

DECEMBER 20, 1965

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, Burnaby 2, B.C., on Monday, December 20, 1965, at 7:30 p.m.

PRESENT: Acting Reeve Blair in the Chair;
Councillors Corsbie, Dailly,
Drummond, Edwards, Herd and Hicks

ABSENT: Reeve Emmott
Councillor Cafferky

Reverend T. E. Harris led in Opening Prayer.

Municipal Manager stated that he had learned this morning that His Worship, Reeve Emmott, had been admitted to hospital with pneumonia.

MOVED BY COUNCILLOR DAILLY, SECONDED BY COUNCILLOR CORSBIE:
"That His Worship, Reeve Emmott, and Councillor Cafferky both be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR EDWARDS:
"That the Minutes of the meetings held November 29th and December 6, 1965, be adopted as written and confirmed."

CARRIED UNANIMOUSLY

Mr. Raymond W. B. McCormick wrote requesting an opportunity to address Council to appeal its decision that the height of a fence at the North-West corner of his property be reduced.

Chairman, Burnaby Family Court Committee, wrote requesting permission to address Council for the purpose of presenting a Brief entitled "A role for the Burnaby Schools in the identification and handling of potential delinquents".

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:
"That both of these delegations be heard."

CARRIED UNANIMOUSLY

Mr. McCormick first appeared and presented a letter outlining his reason for appealing the decision of Council referred to above.

In his letter, Mr. McCormick made the following points:

- (a) Prior to the construction of the fence in question, he enquired twice to determine the regulations for such construction and both times was informed that the maximum height of the fence was 3½ feet for a distance of 30 feet from his front property line and 8 feet elsewhere, or 12 feet if it was to be a wire fence. These enquiries were made of the Engineering and Building Departments around the end of July and the fence was constructed in the latter part of August.

- (b) If the fence had been built to the property lines, it would have created a hazard irrespective of its height so this was not done. Instead, the fence was built to within 12½ feet of the North-West corner of his property along one side and 14 feet along the other. Being conscious of the need for traffic safety, it was felt this would allow sufficient space for traffic turning movements in the lanes involved and would not cause a view obstruction.
- (c) The residents of the area who use the lanes expressed no objection to the fence being constructed in the manner earlier described.
- (d) Since the fence was built, vehicles in the lanes travel slower than previously.
- (e) The section of the By-Law which is allegedly being violated is designed to protect the motoring public but, if they obey traffic laws relating to the use of lanes, there would be no problems. If the By-Law protects those who disobey the laws, then the owner of the property might become a third party in the event of any damage or injury being sustained as a result of an accident.
- (f) If the direction of Council was completely obeyed, this would create a more hazardous condition than may presently exist.
- (g) The fence was constructed primarily to provide privacy but it was built in consideration of the neighbours, the location of the property, safety, and the laws governing the movement of traffic in lanes, plus the information received as a result of the aforementioned enquiries.
- (h) The By-Law in question does not seem to permit any discretion.
- (i) The person who prompted the investigation was actually complaining about speeding in the lane and not about the fence. That person has since withdrawn his complaint.

Mr. McCormick stressed that he felt because:

- (i) the fence was built in accordance with information received at the time of its construction from staff in the Municipal Hall,
- (ii) even if the offending part of the fence was reduced in height and length, there would still be a view obstruction because of the presence of tree growth on the lane allowance involved,

his appeal should be granted.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR EDWARDS:

"That a report be obtained in regard to the point made by Mr. McCormick concerning the trees and an estimate be supplied as to the cost involved in Mr. McCormick altering his fence to comply with the By-Law, with it being implicit that consideration will also be given some sort of compromise arrangement that would resolve the problem at hand to the mutual satisfaction of Mr. McCormick and the Corporation."

CARRIED UNANIMOUSLY

The Chairman of the Family Court Committee, Mr. Donald A. Copan, next appeared and presented a Brief entitled "A role for the Burnaby Schools in the identification and handling of potential delinquents".

He also reviewed the subject matter of the Brief, pointing out in this regard that the Committee had submitted a recommendation approximately one year ago in connection with the matter and the result of subsequent investigations was the Brief being presented this evening.

Mr. Copan remarked that the School Board had indicated agreement in principle with the proposal outlined in the Brief but had expressed the view that the financial responsibility for implementing the scheme rested with the municipality itself; hence the submission of the Brief to Council.

He added that the School Board had indicated the annual cost of acting on the recommendation in the Brief would be approximately \$15,000.00 but, because the Public Schools Act does not specifically provide authority for the Board to introduce the plan, it was reluctant to include a sum in its budget for next year. Mr. Copan also commented that the Board had indicated it would be prepared to accept the proposal on a three-year trial basis. He further remarked that the cost involved was non-sharable with the Provincial Government.

Mr. Copan concluded by requesting that Council underwrite the cost of the proposal described in the Brief by including a sum in the budget of the School Board for next year and possibly subsequent years.

He added that, in addition to the School Board, the Probation Officer, Youth Officer, and Social Service Administrator had expressed concurrence with the proposal at hand.

