

APRIL 24, 1961

An Adjourned Meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, April 24, 1961 at 7:30 p.m.

PRESENT: Reeve Emmott in the Chair;  
Councillors Clark, Drummond,  
Harper, Jamieson, MacSorley  
and Prittle

ABSENT: Councillors Edwards and Hicks

The following wrote requesting an audience with Council:

- (a) Messrs. D. Sandhaus and J. Holbrook re the matter of establishing a new and used building materials yard on property south of Marine Drive.
- (b) Mr. M. Polvi, Secretary, Citizens Group, re operation of Go-Kart Track at Hastings Street and Fell Avenue.

MOVED BY COUNCILLOR MACSORLEY,  
SECONDED BY COUNCILLOR CLARK:

"That the delegations be heard."

CARRIED UNANIMOUSLY

A spokesman for Messrs. Sandhaus and Holbrook was not present.

Mr. M. Polvi then spoke on behalf of a number of citizens in the Hastings - Fell area of the Municipality advising that he was appearing for the purpose of asking Council to exert its authority to effect the elimination of a noise nuisance which emanates from the operation of a Go-Kart track on park property at Hastings Street and Fell Avenue. He stated that the noise resulting from the use of these Go-Karts has been a constant source of annoyance to nearby residents and that it has also adversely affected the amenities of the park, particularly for children. He added that the noise factor has led to a devaluation of property in the subject area. Mr. Polvi further advised that the residents had approached the Parks and Recreation Commission in an attempt to seek relief from the problem and, though the Commission provided some satisfaction by establishing a set of regulations governing the use of mufflers on the Go-Karts, this had not been proven adequate in certain instances. Mr. Polvi stressed that the operation in question violates the laws governing speed of vehicles, a Municipal By-law prohibiting the creation of excessive noise, and also a section of the Parks Regulation By-law dealing with the use of mufflers on vehicles travelling through park property. Mr. Polvi concluded by asking that the laws mentioned be enforced to protect the amenities of the residential neighbourhood. He also inquired as to the future use of the park by Go-Karts.

Mr. Polvi was then provided with an explanation of the situation in respect of the Go-Kart operation at the park in question. It was pointed out to him that the matter under complaint is one which properly comes within the jurisdiction of the Parks and Recreation Commission.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR MacSORLEY:

"That the representation of the delegation  
be noted."

CARRIED UNANIMOUSLY

President, Fraser North Shore Highway Association, submitted a letter advising of a ceremony planned for the afternoon of May 6th to commemorate the opening of Loughheed Highway between Agassiz and Ruby Creek.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HARPER:

"That the letter be received and its  
contents noted."

CARRIED UNANIMOUSLY

Reeve Emmott submitted a report recommending that the following be appointed Acting Reeve for the months indicated:

- (a) Councillor R. W. Prittie - May and June, 1961
- (b) Councillor W. R. Clark - July and August, 1961

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR MacSORLEY:

"That the recommendations of the Reeve  
be adopted."

CARRIED UNANIMOUSLY

Parks and Recreation Commission submitted a report in connection with the lane allowance along the south side of Richmond Park advising that a drainage ditch has been constructed on this allowance for the purpose of protecting the adjoining private properties from surface drainage off the Park. They added that an easement containing an underground pipe carries this drainage plus water from a wading pool through a portion of Lot 1, Block 4, D. L. 30, Plan 14020, to the Municipal storm drainage system on Holly Street. They pointed out that cancellation of the subject lane allowance would necessitate a 10 foot extension of the aforementioned drainage easement. The Commission asked that in the event application is made to cancel the subject lane allowance, the construction of a new ditch and the granting of a 10 foot extension of the existing drainage easement be made conditions of approval of the cancellation and further, that these works be undertaken at no cost to the Commission.

MOVED BY COUNCILLOR MacSORLEY,  
SECONDED BY COUNCILLOR CLARK:

"That the matter covered in the report  
of the Parks and Recreation Commission  
be referred to the Municipal Manager for  
full details as to the situation which  
would occur if the subject lane allowance  
was cancelled and the need arose for a  
realignment of the drainage facility."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CLARK,  
SECONDED BY COUNCILLOR PRITTIE:

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

CARRIED UNANIMOUSLY

The following matters were then lifted from the table:

- (a) Item No. 8 of the Municipal Manager's Report No. 17, 1961 re proposed Sanitary Sewer Pumping System for the Sumner-Clydesdale area.
- (b) Item No. 7 of the Municipal Manager's Report No. 17, 1961 re an application of Villa Motor Hotel Limited for permission to use Block 10W4, S. L. 70, Plan 3216, for Hotel purposes.

