

AUGUST 2, 1977

A Special Meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, August 2, 1977 commencing at 4:00 P.M.

PRESENT: Mayor T.W. Constable, in the Chair
Alderman G.D. Ast
Alderman D.P. Drummond (4:18 p.m.)
Alderman D.A. Lawson (4:38 p.m.)
Alderman F.G. Randall
Alderman R.D. Stewart
Alderman V.V. Stusiak

ABSENT: Alderman A.H. Emmott
Alderman W.A. Lewarne

STAFF: Mr. B. McCafferty, Acting Municipal Manager
Mr. M.J. Jones, Chief Building Inspector
Mr. R.W. Watson, Deputy Municipal Clerk
Mr. B.D. Leche, Municipal Clerk's Assistant

Mayor T.W. Constable called the meeting to order.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

"THAT Item 28, Manager's Report No. 51, 1977 - Review of Residential Occupancy Standards be now lifted from the table."

CARRIED UNANIMOUSLY

A page by page discussion ensued on the above noted report item.

Alderman D.P. Drummond entered the meeting at 4:18 P.M.

Alderman D.A. Lawson entered the meeting at 4:38 P.M.

It was requested that staff report back on the following question, "Does the Fire Marshall, Tax Assessor or Health Inspector have the right to enter private property, upon complaint, for inspection purposes, without a court order and further would this apply to inspection carried out under Section 7.5 of the Burnaby Zoning By-Law 1965."

It was further requested that Council members be provided with a copy of the letter the Chief Building Inspector sends to a speculative builder of a side by side duplex where the proposed layout is such that the plan would essentially provide for additional living units in the basement area.

The proposed Zoning By-Law Amendments as contained in Item "F" of the above noted report were then considered as follows:

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN RANDALL:

"THAT Part I of Number 1 -(In-Law Suites) be adopted."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

"THAT Part I of Number 1 -(In-Law Suites) be amended to add the words, 'Sons or Daughters' so that the definition of 'In-Law suite reads as follows, 'In-Law suite means one or more habitable rooms used for living and sleeping purposes by the parents, grandparents, sons or daughters of the owner/occupier of the dwelling'."

August 2, 1977

CARRIED

OPPOSED: Alderman Lawson

A vote was then taken on the motion as amended and CARRIED

OPPOSED: Alderman Lawson

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN RANDALL:

"THAT Part 2 of Number 1 - (In-Law suites) be adopted."

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

"THAT Item (e) be amended to add the words 'sons or daughters' after the word grandparents in the fourth line and further that Item (f) be amended to read 'in no event shall an in-law suite provide accommodation for more than two adults'."

CARRIED

OPPOSED: Alderman Lawson

A vote was then taken on the motion to adopt Part 2 of Item 1 providing that Part (i) be subject to the interpretation as supplied by the Chief Building Inspector at this meeting in relation to 'the removal of the in-law suite', that is 'the removal of the in-law suite which shall include the removal of the kitchen and such facilities as cupboards, sinks and cooking facilities'.

CARRIED UNANIMOUSLY

Section 2 - Definition of Family

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN RANDALL:

"THAT Section 2 - (Definition of Family) be adopted."

CARRIED UNANIMOUSLY

Section 3 - Definition of a Dwelling Unit

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN STEWART:

"THAT Section 3 - (Definition of Dwelling Unit) be referred back to the Chief Building Inspector for clarification purposes."

CARRIED UNANIMOUSLY

Section 4 - Definition of 'Dwelling - Single Family'

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

"THAT Section 4 - (Definition of Dwelling - Single Family) be adopted."

CARRIED UNANIMOUSLY

Section 5 - Definition of 'Dwelling - Two Family'

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN RANDALL:

"Section 5 - (Definition of Dwelling - Two Family) be adopted."

CARRIED

OPPOSED: Aldermen Stewart
and Stusiak.

Section 6 - Definition of Dwelling - Multiple Family

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN STEWART:

"THAT Section 6 -(Definition of Dwelling - Multiple Family)be adopted."

CARRIED

OPPOSED: Alderman Stusiak

Section 7 - Penalties

MOVED BY ALDERMAN DRUMMOND:

SECONDED BY ALDERMAN RANDALL:

"THAT Section 7 -(Penalties)be adopted."

CARRIED UNANIMOUSLY

Item (g) - Proposed Waterworks By-Law Amendments

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN STEWART:

"THAT Recommendations (1) to (4) inclusive of Item (g) be adopted and further that the Municipal Treasurer be authorized to charge two rates for water purposes where there is an in-law suite in a single family dwelling."

CARRIED UNANIMOUSLY

The following recommendations of the Director of Planning as contained under Item (h), Page 235 were then before the Council.

1. THAT the Council receive the report of the Planning Department and request the preparation of a by-law by the Municipal Solicitor to permit the introduction of the proposed text amendments, as outlined in Section "F", (as amended) into the Burnaby Zoning By-law, and that these amendments be advanced to a Public Hearing on August 16, 1977.
2. THAT the Council request the preparation of a by-law by the Municipal Solicitor to permit the introduction of the proposed text amendments, as outlined in Section "G", into the Burnaby Water Works By-law.
3. THAT Item 9, Municipal Manager's Report No. 49, Council Meeting July 21, 1975, which recommended the granting of the necessary authority to register restrictive covenants for the control of occupancy of single family and two family dwellings under Section 24A of the Land Registry Act, be brought forward for consideration.
4. THAT the Council provide the Municipal Manager with blanket approval to authorize injunction applications being sought to restrain offenders from maintaining illegal suites when circumstances are approved by the Municipal Solicitor.
5. THAT the Council approve the addition of a staff member to the Building Department in order to enforce the Zoning and Building By-Law regulations and provide for the collection of water and sewer service rates.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

"THAT the recommendations of the Director of Planning, as amended in the previous individual resolutions, be adopted."

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"THAT Recommendation No. 3 of the Director of Planning be referred back to staff for report."

CARRIED UNANIMOUSLY

August 2, 1977

A vote was then taken on Recommendation No. 1 as amended and Recommendation No.'s 2, 4 and 5 and

CARRIED

OPPOSED: Aldermen Stewart and Stusiak opposed to Recommendation No.'s 4 and 5.

Item 3 - Manager's Report No. 50, 1977 (In-Camera)
Council Meeting July 4, 1977
Re: Illegal Occupancy of a suite

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN AST:

"THAT Item 3, Manager's Report No. 50, 1977 be referred to the In-Camera portion of the regular meeting agenda under date of August 2, 1977."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STEWART:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN STEWART:

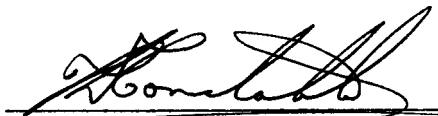
"THAT the Special meeting of Council do now adjourn."

CARRIED UNANIMOUSLY

Adjournment time: 6:35 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY MUNICIPAL CLERK

RWW/sb