

Monday, December 10th, 1956

An adjourned meeting of the Municipal Council was held in the Council Chamber, 4000 Granview-Douglas Highway on Monday, December 10th at 7:30 p.m.

Present: Reeve MacSorley in the Chair; Councillors W. P. Philips, W. M. Morrison, G. Charlton, A. Hean, S. E. Hughes, and J. J. Drummond.

Messrs. Edwards, Edwards & Edwards, Barristers & Solicitors, submitted a request that Council reconsider the rezoning of Lot 6, Blk. 68, J. L. 33 from Residential to Gasoline Service Station use, contending that the property in question is not "house-locked" as stated by the Town Planning Commission but rather that the land immediately across the street is Commercial, and further that the property in question will become almost valueless due to the expected widening of Grange Street.

Edwards, Edwards & Edwards further contended that the development of the subject property as a gasoline service station would be a great service to the many people who it is anticipated will be using this thoroughfare.

Moved by Cr. W. P. Philips, seconded by Cr. Charlton "That this re-application be referred to the Town Planning Commission and the Planning Engineer for further consideration and report."

Motion withdrawn.

Moved by Cr. Drummond, seconded by Cr. W. P. Philips "That this re-application be tabled and a copy of the applicant's letter forwarded to the Town Planning Commission for their attention and comment."

In favor - Crs. Drummond, W. P. Philips, Charlton and Hean.

Against - Crs. Hughes and Morrison.

Cr. P. Philips arrived.

Mr. T. V. Berry, Commissioner, Greater Vancouver Water District served notice upon the Council of their intention to terminate the lease agreement dated December 27, 1950 between this Municipality and their District, and covering the use of the Vancouver Heights reservoir by the Parks Board. The Water District advised that this action was being taken as the result of a recent inspection by their District revealing that the roof to the reservoir is in need of extensive repairs which would cost approximately \$3500.00 plus the additional expense of removing and replacing the turf and soil presently situated on the roof and that also they have been advised that no roofing contractor will arrange a guarantee for a traffic bearing roof and therefore there would be no assurance the bowling green could remain in continuous operation.

Mr. Berry further advised that Mr. Wilkinson, Parks Superintendent, had agreed to the removal of the sod and assisting in loading it into Burnaby Park Board trucks at such time as the Water District requests.

Moved by Cr. Drummond, seconded by Cr. Hughes "That this letter be received and a Committee of the Reeve, Chief Administrative Officer and Chairman of the Parks Board be appointed to meet with representatives of the Greater Vancouver Water District for the purpose of discussing this matter and endeavouring to make suitable arrangements for the retention of a recreation area on the Vancouver Heights reservoir property."

Carried unanimously.

Moved by Cr. Drummond, seconded by Cr. Hughes "That the Council proceed with the legal obligations imposed by virtue of the Agreement dated December 27, 1950."

Carried unanimously.

The Chief Administrative Officer submitted a report advising that the Municipal Engineer had arranged with the owner of Lots 6-11 inclusive, R.S.J. "A" and "J", S.J. 1, Blks. 1 and 2, J.L. 207, Plan 13300 to lease this property for use as a storage yard in connection with the installation of the Westridge Sewer from this date until September 30, 1967 and that the Corporation pay the sum of \$350.00 for the use and enjoyment of this land out that the owner be responsible for payment of all Municipal taxes thereon.

The Chief Administrative Officer recommended that a Lease Authorization By-law be brought down forthwith to authorize the execution of the required lease.

Moved by Cr. Charlton, seconded by Cr. Hean "That the recommendation of the Chief Administrative Officer be adopted."

ERRATA:

Carried unanimously.

The Chief Administrative Officer submitted report of the Municipal Engineer, Municipal Solicitor, and Property Manager in connection with the sale of Lot "A", J.L. 10, Blks. 11 and 12, J.L. 6, and Blk. 3, J.L. 148 to the Lake City Industrial Corporation Ltd.

The Municipal Engineer advised that the following conditions should be imposed on the contemplated sale to the Company in question:

1. The Company should be prepared to construct a permanent channel for all drainage courses which are diverted or otherwise altered as the result of the grading and development operation proposed by the Company. The constructed channels should be of sufficient size and cross section to accommodate all surface run-off emanating from the Company's property as well as the tributary areas lying to the north; the date of run-off to be calculated on the basis of the complete development of the entire

tributary areas and that the channel should be lined, rip-rapped or otherwise protected against erosion either in part or over its entire length if so required by the Municipal Engineer.

