

JULY 9, 1973

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, July 9, 1973 at 8:00 p.m.

PRESENT: Acting Mayor J. I. Mercier, in the Chair
Alderman E. L. Burnham
Alderman M. M. Gordon
Alderman B. H. Gunn
Alderman D. A. Lawson
Alderman W. A. Lewarne (8:05 p.m.)
Alderman G. H. F. McLean
Alderman V. V. Stusiak

ABSENT: Mayor T. W. Constable

STAFF PRESENT: Mr. M. J. Shelley, Municipal Manager
Mr. J. Plesha, Administrative Assistant
Mr. E. E. Olson, Municipal Engineer
Mr. D. Stenson, Assistant Director-Current Planning
Mr. E. A. J. Ward, Deputy Municipal Clerk
Mr. R. F. Norcliffe, Municipal Clerk's Assistant

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN LAWSON:
"That the Minutes of the Council meetings held on June 18th, 25th and July 3, 1973 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

DELEGATIONS

The following wrote requesting an audience with Council:

- (a) Mr. Arnold F. C. Hean, Q.C., re rezoning proposal involving 5429 Lougheed Highway (Totem Motel);
- (b) Mr. C. Frank Way, President, Federated Legislative Council, re Senior Citizens' Housing Projects;
- (c) Mrs. Elin E. Barber re the same matter;
- (d) Mrs. Anita Morris, President, Lougheed Town Community Association, re rights of residents in and around the Cameron Road residential district;
- (e) Mrs. J. A. Morris re safety for children attending Cameron School.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN BURNHAM:
"That all of the delegations be heard."

CARRIED UNANIMOUSLY

ALDERMAN LEWARNE ARRIVED AT THE MEETING.

(a) Mr. Hean then spoke and presented a Brief outlining the reasons why he felt the rezoning of property known as 5429 Loughheed Highway from Tourist Commercial District (C5) to Multiple Family Residential District One (RM1) should not proceed. The following are the points he made in his submission:

- (1) The application to rezone the property from C5 to RM1 was made and later orally abandoned by the previous owner before the present owners (Mr. and Mrs. LaMarsh) purchased the property.
- (2) The LaMarsh's wish to expand the number of motel units so as to provide a full time occupation for Mr. LaMarsh.
- (3) Both Mr. and Mrs. LaMarsh and the Real Estate Agents who negotiated the purchase of the property were advised that the application to rezone had been withdrawn. Mr. Huber of the Real Estate Company was informed by a member of the Planning Department that the rezoning proposal would be abandoned because the prerequisites established in connection with the matter were not being satisfied.
- (4) Mr. John R. Serpa and Mrs. Gwen E. Scamler of Sinsler Realty Ltd. have indicated the following in regard to the matter:
 - (i) Before Mr. and Mrs. LaMarsh made their offer to purchase the property, the zoning was double checked at the Municipal Hall and information was obtained that the existing zoning was C5 and that the present use of the property conformed with the existing zoning.
 - (ii) After the Interim Agreement was signed by all parties, Mr. Huber advised that he had made application to rezone the property to allow the construction of condominium dwelling units. Upon conveying this information to Mr. and Mrs. LaMarsh, they advised that any such change of zoning was unacceptable to them and they therefore wished Mr. Huber to withdraw his application. Mr. Huber promised he would do so.
 - (iii) Before the sale was completed, it was decided to check at the Municipal Hall to ascertain that the application for rezoning had been withdrawn, and a gentleman in the Planning Department confirmed that this had been done.
 - (iv) The sale was then completed.
 - (v) In September, 1972, enquiries were made at the Municipal Hall at the request of Mr. and Mrs. LaMarsh as to the possibility of enlarging the Motel operation. Information was received that under the existing zoning there was no reason why the operation could not be expanded but that a beer parlour would not be allowed. It was also indicated that the property could accommodate 44 units.

- (5) In October, 1972, Mr. LaMarsh approached the Planning Department to discuss the installation of a number of trailer pads and to also enquire as to the kind of expansion that could be planned. Initially, Mr. Wilson of the Planning Department advised that pads could be installed but subsequently, after Mr. Wilson discussed the matter with Mr. Armstrong, Mr. LaMarsh became aware that the Planning Department was opposed to motel expansion of any kind.
- (6) On October 30th, the Planning Department, without notice to or the knowledge of Mr. and Mrs LaMarsh presented a report to Council requesting that the amendment to the Zoning By-Law covering the rezoning of the property be given third reading. This was done by Council.
- (7) On March 20th last, both Messrs. Armstrong and French of the Planning Department advised that the Department would not change its recommendation to rezone the property and would in fact oppose as strongly as it could the request to withdraw the application. It was also indicated that the Planning Department would look with favour upon the addition of other buildings to the site so as to provide a facility of RML density standards.
- (8) Mr. and Mrs. LaMarsh find themselves, through no fault or omission of their own, in an intolerable position which appears to have arrived through a strange chain of circumstances apparently within the knowledge of the Planning Department.
- (9) Mr. Rhone, Architect, was present to display simple sketches of the development proposal. As can be seen, it is of an aesthetic quality which is totally compatible with the new residential units adjacent.
- (10) The LaMarsh's have been put to considerable additional expense and delay which, because of very much increased mortgage interest rates, will cause further difficulties as a result of the situation described.
- (11) The type of motel accommodation offered will provide a particular rental opportunity not otherwise available in the area. In that regard, the Motel has been very much used by short-term students at B.C.I.T. and the Vocational School and more such accommodation is required.
- (12) The design compatibility of the units planned will be achieved through the use of sloping roofs, wood construction, extensive landscaping, and low-key signs, colour schemes and outdoor lighting. Rhone and Iredale, Architects, will design and supervise the proposal.
- (13) In view of the foregoing, the Council was respectfully being requested to withdraw the rezoning proposal in question so that the LaMarsh's can proceed with their plan of development.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LEWARNE:

