

OCTOBER 19, 1959

An Adjourned meeting of the Municipal Council was held in the Committee Room, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, October 19, 1959 at 7:30 p.m.

PRESENT: Reeve Emmott In the Chair; Councillors Jamieson, McLean, Mather, Prittie and Seifner

Secretary, South Burnaby Kinsmen Club wrote requesting permission for both his Club and the Burnaby Central Scout Troop to use the streets in the vicinity of the shopping district on Kingsway on Saturday, October 24th for the purposes of conducting an Apple Day Campaign.

Moved by Councillor McLean, Seconded by Councillor Jamieson: "That permission be granted."

CARRIED UNANIMOUSLY

Secretary, Burnaby Art Society, wrote requesting permission to use the Municipal Hall on November 14th to hang art exhibits and also to display these art works between November 17th and December 2nd. The Secretary added that a member of the Society would be present at all times to act as monitor.

Moved by Councillor Mather, Seconded by Councillor Prittie: "That approval be given to the Burnaby Art Society to hold the Art show as outlined in their letter."

CARRIED UNANIMOUSLY

Mrs. J. Campbell, Director, Burnaby Association for Retarded Children, submitted a letter advising that International Retarded Childrens' Week would commence November 15th and requesting that Council endorse the activities planned by the Association for this Campaign. They also asked that the Reeve and Members of Council serve as Honorary Chairmen for the Burnaby Chapter of the Association.

Moved by Councillor McLean, Seconded by Councillor Jamieson: "That Mrs. Campbell be heard."

CARRIED UNANIMOUSLY

Mrs. Campbell advised that the Association would handle the administrative details of the Campaign and that the duties of the Honorary Chairmen would entail only acting in an executive capacity.

Moved by Councillor Mather, Seconded by Councillor Prittie: "That Council lend its wholehearted support to the Campaign proposed by the Association for Retarded Children."

CARRIED UNANIMOUSLY

His Worship, Reeve Emmott presented Municipal Administration (Administration - Law) diplomas to Messrs. E. W. Grist and A. C. Wells of the Property Department and Engineering Department, respectively.

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That the Council now resolve itself into Committee of the Whole to deal with the Manager's Report, the report of the Policy Committee and any other matter that may arise."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 41, 1959.

1. Investments.

The Manager reported that the Treasurer has advised that following maturity of certain investments, funds have been re-invested as follows:

Par	Security	Gross Cost	Fund	
\$150,000.	Government of Canada	\$148,429.50	Drainage By-law NO. 3998	- \$86,000.00
	Treasury Bills due		Water By-law No. 4006	- 64,000.00
	24 December 1959			

Yield 5.13%

The Manager recommended that Council confirm the actions of the Municipal Treasurer in making these investments.

Moved by Councillor Jamieson, Seconded by Councillor Prittie: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

2. Subdivision Servicing Agreement covering the North 163' of Block 16, D.L. 32, Pt. 17168

The Manager submitted the above Servicing Agreement and advised that it had been executed by the subdividers, John Peter DeLalla and Francis DeLalla. He recommended that this Agreement be executed by the appropriate Corporation officials.

Moved by Councillor Prittie, Seconded by Councillor Seifner: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

3. Drainage Works - General

Item (a): The Manager reported that preliminary negotiations with the owner of Lot 1, South 152 feet, Block 1, D.L. 136, Plan 3053 for the purchase of the Easterly 20 feet of this property for road purposes has indicated that this portion could be acquired provided the Municipality undertook to enclose the existing water course which traverses this parcel. The Manager recommended that Council authorize the acquisition of the said 20 foot portion plus the installation of 104 feet of 30 inch diameter pipe on Paulus Crescent north of Gibson Street at an estimated cost of \$1500.00.

Moved by Councillor McLean, Seconded by Councillor Jamieson: "That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

Item (b): The Manager reported that a drainage problem exists in the 6400 Block Gilley Avenue and that to correct this situation it would be necessary to instal a storm sewer on Gilley Avenue between Bryant and Burns Streets. He recommended that Council authorize the installation of 411 feet of 15 inch diameter pipe together with three manholes and seven catchbasins at an estimated cost of \$4,775.00.

Moved by Councillor Mather, Seconded by Councillor Prittie: "That the recommendation of the Manager be adopted."

Moved by Councillor Jamieson, Seconded by Councillor Seifner: "That the previous Motion be tabled for one week to allow Council the opportunity of viewing the subject location."

IN FAVOUR: COUNCILLORS
JAMIESON AND SEIFNER
AGAINST: COUNCILLORS
PRITTIE, McLEAN,
AND MATHER
MOTION LOST

The original Motion was then put and was carried with Councillors Jamieson and Seifner against.

Item (c): The Manager reported that it is deemed desirable to enclose an excessively deep ditch on 6th Street between Stanley and Nursery Streets. He recommended that Council authorize the installation of 841 feet of 18 inch diameter pipe and 300 feet of 15 inch diameter pipe together with four manholes and six catchbasins at an estimated cost of \$10,865.00.

