

Monday, October 26, 1953.

An adjourned meeting of the Municipal Council was held at the Municipal Hall, Edmonds, on Monday, October 26, 1953, at 7:34 p.m.

Present: Reeve Beamish in the Chair, Councillors Armstrong, Charlton, Drummond, Isherwood, Philips and Wilks.

1 His Worship Reeve Beamish laid before the Council a letter which he proposed to send to the Provincial Secretary making a direct approach to the Government for development of Burnaby Lake as a Provincial Park, requesting the Council's endorsement of his submission of this letter.

Moved by Councillor Isherwood and seconded by Councillor Drummond "That endorsement of the proposal of the Reeve be granted."

Carried Unanimously.

Grants Committee submitted report recommending that the following Hallowe'en grants be made:

1. Leaside and District Community Association	\$ 50.00
2. Burquitlam Ratepayers' Association	50.00
3. Westridge Ratepayers' Association	50.00
4. Westburn Community Association	50.00
5. Juthie-Sperling Ratepayers' Association	50.00
6. Suncrest Ratepayers' Association	50.00
7. Burnaby Lake Men's Service Club	75.00
8. Lozells Community Association	50.00

2 Moved by Councillor Philips and seconded by Councillor Armstrong "That the recommendation of the Grants Committee be adopted."

Carried Unanimously.

3 Municipal Clerk reported that he had been formally served on October 22nd with a Notice of Motion on behalf of Mr. Thomas Blake and other ratepayers within the Municipality of Burnaby for an Order directed to the Reeve and Councillors to show cause why a Prerogative Writ of Mandamus should not be issued directed to the said Council, commanding them to enact and institute the provisions of By-law No. 1356 of the Corporation of the District of Burnaby - namely, being Burnaby Park Commission By-law 1931 and that an election for a Park Commission be held by the electors of the Municipality of Burnaby in accordance with the provisions of the Burnaby Park Commission By-law 1931, and for such further and other Order as to the Honourable Court may seem meet. The Clerk further reported that the Notice of Motion was to be heard on October 26, 1953 and that he had directed the Municipal Solicitor to request an adjournment pending instructions from the Council in the matter.

His Worship Reeve Beamish recommended verbally that the Solicitor be instructed to oppose the action.

Moved by Councillor Philips and seconded by Councillor Armstrong "That the Solicitor be instructed to attend before the Judge presiding in Chambers in the interests of the Municipality."

Amendment

Moved by Councillor <sup>CHARLTON</sup> Philips and seconded by Councillor Wilks "That the Solicitor attend and oppose the action".

Carried - Cr. Philips Against.

Motion as amended - Carried - Cr. Philips Against.

Apartment Committee submitted report having investigated the following applications for permission to construct apartment houses, recommending as follows:

- 4
1. Lots 12 & 13, S.J. "B", Blocks 19 & 20, J.L. 95 - Mack Realty Company.  
Your Committee recommend the approval of this application, provided the applicant is prepared to observe the proposed apartment regulations as recently recommended by the Town Planning Commission.
  - 5
  2. Lot "M", Block 49, J.L. 35 - Morris Felstein.  
Your Committee would not recommend this application be approved, as it is thought that a multiple family dwelling on this property could create a traffic nuisance on Smith Avenue, near the intersection of Smith Avenue and Kingsway.
  - 6
  3. Lot 9, Block 28S pt., J.L. 152 - Mack Realty Company.  
Your Committee would not recommend this application be approved due to the adverse effect that an apartment building on this property could have on the surrounding residential property values.
  - 7
  4. Lot 32, Block 30, J.L. 152 - C. A. Anderson.  
Your Committee would recommend that this application be approved provided all apartment regulations are observed and also provided the building would not exceed two storeys in height. This latter proviso is suggested as a necessary precaution to insure adequate water pressure on the upper floor, and to allow the apartment building to blend favourably with the surrounding bungalow residences.
  - 8
  5. Lot "B" of Lot 1, Block 3, J.L. 99 - L. E. Sanders.  
Your Committee would recommend that this application be approved subject to compliance with regulation (e) of the proposed apartment regulations recently recommended by the Town Planning Commission.
  - 9
  6. Lot 26, Blocks 42 & 43, J.L. 151/3 - V. C. Finch.  
Your Committee would recommend the approval of this application, provided the applicant is prepared to observe the proposed apartment regulations as recently recommended by the Town Planning Commission.

7. Lot 3, Block 28, J.L. 152 - Ray Itterman Construction Ltd.  
Your Committee would recommend the approval of this application, provided the applicant is prepared to observe the proposed apartment regulations as recently recommended by the Town Planning Commission.
- Lot 8, Block 28, J.L. 152 - Ray Itterman Construction Ltd.  
Your Committee would not recommend this application be approved, because of the adverse effect that an apartment building on this property could have on the surrounding residential property values.
- Moved by Councillor Isherwood and seconded by Councillor Charlton "That the recommendations of the Committee be adopted."

