

Monday, November 26, 1951.

A regular meeting of the Council was held at the Municipal Hall, Edmonds, on Monday November 26, 1951, at 7:30 P.M.

Present: Reeve Beamish in the Chair, Councillors Armstrong, Charlton, Isherwood, MacSorley, Philips, Sargent and Wilks.

Moved by Councillor MacSorley and seconded by Councillor Isherwood "That the minutes of the previous meeting be adopted as written, and confirmed."

Carried Unanimously.

Frank Walsh wrote with reference to his application for rezoning of his property at Hastings Street and Delta Avenue requesting an opportunity to speak at the November 26th meeting.

Mr. Walsh appeared.

Moved by Councillor Philips and seconded by Councillor MacSorley "That Mr. Walsh be heard."

Carried Unanimously.

Mr. Walsh presented a plan drawn to scale of the property in question pointing out that erection of his proposed building would not create a traffic hazard at the intersection of Delta Avenue and Hastings Street, and asking further that favourable consideration be given to his application for rezoning of the property to "Commercial". Moved by Councillor Philips and seconded by Councillor Wilks "That the submissions be received and be referred back to the Town Planning Commission for further consideration and report."

Carried Unanimously.

Messrs. Lanskill, Lewis, Christie, Severide and Mulligan wrote pointing out that in their opinion the Corporation had for some time been acting irregularly in respect to parks in the district, drawing attention to Part 10 of the Municipal Act, P.S.B.C. 1946, Chapter 222, which confers on the Council power to establish Park Commissioners. The Solicitors pointed out that in 1932 "Burnaby Park Commissioner By-law 1931" had been enacted as a result of the assent of the electors having been attained and that immediately following a Commissioner had been appointed and the requirements of the By-law had been overlooked when local government had been reinstated. The Solicitor suggested that steps should be taken by the Council to obtain the assent of the electors at the forthcoming election relative to the appointment of Park Commissioners.

The Solicitors further wrote with reference to the foregoing suggesting that the Council was acting beyond its powers in submitting the by-law authorizing an easement to Standard Oil Company Limited and further that if necessary the whole question would be taken to Supreme Court.

Moved by Councillor Philips and seconded by Councillor Armstrong "That the communications be received and the matters brought forward therein be referred to the Solicitor for full report and that the Solicitor be also instructed to accept service if requested to do so."

Carried Unanimously.

Frederick Collins wrote advising he was <sup>the</sup> registered owner of Block 1, D.L. 124, Group 1, New Westminster District, Plan 3343, and making application to secure the repeal of the amendment to Burnaby Town Planning By-law 1948 which was finally adopted by the Council on the 19th day of November, 1951.

Moved by Councillor Isherwood and seconded by Councillor Armstrong "That the letter be received and referred to the Town Planning Commission."

Carried Unanimously.

David H. Campbell, Barrister and Solicitor, wrote with reference to the claim of Mr. and Mrs. Urquhart, advising that since his previous communication nothing further had been done to remedy the situation of his clients' property and that earth was falling away from the fence which had recently been affixed by the Engineering Department.

The Engineer reported verbally that the condition complained of would be remedied within a day or so.

Moved by Councillor Isherwood and seconded by Councillor Wilks "That the communication be received and suitably acknowledged."

Carried Unanimously.

N. J. Bartman, Barrister and Solicitor, wrote with reference to the tender of his client, Pete Ostrickoff, for demolition of the building at 4667 Pender Street (Lot 19, Block 10, D.L. 122) advising that his client had misunderstood the tender requirements and requesting the return of his deposit cheque.

Moved by Councillor Wilks and seconded by Councillor Sargent "That the letter be received and the request of the Solicitor be complied with and further that the matter of demolition of the building in question be referred to the Engineer."

Carried Unanimously.

Capitol Hill Ratepayers' Association wrote advising that a number of accidents had occurred recently on Springer Avenue at the intersection of Halifax Street suggesting that suitable traffic control signs be erected at this point to obviate the hazardous condition which exists and which could be the cause of further and more serious accidents.