"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 41, 1971", which covers the rezoning of Lot 19 Except Parcel "A" Sketch 12407, Block 4, D.L. 125, Plan 3520 from Tourist Commercial District (C5) to Multiple Family Residential District One (RML), be abandoned."

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN LAWSON:

"That the previous motion be tabled in order to allow the Municipal Manager to submit a report indicating the steps that will be taken to ensure oral communications committing the municipality to anything are confirmed in writing."

IN FAVOUR -- ALDERMEN GUNN AND LAWSON

AGAINST -- ALDERMEN BURNHAM, GORDON,
LEWARNE, MCLEAN AND STUSIAK

MOTION LOST

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

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN STUSIAK:

"That the Municipal Manager submit a report indicating why the statements mentioned in the submission from Mr. Hean regarding staff of the Planning Department were not confirmed in writing."

CARRIED UNANIMOUSLY

(b) Mr. Way then spoke and made the following points:

- (1) He was, as the spokesman for the Federated Legislative Council, representing some 70,000 elderly citizens.
- (2) The Federated Legislative Council was formed to help aged people.
- (3) The site at the Northeast corner of Lougheed Highway and Bell Avenue which is being developed for Senior Citizens is in the wrong location because the building is 7/10 of a mile from the commercial development at the Lougheed Mall and many elderly people have physical defects which makes it difficult for them to travel any great distance.
- (4) It seemed peculiar that the development lay idle for some time and then recommenced after the recent By-Election.
- (5) Contrary to popular belief, Senior Citizens enjoy mixing with peoples of all ages.
- (6) The Senior Citizens of Burnaby should have been consulted about the location of the building before it was approved by Council.
- (7) If Bell Avenue is to be closed (as has been indicated), this will make it worse for the Senior Citizens living in the building.

- (8) The advice of the Federated Legislative Council is sought by both the Federal and Provincial Governments on questions of needs of elderly citizens, and the Municipal Council should do the same.
- (9) A letter he wrote to Council some months ago about the matter was never acknowledged.
- (10) The school site in the area could be integrated with the Senior Citizens' development.

In response to a question, Mr. Stenson of the Planning Department stated that it was proposed to build a driveway to replace Bell Avenue as part of the development scheme in question.

(c) Mrs. Elin Barber then spoke and suggested that the Senior Citizen development being constructed at the Northeast corner of Loughheed Highway and Bell Avenue was in the wrong location. She also commented that, in addition to the reasons given by Mr. Way for this opinion, bus service in the area was poor.

(d) Mrs. Anita M. Morris then spoke and made the following comments:

- (i) There were 15 Senior Citizens' groups who were opposed to the location of the Senior Citizens' high-rise building at the Northeast corner of Loughheed Highway and Bell Avenue, all of whom feel it is in the wrong location.
- (ii) There is insufficient space in the area to accommodate required community facilities.
- (iii) There is some doubt that all the prerequisites established by Council in connection with the rezoning of the land were satisfied.
- (iv) Opposition to the proposal was expressed at the time the rezoning was being considered.
- (v) Old Age Pension groups should have been asked for their views on the matter before it was approved.
- (vi) It is realized that the municipality would need to reimburse the owner of the property in question if the development was moved.
- (vii) The school-park in the area should be integrated with the Senior Citizens' development and there would be ample room for a swimming pool and parking facilities.
- (ix) The proposed creation of the Beaverbrook Drive extension, which will have a road allowance of 86 feet, will adversely affect a prime residential area. Loughheed Highway could serve the same purpose as this road.
- (x) Traffic is heavily congested on Cameron Street at the present time. Even though left turns are prohibited from Cameron and other streets in the Sullivan Heights area onto North Road between 4:00 p.m. and 6:00 p.m., vehicular traffic continues to violate the prohibition. The licence numbers of violators are reported to the R.C.M.P.

- (xi) The subject property should be exchanged for the school at 9540 Erickson Drive and the school site could be converted into a Library and park site.
 - (xii) There should be a reduction in the density of development for land in the Loughheed Mall area.
 - (xiii) The lane on the North side of Loughheed Highway should be reserved exclusively as a pedestrian walkway.
 - (xiv) The School Board has, in a letter, indicated that the school site is regarded as valuable open space.
 - (xv) The Council should do everything in its power to preserve and create green spaces.
 - (xvi) A recent example of a land exchange was the one involving the Inter-City Trucking property.
 - (xvii) When will the Manager be submitting a report on negotiations for the acquisition of land in the Sullivan Heights area for the extension of Beaverbrook Drive?
- (e) Mr. Way advised that Mrs. J. A. Morris, who was scheduled to speak on the question of safety for children attending Cameron School, was ill and could therefore not make a presentation to Council this evening.

