

MARCH 21, 1966

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, March 21, 1966, at 7:30 p.m.

PRESENT: Reeve Emmott in the Chair;
 Councillors Blair, Cafferky,
 Corsbie, Dailly, Drummond,
 Herd, Hicks and McLean

Reverend George Searcy led in Opening Prayer.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR HICKS:

"That the Minutes of the meetings held February 21st, 28th and March 15, 1966, be adopted as written and confirmed."

CARRIED UNANIMOUSLY

Mr. L. V. Fisher wrote requesting an opportunity to address Council on the question of it introducing a by-law governing the operation of discotheques in the municipality.

His Worship, Reeve Emmott, stated that he had been informed Mr. Fisher was ill and was therefore unable to attend the meeting this evening.

It was agreed by Council that the request of Mr. Fisher would be deferred for two weeks.

Bell-Irving Realty Limited wrote requesting the opportunity to address Council for the purpose of appealing its decision to deny an application to rezone Parcel 1, Sketch 10174, and Parcel 1 except Sketch 10174, both of Block 3, D.L. 14, Plan 3047, from Small Holdings to Industrial.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR DAILLY:

"That a representative from Bell-Irving Realty Limited be granted permission to speak."

CARRIED UNANIMOUSLY

No one was present on behalf of Bell-Irving Realty Limited so the matter of its appearance before Council was deferred for a period of two weeks.

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR CAFFERKY:

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

CARRIED UNANIMOUSLY

Executive Director, Lower Mainland Regional Planning Board, wrote advising that the 1966 Budget of the Board has now been ratified by the necessary majority of Municipal Councils.

He also indicated that the Board would appreciate receiving the Corporation's share of the 1966 Budget of the Board, the amount involved being \$7,472.00.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR DAILLY:

"That authority be granted to pay the Lower Mainland Regional Planning Board the sum of \$7,472.00, being the Corporation's share of the 1966 Budget of the Board."

CARRIED UNANIMOUSLY

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Mr. Gordon H. Dowding, M.L.A., wrote forwarding a copy of a Bill which was introduced to the Legislature by Mr. A. Gargrave, M.L.A. for Mackenzie, concerning air pollution control.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR CAFFERKY:

"That the Bill, as presented, be supported because, in substance, it parallels the intent of a resolution that was passed by the Union of B.C. Municipalities at a recent conference."

CARRIED UNANIMOUSLY

Secretary, Burnaby Lodge No. 359, Loyal Order of Moose, submitted a letter requesting permission to hold a Tag Day on two consecutive Saturdays in April for the purpose of soliciting funds to support Little League Baseball operating from the Bonsor Park Recreational Hall.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR CORSBIE:

"That permission be granted to the Lodge to conduct its campaign on April 2nd and 9, 1966."

CARRIED UNANIMOUSLY

Women's Committee, Canadian Cystic Fibrosis Foundation, wrote requesting permission to hold a Tag Day on November 26, 1966, for the purpose of soliciting funds to support the activities of the Foundation.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR CORSBIE:

"That permission be granted to the Foundation to conduct its campaign on the date mentioned."

CARRIED UNANIMOUSLY

Mr. Alfred Bingham submitted a letter commending Council for the improvements which have resulted from litter containers being provided on Hastings Street.

Mr. Bingham also suggested that some of these receptacles be placed on Gilmore Avenue North and South of Hastings Street because of the incidence of littering there.

The Municipal Engineer was directed to give attention to the suggestion of Mr. Bingham concerning Gilmore Avenue.

He was also asked to approach the Principals of schools where, and near which, it is observed litter is being strewn by children attending the schools, for the purpose of encouraging the children to use the litter containers that may be provided.

It was understood that, should there be no such receptacles, the Engineer was to arrange to have some placed at appropriate locations on the road allowances adjacent to the schools.

The view was expressed by Council that this littering problem is not too prevalent but, rather, that it does occur occasionally.

Mr. Don Wendell, B.C. Wildlife Patrol-Field Naturalists, submitted a letter indicating support for the development of the recreational potential of Burnaby Lake as a Centennial project but suggesting that such development not include motor-boating activities and the like.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR BLAIR:

"That a copy of the letter from Mr. Wendell be forwarded to the Burnaby Canadian Centennial Committee for its information."

CARRIED UNANIMOUSLY

Mr. Paul Von Wittgenstein wrote suggesting that the recent construction of apartments on 14th Avenue in the vicinity of Mary Avenue has resulted in an increase in the enrollment at the school in the area because of the influx of children occupying the apartments.

He suggested that Council direct its attention to the matter with a view to resolving the problem.

MOVED BY COUNCILLOR BLAIR, SECONDED BY MR. McLEAN:

"That the letter from Mr. Von Wittgenstein be referred to the Planning Department for an analysis of the conditions described."

