

Monday, March 21, 1955

A regular meeting of the Municipal Council was held in the Council Chambers 1930 Kingsway, on Monday, March 21st, 1955 at 7.30 p.m.

Present: Reeve MacSorley in Chair; Crs. W.P.Philps, Charlton, Hughes, P.Philps and Morrison.

Moved by Cr. Morrison, seconded by Cr. W.P.Philps, "That the minutes of the previous meeting be adopted as written and confirmed."

Carried Unanimously.

Moved by Cr. Hughes, seconded by Cr. W.P.Philps "That Leave of Absence be granted to Cr. Hean and Cr. Drummond from this meeting."

Carried Unanimously.

Mrs. Kathleen M. Tietz wrote requesting an opportunity for a delegation to speak to the Council with regard to the condition of the grounds and approaches to the new Brentwood Park school. A delegation appeared.

Moved by Cr. W.P.Philps, seconded by Cr. Morrison "That the delegation be heard."

Carried Unanimously.

The spokesman for the delegation requested information on the opening date of the new school, advising it was their understanding there was a possibility it would open after the Easter Holidays. The delegation requested that if this was so considerable work was required on the roads and approaches to the school which were in a dangerous condition.

Moved by Cr. Charlton, seconded by Cr. Hughes "That the delegation be thanked and that the matters raised be referred to the Municipal Engineer for report."

Carried Unanimously.

W. Turner, Burnaby Constituency Committee, Labor Progressive Party, wrote requesting an opportunity to speak to the Council with regard to the recent decision of the appeal concerning B.C.E. fares to their former level. The delegation appeared.

Moved by Cr. W.P.Philps, seconded by Cr. Morrison "That the delegation be heard."

Carried Unanimously.

Mr. Turner spoke pointing out that the decision of the Judge of the Court of Appeal had indicated that the Public Utilities Commission had overstepped its authority and that this was one reason why the fare structure was restored to its former level. Mr. Turner requested that the Council ask the Provincial Cabinet to dismiss the Public Utilities Commission and appoint a new Commission, which would act more in keeping with democratic principles. The spokesman also requested that the Council endorse the rolling back of fares to re-compensate the public for the increased fares paid since the decision of the Public Utilities Commission was granted. Mr. Turner also asked that the newly appointed Transportation Committee press for the abolition of the zones system within Burnaby. The delegation also extended congratulations to Mr. Sheppard, solicitor for the Council who ably presented the Council's case to the Board of Appeal.

Moved by Cr. W.P.Philps, seconded by Cr. Charlton "That the letter be received and the delegation be thanked for their appearance."

Carried Unanimously.

The Riverside and District Ratepayers' Association wrote with reference to a request by the Council that they consider making application to rezone portion of the Trapp Road area from Heavy Industrial to Residential, requesting permission for a delegation to speak to the Council in this regard. The delegation appeared.

Moved by Cr. Morrison, seconded by Cr. Hughes "That the delegation be heard."

Carried Unanimously.

Mr. Lesmister advised the Council the people were primarily interested in erecting homes, pointing out that the district was built up extensively with homes and was rapidly developing and was virtually a residential area. A map was presented by the spokesman indicating an area which their Association were asking to be rezoned to residential, the said area being in D.L.173, 155A and a portion of 155B.

Moved by Cr. Charlton, seconded by Cr. W.P.Philps "That the letter be received, the delegation thanked and this matter be referred to the Committee of the Whole for study."

Carried Unanimously.

J. Bert Thomas submitted an application for rezoning Lots 1 and 2, Block 10, J.L.79, Map 4044.

Moved by Cr. F.Philps, seconded by Cr. Morrison "That the application be received and referred to the Town Planning Commission and Planning Engineer for consideration and report."

Carried Unanimously.

E.J. Bright Limited submitted an application for approval of Lot "A", Blk. 38 D.L. 34, Group 1, Map 6063, as the site for an apartment.
Moved by Cr. Morrison, seconded by Cr. Hughes "That the delegation be received and referred to the Apartment Committee."

