

SEPTEMBER 8, 1959

An Adjourned meeting of the Municipal Council was held in the Committee Room, Municipal Hall, 4545 East Grandview-Douglas Highway, on Tuesday, September 8, 1959 at 7:30 p.m.

PRESENT: Reeve Emmott; Councillors Brown, MacSorley, McLean,
in the Chair; Mather, Prittie and Seifner

Kinsmen Club of North Burnaby wrote requesting permission to hold their annual Apple Campaign starting on or about September 15th and continuing for a period of three weeks.

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

CARRIED UNANIMOUSLY

Associate Secretary, Board of Evangelism of the United Church of Canada, submitted a letter expressing the opposition of his organization to a proposal to legalize sweepstakes.

Moved by Councillor McLean, Seconded by Councillor Mather: "That the letter be received."

CARRIED UNANIMOUSLY

The Municipal Clerk reported that he had received one tender for the purchase of property in D. L. 53 involving that area bounded by 10th Avenue, 18th Street, 13th Avenue and 20th Street.

Moved by Councillor McLean, Seconded by Councillor MacSorley: "That the tender be opened."

CARRIED UNANIMOUSLY

It was revealed that the tender was in the amount of \$149,100.00.

Moved by Councillor McLean, Seconded by Councillor Prittie: "That the tender be referred to the Municipal Manager for examination and report."

CARRIED UNANIMOUSLY

Municipal Clerk reported verbally that a number of tenders for the supply of a number of pieces of road equipment had been received.

Moved by Councillor McLean, Seconded by Councillor Seifner: "That the tenders be opened and the Council proceed with the Agenda while this is being done."

CARRIED UNANIMOUSLY

Moved by Councillor McLean, Seconded by Councillor Seifner: "That the Council now resolve itself into Committee of the Whole to discuss Report No. 32 of the Municipal Manager."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 32, 1959

(1) Metering of properties equipped with Swimming Pools

The Manager pointed out in his report that the present policy was reached by Council on the basis of a report by both himself and the Municipal Engineer and that when this report was made, it had been necessary to make assumptions in the absence of specific data on water consumption; which assumptions had led to the conclusion that it would be fair and equitable and to the best protection of Municipal interest to require the installation of a water meter to properties equipped with swimming pools. The Manager added that experience has shown that many factors, such as an excessively dry summer and the different characteristics of various types of pools, can upset the expected equity and, in this connection, statistics now compiled indicate that this has actually occurred with the result that the property owners affected have paid high water bills - the average being \$45.00 per year. The Manager further reported that the situation in

a Municipality such as ours which supplies water on a flat rate basis is difficult when a special use such as a swimming pool is super-imposed upon normal use (domestic and sprinkling) and that to ensure such a special use is not at the expense of others, while at the same time not being unreasonable in charges to the special user or creating expensive administrative procedures, is difficult to resolve. The Manager reported that the recent reassessment of the situation has led to the conclusion that an increase in the flat rate annual charge to \$30.00 per year for properties equipped with a swimming pool would probably be as fair a method as any of resolving the problem inasmuch as the extra \$10.00 would protect the utility reasonably adequately against excessive water consumption while at the same time this extra cost should not be unreasonable to the swimming pool owner. The Manager recommended that the present policy of requiring a meter to residential properties equipped with swimming pools be rescinded and, in its place, a new policy be adopted requiring the payment of a flat rate 50% higher than the normally applicable flat rate.

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

CARRIED UNANIMOUSLY

(2) Easement over Lot "A", Blocks 5 and 6 and also Lot "A", Block 4 both of D.L. 80S, Plan 5104

The Manager reported that easements are required for sewer and drainage purposes over the easterly 10 feet of Lots 11 and 18 and the westerly 10 feet of Lots 12 and 17 of the above subdivision from Mainland Estates Limited. He also reported that these lots are located near Gilpin Street and that no consideration is payable by the Corporation for the easements. The Manager recommended that Council authorize the acquisition of these easements for the purposes above stated.

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

CARRIED UNANIMOUSLY

(3) Tenders for Trucks.

