to the Electorate at the Annual Election this November seeking their opinion on the question of Shops Closing Hours.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN GORDON:

"That the meeting now adjourn until after the Public Hearing tomorrow evening."

IN FAVOUR -- ALDERMEN BURNHAM, GORDON

AGAINST -- ALDERMEN GUNN, STUSIAK, LEWARNE,
MERCIER AND LAWSON

MOTION LOST

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:

"That all of the below listed original communications be received and those items of the Municipal Manager's Report No. 59, 1973 which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

ALDERMAN MERCIER LEFT THE MEETING.

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Mr. G. L. Chatterton, Director, Home Owner Assistance and Public Housing, Department of Municipal Affairs, submitted a circular letter with which he forwarded a Bulletin relating to Senior Citizens' Housing.

Mr. H. N. Lash, Director of Planning, Greater Vancouver Regional District, submitted a circular letter with which he forwarded a list of archaeological sites in Greater Vancouver which, in the view of the Provincial Archaeologist, should be excluded from development.

Item #3 of the Municipal Manager's Report No. 59, 1973, which relates to the subject of the letter from Mr. Lash, was brought forward at this time. The following is the substance of that report:

(3) Archaeological Sites

From a regional perspective, Burnaby has a limited involvement in the subject matter in that only two of the 126 sites in the Greater Vancouver area are situated in the municipality. These are described as shell midden areas and are referenced as sites Dh Rr 10 and Dh Rr 14. The first one is on the South shore of Burrard Inlet near the Gulf Oil Refinery dock and the other is on property known as 4959 Victory Street. Municipal records do not reveal any property with such an address. In order to clarify the situation, the Planning Director wrote to the Provincial Archaeologist to request confirmation of the location of the property and other particulars concerning archaeological significance and relative importance of the sites.

The degree to which the sites should be excluded from urban development logically relates to the scientific value of the areas and a desire or sense of obligation to preserve them as archaeological specimens. In that shell middens are apparently not too uncommon in the region, it would seem the sites in Burnaby should be of particular importance to warrant any attempts by the municipality to preclude their possible development.

It was recommended that the subject matter be tabled until a response is received from the Provincial Archaeologist and that a copy of the report at hand be sent to the Century Park Museum Association and the Parks and Recreation Commission.

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

CARRIED UNANIMOUSLY

ALDERMAN BURNHAM LEFT THE MEETING.

Mr. E. L. Stevens wrote to enquire as to whether anything can be done to eliminate the pollution of the air by oil refineries.

Item #5 of the Municipal Manager's Report No. 59, 1973, which relates to the subject of the letter from Mr. Stevens, was brought forward at this time. The following is the substance of that report:

(6) Air Pollution

It was recommended that Mr. Stevens be informed that the subject of concern to him is under investigation and should be reported on at the August 20th Council meeting.

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

CARRIED UNANIMOUSLY

ALDERMEN MERCIER AND BURNHAM RETURNED TO THE MEETING.

Mr. W. T. Lane, Chairman, British Columbia Land Commission, submitted a circular with which he forwarded general information relating to the preparation and adoption of an Agricultural Land Reserve Plan.

Item #9 of the Municipal Manager's Report No. 59, 1973, which relates to the subject of the letter from Mr. Lane, was brought forward at this time. The following is the substance of that report:

(9) Agricultural Land Reserves

Under the provisions of Section 8(2) of the Land Commission Act, the Regional District, in co-operation with its member municipalities, is required to prepare and adopt an Agricultural Land Reserve Plan for submission to the Commission within 90 days of the Proclamation of that Section, which is September 25, 1973.

The Regional District has provided a timetable that is designed to facilitate the preparation and adoption of the Plan.

The Planning Department is in the process of preparing such a Plan which will involve certain areas in the Big Bend. A few other parcels outside that Big Bend area are currently under a development and subdivision restriction by virtue of Orders-in-Council 4483/72 and 157/73. Also deleted were some minor peripheral agricultural holdings in the Big Bend area that are clearly not contiguous to the main reserve areas and proposed for an industrial land use. An additional determinant to the configuration and extent of the proposed reserve was Section 8 (11) of the Act which stipulates that all land that was zoned for agricultural or farm use under by-law passed prior to December 21, 1972 should be considered as an agricultural land reserve. Those properties designated for an agricultural land use and involved in the adopted Stage 1 Area Rezoning are affected by this provision.

