

Monday, November 28, 1955.

A regular meeting of the Municipal Council was held at the Municipal Hall, 1930 Kingsway, on Monday, November 28, 1955 at 7.30 p.m.

Present: Reeve MacSorley in Chair, Crs. W.P.Philps, Charlton, Drummond, Hughes, Hean, F.Philps, and Morrison."

Rev. E. Horton led in Prayer.

Moved by Cr.Morrison, seconded by Cr.Hean "That the minutes of the previous meeting be adopted as written and confirmed."

Carried Unanimously.

1 A.B.Wenaus & Sons Limited submitted an application for rezoning property described Lots "A" and "B" of Lots 29 Block 6 of Blocks 1 and 2, J.L.207 from residential to gasoline service station zoning.

Moved by Cr.Morrison, seconded by Cr.Hean "That application be referred to the Town Planning Commission and Planning Engineer."

Carried Unanimously.

2 Geo. Bartsen submitted an application for rezoning of Lot 3, Block "A", J.L. 87 from residential to gasoline service station zoning.

Moved by Cr.Morrison, seconded by Cr.Hean "That the application be referred to the Town Planning Commission and Planning Engineer."

Carried Unanimously.

3 W.F.Beamish and Company Limited submitted an application for permission to erect a work and welding shop on Lot 6, Block 13, J.L.97 pursuant to the provisions of Section 13 of the Town Planning By-law.

Moved by Cr. Drummond, seconded by Cr. Charlton "That permission be granted as requested."

Carried Unanimously.

4 The Vancouver Province submitted a request for permission to locate a circulation sub-office on Lot 52B of S.J. 19 and 20, Block 6, J.L.74S on a temporary basis.

Moved by Cr. Charlton, seconded by Cr. Hean "That permission be granted as requested."

Carried Unanimously.

5 United Church Home for Girls submitted an application for a grant to assist in financing the operation of their home on Sussex Avenue requesting that the usual grant of \$250.00 be increased to \$400.00.

Moved by Cr. W.P.Philps, seconded by Cr.Morrison "That the application be received and referred to the Committee on Grants for consideration and recommendation."

Carried Unanimously.

6 Burnaby General Hospital wrote with reference to recent reports concerning the inauguration of the Hospital District for New Westminster and Burnaby area, requesting that before any commitments are made by the Council in this regard a joint meeting be held to study all aspects of the proposal.

Moved by Cr. W.P.Philps, seconded by Cr.Charlton "That the letter be received and the request of the Hospital Board be acceded to."

Carried Unanimously.

7 McGrath Construction Co. Limited wrote requesting that the Council approve the re-definition of an easement provided ~~provided~~ ~~granted~~ ~~to~~ ~~their~~ ~~Company~~ ~~by~~ ~~the~~ ~~Council~~ ~~over~~ ~~Lot~~ ~~7,~~ ~~Block~~ ~~o,~~ ~~of~~ ~~Blk.~~ "K", J.L.34 advising that a residence had been constructed over the original easement and it was desired to rectify this situation by reducing the bounds of the charge.

Moved by Cr.Hean, seconded by Cr.Hughes "That the letter be received and approval be granted to the re-definition of the easement provided the legal costs involved are paid by the Company."

Carried Unanimously.

The B.C.Electric Co. Limited wrote with reference to the request of the Council for nesting facilities be installed in the passenger depots at Edmonds and Kootenay loop, advising it was impractical for the Company to meet this request since the installation of such facilities in the subject

1 stations would be a precedent to such installations in many others of the Vancouver area. The Company advised further that the provision of heat in these stations was apt to encroach letterers and sometimes this caused a discomfort to waiting passengers.

Moved by Cr. Hughes, seconded by Cr. Hean "That the communication be received." Carried Unanimously.

2 L. MacHardy submitted a claim for damages to his automobile as a result of an accident which occurred in the 4600 Block Hastings Street when his car struck an unguarded depression in the road surface.

Moved by Cr. Charlton, seconded by Cr. F. Philips "That the letter be received and referred to the Engineer and Solicitor for report." Carried Unanimously.