The Manager submitted a tabulation of tenders received for the supply of:

- (a) Two one-half ton Pick-up Trucks
- (b) Two one ton Dual wheel trucks
- (c) One three ton truck (Waterworks)
- (d) Two three ton trucks (Garbage Collection)
- (e) Four three ton Gravel trucks
- (f) Three five ton Gravel trucks

and recommended that the following tenders be accepted:

- (a) Two only one-half ton Mercury Pick-up trucks from Black Motors Limited at a total price of \$3,260.67
- (b) Two only one ton Dual wheel Trucks from International Harvester Company for a total price of \$3,572.69
- (c) One only three ton truck from International Harvester Company for a total price of \$2,429.40
- (d) Two only three ton Commer Trucks from Clarke-Simpkins Limited for the total price of \$7,259.97
- (e) Four only three ton Trucks from International Harvester Company for the total price of \$9,386.58
- (f) Three only five ton Commer Trucks from Clarke-Simpkins Limited for the total price of \$12,356.72.

The Manager pointed out that all of the figures quoted above represent the net cost to the Municipality after deducting trade-in values but inclusive of the five percent S.S. Tax.

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

CARRIED UNANIMOUSLY

4-A. Proposed sewer works and their relationship to Freeway Construction.

The Manager reported that when the sewers Division began to prepare design and estimates of all those sewer crossings which are considered should be constructed prior to, or in conjunction with, the construction of the Freeway, it became apparent that a basic need is a firm design from the Greater Vancouver Sewerage and Drainage District of the following sections of Trunk Sewer:

Sections C-8, C-9, C-1-20, and C-1-4.

The Manager pointed out that the Freeway, for a considerable portion of its length between Cariboo Road and Boundary Road follows the same general alignment as that proposed for the Sewerage District trunk sewers. He added that the sewerage district has advised that no design of any detail has been carried out on these particular portions and that before any such design could be commenced, they would need to receive a formal request from the Municipality to proceed with the preparation of a design of the sections of trunk sewer desired. The Manager reported that aside from our need for information on which to base our own designs and estimates, it is probably desirable that the trunk sewer be considered in relation to the Freeway; which subject will be discussed with the Greater Vancouver Sewerage and Drainage District and Department of Highway officials. The Manager recommended that the Greater Vancouver Sewerage and Drainage District be requested to proceed with a detailed design of the above mentioned sections of the Burnaby Trunk Sewer.

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

CARRIED UNANIMOUSLY

4-B. Hastings Street Widening (1958 programme).

The Municipal Manager reported that the north 20 feet of Lot 7, Block 10, D.L. 121, Plan 1054 is owned by a George E. Taylor and was required for the widening of Hastings Street in 1958 and that so far, the Corporation has been unable to agree with him on the matter of compensation for this 20 feet. The Manager reported that the Solicitor is of the opinion that it is apparent the Municipality must increase its offer of \$750.00 or go to arbitration and, in this regard, the Manager advised that the Solicitor had recommended that an offer of \$1500.00 be made in settlement of this claim. The Manager reported that he concurred with the Solicitor and accordingly was recommending that Council offer \$1500.00 for the parcel in question.

Moved by Councillor Mather, Seconded by Councillor Prittie: "That this matter be tabled pending the attendance of the Solicitor later this evening."

CARRIED UNANIMOUSLY

5. Kingsway Lighting Rehabilitation.

The Manager reported that he had had a further investigation made of the Kingsway lighting rehabilitation proposal in order to determine the merits of a maintenance policy based on complete relamping as opposed to maintenance by replacement of burnt out lamps which revealed that the light intensity along Kingsway was only 49½% that of the intensity of illumination on 41st Avenue (a system installed in January, 1959). He also reported that it has been established that after 7200 hours of burning Mercury Vapour Lights lose their light output by 40%. The Manager added that the figure quoted in his previous report (\$4,960.00) works out to a cost of about \$22.00 per lamp while replacements on a basis of "burn outs" (with each job consisting of three lamps) works out at a cost of \$39.33 per lamp. He reported that therefore the cost of eventually replacing the entire system on the "burnt out" method could cost as much as \$7,500.00 compared to the proposed expenditure of \$4,960.00 and, although there is the question of time factor to be considered, he felt this is more than offset by the maintenance of a high standard of light intensity on a most important heavily travelled artery with pedestrian crossings. The Manager advised that on the basis of the foregoing, he was resubmitting his previous recommendation as contained in Report No. 30 (Item 21).