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:

"That, because it is felt the subject matter of the Brief from the Family Court Committee warrants detailed consideration, it be referred to the Policy/Planning Committee for that purpose, and the ^{Family Court} Committee, the Burnaby School Board, the R.C.M.P., and the Social Service Administrator plus such other officials of the Corporation who would be concerned with the proposal, be invited to attend the meeting of the Committee when the subject matter of the Brief is to be discussed."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR DAILLY:

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

CARRIED UNANIMOUSLY

Mr. Fred Holmes wrote requesting that the portion of Ellesmere Avenue adjacent his property (311 North Ellesmere Avenue) either be improved or sold by the municipality.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR HERD:

"That consideration of this matter be deferred until receipt of Item No. 2 of the Municipal Manager's report later this evening."

CARRIED UNANIMOUSLY

Secretary, Burnaby Citizen's Committee, submitted a letter suggesting that public meetings be held to solicit views on the question of the municipality developing recreational facilities on its foreshore property on Burrard Inlet.

Municipal Manager stated that he was submitting a special report on the question of recreational development on Burrard Inlet later this evening.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR EDWARDS:
"That consideration of the request from the Burnaby Citizen's Committee be deferred until receipt of the report mentioned by the Manager."

CARRIED UNANIMOUSLY

Secretary, Burnaby Fire Fighters' Association (Local 323), submitted a letter giving notice that the Association wishes to re-open the working agreement with the Corporation to negotiate terms for the year 1966.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR DAILLY:
"That the request of the Fire Fighters' Association be referred to the Municipal Manager for appropriate action."

CARRIED UNANIMOUSLY

Executive Director, Union of B.C. Municipalities, submitted a circular letter advising that the Municipal Advisory Committee on Pensions has submitted the following recommendations in connection with the matter of the relationship of the Canada Pension Plan to existing Municipal Superannuation:

- (i) That the principle of the 30% offset formula be implemented, providing that the minimum pension will not be less than 2% of the final five years of service up to the Canada Pension Plan "ceiling" after April 1, 1958, plus 1.3% for service prior to that date less the amount payable by the Plan; and further, that the additional cost of providing this benefit be shared equally by the employer and employee, and that it not exceed 1% of salaries up to the Canada Pension Plan "ceiling" each.
- (ii) That the pension of those employees who retired prior to December 31, 1965, be increased an additional 50 cents per month for each year of service and the total cost of this increase charged to the Excess Interest Earnings Fund.

The Executive Director pointed out that the "30% offset formula" referred to above means that the first 30% of an employee's first \$5,000.00 of annual earnings would not be counted either for contributions (either by the employer or employee) or for future service pension benefits. For employees, contributions would thus be reduced by a maximum of \$75.00 per year ($5\% \times 30\% \times \$5,000.00$) compared to the maximum annual employee contributions to the Canada Pension Plan of \$79.20.

The Executive Director also outlined other features of the scheme being recommended. He added that the U.B.C.M. Executive have adopted these recommendations and has instructed that they be conveyed to all members.

He concluded by requesting that Council notify the U.B.C.M. office after it has had an opportunity to consider the proposals outlined in the submission.

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HERD:
"That the submission from the U.B.C.M. be tabled until the next meeting of Council."

CARRIED UNANIMOUSLY

The Returning Officer submitted the results of the vote taken at the Municipal Election on December 11th and issued a proclamation covering those candidates elected. The report and proclamation are attached to and form a part of these Minutes.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR EDWARDS:
"That the report of the Returning Officer be received."

CARRIED UNANIMOUSLY

A suggestion was made that perhaps the municipality should introduce a requirement that a voter identify himself before being given a ballot.

The contention was made that, with the present system, it is possible someone could impersonate another and thereby cast more ballots than he would normally be entitled to.

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HERD:
"That the suggestion outlined above be referred to the Policy/Planning Committee for consideration, and it be understood that possibly the general procedures of the municipality in respect of elections could be reviewed at the same time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR EDWARDS:
"That the Council now resolve itself into Committee of the Whole."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 86, 1965

Report No. 86, 1965, of the Municipal Manager, attached to and forming a part of these Minutes, was dealt with as follows:

(1) Contract - Kwik Kanteen Ltd.

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR HICKS:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(2) Request for Improvements to Ellesmere Avenue (HOLMES)

The letter from Mr. Holmes, reference to which will be found earlier in these Minutes, was brought forward.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR DAILLY:
"That the recommendation of the Manager be adopted, on the understanding that the work mentioned in the report of the Manager will likely be completed within a few months' time."

CARRIED UNANIMOUSLY

(3) Burnaby Lake Study (Progress Report No. 4)

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR DAILLY:
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(4) Outdoor Swimming Pools

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR CORSBIE:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(5) 1966 requests of Burnaby Civic Employees' Union (Local No. 23)

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR EDWARDS:

"That the report of the Manager, including the attachment to it, be received."

CARRIED UNANIMOUSLY

A suggestion was made that a meeting should be arranged between Council and its negotiator handling the requests of the Union.

