### FEBRUARY 20, 1961

A Regular Meeting of the Municipal Council was held in the Council Chambers, Municipal Hall,  $k_5^{k_5}$  East Grandview-Douglas Highway on Monday, February 20, 1901 at 7:30 p.m.

PRESENT:

Reave Emmott in the Chair; Councillors Clark, Drummond, Edwards, Harper, Hicks, Jamieson, MacSorley and Prittie.

Captain W. Clark led in Opening Prayer.

Reeve Emmott advised at the outset that he wished to clarify certain statements which had been attributed to him in a daily newspaper relative to the participation by Civic Employees in the Civil Defence Organization. He reported that his statement that it was a condition of employment for those seeking jobs with the Municipality to join Civil Defence was, though correctly reported by the newspaper, erroneous in that no one seeking employment with the Corporation has to consent to participate in Civil Defence. The Reeve pointed out that, in the event of an emergency being proclaimed, the employees of the Corporation would be expected to conduct themselves in such manner as is deemed requisite as representatives of the Municipality, although they would not be compelled to act in this fashion but, rather, it would be optional.

The Reeve further explained that it is an inherent function of local government to provide leadership in matters involving the Municipality, irrespective of whether these matters may be disastrous in character or otherwise.

> MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR EDWARDS:

"That the Minutes of the meetings held February 6th and 13th, 1951 be adopted as written and confirmed."

### CARRIED UNANIMOUSLY

Executive Vice-President, Greater Vancouver Tourist Association wrote requesting the opportunity to address Council on the matter of the 1961-52 plans of the Association.

### MOVED BY COUNCILLOR HARPER, SECONDED BY COUNCILLOR CLARK:

"That the delegation from the Association be heard."

CARRIED UNANIMOUSLY

Mr. H. J. Merilees appeared on behalf of the Greater Vancouver Tourist Association and presented a number of brochures and other literature publicizing British Columbia. Mr. Merilees pointed out that the Association proposes to undertake an accelerated programme of external advertising as a means of further encouraging tourism to British Columbia and, to attain this end, they considered it necessary to increase their budget from \$104,000.00 to \$140,000.00. Mr. Merilees requested that consideration be given to a grant in the amount of \$5,000.00, pointing out that this amount has been calculated on

a per capita basis and that all municipalities have been treated alike in this regard.

MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR JAMIESON:

"That the delegation be thanked for its presentation and the request of the Greater Vancouver Tourist Association be referred to the Grants Committee for consideration and recommendation."

CARRIED UNANIMOUSLY

Executive Director, Union of B. C. Municipalities, submitted a Tetter advising that the Minister of Finance has Introduced Bill 23, a new Act called the "Public Bodies Financial Information Act", to the legislature. The Executive Director forwarded a copy of this Bill for the information of Council. He pointed out that as it is obvious that if this Bill passes the increase in work and cost in the preparation of Municipal annual financial statements would be quite considerable, the U.B.C.M. has asked that all reference to municipalities be deleted from the Bill. The Executive Director forwarded a copy of the letter addressed to the Provincial Secretary in this regard.

> MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR HICKS:

"That the letter and attachments be received."

CARRIED UNANIMOUSLY

The feeling was expressed that in order to assess the impact of the requirements imposed under the subject Act, Council should know the additional cost which the Municipality would need to bear in the production of the statements required.

> MOVED BY COUNCILLOR DRUMMOND, SECONDED BY COUNCILLOR CLARK:

"That the submission of the U.B.C.M. be tabled for a period of one week and further, that the Treasurer submit a report at that time explaining the extent of the additional cost which would accrue to the Municipality in complying with the terms of the Public Bodies Financial Information Act."

### CARRIED UNANIMOUSLY

<u>C. A. and E. Hudson</u> wrote expressing the view that property lying within the district in which they reside (3400 Keswick Avenue) has not been devaluated by the erection of overhead transmission lines and suggesting that the press be informed

of the true characteristics and amonities of the district in question.

# MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR MacSORLEY:

"That the letter be received and the views contained therein duly notod."

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### CARRIED UNANIMOUSLY

Secretary-Manager, North Fraser Harbour Commissioners, submitted a copy of the financial statements of the Commission for the year ended December 31, 1960.

### MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR EDWARDS:

# "That the statements be received and noted."

### CARRIED UNANIMOUSLY

Executive Secretary, Burnaby Chamber of Commerce, wrote suggesting that the means of remedying the surplus situation which arose in connection with the operation of the Water Works Utility is to reduce the general rate levy by a millage exactly equal in amount to the excess in the general debt rate.

### MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR MacSORLEY:

"That the letter be received."

CARRIED UNANIMOUSLY

### MOVED BY COUNCILLOR DRUMMOND, SECONDED BY COUNCILLOR MacSORLEY:

"That the Municipal Treasurer, through the Manager, furnish the Chamber of Commerce with a complete cxplanation of the method by which the surplus situation has been, and is to be, treated."

### CARRIED UNANIMOUSLY

Business Agent for Pioneer Division 101, Amalgamated Association of Street, Electric Railway and Motor Coach Employees of <u>America</u>, submitted a letter requesting that Council take a stand at this time in regard to a recently announced sale of the B.C.E. Transit System and changes in transit service. Specifically, the Association asked that:

- (1) Council inform the Public Utilities Commission that such a proposed sale to another private company whose basic objective will be to operate the transit system for private profit is not in the overall public interest.
- (2) In the event the Public Utilities Commission does allow the sale, the new transit company be instructed to satisfy Council and the P.U.C. that there will be no further deterioration in the frequency of transit service, or any lowering in the standard of transit equipment.

In any event, the Company that operates the transit system be required to secure approval by Council for any and all changes in transit service that affects, or could affect, the people of Burnaby. (3)

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR PRITTIE:

"That the total submission of the Association be received."

### CARRIED UNANIMOUSLY

# MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR EDWARDS:

"That the suggestion outlined under Number (1) above be brought forward for further consideration at such time as the proposed sale mentioned becomes more positive in nature."

### CARRIED UNANIMOUSLY

### MOVED BY COUNCILLOR MacSORLEY. SECONDED BY COUNCILLOR CLARK:

"That the proposal outlined under Number (2) above be accorded the same treatment as the previous matter."

### CARRIED UNANIMOUSLY

Reeve Emmott submitted a report recommending that Councillor D. H. Jamieson be appointed Acting Reeve for the months of March and April, 1961.

MOVED BY COUNCILLOR MacSORLEY, SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Reeve be adopted."

### CARRIED UNANIMOUSLY

# REPORT OF COMMITTEE OF THE WHOLE.

Your Committee met on Monday, February 13, 1961 and would recommend:

(1) That in view of the situation regarding the lack of unanimity amongst he owners of property in the 3800 to 4000 (including the Safeway property) Blocks Hastings Street regarding the donation of the necessary land and the waiving of compensation, the widening proposal in toto be abandoned.

> MOVED BY COUNCIL'OR JAMIESON, SECONDED BY OUNCILLOR HICKS:

"That the recommendation of the Committee be adopted,"

CARRIED UNANIMOUSLY

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(2) That the widening of the 4000 and 4100 Blocks (Safeway property) be proceeded with this year subject to the conditions as laid down by the Minister of Municipal Affairs.

> MOVED BY COUNCILLOR HICKS, Seconded by Councillor Prittie:

"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

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### MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:

"That written notice be given to all those affected, that unanimity as to the donation of land and walving of compensation has not been attained and consequently each case with regard to compensation will be considered on its own merits."

CARRIED UNANIMOUSLY

### REPORT OF COMMITTEE OF THE WHOLE

Your Committee met on Thursday, February 16th, 1961 and would recommend:

(1) That the Vancouver Real Estate Salesmen's Union Local No. 1570 be advised in response to their letter of January 27th, 1961 that this Corporation cannot accede to the request of the Union to alter its land sale methods on the grounds that the method currently used whereby bids are called on all sales of Municipal land is considered to be in the best interests of the Municipality and the public in that the tendering process provides equal opportunity for all interested parties to present offers according to their own interpretation of true value.

> MOVED BY COUNCILLOR MacSORLEY, SECONDED BY COUNCILLOR EDWARDS:

"That the recommendation of the Committee be adopted."

### CARRIED UNANIMOUSLY

(2) That the Vancouver Real Estate Solesmen's Union Local No. 1570 be advised in response to their letter of January 27th, 1951 that this Corporation cannot endorse the resolution presented by the Union calling for an amendment to the Real Estate act to change the administrative constitution of the Real Estate Council since it is not considered within the jurisdiction of this Council to make such representations.

