

APRIL 8, 1958

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4000 Grandview-Douglas Highway, on Tuesday, April 8, 1958 at 7.30 p.m.

Present: REEVE EMMOTT, in the Chair; Councillors Philps, Brown, Cafferky, Wilson, Jamieson, and Seifner.

Rev. N.D.McInnes led in Opening Prayer.

Moved by Councillor Brown, seconded by Councillor Cafferky "That Leave of Absence be granted Councillors Mather and McLean from this meeting."

Carried Unanimously.

Moved by Councillor Cafferky, seconded by Councillor Brown "That the minutes of the previous meetings be adopted as written and confirmed."

Carried Unanimously.

A Public Hearing was held into the passage of "Burnaby Highway Exchange By-law No.2, 1958". There were no representations for or against passage of this By-law.

Moved by Councillor Brown, seconded by Councillor Wilson "That leave be given to introduce "Burnaby Highway Exchange By-law No.2, 1958" and that the By-law be now read a First time."

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor Wilson "That the By-law be now read a Second Time."

Carried Unanimously.

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

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor Wilson "That the Committee do now rise and report the By-law complete without amendment."

Carried Unanimously.

The Council reconvened.

Moved by Councillor Brown, seconded by Councillor Wilson "That the report of the Committee of the Whole be adopted."

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor Wilson "That "Burnaby Highway Exchange By-law No.2, 1958" be now read a Third time."

Carried Unanimously.

Burnaby Ratepayers' Council wrote requesting an opportunity for a spokesman of their Association to present a Brief to the Council on various aspects of Municipal taxation.

The delegation appears.

Moved by Councillor Philps, seconded by Councillor Wilson "That the spokesman be heard."

Carried Unanimously.

Mr. Gordon formally presented the Ratepayers' Council Brief to the Council and requested consideration of the various recommendations contained therein.

Moved by Councillor Cafferky, seconded by Councillor Jamieson "That the Committee of the Ratepayers' Council be invited to meet the Council in Committee of the Whole next Monday evening."

Carried Unanimously.

H. F. Henner Realty Co. Limited submitted an application on behalf of J.F.Dix for rezoning of Lot 2, Block 2, DL 175 N $\frac{1}{2}$ of SW $\frac{1}{4}$ from Residential to Commercial.

Moved by Councillor Cafferky, seconded by Councillor Wilson "That the application be received and referred to the Municipal Manager for report."

Carried Unanimously.

The B.C.Telephone Company submitted a copy of an application by their Company to the Board of Transport Commissioners for an increase in Message Toll Service and Exchange Service charges. The Notice of Sitting issued by the Board of Transport Commissioners was read giving notification that the Board would hold Hearings in Room 305, Vancouver Public Library, 750 Burrard Street, Vancouver, on May 20th, 1958 at 10.00 a.m. to hear the application of the B.C.Telephone Company for approval of revisions of certain Message Toll and Exchange Service charges.

Moved by Councillor Cafferky, seconded by Councillor Jamieson "That the correspondence be received and referred to His Worship, Reeve Emmott for investigation in conjunction with the Municipal Solicitor, and if deemed necessary, a vigorous protest be made against the application on behalf of the Municipality."

Carried Unanimously.

George and Gladys Flick wrote complaining of the lack of action taken by the Planning Department on an application made for subdivision of Lot 4, Block 26, DL 98, Plan 10137.

Moved by Councillor Brown, seconded by Councillor Philps "That the letter be received and referred to the Reeve for prompt attention."

Carried Unanimously. 1

Canadian National Institute for the Blind submitted an application for a grant in aid of their operations in this area.

Moved by Councillor Philps, seconded by Councillor Jamieson "That the letter be received and referred to the Committee on Estimates for consideration."

Carried Unanimously. 2

L. Blanche Johnson and others submitted an application for pavement of Chaffey Avenue from Grange Street North to meet the existing blacktopped portion of Chaffey Avenue.