CARRIED UNANIMOUSLY

Chairman, Industrial Development Commission of Greater Vancouver, submitted a letter expressing appreciation to Council for remitting the 1966 membership dues of the Corporation in the Industrial Development Commission of Greater Vancouver.

Canadian National Railways submitted copies of two letters addressed to the Board of Transport Commissioners for Canada in which applications were made for Orders to:

- (i) authorize the construction of a new railway line across Willingdon Avenue;
- (ii) approve the construction of the tunnel section and approaches to the Vancouver Terminal Project.

Municipal Manager stated that Mr. E. E. Hinkson, Senior Counsel, was in the process of preparing a suggested course of action for Council to follow in presenting a case against the crossing application.

His Worship, Reeve Emmott, also stated that the matter had been discussed with the Honourable J. W. Pickersgill, Federal Minister of Transport, and the Honourable J. R. Nicholson, recently and some sympathy with the position of Burnaby had been indicated.

A point was made in Council that another level crossing of the railway at Willingdon Avenue would only compound the accident potential and the possibility of fatal accidents.

Mention was made of two recent fatalities in Langley, where traffic volumes are much less than those on Willingdon Avenue. It was suggested that this situation emphasized the need for eliminating level crossings at important intersections.

The view was expressed that this point was a valid argument which should be forwarded for Mr. Hinkson for incorporation in his submission on behalf of the Corporation.

It was also mentioned that there is a considerable amount of rail traffic at Willingdon Avenue around 4:30 p.m. when there is a heavy vehicular traffic movement. The suggestion was made that the problems which were occurring approximately one year ago at the subject location appear to have again developed.

The Municipal Engineer was asked to investigate the situation to determine whether remedial measures are necessary to eliminate the problem.

Macdonald, Daniels and Irvine, Barristers and Solicitors, submitted a letter on behalf of Mr. Peter Wong applying for exemption from the provisions of "Burnaby Zoning By-Law 1965" to allow Mr. Wong to use Lot 19, Block 7, D.L.'s 116/186, Plan 1236, as an outdoor garden shop during April, May and June 1966 and, if possible, November and December 1966.

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MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR BLAIR:

"That consideration of this request be deferred until receipt of Item No. 2 of Report No. 19 of the Municipal Manager later this evening."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR McLEAN, SECONDED BY COUNCILLOR BLAIR:

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

CARRIED UNANIMOUSLY

The following matter was then lifted from the table:

Proposed cancellation of a Water Licence (Ralston)

Municipal Manager reviewed the points made in his written submission under Item 6 of Report No. 15, which was received by Council on March 14, 1966, relating to the subject matter.

He emphasized that the Water Licence was irrevocable and the problems arising therefrom were ones of direct concern to the proposed developers of the "Bateman" property adjacent to the land owned by the Ralstons.

He explained that it was felt the Municipality perhaps had some minor responsibility in the matter because the work planned to be done by the developer (Block Brothers Realty Limited) was of some benefit to the Corporation in that it would be conducive to the proper development of land in the D.L. 86 (Buckingham Heights) area. He added that, because some municipal land would be serviced by the installations related to the "Bateman" property, the Corporation was participating pursuant to the benevolent subdivision policy insofar as the normal servicing was concerned.

The Manager stressed that every possible solution to the problem confronting the developer was explored and the one now being recommended was the most acceptable to the parties involved. He pointed out that the cost to the Municipality, if Council approves the arrangement being recommended, would be approximately \$300.00 initially plus 50% of the value of the water to be supplied to the Ralstons free for 15 years. He explained that the cost of this water supply at the moment is \$22.89 per annum, and therefore the Corporation's share would be approximately \$11.50, but this could conceivably increase during the next 15 years if the Corporation increased the rates to be charged to the ratepayers for water.

The Manager also mentioned that another reason it was felt there was some public responsibility was that the owner of the property that is proposed to be developed at this time, Bateman, was not asked to consent to the Water Licence which was granted to Mrs. Ralston and, since this was not required, Bateman was powerless to do anything about it.

He concluded by advising that an unsatisfactory resolution of the Water Licence problem could preclude or delay the proper development of Municipal land in Buckingham Heights.

During discussion on the matter at hand, a point was made in Council that acceptance of the arrangement being recommended by the Manager could establish a costly precedent for the Corporation. It was also suggested that this arrangement was not truly a part of the benevolent subdivider policy of the Municipality.

MOVED BY COUNCILLOR McLEAN, SECONDED BY COUNCILLOR CAFFERKY:

"That, provided Mrs. Ralston surrenders Water Licence Number 15075, the developer of the "Bateman" property (Block Brothers Realty Limited) pay the full cost of providing the vehicle for transporting the water which was guaranteed by the said Water Licence, including a meter and other appurtenances."