Moved by Councillor McLean, Seconded by Councillor MacSorley: "That the recommendation of the Municipal Manager under Item 21 of Report No. 30, 1959 be adopted."

CARRIED UNANIMOUSLY

6. Estimates.

The Municipal Manager submitted Municipal Engineer's estimates in the total amount of \$6,237.00 recommending that they be approved.

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

CARRIED UNANIMOUSLY

7. 1959 Local Improvement Paving Programme

The Manager submitted a revised cost report prepared by the Municipal Engineer covering the above programme, which read as follows:

RE: LOCAL IMPROVEMENT PAVING PROGRAMME -1959

Respectfully submitted, pursuant to the requirements of Section 600 of the Municipal Act, is a cost report relative to the installation of asphaltic pavement 20 feet in width on the undermentioned streets.

1. The lifetime of the work is 10 years.
2. The special assessments should be made in 10 annual instalments.

Street	Location	Length	Property Owners Share	Corp. Share	Total Cost
1. Albert St.	Willingdon to Gamma Ave.	2100'	\$10307.60	\$ 1662.40	\$ 11970.00
2. Blaine Ave.	Halifax St. 495' North	550'	2565.00	570.00	3135.00
3. Bond St.	Willingdon to Sussex Ave.	1350'	3448.50	4246.50	7695.00
4. Bryant Crt.	Griffiths Ave. E&Cul-de-sac	400'	1949.40	330.60	2280.00
5. Charles St.	Willingdon E. to Existing Paving	125'	376.20	336.30	712.50
6. Curtis	Fell Ave. to Sperling	3600'	10831.42	9688.58	20520.00
7. Canberra	Albert to Dundas St.	1015'	3622.40	2163.10	5785.50
8. Cliff Ave.	Broadway to Kitchener	3600'	10831.42	9688.58	20520.00
9. Casewell	North Rd. to Willoughby	650'	2649.16	1055.84	3705.00
10. Dow Road	Rumble Street to Portland	1000'	2632.00	3068.00	5700.00
11. Dubois	Boundary Rd. to Joffre	625'	2985.20	577.30	3562.50
12. 11th Ave.	Cumberland W. to W.P.L. Lot 10, Blk. 4, D.L. 25	425'	1725.76	517.24	2243.00
13. 11th Ave.	1st St. to 2nd St.	650'	3132.15	572.85	3705.00
14. 15th Ave.	Cumberland to Wright	800'	3880.27	679.73	4560.00
15. Formby	Grandview Hwy. to Gordon	475'	1638.75	1061.25	2700.00
16. Fir St.	Smith to Halley to Huxley	3100'	8964.10	9035.90	18000.00
17. First	18th Ave. to Wedgewood	700'	3636.00	364.00	4000.00
18. Forglen Dr.	Royal Oak to Bond to Nelson	2450'	7490.43	6474.57	13965.00
19. Greta Ave.	McKay Ave. 600' E.	650'	2863.90	841.10	3705.00
20. Georgia	Springer Ave. to Howard	1025'	4116.08	1726.42	5842.50
21. Georgia	Willingdon to Beta Ave.	1400'	6771.60	1208.40	7980.00
22. Gilpin	Grandview to Royal Oak	5700'	13930.23	18559.77	32490.00
23. Gilley Ave.	Kingsway to Imperial St.	800'	1816.59	2743.41	4560.00
24. Grimmer	Royal Oak to Marlborough	670'	1797.76	2002.24	3800.00
25. Halley Ave.	Bond St. to Burke St.	560'	2023.50	1168.50	3192.00
26. Humphries	Elwell Ave. to Edmonds	1250'	2821.50	4303.50	7125.00
27. Hillview	Bainbridge to W.P.L. Lt. 1, Blk. 7, D.L. 78	730'	2821.50	1339.50	4161.00

