

Tuesday, September 10, 1957.

An adjourned meeting of the Municipal Council was scheduled to be held on Tuesday, September 10th, 1957 in the Council Chambers, Municipal Hall, 4000 Grandview Highway at 7.30 p.m.

PRESENT: Reeve MacSorley in the Chair; Councillors W.P.Philps, Brown and Hean.

There was no quorum present and after the expiration of the thirty minute waiting period, as required under the Procedure By-law of the Municipality, the Reeve then adjourned the meeting.

MONDAY, SEPTEMBER 16, 1957.

A Special Meeting of the Municipal Council was held in the Committee Room, Municipal Hall, 4000 Grandview Highway, on Monday, September 16, 1957 at 9.40 a.m.

PRESENT: Reeve MacSorley in the Chair; Councillors W.P.Philps, Brown, Hean and F. Philps present.

1
MacCarthy Agencies Limited submitted an application to rezone Lot "A" Block 3, D.L. 68 to Residential Multiple Family use. Moved by Councillor Hean, seconded by Councillor Brown "That the application be tabled pending a report from the Town Planning Commission and the Planning Engineer."

Carried Unanimously.

Councillor Morrison arrived and took his place in the Meeting.

2
Archie F. Proctor Co. Ltd. submitted an application on behalf of the owner of Lot 2 Sketch 9604, Block "B" D.L.10, Map 6980 to rezone this property from Residential One Family to Heavy Industrial.

Moved by Councillor Hean, seconded by Councillor W.P.Philps "That this application take the same course as the previous one."

Carried Unanimously.

3
Superintendent of Lands submitted a copy of a letter addressed to Burnaby Lake Air Harbour Limited advising that because of the opposition expressed by the Municipal Council to the establishment of an Air Harbour on Burnaby Lake, the application of the Company has been dis-allowed by his Department as not being in the public interest.

Moved by Councillor F.Philps, seconded by Councillor Morrison "That the correspondence be received."

Carried Unanimously.

4
Secretary, Burnaby Southview Ratepayers and Citizens' Association submitted a further letter in connection with improvements to the ditches on Patterson, Royal Oak and Sussex Avenues, advising that the members of the Association felt the Corporation has been remiss in not taking steps to remedy the situation. The Secretary also made reference to the fatal accident which occurred on Patterson Avenue at Carson Street on August 30th, claiming that had the Corporation properly maintained the ditch and removed the weeds on Patterson Avenue, this accident would probably never have happened.

His Worship, the Reeve, reported verbally that he had viewed the area after which he had issued orders to the Engineering Department to remove the weed growth from the boulevard in question, and also that he had conveyed this information to the Ratepayers' group.

Graham B. Ladner, Coroner, submitted a communication advising of a recommendation of the Coroner's Jury called to inquire into the death of the person referred to in the letter of the Burnaby Southview Ratepayers and Citizens Association, that the proper authorities should keep all brush cut to a safe distance from the edge of main thoroughfares.

Moved by Councillor Hean, seconded by Councillor Morrison "That the Municipal Solicitor be instructed to prepare a By-law which will effectively require property owners to keep boulevards fronting their homes clear of weeds and other wild growth."

Carried Unanimously.

Moved by Councillor Hean, seconded by Councillor Morrison "That the letter from the Ratepayers' Association and the Coroner be received."

Carried Unanimously.

S. Minarvich wrote requesting that the Corporation pay the cost of constructing a lane from Triumph Street to the rear of his property at 122 Canberra Avenue. Mr. Minarvich advised that he was making this request because he would be required to pay the sum of sixty cents per foot due to the fact that the other property owners were not willing to pay their share.

Moved by Councillor Morrison, seconded by Councillor Brown "That a report be obtained from the Municipal Engineer as to the circumstances of this case."

Carried Unanimously.

Moved by Councillor F. Philips, seconded by Councillor Hean "That the Municipal Engineer submit a verbal report on this matter to Council at the meeting to be held this evening."

Carried Unanimously.