CARRIED

REEVE EMMOTT AND COUNCILLOR BLAIR -- AGAINST

MOVED BY COUNCILLOR McLEAN, SECONDED BY COUNCILLOR HICKS:

"That the developer (Block Brothers Realty Limited) pay 50% of the annual wholesale cost to the Municipality of the water which is to be supplied to the Ralstons, with the Corporation assuming the remaining 50%, all of which is to be secured by a bond from Block Brothers Realty Limited."

CARRIED

COUNCILLOR CAFFERKY -- AGAINST

MOVED BY COUNCILLOR McLEAN, SECONDED BY COUNCILLOR CAFFERKY:

"That the particulars of the agreement which is to be entered into between Mrs. Ralston, Block Brothers Realty Limited, and the Corporation be as follows:

- (i) The developer (Block Brothers Realty Limited) shall install, at its sole cost, the water service that will replace the water supply that was guaranteed by Water Licence Number 15075.
- (ii) The said water service shall be controlled by a tap or valve, and is to be metered, all at the expense of Block Brothers Realty Limited.
- (iii) 0.7 acre feet of water (which is calculated to be 30,447 cubic feet) is to be supplied annually to Mrs. Ralston, at no cost to her, for a period of 15 years.
- (iv) The cost of all water received by her in excess of 0.7 acre feet is to be charged to Mrs. Ralston at the rate then prevailing in the Waterworks By-Law of the Corporation.
- (v) After 15 years, the agreement is to be renewable for a further 10 years but, during this extended period, all water used shall be paid for at the rate then provided in the said Waterworks By-Law.
- (vi) The agreement is to be registered in the Land Registry Office.
- (vii) The owner (Mrs. Ralston) is to surrender Water Licence Number 15075 in recognition of the arrangement covered by the foregoing six points."

CARRIED

REEVE EMMOTT AND COUNCILLOR BLAIR -- AGAINST

REPORT OF THE TRAFFIC SAFETY COMMITTEE

A report of the Traffic Safety Committee, a copy of which is attached to and forms a part of these Minutes, was dealt with as follows:

(1) Rumble Street and Royal Oak Avenue

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR HERD:

"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

(2) Gilpin Street and Rowan Avenue

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR DAILLY:

"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

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(3) 19th - 20th Diversion and Stride Avenue

MOVED BY COUNCILLOR DAILLY, SECONDED BY COUNCILLOR HERD:
"That the recommendation of the Committee be adopted."

CARRIED UNANIMOUSLY

(4) Patterson Avenue and Moscrop Street adjacent to Wesburn Park

MOVED BY COUNCILLOR DAILLY, SECONDED BY COUNCILLOR HICKS:
"That the recommendation of the Committee be adopted."

IN FAVOUR -- COUNCILLOR DAILLY

AGAINST -- REEVE EMMOTT
COUNCILLORS BLAIR, CAFFERKY,
CORSBIE, DRUMMOND, HERD,
HICKS AND McLEAN

MOTION LOST

His Worship, Reeve Emmott, mentioned that considerable congestion was being experienced at the Loughheed-Bell intersection because of the closing of Noel Drive.

He suggested that the R.C.M.P. should be on point duty to facilitate the flow of traffic in the area.

The Municipal Engineer stated that the matter was being given attention by the R.C.M.P. but he would examine it further to determine whether any other action should be taken to improve conditions.

(5) Constitution of the Traffic Safety Committee

During consideration of this item, the following suggestions were made which it was felt should be given consideration by the Traffic Safety Committee in the course of preparing the new terms of reference for the proposed reconstituted Committee:

- (a) Because there is apt to be a tie-vote on certain matters if there are only six voting members on the new Committee, all such situations be referred to Council for decision.
- (b) Reference be made in the new Constitution to an arrangement whereby Council will be informed of all actions taken by the Committee.

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR DAILLY:
"That the recommendation of the Committee be adopted and the Committee asked to prepare the new terms of reference for the proposed reconstituted Traffic Safety Committee."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 17, 1966

Report No. 17, 1966 of the Municipal Manager, attached to and forming part of these Minutes, was dealt with as follows:

(1) "Big Bend" Area

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR McLEAN:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR BLAIR:

"That:

- (a) an investigation be made to determine the feasibility of removing the peat from the land in the "Big Bend" area that is to receive the dredge spoil and fill before this material is placed;
- (b) consideration be given the possibility of some type of earth fill in the general area."

CARRIED UNANIMOUSLY

(2) Lot 19, Block 7, D.L.s 116/186, Plan 1236 (WONG)

The letter from Macdonald, Daniels and Irvine, reference to which will be found earlier in these Minutes, was brought forward.

