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Monday, September 10, 1956.

A regular meeting of the Municipal Council was held in the Council Chambers, 4000 Grandview Highway, on Monday, September 10, 1956 at 7.30 p.m.

Present: Reeve MacSorley in the Chair; Councillors W.P.Philps, Charlton, Drummond, Hean, Hughes, F.Philps and Morrison.

Reverend Humphreys led in a Devotional Period.

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

Carried Unanimously.

Mr. D. Gallen wrote complaining of the lack of pedestrian access to his property on Mary Avenue resulting from the recent pavement of the street. Mr. Gallen charged that inconsistent treatment had been given to residents along the street in that some were granted a free crossing while others were not. Mr. Gallen appeared and requested an opportunity to speak.

Moved by Cr. Morrison, seconded by Cr. Hean "That Mr. Gallen be heard."

Mr. Gallen requested that one of the Councillors visit his property and view the condition of which he was complaining.

Councillor Hean was requested to accept the invitation of Mr. Gallen.

Moved by Cr. F.Philps, seconded by Cr. Morrison "That this matter be tabled for a period of one week."

Carried Unanimously.

Automotive Retailers' Association submitted a Petition to the Council for passage of a by-law pursuant to Section Five of the Shops Regulation and Weekly Holiday Act regulating the hours of sale of gasoline within the Municipality of Burnaby. Petitions were submitted as follows:

- (a) A Petition containing signatures of more than one-half in number of licensed occupiers of businesses conducting the sale of gasoline stating opposition to the continuance of By-law 1877 and requesting the Council to repeal same.
- (b) A Petition signed by more than three-quarters in number of the licensed occupiers of business conducting the sale of gasoline requesting the Council to pass a by-law pursuant to Section 5 of the Shops Regulation and Weekly Holiday Act, requiring all shops selling gasoline to be closed and remain closed for the sale of gasoline (1) On week-days from 6 o'clock in the evening until 7 o'clock in the morning of the following day.
  - (2) On Statutory Legal Holidays.
- (c) A Petition signed by licensed occupiers of shops in the Municipality wherein the business of gasoline sales is carried on requesting passage of a by-law permitting the limited opening of gasoline service stations within the Municipality after the hour of closing appointed in the earlier closing by-law.

The Association requested an opportunity to speak to the Petition before the Council at this meeting. The delegation appeared.

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

Carried Unanimously.

Mr. Kinneard spoke reviewing the history of the existing by-law citing difficulties encountered in enforcement. Mr. Kinneard then elaborated on the Petitions presented by the Association for the repeal of the existing by-law and the passage of new by-laws setting regular hours and elaborated on the system of rotation to be set up in connection with the third by-law, which it was considered amongst the trade to be fair to all.

McRae

Mr. ~~McRae~~ of Standard Oil Company spoke and submitted that since the introduction of a similar regulation of gasoline service stations in West Vancouver, the hours of operation had been slightly increased over the other previous operating hours.

Mr. Raymer spoke submitting that the previous by-law had been introduced after considerable thought and that the only way in which the by-law had failed was through the lack of enforcement.

Mr. J.R. Denman spoke submitting that in his opinion considerable loss of business would result in that a large percentage of business was done during the evening hours. It was pointed out that since the regulatory by-law was introduced in the City of New Westminster, no new sites had been opened.

Mr. Henderson, operator of the self-serve station submitted that no approach had been made by those proposing the Petition to his establishment for signature. It was pointed out that the buying trend was to evening hours and that the week-ends provided a large volume of business. It was considered that the introduction of a regulation as proposed was not in the best interests of the public in that service to the public would be curtailed.

J.R. Jenman and others submitted a Petition opposing the proposal to introduce a by-law regulating hours of closing of service stations.

Moved by Cr. W.P. Philips, seconded by Cr. F. Philips "That the submissions be received and referred to the Solicitor to bring down the required by-law pursuant to Section 5 of the Shops Regulation and Weekly Holiday Act, provided the Petitions are in order."

Carried Unanimously.

B.C. Lawn Bowling Association submitted information that Messrs. Walter L. Back and George W. Davies had been successful in winning the Provincial Championship Doubles during recent B.C. Games in Vancouver and the Dominion Championship Doubles Event thus becoming Canadian Champions. It was suggested that some recognition be made by the Council for the success of these two gentlemen similar to that made by the City of Vancouver last year to the new bowlers from the South Vancouver Club.