ORIGINAL COMMUNICATIONS

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:
 "That all of the below listed original communications be received and those items of the Municipal Manager's Report No. 51, 1973 which relate thereto be brought forward for consideration at the appropriate times."

CARRIED UNANIMOUSLY

Messrs. R. F. Kissner and W. W. Zarchikoff, Probation Resources, submitted a letter expressing appreciation to Council for a grant in the amount of \$3,047.00 that ^{was} made to the organization.

Union of British Columbia Municipalities submitted a circular advising that the Provincial Cabinet has now proclaimed Sections 8 to 11 inclusive and, 16 of the Land Commission Act and providing details of the intent of these Sections.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:
 "That the submission from the U.B.C.M. be referred to the Planning Department for comment."

CARRIED UNANIMOUSLY

Mr. Grant LeFaive, President, Burnaby Tenants Association, submitted a letter requesting that a comprehensive enumeration of electors be conducted by the municipality.

MOVED BY ALDERMAN GUNN, SECONDED BY ALDERMAN GORDON:
 "That Council conduct a complete enumeration of those who occupy premises in the municipality but who do not own property, in the same manner as was done last year, with the matter to be concluded by August 31, 1973."

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN MCLEAN:

"That the proposal embodied by the previous motion be referred to the Election Procedures Committee for a report containing:

- (a) the costs of conducting the enumeration last year;
- (b) an indication as to the percentage of Resident-Electors who voted at the Annual Election in December, 1972;
- (c) any other relevant factors that may be considered."

ACTING MAYOR MERCIER,
IN FAVOUR --- ALDERMEN , LAWSON,
MCLEAN AND BURNHAM

AGAINST --- ALDERMEN STUSIAK, LEWARNE,
GORDON AND GUNN

MOTION NEGATIVED

A vote was then taken on the original motion and it was carried with Acting Mayor Mercier and Alderman Burnham against.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:

"That the Election Procedures Committee consider, in conjunction with appropriate authorities from the Federal Government and the Provincial Government, the matter of having a single Voters' List for all three levels of Government plus any other matters that are deemed to be related."

CARRIED UNANIMOUSLY

Mr. Gordon Pinkerton, Chairman, Board of Directors, The United Church Home for Girls, submitted a letter:

- (1) advising that the Board has decided to close the Home for unmarried pregnant girls as of August 31, 1973;
- (2) expressing appreciation for the co-operation the Home has enjoyed over the years from Officials of the municipality.

Mr. Russell Turchak of Seymour Holdings Ltd., wrote to request that Council review a decision of the Approving Officer relating to the sharing of costs of constructing a road to service the land covered by Subdivision Reference No. 153/71.

Item #12 of the Municipal Manager's Report No. 51, 1973, which relates to the subject of the letter from Seymour Holdings Ltd., was brought forward for consideration at this time. The following is the substance of that report:

(12) Subdivision Reference No. 153/71

In April, 1972, Mr. Turchak requested a contribution toward the costs of constructing a road that was required as the sole connecting link to the subject subdivision. He was advised that the Council's cost-sharing policy would not apply in this case because the road is the only access to the subdivision. He was further informed that the Corporation would share, on a 50-50 basis, the contractor's costs (excluding inspection fees) of "extra" road and sidewalk and/or curb and gutter work that was "outside" the legal limits of the subdivision (beyond a minimum half flankage road allowance) which was not on a road that was the sole connecting link to the subdivision.

On May 28, 1973, Mr. Turchak's Engineer again requested the Corporation to contribute toward the cost of constructing the road in view of the fact engineering plans and the construction of Everett Crescent up to the West boundary of the subject subdivision was well underway and therefore the property had an alternate access.

The Approving Officer reaffirmed the previous situation in respect of the Council policy and pointed out that the subject property was subdivided prior to a subdivision of the properties to the West and alternate access was not available at that time and, though it is true such access is now available, there is no provision for a retroactive contribution toward road construction costs.

It was recommended that the municipality not share in the costs of constructing the road for the property covered by Subdivision Reference No. 153/71.

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

CARRIED UNANIMOUSLY

Mr. Jean-Pierre Daem, Chairman, Lake City East Executive Committee, Simon Fraser Hill Council, submitted a letter:

- (a) expressing pleasure that plans are being prepared for the extension of Eastlake Drive underneath Lougheed Highway to Government Street;
- (b) urging that high priority be given the matter of extending Broadway so as to ease traffic congestion on the streets in the Simon Fraser Hills-Sullivan Heights Area;
- (c) indicating support for the development of Reil Park;
- (d) expressing thanks for the summer programme the Library Board has instituted in the Simon Fraser Hills area;
- (e) asking for comment on the matter of a local bus service being provided in the area;
- (f) requesting some input on the question of solid waste disposal in the area.

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN GURN:
"That the submission from the Simon Fraser Hills Council be referred to the appropriate Departments for comment."

