

THE CORPORATION OF THE DISTRICT OF BURNABY

COMMITTEE OF THE WHOLE

APRIL 22, 1968

A meeting of Council, sitting as a Committee of the Whole, was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C., on Monday, April 22, 1968 at 12:00 p.m., to consider the proposed Budget for the year 1968.

PRESENT: Mayor A. H. Emmott, in the Chair  
Alderman W. A. Blair (12:50 p.m.)  
Alderman J. H. Corsbie  
Alderman J. Cailly  
Alderman D. M. Herd (12:45 p.m.)  
Alderman D. M. Mercier  
Alderman G. M. F. McLean

Staff Members Present: H. W. Delfour, Municipal Manager  
D. McCafferty, Municipal Treasurer  
D. Wilkinson, Parks Administrator  
P. Stockstad, Park Planner  
A. Graham, Secretary Parks & Recreation Commission  
R. Bailey, Parks Superintendent  
E. Ward, Deputy Municipal Clerk

Others Present: E. M. Lawson, Parks Commissioner  
Rlys Hull, Parks Commissioner

SECRETARY'S NOTE:- Where no reference is made to the Code Numbers of the items in the Budget, the explanation for these items was as shown in the explanatory notes. Where Code Numbers are listed, the explanations are as indicated.

If no Code Number is shown, the item involved was approved without debate.

Alderman Corsbie, as the Liaison with the Finance Department pointed out that the Budget, as it stands at the moment, would effectively result in virtually no increase in taxes for the property owners.

CODE 900 - PARKS & RECREATION COMMISSION

CODE 901 (SUPERVISION AND INDIRECT COSTS)

Municipal Manager stated that this item reflects the arrangement that was made to amalgamate the service centre functions of the Engineering and Parks Department.

CODES 930-934 (AQUATICS)

The Parks Administrator mentioned the revenue offsets for these anticipated expenditures. He also pointed out that the registration for the swimming classes that are proposed this year is being done by mail and the names accepted will be selected by lot.

CODE 950-20 (CAPITAL WORKS-Street Landscaping)

The Parks Administrator pointed out that this sum provides for improvements to boulevards and traffic islands.

A suggestion was made that perhaps a greater amount should be allowed for this type of work.

Alderman Herd arrived at the meeting.

No action was taken by Council in regards to this suggestion but it was understood the matter could be considered by Council sometime later this year and, if it was decided to embark upon more boulevard and traffic island development projects than currently considered, this additional work and the cost thereof could be reflected in the budget recast.

It was understood as well that a report would be submitted to Council by the Parks and Recreation Commission at some time in the near future indicating the extent of any additional boulevard and traffic island treatment that could be considered this year.

ALDERMAN BLAIR ARRIVED AT THE MEETING.

CODES 950-28 and 29 (CAPITAL WORKS-Minor and Major Development)

The Parks Administrator explained the difference between these two accounts, details of which will be found in the attached explanatory notes. In essence, he stated that the minor development relates to contingency items whereas "Major Development" indicates allocated projects.

He also remarked that provision is made for resident custodians in recreation centres.

When a question was raised as to whether any steps were being taken to expand the area of Bell Park, the Parks Administrator stated that there was a problem of land acquisition but the matter is being actively pursued.

Alderman Herd suggested that there was a need to develop parks in the South Slope area. He added that the ravines there could perhaps be used for some sort of parks purpose.

Parks Administrator advised that consideration was being given the development of the ravine areas for the purpose indicated.

Attention was turned to the reference in the budget to the proposed provision of three tennis courts at MacDonald Park.

Some of the Council members suggested that this project did not appear to be reasonable in view of the sparseness of people in the area and the trend toward industrial use of land there.

It was pointed out to Council by the staff from the Commission that many people frequenting tennis courts do not live in close proximity to them and therefore patronage of the facility is not dependent upon those living nearby.

The Council asked that a report be submitted indicating the intentions of the Parks and Recreation Commission respecting the future development of MacDonald Park.

It was understood that reference would be made in that report to plans for the future use of land in the area as well.

When considering the matter of park development in the Stoney Creek area, an opinion was expressed that a sum had been set aside for the future development of parks in the Stoney Creek area as a condition of the municipality selling the Northern part of Charles Rummel Park to the Lake City Industrial Corporation a few years ago.