Carried Unanimously.

Investments Committee submitted report recommending the approval of the following securities to be invested in the accounts named:

TAX SALE MONIES TRUST

\$100,000.	Government of Canada Treasury Notes, due July 16, 1954.	\$ 98,074.00
\$100,000.	Government of Canada Treasury Notes, due July 23, 1954.	98,021.00
\$ 5,000.	Province of Ontario, July June 1, 1954.	5,000.00
		<u>\$201,095.00</u>

Moved by Councillor Isherwood and seconded by Councillor Wilks "That the recommendations of the Committee be adopted."

Carried Unanimously.

Personnel Director submitted report recommending the following:

CLERK IV - Engineering Department

It is recommended that Mr. Clinton Shewfelt, Clerk III, be promoted to this position.

CLERK III - Engineering Department

On the promotion of Mr. Clinton Shewfelt, it is recommended that the above vacancy be filled.

CLERK-STENOGRAPHER I - Clerk's Department

It is recommended that Miss Elsie Marion Harrison be appointed to this position.

EQUIPMENT OPERATORS (MEDIUM) - Grader Operators (2 vacancies)

It is recommended that Messrs. E. R. Astells and M. Kissik be appointed to fill the vacancies, both were formerly Spare Grader Operators.

DEPUTY TREASURER

Pursuant to an order made by the Labour Relations Board, September 28, 1953, the person occupying this position has been excluded from the bargaining rights of the Burnaby Civic Employees' Union.

LONDON LIFE GROUP INSURANCE

Up to the present time, the Corporation has continued to pay the employees share of the insurance premium for those employees who have retired and are on extended sick leave. As from January 1st, 1953, the Burnaby Civic Employees' Union have agreed to reimburse the Corporation for the employees premiums who fall within the above mentioned categories.

Moved by Councillor Isherwood and seconded by Councillor Armstrong

"That the recommendations of the Personnel Director be adopted."

Carried Unanimously.

Municipal Clerk requested that members of the Court of Revision to correct and revise the 1954 Voters' List be appointed in accordance with the provisions of the Municipal Act in that regard.

Moved by Councillor Charlton and seconded by Councillor Isherwood "That Councillors Philips and Wilks be appointed as members to constitute the Court along with His Worship the Reeve."

Carried Unanimously.

Moved by Councillor Wilks and seconded by Councillor Philips "That the first sitting of the Court be held on November 16, 1953, at 10:00 o'clock a.m."

Carried Unanimously.

The Reeve withdrew from the Chair; Councillor Drummond in the Chair.

Moved by Councillor Wilks and seconded by Councillor Philips "That Burnaby Land Sale By-law No. 20, 1953" be now reconsidered."

Carried Unanimously.

Moved by Councillor Wilks and seconded by Councillor Philips "That Burnaby Land Sale By-law No. 20, 1953" be now finally adopted, that it be signed by the Acting-Reeve and Clerk and that the Corporate Seal be affixed thereto."

Carried Unanimously.

The Reeve returned to the Chair.

Moved by Councillor Isherwood and seconded by Councillor Philips "That Burnaby General Borrowing and Hypothecation of Taxes By-law No. 3, 1953" be now introduced and that the Council do sit as a Committee of

the Whole with the Reeve in the Chair to consider the By-law."

Carried Unanimously.

The Reeve asked the question: "What is your pleasure with this By-law?"

Moved by Councillor Isherwood and seconded by Councillor Wilks "That the By-law be read by short title only."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Drummond "That the Committee do now rise and report the By-law complete without amendment."

Carried Unanimously.

Moved by Councillor Isherwood and seconded by Councillor Philips "That "Burnaby, General Borrowing and Hypothecation of Taxes By-law No. 3, 1953" be now passed."

Carried Unanimously.

Special committee appointed to consider the matter of a complaint against the proposal to permit the Flame Supper Club to use lots at the rear of their premises for parking purposes submitted a report advising that the committee were of the opinion the meaning of the word contiguous when applied to such a proposition as is here considered, may be open to attack on the grounds that lands are not contiguous where a road etc., separates them. The committee recommended that the Flame Supper Club be advised that such an attack may be made and that the Council can go no further in this matter than rely on whatsoever interpretation may be placed on the word "contiguous" should the same be brought before the Courts.

Moved by Councillor Isherwood and seconded by Councillor Armstrong. "That the recommendation of the committee be adopted."

Carried Unanimously.

Delegates appointed to the Union of B. C. Municipalities Convention to be held in Vancouver on October 28th, 29th, and 30th included Reeve Beamish, Councillors Wilks, Philips, Armstrong, Charlton and Drummond.

The meeting then adjourned.

Confirmed:

*Charles B. Brown*

Clerk

*W. R. Beamish*

Reeve