

DECEMBER 4, 1961

An Adjourned Meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, December 4, 1961 at 7:30 p.m.

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

Street, Wollen and Promislow, Barristers and Solicitors, wrote requesting an audience with Council to advise of a Declaratory Order stating that the portion of Irving Street adjacent property owned by Sandor Land Co. Ltd. is, in fact, a part of the Highway known as Kingsway and that an Exchange By-Law passed pursuant to Section 509 of the Municipal Act would be valid, if passed by Council.

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR EDWARDS:

"That Mr. Street of the above noted Law Firm be heard."

CARRIED UNANIMOUSLY

Mr. W. Street appeared on behalf of Sandor Land Co. Ltd. and briefly reviewed the history of the exchange proposition being proffered on behalf of the said Company. He elaborated on the Declaratory Order referred to in his letter and requested that Council now pass a Highway Exchange By-Law, as they agreed in principle to do at a meeting held on October 31, 1960 on the condition that Sandor Land Co. Ltd. will indemnify the Municipality, to the extent of 50%, against any damages for injurious affection which may arise as a result of the closing of the subject portion of Irving Street, and subject further to other legal technicalities being satisfied.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MacSORLEY:

"That the request of Mr. Street on behalf of Sandor Land Co. Ltd. be acceded to on the terms and conditions prescribed by Council at a meeting held October 31, 1960 and on the further condition that any liability which may arise for injurious affection includes both damages and costs of any such action."

MOVED BY COUNCILLOR JAMIESON,
SECONDED BY COUNCILLOR HARPER:

"That the foregoing Motion be tabled until later in the evening."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HICKS:

"That all of the below listed correspondence
be received."

CARRIED UNANIMOUSLY

Mr. and Mrs. J. Saunders submitted a petition on behalf of themselves and a number of others reiterating their stand with respect to a proposal to rezone a 17 acre portion of Lot "A", Block 3, D. L. 73 to permit its use as a Drive-In Theatre. In this regard, they stated that they were opposed to any rezoning that would permit this use.

Parry Agencies Ltd., the applicant for the rezoning just mentioned wrote requesting permission to withdraw the application.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HICKS:

"That both of these letters be received
and tabled until consideration of Burnaby
Town Planning By-Law 1940, Amendment By-Law
No. 10, 1961 later this evening."

CARRIED UNANIMOUSLY

Executive Director, Lower Mainland Regional Planning Board of B. C., submitted a letter advising of a recommendation of the Board that it wishes Council to receive and table a report entitled: "Industrial Land Prospects" and also an accompanying one entitled: "The Dynamics of Industrial Land Settlement" in order to allow for public information and discussion of the very broad questions raised in these reports.

Mr. Wilf Eadie submitted a letter suggesting that Council give its employees Christmas cakes.

Industrial Audio Visual Association of B. C. wrote advising that it is holding an evening workshop on December 6th on the matter of safety, sales, personnel, promotional and staff training programmes.

MOVED BY COUNCILLOR JAMIESON,
SECONDED BY COUNCILLOR PRITTIE:

"That the letter be received and the
matter mentioned therein referred to
the Municipal Manager for appropriate
action."

CARRIED UNANIMOUSLY

Mrs. Olga E. Ucik submitted a petition signed by 219 people requesting that a bus route be provided to serve the area bounded by the Loughheed Highway, Holdom Avenue, and points east and north.

MOVED BY COUNCILLOR DRUMMOND,
SECONDED BY COUNCILLOR CLARK:

"That this request be referred to the Public Utilities Committee for consideration and report."

CARRIED UNANIMOUSLY

Department Manager, Metropolitan Transit Lines, B. C. Electric Company Limited, submitted a letter requesting approval to route the Willingdon bus from Kingsway via Nelson Avenue, Bond Street, Willingdon Avenue, Lougheed Highway, Gilmore Avenue, and Hastings Street to the Kootenay Loop, and also that the new bus stop locations on this route be approved.