Parks Administrator indicated he had searched the records at one time to ascertain whether this in fact was a condition of sale but had found that there was no reference to the reserving of an amount for the purpose mentioned.

The Council directed that a further search of the records be made to determine precisely what occurred when the Northern part of Charles Rummel Park was sold to the Company mentioned.

It was understood that the Parks and Recreation Commission would submit a report following that search indicating the intentions of the Commission with respect to the future development of land in the Stoney Creek area for park purposes.

The Parks Administrator provided a brief explanation of the policy of the Commission respecting the acquisition of land for park purposes.

A suggestion was made that the Commission should perhaps be examining the matter of preparing a new Five-year Capital Works Programme.

CODE 950-35 (CAPITAL WORKS-Appropriation to Golf Course By-Law Project)

A remark was made that tenders for the construction of a clubhouse at the golf course would soon be received.

CODES 960-39 and 42 (PROGRAMME-Playground and Indoor Programme)

A suggestion was made that there was no justification for increasing these two items. Parks Administrator stated that the budget of the Commission, for the first time, reflects responsibility for the Commission operating cultural and recreational facilities at the James Cowan Centre.

CODES 971-977 (REFRESHMENT BOOTHS)

A discussion took place on the matter of vending machines at the various refreshment booths. In that regard, a suggestion was made that it might be more advantageous for the Corporation to purchase the drink dispensers rather than renting them.

A discussion then took place on the matter of Council making an additional grant of \$50,000 for the Junior Amateur Sports Stadium.

Mrs. Lawson remarked that she considered it highly desirable for Council to make this grant because this sum, coupled with a like amount from Vancouver, would enable the Stadium to be completed properly.

After considerable discussion and various suggested means of Council dealing with the matter, the question involving the Junior Amateur Sports Stadium was resolved as follows:

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN DAILLY:  
"That the sum of \$50,00 be placed under "Special Appropriations" for the Junior Amateur Sports Stadium Project, on the understanding that:

- (a) The question of authorizing the release of this amount will be the subject of further discussion by Council.
- (b) The grant would only be made if the City of Vancouver does the same thing.
- (c) Assurance is received that there will be no further requests for additional funds for the project in question.
- (d) Possibly \$25,000.00 could be provided in the budget for the current year, with the remaining \$25,000.00 being placed in next year's budget."

CARRIED UNANIMOUSLY

This concluded the considerations of the budget of the Parks and Recreation Commission.

Alderman McLean stated that he wished to record certain reservations about some aspects of the budget of the Commission.

The Committee recessed at 2:45 p.m.

The Committee reconvened at 3:00 p.m.

The members and staff of the Parks and Recreation Commission were not present.

Municipal Manager distributed three statements containing an elaboration on certain aspects of the Budget.

He then outlined the points made in his letter of transmittal that Council received at the time the Provisional Budget was submitted.

The following is a summary of that letter:

- (1) It will be a serious loss of revenue if the municipality is unable to continue collecting fines.
- (2) It is almost certain that there will be an increase in the mill rate next year.

CODE 187-11 (GREATER VANCOUVER VISITORS BUREAU)

Mention was made that other municipalities are not increasing their grants to the Greater Vancouver Visitors' and Convention Bureau.

CODE 187-12 (GREATER VANCOUVER METROPOLITAN INDUSTRIAL COMMISSION)

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:  
"That this account be increased from \$5,008.00 to \$5,602.00."

CARRIED UNANIMOUSLY

CODE 187-20 (ZONING BOARD OF APPEAL)

The Municipal Manager stated that the Office of the Municipal Clerk would be assuming the secretarial function for the Zoning Board of Appeal.

CODE 187-71 (FAMILY COURT COMMITTEE)

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN HERD:  
"That this account be increased from \$300.00 to \$1,500.00."

CARRIED UNANIMOUSLY

CODE 187-49 (FUTURE CAPITAL WORKS)

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN McLEAN:  
"That this account be increased from \$100,000.00 to \$537,000.00, with the additional amount reflecting the sum required for Council to embark upon the Maintenance Paving Programme outlined in a report from the Municipal Manager dated April 16, 1968."