CARRIED UNANIMOUSLY

Mrs. Mary Olsen wrote to express comments on a number of matters concerning her which she felt were of interest to Council.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN LAWSON:
"That the letter from Mrs. Olsen be referred to the Municipal Manager for a report on any points therein that concern the administration."

CARRIED

ACTING
AGAINST -- MAYOR MERCIER, ALDERMEN
MCLEAN AND LEWARNE

Mr. B. J. Huzyk, Secretary, Building Committee, Ukrainian Greek Orthodox Church of Sts. Peter and Paul submitted a letter offering

July/9/1973

-9-

to exchange property it owns at 7137 Canada Way, legally described as the Northerly 131.68 feet of Block "A", D.L. 30, Plan 4680 for municipal land on Humphries Avenue legally described as Lot 278, D.L. 9, Plan 42810.

Item #15 of the Municipal Manager's Report No. 51, 1973, which relates to the subject of the letter from Mr. Huzyk, was brought forward for consideration at this time. The following is the substance of that report:

- (15) (a) The Northerly 131.68 feet of Block "A", D.L. 30, Plan 4680
(b) Lot 278, D.L. 91, Plan 42810
UKRANIAN GREEK ORTHODOX CHURCH OF SAINTS PETER AND PAUL

It was recommended that the proposal of the Ukrainian Greek Orthodox Church be referred to the Planning Department and Land Agent for report.

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

CARRIED UNANIMOUSLY

Mayor Muni S. Evers of The City of New Westminster submitted correspondence addressed to Mayor Constable relating to a visit of the Lord Mayor of London. In the correspondence, Mayor Evers indicated that it had been agreed earlier at a meeting between former Mayor Prittie, Mr. Ramsell of the Canada Summer Games Society and himself that Burnaby and New Westminster would host a luncheon for the Lord Mayor.

MUNICIPAL MANAGER advised that there would be 84 guests invited to the luncheon and that the approximate cost to Burnaby of hosting it would \$395.00.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN GORDON:
"That Council pay half of the costs of hosting the luncheon which is planned for the Lord Mayor of London that is more particularly detailed in the submission from the Mayor of New Westminster, on the understanding that the cost in question will be approximately \$395.00."

CARRIED

AGAINST -- ALDERMAN MCLEAN

ACTING MAYOR MERCIER DECLARED A RECESS AT 9:45 P.M.

THE COUNCIL RECONVENED AT 9:55 P.M.

ALDERMAN LAWSON WAS ABSENT.

E N Q U I R I E S

When Alderman Gordon enquired as to when a report would be submitted on a proposed new road known as Nation Way, Mr. Stenson indicated that this road was included in the Major Road Study but that he would submit a report on questions which arose at an earlier Council meeting about the road.

Alderman McLean stated that certain material was being dumped into the ravine at the foot of Joffre Avenue.

MUNICIPAL ENGINEER replied that he had not heard about the situation but would investigate the matter and submit a report on it to Council.

Alderman Lewarne pointed out that a Block Bros. "For Sale" sign is in place on a piece of municipal property the municipality is selling in the 6400 Block Beresford Street.

The Municipal Manager was asked to investigate the matter and, if the situation is as indicated, arrange for the removal of the sign.

When Alderman Lewarne asked whether any consideration was being given the matter of providing an alternate road to Gilley Avenue following the Eastern contour of the Gilley Ravine and whether the Provincial Government would assume a portion of the costs of developing such a road, the Manager replied that this situation will be covered in the Major Road Study.

Alderman Lewarne drew attention to an article which appeared in the newspapers recently indicating that the Federal Government has suspended the matter of electoral boundary redistribution until the end of 1974.

He mentioned that the article suggested that this action of the Federal Government would in all likelihood nullify the proposals which were advanced by the British Columbia Electoral Boundaries Commission in regard to redistribution of electoral areas. He pointed out that one of the significant proposals in connection with the study was that Burnaby would be created as a constituency on its own.

MOVED BY ALDERMAN LEWARNE, SECONDED BY ALDERMAN MCLEAN:

"That Council express its displeasure with the action taken by the Federal Government and communicate this feeling to the Chief Electoral Officer for the Federal Government with the view in mind of overtures being made to have that Government reconsider its position, with it being mentioned as well that Council is of the view there should be two electoral areas in the municipality because of the population."

CARRIED

AGAINST -- ALDERMAN GORDON

ALDERMAN LAWSON RETURNED TO THE MEETING.

When Alderman Lewarne enquired as to whether any study was being made in regard to a sanitary land fill operation as a substitute for transporting garbage to the Terra Nova Dump, the Municipal Engineer replied that he would have a report on this matter for the Pollution Committee and it would include suggested alternatives for the disposal of garbage.

Alderman Gordon also commented that he has had meetings and gathered certain data concerning the matter broached by Alderman Lewarne and, after he obtains certain information he is seeking from the Greater Vancouver Regional District, he will arrange a meeting with the Pollution Committee.

July/9/1973

-11-

MOVED BY ALDERMAN LAWSON, SECONDED BY ALDERMAN STUSIAK:
"That Council hold its meetings during the months of July and August,
1973 on every second Monday."