Inasmuch as the Big Bend development plan was the basis for the preparation of the draft Agricultural Land Reserve proposal, attention has also been drawn to those lands in the area that are considered suitable for inclusion in a Recreational Land Reserve Plan. It is anticipated that the Commission will be requesting this additional information shortly as it continues to implement the various sections of the Land Commission Act.

The draft reserve proposal has been submitted to the Regional District but will, of course, need to be reviewed and approved by Council prior to it becoming the official Agricultural Land Reserve proposal.

The Agricultural Land Reserve, as finally proposed by the Regional District, will require a Public Hearing before it can be finally approved.

ALDERMAN GUNN LEFT THE MEETING.

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

CARRIED UNANIMOUSLY

ALDERMAN GUNN RETURNED TO THE MEETING.

Mr. Towfeak Hosein, President, British Columbia Muslim Association, submitted a letter applying to purchase Lot 278, D.L. 91, Plan 42810, which is located on Humphries Avenue West of Imperial Street.

Item #17 of the Municipal Manager's Report No. 59, 1973, which relates to the subject of the letter from Mr. Hosein, was brought forward at this time. The following is the substance of that report:

(17) Lot 278, D.L. 91, Plan 42810

In the development of plans for the creation of the Buckingham Heights Subdivision, provision was made for a church site to serve the needs of the residential neighbourhood. It was initially recommended that a site at the corner of Buckingham Avenue and Morley Street be used for that purpose. Following a Public Hearing on May 17, 1971, the Council rejected the proposed rezoning of that site because of the opposition of surrounding residents. Council subsequently (August 30, 1971) considered an alternate municipal site near the corner of Humphries Avenues and Morley Street. This was eventually approved for church use under the P1 designation. At that time, considerable interest was being shown in the site by the Church of St. Alban's the Martyr. A certain amount of opposition to the proposal was registered at the Public Hearing but the site was rezoned for church purposes on January 2, 1973 on the following bases:

- (a) That the design and construction of the required services be authorized, with work to commence after the land is sold.
- (b) That tenders be called for the sale of the site.
- (c) That additional conditions of sale be the submission of:
 - (i) Names of Principals involved in the design of the scheme.
 - (ii) Written description of the proposed development and the approximate cost of construction.
 - (iii) The proposed construction schedule.
 - (iv) Price offered for the land.
 - (v) An acknowledgment from the bidder that all access and egress from the site will have to be from Humphries Avenue as no access or egress will be permitted to or from either lane.

On January 31, 1973, St. Alban the Martyr Church advised it was no longer interested in the site and would not be submitting a bid to purchase it. The property had been offered for sale earlier and no bids were received.

The Land Agent has, since then, endeavoured to negotiate the sale of the property for church use but has not been successful.

Recent interest that has been expressed by two religious groups has been about a regional-type church institution, which would be of such a scale that a larger site would be required and it would be incompatible with a residential neighbourhood setting since this type of use is not permitted by P1 zoning.

In view of the lack of response in terms of establishing a small local church to serve the Buckingham area, staff has over the past few months considered the possibility of the site reverting back to single family zoning. As adjacent municipal land is under development at the present time, design and construction of services adjacent to the site is imminent and costs could be recovered by creating residential lots under the R1 category for sale. Reversion to residential use will involve rezoning, the preparation and registration of a new subdivision plan and any adjacent Corporation-owned lots involved in creating optimum residential layout.

It was recommended that:

- (a) Council approve for further consideration the proposal to rezone the subject property to R1 and advance this proposal to a Public Hearing;
- (b) Council authorize the preparation and registration of a subdivision plan of the municipal property mentioned in the report;
- (c) the Planning Department be authorized to assist the B. C. Muslim Association and other groups that have expressed interest in developing a Temple Community Centre in locating possible sites which are more suitable for larger scale institutional zoning.