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That this matter be tabled for one week to allow Council the opportunity of viewing the subject location."

CARRIED
COUNCILLOR SEIFNER
AGAINST

4. 100 Block North Ellesmere Avenue.

The Manager reported that the natural cross slope of the area dictates that the road section must go from cut to fill and that the driveways steepen, not as a result of the road elevation being raised, but as a consequence of the shoulder coming closer to the private property by virtue of the road being widened. He added that the elevation of the new paved centre line of Ellesmere Avenue at the Cambridge crest is 6 inches lower than the old centre line and that paving of the road in question has now been completed and includes an asphalt curb on the low edge to retain surface drainage. The Manager further advised that the driveways in question will be further shaped and compacted and an attempt will be made to stabilize the toe of one of the gravel fills with a small rock wall on the road allowance. He emphasized that the elevation of

underground services and the existing grade of Cambridge Street make it impossible to lower the hump any more than the amount accomplished.

Moved by Councillor Jamieson, Seconded by Councillor Prittie: "That the report of the Manager be received."

CARRIED UNANIMOUSLY

5. Ingleton Avenue from the lane south of Parker Street to Douglas Road.

The Manager reported that the estimated cost of constructing the above portion of Ingleton Avenue would be \$3,500.00 and would cover a distance of some 385 feet.

Moved by Councillor Prittie, Seconded by Councillor McLean: "That this matter be tabled pending discussion of the budget recast."

CARRIED UNANIMOUSLY

The Municipal Clerk reported verbally that he had received applications for grants in aid of annual Halloween parties from each of the following three Associations:

- (1) Capital Community Hall Association
- (2) Parkcrest Ratepayers Association
- (3) Valleyview Mens' Community Service Club

He suggested that these three applications plus any others that may be made be referred to the Reeve with power to act.

Moved by Councillor McLean, Seconded by Councillor Mather: "That the above three applications together with any others that may be received for Halloween grants this year be referred to the Reeve with power to act."

CARRIED UNANIMOUSLY

REPORT OF POLICY COMMITTEE

The Committee reported it had met on October 16th for the purpose of discussing further a report of the Director of Planning dated March 25, 1959 relative to proposed rezonings within the Kingsway - Central Park Line area. The Committee advised that the Director of Planning had submitted a further report dated October 16, 1959 summarizing the conclusions of previous reports and giving new statistics based on the areas covered by four Public Meetings which were held on September 29, 30, October 1st and 2nd, 1959 to acquaint the respective property owners with details of the proposal. The Committee further reported that as a result of these Public Meetings together with numerous letters and petitions either for or against the original proposal (as modified by the earlier exclusion by Council of the area lying between the lane east of Palm Avenue and the South Burnaby High School site), the Director of Planning submitted the following recommendations:

- (1) That those areas shown in purple on the plan accompanying the report from the Director of Planning dated October 16th be excluded from rezoning to residential and instead to remain Light Industrial.
- (2) That the area shown in red on the said accompanying plan be rezoned to Commercial.

The Policy Committee recommended:

- (1) That the above two recommendations of the Director of Planning be adopted.
- (2) That property described as Lot "A", Block 22, D.L.'s 151/3, Plan 5822 be excluded from the original rezoning proposal and instead to remain Light Industrial.
- (3) That all rezonings proposed in the report of the Director of Planning dated March 25, 1959, excluding the area east of Palm Avenue aforementioned be approved for further consideration and a Public Hearing held.

Moved by Councillor Prittie, Seconded by Councillor Jamieson: "That the recommendations of the Policy Committee be adopted."

CARRIED
COUNCILLOR SEIFNER
AGAINST

Hean, Wylie, Marshall, Hyde & Dixon submitted a letter advising that a Mr. Oscar Covello applied in June of this year for a permit to construct a building on his property situated at 6891 Palm Avenue and was refused on the ground that Council was considering the adoption of an amendment to the Zoning By-law. They pointed out that Section 704 of the Municipal Act sets out the powers of Council with respect to the withholding of Building Permits in such cases and provides for the procedure which Council must follow. Hean, Wylie et al advised that they have been instructed by their client that unless a Building Permit is issued to him immediately an application will be made for a Writ of Mandamus within seven days.