IN FAVOUR -- ACTING MAYOR MERCIER,
ALDERMEN LAWSON, STUSIAK
AND MCLEAN

AGAINST -- ALDERMEN LEWARNE, BURNHAM,
GORDON AND GUNN

MOTION NEGATIVED

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

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER submitted Report No. 51, 1973, on the matters listed below as Items (1) to (25), either providing the information shown or recommending the courses of action indicated for the reasons given:

(24) Business Tax

The Supreme Court of Canada has decided that the annual rental value that is to be used when calculating the business tax should be based on the net return to the owner of the business. Burnaby and a number of other municipalities in B. C. have calculated the tax on the basis of the gross annual cost to the tenant of a business for his comfortable occupancy of the premises.

It will now be necessary that the 1974 annual rental values exclude the items which have been used in calculating the business tax, such as real property taxes, insurance, maintenance and building operating expenses. Although the exact amount is not known, it appears the net result will be a decrease in the total annual rental value of approximately 40%. A part of this loss could be recovered by increasing the business tax rate from 7% to the maximum permissible rate of 10%. The rate would need to be increased to about 12% before the same revenue that is collected now could be expected. A loss of about \$300,000.00 can be anticipated in 1974.

One possible solution to the problem would be to obtain an amendment to the Municipal Act to change the definition of annual rental value to specify that it shall be a gross amount and shall include all expenses involved in the comfortable occupancy of the premises. Time is critical because, even if the Department of Municipal Affairs agrees to the change, it would need to await the Fall sitting of the Legislature before becoming law. The municipality would need to start changing its records very shortly if it is going to complete the job by the normal deadline of October 15th. The Department of Municipal Affairs could be requested to give assurance that the requested amendment will be passed at the Fall sitting and that it would become effective for the 1974 Business Tax Roll. If this is done, then the normal revenue could be obtained and no change would be required in the method of establishing annual rental values.

It was recommended that the Department of Municipal Affairs be requested to amend the definition of annual rental value so that it will include the costs for the comfortable occupancy of premises and be asked to make a decision on this request as soon as possible in order to guide municipalities in the compilation of their 1974 Business Tax Rolls.

It was also recommended that Council postpone a decision in respect of changing the business tax rate until after a reply is received from the Department of Municipal Affairs.

(25) 1973 Amendments to Assessment Equalization Act (Bill 71)

Amendments to the Assessment Equalization Act passed at the Spring sitting of the Legislature will have the effect of establishing 1974 non-residential assessments at a higher level than those for residential purposes.

The Premier has indicated that he considers these amendments to be only an interim measure while the Government is giving further study to ways in which the school tax can be entirely removed from property.

For some years, the Assessment Equalization Act has restricted changes in individual assessments to 10% per year and limited increases in the total school assessment to 5% per year. As a result, normal school assessments have been a steadily reducing proportion of the general purpose assessments (from 47% in 1968 to 44% in 1973) and many individual values have been lower than the normal level. For 1974, the limitations are only to be applied to properties used for residential and farm purposes. School assessments of other properties will be at a 50% level.

The effect on 1974 taxes of the amendment cannot be established precisely but, if they had been in effect in 1973, non-residential taxes would have increased by about 4% and residential taxes would have been reduced by 2%.

If our present two value system of assessments had been changed so that a one value system was used in 1973, the effect of the amendments would be that non-residential taxes would have increased by 8% and residential taxes would have been reduced by 4%.

The Council has the authority to establish whether a two or a one value assessment system is used.

Prior to 1968, the one value system was used under the authority set out in the Assessment Equalization Act. There were no particular problems at that time as all the values could be directly related to 50% of the market value. However, when the first restrictions were placed in the Act in 1967, assessments were no longer at a common level and their relation to market value changed from year to year so they became more difficult to understand and incomprehensible to the ordinary property owner. This is why Council adopted the two value system in 1968. This involves the use of one set of values for general purposes, determined in accordance with rules set out in the Municipal Act, and another set for school and hospital purposes, determined according to the Assessment Equalization Act.

The advantages of the two value system relate entirely to the general purposes value as these are a direct reflection on market value and there are no artificial restrictions on them. Thus, comparable properties have comparable assessments and the average owner can understand them.

Nineteen Seventy-three amendments to the Assessment Equalization Act change the effective taxes payable by different classes of properties, and a larger portion of the total tax burden will be assumed by the non-residential properties if the one value assessment system was reintroduced. Such a change is not favoured as the present two value system provides a set of values which are equitable, are relatively simple to understand and provide a positive indication of the Assessment Department's opinion of the value of each property.

Furthermore, owners are familiar with the present system because it has been in use for six years and to change now could be confusing, doubly so if changes to the Assessment Equalization Act next year indicate the desirability of reimposing the two value system.

It was recommended that no change be made in the existing two value system of assessments for the year 1974.

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:
"That Items (24) and (25) of the Municipal Manager's report be tabled until the July 16th meeting."

CARRIED UNANIMOUSLY

- (1) Lot 5, D.L. 91, Plan 700
SUBDIVISION REFERENCE NO. 174/72

It was recommended that Council authorize the execution of survey plans dedicating the Westerly 8 feet of the above described property for lane purposes.

