

Thursday, December 27th, 1951.

A regular meeting of the Council was held at the Municipal Hall, Edmonds on Thursday, December 27th, 1951, at 7:35 P.M.

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

Moved by Councillor Philips and seconded by Councillor Wilks "That the minutes of the previous meeting be adopted, as written, and confirmed."
Carried Unanimously.

The Honourable, Minister of Finance wrote with reference to distribution of the Social Security and Municipal Aid Tax advising that due to impropy collections he had been able to authorize an advance payment of \$4,500,000.00 as against \$4,000,000.00 last year, advising further that this Corporation's share for the full fiscal year ending March 31, 1952, would approximate \$617,900.00 and that an advance was being made of \$228,308.51, leaving a balance of \$389,600.00 payable in June, 1952. Moved by Councillor MacSorley and seconded by Councillor Sargent "That the communication be received.

Carried Unanimously.

Burnaby Ratepayers' Council wrote requesting permission to use the Council chambers for their regular monthly meetings to be held on the first Thursday of each month. Moved by Councillor Wilks and seconded by Councillor Charlton "That permission be granted as requested."

Carried Unanimously.

Sgt. i/c Burnaby Detachment R. C. M. P. wrote expressing appreciation for co-operation extended to their Detachment by the Engineering Department, mentioning particularly that traffic signs on the highways in Burnaby were in excellent condition. Moved by Councillor Armstrong and seconded by Councillor Sargent "That the communication be received and the Engineering Department be advised."
Carried Unanimously.

District Engineer, Provincial Department of Public Works, wrote with reference to the installation of a flasher signal at the intersection of Government Road and Lougheed Highway advising that this installation had not been approved by the Provincial Traffic Engineer. Moved by Councillor Charlton and seconded by Councillor Sargent "That the letter be received."

Carried Unanimously.

2. C. C. Bell, Solicitor, wrote with reference to the question of possible liability against the "Save Confederation Park Committee" in respect to certain notices issued by the said Committee condemning the proposed easement to the Standard Oil Company through Confederation Park which was voted on at the December Election. The Solicitor advised generally that although the remarks made in the notice could be construed to be false, nevertheless, direct attack was not made upon the Council and that further in his opinion there was no concrete evidence that would make an action successful. Moved by Councillor Charlton and seconded by Councillor Sargent "That the communication be received."

Carried Unanimously.

3. C. C. Bell, Solicitor, wrote with reference to the "Burnaby Park Commission By-law" being By-law No. 135C, which had been attacked by the firm of Lanskaill, Lewis and Company on the grounds that the Council was acting beyond their powers in the administration of the parks in the district by not setting up a park commission pursuant to the said By-law. The Solicitor advised that in his opinion the Council was within its jurisdiction in operating the parks as at present, pointing out that the By-law specified that the election for the Board of Park Commissioners was to take place at the same time and in the same manner as the Reeve and Councillors were nominated and elected for the year 1933, but because of the advent of the commissionership there was no election in that year. It was his opinion that it would not be possible for the present Council to call the election of members of the Parks Board at some other date. Moved by Councillor Isherwood and seconded by Councillor Sargent "That the communication be received."

Carried Unanimously.

C. C. Bell, Solicitor, forwarded an opinion with respect to the construction of drainage ditches in lanes and the legality of private owners connecting private drains to such lane drains, pointing out that there appeared to be provision in the Municipal Act for the connection of private drains to drains constructed in lanes, and that the liability of

the Council was definitely established in certain circumstances and should bring about a rule of strictness in determining the draining of private land owners' properties into lane ditches.
 Moved by Councillor Isherwood and seconded by Councillor Charlton "That the communication be received."

Carried Unanimously.

1
 T. H. Barbaree, Real Estate and Insurance, wrote with reference to an offer made previously on behalf of the executors on the Thomas J. F. Walker estate to sell the E $\frac{1}{2}$ of Lot 4, Block 39, J.L. 69 to the Corporation, requesting information as to the steps which had been taken in connection with their application.
 Moved by Councillor Isherwood and seconded by Councillor Charlton "That the communication be received and this matter be referred back to the committee of the Clerk and Chairman of Parks and Planning Committee for report."