CARRIED UNANIMOUSLY

His Worship, Mayor Emmott, recommended that Council include the sum of \$20,000.00 in the budget for a grant to the Y.M.C.A. Capital Fund and that serious consideration be given the matter of repeating this contribution in next year's and the following year's budgets.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN McLEAN:  
"That the sum of \$20,000.00 be included in the budget for the Y.M.C.A. Capital Fund, on the understanding that:

- (a) The actual release of the amount will not be made until the item is fully deliberated by Council at the time it formally receives the request from the Y.M.C.A.
- (b) Consideration will be given to recommending the inclusion of another \$20,000.00 in next year's budget plus an identical sum in the following year's budget, so that the total contribution of the municipality to the Fund will be \$60,000.00."

CARRIED UNANIMOUSLY

ALDERMAN DAILLY LEFT THE MEETING

CODE 147-15 (OUTSIDE CONSULTING)

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:  
"That this account be increased by \$2,500.00."

CARRIED UNANIMOUSLY

SECRETARY'S NOTE:- This item reappears later in the minutes and the action taken then nullifies the effect of the foregoing resolution.

His Worship, Mayor Emmott, stated that he was going to recommend later that the Regional District of Fraser-Burrard consider the introduction of a regional data processing arrangement.

During consideration of the budget of the Social Welfare Department, a suggestion was made that it would be beneficial to Council if the Social Service Administrator could explain the philosophies in social welfare programming and the mechanics related thereto.

It was understood that arrangements would be made for the Social Service Administrator to address Council on the subject.

CODE 164 (PUBLICITY)

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:  
"That this item be increased by \$10,000.00."

CARRIED UNANIMOUSLY

CODE 187 (MISCELLANEOUS)

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:  
"That Code 187, under the heading "Special Appropriation - Pelicans" be increased by \$2,400.00 in order to allow for the placement of Pelicans at the locations provided to the Municipal Manager by the Public Health Inspector."

CARRIED UNANIMOUSLY

CODE 168 (ROADS OPERATIONS)

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN BLAIR:  
"That:

- (a) Code 168-24 be reduced by \$60,000.00, with \$30,000.00 being applied to dust laying for roads and the remaining \$30,000.00 being for dust laying for lanes;
- (b) Code 168-16 be reduced by \$30,000.00."

CARRIED UNANIMOUSLY

CODE 141 (COUNCIL)

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:  
"That Code 141-35 be increased from \$4,000.00 to \$7,000.00."

CARRIED UNANIMOUSLY

The meeting adjourned at 5:15 p.m. to reconvene following the Council meeting later this evening.

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The Committee reconvened at 9:00 p.m.

CODE 169 (TRAFFIC CONTROL DEVICES & STREET LIGHTING)

It was suggested that a sum should be provided for the replacement of incandescent street lights by mercury vapour ones.

The Council was given to understand that the total cost of such a replacement programme would be approximately \$40,000.00.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN BLAIR:

"That Code 169-40 be increased from \$100,000.00 to \$120,000.00 to provide for the partial replacement of incandescent street lights by mercury vapour ones, on the understanding that the question of embarking upon this type of street light replacement programme will be reviewed by Council after receiving a detailed report on the matter from the Municipal Engineer."

CARRIED UNANIMOUSLY

CODE 172 (LIBRARY BOARD)

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:  
"That consideration of Code 172 be tabled until the meeting with the Library Board on Friday, April 26, 1968 at 4:00 p.m."

CARRIED UNANIMOUSLY

Alderman Corsbie suggested that Council should establish a reserve for storm drainage costs arising from subdivisions where the amount levied against the owner of the property involved is excessive and the work required is not wholly attributable to the creation of the subdivision.

Municipal Manager stated that a report on this subject would be submitted to Council within a short time.

Municipal Manager recommended that the action taken earlier this day regarding Code 147-15 be rescinded and replaced with the following:



- (a) The sum of \$500.00 should be included under the said Code number.
- (b) The sum of \$7,800.00 should be added to the budget of the Planning Department to allow for the addition of two Planners I to the staff.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN BLAIR:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CORSBIE:  
"That the 1968 budget of the Corporation, as amended and recognizing the fact that the part of it relating to the Library Board has not yet been resolved, be brought forward in by-law form for consideration by Council."

CARRIED UNANIMOUSLY

The meeting then adjourned.

Confirmed:

Certified correct:

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M A Y O R

  
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DEPUTY MUNICIPAL CLERK

EW/mb



APRIL 22, 1963

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Monday, April 22, 1968, at 7:00 p.m.