G. P. Welcher submitted the following proposal to provide trash dispenser units at certain locations in the Municipality:

(1) That in return for a relatively long-term franchise, he would be prepared to:

- (a) provide the units at no cost to the Corporation and as many as considered necessary by the Corporation;
- (b) maintain the units in good condition at all times and repaint same each year if considered necessary.
- (c) arrange for the emptying of the units at no cost to the Corporation.

Mr. Welcher added that these units would be financed by proceeds from advertisements which would appear on each unit.

Moved by Councillor Hean, seconded by Councillor Morrison "That this matter be referred to the Municipal Solicitor to advise as to whether the Council can give exclusive rights as requested."

Carried Unanimously.

Mr. R. O'Donnell and a number of others - resident on Imperial Street in the 1000 Block, submitted a petition advising that they had been led to believe that the subdivider of the land on which they reside had made arrangements to have the lane at the rear of their properties constructed, and since requesting the construction of this lane, no steps had been taken in this direction. The Petitioners requested that Council give consideration to constructing the lane in question. The Chief Administrative Officer reported verbally that circumstances at the time of subdivision were such that the usual requirements in connection with the provision of a lane allowance were circumvented, and that due to this situation he felt the Corporation owed an obligation to instal the lane.

Moved by Councillor Hean, seconded by Councillor Morrison "That the subject lane be constructed at the expense of the Corporation."

Carried Unanimously.

Moved by Councillor Hean, seconded by Councillor W.P. Philips "That in future any changes in subdivision policy be referred to the Municipal Council before any agreements respecting subdivision requirements are entered into."

Carried Unanimously.

El Luis Motel submitted an application to operate a trailer court at 3215 Grandview Highway.

Moved by Councillor Morrison, seconded by Councillor W.P. Philips "That this application be referred to the standing Auto Court Committee."

Carried Unanimously.

The Personnel Director submitted a report advising that the Property Manager was due his Annual Increment as at August 9th, 1957 from the old rate of \$505.00 to \$527.00.

Moved by Councillor Morrison, seconded by Councillor F. Philips "That the annual increment of the Property Manager be approved."

Carried Unanimously.

The Medical Health Officer submitted a request for permission to attend the B.C. Annual Medical Convention in Vancouver from September 24th to 27th inclusive.

Moved by Councillor W.P. Philips, seconded by Councillor Brown "That permission be granted as requested."

Carried Unanimously.

His Worship, the Reeve, submitted a report in connection with the Float entered by the Corporation in the 1957 PNE parade, advising that the Float had won Third Prize in the Commercial Division and that an award of \$50.00 had been received. The Reeve further advised that the Junior Chamber of Commerce had been instrumental in promoting the Miss Burnaby Contest, and as the lady participants in the Contest had brought considerable fame to the Municipality, recommended that the award of \$50.00 be granted to the South Burnaby Junior Chamber of Commerce to assist in the continuance of the Miss Burnaby Contest.

Moved by Councillor W.P. Philips, seconded by Councillor Hean "That the recommendation of the above be adopted."

Carried Unanimously.

1 Moved by Councillor Brown, seconded by Councillor Hean "That due to the excellent character and deportment of Miss Carol Lucas - Miss Burnaby for 1957 and Miss PNE for 1957, she be awarded a Medallion inscribed with appropriate wording."

Carried Unanimously.

REPORT OF COMMITTEE OF THE WHOLE

Your Committee met on Tuesday, September 3, 1957 and recommend:

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6
- (1) That plans of Directory Sign Rack as submitted by the Building Inspector be approved and that authority be given to erect 4 signs at estimated cost of \$287.50 each at the following locations:
Boundary Road and Douglas Road
Loughheed Highway and Bainbridge Ave.
Marine Drive and Greenall Street.
at Municipal Hall.
 - (2) That report of Chief Administrative Officer, Planning Engineer, Treasurer, and Municipal Engineer re North Central Valley Sewer Trunk be received and that Committee be empowered to request further information.
 - (3) That Lots 6 and 7, D.L. 7441^{1/2} required for diversion of Royal Oak Avenue be acquired at price of \$15,000.00.
 - (4) That Council re-affirm offer made to Timber Preservers Limited to install 8" water main from Higgins Road to Laminating Plant, subject to Company paving estimated cost of installing 6" main.
 - (5) That Wm. Mercer Co. Ltd. be engaged as consultants on a Commission basis for the implementation of Group Insurance for Civic employees.