Carried Unanimously.

The Truck and Construction Equipment Operators of B.C. wrote requesting that a breakdown of individual earnings of all truckers hauling from the Stride pit be supplied to their Association.
Moved by Cr. W.P. Philips, seconded by Cr. Hughes "That the letter be received and the information be supplied if found feasible to do so."

Carried Unanimously.

2. George Kohut submitted an application for a permit to build and operate a soap factory on Lot 15, Block 16, D.L. 117W2.
Moved by Cr. Charlton, seconded by Cr. Morrison "That the application be received and referred to the Sanitary Inspector for consideration and recommendation."

Carried Unanimously.

3. Lochdale Community Hall Association wrote requesting a grant of \$700.00 from the Council to defray one-half the cost of a new floor in the Lochdale Hall, the other half to be paid by their Association.
Moved by Cr. Charlton, seconded by Cr. F. Philips "That the application be received and referred to the Parks Advisory Committee for consideration."

Carried Unanimously.

4. Burnaby Branch, The Canadian Red Cross Society submitted an application for a grant.
Moved by Cr. W.P. Philips, seconded by Cr. Morrison "That the application be referred to the Grants Committee."

Carried Unanimously.

Fraser Valley Municipal Association submitted notification of the next regular meeting to be held April 27th in the City Hall, New Westminster.
Moved by Cr. W.P. Philips, seconded by Cr. Morrison "That the notification be received and accepted."

Carried Unanimously.

Capitol Hill Ratepayers' Association submitted a request that enumerators be employed to bring the Voters' List up to date. The Association also protested the late delivery of Assessment Notices.
Moved by Cr. Charlton, seconded by Cr. W.P. Philips "That the letter be received and a letter of explanation be forwarded to the Association."

Carried Unanimously.

5. Walter Hope submitted an application for an extension of his occupancy for House No. 20, Barnet Village, until June 30th, 1955.
Moved by Cr. W.P. Philips, seconded by Cr. Morrison "That the letter be received and referred to the Municipal Solicitor."

Carried Unanimously.

6. G.P. Welcher wrote with reference to his application to obtain permission to place trash dispensary units on Burnaby streets requesting that since he had been advised no authority existed whereby the Council could permit such units that a resolution be sponsored to the Union of B.C. Municipalities convention to be held later in the year, asking for legislation to allow these units.
Moved by Cr. W.P. Philips, seconded by Cr. Hughes "That the letter be received and this matter be referred to the U.B.C.M. Resolutions Committee."

Carried Unanimously.

B.C. Aviation Council submitted an account covering membership in their Association for the current year, the fee being \$10.00.
Moved by Cr. Morrison, seconded by Cr. Charlton "That the account be paid."

Carried Unanimously.

South Burnaby Board of Trade submitted a number of copies of their new "Classified Business and Telephone Directory" for distribution to the members of the Council.

Moved by Cr. Morrison, seconded by Cr. W.P. Philips "That the copies be received and the Board thanked."

Carried Unanimously.

Mr. and Mrs. V.J. Watson wrote with reference to an offer made by this corporation to exchange Lot 4, Block 15, D.L. 35 situated on Boundary Road for other land of an equal value in the Municipality, advising that they were not in accord with such suggestion. The writers advised that the sale of the property had been made for \$1,250.00 and that the prospective purchaser had reneged on the sale when it was found a Building Permit could not be obtained. The writers requested that the Municipality re-purchase the property.

Moved by Cr. W.P. Philips, seconded by Cr. Morrison "That the letter be received and the Property Manager be requested to bring down a report on values of all properties along Boundary Road affected by the proposed widening of the said Road."

Carried Unanimously.

South-East Burnaby Ratepayers' Association requested that action be taken on their previous request for the installation of a road barrier on Armstrong Avenue and Cariboo Road. The Association also asked that the condition of 18th Avenue and 1st Street be restored to its original condition prior to the installation of a water main. Dumping of refuse on Cariboo Park was also protested and the request made to have a closer watch made over the park.