Street	Location	Length	Property Owners Share	Corp. Share	Total Cost
28. Halifax St.	Boundary Rd.to Ingleton	1270'	5648.70	1590.30	7239.00
29. Halifax St.	Yoevil Ave.to Cliff Ave.	700'	1519.62	2470.38	3990.00
30. Halifax St.	Blaine Ave. to Cliff	360'	1110.36	941.64	2052.00
31. Karen St.	Cliff Ave.W to Yoevil	700'	2154.60	1835.40	3990.00
32. Kensington	Broadway to Halifax	1960'	5027.40	6144.60	11172.00
33. Kitchener	Cliff Ave. to Sperling	1360'	4061.25	3690.75	7752.00
34. Kitchener	Madison Ave. to Rosser	700'	2228.13	1761.87	3990.00
35. Keith St.	Buller W.308' WPL Lot"G"	360'	2042.48	9.52	2052.00
36. Lakeview	Burns St.S.to SPL Lot "C", Blk. 60	1100'	3601.77	2668.23	6270.00
37. Maitland	Nelson Ave.to Forglan	1050'	4803.93	1181.07	5985.00
38. Mayfield	Grandview to Gordon	475'	1416.20	1283.80	2700.00
39. Moscrop	Patterson to Willingdon	2500'	4313.47	9936.53	14250.00
40. Madison	Eton St. to Cambridge	370'	752.40	1356.60	2109.00
41. Marlborough	Bennett to Imperial	1220'	4859.25	2094.75	6954.00
42. Newcombe	16th to Wedgewood	1475'	3361.29	5038.71	8400.00
43. Nelson Ave.	Grafton to Bond St.	1650'	5642.28	3762.72	9405.00
44. Parker St.	Alpha to Beta	670'	3385.80	434.20	3820.00
45. Parker St.	Delta W.to WPL Lt.Rem."A"	280'	1328.10	271.90	1600.00
46. Parker St.	Springer Ave. to Howard	1024'	3294.45	2545.55	5840.00
47. Pioneer Ave.	Grassmere to Price St.	610'	2511.76	965.24	3477.00
48. Pender St.	Willingdon to Delta Ave.	2780'	12514.35	3331.65	15846.00
49. Parkwood Ave.	Gilpin Cres.to Parkwood	290'	558.60	1094.40	1653.00
50. Pandora Ave.	Inlet to Barnet Hwy.	525'	1671.70	1320.80	2992.50
51. Price St.	Rowan Ave. to Iris	765'	940.50	3420.00	4360.50
52. Rowan Ave.	Gilpin St. to Price St.	610'	1102.15	2374.85	3477.00
53. Randolph	Imperial St. to Bryant	1150'	5017.45	1537.55	6555.00
54. Roslyn Ave.	Rumble St. to Clinton St.	700'	1504.80	2485.20	3990.00
55. Russell Ave.	Kingsway to Bryant	1100'	4411.80	1858.20	6270.00
56. Sardis St.	Booth Ave. to Elsom	425'	1069.66	1352.84	2422.50
57. Sardis St.	Sussex Ave. to Nelson	900'	3552.58	1577.42	5130.00
58. Silver Ave. & Beresford St.	Kingsway to McKay Ave.	1510'	7128.99	1478.01	8607.00
59. Sixteenth Ave.	Britton to Sixteenth	920'	4273.00	1027.00	5300.00
60. Southwood St.	Dow Ave. to Sussex	625'	1695.75	1956.75	3652.50
61. Stanley St.	Lakeview Ave.to Walker	2000'	4318.49	7081.51	11400.00
62. Sullivan St.	North Rd. to Noel Dr.	2575'	6121.65	8555.85	14677.50
63. Sussex Ave.	Shepherd St.to Sardis	400'	1868.75	411.25	2280.00
64. Sussex Ave.	Bond St. to Grassmere	1210'	1815.45	5081.55	6897.00
65. Sussex Ave.	Imperial St. to B.C.E.R.	1250'	6092.45	1032.55	7125.00

66.	Tenth Ave.	Newcombe to Coquitlam	2350'	5416.14	7978.86	13395.00
67.	Watling St.	Royal Oak to Nelson Ave.	1370'	6580.54	1228.46	7809.00
68.	Wedgewood	First St. to Newcombe St.	885'	1621.65	3378.35	5000.00
69.	Winch St.	Holdom Ave. to Fell Ave.	1350'	5409.30	2290.70	7700.00
70.	Winch St.	Sperling Ave. to Cliff	1360'	5420.70	2331.30	7752.00

15 Mi. \$ 274798.11 \$ 200154.39 \$ 474952.50

Moved by Councillor McLean, Seconded by Councillor Seifner: "That the cost information be received."