A letter was received from the Greater Vancouver Sewerage and Drainage District advising that there was insufficient available additional capacity in the Hastings Sanitary Trunk Sewer system to accept flows from the Copley area of the Municipality,

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR CLARK:

"That the recommendation of the Municipal Manager respecting the installation of a sewage pumping station and attendant sewer lines in the Copley area, as more fully described in Item 8 of his Report No. 17, 1961, be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR DRUMMOND,  
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Municipal Manager respecting the application of Villa Motor Hotel Limited for use of the property described above as a Hotel site, as more fully described in Item 7 of the aforementioned Report No. 17, be adopted."

CARRIED UNANIMOUSLY

The Municipal Manager was also directed to prepare a schedule of expenses incurred by the Municipality out of the special fund of \$100,000.00 per year set up under the Sewer Utility and to present this information periodically to Council.

MUNICIPAL MANAGER -- REPORT NO. 19, 1961.

(1) St. John Ambulance - Burnaby Branch.

The Manager submitted information respecting the activities of the Burnaby Branch of St. John Ambulance, as requested by Council at a meeting on March 27, 1961.

MOVED BY COUNCILLOR HARPER,  
SECONDED BY COUNCILLOR CLARK:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR DRUMMOND:

"That copies of such financial statements as would indicate the sources of revenue and expenditures made by the St. John Ambulance Association be obtained and further, that an invitation be extended to the Association to have one of its principals appear before Council to elaborate on the activities undertaken by the Association."

CARRIED UNANIMOUSLY

- (9) Re: Lot 9, Blocks 4 and 51/52, D.L.'s 151/3 and 33, Plan 1316 (Old Orchard Parking Lot).

The Manager reported that a request has been received under Section 13 of the Town Planning By-law for permission to develop the above described property as an ancillary parking lot to the Old Orchard Shopping Centre. The Manager outlined the plan of development proposed by the applicant and added that it had been the previous view of the Planning Department that an ancillary parking lot to the Old Orchard Shopping Centre in the block between Kingsway and Grange Street would not pose the problems which would arise if such a parking lot was established on the north side of Grange Street. The Manager advised that it was felt some improvement was necessary to the detailed proposal which has been submitted, as follows:

- (a) A "permanent" dust-free surface should be required, including appropriate curbing
- (b) There should be a 20 foot landscaped strip along the west side of the subject lot.
- (c) A planted evergreen screening strip should be provided on both the north and south sides of the lot in question.

It was indicated to Council that the principals of the scheme were in attendance.

MOVED BY COUNCILLOR HARPER,  
SECONDED BY COUNCILLOR JAMIESON:

"That a spokesman for the principals be heard."

CARRIED UNANIMOUSLY

Mr. H. Tupper appeared on behalf of the developers, Messrs. Lee and Wong, and stated that the qualifications expressed in the report of the Municipal Manager would be acceptable to the principals.

MOVED BY COUNCILLOR PRITTE,  
SECONDED BY COUNCILLOR JAMIESON:

"That, pursuant to Section 13 of the Town Planning By-law, authority be granted to use the subject property as a parking lot, subject to the conditions listed in the Manager's Report."

CARRIED UNANIMOUSLY

(2) Easement - Phase 2 of South Slope Sewer.

The Manager recommended that easements be acquired over the following properties:

- (a) South 10 feet of Lot 6, Block 4, D. L. 158E½, Plan 1501, From M. E. Gregory and E. M. Daird for a consideration of \$1.00 and restoration of the easement area.
- (b) South 10 feet of Lot 2, Block 4, D. L. 158E½, Plan 1501, From F. Westerlund & Sons Ltd. and A. J. and A. I. Girardot, for a consideration of \$1.00 plus restoration of the easement area.
- (c) That portion of Parcel "A", Explanatory Plan 13026 of Lot 4, Block 3, D. L. 162, Plan 3406 shown outlined in Red on Plan No. 22044, from C. E. Dezanon for a consideration of \$1.00 plus restoration of the easement area.

The Manager further recommended that authority be granted to execute the easement documents.

MOVED BY COUNCILLOR DRUMMOND,  
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Municipal  
Manager be adopted."

CARRIED UNANIMOUSLY

(3) Agreement - Vancouver A. & W. Drive-Ins Ltd.

The Manager recommended that Council authorize the execution of an Agreement with the above noted Company dealing with the construction by them of Madison Avenue between Lougheed Highway and Douglas Road.

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Municipal  
Manager be adopted."