Moved by Cr. W.P. Philips, seconded by Cr. Hughes "That the letter be received and the Association be advised that the works matters were being attended to and the matters pertaining to parks were referred to the Engineer and Parks Superintendent for attention."

Carried Unanimously.

The Burnaby School Board wrote with reference to a request made by the Glenwood Ratepayers' Association for improvement in traffic conditions in the vicinity of Clinton Annex School on Marine Drive at Gilley Avenue, and that subsequent to such meeting an inspection had been made with the result that a number of proposals were made, four of which involved the approval of the Council.

Moved by Cr. Hughes, seconded by Cr. Morrison "That 1, 5, and 6, of the School Board's request be referred to the Traffic and Traffic Safety Committee and Item 7 dealing with the brushing of Municipal property to the west of the school zone be referred to the Municipal Engineer for attention."

Carried Unanimously.

Burnaby School Board submitted Ordinary Estimates of the Board for the year 1955 as approved by the Department of Education.

Moved by Cr. Hughes, seconded by Cr. Morrison "That the Estimates be received."

Carried Unanimously.

The Treasurer submitted a request that Mr. Joboult, Purchasing Agent, be authorized to attend a meeting of the Pacific Coast Purchasing Agents' Association to be held in Portland, Oregon, on April 21 to 23rd.

Moved by Cr. W.P. Philips, seconded by Cr. Charlton "That the report be received and the Purchasing Agent be authorized to attend this meeting."

Carried Unanimously.

The Chief Executive Officer submitted a report on a Petition for opening a lane south of Carson Street and east of Sussex Avenue advising that two property owners on the south-east corner of Sussex and Carson and the north east corner of Sussex and Marine, were not favourably disposed to granting the required 10' lane allowance due to the devaluation of the property. The Chief Executive Officer advised that the existing north-south lane had been roughed out and that there was approximately 27' between buildings on each side of this lane and it appeared some extra width could be gained if considered necessary. It was also reported that some alleviation to the situation would be found when the subdivision under way at Strathearn and Marine Drive was completed, this development providing a lane allowance which would connect with the subject lane allowance.

Moved by Cr. Morrison, seconded by Cr. W.P. Philips "That the report be received and referred to the Petitioners requesting these lane improvements."

Carried Unanimously.

COMMITTEE REPORTS

Property and Building Committee

Your Committee met on Monday, March 14th, 1955 and recommend as follows:

- (1) That permission be granted the firm of Mac's Trailers to install a sign on the north 16 1/2' fronting Lot "B" except the south 200' Block 12, D.L. 151/3 and that the Solicitor be instructed to draw the necessary agreement in this regard.

Board of Works Committee.

Your Committee met on Monday, March 14th, 1955 and recommend:

- (1) That Estimates of Work for the two week period, March 21st to April 3rd, 1955 be approved as follows:

Board of Works-General	- \$49,398.50
Water Works - General	12,975.00
Parks - General	2,400.00
Health & Sanitation-Gen.	4,700.00

Moved by Cr. Charlton, seconded by Cr. W.P.Philips "That the recommendation of the Committee be adopted."

Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. F.Philips "That the recommendations of the Property and Building Committee be adopted."

Carried Unanimously.

Finance Committee.

Your Committee met on Monday, March 14th, 1955 and recommend:

- (1) That the Burnaby Branch, V.O.N. be granted permission to conduct a Canvass in the Municipality during the month of May, and to hold a Blitz on the evening of May 2nd.
- (2) That permission be granted the Royal Oak Old Age Pensioners' Organization to conduct a Tag Day on June 4th in lieu of April 9th previously granted.
- (3) That Disbursements for the two week period ended 11th March 1955 be approved in the amount of \$299,527.00.
- (4) That the recommendation of the Treasurer that allowances be made under Section 311 of the Municipal Act in the total amount of \$650.78 be adopted.
- (5) That the claim of Mrs. G.M.Fournier for damage to her automobile be settled in the sum of \$26.70.