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

CARRIED UNANIMOUSLY

Mr. C. Traynor submitted a letter requesting that the owners of property on the portion of Nithsdale Street from Smith Avenue to the E.P.L. of Lot 93, S.D. "C" and "D", Block "A", D.L. 68, Plan 12642 be given another opportunity to express their preference on the matter of whether sidewalks should be built on the street as a Local Improvement.

Item #19 of the Municipal Manager's Report No. 59, 1973 which relates to the subject of the letter from Mr. Traynor, was brought forward for consideration at this time. The following is the substance of that report:

- (19) Nithsdale Street from Smith Avenue to the E.P.L. of Lot 93, S.D. "C" and "D", Block "A", D.L. 68, Plan 12642

The Municipal Clerk, on November 27, 1972, presented a Certificate of Sufficiency to Council for works covered by a Local Improvement Program, one of which was the subject one that provided for pavement 28' wide with 5' wide curb, sidewalks on both sides of Nithsdale Street. Insufficient objections had been registered against the proposal so Council authorized the work to proceed. Only eleven valid objections out of a potential of 64 were received against the proposed work. None of the objections were from the property owners on the south side of Nithsdale Street.

All of the foregoing information was conveyed by the Deputy Municipal Clerk to Mr. Traynor in a letter dated July 27, 1973 following his receipt of a letter addressed to the Municipal Engineer from Mr. Traynor.

Construction of the work is planned sometime during the next month.

It is the standard practice to notify petitioners of Council's decision regarding proposed works. For reason of economy, no duplicate is kept of the form letter and there is no evidence that notice of Council's decision last November was conveyed to the petitioners. The Deputy Municipal Clerk has now installed a control measure to ensure that the sending of notices is documented.

It was recommended that the work in question proceed as authorized and that a copy of this report be provided to Mr. Traynor.

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

CARRIED UNANIMOUSLY

Mr. Roy Daniels submitted a letter requesting permission to hold a street dance on Irmin Street between Buller Avenue and MacPherson Avenue on August 11th between 8:00 p.m. and 2:00 a.m.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN STUSIAK:
"That the request of Mr. Daniels be granted, subject to the approvals of the Municipal Engineer, the Burnaby Detachment of the R.C.M.P., the Medical Health Officer and the Fire Chief."

CARRIED UNANIMOUSLY

T A B L E D I T E M

The following matter was then lifted from the table:

REZONING REFERENCE NO. 41/73
Lots 1 to 9 inclusive, Blk. 4, D.L.'s 121/187, Plan 1354
204 S. Rosser Avenue, 4412, 4418, 4424, 4430, 4440, 4456, 4470 and 4476
Pandora Street

August 6, 1973

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN MERCIER:

"That the recommendation in the report Council received on July 30th in connection with the above rezoning proposal be adopted."

CARRIED

AGAINST -- ALDERMEN BURNHAM, GUNN

I N Q U I R I E S

Alderman Mercier suggested that the 10 M.P.H. signs on Laurel Street at each of Kensington and Sperling Avenues should be replaced with ones indicating that a higher maximum speed is allowed.

He pointed out that the curves in the road at those locations are of such a radius that cars can negotiate them at a speed of around 25 M.P.H.

It was understood that the Municipal Engineer would submit a report to Council indicating his views on the suggestion of Alderman Mercier.

Alderman Lawson stated that Mr. Edmondson of the Canada Summer Games had arranged for a tour to be made between 11:00 a.m. and 12:00 a.m. every day this week for the members of Council and their wives, and other people, who are interested in the Games.

When Alderman Lawson inquired as to what control was being exercised over the contractors removing trees in the Buckingham area, Mr. Parr replied that there are inspectors observing the situation to ensure that nothing is removed that is required.

Alderman Burnham suggested that a new cycling system for garbage in Portland, Oregon should be examined.

The Municipal Manager replied that the Engineer was aware of that matter and would be reporting on it in conjunction with the general subject of garbage disposal.