Moved by Cr. W.P. Philips, seconded by Cr. Drummond "That the letter be received and this matter be referred to His Worship the Reeve for report to the Council."

Municipal Council, Unanimously.

His Worship, Reeve MacSorley, presented Mr. Bart McCafferty with a certificate sponsored by the Canadian Federation of Mayors and Municipalities, being an award for the best financial statement produced for Municipalities with a population of over 60,000.

Burnaby Ratepayers' Council wrote with reference to the establishment of the Board of Park Commissioners under section 361 (1) (a) of the Municipal Act whereby the said Board exists at the pleasure of the Council. The Ratepayers' Council requested that consideration be given to the establishment of a Parks Board under provisions of section 361 (1) (b).

Moved by Cr. Hughes, seconded by Cr. Morrison "That the letter be received and the Ratepayers' Council be advised of the manner in which the Board of Park Commissioners had been set up together with reasons for so doing, and further that it is the opinion of the Council the position of the Board is strengthened by the fact that a public site was taken representative of the opinion of the public in regard to the establishment of the Board."

Carried Unanimously.

North Fraser Harbour Commissioners wrote attaching a certified copy of a recently enacted by-law passed by their Board effecting the amendments to their By-law No. 46 by the introduction of by-laws 16 (a) and 123.

Moved by Cr. Morrison, seconded by Cr. Charlton "That the correspondence be received and acknowledged."

Carried Unanimously.

The Society for Prevention of Cruelty to Animals submitted an application for permission to conduct a financial campaign in the Municipality commencing September 24th for a period of one week for the purpose of raising the sum of ten thousand dollars to inaugurate a branch of their organization within the bounds of the Municipality.

Moved by Cr. Morrison, seconded by Cr. Hughes "That permission be granted as requested."

Carried Unanimously.

The American Banker submitted an offer to insert an advertisement in a forthcoming Convention Publication to be issued in Los Angeles during the month of October, where the second Annual meeting of the Association was being held.

Moved by Cr. Charlton, seconded by Cr. F. Philips "That the offer be received and referred to the Treasurer for comment."

Carried Unanimously.

Public Administration Service submitted an account in the amount of \$139.03 for payment.

Moved by Cr. Hean, seconded by Cr. Morrison "That the account be paid."

Carried Unanimously.

F.L. and E. Hoppe submitted an application for rezoning of property at the north west corner of Sperling Avenue and Lougheed Highway for gasoline service station.

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

Carried Unanimously.

Angus Mackay Realty Limited submitted an application per permission to build a Motel on property described as Lot 18 W<sub>2</sub>, Sketch 9639 except sketch 9640, Blocks 1/4/6, J.L.125 (5961 Loughheed Highway).

Moved by Cr.Morrison, seconded by Cr.Hughes "That the application be received and referred to the standing Auto Court Committee."

Carried Unanimously.

Miss Eleanor G. Boyd wrote protesting the use of the parking lot at the rear of the Royal Bank at Kingsway and McKay during evening hours, submitting that such practice caused a nuisance to their adjoining property.

Moved by Cr.Morrison, seconded by Cr.Hean "That the letter be received and this complaint be referred to the Bank authorities."

Carried Unanimously.

Miss Eleanor G. Boyd wrote protesting the recent establishment of a bus stop in front of their premises at 2948 McKay Avenue, submitting a number of reasons for the removal of same and advising a nuisance was caused by the continual use of the bus zone by transit patrons.

Moved by Cr. F.Philps, seconded by Cr.Morrison "That the letter be received and that the complainant be advised of reasons for the change and that the removal of same was not practical."

Carried Unanimously.

W.R.Beamish and Company Limited submitted an appeal to the Council on behalf of a client for permission to install a water connection from Dow Avenue by way of an easement along the southerly boundary of Lots 10 and 11, Blk.13, J.L.99 to a separate parcel to be created at the rear of the said Lot 11, fronting on Watling Street. The Company requested approval to this to obviate the necessity of installing a 6" water main from Dow Avenue along Watling Street to the property as a condition of subdivision approval, pointing out that the requested connection would in no way divert the waterworks system at this point.

Mr.Taylor, Property Owner, appeared and requested an opportunity to be heard.

Moved by Cr. Drummond, seconded by Cr.F.Philps "That Mr. Taylor be heard."

Carried Unanimously.