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR DRUMMOND:

"That the routing and bus stop proposals mentioned in the letter from the B. C. Electric Company Limited and more particularly shown on Plan No. B49 prepared by the Company and dated November 23, 1961, be approved, and further, that further discussions be conducted between the Public Utilities Committee and the Company in regard to a bus routing proposal advanced by the residents in the Central Park Garden Village area this past summer."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HARPER,
SECONDED BY COUNCILLOR EDWARDS:

"That Council resolve into Committee of the Whole to consider and report on "Burnaby Town Planning By-Law 1948, Amendment By-Law No. 10, 1961."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR DRUMMOND,
SECONDED BY COUNCILLOR EDWARDS:

"That the request of Parry Agencies Limited to withdraw its application to rezone the property mentioned in this By-law be acceded to."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR HARPER:

"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 CLARK,
SECONDED BY COUNCILLOR HICKS:

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

CARRIED UNANIMOUSLY

REPORT OF TRAFFIC SAFETY COMMITTEE

(1) Alpha Avenue and Pender Street.

The Committee recommended that stop signs be erected on Alpha Avenue at Pender Street since the warrants are filled for such an installation.

MOVED BY COUNCILLOR MacSORLEY,
SECONDED BY COUNCILLOR JAMIESON:

"That the recommendation of the Committee
be adopted."

CARRIED UNANIMOUSLY

(2) Fell Avenue and Kitchener Street.

The Committee recommended that yield signs be installed to control traffic on Fell Avenue at Kitchener Street because warrants for such signs are met.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the
Committee be adopted."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 66, 1961.

(1) Lease - Rover Den (Portion of Block 1, D. L. 214).

The Manager recommended that Council lease the above described property to the Fourth Burnaby Mountain Scout Group, subject to:

- (a) The Group defining the exact areas to be leased by means of a legal survey;
- (b) Any clearing or landscaping work being done in accordance with specifications of the Parks and Recreation Commission and with its approval;
- (c) Any building erected on the leased site being approved by the Municipality as to the design and location and further, that such building comply with all By-laws in connection with Building, Sanitary facilities, etc.;
- (d) The site being cleaned up and a fence or barricade erected to prevent recurrence of dumping;
- (e) The lease being for a period of one year only with a provision for renewal on an annual basis subject to a 90 day notice of termination by either party to the agreement;

- (f) The lease fees being \$1.00 per annum plus an amount equal to the annual taxes on the land and improvements until such time as the lease area can be placed on the Assessment Roll and, thereafter, the taxes on the land and improvements are to be chargeable as required under Section 336 of the Municipal Act.

MOVED BY COUNCILLOR HARPER,
 SECONDED BY COUNCILLOR JAMIESON:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

- (2) Shell Oil Company of Canada Limited - 15 K.V. Conduit Crossing on Broadway.

The Manager recommended that Council authorize the execution of an agreement with the above noted Company granting it permission to instal an underground crossing of Broadway 398 feet west of Underhill Avenue for a 15 K.V. Power Line.

MOVED BY COUNCILLOR PRITTIE,
 SECONDED BY COUNCILLOR MacSORLEY:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

- (3) Miscellaneous Watermain Construction.

The Manager recommended that the following list of watermain projects be approved:

<u>On</u>	<u>From</u>	<u>To</u>	<u>Size</u>	<u>Length</u>	<u>Cost</u>
Canberra Ave.	Dundas St.	South	6"	166'	\$ 1,000.
Lozells Ave.	Lougheed Hwy.	Govt. Rd.	8" & 12"	1249'	15,000.
Gamma Ave.	Hastings St.	North	6"	830'	4,400.
Arcola St.	Kingsway	East	6"	586'	3,290.
Broadway	North Road	West	8"	775'	7,000.
Wright St.	15th Ave.	16th Ave.	6"	431'	2,530.
15th Ave.	W. of Wright	E. of Wright	6"	413'	2,110.
Royal Oak	Kingsway	Lane St.	10"	900'	9,750.
					<u>\$45,080.</u>

MOVED BY COUNCILLOR PRITTIE,
 SECONDED BY COUNCILLOR MacSORLEY:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

- (4) Prepayment of Taxes.

The Manager recommended that Council enact a By-law to provide for the payment of a rate of interest of 4½% on tax prepayments during the year 1962 and succeeding years, unless and until repealed or amended.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Manager
be adopted."

CARRIED UNANIMOUSLY

(5) Estimates.