Alderman Gunn proposed that the Landlord and Tenant Advisory Bureau should invite submissions from both landlords and tenants on the subject of the public hearing being held by the Law Reform Commission.

He pointed out that the Bureau would be meeting on the 23rd of August and suggested that Council should endorse the placing of an ad in the newspapers inviting submissions on the matter at hand.

It was the majority opinion of Council that no action should be taken on Alderman Gunn's proposal.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"WHEREAS The Corporation of Burnaby and other surrounding communities have received a letter dated June 19th, 1973, from the Attorney-General's Office requesting that we share in the costs of a District Coroner's Court, and;

WHEREAS it is felt that the City of New Westminster has for many years carried more than its share of the cost of Coroner's Court facilities, and;

WHEREAS the Provincial Government is in receipt of the tax monies from liquor and gasoline, the mixture of which is the cause of most traffic deaths, and;

WHEREAS most of the deaths dealt with by the Coroner's Court are traffic deaths, and;

WHEREAS the Coroner's Court is essentially a service to people (rather than a service to land, the prime function of a municipality), and;

WHEREAS the fees charged for the operation of the Court are obviously too low and, therefore, the Coroners' Act must be amended, and;

WHEREAS The Corporation of Burnaby has been requested to participate in the financing of the Coroner's District and has no say in the operation so far as budgetary control is concerned;

BE IT THEREFORE RESOLVED that The Corporation of Burnaby reply to the Attorney-General's letter of June 19th putting the above points forward and requesting that the costs of the Coroner's Court facilities be borne by the Provincial Government; and further;

THAT should The Corporation of Burnaby not receive a letter sustaining our request prior to the close of resolutions by the U.B.C.M. for their September 12th meeting, a resolution to the above effect should be prepared and presented to the U.B.C.M. for their support."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LAWSON:
"That Council Agendas be available to the public by 12:00 noon of the day that Council meets."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

August 6, 1973

R E P O R T S

Grants and Publicity Committee submitted a report recommending that grants be made to the following organizations for the amounts and purposes indicated:

- (1) Burnaby Junior Chamber of Commerce - \$376.00 - to cover the cost of sending Miss Burnaby and her two princesses to the Kelowna Regatta between July 25th and 29, 1973.
- (2) South Burnaby Minor Lacrosse Club - \$375.00 - to assist in sending the team to the Pee wee National Tournament in Toronto between August 13th and 19, 1973.
- (3) Norburn Lacrosse Club - \$375.00 - to assist in sending the team to the same tournament.
- (4) Burnaby Model Rocket Club - \$175.00 - to assist in sending 12 members to Edmonton to represent B.C. at the first Canadian Rocketry Meet.
- (5) Burnaby Family Life Institute - \$400.00 - to assist in pursuing their work.

The Committee intends to study the entire question of grants and to consider current policy and practice. This study will include the types of organizations receiving grants, grants to groups from outside the municipality and the formula to be used in deciding amounts.

It is expected that a report on the matter will be ready for late October.

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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 59, 1973, on the matters listed below as Items (1) to (21), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Monthly Report of Fire Department

A report of the Fire Chief covering the activities of his Department for the month of June 1973 was being submitted herewith.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN LEWARNE;
"That the report be received."

CARRIED UNANIMOUSLY

(2) (a) Stormont Interchange of Freeway (b) Newcombe - McBride Connection

The Planning Department has received a letter from the Provincial Department of Highways indicating that foundation conditions along Gagliardi Way between Lougheed Highway and the Stormont Interchange are particularly weak and compressible and it is difficult to predict their behaviour as embankments are constructed. The Department of Highways added that, as a consequence, the year 1978 is being considered as the best time for completion. It was added that the allotment in this year's estimates provided for 20% of the project to be constructed.

The Department of Highways position remains that it is unlikely the connection would be built at public expense.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK, SECONDED BY ALDERMAN LEWARNE:
"That Council request the three members of the Legislative Assembly representing Burnaby, and invite the members of the Legislative Assembly representing New Westminster and Coquitlam, to attend a meeting to discuss the

traffic problems in the East Burnaby area, especially the situation that is being caused due to the fact the Stormont Interchange of the Freeway has not been completed to the extent required for efficient traffic movement."