Moved by Councillor Morrison, seconded by Councillor Hean "That Items 1, 2, 3 and 5, be adopted."

Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor W.P. Philips "That Item 4 be adopted."

Carried,
Councillor Hean against.

7
The Chief Administrative Officer submitted a report in connection with the manner in which gas main cross-overs have been left after the work has been completed, advising that he was in receipt of a communication from the Gas Distribution Department of the B.C. Electric Company Limited, describing the procedure followed in respect of gas main and gas service installation. In this connection the Chief Administrative Officer reported that the Company has advised that on receipt, in their office, of every completed work order from their Construction Supervisor, a ditch inspection form is made out in duplicate, with the original being kept for two weeks and then issued to a Supervisor for immediate inspection, who makes an inspection and notes the condition of the ditch as well as any other work required incidental to the repairing of the ditch line, and that if further inspection is needed, then appropriate notations in this regard are made on the form. The Chief Administrative Officer further advised that the Company has also issued an open work order to the Municipality for the purpose of making necessary repairs to the pavements as they are brought to our attention.

Moved by Councillor Hean, seconded by Councillor Brown "That the Municipal Engineer be instructed to maintain a check on all works undertaken by Utility Companies with a view to having them restore properties to their original condition at their own expense."

Carried Unanimously.

8
The Municipal Clerk submitted a report relative to "Burnaby Lease Authorization By-law No. 1, 1957" covering the leasing of Lots 6 to 11 inclusive, S.D. "A" and "D" Block 1, D.L. 207 from A.E. Wenaus and Sons Limited, advising that Council had recently authorized the extension of the lease for a six month period. The Municipal Clerk further advised that the original lease provided for a fee of \$35.00 per month or \$350.00 for a ten month period, and that the Lessors agreed initially that the extension would be granted on the same terms and conditions, but that advice had now been received from the Lessors that their fee for the six month extension period is \$350.00, and as the expense involved in removing the material presently stock-piled on the property would far exceed the additional cost of the lease, recommended that the additional fee be paid and the By-law amended accordingly.

Moved by Councillor Morrison, seconded by Councillor F. Philips "That the recommendation of the Municipal Clerk be adopted."

Carried Unanimously.

Cr. Brown withdrew from the meeting.

A Special Committee submitted a report in connection with the application of C. V. Armstrong for permission to develop a Trailer Park on Lot 5, Block 4, D.L.59/136/137 Plan 3050, known as 2810 Bainbridge Avenue.
 Moved by Councillor W.P.Philps, seconded by Councillor F.Philps "That this matter be laid over until the meeting to be held this evening, to allow the applicant the opportunity of addressing Council with respect to his application."
 Carried Unanimously.

Cr.Hughes arrived at the meeting.

The Municipal Treasurer submitted a report recommending that the Purchasing Agent, Mr. H.S.Jeboult, be granted permission to attend the Fall Conference of the Pacific North-West Public Buyers' Association at Tacoma, Washington, on October 4th, 1957.
 Moved by Councillor F. Philps, seconded by Councillor Hean "That the recommendation of the Treasurer be adopted."
 Carried Unanimously.

The Municipal Engineer submitted a report requesting that permission be given to Mr. L.Francis, Waterworks Superintendent, and Mr. S. Porter, Waterworks Clerk, to attend a short Waterworks School at the State College of Washington, Pullman, Washington, between September 16th and 18th, 1957.
 Moved by Councillor Hughes, seconded by Councillor F.Philps "That permission be granted as requested."
 Carried Unanimously.