CARRIED UNANIMOUSLY

8. Servicing Agreement - Mainland Estates Limited.

The Manager reported that the above Company proposes to instal certain of the services required by the Corporation on subdivision and that he was submitting a form of servicing agreement covering the proposed work. He pointed out that a surety bond in the sum of \$33,713.00 is being deposited to ensure the due and proper performance of all the terms, covenants and conditions are fulfilled. The Manager recommended that Council authorize the execution of this agreement.

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

CARRIED UNANIMOUSLY

9. Revised office accommodation for Engineering and Planning Departments.

The Manager reported that provision was made in the 1959 budget for building alterations to provide additional office accommodation for the Engineering Department but that while this work was being done, it had come to his attention that a similar problem of overcrowding existed in the Planning Department. In this respect, the Manager advised that the latter Department has very little work space and particularly, areas where interviews can be conducted without interference with normal departmental work. The Manager reported that the Chief Building Inspector had prepared a new plan; which plan reduces somewhat the space presently allocated to the Engineering Department and makes this space available to the Planning Department. The Manager advised that though he considered this plan is far from ideal it does the best possible with the available area and provides some relief for the overcrowded condition in the Planning Department. He added that the estimated cost of the renovation is \$2,636.00, of which \$650.00 is available from the original appropriation for the Engineering Department alterations. The Manager recommended that Council authorize an expenditure of \$2,000.00 to provide additional office accommodation for the Planning Department.

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

CARRIED UNANIMOUSLY

10. Night School - Mr. Anthony Duffy.

The Manager reported that the above noted is the Municipal Garage Foreman and that he has been asked to be an instructor at Night School in Vancouver for a class of Journeymen Mechanics one night per week. The Manager submitted that he felt this type of avocation is not contrary to the policy established by Council last year and, indeed, it could prove to be of benefit to the Municipality. The Manager recommended that Mr. Duffy be granted permission to act as Night School instructor for the 1959-60 term.

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

CARRIED UNANIMOUSLY

11. Land Exchange with Mr. Papove.

The Manager reported that after protracted negotiations, agreement has been reached

with the above noted on a property exchange in which the Municipality would receive certain lands on Broadway owned by Mr. Papove and described as:

Lot 1 except reference plan 15912 and all of Lot 2, Blocks 10 and 11, D.L.'s 59/136/137 Plan 6346.

In return for which the Municipality would convey:

- (a) 3 lots measuring 60' x 120' each from the corner of the Golf Course Reserve situated on the north side of Broadway at Phillips Avenue.
- (b) Lot 11, Block "J" and Lots 3, 4 and 5 and 9 to 12 inclusive, Block K both of D.L. 127 W 3/4.

The Manager added that two conditions of this exchange are:

- (1) That the Corporation assume the cost of subdividing the three lots at Broadway and Phillips Avenue.
- (2) That Mr. Papove assume the cost of servicing all of the lots which he is to receive.

The Manager recommended that Council authorize the exchange as set out above.

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

Council reconvened.

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

CARRIED UNANIMOUSLY

Moved by Councillor Seifner, Seconded by Councillor McLean: "That a Public Hearing be held on Monday, September 21, 1959 at 7:00 p.m. on the following two applications for rezoning:

- (1) Lots 5 and 6, Block 19, D.L. 29 - from Residential Two Family to Residential Multiple Family Type II
- (2) Lot 11, Block 18, D.L. 29 - from Residential Two Family to Residential Multiple Family Type II."

CARRIED UNANIMOUSLY

"BURNABY LAND ACQUISITION BY-LAW NO. 3, 1959"

1ST, 2ND AND 3RD READINGS

Moved by Councillor Mather, Seconded by Councillor Prittie: "That leave be given to introduce "Burnaby Land Acquisition By-Law No. 3, 1959" and that it be read a First Time."

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

The Council reconvened.

Moved by Councillor Mather, Seconded by Councillor Brown: "That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Prittie: "That "BURNABY LAND ACQUISITION BY-LAW NO. 3, 1959" be now read a Third Time."