Mr. Taylor submitted that an application had been made some time previous for approval of the subdivision and that it was understood the Council's policy was the reason for the disallowance of the easement connection.

The Engineer attended and submitted that the requirements imposed for subdivision approval were in accordance with the Council policy. It was agreed that in this case an individual applicant was affected heavily in that cost of the main extension would be charged solely to him, there being a school area on the opposite side of the street.

Moved by Cr. W.P.Philps, seconded by Cr.Hean "That the Engineer be instructed to accept an application for water connection on the basis of the easement through the subject Lot 11."

Carried,  
Cr.Hughes and Reeve MacSorley  
voting against.

The Municipal Clerk brought forward Tenders received for renovation of the Municipal Hall located at 1930 Kingsway, Edmonds.

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

Carried Unanimously.

Tenders were opened revealing the following offers:

- (1) \$81,666.00
- (2) \$81,317.00

Moved by Cr.Hughes, seconded by Cr.Morrison "That the tenders be referred to a Committee of the Whole for further consideration."

Carried Unanimously.

A Tender was brought forward for purchase of property described Lot 29, Block 21 J.L.74<sup>1/2</sup> Map 2063.

Moved by Cr.Morrison, seconded by Cr.Hean "That tender be opened."

Carried Unanimously.

The Tender was then opened revealing a bid of \$500.00.

Moved by Cr.Charlton, seconded by Cr.F.Philps "That the tender be rejected and that the Property Manager be instructed to dispose of the property by open application."

Carried Unanimously.

The Treasurer submitted the recommendation that permission be granted to Mr. H. S. Jeboult Purchasing Agent, to attend the Annual Fall meeting of the Pacific North West Buyers' Association to be held in Olympia, Washington, on September 28th and 29th.

Moved by Cr. Morrison, seconded by Cr. Hughes "That permission be granted as requested."

Carried Unanimously.

#### Report of Committee of the Whole.

Your Committee met on Friday, August 24th, 1956 and recommend that:

- (1) That authority be granted for purchase of a portion of Lot 1, Blk. 1, J.L.125 for the extension of Buchanan Street.
- (2) That authority be granted for purchase of a triangular portion of land on the north side of Block 3, J.L.8 and a triangular portion from the north-west corner of Block 19 1/2, J.L.6 for road purposes, in accordance with Planning Department plan dated June 8, 1956.
- (3) That authority be granted to enter negotiations for purchase of the east portion of Lot 19, Block 5, D.L.4 for road purposes, according to Planning Department plan dated June 8, 1956.

Your Committee met on Tuesday, September 4th, 1956 and recommend:

- (1) That authority be granted for development of a Civil Defence Rescue Vehicle at a cost of \$1,000.00 on a 75%/25% basis between Federal-Provincial Governments and this Corporation respectively.
- (2) That the following Supervisory Personnel be granted pay increments as follows:
 

	<u>Old Rate</u>	<u>New Rate</u>	<u>Date</u>
Mr. Ernest Grist, Property Manager	\$ 406.00	\$ 424.00	Aug. 9th
Jr. A.C.B. Singleton, Medical Health Officer	638.00	667.00	Sept. 1st.
- (3) That approval be granted in principal to the Metropolitan Parks report issued by the Lower Mainland Regional Planning Board in July, 1956.
- (4) That the Treasurer be authorized to attend the Conference of Institute of Public Administration in Victoria and Vancouver, September 6th to 8th inclusive, 1956.

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

Carried Unanimously.

#### COMMITTEE REPORTS

##### Finance Committee

Your Committee met on Tuesday, September 4, 1956 and recommend that:

- (a) An application be made to the Minister of Municipal Affairs for an Order-in-Council requesting an abatement of taxes resulting from errors in assessments which had arisen and which it was considered imposed unfair tax over-charges on the applicable property owners.

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

Carried Unanimously.

##### Board of Works Committee

Your Committee met on Tuesday, September 4, 1956 and recommend that:

- (a) Permission be granted to Mr. J.A. Whelen, Municipal Engineer, and Mr. Q. Lake, Assistant Engineer, to attend the annual Convention of the Municipal Engineers' Division of the Association of Professional Engineers of B.C. to be held at Penikese during the period, September 20th to 22nd, 1956.

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

Carried Unanimously.