The Engineer reported verbally that the Municipal painter had been instructed to install appropriate traffic signs on Springer Avenue north of Halifax and north of Broadway. Moved by Councillor Philps and seconded by Councillor Isherwood "That the communication be received and the Association be advised steps were being taken to erect traffic signs as suggested."

Carried Unanimously.

Capitol Hill Ratepayers' Association wrote expressing appreciation for the results achieved in the dust-laying programme during the 1951 summer season.

Moved by Councillor MacSorley and seconded by Councillor Armstrong "That the communication be received."

Carried Unanimously.

Burquitlam Ratepayers' Association wrote with reference to a number of matters, firstly extending an invitation to candidates for the forthcoming election to attend a meeting to be held in St. Stephen's Hall on the evening of December 12th. Secondly, the Association drew attention to a serious problem which had developed at the corner of Clark and North Roads where a recent accident had caused considerable damage to commercial premises. The Association suggested that a suitable traffic sign be installed in the vicinity of this intersection to prevent further accidents at this point. Thirdly, the Association submitted a remainder that a map of the district was to be forwarded to them showing the Municipally owned land east of Cariboo Road and north of Broadway, and also containing the areas set aside for park and school purposes.

Fourthly, attention of the Council was drawn to the importance of maintaining a buffer area between the proposed industrial land and the established residential area.

Moved by Councillor Isherwood and seconded by Councillor MacSorley "That the communication be received and the request for installation of a traffic sign in the vicinity of North and Clark Roads be referred to the Engineer to take up in conjunction with the Provincial Department of Public Works and that the request for establishment of a buffer area between the industrial land and existing residential area be referred to the Town Planning Commission, and that note be taken of the remaining items in the communication."

Carried Unanimously.

B. Waldron wrote on behalf of the Sheep Protection Act Claim submitted by his mother for loss of a goat by an unknown stray dog, pointing out that it had been the habit of his mother to tether <sup>the</sup> inside their property which was properly fenced but that on the day the goat was killed she had tethered the animal to her fence, but outside the enclosed area. Mr. Waldron pointed out that the goat was securely tied and was not allowed to stray and therefore considered that the animal was legally within the bounds of the regulations and requested favourable consideration of her claim.

Moved by Councillor MacSorley and seconded by Councillor Sargent "That the communication be received."

Carried Unanimously.

Mrs. William Hayes wrote submitting claim for damage to personal belongings stored in the basement of premises at 3975 Douglas-Grandview Highway where she was a tenant, pointing out that a recent break in the water main had caused the flooding of the basement damaging goods to the total amount of \$138.00.

The Engineer reported verbally that the break in question occurred in the early morning and was difficult to locate, although steps had been taken immediately upon notification having been received to find the said break.

Moved by Councillor Armstrong and seconded by Councillor Isherwood "That the claim be received and that liability be disclaimed."

Carried Unanimously.

Town Planning Board of Appeal wrote with reference to the appeal of Wesley Jensen for permission to operate an automobile wrecking yard on property described Block 26, D.L. 151 (3766 Portland Street) advising that the appellant's circumstances appeared to be a case for compassionate treatment. The Board advised that they were not inclined to allow the appeal but felt that if the Council deemed it proper to give the appellant a permit to allow his operations to continue as long as no neighbouring property owners were effected, the justice of the case would be met.

Moved by Councillor Isherwood and seconded by Councillor Armstrong "That the communication be received and this matter be referred to a special for further investigation and report."

Carried Unanimously.

The Committee appointed comprised His Worship Reeve Beamish. AND CLERK.

V. S. Gilbert wrote making application for approval of the building on property at 142 - 19th Avenue for apartment purposes requesting information as to what regulations would be required to be met to convert the building located on the property into a three suite apartment.