> MOVED BY COUNCILLOR EDWARDS, SECONDER BY COUNCILLOR JAMIESON:

"That the recommendation of the Committee be adopted."

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(3) That in response to a request for an indication of support or otherwise on a financial feasibility study for firststage freeway - rapid transit system the Technical Committee for Metropolitan Highway Planning be advised that since the Metropolitan Joint Committee report on metropolitan government proposals is before the Provincial Government, the Council of Burnaby considers it untimely to support the financial feasibility study until the Government has decided upon the disposition of the Metropolitan Joint Committee report.

Subject to the above, Burnaby is not opposed to the idea of the financial feasibility study providing this study is extended to include:

- (a) a means of financing the remainder of the problem not requiring freeway treatment, and
- (b) a study of the relationship of an expenditure on freeways, etc. of the magnitude suggested, to the other needs of the various municipalities concerned.

MOVED BY COUNCILLOR CLARK, SECONDED BY COUNCILLOR JAMIESON:

"That the recommendation of the Committee be adopted."

CARRIED COUNCILLORS DRUMMOND, PRITTIE & HICKS-AGAINST

(4) That a grant of  $\$^{h}$ ,162.00 be made to the Lower Mainland Regional Planning Board of B. C. as Burnaby's share of the budget of the Board for the year 1961.

# MOVED BY COUNCILLOR CLARK, SECONDED BY COUNCILLOR JAMIESON:

"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

(5) That Mr. Martin Dayton be engaged to design a storm sewer installation in the area bounded by the B.C.E.R. Central Park Right-of-way, Patterson Avenue and Imperial Street, at an estimated cost of \$6,000.00.

> MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR MacSORLEY:

"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

THE REEVE DECLARED A RECESS AT 8:40 P.M.

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THE COUNCIL RECONVENED IN THE COMMITTEE ROOM AT 8:50 P.M.

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HARPER:

"That the Council now resolve itself into Committee of the Whole."

# MUNICIPAL MANAGER -- REPORT NO. 0, 1961.

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### (1) Easement - Lot 1 East 10 feet, Block 29, D.L. 186, Plan 1124.

The Manager recommended that Council authorize the acquisition of the above noted easement, which is required in connection with the reconstruction of the Gale Sewer System, and the execution of the easement document.

### MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

### (2) Norks Completed in 1960.

The Manager submitted a list of works completed during the year 1960, as follows:

(a)	Water Mains Laig -	12.65 miles
(a) (b) (c) (d)	Sidewalks Constructed -	11.92 miles
(c)	Paving Constructed -	17.10 miles
(d)	Domestic Scwer Installed -	15.44 miles
(6)	Storm sewers installed -	10.10 miles

MOVED BY COUNCILLOR HARPER, SECONDED BY COUNCILLOR MacSURLEY:

"That this information be received."

CARRIED UNANIMOUSLY

### (3) Rummel Lequest.

The Manager recommended that Council authorize the acceptance of a bequest from the Estate of Frances Octavia Rummel in the amount of \$500.00 for the upkeep and maintenance of Charles Rummel Park, and the execution of the requisite receipt covering this bequest.

> MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

# (4) Public Liability Insurance.

The Manager reported that, pursuant to a direction of Council, a study had been undertaken with regard to the above noted matter which indicates that property damage claims as high as \$250,000.00 have been paid in this Province, and that auto accident claims amounting to as much as \$100,000.00 are being paid. He added that it has been also determined from two prominent legal firms end five firms of insurance adjusters that \$200,000.00 one person, \$500,000.00 one occurrence, and \$500,000.00 property damage, should be carried by the Municipality on Comprehensive, Public Liability, and Property Damage, respectively, policies. In this regard, the Manager reported that the Zurich Insurance Company has agreed to extend

### this coverage from:

\$100,000. one person to \$200,000. one person
\$200,000. one occurrence to \$500,000, one occurrence
\$100,000. property damage to \$500,000. property damage.

at a total increase in the premium of all policies of \$2,608.24. He recommended that Council authorize an increase in the Public Liability insurance as indicated above.

> MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR HICKS:

"That this report be tabled pending receipt of information from adjacent municipalities as to the extent of their Public Liability insurance coverage."

> CARRIED COUNCILLOR DRUMMOND-AGAINST.

