

Wednesday - May 8th. 1940.

A regular sitting of the Commissioner was held at the Municipal Hall on Wednesday, May 8th. 1940 at 10.00 a.m.  
Present: Cmr. Fraser; R. Bolton, F.J. Fussell, E.L. Pimmer, Dr. Sager, Dr. Fraser, A.C. Bell, C.B. Brown, J.G. Mill and A. McFee.

Ordered: "That the minutes of the meetings of April 30th ult. and May 1st inst. be adopted as written and confirmed."

Dugald Donaghy wrote advising that he was acting as Solicitor for the Kapoor Sawmills Ltd. in the matter of eviction of squatters on Block 14, D.L. 213. and as the Corporation of the District of Burnaby were the registered owners of this property, subject to the Agreement of Sale to the Kapoor Sawmills Ltd, it was necessary to enjoin the Corporation in the action against the squatters (Mike Deliko), and he therefore requested the Commissioner to execute a form of consent to an order being made by the Supreme Court having Burnaby as a party plaintiff.

Ordered: "That the letter be received and filed and that the consent be duly executed."

Treasurer submitted recommendation that allowances be made under Section 293 of the Municipal Act as follows:

W <sup>2</sup> Lot 16, Blk. 20, D.L. 159 to Joseph Mitchell			
1939 Penalty \$4.04	1939 Interest .86		\$4.90
Lts 2 & 3, S.D. "A" Blks 13/15 D.L. 98 to E.A.S. Carpenter			
Lot 2, 1939 Penalty \$1.54	1939 Interest .36	\$1.90	
3, do do 1.50	do .45	1936	\$3.85
Lot 3, S.D. "C" Blk. 7, D.L. 99 to B.J. Naud.			
1938 Penalty \$5.59	1938 Interest \$3.61		
1939 Penalty 7.24	1939 Interest 1.56		18.00
Block 18, D.L. 30, H. J. Burnett.			
1938 Penalty \$12.77	1938 Interest \$11.23		24.00
Lot 18, Block 42, D.L. 30, to Ernest F. Lewis.			
1939 Penalty \$3.89	1939 Interest .86		4.75
Lot 32, Blk. 93, D.L. 122, to D. Ryan.			
1939 Penalty \$2.10	1939 Interest .10		2.20
Lots 4 and 11, Block 11, D.L. 27 to A. E. Wilson.			
Lot 4, 1939 Penalty \$4.00	1939 Interest \$1.30		5.30
11, do do 2.84	do .90		3.74
E 16' Lot 5, Block 15, D.L. 116/186 to R. Wooten.			
1938 Penalty \$1.13	1938 Interest \$1.13		2.26
Lot 15, S.D. "A" Blks 23/24 pt. D.L. 32 to Albert J. Hilling.			
1939 Penalty \$8.53	1939 Interest \$1.96		10.49
Lot 2, Blk. 3, D.L. 94.N. to James Robertson.			
1938 Penalty \$3.34	1938 Interest \$3.00		
1939 Penalty \$3.59	1939 Interest .80		10.73
Lot 18, Blk. 37, D.L. 151/3 to D.P. Lockhart.			
1938 Penalty \$3.34	1938 Interest \$3.00		6.34
Lot 8, Blk. 37, D.L. 69, to Walter Lainsbury			
1939 Penalty 3.44	1939 Interest .76		4.20
Lot "C" Blk. 4, D.L. 94.N. to Joseph Irvine			
1935 Penalty \$8.10	1936 Penalty \$8.10		
1937 Penalty \$5.73	1935 Interest 8.91		
1936 Interest 3.56	Int. on Redemption \$38.74		73.14
Lot 7, Blks 39/40, D.L. 32 to Samuel Gillespie.			
1938 Penalty \$5.47	1938 Interest \$2.12		7.59
Lot 20, Blks 4 pt. 51 & 52, D.L. 151/33 to Wm. Sharland.			
1939 Penalty \$4.88	1939 Interest \$1.64		6.62

Ordered: "That the recommendations of the Treasurer be and are hereby adopted."

The Engineer submitted Estimates of Works as follows:

Board of Works	\$1,800.00
Waterworks	550.00
Waterworks Inspectors.	167.50

Ordered: "That the Estimates of Works as submitted be approved, subject to funds being available."

The Engineer submitted recommendation that B.C.E.R. Poleplan No. K8800/2562 covering proposed pole location on lane north of Venables Street west of Rosser Avenue, be approved. Poles to be distant from the property line to outside face of poles 1'6".

Ordered: "That the recommendation of the Engineer be and is hereby adopted."

The Engineer submitted report covering work done by the Board of Works Department for the month of April 1940.

Ordered: "That the report be received and filed."

The Engineer submitted report covering work done by the Waterworks Department for month of April 1940.

Ordered: "That the report be received and filed."