Carried Unanimously.

2
 Mr. & Mrs. W. L. Moore wrote requesting that the road allowance of Greenall Avenue lying south of Southwood Street and adjacent to property which they intend to purchase described E 187' of Lot B, Block 2, J.L. 175 N $\frac{1}{2}$ of NW $\frac{1}{4}$, Plan 3619. The applicants requested that this portion of Greenall Avenue be closed and stopped up and title be conveyed to them, all expenses in connection therewith to be borne by themselves.
 Moved by Councillor Isherwood and seconded by Councillor Charlton "That the application be referred to the Subdivisions Committee for consideration and report."

Carried Unanimously.

3
 Sanitary Inspector submitted report on application of V. S. Gilbert to keep 250 chickens on property described Lots 6 and 7, Block 26, J.L. 27, advising that upon inspection the property had been found unsuitable for the keep of this number of birds suggesting that not more than 50 birds be allowed on the property.
 Moved by Councillor Isherwood and seconded by Councillor Sargent "That the report of the Sanitary Inspector be adopted."

Carried Unanimously.

3
 Sanitary Inspector submitted report on application of O. E. Johnson to keep 500 chickens on property described Block 109, J.L. 129, advising that upon inspection the property had been found suitable for the keep of this number of chickens, provided the birds are housed between the two chicken houses as shown on the plan accompanying the application.
 Moved by Councillor Armstrong and seconded by Councillor Charlton "That the report of the Sanitary Inspector be adopted."

Carried Unanimously.

The standing Sheep Protection Act Committee submitted recommendation that Sheep Protection Act Claims be settled as follows:

- 4
1. Claim of Mrs. Lillian Mauriacourt, 3118 Douglas Road, for loss of two yearling ewes - recommended settlement \$40.00 for each animal.
 2. Claim of W. A. Scott, 6181 Kitchener Street, for loss of three chickens recommended settlement \$1.50 for each bird.
 3. Claim of Mrs. C. Mills, 1011 Imperial Street, for loss of three ducks and three turkeys - recommended settlement \$1.50 for each duck and \$5.00 for each turkey.
 4. Claim of W. Zebrowski, 2501 Douglas Road, for loss of fifteen chickens - recommended settlement \$1.50 for each bird.
- Moved by Councillor Armstrong and seconded by Councillor Sargent "That the recommendations of the Committee be adopted."

Carried Unanimously.

5
 Municipal Clerk and Chairman of Property and Building Committee submitted recommendation that Mr. M. J. Jones be confirmed in his position effective December 18th, 1951, on completion of his six-months probationary period.
 Moved by Councillor Armstrong and seconded by Councillor MacSorley "That the recommendation of the Committee be adopted."

Carried Unanimously.

6
 Municipal Clerk submitted report re appointment of a Juvenile Probation Officer advising that Mr. R. J. Clark had been appointed to the position through arrangement with the Attorney General's Department, advising further that although no remuneration was expected for this position it was agreeable with the Attorney General's Department that a contribution be made by the Council for \$100.00 per month effective as from November 1, 1951, in return for part-time services provided. It was further proposed that this amount be increased by annual increments of \$5.00 per month effective April, 1952, increasing by that amount each year to a maximum contribution by this Corporation of \$115.00 per month. The Municipal Clerk requested confirmation of this arrangement.
 Moved by Councillor Armstrong and seconded by Councillor Wilks "That the report of the Clerk be received and the monetary arrangement endorsed."

Carried Unanimously.