PRESENT: Mayor A. H. Emmott in the Chair;  
Aldermen Clair, Corsbie, Herd,  
Mercier and McLean;

ABSENT: Aldermen Dailly, Drummond and Lorimer;

Reverend J. F. McLean led in Opening Prayer.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN McLEAN:  
"That the Minutes of the meeting held April 8, 1968 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

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D E L E G A T I O N

The following wrote requesting an audience with Council:

- (a) Mr. C. Basler and others re. Local Improvements on:
- (i) Astor Drive and Casewell Street from Sullivan Street to North Road;
  - (ii) Sullivan Street from North Road to Noel Drive.
- (b) Mr. M. De Leebeech and others re. Improvements to Norland Avenue.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN CORSBIE:  
"That the delegations be heard."

CARRIED UNANIMOUSLY

(a) Mr. Basler appeared and, before speaking, was informed by His Worship, Mayor Emmott, that there was an item in the Municipal Manager's Report that was scheduled for consideration by Council later in the evening relating to the question of the municipality providing Local Improvement work.

Mr. Basler acknowledged this statement and advised that the delegation was seeking priority in the execution of the Local Improvement works for the subject streets that were initiated by Council in 1967.

Mr. Basler pointed out that:

- (1) the streets involved are used as a bus route;
- (2) there has been an increase in the volume of traffic using the streets since Lyndhurst Street and Still Creek Street were closed at North Road;

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- (3) there are a great number of small children who must travel on these streets to and from either Lyndhurst or Cameron Schools; in addition, students attending Cariboo Hill, Burnaby North and Burnaby Central High Schools must use the roads when travelling to and from the bus stops.
- (4) without the improvements to the streets that were approved by the abutting owners last year, there is a dust problem when buses are required to use the shoulders for picking up passengers.
- (5) Sullivan Street near North Road, Casewell Street and Astor Drive at Pritchard Avenue, and Astor Drive at David Drive have flooding problems during periods of heavy rain. This could be resolved by the installation of storm sewer facilities and the provision of sidewalks.

It was pointed out to the delegation that the Council last year introduced a policy to curtail the provision of Capital Works Items such as Local Improvements, because of the national monetary crisis known as "tight money", and this is why those Local Improvements approved by the abutting owners last year have not been completed.

It was suggested to the delegation that an answer to their problem might be provided after consideration of the Manager's Report to which reference was made earlier.

(b) Mr. De Leebech appeared and, before speaking, was informed that Council would be embarking upon a programme to improve all gravel streets in the municipality to what is termed an interim paving standard. It was added that it is expected Norland Avenue between Canada Way and Sprott Street will be paved to this standard within the next few months.

Upon being so apprized, Mr. De Leebech suggested that this treatment of Norland Avenue would likely induce an increase in the volume and speed of vehicles using the street, thus causing a nuisance and a potential hazard for those residing there. He pointed out that, ever since the Freeway was opened, there has been an increase in the volume and speed of vehicles using Norland Avenue. Mr. De Leebech also requested that consideration be given the provision of curb sidewalks on the street so as to provide a facility for pedestrians. He added that Norland Avenue is used extensively by students from Burnaby Central High School and residents of the Dania Home.

Mr. DeLeebech also suggested that conditions would improve somewhat if municipal vehicles presently using Norland Avenue were directed elsewhere.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN HERD:

"That, because of the expressed concern of the delegation:

- (1) the question involving the use of Norland Avenue after it is paved be referred to the Traffic Safety Committee for investigation and report.
- (2) the R.C.H.P. be requested to patrol the street more frequently in order to apprehend those allegedly violating the speed limit in an attempt to ameliorate the situation.
- (3) the Municipal Engineer give consideration to the matter of municipal vehicles using Norland Avenue with a view to determining the feasibility of directing them elsewhere."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CORSBIE:  
"That all of the below listed original communications be received."

CARRIED UNANIMOUSLY

ORIGINAL COMMUNICATIONS

The following is a synopsis of:

- (a) those letters embraced by the foregoing resolution:
- (b) the decisions of Council regarding these items and other matters that arose during consideration of the correspondence.

Secretary, South Burnaby Lodge No. 438, B.P.O. Elks, wrote requesting permission to hold a tag day on June 8, 1968 to raise funds for the Elk's Purple Cross Fund.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN HERD:  
"That permission be granted to South Burnaby Lodge No. 438 of the B.P.O. Elks to conduct its campaign on the date mentioned."