Moved by Councillor Brown, seconded by Councillor Jamieson "That the petition be received and the Engineer, through the Municipal Manager, be asked to consider the pavement of said portion of road during the current season."

Amendment:

Moved by Councillor Cafferky, seconded by Councillor Jamieson "That the Engineer be asked to report back to the Council on costs involved and further consideration be given to the inclusion of this work in the 1958 programme, at that time."

Carried Unanimously. 3

North Fraser Harbour Commissioners submitted a Resolution for the approval of the Council effecting an amendment to subsection (1) of By-law 46 of the Commissioners.

Moved by Councillor Cafferky, seconded by Councillor Wilson "That the correspondence be filed and the Commissioners advised no objection is registered by this Council to the proposed amendment."

Carried Unanimously.

N.L. Dybrig wrote protesting a drainage condition affecting his property since the installation of an underground cable system by the B.C. Telephone Company in the 5300 Block Parker Street.

Moved by Councillor Jamieson, seconded by Councillor Philps "That the complaint be received and referred to the Municipal Manager for report from the Municipal Engineer."

Carried Unanimously. 4

Burnaby Sub-Committee, B.C. Drama Finals, of the Burnaby Centennial Committee wrote requesting confirmation from the Council of its previous commitment to host a Civic Luncheon on Friday, May 30th, for the cast of the B.C. Drama Festival Finals.

Moved by Councillor Cafferky, seconded by Councillor Philps "That the letter be received and referred to the Reeve and Municipal Manager to discuss with the Centennial Committee and take appropriate action accordingly."

Carried Unanimously. 5

The Planning Director submitted a report on a plan of the Burrard Brokerage Company for rezoning Lot 4 and 5, Block 2, DL 205, recommending the rezoning of the north 115' of Lot 5 and the whole of Lot 4 to Residential, with the balance of Lot 5 being designated Local Commercial. The Planning Director further suggested the time of Public Hearing be carried to allow inclusion with other items on which his Department would be reporting to the Municipal Manager at an early date.

Moved by Councillor Brown, seconded by Councillor Wilson "That the recommendations of the Personnel Director be adopted."

Carried Unanimously. 6

The Chief Building Inspector submitted a report on an application of E E Baird for permission to occupy a building situated on Lot 4, 54, DL 129 (6491 Charles Street) which building was in an unfinished state and for which no Certificate of Occupancy had been permitted. The Building Inspector suggested that in view of the extenuating personal circumstances of the applicant that permission to occupy the building pursuant to Section 28(2) of the Building By-law be granted, provided the exterior is completed in accordance with plans by the end of October, 1958, and that final Certificate of Occupancy be withheld until such time as the building is completed.

Moved by Councillor Philps, seconded by Councillor Wilson "That the report of the Chief Building Inspector be received and permission be granted as suggested."

Carried Unanimously. 7

The Chief Building Inspector submitted a report on the operations of his Department for the period, February 24th to March 21st, 1958.

Moved by Councillor Brown, seconded by Councillor Wilson "That the report be received."

Carried Unanimously. 8

The Fire Chief submitted a report on the activities of his Department for the month of March, 1958.

Moved by Councillor Wilson, seconded by Councillor Philps "That the report be received."

Carried Unanimously.

The Parks Board submitted report of Parks Expenditures for the two week period ended 7th of March 1958; two week period ended March 21st, 1958;

Moved by Councillor Cafferky, seconded by Councillor Philps "That the reports be approved."

Carried Unanimously.

The Municipal Assessor submitted a comparative analysis of assessment figures for the years 1956, 1957 and 1958.

Moved by Councillor Cafferky, seconded by Councillor Philps "That the reports be received."

Carried Unanimously.

The Treasurer submitted Summary of Expenditures for the period ended March 21st, 1958 in the amount of \$580,006.85.

Moved by Councillor Cafferky, seconded by Councillor Philps "That the disbursements as submitted be approved."

Carried Unanimously.