- (5) The Manager submitted the monthly report of the Medical Health Officer for the month of January, 1961.
- (6) The Manager submitted the monthly report of the Chief Licence Inspector for the month of January, 1961.
- (7) The Manager submitted a report of the Municipal Engineer covering construction progress during the month of January, 1961.
- (d) The Manager submitted a report of the Property Manager covering Property Sales Record No. 8837.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR PRITTIE:

"That the above four reports be received."

### CARRIED UNANIMOUSLY

### (9) Estimates.

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This item was deferred until later in the evening.

# (10) Standards of Service Committee.

The Manager recommended that Mr. E. L. Coughlin, Social Welfare Administrator, be authorized to attend a meeting of the above noted Committee in Victoria on February 23, 1961. He explained that this Committee has been established to study the matter of Welfare standards in the Province and that it will be submitting recommendations on this matter to the Provincial Government as a result of the study.

> MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR CLARK:

"That the recommendation of the Manager be adopted."

### (11) Easement - Portion of Lot "A" Except Explanatory Plan 14116 and Remainder of Lot 3, Block 1, D.L.'s 57/58, Plan 4338.

The Manager recommended that Council authorize the acquisition of the above noted easement, which is required to accommodate future drainage works, and the execution of the easement agreement.

### MOVED BY COUNCILLOR MacSORLEY, SECONDED BY COUNCILLOR PRITTIE:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

# (12) Drainage Situation at Winston Street and Piper Avenue.

The Manager reported that some concern has been felt with respect to a drainage situation at the above location. He pointed out that this situation would normally be alleviated when Lozells Creek is re-channelled south of Winston Street with a proper new crossing by culvert just west of Piper Avenue. He added that the Sewerage and Drainage Board have acquired an easement for the Creek north of Winston Street and has designed the channel across and south of Winston Street but has not acquired easements south. The Manager furthor advised that the Sewerage District is aware that the easement south of Winston Street would be for present re-channelization of the stream and that it may be substituted for in the future by an easement better suited to the eventual industrial development of abutting land. The Manager advised that, in the meantime, it is considered desirable that the Sewer Board be approached to immediately acquire the casement for the Lozells Creek channel south of Winston Street, to construct the new channel as far as Piper Avenue, and to instal a culvert for the Creek in the final location beneath Winston Street. He recommended that Council make application to the Greater Vancouver Sewerage and Drainage District to carry out the re-channelization, as indicated above, as soon as possible.

### MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

# (13) Watercourse at Stride Avenue (Lot 13, Block 27, D.L.53)

The Manager reported that it is believed that in 1954, the then owner of the above described property enclosed a natural watercourse that traversed his lot, using a 30 inch pipe. He advised that on January 28, 1955, the then Municipal Engineer wrote to the owner in question bringing attention to the owner's responsibility regarding the enclosing of the subject watercourse, namely; that the owner could be held liable for any flood damage to other property that can be attributed to his action in enclosing the watercourse with a culvert smaller than the existing culvert under Stride Avenue and also, for any damage reported that complaints of flooding which have been attributed to the backing up of water by the 30 inch culvert installed by the owner mentioned above have been received and investigated, with the result that evidence has been found that the said 30 inch pipc has overflowed during recent storms while the 42 inch pipe under Stride Avenue has been sufficient in its capacity to handle the high flow of water at any time. The Manager added that the Corporation has been informed that the owner in question has a letter from the Municipality in effect approving the size of pipe installed by him but that an intensive search of Municipal files has failed to uncover any letter other than the one mentioned above, which was written by the former Municipal Engineer. The Manager advised that though the matter should be one between the complainants and the owner of the property in question, the said complainants are looking to the Municipality to correct the situation. In this latter regard, the Manager pointed out that Section 873 of the Municipal Act provides Council with the necessary authority to declare the subject pipe a nuisance and to order its removal. He emphasized that such authority must be most carefully used and that the Corporation would likely find itself in the position of having to defend itself in any case involving the use of this section. The Manager reported that in the case at hand, the possibility of action under Section 573 would seem to hinge on the degree of nuisance being caused by the pipe, although the matter of the letter by the Municipality purporting to approve the existing installation is something that should also be considered. He added that the position of the Municipality would be greatly clarified by an action by the complainants against the owner of the subject lot before the Municipality becomes involved.

> MOVED BY COUNCILLOR DRUMMOND, SECONDED BY COUNCILLOR EDWARDS:

"That the owner of Lot 13, Block 27, D. L. 53 be approached by the Engineering Department with a request that he take steps to remove the culvert referred to in the report of the Municipal Manager and, if this course of action does not prove to be a successful one, then a report be submitted to Council so that it may determine the action then to take and further, that the degree of nuisance which is caused by the presence of the culvert in question be clarified."