CARRIED UNANIMOUSLY

Chairman, "Miles for Missions Walk", 10th Avenue Alliance Church, submitted a letter requesting permission to hold a Walkathon on certain streets in the municipality on April 27, 1968.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN McLEAN:  
"That permission be granted to the 10th Avenue Alliance Church to conduct the Walkathon at the time mentioned and along the route outlined on a map accompanying its letter to the Officer Commanding, Burnaby Detachment, R.C.M.P., subject to:

- (a) The approval of the R.C.M.P.
- (b) The Provincial Department of Highways having no objection to the use of the portion of Kingsway involved in the Walkathon."

CARRIED UNANIMOUSLY

Mrs. T. McMullen of the Nasaika Lodge Society, submitted a letter expressing appreciation for being allowed by Council to hold a tag day in the municipality on March 30, 1968.

City Clerk, City of Vancouver, wrote advising that the City Council has authorized the execution of agreements with Burnaby and other municipalities respecting our use of the Juvenile Detention Home in the City between May 1, 1968 and April 30, 1969.

Chairman, Public Affairs Committee, Greater Kamloops Chamber of Commerce, submitted a circular letter, plus a number of attachments, in which the Chamber:

- (a) outlined the situation respecting a proposal to create the Shuswap-Okanagan Diversion Canal;

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- (b) requested Council to support the Chamber in opposing this proposal in its present form before comprehensive studies related thereto have been undertaken and approved by all affected parties.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:

"That the subject of the submission from the Greater Kamloops Chamber of Commerce be referred to the Union of B. C. Municipalities for attention because it is felt the matter of the proposed Shuswap-Okanagan Diversion Canal will affect many municipal jurisdictions in the Province."

CARRIED UNANIMOUSLY

Extension Department, University of British Columbia, submitted an invitation to the members of Council to attend an address on the subject "The Way Ahead For Town Planning Control", on Thursday, May 2, 1968 at Simon Fraser University.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN BLAIR:

"That those members of Council wishing to attend the address mentioned in the letter from the University notify the Municipal Clerk accordingly."

CARRIED UNANIMOUSLY

Mr. C. H. Leighs wrote complaining about the design employed in the construction of pavement and curbs in the 3900 block McGill Street last year.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:

"That the Municipal Engineer submit a report explaining the situation respecting the work mentioned in the letter from Mr. Leighs."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That Aldermen Lorimer, Dally and Drummond be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN McLEAN:

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

CARRIED UNANIMOUSLY

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T A B L E D   M A T T E R

The matter of an enquiry from Mrs. N. Thompson regarding the possibility of obtaining a permit to build on Lot 13E½, Block 29, D.L. 13, Plan 3046, was then lifted from the table.

The Assistant Municipal Manager stated that it was expected the report desired by Council on this matter would take approximately two weeks to produce.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN MERCIER:

"That the item be tabled until the May 6th meeting of Council."

CARRIED UNANIMOUSLY

R E P O R T

MUNICIPAL MANAGER submitted report No. 27, 1968 on the matters listed below as Items (1) to (9), either providing the information shown or recommending the courses of action indicated for the reasons given:

(1) Brentwood Town Centre

As a result of a direction by Council following its consideration of two rezoning proposals involving land in the North-West quadrant of the Brentwood Town Centre, the Planning Department has developed what it regards as a reasonable concept for development of that area.

It is, however, now necessary to project this concept into a three-dimensional architectural scheme so that any intending developer of land in the area can better visualize the type of use desired by the municipality.

Time allotments of the Planning Department are already heavily committed to priority projects and it is not reasonable to place the matter involving the Brentwood Town Centre ahead of these priority projects. Conversely, it is important that the two development proposals for land in the North-West quadrant of the Brentwood Town Centre be given attention as soon as possible.

The firm of Ehling and Brockington, which produced a scheme for the Kingsway-McMurray area, was approached to determine whether they could handle the production of an architectural solution for land in the North-West quadrant of the Brentwood Town Centre. This firm indicated it could produce a plan in four weeks at a cost not to exceed \$500.00.

It was recommended that the firm of Ehling and Brockington be retained to produce an architectural solution for the North-West quadrant of the Brentwood Town Centre at a cost not to exceed \$500.00, and that the work be undertaken forthwith.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN McLEAN:  
"That the recommendation of the Manager be adopted."