The Municipal Engineer submitted plans and estimates for the installation of the separate sanitary sewers in the south slope area No.1, bounded by Marine Drive, Sussex, Imperial, BCE right-of-way, Dunblane, Victory, Nelson, Rumble and Royal Oak. The Engineer submitted Details of line installations, manholes, et cetera, together with numbers of homes and other premises in the area to be served. The estimated cost of the project was \$627,000.00 and it was recommended that the Project proceed under the provisions of Sections 617 and 618 of the Municipal Act, on the basis of 100% of the cost of the project. The Engineer also submitted estimates of annual repayment charges over a period of 20 years. It was further recommended that since other major sewer projects were due for completion by the end of May, a Sewer Construction By-law be passed and a vote held at the earliest possible time.

Moved by Councillor Jamieson, seconded by Councillor Brown "That the report be received and the Council take action to institute the By-law as recommended forthwith."

RESOLUTION WITHDRAWN.

Moved by Councillor Jamieson, seconded by Councillor Brown "That the report of the Engineer be received and tabled to a Committee of the Whole meeting at a later hour to-day."

Carried Unanimously.

Mr. Kennedy - Sewers Engineer, attended and was questioned on the possibility of excluding land covered by a recent subdivision by J. Schmidt Construction Company west of Nelson Avenue and north of Marine Drive from the area with a view to the installation of sewers in that areas as a servicing condition of subdivision approval.

Mr. Kennedy submitted that (1) by reason of the fact the Marine Drive trunk was a Municipal installation its cost must be included in the entire local improvement area as submitted; (2) exclusion of the Schmidt area at this time would require that laterals be installed in accordance with existing subdivision and would necessitate revising portions of the sewer to meet the new subdivision pattern, resulting in added cost.

Moved by Councillor Jamieson, seconded by Councillor Cafferky "That the portion of the sewer plan covered by the Schmidt subdivision be deleted from the Local Improvement proposal."

Moved by Councillor Seifner, seconded by Councillor Philps "That the motion be tabled for a period of one week."

IN FAVOUR - Reeve Emmott, Councillors
Brown, Seifner and Philps.
AGAINST - Crs. Wilson, Cafferky, Jamieson.

TABLING MOTION CARRIED.

The Municipal Engineer submitted Detailed Account of Works for the period, March 17 to March 30, 1958.

Moved by Councillor Seifner, seconded by Councillor Cafferky "That the report be received."

Carried Unanimously.

The Municipal Engineer submitted Board of Works Estimates for the two week period, April 14th to 27th, 1958 in the amount of \$51,495.00.

Moved by Councillor Seifner, seconded by Councillor Philps "That the estimates as submitted be approved."

Carried Unanimously.

The Municipal Engineer submitted Water Works Estimates for the period, April 14th to April 27, 1958 in the amount of \$5,695.00.
Moved by Councillor Jamieson, seconded by Councillor Brown "That the estimates as submitted be approved."

Carried Unanimously.

The Municipal Engineer submitted Garbage Collection Estimates for the period, April 14th to April 27, 1958 in the amount of \$10,000.00.
Moved by Councillor Brown, seconded by Councillor Jamieson "That the estimates as submitted be approved."

Carried Unanimously.

His Worship, the Reeve, submitted a report that owing to the resignation of Mr. R. Hammond from the Board of Park Commissioners, it was necessary to fill the vacancy and recommended that Mr. H. Hodgson, 7236 Braeside Drive, Burnaby 2, be appointed to fill the vacancy.
Moved by Councillor Philps, seconded by Councillor Wilson "That the recommendation of the Reeve be adopted."

Carried Unanimously.

