

FEBRUARY 17, 1958

An Adjourned Meeting of the Municipal Council was held in the Committee Room, Municipal Hall, 4000 Grandview - Douglas Highway on Monday, February 17, 1958 at 7.30 p.m.

PRESENT: Reeve Emmott in the Chair; Councillors Philps, Brown, Cafferky, Wilson, McLean, Jamieson, Mather and Seifner.

Hean, Wylie, Hyde, Marshall and Dixon submitted an application on behalf of the owner to rezone Lot 12, SD "A", Block 47, D.L.'s 151/3 (4318 Maywood Street) from Residential Two Family to Multiple Family.

Moved by Councillor Jamieson, seconded by Councillor Cafferky "That this application be tabled pending receipt of reports from each of the Municipal Engineer and Director of Planning on the sewer situation in the West Burnaby area."  
Carried Unanimously.

Secretary, Fraser Valley Municipal Association, submitted a letter advising that the date of their Annual Meeting has been changed from Monday, February 24th, to Wednesday, March 12th, in the Assembly Hall, New Westminster, B. C.  
Moved by Councillor Cafferky, seconded by Councillor Brown "That the correspondence be received."

Carried Unanimously.

Central Burnaby Ratepayers' and Citizens' Association wrote advising that the date of the Inter-High School debates, has been changed to February 20th.  
Moved by Councillor McLean, seconded by Councillor Cafferky "That the correspondence be received."

Carried Unanimously.

Two Tenders were received for the purchase of property known as 4143 Southwood Street, subject to the demolition of the structures erected thereon.

Moved by Councillor Philps, seconded by Councillor Cafferky "That the tenders be opened."

Carried Unanimously.

The Tenders were then opened revealing the following:

No.1 - \$3,623.00  
No.2 - \$3,856.00

Moved by Councillor Philps, seconded by Councillor Jamieson "That the highest tender be accepted."

Carried Unanimously.

Public Relations Director submitted a report, recommending that the Municipality insert an advertisement in a special edition of the Financial Post on March 22nd of this year at a cost of \$392.00.

Moved by Councillor Brown, seconded by Councillor McLean "That the recommendation of the Public Relations Officer be adopted."

Carried Unanimously.

The Chief Building Inspector submitted a report in connection with an application for a Building Permit to construct a gasoline service station on Parcel "A" (Explanatory Plan 14745) of Lot 13, Blocks 9 and 10 - DL 80N $\frac{1}{2}$  requesting direction as regards the issuance of this Building Permit since it has been brought to his attention that the Council has, at the present time, an application before it to rezone the subject property.

The Director of Planning also submitted a report in connection with this matter advising that all the factors with the exception of two which governed his recommendation when an application to rezone the subject property from Residential Two Family to Gasoline Service Station came before Council still applied. The Director of Planning reported that the two objections which his Department initially had and which have since been eliminated were:

(1) The northerly 16.5 feet of the original site has been dedicated for the widening of Sunset Street.

(2) Douglas Road School now serves exclusively as an elementary school.

The Planning Director advised Council that he re-affirms his previous opinion that the property should not be utilized for commercial or gasoline service station purposes. Mr. Bonnell of the B.A.Oil Company appeared and requested an audience with Council on this application.

Mr. Bonnell advised Council of the past history in connection with the zoning of this property stating that the Company had delayed improving the property until a case before the Supreme Court to quash the By-law zoning the property to gasoline service station had been decided, and that since the decision upheld the By-law, the Company has now made arrangements to improve the site in preparation for the establishment of a gasoline service station thereon. Mr. Bonnell further stated that the Company was also delayed in proceeding with its development of the site, due to the necessity of obtaining approval from the Provincial Highways Department on the matter of access to the Highway and because of the need for extensive drainage improvements to the property. Mr. Bonnell concluded by contending that the Company had acted in good faith in regard to their intentions as to development of the property and requested that the current application to rezone the lot from its present status to Residential Two Family be denied and the Building Permit granted.

Moved by Councillor Jamieson, seconded by Councillor Wilson "That the Chief Building Inspector be instructed to withhold issuance of the Building Permit for a period of thirty days."

Carried,  
Councillor Philps against.

Moved by Councillor Cafferky, seconded by Councillor McLean "That leave be given to introduce "Burnaby Town Planning By-law 1948, Amendment By-law No.3, 1958" and that the By-law be now read a First time."

Carried Unanimously.

Moved by Councillor Cafferky, seconded by Councillor McLean "That a Public Hearing be held on Monday, March 3rd, 1958 at 7.00 p.m. on the application to rezone the above mentioned property covered by Amendment No.3, 1958 to the Town Planning By-law."