##### Property, Building and Planning Committee

Your Committee met on Friday, September 4, 1956 and recommend that:

- (a) Approval be granted to the establishment of a machine shop on Lot 10, Block 1, J.L.98 (3224) Mavis Street.
- (b) That Lots 3, 4, 6, Blk. 1, J.L.161 be temporarily reserved for playground purposes and that the use of this land be restricted for this sole purpose until its use is required for industrial purposes.

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

Carried Unanimously.

The Medical-Health Officer submitted a report on the activities of his Department for the month of July, 1956.

Moved by Cr. Mumford, seconded by Cr. W.P. Philips "That the report be received."  
Carried Unanimously.

The Treasurer submitted Disbursements for the period ended September 7, 1956 in the total amount of \$307,890.83.

Moved by Cr. W.P. Philips, seconded by Cr. Charlton "That the disbursements as submitted be approved."  
Carried Unanimously.

The Chief Licence Inspector submitted a report with reference to the issuance of permits for the sale of Christmas Trees recommending that no permits be granted for location of tree sales on Municipal property and that sales be confined to private property only. Further, that each application be accompanied by written permission of the property owner concerned prior to the issuance of a permit.

Moved by Cr. F. Philips, seconded by Cr. Hean "That the matter of Christmas Tree permits be left in the hands of the Chief Administrative Officer to instruct the Chief Licence Inspector."  
Carried Unanimously.

The Chief Licence Inspector submitted a report on:

(a) Claim for compensation pursuant to the Sheep Protection Act from W. Stewart for the loss of 52 pullets valued at \$2.25 each, by a stray dog, - recommending that the claim be settled in full for the sum of \$50.00.

(b) Claim for compensation of C.J. Mitchell for the loss of three geese valued at \$6.00 each, recommending that as the protection afforded the geese against marauding dogs was insufficient that the claim be rejected.

Moved by Cr. Morrison, seconded by Cr. Hean "That the recommendations of the Chief Licence Inspector be adopted."  
Carried Unanimously.

The Parks Board submitted Detailed Account of Works completed during the two week period ending August 19th, 1956.

Moved by Cr. Hughes, seconded by Cr. Morrison "That the report be received."  
Carried Unanimously.

The Parks Board submitted a report with regard to new parking regulations at Central Park advising that previously no regulations were enforced with the result that damage was accruing to planted areas and lands. The Board submitted that the traffic had been confined to designated roadways and parking lots by means of stone barriers and had proved quite satisfactory.

Moved by Cr. Hughes, seconded by Cr. W.P. Philips "That the report be received."  
Carried Unanimously.

The Engineer submitted Cost report for Local Improvement paving work of Anola Place from Loughheed Highway north for a distance of 665'.

The Engineer submitted a further report advising that a further charge of \$1500.00 would be required out of general estimates for grade preparation.

Moved by Cr. Charlton, seconded by Cr. Morrison "That the reports be adopted and the necessary Construction by-law be brought down."  
Carried Unanimously.

The Engineer submitted Detailed Account of Works for the two week period ending September 2, 1956.

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

Cr. Hean withdrew from the meeting.

The Engineer submitted Board of Works Estimates for the two week period ending September 30, 1956 in the total amount of \$58,450.00.

Moved by Cr. Charlton, seconded by Cr. F. Philips "That the estimates of work as submitted be approved."  
Carried Unanimously.

The Engineer submitted Water Works Estimates for the two week period September 17th to 30th, 1956 in the amount of \$12,875.00  
Moved by Cr. F.Philps, seconded by Cr. Charlton "That the estimates as submitted be approved."

Carried Unanimously.

The Engineer submitted Garbage Collection Estimates for the two week period, September 17th to 30th, 1956 in the total amount of \$8,875.00.  
Moved by Cr. Drummond, seconded by Cr. Charlton "That the estimates as submitted be approved."

Carried Unanimously.

The Engineer confirmed recommendation that a proposed loading zone on a 24 hour basis be installed at the entrance to the Admiral Hotel from a point 100' east of the east property line of Gilmore Avenue to a point 150' east thereof.

Moved by Cr. Charlton, seconded by Cr. Morrison "That the report of the Engineer be adopted."  
Carried Unanimously.

The Brief submitted by the Automotive Retailers' Association requesting the Council to regulate the future zoning of service stations and garages within the Municipality tabled from the meeting of July 30th, was brought forward for further consideration.

Moved by Cr. Morrison, seconded by Cr. F.Philps "That the submission be lifted from the table."  
Carried Unanimously.