The Executive Assistant to the Manager submitted a report which he had received from the Chief Building Inspector in connection with this matter in which the situation as it involved the Building Department was related. The report stated that inquiries were made on at least two occasions by Mr. Covello regarding his intention to construct a building or buildings on the subject property for use in conjunction with his use of the property as a contracting yard and that Mr. Covello was informed that continued use of this property for such purposes would be contrary to the rezoning proposals contained in a report of the Planning Department entitled "Kingsway - Central Park Area" but that the present zoning permitted such use. The Chief Building Inspector advised that it was also made clear to Mr. Covello that if he applied for a permit for a building not in keeping with the rezoning proposals, the application would be referred to Council to determine whether they wish to invoke the powers of Section 704 of the Municipal Act to withhold the issuance of the permit. It was further reported that the Building Department has to date not received an application for a Building Permit on the property in question and therefore there has been no refusal to issue a Building Permit and moreover, because of the nature of the inquiries by Mr. Covello (that is, purely one of seeking information), the Building Department did not refer the inquiry to any other Department or draw it to the attention of Council. The Chief Building Inspector further reported that Mr. Covello last visited his Department on either October 14th or 15th, 1959 at which time it was suggested to him he might hasten obtaining a positive answer to his previous inquiry regarding the building proposal if he would do one of the following two things:

- (a) Submit building plans of the proposed structure and take out a permit application.
- (b) Submit a letter to the Building Department outlining the proposals and requesting a specific reply as to whether or not a permit would be issued. The Chief Building Inspector added that this suggestion was offered in order to save Mr. Covello the expense of preparing building plans in the event a permit could not be issued.

Moved by Councillor McLean, Seconded by Councillor Mather: "That the letter from Hean, Wylie et al and the report of the Chief Building Inspector be received and the complainant advised of the situation as related in the report of the Chief Building Inspector."

CARRIED UNANIMOUSLY

The Municipal Clerk brought forward Item No. 12 of Report No. 39 of the Municipal Manager which was a report from the Director of Planning on applications to rezone:

- (a) El Luis Auto Court
- (b) Flowerland Auto Court
- (c) Lakeview Auto Court

to Auto Court use.

Edwards, Edwards and Edwards submitted a letter in connection with the application for the El Luis Auto Court advising that they had communicated with the other two applicants and it had been agreed that they would all request to have the report tabled for a further two weeks in order that they may consider their respective position with respect to either withdrawing the application or proceeding with their original intention. Mr. J. Lorimer, applicant for the Flowerland property appeared and confirmed that this had been the agreement reached by the applicants in question.

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That the report of the Director of Planning dealing with the subject three rezoning applications be tabled for a further two weeks."

CARRIED UNANIMOUSLY

Moved by Councillor McLean, Seconded by Councillor Jamieson: "That the Committee now rise and report."

Council reconvened.

CARRIED UNANIMOUSLY

Moved by Councillor McLean, Seconded by Councillor Jamieson: "That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor Seifner: "That leave be given to introduce "BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 5, 1959" and that the By-Law be read a First Time."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That the By-Law be read a Second Time."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor Seifner: "That the Council go into a Committee of the Whole with the Reeve in the Chair to consider the By-Law."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor Prittie: "That the Committee rise and report the By-Law complete without amendment."

CARRIED UNANIMOUSLY

The Council reconvened.

Moved by Councillor Jamieson, Seconded by Councillor Seifner: "That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor Seifner: "That "BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 5, 1959" be now read a Third Time."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor McLean: "That "BURNABY POLLING DIVISIONS BY-LAW 1959" be now reconsidered."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor McLean: "That "BURNABY POLLING DIVISIONS BY-LAW 1959" be now finally adopted and signed by the Reeve and Clerk and that the Corporate Seal be affixed thereto."

CARRIED UNANIMOUSLY

The Municipal Clerk brought forward an agreement between the Corporation and the B. C. Electric Railway Company which would grant easements to the Company over portions of Lots 34 and 42, Blocks C, D, E, R and S, D.L. 157, Plan 20303 for the purpose of accommodating sky wires and anchors.

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That authority be granted to execute this Agreement."

CARRIED UNANIMOUSLY

Moved by Councillor Seifner, Seconded by Councillor McLean: "That leave be given to introduce "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2, 1959" and that it be read a First Time."

CARRIED UNANIMOUSLY

Moved by Councillor Seifner, Seconded by Councillor McLean: "That the By-Law be read a Second Time."

CARRIED UNANIMOUSLY

Moved by Councillor Seifner, Seconded by Councillor Prittie: "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 Seifner, Seconded by Councillor Prittie: "That the Committee rise and report the By-law complete without amendment."

CARRIED UNANIMOUSLY

The Council reconvened.

Moved by Councillor Seifner, Seconded by Councillor Prittie: "That the report of the Committee be adopted."

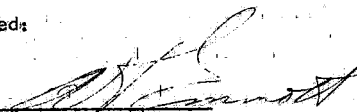
CARRIED UNANIMOUSLY

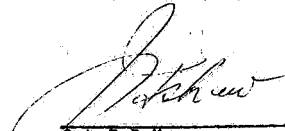
Moved by Councillor Seifner, Seconded by Councillor Prittie: "That "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2, 1959" be now read a Third Time."

CARRIED UNANIMOUSLY

The meeting then adjourned.

Confirmed:


REEVE


CLERK