The Treasurer submitted statement of receipts and payments for month of April 1940 as follows: Receipts \$66,269.96 Payments \$96,499.32

Ordered: "That the report be received and filed."

The Treasurer submitted Waterworks Return for month of April showing total number of live services as at April 30th. - 8027 - with collections for the month \$4,064.13  
 Ordered: "That the report be received and filed."

The Property Salesman submitted report for month of April showing sales of 17 parcels during the month amounting to \$3,232.73, with an assessed value of land \$4,995.00 Improvements \$1,650.00 Corporation equity \$1,970.65  
 Ordered: "That the report be received and filed."

The Building Inspector submitted report for the month of April showing Building permits to number of 164 being issued with value of \$35,200. Plumbing permits 53 - Wiring Permits 52 and Range burners 5.  
 Ordered: "That the report be received and filed."

The Supervisor Fire Department submitted report showing number and classification of fires occurring in the Municipality during month of April - Total 11 fires - Loss \$3,370.00 Property involved \$31,935.  
 Ordered: "That the report be received and filed."

Ordered: That "The Commissioner of the Corporation of the District of Burnaby, in exercise of all the powers him thereunto enabling and for any right or interest in, the Corporation, may have in the premises, hereby approves the Petition of Ocean View Burial Park Company to the Lieutenant-Governor in Council to abandon to the said Ocean View Burial Park Company that portion of Alberta Avenue, in the Municipality of Burnaby, in the Province of British Columbia, more particularly described as: ALL AND SINGULAR, that certain parcel or tract of land and premises situate, lying and being a portion of Alberta Avenue in District Lot 150, Group 1, District of New Westminster, Province of British Columbia, according to Plans No. 2041 and 2042, deposited, and being more particularly described as follows: COMMENCING at the South-east corner of Block "G" Plan No. 5937, of District Lot 150, aforesaid; thence Northwardly and following the East Boundary of said Block "G" 901.9 feet to the North-east corner thereof; thence Eastwardly and following the Easterly ~~boundary~~ production of the North boundary of Block "G" aforesaid, 33.0 feet to an intersection with the West boundary of the north-east Quarter of District Lot 150; thence Southwardly and following the said West boundary of the North-east Quarter of District Lot 150, 294.7 feet to the South-west corner thereof; thence Eastwardly and following the South Boundary of the North east Quarter of District Lot 150, 33.0 feet to the North-west corner of Block "D" Plan 3719 of District Lot 150; thence Southwardly and following the West Boundary of said Block "D" 607.5 feet to the South west corner thereof; thence Westwardly 66.0 feet to the point of commencement and containing, by estimation 1.143 acres, be the same more or less, as more particularly shown on the plan annexed to the said Petition outlined with Red colour.

An agreement has been entered into between the Ocean View Burial Park Company and the Corporation of the District of Burnaby under which the said Ocean View Burial Park Company undertakes to construct and in all time hereafter maintain a ditch or other satisfactory and adequate channel on the said portion of Alberta Avenue for the free flow of surface water now taken care of by a ditch constructed on part of the said portion and of surface water which the said Corporation may hereafter require to divert or cause to flow on any part of the said portion of the said Alberta Avenue, and the said Commissioner hereby agrees that the enforcement of the provisions of the said Agreement shall be a matter for the said Corporation and that the abandonment by the Lieutenant-Governor in Council to be granted in terms of the prayer of said Petition shall be free of any conditions.

Ordered: "That the Commissioner and Clerk be and are hereby empowered and authorised to sign and affix the Corporate seal of the Corporation of the District of Burnaby to indenture of agreement between the said Corporation and the Ocean View Burial Park Company dated the 8th day of May 1940."

Ordered: "That the Commissioner do now sit as a Committee of the Whole to reconsider "Burnaby Property Exchange By-law No.2,1940."

Ordered: "That the Committee do now rise and report the By-law complete without amendment."

Ordered: "That "Burnaby ~~Law~~ Property Exchange By-law No.2,1940" be now read a Third time."

Ordered: "That "Burnaby Property Exchange By-law No.2,1940" do pass the Third reading, that it be signed by the Commissioner and the Clerk and that the Corporate seal be affixed thereto."

Ordered: "That the Commissioner do now sit as a Committee of the Whole to reconsider "Burnaby Land Sale By-law No.4,1940"

Ordered: "That the Committee do now rise and report the By-law complete without amendment."

Ordered: "That "Burnaby Land Sale By-law No.4,1940" be now read a Third time."

Ordered: "That "Burnaby Land Sale By-law No.4,1940" do pass the Third reading, that it be signed by the Commissioner and the Clerk and that the Corporate seal be affixed thereto."

The sitting then adjourned. .

Confirmed.

Charles D. Brown

Clerk.

Nugent M. Fraser

Commissioner.