Moved by Councillor Isherwood and seconded by Councillor Philips "That the letter be received and this matter be referred to a committee of the Building Inspector, Sanitary Inspector and Fire Prevention Officer for investigation and report."

Carried Unanimously.

2 South-East Burnaby Ratepayers' Association wrote expressing their endorsement of the action of the Council in the stand taken in connection with the disposition of outstanding bonds for issue by the Corporation.

Moved by Councillor Armstrong and seconded by Councillor Sargent "That the communication be received."

Carried Unanimously.

3 Messrs. Davis and Company, Barristers and Solicitors, wrote enclosing for service copies of each of the following documents with respect to application of P. C. Telephone Company for increased tariffs:

1. Notice of amendment dated November 19, 1951.
2. Statement of increased expenses by reason of 2% increase in corporate income tax rates effective January 1, 1952.
3. Schedule X-2.

The Solicitors advised these documents had been filed with the Board of Transport Commissioners for Canada on November 19, 1951.

Moved by Councillor Isherwood and seconded by Councillor Sargent "That the submissions be received and that they be laid on the table."

Carried Unanimously.

B. C. Aviation Council submitted an interim report on the 1951 Convention held at Harrison Hot Springs Hotel on October 12, 1951.

Moved by Councillor MacSorley and seconded by Councillor Isherwood "That the report be received."

Carried Unanimously.

Kiwanis Club of North Burnaby wrote requesting permission to use a travelling public address system in the North Burnaby area on election day, Saturday, December 15, 1951, for the purpose of urging voters to exercise their franchise on that day.

Moved by Councillor Isherwood and seconded by Councillor MacSorley "That the letter be received and permission be granted as requested."

Carried Unanimously.

4 Sanitary Inspector submitted report on the application of A. Johnson to keep a 100 chickens on property described Lot 14, Block 14, D.L. 93, advising that an inspection had revealed that the property was suitable for the keep of chickens.

Moved by Councillor Isherwood and seconded by Councillor Wilks "That the report be received and the application be granted."

Carried Unanimously.

Unit Director submitted report for the month of October, 1951, covering operations of the Medical Health Department."

Moved by Councillor Wilks and seconded by Councillor Philips "That the report be received."

Carried Unanimously.

5 Special committee appointed to consider the request of the Capitol Hill Ratepayers' Association for submission of a referendum to the electors to ascertain the wish of the people to broaden the franchise submitted a report advising that the Council had on several occasions attempted to obtain an amendment to the Municipal Act and Municipal Elections Act through the submission of resolutions thereon to the annual convention of U. B. C. M. without result. The committee pointed out that the Provincial Government had taken the stand that no amendments to these acts would be made until such amendment had been recommended by the U. B. C. M. and that even if the referendum vote was favourable the matter would still require the approval of the Union, pointing out that Section 5B (216) dealing with the submission of referendums at the annual election provided that such referendums upon any question effecting the Municipality could not be obtained unless the Municipal Council had power to deal with the particular question. Under the provisions of this section the committee reported the Council could not submit a referendum on the above matter as it was not considered the Council had the power to deal with same. The committee recommended that the contents of this report be submitted to the Capitol Hill Ratepayers' Association.

Moved by Councillor Wilks and seconded by Councillor Sargent "That the recommendation of the committee be adopted."

Carried Unanimously.

Engineer submitted Board of Works estimates for the two week period December 3rd to December 16th, 1951, inclusive, for approval as follows:

Board of Works General \$18,000.00

Moved by Councillor MacSorley and seconded by Councillor Isherwood "That estimates as submitted be approved."

Carried Unanimously.

Engineer submitted Water Works estimates for the two week period December 3rd to December 16th, 1951, inclusive, for approval as follows

Water Works General \$ 7,850.00.

Moved by Councillor MacSorley and seconded by Councillor Philips "That the estimates as submitted be approved."

Carried Unanimously.