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

CARRIED UNANIMOUSLY

- (2) Lots 22 and 23, Block 9, D.L. 122, Plan 1308
REZONING REFERENCE NO. 17/73

It was recommended that Council approve for further consideration an application to rezone the above described properties to Parking District (P8) and establish the following prerequisites in connection therewith:

- (a) The removal of the existing structures from the site within six months of the rezoning being effected.
- (b) The submission of a suitable plan of development which reflects continuity of site development with existing development.
- (c) The deposit of monies to cover half the cost of upgrading Pender Street to the standard required by the Corporation.
- (d) The consolidation of the two parcels into one site.

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

CARRIED UNANIMOUSLY

- (3) Municipal Superannuation - Mrs. Kathleen V. Prieger

It was recommended that Council pass the following resolution in respect of the above in order that Mrs. Prieger can be enrolled in the Superannuation Plan:

"RESOLVED that Kathleen Violet Prieger be included as an employee under the provisions of Section 3 (3(d)) of the Municipal Superannuation Act."

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

CARRIED UNANIMOUSLY

(4) Monthly Report of Building Department

A report of the Chief Building Inspector covering the operations of his Department between May 22nd and June 15, 1973 was being submitted herewith.

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

CARRIED UNANIMOUSLY

(5) Financial Report

The Municipal Treasurer's Financial Report for the period between January 1st and June 17, 1973 was being submitted herewith.

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

CARRIED UNANIMOUSLY

It was suggested that consideration should be given the matter of inviting proposals for the services of outside Auditors.

The Manager was asked to submit a report on this suggestion.

(6) Spaying Service

Past reports on the above subject were being provided to the new members of Council this evening in order that they can become familiar with what has been, and is being, done in respect of the question of establishing a free or low-cost spaying service in Burnaby.

The following summary of replies from the four municipalities shown completes the survey which Council directed be made:

Vancouver

A Committee comprised of Vancouver, Burnaby, the B. C. Veterinary Medical Association and S.P.C.A. are studying the feasibility of establishing a spaying and neutering service in the local area.

Vancouver endorses the proposal to have the B. C. Veterinary Medical Association, S.P.C.A. and representative members of the G.V.R.D. prepare a brochure on the care of animals.

District of North Vancouver

Not prepared to support the proposal to establish a spaying service but endorses the proposal to have the B. C. Veterinary Medical Association, S.P.C.A. and representative members of the G.V.R.D. prepare a brochure on the care of animals.

Port Moody

Not interested in the proposal.

White Rock

Took no action on the proposal.

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

CARRIED UNANIMOUSLY

(7) Shops Closing Hours

A copy of Item #16 of the Municipal Manager's Report No. 74, 1972 relating to the above matter, which Council received on November 14, 1972, was being provided this evening.

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN STUSIAK:
"That Council deal with the subject of Shops Closing Hours at its meeting on July 23, 1973."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN LAWSON:
"That Council receive delegations on July 23rd in connection with the matter of Shops Closing Hours."

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

AGAINST -- ACTING MAYOR MERCIER,
ALDERMEN MCLEAN, BURNHAM,
AND STUSIAK

MOTION NEGATIVED

It was understood that the Acting Mayor may wish to return the previous motion to Council on July 16th for reconsideration.

(8) Notices to Quit

It was recommended that Council authorize the Mayor and Clerk to sign "Notice to Quit" documents which will authorize the eviction of tenants from municipally-owned houses, as the need arises.

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

CARRIED UNANIMOUSLY

(9) Corporation Seal

Mrs. Gladys E. M. Macleod has written to request permission to use the Corporation Seal on a corner of a ceramic ashtray that she would like to produce and sell in conjunction with the Canada Summer Games.

It was recommended that Mrs. Macleod be granted permission to use the Corporation Seal in the manner and for the purpose indicated.

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

CARRIED UNANIMOUSLY

(10) Subdivision Servicing Agreement
SUBDIVISION REFERENCE NOS. 207/72 AND 15/73

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

Subdivider:

Marc Ives Jacques Bhend and
Joan Esther Bhend
6643 East Broadway, Burnaby 2. B.C.

Wilfred Alfred Rock and Stella Rock
735 East 26th Avenue, Vancouver. B.C.

Giuseppe Davide Marrello and
John Barone,
both of Vancouver.

Legal Description of all properties within the subdivision:

Lots 388 to 397 inclusive, D.L.131, Gp.1. N.W.D.

3. Description of Services to be installed by the subdivider:

According to Schedule "A" attached
(Note: this schedule is prepared by the Engineering Department based on the approved Engineering Design Drawing #730515)

4. Completion date:

The 15th day of August, 1973

6. Contractor:

Name: Harvey Construction Ltd.,

Address: 7050 Greenwood Street,
Burnaby, B.C.

Contract Price:

Full Amount: \$ 10,192.30

8. Insurance:

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

9. Inspection Fee:

4% of full contract price: \$ 407.70

10. Cash Bond posted with Municipality:

\$ 10,599.96 (an amount in excess of the actual contract).

(11) Subdivision Servicing Agreement
SUBDIVISION REFERENCE NO. 50/72

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

Subdivider:

Name: Arma Holdings Ltd.,
Laurand Holdings Ltd.,
Address: 5762 Monarch Street,
Burnaby 2. B.C.