The Municipal Manager stated that the Committee of Mayor Rathie, Mayor Gifford and Reeve Emmott would likely be reporting their conclusions to their Councils as a result of discussing the demands of the Civic Employees' Unions in the three municipalities.

It was understood that the Municipal Manager would discuss the matter of arranging the meeting mentioned earlier with His Worship, Reeve Emmott, to obtain his reaction to the proposal.

(6) Claim - Craig Construction Company Ltd.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR HERD:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(7) Assessment of Properties Zoned for Non-Residential Use but Occupied by Residences

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR EDWARDS:

"That the subject matter of the report and the attachment to it be referred to the Policy/Planning Committee for further consideration and a resolution be prepared for the Committee which would have the effect of implementing the recommendation in the report of the Manager."

CARRIED UNANIMOUSLY

(8) Gas Line Installations of the B.C. Hydro and Power Authority

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

COUNCILLOR DAILLY LEFT THE MEETING.

- (9) Monthly Report of Chief Building Inspector
- (10) Monthly Report of Fire Chief
- (11) Monthly Report of Chief Licence Inspector
- (12) Monthly Report of R.C.M.P.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR DRUMMOND:

"That the above four reports be received."

CARRIED UNANIMOUSLY

(13) Miscellaneous Sewer Easements - Morley Street and Gordon Avenue

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR EDWARDS:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(14) Land Sale Procedure

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR HICKS:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(15) Easements - Miscellaneous Sewer Projects

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(16) Municipal Service Centre

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR EDWARDS:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

COUNCILLOR DAILLY RETURNED TO THE MEETING.

(17) Progress Report on Outstanding Rezoning Applications

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:
"That the recommendation contained in the report of the Planning Director be adopted."

CARRIED UNANIMOUSLY

Municipal Clerk announced that the Public Hearing which was to have been held this evening at 7 o'clock had to be deferred because arrangements could not be made to publish Notice of the Hearing in compliance with the Municipal Act.

He advised that, as a result of the situation, he had arranged the Public Hearing for Tuesday, December 28, 1965, at 7:00 p.m.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR DAILLY:
"That the action taken by the Municipal Clerk, as described by him, be ratified."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- RE: RECREATIONAL DEVELOPMENT ON BURRARD INLET

A special report of the Municipal Manager re recreational development on Burrard Inlet, a copy of which is attached and forms a part of these minutes, was dealt with as follows:

While considering this report, the question of developing Barnet Beach received considerable attention.

A point was made that some suitable facilities should be made available at Barnet Beach by next summer.

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:
"That the recommendation of the Manager be adopted."

CARRIED
COUNCILLOR DRUMMOND AGAINST

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR DAILLY:
"That the Parks and Recreation Commission be requested to obtain an estimate of the cost of making Barnet Beach available for recreational purposes next summer, with the Commission being asked specifically to address itself to such factors as:

- (i) The construction of a pedestrian overpass of the C.P.R. Railway at Barnet Beach.

- (ii) The provision of restrooms in the area.
- (iii) The possibility of devising an ultimate route for access to the Beach (e.g. the "Texaco" crossing)."

IN FAVOUR: COUNCILLORS CORSBIE,
DAILLY, DRUMMOND
AND HICKS

AGAINST: COUNCILLORS EDWARDS,
HERD AND BLAIR

MOTION CARRIED

(18) Major Road Proposal involving land around Deer Lake

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:
"That the report of the Manager be received."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR DAILLY:
"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR DAILLY:
"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR DAILLY, SECONDED BY COUNCILLOR CORSBIE:
"That "BURNABY ROAD CLOSING BY-LAW NO. 9, 1965" be now reconsidered."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR DAILLY, SECONDED BY COUNCILLOR HERD:
"That "BURNABY ROAD CLOSING BY-LAW NO. 9, 1965" be now finally adopted,
signed by the Acting Reeve and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR CORSBIE:
"That "BURNABY LEASE AUTHORIZATION BY-LAW NO. 3, 1965" and
"McPHERSON PARK DEDICATION REMOVAL BY-LAW 1965" be now reconsidered."

CARRIED UNANIMOUSLY

The Returning Officer submitted the results of the vote taken on December 11th with respect to "McPherson Park Dedication Removal By-Law 1965".
A copy of his report will be found attached to, and will form part of, these Minutes.

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR CORSBIE:
"That "BURNABY LEASE AUTHORIZATION BY-LAW NO. 3, 1965" and
"McPHERSON PARK DEDICATION REMOVAL BY-LAW 1965" be now finally adopted,
signed by the Acting Reeve and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

A brief discussion took place concerning the legislation which requires Councils to obtain the assent of the electors to remove a dedication from park lands.

It was the general consensus that this legislation makes it rather cumbersome for municipalities when dealing with a park dedication removal situation. It was added that it has been found public enlightenment on the dedication removal is quite difficult without extensive publicity and explanations provided are generally confounding to the public.

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR HICKS:

"That the matter of legislation pertaining to park dedication removals be referred to the Policy/Planning Committee for consideration and possibly a suitable resolution which would eliminate the mandatory requirement be drafted."

CARRIED UNANIMOUSLY