Engineer submitted Parks and Health & Sanitation estimates for the two week period December 3rd to December 16th, 1951, inclusive, for approval as follows:

\$ 1,150.00

Parks General

Health & Sanitation General \$ 3,700.00

Moved by Councillor Wilks and seconded by Councillor Sargent "That the estimates as submitted be approved."

Carried Unanimously.

Engineer submitted detailed account of works covering the two week period November 5th to November 18th, 1951, inclusive.

Moved by Councillor MacSorley and seconded by Councillor Charlton "That the report of the Engineer be received."

Carried Unanimously.

Engineer submitted report on the following sundry complaints of the Southern Slope Ratepayers' Association: Installation of gratings on both ends of the culvert at Clinton and Buller; Buller Avenue sidewalk; Buller Avenue ditch; hydrant at Buller and Clinton; Roslyn Street; 2600 block and 2700 block McKee; 3100 block Portland/McKee lane; lane south of Neville, 2500 block.

Moved by Councillor MacSorley and seconded by Councillor Armstrong "That the report of the Engineer be received and a copy of same be forwarded to the Association."

Carried Unanimously.

Engineer submitted report on bus stop and retaining wall, 4490 Marine Drive, advising that in 1949 the Corporation installed a bus turn out at the south east corner of Greenall Avenue and Marine Drive, and in so doing, caused a small amount of fill to encroach on the aforementioned property, pointing out that it had been the intention to construct a small retaining wall to correct the situation at the same time as the widening of Greenall Avenue took place and also to move the bus stop slightly east, as it blocks the access to the property from Marine Drive. The Engineer recommended that the widening of Greenall Avenue, the construction of the retaining wall, and the moving of the bus turn out be undertaken as early as possible in 1952.

Moved by Councillor Armstrong and seconded by Councillor Charlton "That the recommendation of the Engineer be adopted."

Carried Unanimously.

Engineer and Municipal Clerk submitted report on the installation of stop signs on Mary Street at 14th Avenue, recommending that these signs be erected.

Moved by Councillor Philips and seconded by Councillor Wilks "That the recommendation of the Engineer and Clerk be adopted."

Carried Unanimously.

#### FINANCE COMMITTEE

Your Committee met on Monday, November 19th, 1951, and recommend:

1. That allowances be made under Section 311 of the Municipal Act in the total sum of \$197.29.
2. That disbursements be approved in the total sum of \$166,583.70.
3. That requisitions as submitted be approved.
4. That Sheep Protection Act Claims be settled as follows:
  - (a) Claim of Mrs. T. Sala for loss of one goose by an unknown stray dog. Recommend settlement in full for the sum of \$4.00.
  - (b) Claim of Miss Storey for loss of one goose by an unknown stray dog. Recommend settlement in full for the sum of \$4.00.

Moved by Councillor Philips and seconded by Councillor Wilks "That the recommendations of the Committee be adopted."

Carried Unanimously.

#### BOARD OF WORKS AND WATER WORKS COMMITTEE

Your Committee met on Monday, November 19th, 1951, and recommend:

1. That this Corporation's share of the cost for the renewal of the culvert on North Road north of Como Lake Road be approved in the sum of \$200.00.
2. That Baker and Russell Limited be allowed to purchase Lots 21 to 17 inclusive, Block 4, D.E. 117 for consolidation with their exist-

- ing holdings and that the Corporation enter no objection to the cancellation of the lane allowance separating the properties.
- 3. That approval be granted to the following works:
  - (a) Construction of a manhole at Mary and 12th to conduct storm water to the trunk sewer - \$750.00
  - (b) Private crossing at 260 Pyrne Road - \$300.00
- 4. That W. Irwin be granted permission to strip peat to a depth not exceeding 1' from a 10 acre site described as Part of D.L. 135, Sketch 2170-8786 subject to the provisions of the "Burnaby Soil Removal By-law" and further subject to the applicant being advised that the Corporation would not in any way be responsible for the flooding or collecting of water on the site being outside the dyked area.