Legal Description of all properties within the subdivision:

Lots 175 to 184 inclusive,
D.L.85, Group 1, N.W.D.

3. Description of Services to be installed by the subdivider:

According to Schedule "A" attached
(Note: this schedule is prepared by the Engineering Department based on the approved Engineering Design Drawing No.730524)

4. Completion date:

The 1st day of October, 1973

6. Contractor:

Name: Sonora Construction Ltd.,
Address: P.O.Box 1100
1850 Hillside Avenue,
Coquitlam. B.C.

Contract Price:

Full Amount: \$ 48,000.00

8. Insurance:

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

9. Inspection Fee:

4% of full contract price: \$ 1,515.60

10. Irrevocable Letter of Credit posted with Municipality

\$ 48,000.00

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN LAWSON:
"That the recommendations of the Manager covering Items #10 and #11
be adopted."

CARRIED UNANIMOUSLY

(12) Subdivision Reference No. 153/71

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

(13) Report of Personnel Department

A report of the Personnel Director covering the activities of his
Department was being submitted herewith.

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

CARRIED UNANIMOUSLY

(14) Canadian Forces Fly Pass
(Canada Summer-Games)

It was recommended that a request of the 1973 Canada Summer Games
Society for approval of a Canadian Forces Fly Pass at approximately
7:45 p.m. on August 3, 1973, which will part of the 1973 Canada
Summer Games Official Opening Ceremonies, be granted and that this
decision be communicated to the Ministry of Transport.

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

CARRIED UNANIMOUSLY

(15) (a) The Northerly 131.68 feet of Block "A", D.L. 30, Plan 4680
(b) Lot 278, D.L. 91, Plan 42810
UKRANIAN GREEK ORTHODOX CHURCH OF SAINTS PETER AND PAUL

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

(16) Heavy Duty Backhoe Loader

It was recommended that Council accept the tender of Straits
Equipment Limited in the amount of \$14,990.50 for a 1973 model
Case 680C Heavy Duty Backhoe Loader, including taxes, licence and
registration fees.

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

CARRIED UNANIMOUSLY

(17) Justice Building

It was recommended that Council authorize the following improvements
to the Justice Building and that the funds for the expenditures
required be appropriated from the Justice Building By-Law:

- | | |
|--|--------|
| 1. Interior Signing - Court Level | \$ 320 |
| Signs required include those designating: | |
| - Court Rooms 1 and 2 (placed on wall between doors to those Courts) | |
| - Hours of Operation (at main entrance door) | |
| - Probation Office (at office entrance door) | |
| - Court Room 3 (at door to waiting room) | |
| - Court Schedule (with pin-board opposite Probation offices) | |
| - Public Washrooms (use international symbols, both washrooms) | |
| - Court Clerk's Office Area | |
| - Court Clerk's Office (denoting area, include hours of business) | |
| - Cashier | |
| - Court Information | |
| - Small Claims Division | |
| - Restricted Area (between Court Clerk's Office area and area assigned to Judges, Prosecutors, etc.) | |
| - Judges' Office Doors (name plates - 3) | |
| 2. Replacement of exterior signing destroyed by vandals | 1,021 |
| 3. Court Rooms 1 and 2 | 2,230 |
| - Jump seats in one of two witness boxes each court Room | |
| - Counsel lectern | |
| - Alteration to judge's bench Court Room 1 | |
| - Improvement to lighting | |
| 4. Installation of air conditioning in the R.C.M.P. file room | 1,000 |
| 5. Probation Office | 3,000 |
| - Provide accoustical insulation in ceilings of private offices | |
| - Provide double glazing above private office partitions | |
| - Provide partition above counter between waiting area and general office | |
| - Provide door and lock between waiting area and general area | |
| - Painting and labour as required | |

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

(18) Underground Wiring

Appearing on the Agenda this evening is Burnaby Building By-Law 1969, Amendment By-Law 1973, which is intended to formalize the policy relating to the provision of underground wiring.

July/9/1973

-20-

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

CARRIED UNANIMOUSLY

(19) REZONING REFERENCE NO. 22/73
Lot "A" Except the West 150 feet, Block 81, D.L.'s 122/3/4, Plan 3348

It was recommended that Council approve for further consideration an application to rezone the above described property to Comprehensive Development District (CD) and establish the following prerequisites in connection therewith:

- (a) The submission of a suitable plan of development for the site.
- (b) The deposit of monies to cover the costs of constructing any required road and sidewalks, and all other municipal services deemed requisite.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BURNHAM, SECONDED BY ALDERMAN LAWSON:
"That the Public Hearing on the rezoning proposal covered by Item #19 above and Item #2 which was dealt with previously in the meeting be held on Tuesday, August 7, 1973 at 7:30 p.m. in the Council Chambers of the Municipal Hall."

CARRIED UNANIMOUSLY

(20) Avondale Street between Boundary Road and Smith Avenue

The cost of constructing pavement 28' wide with curbs on both sides of the above street is estimated to be \$21,250.00 and the same work plus concrete curb sidewalks 5 feet wide will cost \$23,290.00.