Carried Unanimously.

Special Committee submitted a report in connection with a request of the North Burnaby Board of Trade that the Corporation compel the present owner of the old Regent Theatre property to remove the north twenty feet of the building, advising that they had given further consideration to the matter and viewed the plans submitted by the owner, covering conversion of the premises for store premises. The Committee reported that it was their opinion altering the building in the manner contemplated by the owner at this time would not add to the cost of acquiring the necessary twenty feet and, in any event, the Corporation has not the funds available at the present time to proceed with the purchase of all land required for the widening of Hastings Street, and further no commitment has been received from the Department of Highways indicating their intention to proceed with the physical widening of the pavement. The Committee recommended that no action be taken on the request of the Board of Trade at this time.

Moved by Councillor Cafferky, seconded by Councillor Wilson "That the recommendation of the Special Committee be adopted."

Carried Unanimously.

The Municipal Engineer submitted a formal cost report pursuant to Section 415 of the Municipal Act, with respect to the paving of the following streets:

1. Arbroath Street - Gilley Avenue to Conway Avenue.
2. Aubrey Street - Phillips Avenue to EPL of Lot "H" DL 138
3. Ashworth Street - Imperial Street to Burford Street.
4. Booth Avenue - lane north of Grafton to Bond.
5. Buxton Street - Sussex Avenue to Nelson Avenue.
6. Balmoral Street - Sperling Avenue to Griffith Avenue.
7. Bessborough Drive - Holdom Avenue to Ellesmere Avenue.

(Engineer re paving of streets....continued)

- 8. Burke Street - Sussex Avenue to 114' east of Elsom Avenue.
- \*\* 9. Buller Avenue - Gilley Avenue to lane south of Keith Street.
- 10. Brantford Avenue - Imperial Street to Stanley Street.
- 11. Brantford Avenue - Stanley Street to Strawson Street.
- 12. Burford Street - Griffiths Avenue to Walker Avenue.
- 13. Cardiff Street - Boundary Road to west property line Lot "J" Block 27/28  
DL 35.
- 14. Carson Street - McGregor Avenue west to Ravine.
- \*\* 15. Carson St. Bradley Avenue to Sussex Avenue.
- 16. Chesham Avenue - Price Street to Gilpin Street.
- 17. Charlotte Court - Booth Avenue to east end of cul-de-sac.
- 18. Curragh Avenue - Kingsway to B.C.E.
- 19. Dawson Street - Kensington Avenue to 686' west of Woolwich.
- 20. Dominion Street - Smith Avenue to Ingleton Avenue.
- 21. Dominion Street - Boundary Road to Smith Avenue.
- 22. Dubois Street - Boundary Road to Mandy Avenue.
- \*\* 23. 18th Avenue - 4th St. to 2nd Street.
- 24. Elwell Street - Sperling Avenue to Griffiths.
- 25. Edson Avenue - McKee Street to Portland Street.
- 26. 11th Avenue - Cumberland Street to Coquitlam Street.
- 27. 15th Avenue - 6th St. to 4th St.
- 28. 15th Avenue - 1st St. to 2nd St.
- 29. 15th Avenue - Kingsway to Humphries to 16th.
- 30. 14th Avenue - Newcombe Street to Cumberland Street.
- 31. Francis Street - Madison Avenue to Rosser Avenue.
- 32. Gordon Avenue - Imperial Street to Mayfield St. to Formby - cul de sac.
- 33. Georgia St. - Beta Avenue to Gamma Avenue.
- 34. Gilpin Court - Gilpin Street South to approx. 300'.
- 35. Glynde Avenue - Cambridge to Harborview to end.
- 36. Hawthorne Avenue - Beresford St. to BCER.
- 37. Hardwick Street - Royal Oak to Douglas Road.
- 38. Hazelmere Street - Grandview-Douglas Highway N.E. 520'.
- 39. Hurst St. - Boundary Road to Joffre Avenue.
- 40. Holdom Avenue - Bessborough Drive to Dundas St.
- 41. Irmin Street - Nelson Avenue to 1060' east.
- 42. Kalyk Avenue - Avondale Street north 386'
- 43. Lorraine Avenue - Burke St. to cul de sac north of Brandon Ave.
- 44. Le Street - 10th Avenue to Holmes Street.
- 45. Manor Street - Royal Oak Avenue to Douglas Road.
- 46. Malvern Avenue - Burris Avenue to Stanley Street.
- \*\* 47. Marlborough Avenue - Victory Street to BCER.
- 48. McDonald Avenue - Kitchener Street to Williams St.
- 49. McKee Street - Buller Avenue west 330'
- 50. Neville St. Buller Avenue to Curragh Avenue.
- 51. Newcombe Street - 12th Avenue to 16th Avenue.
- 52. Norfolk Street - Royal Oak to Douglas Road.
- 53. 19th Avenue - 1st Street to Newcombe Street.
- 54. Parker Street - McDonald Avenue to Gilmore Avenue.
- 55. Portland St - McGregor Avenue to Royal Oak Avenue.
- 56. Rayside Street - Douglas Road to BCER
- 57. Strawson Street - Brantford Avenue to Walker Avenue.
- 58. Springer Avenue - Cambridge St. to Harbourview.
- 59. Springer Avenue - Dundas to Cambridge.
- 60. Springer Avenue - Pandora Street to Dundas Street.
- 61. Sardis Street - Willingdon Avenue to Elsom Avenue.
- 62. Sutcliffe St. - Duthie Avenue to Augusta Avenue.
- 63. Thurston Street - Boundary Road to Smith Avenue.
- 64. 13th Avenue - 2nd St. to 6th Street.
- 65. 10th Avenue - Coquitlam Street to Langley Street.
- 66. 12th Avenue - Mary Avenue to Grandview Highway.
- 67. Venables Street - McDonald Avenue to Gilmore Avenue.
- 68. Waltham Avenue - Imperial St. to Berwick Street.
- 69. Winch Street - Kensington Avenue to Sperling.
- 70. Winnifred Street - Bradley Avenue to Sussex Avenue.