Moved by Cr. W.P.Philips, seconded by Cr. Hughes "That the recommendations of the Committee be adopted."

Carried Unanimously.

The Municipal Solicitor and Chief Building Inspector submitted a report on the actions of the Provincial Government in erecting buildings at Willington Avenue and Granview Highway in disregard of local regulations, advising that the locations were in a residential zone and that the hospital on the south-west corner was permitted in a residential zone pursuant to Section 13 of the Town Planning By-law but the Works Yard on the south-east corner was not. The Committee reported that the general policy of the Provincial Government was to co-operate as fully as possible with Municipal authorities to abide by local regulations and by-laws. Building and plumbing permits were usually taken out while electrical and gas installations were not, since the Provincial Government had its own inspectors in these fields. It was pointed out that the Government was not bound by statute unless it was named therein expressly or by necessary implication. The Municipal Act, Town Planning Act and Municipal by-laws passed pursuant thereto contained no such provision; therefore, it was advised that the Provincial Government was free to ignore Municipal regulations should it propose to do so.

Moved by Cr. Charlton, seconded by Cr. Morrison "That the report be received."

Carried Unanimously.

The Municipal Solicitor submitted a report on the proposal to set speed limits within lanes within the Municipality advising that on contacting the Deputy Minister of Municipalities he had been referred to Section 63 of the Motor Vehicles of which he was aware advising that the Municipality with the approval of the Commissioner of R.C.M.P. can erect speed limit signs on Highways (including lanes). However, the section did not ~~authorize~~ to set speed limits by by-law. It was pointed out that the Section might be used to fix speed limits in a few lanes where the need was greatest. It was suggested that the best method of dealing with the matter would be to seek amendments to either the Municipal Act and Motor Vehicles Act through the medium of the Union of B.C. Municipalities.

Moved by Cr. W.P.Philips, seconded by Cr. Hughes "That the report be received and referred to the Union of B.C. Municipalities Convention Resolutions Committee."

Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. Hughes "That the Traffic and Traffic Safety Committee be requested to look into the possibility of erecting speed limit signs in some of the more important lanes of the Municipality, pursuant to Section 63 of the Motor Vehicles Act."

Carried Unanimously.

The Municipal Solicitor submitted a report on the claim of H.P. Redman for \$11.15 which arose when he hired a welding firm to thaw domestic water pipes which had been bared on Municipal property. The Solicitor recommended that having regard to all the circumstances, the claim be settled in full.

Moved by Cr. Morrison, seconded by Cr. W.P. Philips "That the recommendation of the Solicitor be adopted."

Carried Unanimously.

2. The Special Committee appointed to meet with representatives of the Mainland Clay Products Ltd. to investigate their operations on Lot "A" and "B", Block 1, D.L. 215, submitted a report advising that the soil removal activity on these properties appeared to be more than required for removal of the clay as originally intended, and it was recommended by the Committee that all soil removal activity be stopped until the Company furnished detailed plans of their proposed development on this property.

Moved by Cr. Morrison, seconded by Cr. Hughes "That the recommendation of the Committee be adopted."

Carried Unanimously.

The Chief Building Inspector submitted a report recommending changes in the heating system in No. 3 Fire Hall at a cost of \$1,442.00.

Moved by Cr. F. Philips, seconded by Cr. Morrison "That the report be received and the recommendation of the Chief Building Inspector be adopted, and that the work proceed immediately."

Carried Unanimously.

3. The Apartment Committee submitted a report on the application of George W. McClure for permission to erect a four suite apartment on Lot 5, Block 4, Pt. S.D. 71, D.L. 122/3 recommending that the application be denied due to difficulties in drainage control and also due to proposed commercial development on the property to service the rapidly developing residential area surrounding the property.

Moved by Cr. Hughes, seconded by Cr. W.P. Philips "That the recommendation of the Committee be adopted."

Carried Unanimously.