CARRIED UNANIMOUSLY

It was understood that Mayor Constable would arrange for Council to meet before meeting with the M.L.A.'s mentioned in the above resolution so that all members can be fully apprised of the problems involved.

(3) Archaeological Sites

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

(4) Future of Burnaby

A copy of an article written by Mr. A.L. Parr for the British Columbia Library Quarterly, Spring 1973, relating to public participation in the planning process was being distributed to members of Council this evening.

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

CARRIED UNANIMOUSLY

(5) Financial Report

A report of the Municipal Treasurer dealing with the financial situation of the Municipality for the period between January 1st and July 15, 1973 was being submitted herewith.

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

CARRIED UNANIMOUSLY

(6) Air Pollution

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

(7) Still Creek Walkway

As a result of reviewing a proposal to establish a pedestrian walkway along Still Creek, it was being recommended that:

- (a) Council pursue a policy aimed at the future establishment of such a walkway between Burnaby Lake and Boundary Road, as shown more particularly on an attached map, with the long term objective of its inclusion in municipal and inter-municipal trail and parkway systems;
- (b) where ever possible, the required easements for the walkway, which would be to a minimum depth of 20 feet along Still Creek, be obtained through rezoning and plan approval procedures;
- (c) Still Creek be retained as an "open waterway" in the area between Madison Avenue and Burnaby Lake;
- (d) approval be given for the proposed future enclosure of the Still Creek drainage channel in the area between Madison Avenue and Boundary Road;

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GUNN:
"That recommendations (a) and (b) of the Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MERCIER, SECONDED BY ALDERMAN GORDON:
"That recommendations (c) and (d) of the Manager be tabled in order to allow further consideration of the proposals embraced by the recommendations."

CARRIED UNANIMOUSLY

(8) Land Commission Act

Sections 8 to 11 inclusive and 16 of the Land Commission Act, under the provisions of Orders in Council 4483/72 and 157/73, ^{as designated} certain properties in the municipality as farm lands and which are subject to restrictions prohibiting their subdivision or development for non-farm uses. These restrictions are to remain in effect until the designation of agricultural reserves occurs by means of the procedures set down in the appropriate sections of the Land Commission Act. The above sections, which have recently been proclaimed, specify the implementation procedures and establish a framework for the preparation, delineation and modification of the agricultural land reserves.

The objectives of the Act can be supported, in general, but there is some concern that the B.C. Land Commission intended to designate land for various purposes without adhering to normal procedures spelled out in the Municipal Act. Criticism was also expressed that the Provincial Government has not made provision for the involvement of local authorities in the preparation of the requested agricultural land reserve plan.

Most of these concerns have now been alleviated. For example, the Regional District in cooperation with member municipalities is now charged with the responsibility of preparing and adopting an agricultural land reserve plan for the consideration of the Land Commission within ninety days of the proclamation of Section 8(2). This will, of course, allow for a better recognition of Regional and Municipal planning objectives. Also now included is a requirement for a public hearing on a proposed agricultural land reserve plan prior to its adoption by the Regional District and provision whereby lands can be excluded from the Land Reserve Regulations. Elaboration has also been made on the procedures of appeal to both the Land Commission and the Land Use Committee by owners of affected properties.

The Council, on March 19, 1973, adopted the following recommendations in regard to the matter:

- (a) That the Municipal Council request information and clarification of the procedures that will be followed by the Commission in order to ensure that Municipal and Regional plans are not frustrated or circumvented, that the objectives of the local community are recognized, and that the individual retains a sense of involvement in the decisions that affect his community.
- (b) That the Municipal Council advise the Provincial Government that it wishes to be recognized as a partner and to be consulted as such, when the time comes to designate land within Burnaby as an agricultural land reserve, a greenbelt land reserve, a land bank land reserve, and a park land reserve, even to the extent of recommending to the Provincial Government land which the Municipality wishes to have designated.