\*\* Streets to be initiated by Municipality at request of property owners who cannot obtain sufficiency arising from School Board property abutting on these streets.

Moved by Councillor Mather, seconded by Councillor McLean "That the cost reports be received and the necessary Local Improvement Construction By-law brought down".  
Carried Unanimously.

The Chief Administrative Officer submitted a report in connection with "Burnaby Land Sale By-law No.1,1958" covering the sale of certain lands in DL 157 to John Schmidt & Sons Limited, advising that this application had been in the process for the past two and one half years during which time a number of preliminary but nevertheless essential investigations were conducted, and negotiations undertaken to ensure that the eventual subdivision and development of the subject property was performed in accordance with the plans of the Municipality for this area.  
The Chief Administrative Officer further reported that at no time during these nego-

(Chief Administrative Officer....re "Burnaby Land Sale By-law No.1,1958".....continued)

tiations was the matter of sewer installation broached to the Purchaser but pointed out that since Council is proposing to submit a By-law to the electorate for the provision of sewers in a portion of the Southern Slope area which includes the subject property, the problem of sewer service to the property in question which Council is concerned with will in all likelihood be resolved to the satisfaction of the Municipality.

Moved by Councillor Philps, seconded by Councillor McLean "That the report of the Chief Administrative Officer be received."

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor W.P.Philps "That "Burnaby Land Sale By-law No.1,1958" be now reconsidered."

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor Philps "That "Burnaby Land Sale By-law No.1,1958" 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 Brown, seconded by Councillor Cafferky "That "Burnaby Town Planning By-law 1948, Amendment By-law No.2,1958" be now read a second time."

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor W.P.Philps "That the Council go into Committee of the Whole with the Reeve in the Chair to consider the By-law."

Carried Unanimously.

The Municipal Solicitor submitted a report in regard to the proposed rezoning of the property covered by the above By-law, subject to the imposition of certain conditions, advising that Council has no power to rezone property on condition that certain things be carried out, and that therefore any agreement which Council may enter into with Mr. Shore, the present owner, would be invalid and unenforceable. The Solicitor pointed out that Council, in considering amendments to the zoning By-law must have due regard to the factors set out in Section 699 (2) of the Municipal Act, and that since there appears to be a drainage disposal problem on the subject property, it seems doubtful that Council has had due regard to the promotion of health, safety, convenience and welfare of the public.

Moved by Councillor Brown, seconded by Councillor Cafferky "That the Committee do now rise and report progress."

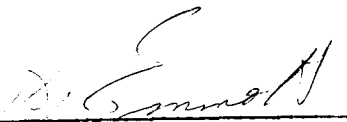
Carried Unanimously.

Moved by Councillor Jamieson, seconded by Councillor Cafferky "That the matter of rezoning the subject property be referred to the Chief Building Inspector and Chief Sanitary Inspector for a complete report on all aspects of building in the area in which the applicant's property lies, and that they take into account the opinion of the Solicitor with respect to conditional rezoning."

Carried Unanimously.

The meeting then adjourned.

CONFIRMED:

  
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REEVE

  
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CLERK