The comprehensive report containing a complete review of standards for Local Improvement works will be submitted to Council in approximately two or three weeks time.

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

CARRIED UNANIMOUSLY

(21) 1972 Public Accounts

A copy of the Statements prepared pursuant to the Public Bodies Information Act containing the amounts paid by the municipality for remuneration to each employee, expenses on behalf of each employee and individual accounts in an amount of \$500.00 or more was being distributed to the members of Council this evening.

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

CARRIED UNANIMOUSLY

July/9/1973

-21-

(22) Official Opening - Canada Games Rowing Course and
Burnaby Lake Pavillion

The Canada Summer Games Society is planning an Official Opening for the above facilities on the weekend of July 21-22, 1973. Final arrangements have not been made for a programme so it is not possible to advise Council on what will actually take place.

A budget has not been finalized but the arrangement that was made between the two municipalities when the Canada Games Pool was opened in New Westminster was that each would pay $\frac{1}{2}$ of the costs of each opening. In the case of the Pool, Burnaby approved an expenditure of up to \$1,500.00 as its share of the costs.

Anticipating that there may not be another Council meeting prior to the Opening, it is felt Council should be made aware of the commitment in connection with the Official Opening and that its share of the costs with respect to the subject Opening could be \$1,500.00.

It is proposed that Burnaby do the financing and accounting involved, and invoice New Westminster for $\frac{1}{2}$ of the costs, not to exceed \$1,500.00.

The Chairman of the Parks and Recreation Commission has been made aware of the fact an Official Opening is being planned.

It was recommended that the Canada Summer Games Society be granted authority to arrange for an Official Opening of the Canada Games Rowing Course and the Burnaby Lake Pavillion at a cost to Burnaby of up to \$1,500.00 and that a copy of the report at hand be sent to the Society, the City of New Westminster and the Burnaby Parks and Recreation Commission.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN STUSIAK:
"That the Mayor arrange for the holding of a rowboat race between the members of the Council of the City of New Westminster and the Council members of Burnaby during the Official Opening Ceremony for the Canada Games Rowing Course on the weekend of July 21-22, 1973."

CARRIED UNANIMOUSLY

(23) Ornamental Street Lighting

It was recommended that Council accept the tender of United Power Limited in the amount of \$79,543.60 for the supply and installation of the ornamental street light standards and all the necessary associated works referred to in the report, with final payment to be based on the actual quantities and unit prices tendered.

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

CARRIED UNANIMOUSLY

July/9/1973

-22-

(24) Business Tax

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

(25) 1973 Amendments to Assessment Equalization Act (Bill 71)

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

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

BY - LAWS

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

"BURNABY ROAD CLOSING BY-LAW NO. 6, 1973"	(#6288)
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 1, 1973"	(#6312)
"BURNABY AUTOMATIC VENDING MACHING BY-LAW 1946, AMENDMENT BY-LAW 1973"	(#6313)
"BURNABY TAXATION EXEMPTION BY-LAW NO. 1, 1973"	(#6514)
"BURNABY BUILDING BY-LAW 1969, AMENDMENT BY-LAW 1973"	(#6317)

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

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

"BURNABY ROAD CLOSING BY-LAW NO. 6, 1973"
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 1, 1973"
"BURNABY AUTOMATIC VENDING MACHINE BY-LAW 1946, AMENDMENT BY-LAW 1973"
"BURNABY TAXATION EXEMPTION BY-LAW NO. 1, 1973"
"BURNABY BUILDING BY-LAW 1969, AMENDMENT BY-LAW 1973"

be now read three times."

CARRIED UNANIMOUSLY

July 9/1973

-23-

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:
"That the Council do now resolve itself into a Committee of the Whole to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 3, 1972"."

CARRIED UNANIMOUSLY

This By-Law provides for the following proposed rezoning:

Reference RZ #73/71

4126 and 4136 Canada Way

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

FROM R5 TO P5

PLANNING DEPARTMENT reported that the prerequisites established by Council in connection with this rezoning proposal are now nearing completion.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN MCLEAN:
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 3, 1972" be now read three times."

CARRIED UNANIMOUSLY

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO.28, 1972 came forward for reconsideration and final adoption. This By-Law provides for the following proposed rezoning:

Reference RZ # 2/72

3934 and 3908 Norland Avenue

- (a) Lot 9 except North 50 feet, Blocks 12 & 13N, D.L. 79S, Plan 2298
- (b) Lot 9 North 50 feet, Blocks 12 & 13N, D.L. 79S, Plan 2298

FROM R4 TO 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. 28, 1972" be now reconsidered and finally adopted and signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

July/9/1973

-24-

MOVED BY ALDERMAN MCLEAN, SECONDED BY ALDERMAN LAWSON:
"That "BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 5, 1973"
be now reconsidered and finally adopted, signed by the Mayor and
Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

ALDERMAN STUSIAK LEFT THE MEETING.

MOVED BY ALDERMAN GORDON, SECONDED BY ALDERMAN BURNHAM:
"That Alderman McLean be entitled to receive the normal expense
allowance when attending meetings of the Canadian Federation of
Mayors and Municipalities."

CARRIED UNANIMOUSLY