The Municipal Engineer submitted a report advising that his temporary Engineering Assistant 11 - Mr. Owen Hughes, is leaving the service and as there is an increasing over-lay of Engineering Works and investigations to be done, recommended that a permanent Engineering Assistant 1 be employed to continue the works begun by Mr. Hughes, and to meet the increasing demands for survey work in the Board of Works Department. The Engineer further advised that Mr. W. Ellis, Civil Engineer 1, will be leaving early this November, and as Mr. Ellis has accumulated special knowledges relative to field investigations and reconnaissance which will take some time to communicate to his successor, recommended that authority be granted to hire a graduate from an accredited University in Applied Science immediately, to assume the position presently held by Mr. Ellis, and that since it is essential that anyone occupying this position have full freedom to order certain works and instrument aid from Engineering Assistants, requested that this position be classified under the heading "Supervisory Personnel".

Moved by Councillor Hughes, seconded by Councillor Hean "That the recommendations of the Municipal Engineer be adopted."
 Carried Unanimously.

Councillor Brown returned to the meeting.

Property Manager submitted a report in connection with the construction of the road to the Burnaby Centennial Project and the resultant encroachment over a portion of privately-owned lot - legally described as Lot 10, Block 24, D.L.208, advising that he had contacted the owners with a view to either purchasing the portion required for road or exchanging this portion for other property owned by the Municipality in this area, and that he had received a proposal from the owners suggesting that the portion affected be exchanged for the remaining portions of Lots 12 and 14, which lie to the north-west of the road line established by the Centennial Project road. The Property Manager further advised that the property requested by the owners contains a much greater area than the portion of Lot 10 required, but because of the possibility of either having to expropriate the land in order to maintain the road in its present location, or re-locating the road and becoming involved in a legal action for trespass, recommended the exchange as proposed by the owners be effected.

Moved by Councillor Hughes, seconded by Councillor Morrison "That the report of the Property Manager be laid over until the meeting this evening, to allow the Municipal Solicitor the opportunity of submitting his opinion with respect to the entire matter."
 Carried Unanimously.

The Property Manager submitted a report relative to the proposed widening of Sussex Avenue, south of Bond Street, advising that he had contacted the owners concerned in regard to the acquisition of the necessary land for the widening operation and that they had submitted the following proposal:

"We the undersigned agree to give to the Corporation of the District of Burnaby the land necessary for the widening of Sussex Avenue, south of Bond Street, crossing the frontage of the property which we own, subject to the following conditions:

- (1) That the existing house be moved back from Sussex Avenue to the minimum set-back line established by the applicable Building By-law, and further that the house in question be re-located approximately 20 feet further south of its present location.
- (2) That the house be placed on a concrete foundation of adequate height to provide a minimum of 8 feet basement head room.

(Property Manager re Sussex Avenue widening.....continued)

- (3) That the concrete foundation around the perimeter of the house underneath the projecting portion of the building on the north side in order to make a continuous wall under the said projected portion; and further, that the foundations on the south side of the building be carried under the outside wall of the projecting portion of the house and continued straight through to the front foundation wall, with joists and understructures of the existing building brought into conformity with existing Building By-laws.
- (4) That the front steps be replaced with concrete steps 6 feet wide, with the said steps having a six inch rise and also provision for a cooler under the steps and an entrance from the basement portion of the house.
- (5) That the existing basement door and stair-well at the rear of the building be re-located to a position four feet south of the present door so that they will be under the back porch.
- (6) That the finish on the lower portion of the house be re-done with matching stucco siding and also that provision be made for adequate window area, namely, two windows on the front of the basement and two on either side.
- (7) That the spare room in the basement be finished to a condition equal to the present finish and that a single pipe be installed from the furnace to heat this basement room.
- (8) That the existing heating plant be replaced with a natural gas furnace, together with adequate ducts and registers and the chimney completed.
- (9) That the plumbing be altered and a new septic tank installed to comply with the Burnaby Septic Tank and Plumbing By-laws, and that a shower and toilet be installed in the basement.
- (10) That the existing concrete walks located at the front and south side of the house be replaced by similar sized walks across the front and along the north side of the house to terminate at the rear of the house at the bottom of the rear stairway.
- (11) That the Municipality construct Sussex Avenue to its full width at no cost to the owners of the property involved.
- (12) That all necessary changes to electrical and gas connections be made by the Municipality.
- (13) That the Municipality be responsible for the moving and re-location of any fruit trees made necessary by the moving of the building.
- (14) That the old foundation be removed and the basement filled and graded to conform with the contour of the lot and also that the lawn be replanted.
- (15) That the Municipality repair any damage which occurs to the exterior stucco finish as a result of the moving of this building, and also, in general completely finish the exterior of the new lower portion to the satisfaction of the parties involved.
- (16) That all the above work be completed within three months' from the time commenced.