CARRIED  
AGAINST -- ALDERMAN MERCIER

(2) Agreement - W. Freeman and Son Ltd.  
Parcel "A", Explanatory Plan 31337, Block 60, D.L. 153, Plan 26311

It was recommended that Council authorize the execution of an agreement with the above Company under which the municipality will permit the Company to construct and maintain a storm sewer over a portion of the property described in caption, which is a dedicated lane allowance, in return for which the Company will pay the Corporation an annual fee of \$25.00.

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

CARRIED UNANIMOUSLY

(3) Easement - Portion of Lot 287, D.L. 129, Plan 32447 (WONG)

It was recommended that Council acquire an easement over the East 10 feet of the above described property for storm sewer purposes and grant the owner \$250.00 plus restoration of the easement territory as consideration for the acquisition.

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MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN McLEAN:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(4) Local Improvement Programme

Recent amendments to the Local Improvement division of the Municipal Act necessitate quick action on the part of the municipality with respect to the Local Improvement Programme that was advanced to the property owners in 1967.

The particular amendment was that Council now only has one year in which to pass Construction By-laws for Local Improvement works that were certified as sufficient by the Municipal Clerk, and it only has one year to commence the work after passage of the By-law(s); in the past, two years was allowed in each case.

The Clerk certified the 1967 Programme on June 1, 1967 and therefore Council must act within one year from that date.

As a result:

- (a) the Programme initiated by Council last year, plus
- (b) a number of miscellaneous projects that have been approved since then, less
- (c) those projects which have been cancelled since that time or provided by means other than Local Improvement financing, plus or minus
- (d) miscellaneous costs associated with the Local Improvement Works (e.g. temporary borrowing and flotation costs, Winter Works Recovery), less
- (e) the amount of the borrowing authority obtained from the Department of Municipal Affairs late last year, less
- (f) the amount the Corporation borrowed in 1967 for Local Improvement works,

means that the municipality would require approximately \$1,650,000.00 of additional borrowing authority if it was to undertake the remainder of the 1967 Local Improvement Programme.

The Local Improvement Programme can be reviewed after a decision is made by Council with respect to the Maintenance Paving Proposal that was described in a report of the Manager dated April 16, 1968.

It was recommended that an application be made to the Department of Municipal Affairs to establish a new borrowing limit of \$2,000,000.00 for Local Improvement works, the reason for this amount being to provide Council with some leeway.

The practical borrowing power of the Corporation on the open market, together with its capacity for temporary financing, are the real controlling factors and therefore any construction programme that is undertaken should recognize that situation.

A further report on the Local Improvement situation will be presented to Council on April 29, 1968.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN MERCIER:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY



The request made by Mr. C. Basler and others at the beginning of this meeting concerning Local Improvements on certain streets in the Sullivan Heights area was again considered.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CORSBIE:  
"That the Municipal Engineer consider the question of giving the streets that were the subject of the petition from Mr. C. Basler and others, priority of construction in the light of the representations made by the delegation."

CARRIED UNANIMOUSLY

(5) Lot 166, D.L. 87, Plan 31868

It was recommended that Council:

- (a) reject the bid that was received from C. & G. Developments Ltd. to purchase the captioned property for \$40,000.00;
- (b) authorize the Land Agent to offer the property for sale at a minimum price of \$80,000.00, subject to the following conditions:
  - (i) that the property be consolidated with Lots 1 and 2, S.D. "A", Block 8, D.L. 87, Plan 4673, with it being understood that, if this is done, the Corporation will not oppose the closing of a portion of Stanley Street East of 6th Street that lies between the properties involved.
  - (ii) that the purchaser of the subject Lot 166 agree to accept the subdivision plan that the municipality has prepared for the area.
  - (iii) that the purchaser enter into an agreement with the Corporation under which he will be responsible for servicing the area in accordance with current subdivision servicing standards, which includes underground wiring.

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

CARRIED  
AGAINST-- ALDERMAN BLAIR

(6) Estimates

It was recommended that the Municipal Engineer's Special Estimates of Work in the total amount of \$73,300.00 be approved.

MOVED BY ALDERMAN McLEAN, SECONDED BY ALDERMAN HERD:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(7) Allowances

It was recommended that an application under Section 411 of the Municipal Act for an allowance of \$19.29, as more particularly shown in an accompanying report from the Municipal Treasurer, be granted.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN McLEAN:  
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(8) Fire Department

A report of the Fire Chief covering the activities of his Department during the month of March was being submitted.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:  
"That this report be received."