The Manager submitted a report of the Municipal Engineer covering Special Estimates of Work in the total amount of \$29,150.00 recommending that they be approved.

MOVED BY COUNCILLOR HICKS,
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Manager
be adopted."

CARRIED UNANIMOUSLY

(6) Miscellaneous Rezoning Applications.

The Manager submitted reports prepared by the Planning Director on 12 applications for rezoning.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR MacSORLEY:

"That these reports be received and
consideration of them deferred until
after the new Council is formed."

CARRIED UNANIMOUSLY

(7) Block 8, D. L.'s 44/78/131/136 - Government -Greenwood Connection (McCallum).

The Manager submitted a report advising that on August 21, 1961, Council authorized the acquisition of the above described property on the condition that the Corporation is able to secure the necessary land for road purposes from a site owned by Northern Asbestos Limited for the nominal sum of \$1.00.

The Manager advised that several discussions have been held with this Company and an indication has been received that it is not prepared to dedicate the land to the Municipality for the sum of \$1.00.

The Manager pointed out that the Planning Department felt the Municipality should proceed with the acquisition of the property owned by Mr. McCallum for a number of reasons, which he listed.

The Manager recommended that Council reconsider its decision on the condition which it attached to the original approval to acquire the McCallum property.

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR HARPER:

"That the report be received and a
decision on the matter contained therein
deferred until later in the evening."

CARRIED UNANIMOUSLY

(8) Financial Assistance for Sewers - National Housing Act.

The Municipal Manager reported that advice had been received from C.M.H.C. that there has been no relaxation in the qualifications for assistance under Part VIB of the National Housing Act and no change in the attitude toward contributions for the construction of interior collection sewer lines.

The Manager added that it would seem that there is no change in the terms of reference relative to the type of assistance described and that the logical approach would be to attempt to have these terms of reference broadened to include interior collectors or other major portions of sewers.

MOVED BY COUNCILLOR HICKS,
SECONDED BY COUNCILLOR MacSORLEY:

"That the report of the Municipal Manager
be received."

CARRIED UNANIMOUSLY

(9) Municipal Hall Additions and Alterations.

The Manager submitted a report on the question raised at the last meeting of Council relative to certain items of work in connection with the addition to the Municipal Hall advising that an inspection was made by the Chief Building Inspector, the Architect, and the Contractor, which indicated that some unfinished items from the last check-off list were still outstanding but not unknown to all concerned.

He added that like most construction contracts, it calls for a one year maintenance period by the general contractor, which stipulation is secured by a performance bond.

The Manager explained that the contract required the completion of one portion of the building at a time to a point where a Department could occupy new or altered office space before the Contractor could move onto the next area or floor of the building, and that this therefore meant that occupancy was taken of various parts of the building sooner than the Contractor would normally have given occupancy approval had this been a new and vacant building.

MOVED BY COUNCILLOR HARPER,
SECONDED BY COUNCILLOR EDWARDS:

"That the report of the Municipal Manager
be received."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JAMIESON,
SECONDED BY COUNCILLOR EDWARDS:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR JAMIESON,
SECONDED BY COUNCILLOR HICKS:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR HICKS:

"That leave be given to introduce
"BURNABY EXPROPRIATION BY-LAW NO. 2, 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 HICKS:

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR JAMIESON:

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR HICKS:

"That the report of the Committee be
adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR PRITTIE,
SECONDED BY COUNCILLOR HICKS:

"That "BURNABY EXPROPRIATION BY-LAW
NO. 2, 1961" be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HARPER:

"That "BURNABY LOCAL IMPROVEMENT
CONSTRUCTION BY-LAW NO. 23, 1961" be
now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR HICKS:

"That "BURNABY LOCAL IMPROVEMENT
CONSTRUCTION BY-LAW NO. 23, 1961"
be now finally adopted, signed by
the Reeve and Clerk and the Corporate
Seal be affixed thereto."

CARRIED UNANIMOUSLY

The Motion respecting the Street Exchange proposition involving Sandor Land Company Limited and a portion of Irving Street was then lifted from the table.

The Motion was then put and it was Carried Unanimously.

MOVED BY COUNCILLOR EDWARDS,
SECONDED BY COUNCILLOR PRITTIE:

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

CARRIED UNANIMOUSLY