Some members of Council felt that the request of Mr. Wong was reasonable and that therefore, if it was possible to effect some arrangement satisfactory to both him and the Corporation without violating "Burnaby Zoning By-Law 1965", an attempt should be made to do so.

A suggestion was made that the proper course of action would be to amend the zoning category involved (C3) to allow the type of use desired by Mr. Wong as a seasonal activity.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DRUMMOND:

"That the request of Mr. Peter Wong for permission to operate an outdoor garden shop on Lot 19, Block 7, D.L's 116/186, Plan 1236 for the period(s) mentioned in the letter from Macdonald, Daniels and Irvine, be referred to the Municipal Manager for resolution in a manner which would be satisfactory to both the Corporation and Mr. Wong."

CARRIED UNANIMOUSLY

COUNCILLOR DRUMMOND LEFT THE MEETING.

- (3) Easement - Portion of Lot 16, Block 3, D.L. 130, Plan 12119 (McLOUGHLIN)
- (9) Miscellaneous Land Acquisitions for lane purposes
- (10) Miscellaneous Easements

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR McLEAN:

"That the recommendations of the Manager covering the above three items be adopted."

CARRIED UNANIMOUSLY

COUNCILLOR DRUMMOND RETURNED TO THE MEETING.

(4) Estimates

The Manager requested that Council also approve an estimate in the amount of \$2,000.00 for the extension of a 6" asbestos cement watermain on Halligan Street between Imperial Street and Salisbury Avenue. He pointed out that the Job No. for this project is 21-479 and the cost is to be charged to "New Mains", which is Budget Code No. 185-62.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR MC LEAN:

"That the recommendation contained in Item No. 4 of the Manager's Report be adopted and the estimate described verbally by him involving Job No. 21-479 be approved."

CARRIED UNANIMOUSLY

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COUNCILLOR CAFFERKY LEFT THE MEETING.

(5) Monthly Report of Fire Chief

(6) Monthly Report of R.C.M.P.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR HERD:

"That the above two reports be received."

CARRIED UNANIMOUSLY

COUNCILLOR BLAIR LEFT THE MEETING.

(7) Blocks 24 to 26 inclusive, 42 except Plan 22056, and 43 to 45 inclusive, all of D.L. 126, Plan 3473 (STREET AND INTERCONTINENTAL HOLDINGS LIMITED)

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR DRUMMOND:

"That the report of the Manager be received and Mr. W. A. Street, Barrister and Solicitor, be advised of the situation explained in the said report respecting the consideration being given by the Planning Department to an application to rezone the captioned properties to Multiple Family use."

CARRIED UNANIMOUSLY

(8) Parcel 1, Sketch 10174 and Parcel 1 Except Sketch 10174, both of Block 3, D.L. 14, Plan 3047 (Bell-Irving Realty Limited)

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR DRUMMOND:

"That, because Council earlier this evening deferred the matter of hearing representations from Bell-Irving Realty Limited in connection with the rezoning of the above property until a meeting to be held on April 4, 1966, the report item of the Manager be tabled until that time."

CARRIED UNANIMOUSLY

COUNCILLOR HERD LEFT THE MEETING.

(11) Portion of Lot "F", Block 8E $\frac{1}{2}$, D.L. 159, Plan 13791 (COLLINGWOOD)

MOVED BY COUNCILLOR DAILLY, SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(12) Easement Revision - Portion of Lots 2 and 3, Block 25, D.L. 27, Sketch 8393, Expl. Plan 8051 and Except Sketch 11855 (METCALFE)

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR McLEAN:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(13) Applications for the following Preliminary Plan Approvals:

- (a) Lot 6, Block 19, D.L. 97
- (b) Lot 5, Block "E", D.L. 75
- (c) Lots 5 and 6, Block 1, D.L. 119, Plan 2855

MOVED BY COUNCILLOR McLEAN, SECONDED BY COUNCILLOR CAFFERKY:

"That the report of the Municipal Manager, including the attachment from the Planning Department, be received."

CARRIED UNANIMOUSLY

COUNCILLOR HERD RETURNED TO THE MEETING.

(a) Lot 6, Block 19, D.L. 97

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DRUMMOND:

"That this item be tabled for one week and a report be submitted then on the proposed Gilley Avenue Widening project."

CARRIED UNANIMOUSLY

(b) Lot 5, Block "E", D.L. 75

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DAILLY:

"That Council concur with the view expressed in the report of the Planning Department relating to the above described property."

CARRIED UNANIMOUSLY

(c) Lots 5 and 6, Block 1, D.L. 119, Plan 2855

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR McLEAN:

"That Council concur with the view expressed in the report of the Planning Department relative to the above described property."

CARRIED UNANIMOUSLY

THE COMMITTEE THEN SAT IN CAMERA.