CARRIED UNANIMOUSLY

(9) Claim - Byron (5460 Sperling Avenue)

This claim, which has been rejected by the Municipal Solicitor, is for \$778.50 for damage to property known as 5460 Sperling Avenue resulting from flooding on January 19, 1968.

The owner of the property, Mr. E. J. Byron, appeared before Council on March 25, 1968 to further his claim.

The points made by him then are as follows:

- (a) His basement flooded as a direct result of a watercourse on his property overflowing.
- (b) This watercourse had been diverted by the municipality from Sperling Avenue onto his property, without an easement being obtained.
- (c) This diversion was created in 1954, and the watercourse was only about 1½ feet wide and the same depth at that time.
- (d) It is now approximately three feet wide and three feet deep.
- (e) The municipality has maintained the watercourse over the years.
- (f) There have been previous instances of flooding but they were not too serious.
- (g) The flooding which occurred on January 19, 1968 resulted in about 1½ feet of water flowing through his basement.
- (h) The municipality was contacted when that flooding occurred and ratified the problem.
- (i) In essence, the watercourse is a public one and has been maintained by the municipality; therefore the Corporation should be liable for any damages occurring as a result of the watercourse overflowing.

The following was offered with respect to these items:

- (1) regarding the subject of Points (b) and (c), the municipality has three persons still employed in the Engineering Department who are fully knowledgeable about any diversion of drainage in 1954. One of them has certified that he has no knowledge of any watercourses being diverted during 1954, or any other year, which added water to the watercourse flowing through the subject property. Another member, however, recalls that, previous to 1954, there was a diversion from Sperling Avenue to the watercourse.
- (2) respecting Point (c), Mrs. Byron informed the Municipal Manager on January 19th that each year the Byron's had requested that the watercourse be cleaned, and the municipality had co-operated in every instance. This year, however, they did not ask and the work was not done. This service was not rendered because the municipality had a responsibility for the watercourse, it was only performed in the public interest.

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- (3) with regard to Point (h), the municipality does not concern itself about the question of liability during times of crisis such as the flooding one that occurred on January 19th - it only provides as much help as possible to relieve an condition that is causing a crisis. The reason for this, apart from public relations, is to minimize any damage which could occur if action is not taken.
- (4) as regards Point (i), the watercourse is not a public one, it only traverses private property.
- (5) the other points are not disputed.

The watercourse in question collects water from the area South and East of Malvern Avenue and Burris Street, then flows through a deep ravine, then through a culvert under Haszard Street and then through undeveloped property to that owned by Mr. Byron. From there, the watercourse flows in a Westerly direction on Mr. Byron's property to Spurling Avenue and thence to Dear Lake.

The watercourse contained a baffle just West of Haszard Street which served the purpose of collecting foreign material. This debris was cleaned out periodically.

The heavy rains on January 18th and 19th, 1968 were of record volume, but may have been contained within the banks of the watercourse had it not been for another contributing factor upstream. This situation is that, in the portion of the watercourse between Burris and Haszard Street, there is a drop of approximately 100 feet through a steep ravine. At the South end of Whelen Court, someone has dumped a large amount of earth fill on private property over the side of the ravine. It does not appear that any effort was made to stabilize this material and, as a consequence, when ground saturation became too great and pressure built up, the bottom of the fill slipped and collapsed into the watercourse. This resulted in the water carrying all the gravel and silt downstream to the baffle, thus constricting the available area for the water to flow. The water then diverted into many channels, one of which entered the Byron property and inundated his land and flooded his basement.

The Engineering Department did not do any work in the drainage area, or create a condition which would cause or aggravate the situation, and all assistance was rendered as expediently as possible during the emergency. Since then, the municipality has cleaned the watercourse and rebuilt the baffle, as well as making some repairs to Mr. Byron's property and to the restoration of his driveway. The baffle is to provide a form of protection to Mr. Byron's property.

Such claims as the one from Mr. Byron are examined sympathetically, but it is always borne in mind that the municipality carries insurance as a protection against valid claims. Were this one in an amount over \$1,000.00, the insurance company would handle it. It is necessary that the Corporation evaluate the liability for damage claims under \$1,000.00 consistent with the policy of the insurance company. To do otherwise could possibly place a claimant in a preferred position over one dealing with the Corporation's Insurers.