While future modifications of the legislation may occur, the provisions contained in the recently proclaimed sections mentioned above satisfy the concerns that were expressed in the above resolutions of Council.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN GUNN;
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(9) Agricultural Land Reserves

^{item}
(This/ was dealt with previously in the meeting.)

(10) Rezoning Reference #46/68
Lougheed Estates

^{item}
(This/ was dealt with previously in the meeting.)

(11) Estimates

It was recommended that the Municipal Engineer's Special Estimates of Work in the total amount of \$9,700 be approved.

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

CARRIED UNANIMOUSLY

(12) Street Light

It was recommended that Council approve the installation of a street light in the middle of the 4500 block Irmin Street.

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

CARRIED UNANIMOUSLY

(13) Sperling Railway Crossing

Observations have been conducted by the Engineering Department at the Sperling Avenue Crossing of the Burlington Northern Railway to:

- (a) determine whether there is sufficient evidence to lay a charge against the railway under the Railway Act concerning it delaying vehicular traffic;
- (b) acquire background data on the number and duration of stoppages of traffic movements on Sperling Avenue by the train.

While the train operation does, at times, close Sperling Avenue to vehicular traffic for period in excess of five minutes, this does not constitute a violation of the Railway Act. This is because all train movements in excess of five minutes were through movements that did not involve stopping or shunting as is specified in Section 251.

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Numerous spot checks, as well as continuous observations for periods of up to 5 days, were made of the train movements. Copies of the field sheets that were compiled on the matter were being provided to Council this evening.

A rough breakdown of the observations indicate that, in a normal 24-hour period, one can expect Sperling Avenue to be closed 33 times. Sixty-four percent of the train crossings occur between 6:00 a.m. and 10:00 p.m. as against 80-85% of the vehicle crossings. The length of time the crossing gates are down varies with the length of the train and has been timed up to 2 minutes and 28 seconds for a train involving 110 cars.

A feature that is compounding the delay is the present "slow" order of 10 m.p.h. now in force along the railway due to a recent derailment West of Sperling Avenue.

A number of motorists who became impatient with the long delays either drove around the gates just before or after the train arrived. The latter movement is extremely dangerous because the gates may have remained down due to the fact a train would be coming the other way.

The present delays to vehicular traffic will become more acute as both rail and vehicular volumes increase. The only solution would be a grade separation of the rail and vehicular traffic. It is for this reason that the Municipal Engineer was requesting Council to reconsider its decision of July 16, 1973 to not approve preliminary studies relating to an overpass structure at Kensington Avenue and Furlington Northern Railway.

It was recommended that:

- (a) the report at hand be tabled for three months;
- (b) a copy of it be sent to the Canadian Transport Commission along with a request for advice as to whether there is any proposed change in the Statutes which will avoid problems caused by the length of a train or the speed limit on the railway lines.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That the recommendations of the Manager be adopted."

CARRIED

AGAINST -- ALDERMAN GUNN

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MERCIER:

"That staff obtain further information from the Federal Government as to its railway relocation policy and also indicate the advantages and disadvantages of a grade separation arrangement, vis-a-vis an overpass of the railway line, at each of Kensington Avenue and Sperling Avenue, with such advice to be considered in conjunction with the information that will be contained in the Major Road Study report."

CARRIED

AGAINST -- ALDERMAN GUNN

(14) Social Service Department

It was recommended that the name of the Social Service Department be changed to "Human Resources Department".

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN LAWSON:

"That the recommendation of the Manager be adopted."

CARRIED

AGAINST -- ALDERMEN BURNHAM AND MERCIER

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(15) 4664 Loughheed Highway
REZONING REFERENCE NO. 66/70

Acoustical Engineering, a consulting engineering division of Aero Acoustics Systems Limited, has been engaged by the developer of the above property to carry out a study of the development.

The Company has submitted a letter which suggests the provision of a solid 6-foot high fence on top of a berm along the property line adjacent to the Loughheed Highway. Further reductions in interior noise levels attributable to the Highway could be achieved by construction methods such as the use of double glazing.