CARRIED UNANIMOUSLY

(4) Labour Relations Act - Burnaby Civic Employees Union.

The Manager reported that the Statutory Declaration required pursuant to a recent amendment to the above noted Act has been received from the Civic Employees' Union stating that the Union is complying with the provisions of this Act whereby monies deducted from employees' wages for Union dues will not be used on behalf of any political party or to or on behalf of a candidate for political office.

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR MacSORLEY:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(5) Tax Sale Surplus - Lots 4E $\frac{1}{2}$  and 5W $\frac{1}{2}$ , Blocks 1/3, D.L. 211 Plan 2521 (Wilson).

The Manager recommended that Council authorize the Treasurer to pay the surplus of \$510.36 received as a result of the disposal of the above described lots at the 1959 Tax Sale to the Official Administrator of the County of Nanaimo, Nanaimo, B.C. since the devisee of the former owner died intestate and her Estate is being administered by the said Administrator.

MOVED BY COUNCILLOR HARPER,  
SECONDED BY COUNCILLOR DRUMMOND:

"That the recommendation of the Manager  
be adopted."

CARRIED UNANIMOUSLY

(6) Tax Sale Surplus - Lot 5E $\frac{1}{2}$ , Block 21, D. L. 211, Plan 2519 (Jackey and Clapp).

The Manager recommended that Council authorize the Treasurer to pay the surplus of \$356.94 received as a result of the disposal of the above described lot at the 1959 Tax Sale to the Registrar of the County Court, City of New Westminster, B. C., since the former owner died intestate and a claim for the surplus money has been received from Mrs. N. Clapp.

MOVED BY COUNCILLOR CLARK,  
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Manager  
be adopted."

CARRIED UNANIMOUSLY

(7) Lease - Block 6, D. L. 136, Plan 1256 (Cotton).

The Manager recommended that Council lease the above described lot to Mr. W. M. Cotton, subject to the following terms:

- (a) That the lease be for a period of five years, with the Corporation having the right to cancel the said lease by giving the lessee three months' written notice.
- (b) That the lessee pay the annual taxes plus \$7.00 per month to the Corporation.
- (c) That in the event the Corporation places the subject parcel in a sale position, the lessee be advised in writing.
- (d) That the property be used exclusively for garden purposes.
- (e) That no buildings be permitted to be erected.
- (f) That the lessee have the right to remove any trees, shrubs, or other plants on the property during the tenure of the lease.

MOVED BY COUNCILLOR MacSORLEY,  
SECONDED BY COUNCILLOR DRUMMOND:

"That the recommendation of the Municipal  
Manager be adopted."

CARRIED UNANIMOUSLY

(6) Easement - Portion of Block 2, Sketch 52220C except Sketch 12170, D. L. 90, Plan 573 (Waldner).

The Manager recommended that Council authorize the acquisition of that portion of the above described Block shown outlined in Red on the Sketch noted in caption for a consideration of \$500.00 plus restoration of the easement area. He pointed out that the high cost of this easement is due to the fact that it is located 13.72 feet south of the north boundary of the subject property, which has the twofold effect of reducing the north end of the said property by approximately 34 feet and also reducing the future subdivision potential of the property by two lots. He further recommended that Council authorize the execution of the easement document.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR JAMIESON:

"That this matter be tabled for a period of one week and the Municipal Manager be directed to supply information as to the various alternatives available for the installation of a sewer line in the area affected, including the cost of each alternative."

CARRIED UNANIMOUSLY

THE REEVE DECLARED A RECESS AT 9:00 P.M.

THE COUNCIL RECONVENED AT 9:10 P.M.

(10) Debenture Sales.

The Manager reported that tenders for the purchase of \$760,000.00 of 5½% non-callable Serial Debentures dated May 1, 1961 and maturing May 1, 1963 through to May 1, 1976 were received from the following:

Odium Brown Investments Limited	
Nesbitt Thomson & Company Limited	
Gairdner & Company Limited	
James Richardson & Sons	\$ 97.67
Dawson Hannaford Ltd.	
Thomas B. Read Co. Ltd.	\$ 97.397
Royal Bank of Canada	
Bell, Gouinlock & Company Limited	
Pemberton Securities Limited	\$ 97.39
A.E. Ames & Co. Limited	
Wood, Gundy & Co. Limited	
Dominion Securities Corp. Limited	
The Canadian Bank of Commerce	\$ 96.63
J. L. Graham	
Stevenson - Donegan	
Burns Bros. and Denton Ltd.	\$ 95.60