Moved by Councillor MacSorley and seconded by Councillor Sargent "That the recommendations of the Committee be adopted."

Carried Unanimously.

HEALTH, SANITATION AND SOCIAL ASSISTANCE COMMITTEE

- Your Committee met on Monday, November 19th, 1951, and recommend:
1. That authority be granted for the payment of Christmas bonuses for Social Allowance cases in accordance with the Provincial Department of Social Welfare Letter No. 231P/17CM, dated October 29th.
  2. That N. R. Whitson be permitted to keep hogs on property at Bainbridge Avenue subject to the following conditions:
    - (a) That the buildings to be constructed for housing the hogs be located not less than 200' from the rear of the dwelling on the property, and not less than 50' from the north property line.
    - (b) That a maximum number of 10 hogs be allowed to be kept on the property at any time.

Moved by Councillor Wilks and seconded by Councillor Philips "That the recommendations of the Committee be adopted."

Carried Unanimously.

COMMITTEE OF THE WHOLE

- Your Committee met as a Committee of the Whole on Monday, November 19th, 1951, and recommend:
1. That Lot "G", S.D. 42/51, Block 7/8, D.L. 13, Map 12087 be approved as the site for erection of an apartment.
  2. That the substandard building located on Lot 114W<sup>1</sup>, D.L. 132 (6656 Winch Street) BE ALLOWED TO BE UTILIZED AS A DWELLING BY Mr. J. Dowling, present occupant, subject to the building being brought up to standard of existing regulations of the Corporation respecting chimney and electric wiring construction, and further subject to the occupant being permitted to use the sanitary facilities at the owner's residence and a bond in an amount of \$500.00 being posted by the owner of the property to guarantee that the building will not be used as a dwelling when the present tenant ceases to occupy same.
  3. That the eviction notice served on the owner of Lot 114W<sup>1</sup>, D.L. 132 in respect of occupancy of the substandard building on the property be altered to make the date of eviction effective December 10th, 1951.

Moved by Councillor Armstrong and seconded by Councillor Charlton "That the recommendations of the Committee be adopted."

Carried Unanimously.

Property Sales were submitted for approval as follows:

		Sales P.	Ass. Price	
7947	McIntyre, Anna Louise	Lot 11, Blk. 3, D.L. 91	\$ 350.00	\$ 340.00
7947	McIntyre, William Ralph			
7948	Pace, Jacqueline Pace, John	Lot 5, Blk 87, D.L. 127	2252.00	1200.00
7949	Stewart, Richard A.	Lot 12, Blk. 3, D.L. 91	350.00	340.00
7950	Andreassen, Odis Andreassen, Einar Laurits	Lots 2/3, Blk. 5, D.L. 13	800.00	660.00
7951	British Columbia Electric Company Limited	Blk. 5, D.L. 1. Blk. 10 W pt., D.L. 1. Lot 3E <sup>1</sup> , Blk. 11, D.L. 1. Lot 4, Blk. 11, D.L. 1. Lot 9 W pt., Blk. 11, D.L. 1. Lot "A", Sk. 3288, Blk. 12, D.L. 1.	3576.00	3393.00
7952	Williams, Lena Jacqueline	Lot 5, Blk. 14, D.L. 1.	450.00	400.00
7953	Woodman, Valma Violet I. Woodman, Raymond Lewis	Lot 7, S.D. 18 pt., Blk. 2, D.L. 25W.	350.00	200.00
7954	Webber, Orville	Lot 5, Blk. 6, D.L. 158E <sup>1</sup>	335.00	220.00
7955	Everden, Ernest Eliot	Lot 7, Blk. 3, D.L. 158E <sup>1</sup>	335.00	200.00
7956	Aveling, Herbert E. J.	Lot 8, Blk. 3, D.L. 158E <sup>1</sup>	335.00	200.00
7957	Boles, Joe Edwin	Lots 28 to 31 incl., Blk. 20, D.L. 53.	640.00	600.00
7958	Haskins, Herbert George	Lots A., R. C., D. S.), 3, Blk. 16, D.L. 35.	750.00	600.00
7959	McIntyre, Kenneth Leroy	Lot 6, Blk. 3, D.L. 91 SE pt.	350.00	345.00
7960	Wing, Marjorie Jean	Lot 5, Blk. 20, D.L. 187	260.00	260.00
7961	Maxfield, Eva Mae Maxfield, Clifford	Lots 32/33, Blk. 20, D.L. 187	320.00	300.00