Moved by Councillor F. Philips, seconded by Councillor Morrison "That this matter be referred to the Chief Administrative Officer for a report as to the comparison of costs in acquiring this land, between the offer as submitted by the owners and the expropriation of the land by the Corporation, to determine the most economical method by which to proceed."

Carried Unanimously.

Councillor Hughes withdrew from the meeting.

REPORT OF STAFF LAND SALE COMMITTEE.

Your Committee met on September 4, 1957 to consider the application of N. Kalyk and G. Reilly to purchase all Corporation property bounded by Malvern Avenue, Burris Street, Grandview Highway and Imperial Street, for the purpose of a restricted residential development. The Committee advised that this area has been the subject of several applications since 1953, by Greenall Bros. Ltd., Royal Oak Realty, C.B.K. Van Norman and B. Bjornson Sons Ltd., all applicants being denied the opportunity to purchase this ground at different times. The reason given for withholding this land from sale was replotting and lack of adequate sewerage control by septic tank methods. For these reasons, your Committee would recommend that this application be not entertained and would further recommend that your Committee be authorized to explore whether the sanitary, sewerage and replotting aspects are such that portions of this area could be developed separately and sold directly to the public and further that your Committee submit a report as to the most desirable method of sale.

Moved by Councillor Morrison, seconded by Councillor Brown "That the recommendation of the Committee be adopted."

Cr. Hughes returned to the meeting.

Carried Unanimously.

Moved by Councillor F.Philps, seconded by Councillor Hean "That the Chief Administrative Officer be requested to bring down a preliminary plan of development showing road and other utility designs for the area in question, and that the services of the Planning Department be utilized in this connection, but that if this Department is unable to produce such a plan within a reasonable time, then the services of an outside Consulting Firm may be engaged."

Carried Unanimously. 1

Moved by Councillor F.Philps, seconded by Councillor Hean "That a preliminary report relative to the above plan be obtained in two weeks' time."

Carried,
Cr. Hughes against.

The Municipal Engineer submitted a report relative to the supply of Gravel to Noel Construction Company from the North Road gravel pit, advising that this arrangement had been tentatively agreed to during the time of Municipal Engineer D.A.Whalen, and that his Department was merely fulfilling this prior commitment, and that the price set for the removal of gravel was fifteen cents per ton. The Engineer further advised that the Company is still securing gravel from this pit, and as they are nearing completion of their subdivision, recommended that the existing arrangement remain in effect until their requirements are met and that henceforth the policy of Council regarding use of gravel from Corporation pits be fully complied with. 2

Moved by Councillor Hean, seconded by Councillor F.Philps "That the recommendation of the Municipal Engineer be adopted, and the commitments as set forth in the report be completed."

Carried Unanimously.

Councillor Hughes left the meeting.

Moved by Councillor W.P.Philps, seconded by Councillor Hean "That Edward A. J. Ward be and is hereby appointed Returning Officer for the purpose of taking votes of the owner-electors on "Burnaby District Improvement By-law No.2, 1957" between the hours of 8.00 a.m. and 8.00 p.m. on Saturday, September 28th, 1957."

Carried Unanimously.

Moved by Councillor W. P.Philps, seconded by Councillor Morrison "That Polling Places be opened on Saturday, September 28th, 1957 between the hours of 8.00 a.m. and 8.00 p.m. at Hirtle's Motel, 4191 Lougheed Highway, Burnaby, for the purpose of receiving votes of the owner-electors on "Burnaby District Improvement By-law No.2, 1957".

Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hean "That leave be given to introduce "Burnaby Lease Authorization By-law No.1, 1957, Amendment By-law 1957" and that it be now read a First Time."

Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hean "That the by-law be now read a second time."

Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Brown "That the Council go into Committee of the Whole with the Reeve in the Chair to consider and report on the By-law."

Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hean "That the Committee rise and report the By-law complete."

Carried Unanimously.

The Council re-convened.

Moved by Councillor Morrison, seconded by Councillor Hean "That the Committee's report be adopted."

Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hean "That the By-law be now read a Third Time."

Carried Unanimously.

Councillor Hughes returned to the meeting.

Moved by Councillor F.Philps, seconded by Councillor Morrison "That "Burnaby Local Improvement Construction By-law No.3, 1957" be now reconsidered."

Carried Unanimously.

Moved by Councillor F. Philps, seconded by Councillor Hean "That "Burnaby Local Improvement Construction By-law No.3, 1957" 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 Councillor W.P.Philps, seconded by Councillor Hughes "That "Burnaby Liquor License Taxation By-law 1957" be now reconsidered." Carried Unanimously.

Moved by Councillor W.P.Philps, seconded by Councillor F.Philps "That "Burnaby Liquor License Taxation By-law 1957" 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 Councillor Morrison, seconded by Councillor Hean "That/"Burnaby Town Planning By-law 1948, Amendment By-law No.8,1957" and that it be now read a First Time." Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hean "That the By-law be now read a Second Time." Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hughes "That the Council go into Committee of the Whole with the Reeve in the Chair to consider and report on the By-law." Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hean "That the By-law be read clause by clause." Carried Unanimously.

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

(1) Lot 3, Block 89, D.L.127.

Moved by Councillor Morrison, seconded by Councillor Hean "That Clause 1 -covering rezoning of Lot 3, Block 89, D.L.127 to Residential Multiple Family Type 1, be approved." Carried Unanimously.

(2) All that area bounded on the north by the lane north of Arcola Street; on the east by Griffiths Avenue; on the south by the lane south of Arcola Street and on the west by Sperling Avenue.

Moved by Councillor Morrison, seconded by Councillor Hean "That Clause 2 rezoning this property to Residential Multiple Family Type 1 be approved." Carried, Cr.Hughes against.

(3) Lot 2 B, except Plan 13194, Blk.1, D.L.77, Plan 4108.

The Planning Engineer submitted a report in connection with the application to rezone this property and in particular his reasoning in a previous report as to set-back requirements advising that the original proposal of the applicant showed a set-back of 96 feet from the centre line of the Highway to the nearest corner of the transformer framework proposed to be established on this property, and as the site has a frontage of over 750 feet on the Highway, and as it was the corner only which projected to within 95 feet of the Highway centre line, his Department did not consider this "encroachment" into the set-back area, harmful to the amenity of the Highway. The Planning Engineer further advised that it was felt there was practically no possibility that a wider Highway allowance would be required because of the geometry and traffic needs at this particular allowance, but because of Council's directive, the Company was contacted to determine whether they would be receptive to observing a further set-back, and as a consequence, the Company has now advised that they would be prepared to re-locate elements of the proposed development to accommodate a set-back of 110 feet from the centre line of the Highway. The Planning Engineer recommended that his previous suggestion with respect to the provision of 95 feet be modified to provide for a set-back of 110 feet because of the expressed approval by the Company as set out above.

Moved by Councillor Hughes, seconded by Councillor F.Philps "That Clause 3 together with the recommendation of the Planning Engineer be adopted." Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hean "That the Committee rise and report the By-law complete." Carried Unanimously.

The Council re-convened.

Moved by Councillor Morrison, seconded by Councillor F.Philps "That the Committee's report be adopted." Carried Unanimously.

Moved by Councillor Morrison, seconded by Councillor Hean "That the By-law be now read a Third Time." Carried Unanimously.