CARRIED UNANIMOUSLY

Moved by Councillor MacSorley, Seconded by Councillor Brown: "That

"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 4, 1959"

"BURNABY CAPITAL BORROWING BY-LAW, 1959"

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 5, 1959"

be now reconsidered."

CARRIED UNANIMOUSLY

Moved by Councillor MacSorley, Seconded by Councillor Seifner: "That

"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 4, 1959"

"BURNABY CAPITAL BORROWING BY-LAW, 1959"

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 5, 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 reported that a tender for the supply of certain pieces of road equipment had been received after the time for submission of the tenders had expired.

Moved by Councillor Prittie, Seconded by Councillor Brown: "That the late tender be returned unopened."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor McLean: "That all tenders which have been opened be referred to the Municipal Manager for tabulation and report."

CARRIED UNANIMOUSLY

Moved by Councillor McLean, Seconded by Councillor Seifner: "That the Council now resolve itself into Committee of the Whole."

CARRIED UNANIMOUSLY

His Worship the Reeve reported verbally that it had been tentatively understood two years ago that the 1960 Convention of the Union of B. C. Municipalities would be held in the City of New Westminster inasmuch as it is their Centennial Year. The Reeve suggested that it would be fitting if this Municipality supported such a move.

Moved by Councillor Mather, Seconded by Councillor MacSorley: "That this Council support the suggestion that the 1960 Convention of the Union of B. C. Municipalities be held in the City of New Westminster."

CARRIED UNANIMOUSLY

Municipal Manager reported verbally that he had received advice from the Municipal Solicitor on the matter of self-service laundries and, specifically, on the question as to whether Council could regulate the hours of opening of such establishments. He reported the Solicitor was of the opinion that Council does not possess the power to enact such a regulation since Section 867 of the Municipal Act grants authority to regulate the closing of shops, not the opening. The Manager also reported that the Solicitor had pointed out that if a shop is permitted to remain open until 12:00 o'clock Midnight, no part of that day remains and therefore it could reopen immediately.

Moved by Councillor McLean, Seconded by Councillor Mather: "That an amendment to the Shops Closing By-Law exempting self-service laundries from the regulations be brought down for consideration."

CARRIED
COUNCILLORS PRITTIE AND
BROWN AGAINST

The Municipal Manager reported verbally that he had been informed complaints had been received by the Municipal Offices regarding the discharging of firearms in the area west of Sperling Avenue. He added that the Police Department have also received a number of similar complaints. The Manager pointed out that the use of firearms is permitted in the following areas:

- Area No. 1 (North-East Burnaby) - bounded by Burrard Inlet, North Road, Broadway and Lougheed Highway and Phillips Avenue.
- Area No. 2 (Central Burnaby) - Cariboo Road, Great Northern Railway right-of-way, North Road and Holmes Street.
- Area No. 3 (Central Burnaby) - Sperling Avenue, Burnaby Lake, B.C. Electric right-of-way, Westminster Avenue and Lougheed Highway.
- Area No. 4 (South Burnaby) - Marine Drive, Tenth Avenue, Meadow Avenue, North Shore of the Fraser River and Boundary Road.

The Manager also reported that while the By-law prohibits the use of rifles anywhere in the Municipality, the complaints have been that a 22-calibre rifle bullet has penetrated windows of at least one residence and hunters are not observing the 150 yard firing limit as prescribed by the By-law. He added that the Police Department finds it difficult to control the situation since the offenders are found to have disappeared upon arrival of a dispatched patrolman to the area. The Manager further reported that the North-East and Central Burnaby areas are developing fairly rapidly and that therefore some thought should be given to disallowing shooting therein. He also advised that the complaints emanating from the area south of Marine Drive have been directed at the indiscriminate use of air guns and small bore rifles and that, in fact, the use of shot guns in this area was somewhat encouraged by the game warden as a means of protecting the Chinese gardens from pheasant population growth. The Manager concluded that under the circumstances it would appear desirable that the use of firearms be prohibited in the two Central Burnaby and North-East Burnaby sections and that a controlled use of firearms be permitted in the remaining area. The Manager recommended that:

- (1) Burnaby Firearms Regulation By-Law be amended by deleting areas 1, 2 and 3 as areas where the use of firearms is permitted.
- (2) That the use of firearms be permitted in area No. 4 upon receipt of written permission therefor of the Officer-in-Charge, Burnaby Detachment, R.C.M.P.