2. The Company should agree to the creation of a right-of-way to cover the route of the proposed drainage channel. This right-of-way to be created by cut-right dedication to the Municipality or by means of easement.
 3. A right-of-way should also be provided for installation of sanitary sewer trunk which we now expect will follow approximately the same route as the diverted storm water channel mentioned above, which could be included within the same right-of-way.
 4. The Company should indemnify the Corporation against damages which may arise from the flooding or silting of down-stream properties as a result of the Company's grading and drainage development but that the Municipality be responsible for enlarging the culvert at Government Road.
 5. The Company should agree to the dedication (and construction under the terms of the Lake City Agreement) of a right-of-way for a major north-south street linking the Lougheed Highway and Broadway in the general area of Cariboo Road; the exact location and alignment of this right-of-way to be determined when grading plans of the Company have been finalized as it is essential that the major street must conform to the grades established on the industrial sites. Also the Company should provide the Corporation with a plan showing the proposed grading to be undertaken of the easterly part of the Company's development so that the alignment of right-of-way may be established and drainage quantities determined.
- That the Company receive the consent of the Municipality should they propose to divert the natural drainage courses immediately north of Broadway and outside of the property controlled by them and that the Company be responsible for installing any drainage structures requisite to protect Broadway.
- The Engineer further pointed out that the developers of the residential subdivision immediately east of the Lake City property are understood to be aware of the fact that the industrial development will reach the boundary of the residential property owned by them. The Engineer further felt that the Planning Engineer should be allowed to give his views on this proposed sale, particularly with reference to the matter of zoning and also the matter of the dedication of the right-of-way for a major north-south street linking the Lougheed Highway and Broadway in the general area of Cariboo Road.

The Municipal Solicitor advised that he had examined the Lake City Agreement and a letter of the Municipal Engineers and concluded that Clause 9(a) of the Agreement seemed to take care of the Engineer's requirements as to drainage as set out in the Engineer's letter. The subject Clause provides for the Company to make due and skillful provision for dealing with and disposing of all surface drainage and surface water upon or coming from, across or over the said land to the direction and satisfaction of the Municipal Engineer but that there is nothing in the Agreement which requires the Company to create a right-of-way for the proposed drainage channel nor is there anything in the Agreement referring to sanitary sewer trunks or to the Company paying for damages which may arise from the flooding of down-stream properties and submitted, therefore, that in his opinion the matters of the creation of a right-of-way to cover the route of the proposed drainage channel and the creation of a right-of-way for the installation of a sanitary trunk sewer are not covered by the present Agreement. The Solicitor further advised that Clause 7 of the Agreement will provide for the dedication of major roads and that the Company would always have the right to appeal the Approving Officer's decision concerning major roads and therefore there is nothing in the Agreement which would expressly require the Company to dedicate a major north-south right-of-way as required by the Engineer. The Solicitor further advised that Clause 9a of the Agreement required the Company to clear and grade the land in a good and workman-like manner and that Clause 9 (c) requires the Company, before developing any part of the said land to submit a plan showing in detail the grades, or grade levels, situation of roads and lanes, etc. and further allows the Municipality to have the liberty of requiring amendments or alterations of the said works as it shall deem requisite and as may be practicable under the circumstances existing from time to time, and therefore these two clauses would seem to take care of the requirements set out by the Engineer in connection with the dedication of the major north-south street and the provision by the Company of a plan showing the proposed grading of their development.

The Property Manager advised that the method used to establish prices on the subject land was one of comparison to an average of similar properties in the immediate vicinity, advising that Blk. "A" was treated as one unit because it has frontage on the Lougheed Highway and requires much less servicing to make it a saleable industrial site and furthermore that Highway frontage would give this parcel a much greater prestige value to an industrialist than the other three blocks. The parcel used for comparison was the portion of Rumble Park sold to the Lake City Company in September 1955 for the sum of \$35,400.00 excluding cost of services out subject to the land being included in the Lake City Agreement;

The Land in question comprised approximately 12 acres and was sold for \$2,950.00 per acre. The Property Manager further submitted that though the two parcels in question have similar physical characteristics the subject property has a detracting feature in that it is divided in two by a 160' power-line easement which would create an additional expense to the developer. With respect to Blks. 11 and 12, J. L. 6 and Blk. 3, J. L. 148 the Property Manager submitted that these properties are unimproved at the present time and inaccessible to any existing Municipal services and that a large portion of this land is low-lying and subject to flooding.