Secretary-Treasurer, Burnaby School Board, submitted an invitation to the Reeve and members of the Council to attend a school opening at (a) Gilmore Avenue School and (c) Inman Avenue School on Wednesday, November 30th at 2 and 8 p.m. respectively.

Moved by Cr. Morrison, seconded by Cr. Hughes "That the invitation be received and accepted." Carried Unanimously.

Southern Slope Ratepayers' Association submitted an invitation to candidates for the forthcoming election to attend and address the meeting on November 30th at Clinton Street School.

Moved by Cr. Hughes, seconded by Cr. W.P. Philips "That the invitation be received." Carried Unanimously.

M.F. Green wrote on behalf of business men of the Capitol Hill area requesting permission to install simple Christmas decorations overhanging East Hastings Street advising that the necessary approvals had been obtained from the Public Utilities Department and the Traffic Department of the R.C.M.P.

Moved by Cr. Morrison, seconded by Cr. Hean "That permission be granted as requested." Carried Unanimously.

3 Messrs. Milne and Ellis wrote requesting that the Council delay consideration of the report of the Municipal Clerk concerning the recent applications under the Shops Regulation and Weekly Holiday Act concerning dry goods, hardware, jewelry and shoe merchants, until Monday, December 12, 1955.

Moved by Cr. Charlton, seconded by Cr. Hean "That the letter be received and that this matter be brought forward on Monday, December 12 as requested." Carried Unanimously.

4 Richard, Whitworth and others submitted a Petition requesting that a separate classification be included in the trades Licence By-law for butcher shops and they be excluded from the present retail traders classification. The Petitioners submitted a definition of a Butcher Shop which they considered to be more suitable than that in use at the present time.

Moved by Cr. W.P. Philips, seconded by Cr. Charlton "That the Petition be received and referred to the Licence Inspector and Solicitor for report." Carried Unanimously.

5 Cassidy and Munro submitted a Petition on behalf of persons engaged in the business of retail selling of building supplies expressing opposition to any change in the closing hours of shops occupied by this trade.

Moved by Cr. F. Philips, seconded by Cr. Morrison "That the Petition be received and referred to the Municipal Solicitor." Carried Unanimously.

COMMITTEE OF THE WHOLE REPORT.

Your Committee met on Tuesday, November 22, 1955 and recommends:

- 6 (1) That account of George J. Maclean, Chairman, Burnaby Town Planning Commission for expenses incurred in attending Annual Planning Conference of American Society of Planning Officials and the Community Planning Association of Canada at Montreal, September 25 to 30, 1955 in the sum of \$641.50 be paid.

Moved by Cr. Hughes, seconded by Cr. Hean "That the recommendations of the Committee be adopted." Carried Unanimously.

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The Municipal Solicitor submitted copies of correspondence exchanged between himself and the Provincial Department of Labour wherein it was suggested by the Department that the Corporation make application to the Minister of Labour to have an Order-in-Council passed to effect the change as suggested with respect to the Weekly Half Holiday as it would effect lumber yards. The Solicitor advised verbally that at no time had it been his suggestion that the Council apply for an order-in-council it being the responsibility of the group of trade classification concerned to make such application.

Moved by Cr. Hughes, seconded by Cr. Morrison "That the submissions of the Municipal Solicitor be received."

Carried Unanimously.

2 Chief Sanitary Inspector submitted a report on the application of Mrs. Beverly Britton for location of a kennel on property at 4490 S.E. Marine Drive, for the keep of 12 pekinese dogs recommending that the application be approved.

Moved by Cr. Charlton, seconded by Cr. Morrison "That the recommendation of the Chief Sanitary Inspector be adopted."

Carried Unanimously.