Moved by Cr. F.Philps, seconded by Cr. Charlton "That the submission be read clause by clause."  
Carried Unanimously.

The Clerk then proceeded to read the Brief clause by clause.  
Cr. Hean returned to the meeting.  
Moved by Cr. W.P.Philps, seconded by Cr. Hean "That the brief be received and filed and that the Association be advised the Council is not prepared to take any action on the matter."  
Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. Hean "That Monday, September 24th, at 7.15 p.m. be the date and time set for the Public Hearing into zoning applications."  
Carried Unanimously.

The Clerk submitted Certificates of Sufficiency covering petitions received for the paving of the following streets:  
(a) Forest Street from McDonald Avenue to Carleton Avenue.  
(b) 15th Avenue from 2nd St. to 4th St.  
(c) Keith St. from Gilley Avenue to Buller Avenue.  
(d) Carson St. from McGregor Ave. to Royal Oak Avenue.

Moved by Cr. Morrison, seconded by Cr. Hughes "That the certificates be received and referred to the Municipal Engineer for report as to costs."  
Carried Unanimously.

Councillor Hean addressed the Council publicly complimenting the members of the Fire Department on the manner in which they performed their duties during the recent fire which occurred at the Inter City Building, Kingsway.

Moved by Cr. Charlton, seconded by Cr. Hean "That "Burnaby Easement Authorization By-law No. 8, 1956" be 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. 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 rise and report the by-law complete without amendment."  
The Committee reconvened.  
Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Morrison "That "Burnaby Easement Authorization By-law No. 8, 1956" be now passed."  
Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. W.P. Philips "That "Burnaby Town Planning By-law 1948, Amendment By-law No.13, 1956" 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 Cr. Morrison, seconded by Cr. Hughes "That the by-law be read clause by clause."

Carried Unanimously.

The Clerk then proceeded to read the by-law clause by clause.

Cr. W.P. Philips withdrew from the meeting.

Moved by Cr. Hughes, seconded by Cr. Morrison "That the West 60' Lot 10, Blk.19 District Lot 29 be struck from the by-law."

Cr. W.P. Philips returned.

MOTION LOST - In favour - Cr. Hughes and Cr. Morrison.

- Against - Crs. W.P. Philips, Drummond, Charlton, Hean, F. Philips.

Moved by Cr. Morrison, seconded by Cr. W.P. Philips "That/lot B", Block 13, D, L, 68, clause covering rezoning of be approved."

Carried Unanimously.

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

Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. W.P. Philips "That, "Burnaby Town Planning By-law 1948, Amendment By-law No.13, 1956" be now passed." Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. W.P. Philips "That "Burnaby Road Dedication By-law No.1, 1956, Amendment By-law No.2, 1956" be now reconsidered."

Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. W.P. Philips "That "Burnaby Road Dedication By-law No.1, 1956, Amendment By-law No.2, 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. Hughes "That "Burnaby Town Planning By-law 1948, Amendment By-law No.12, 1956" be now reconsidered." Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. Hughes "That "Burnaby Town Planning By-law 1948, Amendment By-law No.12, 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. Charlton, seconded by Cr. Hean "That "Greater Vancouver Sewerage and Drainage District Easement Authorization By-law 1956" be now reconsidered."

Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Hean "That "Greater Vancouver Sewerage and Drainage District Easement Authorization 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. W.P. Philips "That "Burnaby Land Sale By-law No.10, 1956" be now reconsidered."

Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. W.P. Philips "That "Burnaby Land Sale 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. Charlton, seconded by Cr. Drummond "That "Burnaby Local Improvement Construction By-law No.4, 1956" be now reconsidered."

Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Drummond "That "Burnaby Local Improvement Construction By-law No.4, 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. W.P.Philps, seconded by Cr. Hean "That "Burnaby Cab and Commercial Vehicle By-law 1951, Amendment 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."

Carried Unanimously.

Moved by Cr. W.P.Philps, seconded by Cr.Morrison "That the by-law be read by short title only."

Carried Unanimously.

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

Carried Unanimously.

The Council re-convened.

Moved by Cr. W.P.Philps, seconded by Cr.Morrison "That "Burnaby Cab and Commercial Vehicle By-law 1951, Amendment By-law 1956" be now passed."

Carried Unanimously.

The meeting then adjourned.

Confirmed:

*William B. Brown*

Clerk.

*E. Has. MacKay*

Reeve.