### CARRIED UNANIMOUSLY

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### (9) Estimates.

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The Manager submitted a report of the Municipal Engineer covering special ert mates of work in the total amount of \$53,765.00 recommerding that they be approved.

Reeve Emmott drew attention to items 64-16 and 84-18 of the above mentioned estimates pointing out that these works involved the instaliation of house connections to storm sewing, He stressed that if homes are to be connected to the storm sewer system at no cost to the individual property owners, this would reduce the amount of money available under the Sewer Utility for the general storm sewer programme and would thus curtail this programme. He made reference to Section 563 of the Municipal Act under which Council could construct connecting pipes from the sewer main to private property as a local improvement and specially assess the cost of each provides that the owners of the land affected shall not have the right of petition pro ided for by Section 589 of the Act.

### MOVED BY COUNCILLOR JAMIESON. SECONDED BY COUNCILLOR HICKS:

"That the policy established at a meeting of the Committee of the Whole on February 16, 1961, as follows, be hereby ratified:

That a sealed pipe connection to storm sewers of the Corporation be supplied free of charge to property owners on the following basis:

- such connection be supplied from the storm sewer main to the property line, at the time of the main installation, provided that such connection may be joined to an existing open tile drain of the property owner. (1)
- where a connection is made in the fashion outlined in (2) (1), the property owner be advised in writing of the necessity to incorporate a proper scaled pipe and to instal a sump and back water valve (where necessary) at a suitable location along the connection within the owner's property.
- such connection be supplied from the storm sower main (3) to the property line of undeveloped the developer be required to provide a sump and back water valve and scaled pipe to the street connection in accordance with Municipal regulations.
- where no connection line exists on a developed property, at the time of the sewer main installation, the property owner be required to instal a proper scaled pipe, sump (4) and where necessary, a back water valve, in accordance with Municipal regulations,
- those properties already connected to a storm sewer be (5) not disturbed and that when the necessity arises such properties be dealt with in the same manner as (2) above."

CARKIED. REEVE EMMOTT, COUNCILLORS PRITTIE & HARPER - AGAINST.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR JAMIESON:

"That the recommendation of the Municipal Manager respecting special estimates of work, as outlined above, be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR PRITTIE:

"That the Committee now rise and report."

The Council reconvened.

CARLED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR PRITTIE:

"That the report of the Committee be now adopted."

### MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR EDWARDS:

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"That "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAWS, AMENDMENT BY-LAJ, 1961" be now reconsidered."

### CARRIED UNANIMOUSLY

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# MOVED BY COUNCILLOR PRITTIE, SECONDER BY COUNCILLOR EDWARDS:

"That "BURMABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAWS, AMENDMENT BY-LAW, 1961" be now finally adopted, signed by the Reeve and Clerk and the Corporate Seal be affixed thereto."

### CARRIED UNANIMOUSLY

### MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR EDWARDS:

"That leave be given to introduce "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 1, 1961" and that it be read a First Time."

### CARRIED UNANIMOUSLY

### MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR HICKS:

"That the By-Law be read a Second Time."

### CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR EDWARDS:

"That the Council resolve into Committee of the Whole to consider the By-Law."

#### CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JAMIESON, SECONDEC BY COUNCILLOR HICKS:

"That the Committee rise and report the By-Law complete."

#### CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR HARPER:

"That the report of the Committee be adopted."

# MOVED BY COUNCILLOR JAMIESON, SECONDED BY COUNCILLOR HICKS:

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"That "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 1, 1961" be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR JAMIESON:

"That leave be given to introduce "BURNABY TAX-SALE MONEYS EXPENDITURE BY-LAW NO. 3, 1961" and that it be read a First Time."

CARRIED UNANIMOUSLY

### MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR HICKS:

"That the By-Law be read a Second Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR JAMIESON:

"That the Council resolve into Committee of the Whole to consider the By-Law."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE, SECONDED BY COUNCILLOR HICKS:

"That the Committee rise and report progress."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR MacSORLEY, SECONDED BY COUNCILLOR HARPER:

"That the Council now adjourn until Monday, February 27th, at 7:30 p.m."

CARRIED UNANIMOUSLY

Confirmed:

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