7962	Barlow, Ruby Annie	Lot 23, S.J. 43, Blk. 1/8, J.L. 95.	\$ 500.00	\$ 500.00
7963	Callender, Robt. Blatchford	Lots 12 to 17, Blk. 4, J.L. 117W <sub>2</sub>	2000.00	1500.00
7964	Brassington, Harry	Lot 18, Blk. 10, J.L. 158E <sub>2</sub>	300.00	250.00

Moved by Councillor Isherwood and seconded by Councillor Philps "That Property Sales as submitted be approved."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Philps "That "Burnaby Land Sale By-law No. 14, 1951" be now introduced and that the Council sit as a Committee of the Whole with the Reeve in the Chair to consider the By-law."

Carried Unanimously.

The Reeve asked the question: "What is your pleasure with this By-law?"

Moved by Councillor Isherwood and seconded by Councillor Philps "That the By-law be read by short title only."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Philps "That the Committee do now rise and report the By-law complete without amendment."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Philps "That "Burnaby Land Sale By-law No. 14, 1951" be now passed."

Carried Unanimously.

Moved by Councillor Philps and seconded by Councillor Wilks "That "Burnaby General Borrowing and Hypothecation of Taxes By-law No. 2, 1951" be now reconsidered."

Carried Unanimously.

Moved by Councillor Philps and seconded by Councillor Wilks "That "Burnaby General Borrowing and Hypothecation of Taxes By-law No. 2, 1951" be now finally adopted, signed by the Reeve and Clerk and the Corporate seal be affixed thereto."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Philps "That "Burnaby Building By-law 1926 Amendment By-law No. 3, 1951" be now introduced and that the Council sit as a Committee of the Whole with the Reeve in the Chair to consider the By-law."

Carried Unanimously.

The Reeve asked the question: "What is your pleasure with this By-law?"

Moved by Councillor Isherwood and seconded by Councillor Philps "That the By-law be read by short title only."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Philps "That the Committee do now rise and report the By-law complete without amendment."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Philps "That "Burnaby Building By-law 1926 Amendment By-law No. 3, 1951," be now passed."

Carried Unanimously.

Moved by Councillor MacSorley and seconded by Councillor Philps "That "Burnaby water Works Regulation By-law 1926 Amendment By-law 1951" be now introduced and that the Council do sit as a Committee of the Whole with the Reeve in the Chair to consider the By-law."

Carried Unanimously.

The Reeve asked the question: "What is your pleasure with this By-law?"

Moved by Councillor MacSorley and seconded by Councillor Philps "That the By-law be read by short title only."

Carried Unanimously.

Moved by Councillor MacSorley and seconded by Councillor Philps "That the Council do now rise and report the By-law complete without amendment."

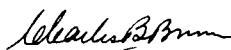
Carried Unanimously.

Moved by Councillor MacSorley and seconded by Councillor Sargent "That "Burnaby Water Works Regulation By-law 1926 Amendment By-law 1951" be now passed."  
Carried Unanimously.

The Approving Officer brought forward application for approval of subdivision of property described Block 2, D.L. 28, requesting that this application be referred to the Subdivisions Committee.  
Moved by Councillor Isherwood and seconded by Councillor Armstrong "That the application for subdivision of Block 2, D.L. 28 be referred to the Subdivisions Committee for consideration and report."  
Carried Unanimously.

The Council then adjourned to next Monday, December 3rd, 1951.

Confirmed:



Clerk



Reeve