In the case at hand, the Municipal Solicitor has ruled that there was no negligence on the part of the Corporation and therefore the claim should be rejected because the Corporation is not liable.

During discussion, some members of Council expressed the opinion that, because there may be a moral responsibility to Mr. Byron due to the circumstances pertaining to the flooding condition that was caused his property, an ex-gratia settlement amounting to 50% of Mr. Byron's claim should be made.

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It was pointed out to Council that this sort of settlement may have a reflective effect on similar claims handled by the Corporation's Insurers and/or those given attention by future Councils.

Another point raised was that the factor which occurred upstream that is regarded as having contributed to the flooding condition may provide the Corporation with an avenue whereby the contributor may have incurred some liability as a result of his actions from which the municipality could recover.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN MERCIER:

"That the Municipal Solicitor furnish Council with an opinion on the points made during discussion this evening on the claim of Mr. Byron, which are those outlined above."

CARRIED UNANIMOUSLY

\* \* \*

HIS WORSHIP, MAYOR EMMOTT, recommended that the Regional District of Fraser-Burrard be asked to examine the desirability and feasibility of establishing a Regional Data Processing Centre which could be used by all members of the District.

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN MERCIER:

"That the Municipal Manager submit a report offering an opinion on the advisability of the proposal recommended by His Worship."

CARRIED UNANIMOUSLY

ALDERMAN HERD, stated that action should be taken by the municipality to rectify the unsightly condition of property located on the South side of Marine Drive in the area West of the golf driving range at 5110 Marine Drive.

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN BLAIR:

"That the matter mentioned by Alderman Herd be investigated and a report be submitted indicating whether any action can be taken to rectify the situation."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN HERD:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN HERD:

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

CARRIED UNANIMOUSLY

\* \* \*

BY - LAWS

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:

"That leave be given to introduce 'BURIADY EXPROPRIATION BY-LAW NO. 3, 1968' and that it now be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:

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

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:  
"That the Council do now resolve into a Committee of the Whole to consider and report on the By-law."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:  
"That the Committee do now rise and report progress on the By-law."

CARRIED UNANIMOUSLY

THE COUNCIL RECOVENED

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN CORSBIE:  
"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CORSBIE:  
"That the Council do now resolve into a Committee of the Whole to consider and report on "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 2, 1968" (#5287)."

CARRIED UNANIMOUSLY

Reference RZ #98/67a

FROM RESIDENTIAL DISTRICT FIVE (R5) TO  
MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

- (i) Lots "B" W $\frac{1}{2}$  and E $\frac{1}{2}$ , R.S.D. "B", S.D. 19/20, Blocks 1/3, D.L. 95N, Plan 10285
- (ii) Lot "C", Block 19, D.L. 95, Plan 10285
- (iii) Lots 5 & 6 of Lot "B", S.D. 19 & 20, Blocks 1/3, D.L. 95N, Plan 1264
- (iv) Portion of Lot 178, D.L. 95, Plan 32886

(Located on the South side of Balmoral Street)

The Municipal Clerk stated that the prerequisites in connection with this rezoning proposal have been satisfied.

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CORSBIE:  
"That the Committee do now rise and report the By-law complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECOVENED

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CORSBIE:  
"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN BLAIR, SECONDED BY ALDERMAN CORSBIE:  
"That "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 2, 1968" be now read a Third Time."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN BLAIR:  
"That:  
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 51, 1966" (#4979)  
"BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 3, 1968" (#5324)  
be now reconsidered."

CARRIED UNANIMOUSLY

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MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN BLAIR:

"That:

"BURNADY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 51, 1966" (RZ #51/66)

"BURNADY HIGHWAY EXPROPRIATION BY-LAW NO. 3, 1968"

be now finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

\* \* \*

MOVED BY ALDERMAN CORSBIE, SECONDED BY ALDERMAN McLEAN:

"That plans and specifications of the work or undertaking pursuant to By-law #5324 be filed with the Municipal Clerk pursuant to Section 483 of the Municipal Act."

CARRIED UNANIMOUSLY

MOVED BY ALDERMAN HERD, SECONDED BY ALDERMAN MERCIER:

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

CARRIED UNANIMOUSLY