COMMITTEES REPORTSFINANCE COMMITTEE REPORT:

- Your Committee met on Monday, December 17th, and recommend:
1. That allowances be made under Section 311 of the Municipal Act in the total sum of \$238.44.
 2. That disbursements in the total sum of \$68,831.46 be approved.
 3. That requisitions as submitted be approved.
 4. That Sheep Protection Act Claims be approved for settlement in full as follows:

- (a) Claim of Mrs. Frank Sobotka, 6645 Aubrey Street, for loss of two hens. \$ 3.00
 - (b) Claim of Mrs. K. Howe, 891 Cliff Avenue, for loss of thirteen pullts. \$19.50
 - (c) Claim of Mrs. A. N. England, 6861 Aubrey Street, for loss of eleven chickens. \$16.50
 - (i) Claim of A. L. Vance, 4534 Hastings Street East, for loss of forty-three chickens. \$64.50
- Moved by Councillor Philips and seconded by Councillor Charlton "That the recommendations of the Committee be adopted."

Carried Unanimously.

PROPERTY AND BUILDING COMMITTEE REPORT:

- Your Committee met on Monday, December 17th, and recommend:
1. That approval be granted to the following applications for approval of the respective properties as sites for the erection of apartments:
 - (a) Robert Barrie for apartment erection at 3657 Imperial Street.
 - (b) John George Bruce for apartment erection at 3708 Junias Street.
- Moved by Councillor Isherwood and seconded by Councillor MacSorley "That the recommendations of the Committee be adopted."

Carried Unanimously.

TRIP AND TRANSPORTATION COMMITTEE REPORT:

- Your Committee met on Monday, December 17th, and recommend:
1. That a proposal be granted to the re-routing of the Juthie bus to travel counter-clockwise via Juthie, Halifax, Augusta, Kitchener, and return to Juthie Avenue, and also to the establishment of a stop on Augusta Street mid-block between Halifax and Kitchener Streets.
- Moved by Councillor Charlton and seconded by Councillor Sargent "That the recommendation of the Committee be adopted."

Carried Unanimously.

HEALTH, SANITATION AND SOCIAL ASSISTANCE COMMITTEE REPORT:

- Your Committee met on Monday, December 17th, and recommend:
1. That approval be granted to the application of J. E. Mackenzie to keep cage birds on property located at 4374 Inman Avenue.
 2. That permission be granted to George Cranfield to keep 125 turkeys on property described Block 15, J.L. 93.
- Moved by Councillor Wilks and seconded by Councillor Armstrong "That the recommendations of the Committee be adopted."

Carried Unanimously.

The Returning Officer submitted results of the votes taken at the Municipal Election December 15, 1951, and the number of votes cast for each candidate proclaiming to be elected. The persons having the highest number of votes for the various office are as follows:

REEVE, for term ending December 31, 1953.	
Beamish, William Panicleph	Majority 1697
COUNCILLORS for term ending December 31, 1953.	
MacSorley, Charles Willoughby	Majority 110
Armstrong, Francis Allan	Majority 5
Isherwood, George Alfred	Majority 234
Drummond, Joan Douglas	Majority 38
SCHOOL TRUSTEE for term ending December 31, 1952	
Maxwell, William	Majority 170
SCHOOL TRUSTEE for term ending December 31, 1953.	
Crampton, Ernest Arthur	Majority 207
Grieve, William Ewart	Majority 446

Moved by Councillor Armstrong and seconded by Councillor Sargent "That the report of the Returning Officer be received."

Carried Unanimously.

C.M.C. brought forward tenders for property described Lot 5, Block 10N₂, J.L. 93 (2613 Waltham Avenue) received as a result of this property having been advertised for sale.

Moved by Councillor Sargent and seconded by Councillor Wilks "That tenders be now opened."

Carried Unanimously.

Tenders were then opened revealing the following offers:

Tender No. 1 - \$1,375.00 - V. E. Doid
Tender No. 2. - \$ 850.00 - M. Kalyk

Moved by Councillor Sargent and seconded by Councillor Charlton "That Tender No. 1 be accepted subject to the tenderer complying with the terms of sale, i.e. that the building will be brought up to standards to regulations of the Corporation."

Carried Unanimously.