4. The Apartment Committee submitted a report on the application of Boyd, Flannery and Hadji Realty Ltd. for approval of Lot 7, Blk. 42/43, D.L. 152/3, recommending that the application be approved subject to the following conditions:

- (1) The ground floor of the proposed building is not lower than the elevation of the sidewalk on Telford Avenue fronting the property.
- (2) The height of the proposed building does not exceed two storeys.
- (3) The proposed building comply with all Apartment Regulations.
- (4) The approval of this apartment site will lapse unless construction of the proposed building is commenced within 120 days of date of Council's approval thereof.

Moved by Cr. Morrison, seconded by Cr. F. Philips "That the recommendation of the Committee be adopted."

Carried Unanimously.

The Engineer submitted a recommendation that permission be granted Mr. L. Francis and himself to attend the annual convention of the Pacific North West Section of the American Water Works Association to be held in Yakima, Washington, May 19th to 21st inclusive.

Moved by Cr. Morrison, seconded by Cr. Hughes "That the recommendation of the Engineer be adopted."

Carried Unanimously.

The Municipal Engineer submitted a report on the communication received from the Metropolitan Highway Planning Technical Committee, advising that the communication referred to the same subject reported to the Council during December, 1954, at which time, the estimated cost of the traffic survey was \$25,000.00 and approval of an expenditure of Burnaby's 10% share was given. The Engineer recommended that the Municipality accept its share of the new estimated survey cost of \$36,050.00 and approve the 10% share of \$3,605.00.

Moved by Cr. Hughes, seconded by Cr. W.P. Philips "That the correspondence be received and referred to the Committee on Estimates."

Carried Unanimously.

The Treasurer submitted a report recommending that amendments to Local Improvement Debenture By-laws No. 3471 and 3472 to provide for a levy upon land or land and improvements be made, pointing out that these changes from the former levy on land and improvements only, had been brought about through a recent amendment to the Local Improvement Act.

Moved by Cr. W.P. Philips, seconded by Cr. Charlton "That the recommendation of the Treasurer be adopted and the necessary amending by-laws be brought down."

Carried Unanimously.

The Staff Land Sale Committee submitted a report on the following applications:

1. (1) Application of Allen L. Johnson to purchase W $\frac{1}{2}$ Lot 3, Blk. 3.6a and 15a, D.L. 97 situate at north-east corner of Shirley Avenue and Jutland Street. The Committee recommended sale at a price of \$450.00 plus services \$1300.00.
2. (2) Application of A.C. Stagg to purchase Lot 5, Blk. 4, D.L. 36 located on Boundary Road. The Committee recommended that this lot be reserved from sale in order to have lot available for exchange in connection with Boundary Road widening.
3. (3) Application of T.J. Watson to purchase Lot 10, Blk. 3, D.L. 53 south side of 11th Avenue 132' west of 17th Street. The Committee advised that the property is not serviced by water and it is recommended that the property be not sold until the water supply is installed to Canada Safeway Development.
4. (4) Application of Wilfro Mfg. Co., Ltd. to purchase Lots 8 and 10, Blk. 16, D.L. 117W $\frac{1}{2}$. The Committee recommended sale at price of \$1,350.00 plus services of \$620.00.
5. (5) Application of W.A.R. and Marjorie Denton to purchase Lot 5, S.D. 7, Blk. 1, D.L. 120. The Committee recommended sale at price of \$400.00 subject to consolidation with present holding, and further subject to easement for water course, cost of survey to be borne by Purchaser.
6. (6) Application of B.M. and A.H. Busilla to purchase Lot 25 and 36, Blk. 5, D.L. 94N. The Committee recommended this property be not sold as re-alignment of roads in this vicinity will require portion of these lots.
7. (7) Application of B.J. Johansson to purchase Lot 18, Blk. 62, D.L. 188 located east of 4825 Pandora Street. Recommend sale at price of \$400.00 subject to consolidation with adjoining property.
8. (8) Application of Kalyk and Clary to purchase Lots 19 to 27, Blk. 1, D.L. 158 NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$. The Committee recommended this property be not sold as it is in a ravine which should be retained for drainage purposes.
9. (9) Application of A. Kucher to purchase Lot 8, Blk. 15, D.L. 69. This lot contains a natural water course which should be retained by the Corporation. The Committee recommended the sale be not entertained.
10. (10) Application to purchase Lot 5 Blk. 79, D.L. 188. This is a triangular-shaped lot at intersection of two streets and is required for improvement to intersection. The Committee recommended that the property be not sold.