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

CARRIED UNANIMOUSLY

Moved by Councillor MacSorley, Seconded by Councillor McLean: "That the matter of voting on resolutions to be presented at the forthcoming U.B.C.M. Convention be left to the discretion of the individual delegates."

CARRIED UNANIMOUSLY

The Municipal Clerk advised Council that he had received a further letter from the Secretary of the Central Park Old-Age Pensioners Organization requesting that he be allowed to address Council with respect to a resolution which they proposed to introduce at the U.B.C.M. Convention which would allow Councils to borrow money without the consent of ratepayers.

Moved by Councillor McLean, Seconded by Councillor Prittie: "That the delegation be heard."

CARRIED UNANIMOUSLY

The Secretary, Mr. William H. Duckett, appeared and advised that he was appearing on behalf of not just the two thousand members of the Old-Age Pensioners Organizations in Burnaby but also the two thousand other elderly people in the Municipality. Mr. Duckett advised that all of these people were opposed to the resolution in question and submitted that the pensioners are in a rather unenviable position inasmuch as their income is more or less static while their expenses increase continually. Mr. Duckett requested on behalf of all the old people in the Municipality that the subject resolution be withdrawn in order that taxes may be kept as low as possible. He mentioned that if Councils were given such power, it could have dire consequences in the event of an unscrupulous Council.

Moved by Councillor Mather, Seconded by Councillor Prittie: "That Mr. Duckett be thanked for his able presentation."

CARRIED UNANIMOUSLY

The Council then discussed all of the resolutions which they propose to introduce at the forthcoming U.B.C.M. Convention, they being: Resolutions 1, 7, 16, 18, 22, 25, 29, 32, 35, 36, 41, 46, 97, and 107.

The Municipal Solicitor attended the meeting to explain the resolutions. The Council then held a meeting in-camera to discuss the following matters:

(1) Donald Cruikshank versus Burnaby. (Manager's Report No. 33, 1959)

The Municipal Manager submitted a report advising that he had been informed by the Municipal Solicitor that the above noted had commenced an action in the Supreme Court claiming damages which he alleges were sustained him by the negligence of the Collector of the Corporation of the District of Burnaby in failing to notify him (Cruikshank) of a notice of sale of land on which he was the holder of a registered charge or in which he owned an interest, and of the period allowed for redemption of the said land, as required by Section 399 of the Municipal Act. He further reported that the property in question is described as Lot 13, Block 28, D.L. 29, Plan 3035 and the registered owner is Mary Purkow, otherwise known as Mary Cruikshank against whom the plaintiff had a registered judgment in the Land Registry Office; which registered charge included the subject property. The Manager reported that the Solicitor had entered an appearance on behalf of the Municipality and recommended that Council instruct the Solicitor to defend this action.

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

CARRIED UNANIMOUSLY

(2) Claim of G. E. Taylor for the North 20 feet of Lot 7, Block 10, D.L. 121, Pl. 1054

The Municipal Solicitor reported verbally that the claimant had demanded an exorbitant sum for the subject property and that it was his opinion that since Mr. Taylor was not prepared to accept the offer of the Municipality of \$750.00, we must either enter arbitration proceedings or increase our offer. The Solicitor advised that he felt we should attempt to settle this claim without the necessity of going to arbitration and that this was the motivating factor in his recommendation that the Municipality offer Mr. Taylor \$1500.00. He pointed out that should the Municipality elect to go to arbitration, it was possible the expenses which might accrue to the Municipality as a result might exceed \$1500.00; the expenses being:

- (1) The award itself
- (2) The cost of having the claim arbitrated.

The Solicitor mentioned that he was at the present time in the process of settling a claim by means of arbitration against the owner of Lot 4 in the same block. He pointed out that the award to be made on this claim could have a marked bearing on the claim of Mr. Taylor although it could not be said with any degree of certainty that this would be the case.

Moved by Councillor McLean, Seconded by Councillor Prittie: "That consideration of the claim of Mr. George E. Taylor for the North 20 feet of Lot 7, Block 10, D.L. 121, Plan 1054 be left in abeyance pending the outcome of arbitration proceedings against the owner of the aforementioned Lot 4".