The Property Manager advised that a survey had been made to obtain information on the sale of this type of property which disclosed that several parcels of almost identical land had been sold on the average for \$600.00 to \$650.00 per acre which figure was accepted as being reasonable for this type of land. The Property Manager concluded by advising that data regarding services to the property in question is not available and therefore he deemed it necessary to include this property in the Lake City servicing Agreement.

Moved by Cr. Charlton, seconded by Cr. Hughes "That this matter be tabled until next Monday, December 17th and that the Planning Engineer submit a report at that time on the points mentioned in the Engineer's letter and also that the Property Manager submit a further report advising whether or not he had considered the potential sewer facilities which are to be ultimately provided in the area in which this property lies."

Carried -Cr. F. Philips against.

The Reeve submitted a report recommending that Mr. T. E. Lainer be reappointed to the Burnaby Town Planning Board of Appeal as the Municipal representative, advising that the reason Mr. Lainer had tendered his resignation last October was that he was facing a serious operation and that he felt he would be unable to continue on the Board, but that the operation proved a success and Mr. Lainer now feels he will be able to carry on.

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

Carried unanimously.

The Reeve submitted recommendation that the following grants be made:

Branch No. 12 - Old Age Pensioners Organization - \$68.75
Branch No. 13 - Old Age Pensioners Organization - 87.50
Branch No. 19 - Old Age Pensioners Organization - 31.25
Branch No. 28 - Old Age Pensioners Organization - 110.00

Branch No. 10. Senior Citizens Association - \$75.00
Branch No. 41 - Senior Citizens Association - 25.00
Branch No. 42 Senior Citizens Association - 7.25

Mr. E. Pike, Caretaker, Loat Park - \$50.00

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

Carried unanimously.

Auto Court
The Staff ~~Planning~~ Committee submitted a report on an application of E. W. Gray to establish an Auto Court and Trailer Court in the 1700 block Kingsway on property described as Blks. 46-48 inclusive, D. L. 30, Plan 5896, advising that the proposed accommodation consists of 59 motel units and 41 trailer coach spaces and that under the existing Municipal Auto Court legislation a maximum density of 20 auto court units per acre is permitted and, therefore, the number of spaces intended to be provided by the applicant would exceed the density permitted by the By-law, assuming that a trailer coach space is comparable to an auto court unit for density measurement purposes but that apart from this objection the Committee can find nothing else contrary to existing Municipal legislation. The Committee also felt that as a Special Committee of Council is currently studying a regulatory tourist court by-law to meet the needs of the tourist industry that the application in question should not be considered on the basis of the proposed by-law as the proposed development may or may not conform with the requirements of the Tourist Court By-law in its final adopted form. The Committee recommended that this application be not approved but that should the applicant reduce density of his proposed development to meet the maximum standard now permitted and still conform to other pertinent Municipal regulations, the Committee would view the application favorably.

Moved by Cr. Morrison, seconded by Cr. Hean "That the site for the establishment of an auto and trailer court be approved."

In favour - Crs. Morrison, Hean, Charlton and the Reeve.

Against - Crs. Hughes, W. P. Philips, Drummond and F. Philips.

Motion negatived.

Auto Court
The Staff ~~Planning~~ Committee submitted a further report on an application of Mr. and Mrs. McLure to establish an auto court at the north-east corner of Springer Avenue and Lougheed Highway on property described as Lot 20, Blks. 1-4 and 6, D.L. 125, Plan 3620, and Lot "B", Blk. 5, D.L. 125, Plan 3347 advising that an open water course traverses the property in a diagonal direction and that should the property be developed for the purpose above mentioned treatment of this feature of the property should have careful engineering scrutiny for possible adversities on public and private land and the right-of-way below the subject property, and that should the water course be left in its natural state the useable area of the property for auto court purposes would be restricted. The Committee recommended that this application be approved provided:

1. That the property be consolidated into one parcel.
2. That a site development plan showing the proposed auto court lay-out, proposed treatment of the water course, proposed highway and road access, etc. be submitted for study by Council and this Committee prior to development of the site.
3. That should development of this property not take place before the proposed Tourist

Court By-law is adopted and the provisions of that by-law be applicable to this development.

Moved by Cr. Drummond, seconded by Cr. Hean "That the recommendation of the Committee be adopted."

Carried unanimously.