A major research has reported that a residential indoor decibel level of 45 d.b.a. during the day and 35 during the night is allowable in suburban areas.

The consultant or a knowledgeable representative will be at the Public Hearing on August 7th to answer any further questions Council may have concerning the project.

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

CARRIED UNANIMOUSLY

(16) U.B.C.M. Resolutions dealing with:

- (a) Provision of Underground Wiring as a Condition of Approval for New Development
- (b) Control of Oil Tank Farms
- (c) Municipal Treatment Plant Assistance Act
- (d) Loan By-Laws for Sanitary Sewers
- (e) Resident Parking
- (f) Inclusion of Parking Costs In Apartment Rents

Consideration was given the matter of the decision of the U.B.C.M. Executive in connection with the handling of resolutions relating to the above six subjects, details of which were in a letter dated July 19, 1973 from the U.B.C.M. that Council received on July 30th.

As a result, it was recommended that:

- (i) the six resolutions be forwarded to the Department of Municipal Affairs with a request for its comments on each of them as quickly as possible;
- (ii) the U.B.C.M. Executive be requested to reconsider its position with respect to the resolution "Provision of Underground Wiring as a Condition of Approval for New Development" because it would appear that the resolution was misinterpreted by the U.B.C.M.

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

CARRIED UNANIMOUSLY

(17) Lot 278, D.L. 91, Plan 42810

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

(18) Lot 19 Except Parcel "A" Sketch 12407, Block 4, D.L. 125, Plan 3520
(5429 Loughheed Highway)

An interim report of the Planning Department relating to a proposal to rezone the above described property to Comprehensive Development District (CD) was being submitted herewith.

Further details about the matter will be presented later.

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

CARRIED UNANIMOUSLY

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(19) Nithsdale Street from Smith Avenue to the E.P.L. of Lot 93, S.D. "C" and "D", Block "A", D.L. 68, Plan 12642

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

ALDERMAN BURNHAM LEFT THE MEETING.

(20) Wesburn and Cariboo Hill Parks

It was recommended that Council accept the tenders of Holland Landscapers Limited in the amount of \$46,742.00 and \$42,992.00 for the development of sport fields at Wesburn and Cariboo Hill Parks, respectively, the latter excluding the booster pumping station mentioned in the tender call.

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

CARRIED

AGAINST -- ALDERMAN LAWSON

(21) Contract #13, 1973 (Local Improvement Programme - Stage III, Part I)

It was recommended that Council accept the tender of Jack Cewe Limited in the amount of \$644,805.00 for the supply and installation of all materials and related works pertaining to the above programme that are required for those streets listed in the report, with final payment to be based on the actual quantities and unit prices tendered for each item.

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

CARRIED UNANIMOUSLY

ALDERMAN BURNHAM RETURNED TO THE MEETING.

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

CARRIED UNANIMOUSLY

THE COMMITTEE RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN BURNHAM:
"That the meeting now adjourn."

IN FAVOUR -- ALDERMEN GORDON, BURNHAM,
LEWARNE AND GUNN

AGAINST -- MAYOR CONSTABLE, ALDERMEN
MERCIER, STUSIAK AND LAWSON

MOTION NEGATIVED

BY - LAWS

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

- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 20, 1973" (#6326)
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 21, 1973" (#6327)
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 22, 1973" (#6328)
- "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 23, 1973" (#6329)

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

CARRIED UNANIMOUSLY

August 6, 1973

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MERCIER:

"That:

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 20, 1973" (#6326)

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 21, 1973" (#6327)

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 22, 1973" (#6328)

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 23, 1973" (#6329)

be now read three times."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:

"That:

"BURNABY NOISE OR SOUND APARTMENT BY-LAW 1972, AMENDMENT BY-LAW NO. 1, 1973"

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 19, 1973"

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 4, 1972, AMENDMENT BY-LAW 1973"

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN GUNN:

"That the meeting now adjourn."

CARRIED UNANIMOUSLY

The meeting adjourned at 12:20 a.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK

EW/sr/mc