Municipal Clerk submitted report advising that the owner of Lots 1, 2, 3, and 4, Block 5, J.L. 94 had offered to convey to the Corporation free of charge the East 10' of each of the lots mentioned for the purpose of creating a lane, recommending that this offer be accepted. The Clerk further reported that this would provide a lane running north from Bryant Street east of Elgin Avenue. Moved by Councillor Isherwood and seconded by Councillor Philips "That the report of the Clerk be accepted."

Carried Unanimously.

Property Sales were submitted for approval as follows:

Sales Slip Nos.	Purchaser	Property	Sales Price	Assessed Price
7965	Chapman, Marquerite Helena	Lot 8, Blk. 9, J.L. 27	\$ 450.00	\$ 350.00
7966	Thorstad, Lavina Ann	Lot 28, Blk. 4, J.L. 93 (Rehabilitation)	375.00	150.00
7967	Clary, Alfred Hope Kalyk, Nicholas	Lot 9, Blk. 42/43, J.L. 151/3	600.00	470.00 A
7968	Spani, Martin	Lots 43 to 50, R.S.J. of Lots 20B to 27, Blk. 12, J.L. 68, Map 980. Lots 59 to 66, R.S.J. of Lots 9 to 21, Blk. 13, J.L. 68, Map 1009.	5000.00	4760.00
7969	Bruce, Alexander J.	Lot 4E ₂ , S.J. 16, Blks. 11 to 13 and 16, J.L. 158E ₂	250.00	170.00
7970	Hodgson Bee Supplies Ltd.	Lot 32, Blk. 21, J.L. 28C	450.00	355.00
7922	Standard Oil Co. of E.C. Ltd.	Lots 1 - 28, Blk. 16 of E, J.L. 188 Lots 1 - 14, Blk. 17 of E, J.L. 188 Blk. D of E, J.L. 188 Blk. A of E, J.L. 188 Blk. 1, J.L. 188 Blk. 16, J.L. 188 Lots 1 - 4, Blk. 26, J.L. 189/218 Lots 1 - 9, Blk. 2, J.L. 189 Lots 1 - 9, Blk. 3, J.L. 189 Lots 1 - 9, Blk. 4, J.L. 189 Lots 1 - 5, Blk. 5, J.L. 189 Lots 1 - 9 and 11, Blk. 9, J.L. 189 Lots 1 - 9, Blk. 10, J.L. 189. Lots 1 - 5, Blk. 11, J.L. 189 Lots 1 - 6, Blk. 12, J.L. 189 Lots 1 - 10, Blk. 13, J.L. 189 Lots 3/4/5, Blk. 14, J.L. 189 Lots 1 - 4, Blk. 15, J.L. 189 Lots 1 - 12, Blk. 17, J.L. 189 Lots 1 - 8, Blk. 18, J.L. 189. Lots 1 - 6, Blk. 19, J.L. 189		

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

Carried Unanimously.

Moved by Councillor MacSorley and seconded by Councillor Wilks "That "Burnaby Land Acquisition and Road Dedication By-law No. 6, 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 Wilks "That the By-law be read by short title only."

Carried Unanimously.

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

Carried Unanimously.

Moved by Councillor MacSorley and seconded by Councillor Wilks "That "Burnaby Land Acquisition and Road Dedication By-law No. 6, 1951" be now passed."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Sargent "That "Burnaby Land Sale By-law No. 16, 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 Isherwood and seconded by Councillor Sargent "That the By-law be read by short title only."

Carried Unanimously.

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

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Sargent "That "Burnaby Land Sale By-law No. 16, 1951" be now passed."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Wilks "That "Burnaby Land Sale By-law No. 15, 1951" be now reconsidered."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Wilks "That "Burnaby Land Sale By-law No. 15, 1951" be now finally adopted and that it be signed by the Reeve and the Clerk and the Corporate seal be affixed thereto."

Carried Unanimously.

The meeting then adjourned:

Confirmed:

Charles B. Bann

Clerk

W. R. Beames

Reeve