The Manager recommended that the tender of Odium Brown Investments Limited, Nesbitt Thomson & Company Limited, Gairdner & Company Limited, and James Richardson & Sons, of \$97.67 plus accrued interest per \$100.00 debenture be accepted. He added that this tender was subject to the following conditions:

- (a) That the debentures be a direct liability of the Corporation of the District of Burnaby and rank equally with all other issues of bonds and debentures.
- (b) That the tenderer would obtain a satisfactory legal opinion at their expense.
- (c) That delivery of the debentures be made before May 25, 1961 at the Main Branch of The Royal Bank of Canada, Vancouver, B. C. and, if delivery is not completed by that date, interest may, at the option of the tenderer, cease to accrue.
- (d) That the Corporation not issue and offer for sale any further debentures for a period of at least 60 days from the delivery date, without the consent of the tenderer.
- (e) That any expenses incurred in connection with the preparation of the debentures be borne by the Corporation.
- (f) That the debentures be not called before maturity.
- (g) That the tender be for all or none of the debentures being offered for sale.
- (h) That the debentures bear the Certificate of Approval of the Inspector of Municipalities of the Province of British Columbia.

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR MacSORLEY:

"That the recommendation of the Manager  
be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HARPER,  
SECONDED BY COUNCILLOR PRITTIE:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

#### THE COUNCIL RECONVENED

MOVED BY COUNCILLOR MacSORLEY,  
SECONDED BY COUNCILLOR DRUMMOND:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HARPER:

"That leave be given to introduce  
"BURNABY ROAD ACQUISITION & DEDICATION  
BY-LAW, 1961"  
"BURNABY BUDGET AUTHORIZATION BY-LAW, 1961"  
and that they be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR JAMIESON:

"That the By-laws 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-laws."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HARPER:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HARPER:

"That the report of the Committee be  
adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR HARPER:

"That "BURNABY ROAD ACQUISITION & DEDICATION  
BY-LAW, 1961"  
"BURNABY BUDGET AUTHORIZATION BY-LAW, 1961"  
be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR JAMIESON:

"That "BURNABY SEWER CHARGE BY-LAW, 1961"  
be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,  
SECONDED BY COUNCILLOR JAMIESON:

"That "BURNABY SEWER CHARGE BY-LAW, 1961"  
be now finally adopted, signed by the Reeve  
and Clerk and the Corporate Seal be affixed  
thereto."

CARRIED  
COUNCILLORS DRUMMOND  
& CLARK - AGAINST

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR MacSORLEY:

"That "BURNABY TOWN PLANNING BY-LAW 1948,  
AMENDMENT BY-LAW NO. 2, 1961"  
"BURNABY TOWN PLANNING BY-LAW 1948, AMENDMENT  
BY-LAW NO. 5, 1961"  
be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR HARPER:

"That "BURNABY TOWN PLANNING BY-LAW 1948,  
AMENDMENT BY-LAW NO. 2, 1961"  
"BURNABY TOWN PLANNING BY-LAW 1948,  
AMENDMENT BY-LAW NO. 5, 1961"  
be now finally adopted, signed by the  
Reeve and Clerk and the Corporate Seal  
be affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR MacSORLEY,  
SECONDED BY COUNCILLOR CLARK:

"That "BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 2, 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 3, 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 4, 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 5, 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 5, 1959, AMENDMENT BY-LAW 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 6, 1959, AMENDMENT BY-LAW, 1961"  
be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR MacSORLEY,  
SECONDED BY COUNCILLOR CLARK:

"That "BURNABY LOCAL IMPROVEMENT CONSTRUCTION  
BY-LAW NO. 2, 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 3, 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 4, 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 5, 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 5, 1959, AMENDMENT BY-LAW 1961"  
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW  
NO. 6, 1959, 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 PRITTIE:

"That leave be given to introduce "BURNABY  
SEWER CONNECTION BY-LAW, 1961" and that  
it be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR PRITTIE:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JAMIESON,  
SECONDED BY COUNCILLOR PRITTIE:

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

CARRIED UNANIMOUSLY

The only Section which did not meet with the approval of Council was 4(2). It was felt that it had not been made clear in this sub-section that an applicant would be entitled to receive, free of charge, one sanitary sewer connection and one storm sewer connection.

The Council directed that the wording of the sub-section be changed so as to clarify this situation.

MOVED BY COUNCILLOR DRUMMOND,  
SECONDED BY COUNCILLOR PRITTIE:

"That the Committee now rise and report  
progress."

CARRIED UNANIMOUSLY

The Meeting then adjourned.

Confirmed:

*Acting* REEVE *James M. Pruttie*

CLERK