CARRIED UNANIMOUSLY

(3) Application of Sutton, Braidwood, et al for a television transmitter on Burnaby Mountain.

The Municipal Manager reported verbally that he had been able to ascertain from the above firm that they would be reactivating their application to lease or purchase certain lands on Burnaby Mountain for use as a television transmitter site. He added that this applicant also intends to establish their studios in the Municipality.

The Manager also reported on the application of Vantel Limited advising that he had been informed that engineering studies confirm that a site 200 feet square, though it may be the minimum area required, is adequate to accommodate a tower 300 feet high.

The Manager also reported that either applicant could use the site in the event only one licence is granted by the Board of Broadcast Governors.

Moved by Councillor Brown, Seconded by Councillor MacSorley: "That the Committee now rise and report."

Council reconvened.

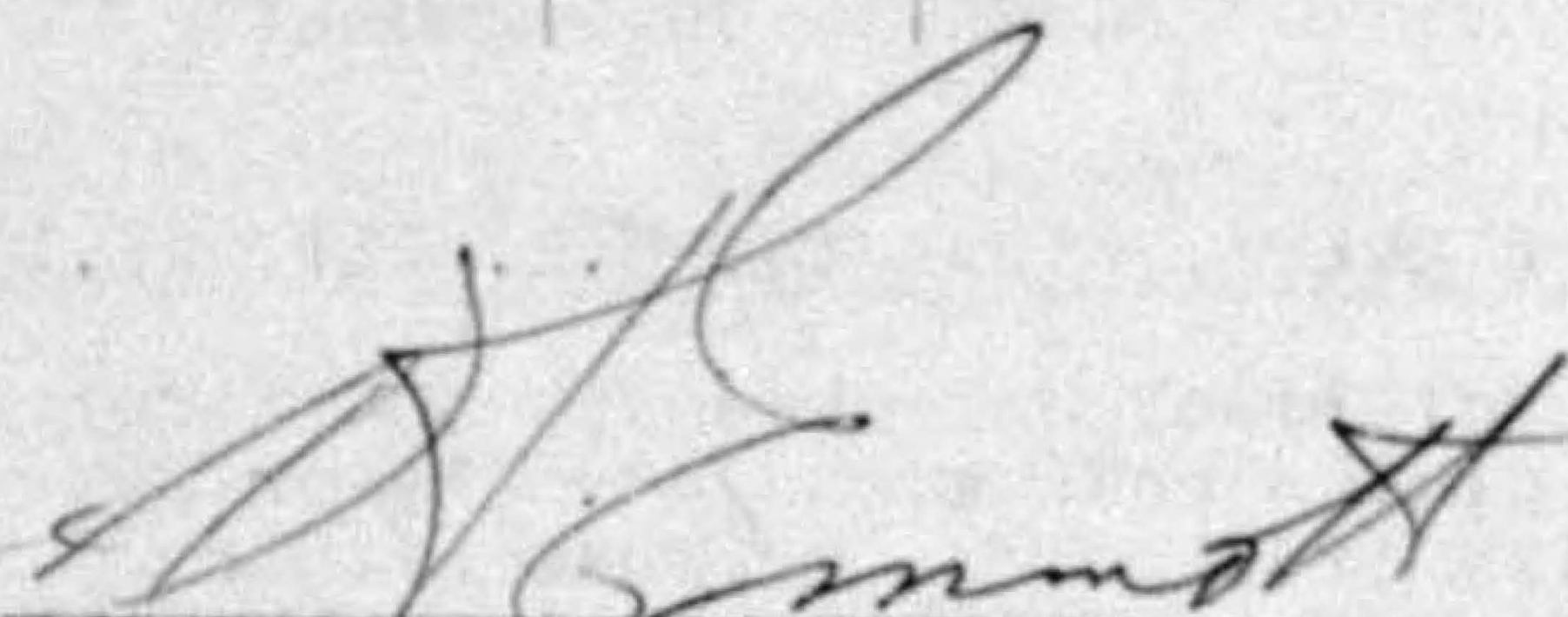
CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

The meeting then adjourned.

Confirmed:


REEVE


CLERK