The Town Planning Commission submitted a report concerning the forthcoming National Planning Conference of the Community Planning Association of Canada, to be held in Hotel Vancouver, from September 29th to October 2nd inclusive, advising that the members of the Commission felt the Corporation and the Commission should assume a share of the costs in hosting this conference and in this respect felt a Public Relations

(Town Planning Commission re Community Planning Assoc. of Canada....)

firm might be hired to prepare a display showing off the Municipality as a whole, and in particular demonstrating the many potentials of this Municipality for industrial development, and in furtherance of this objective, requested an appropriation of \$1,500.00 to put on such a display and also that authority be granted to the Town Planning Commission to undertake this display at the Conference.

Moved by Councillor Hughes, seconded by Councillor Hean "That a sum not to exceed \$300.00 be allocated to the Town Planning Commission for the purposes of entering a suitable display at the National Planning Conference of the Community Planning Association of Canada."

Carried Unanimously.

Councillor F. Philips addressed Council with respect to a Convention of the Real Estate Boards in the Lower Mainland Region, suggesting that as the Convention will be attracting industrialists and developers from all parts of Canada and the United States, a display depicting Burnaby's industrial potentialities would result in considerable benefit accruing to the Municipality.

Moved by Councillor Hughes, seconded by Councillor Hean "That an appropriation of not more than \$200.00 be made available to Councillor F. Philips for a publicity exhibit at the Real Estate Board Convention."

Carried Unanimously.

The Municipal Solicitor submitted a report advising that he had received a reply from Mr. A.G. Duncan Crux, President, Commonwealth Investors' Syndicate Limited, in regard to our offer to sell them Blocks 14N $\frac{1}{2}$, 15, 16, D.L.95 North, wherein Mr. Crux states that it would be necessary to utilize the auto court property in conjunction with the land under application, in order to insure a proper development, and that unless the entire block can be utilized in this fashion, his Company would have no alternative but to abandon the municipal lands and concentrate on enlarging the earning capacities of the auto court premises, which if carried to the extreme, would probably preclude any possible future amalgamation of the two properties in question. The Municipal Solicitor further reported that the Company is of the opinion that \$190,000.00 would be a fair price for the property without any additional services, which figure takes into account the fact that the Company would be purchasing the auto court property as a going concern, in return for which the Company would be willing to convey the easterly thirty-three feet of the South half of Block 14 to the Municipality provided the Municipality constructed the various items set out in a letter of September 11th under #'s 1 to 4 inclusive, but that because of the difficulties which confront Municipalities in respect of financing construction works, they would be willing to assume half the cost of the projects mentioned on a Local Improvement basis.

Moved by Councillor Morrison, seconded by Councillor Hughes "That the Council reaffirm the former stand taken in respect of the disposition of this property, namely, that it be not sold for not less than \$200,000.00 plus the cost of services."

Carried,
Councillor Hean against.

The Municipal Solicitor submitted a report in connection with an action brought by Harold T. Olsen against the Corporation and William F. Sunderland, advising that the Medical Health Officer had exceeded his authority in ordering Mr. Olsen to reduce his stock of poultry in order to abate the fly nuisance and that because of this circumstance, Mr. Guild who was retained by the Municipality and by Dr. Sunderland's insurers, and himself had decided to settle the case out of court, as it was deemed inevitable that the above situation with respect to the status of the Medical Health Officer, would have been disclosed and the action lost in consequence. The Solicitor further advised that by the terms of settlement, the plaintiff will receive \$1,050.00 including costs, of which Dr. Sunderland's insurers are prepared to pay \$850.00 with the balance of \$200.00 falling to the Corporation. The Solicitor further advised that the action was dismissed in the Supreme Court on September 12, 1957 on the aforesaid basis, and suggested that Council approve of the settlement and authorize payment of the amount of \$200.00. Moved by Councillor W.P. Philips, seconded by Councillor Hean "That the payment of \$200.00 be approved."

Carried Unanimously.

The meeting then adjourned.

Confirmed:

L. G. Miller, R. L. Brown

CLERK

Chas. MacFarley

REEVE