Moved by Cr. F. Philips, seconded by Cr. Morrison "That the recommendations of the Committee be adopted."

Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Hughes "That "Burnaby Local Improvement Sewer Area No. 1 Loan By-law 1954, Amendment By-law 1955" 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 Cr. W.P. Philips, seconded by Cr. Hughes "That the by-law be read by short title only."

Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Morrison "That the Committee do now rise and report the by-law complete without amendment."

The Council reconvened.

Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Morrison "That the "Burnaby Local Improvement Sewer Area No. 1 Loan By-law, 1954, Amendment By-law 1955" be now passed."

Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Charlton "That "Burnaby Local Improvement Sewer Area No. 2 Loan By-law 1954, Amendment By-law 1955" 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 Cr. W.P. Philips, seconded by Cr. Charlton "That the by-law be read by short title only."

Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Charlton "That the Committee do now rise and report the by-law complete without amendment."

The Council reconvened.

Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Charlton "That "Burnaby Local Improvement Sewer Area No. 2 Loan By-law, Amendment By-law 1955" be now passed."

Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. Hughes "That "Burnaby Property Exchange By-law No. 3, 1955" be now reconsidered." Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. W.P. Philips "That "Burnaby Property Exchange By-law No. 3, 1955" be now passed, and that the Reeve and Clerk be authorized to sign the by-law and affix the Corporate seal thereto." Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Hughes "That "Burnaby Road Acquisition and Dedication By-law No. 3, 1955" be now reconsidered." Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Hughes "That "Burnaby Road Acquisition and Dedication By-law No. 3, 1955" be now passed and that the Reeve and Clerk be authorized to sign the by-law and affix the Corporate seal thereto." Carried Unanimously.

Moved by Cr. Hughes, seconded by Cr. W.P. Philips "That "Burnaby Land Acquisition and Park Dedication By-law No. 2, 1955" be now reconsidered." Carried Unanimously.

Moved by Cr. Hughes, seconded by Cr. W.P. Philips "That "Burnaby Land Acquisition and Park Dedication By-law No. 2, 1955" be now passed and that the Reeve and Clerk be authorized to sign the by-law and affix the Corporate seal thereto." Carried unanimously.

Moved by Cr. Morrison, seconded by Cr. Hughes "That "Burnaby Land Acquisition By-law 1955" be now reconsidered." Carried unanimously.

Moved by Cr. Morrison, seconded by Cr. Hughes "That "Burnaby Land Acquisition By-law 1955" be now passed and that the Reeve and Clerk be authorized to sign the by-law and affix the Corporate seal thereto." Carried Unanimously.

Moved by Cr. F. Philips, seconded by Cr. Hughes "That "Burnaby Street and Traffic By-law 1954, Amendment By-law 1955" be now reconsidered." Carried Unanimously.

Moved by Cr. F. Philips, seconded by Cr. W.P. Philips "That "Burnaby Street and Traffic By-law 1954, Amendment By-law 1955" be now passed and that the Reeve and Clerk be authorized to sign the by-law and affix the Corporate seal thereto." Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Morrison "That "Burnaby Easement Authorization By-law No. 2, 1955" 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 Cr. Charlton, seconded by Cr. Morrison "That the by-law be read by short title only." Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Morrison "That the Committee do now rise and report the by-law complete without amendment." Carried Unanimously.

The Council reconvened.

Moved by Cr. Charlton, seconded by Cr. Morrison "That "Burnaby Easement Authorization By-law No. 2, 1955" be now passed." Carried Unanimously.

The Council then adjourned.

Confirmed:

Clerk.

Reeve.