A Special Committee of Council submitted a report in connection with suggested alterations in Council policy for servicing of properties and in particular those outside new subdivisions so that some measure of relief from the financial burden imposed under the present policy may be given to the pioneer developer, advising that they had considered using the initiative sections of the Local Improvement Act but that it was their opinion this procedure should not be adopted for the following reasons:

1. The procedures for land servicing under this proposed scheme could be subject to abuse.
2. The revision of the policy to include Local Improvement procedure would deplete the Municipality's borrowing power for essential purposes and would benefit one enterprise group only in the Municipality.
3. The Local Improvement Plan is considered to be impractical due to the cumbersome procedures involved.
4. Should land owners not cooperate amongst themselves voluntarily to arrange for servicing there is little likelihood of the required approval being obtained from lawful submissions to the parties involved such as sufficiency of signatures on Local Improvement petitions.
5. Insofar as the policy in regards to industry is concerned, the Committee suggests that each application for servicing industrial property be treated on its own merits and consideration be given such cases in relation to the present policy and circumstances pertaining.

The Committee recommended that the existing servicing policy otherwise remain unchanged.

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

Carried unanimously.

ERRATA:

The Chief Administrative Officer submitted the following staff appointment recommendations:

1. Clerk I - Treasurer's Department

Office Assistant Miss Annette Clarkson has had operation of a Microfilm Unit and clerical duties added to her duties as Office Assistant which has now become a full time position, and it is recommended her position be reclassified as Clerk I effective, as from October 24, 1956.

2. Office Assistant - Treasurer's Dept.

With the reclassification of Miss Clarkson, the position of Office Assistant, Treasurer's Department, became vacant. It is recommended Miss Pauline Hudson be appointed to the position effective as of October 24th, 1956.

3. Social Service Worker.

The Administrator, Social Service Department, has submitted a recommendation that Mr. Glenon G. Moody employed as a Social Worker for the past two years be increased from the Third Step of the Salary Range to the top step \$347.00 per month as from November 1st. The reason given for this recommendation is that Mr. Moody has shown particular ability in handling his case load and that due to his efforts case load has been reduced with lower costs to the Municipality.

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

Errata.

Carried unanimously.

Moved by Cr. Charlton, seconded by Cr. Morrison "That "Burnaby Easement Authorization By-law No. 10, 1956" be now reconsidered."

Carried unanimously.

Moved by Cr. Charlton, seconded by Cr. Morrison "That "Burnaby Easement Authorization By-law No. 10, 1956" be now finally adopted 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. Hean "That "Burnaby Land Sale By-law No. 7, 1956, Amendment By-law 1956" be now reconsidered."

Carried unanimously.

Moved by Cr. Morrison, seconded by Cr. Hean "That "Burnaby Land Sale By-law No. 7, 1956, Amendment By-law 1956" be now finally adopted 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. Charlton "That "Burnaby Lease Authorization By-law 1956" be now introduced and 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 Cr. Morrison, seconded by Cr. Hughes "That the by-law be read by short title only."

Carried unanimously.

Moved by Cr. Morrison, seconded by Cr. Hughes "That the Committee rise and report the by-law complete without amendment."

Carried unanimously.

The Council re-convened.

Moved by Cr. Morrison, seconded by Cr. Charlton "That the "Burnaby Lease Authorization By-law 1956" be now passed."

Carried unanimously.

Moved by Cr. Morrison, seconded by Cr. Hughes "That "Burnaby Property Exchange By-law No. 3, 1956" be now introduced and 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 Cr. Morrison, seconded by Cr. Hean "That the by-law be read by short title only."

Carried unanimously.

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

Carried unanimously.

The Council re-convened.

Moved by Cr. Morrison, seconded by Cr. Charlton "That "Burnaby Property Exchange By-law No. 3, 1956" be now passed."

Carried unanimously.

The Municipal Clerk requested authority to execute a contract between Canadian Pacific Railway Company and ourselves in respect of a water-main crossing at 10th Avenue and the Marpole Interurban Line.

Moved by Cr. Charlton, seconded by Cr. Morrison "That authority be granted."

Carried unanimously.

Crs. W. P. Philips and Drummond left the meeting.

The Municipal Clerk advised that he had received 12 tenders for the purchase of Lot 8, Blk. 15, J. L. 116S.2 (3895 Parker Street).

Moved by Cr. Morrison, seconded by Cr. Charlton "That the Tenders be opened."

Carried unanimously.

TENDER:		TENDER:	
#1	\$1250.00	#7	\$1800.00
#2	1025.00	#8	1660.00
#3	750.00	#9	350.00
#4	1910.00	#10	2415.00
#5	1550.00	#11	2052.00
#6	2000.00	#12	1850.00

Moved by Cr. Morrison, seconded by Cr. Hean "That tender #10 be accepted."

Carried unanimously.

The meeting then adjourned.

Confirmed:

G. H. MacIsaac
Reeve.

William B. Brown
Clerk.