The Municipal Manager submitted a report advising permission had been received from Daysons Holdings Co. Limited - owners of property upon which this Corporation trespassed in connection with a sewer installation, for the Municipality to enter the property and remove and re-install the sewer subject to the following conditions:

1. That the technical requirements in the installation shall be complied with as set out by Mr. Taylor of Cave Engineering and Associates.
2. That the quantum to be paid for an easement pertaining to the installation of the sewer on our client's land shall be determined by mutual consent between the parties or alternatively resort to arbitration.
3. That the costs expended on the construction of the two apartment blocks to be placed on the land shall, insofar as the same constitutes additional costs resulting from the sewer installation, be paid by the Municipality of Burnaby, in accordance with the amounts as determined by Mr. Taylor, our client's engineer, the details of which are known to yourselves.
4. That damage resulting from trespass on the land and presence of the sewer in the centre of the property involved, shall be determined by the mutual agreement or negotiations or by reference to arbitration and/or Court proceedings.
5. That the easement shall not be in excess of seven feet in width.

The Municipal Manager recommended these conditions be accepted and that the Engineer be authorized to proceed with the work.

Moved by Councillor Jamieson, seconded by Councillor Seifner "That the recommendation of the Municipal Manager be adopted subject to the following amendment to paragraph (3) of the conditions - that all words following the word "Engineer" in the second to last line be deleted and be substituted with the words "or to be taken to arbitration in case of dispute".

Carried Unanimously.

The Municipal Manager submitted a recommendation that Messrs. L. Greensword and R. Mervar be authorized to attend an Assessment Commissioner's Course for Assessors to be held in Victoria, April 9th, 10th and 11th, 1958. It was submitted that the Provincial Government contributes \$10.00 per day towards the expenses of persons attending this Course.

Moved by Councillor Philps, seconded by Councillor Brown "That the recommendation of the Municipal Manager be adopted."

Carried Unanimously.

The Municipal Manager submitted a recommendation that a policy be adopted permitting Leave of Absence for members of the Reserve Forces of Canada, who are employees of this Municipality, to attend Summer Camp or Training Periods for the minimum time required for such camp or training period, include travelling time, such leave of absence to be subject to the approval of the Municipal Manager and the certification of the Department Head concerned that the employee can be spared for the time required without detriment to the Department, such Leave of Absence to be without pay and not charged against the annual holidays of the employee concerned.

Moved by Councillor Cafferky, seconded by Councillor Wilson "That the recommendation of the Municipal Manager be adopted."

~~Carried Unanimously.~~

AMENDMENT:

Moved by Councillor Brown, seconded by Councillor Philps "That the policy read "such leave of absence to be with pay subject to the employee returning to the Corporation any pay received as a result of service with the Reserves at such summer camp or training period.

IN FAVOUR - Councillors Brown, and Philps.

AGAINST - Councillors Wilson, Jamieson, Seifner and Cafferky.

PREVIOUS MOTION CARRIED UNANIMOUSLY.

Moved by Councillor Brown, seconded by Councillor W.P.Philps "That leave be given to introduce "Burnaby Town Planning By-law 1948, Amendment By-law No.5, 1958" and that the By-law be now read a first time."

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor Cafferky "That the By-law be now read a Second Time."

Carried Unanimously.

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

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor Cafferky "That the Committee rise and report the By-law complete without amendment."

Carried Unanimously.

The Council re-convened.

Moved by Councillor Brown, seconded by Councillor Cafferky "That the report of the Committee be adopted."

Carried Unanimously.

Moved by Councillor Brown, seconded by Councillor Cafferky "That the "Burnaby Town Planning By-law 1948, Amendment By-law No.5, 1958" be now read a Third time."

Carried Unanimously.

Moved by Councillor Wilson, seconded by Councillor Cafferky, "That "Burnaby Street and Traffic By-law 1954, Amendment By-law No.2, 1958" be now reconsidered."

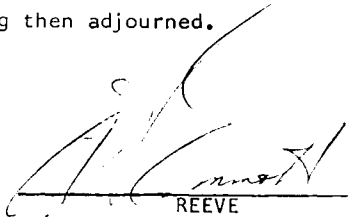
Carried Unanimously.

Moved by Councillor Wilson, seconded by Councillor Cafferky "That "Burnaby Street and Traffic By-law 1954, Amendment By-law No.2, 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.

The meeting then adjourned.

Confirmed:


REEVE


CLERK