3 The Engineer submitted a report on the proposed extension of McBride Boulevard and Newcome Street to form a portion of a major Highway system across the Municipality, advising that such extension would greatly facilitate the flow of traffic within this area from Patuile Bridge and that satisfactory grades could be established either towards Grandview Douglas Highway or Lougheed Highway. The Engineer reported having discussed the matter with the Department of Highways and recommended that the Minister of Highways be requested to conduct a full-scale ground survey to cover the following routes:

- (a) From 19th Ave. and Newcome St. to Grandview Highway and Sperling Avenue, or alternatively to the B.C. Electric Burnaby Lake right-of-way and Sperling Avenue.
- (b) From Newcome St. and 17th Avenue approximately to Lougheed Highway.

Moved by Cr. Mean, seconded by Cr. F. Philips "That the recommendations of the Engineer be adopted."

Carried Unanimously.

A Committee of the Municipal Clerk and Property Manager submitted a report with respect to the proposed sale of individual lots in the area bounded by Heluom Avenue, Kensington Avenue, Kifedener Street and Curtis Street, advising that the details of laying out the initial section of the area had been completed and it was recommended that sale of the properties contained therein be effected subject to the following restrictive covenants. It was further recommended that the lots be advertised for sale on a definite date.

Restrictive Covenants.

- (a) The Grantee will not erect or maintain any dwelling, building, wall, fence, pole, aerial or other structure on the said land until plans and specifications therefore showing the nature, kind, size, height, material, colour scheme and location of such structure have been submitted to and approved in writing by the Grantor herein or its agents.
- (b) No poultry, swine, sheep, cows, cattle or other livestock shall be kept on the premises.
- (c) The Grantee will not carry on or permit to be carried on upon the said lands or in any building thereon any trade or business whatsoever save and except in such place of business, worship, congregation or otherwise as may be approved under the procedure similar to that laid down under Restrictive Covenant (a) hereof.
- (d) The Grantee will not erect, expose or maintain or permit to be erected exposed or maintained upon the said land any placard or advertising sign other than the usual door plate of any professional man or woman save and except those incidental to any place of business, worship, congregation or otherwise as may be determined pursuant to Restrictive Covenant (c) hereof.
- (e) Not more than one dwelling for one family or household unit with such

further structures as may be necessary for the accommodation of any servants of such one family or household or incidental to the use of such one family or household shall be erected on any one parcel or lot save and except where specifically authorized under Restrictive Covenant (a) hereof.

- (f) The Grantee shall not erect on the said land any dwelling, house, or other building closer to the road or roads on which such land fronts than the building lines established by the authority confirmed in Restrictive Covenant (a) hereof.
- (g) No fence shall be erected or hedge maintained extending beyond the front of the house at a height greater than 30 inches nor at the rear or side of any house at a height greater than five (5) feet.
- (h) Construction authorized under Restrictive Covenant (a) hereof shall be completed within a period of twenty - four (24) months from date of purchase.

Recommended Selling Prices:

	Land	Services
Lots 61 x 122 on South side of Charles Street	\$ 900.00	800.00
Lots 66 x 120 on North side of Charles Street	1100.00	(\$1700.00) 800.00
Corner Lots 66 x 120 on North side of Charles St.	1300.00	(\$1900.00) 800.00
Lots 68 x 122 on South Side of Charles Street	1100.00	(\$2100.00) 800.00
		(\$1900.00)

South side of Charles Street 14 lots 61 x 122
 South side of Charles Street 2 lots 68 x 122
 North side of Charles Street 6 lots 66 x 120
 North side of Charles Street - 2 corner lots 66 x 120 - Total 24 lots.

Moved by Cr. Morrison, seconded by Cr. F. Philips "That the recommendation of the Committee be adopted and that Minutes be advertised for sale commencing Monday, December 6th at 9 a.m."

Carried Unanimously.

The Treasurer submitted disbursements for the two week period ended 18th Novem-ber, 1955 in the total amount of \$224,863.43. Moved by Cr. W.P. Philips, seconded by Cr. Hughes "That the disbursements as submitted be approved."

Carried Unanimously.

The Secretary Town Planning Commission submitted a request for approval of plans formulated by the Town Planning Commission and the Town Planning Board of Appeal to hold a joint Dinner Meeting on December 16, 1955 at a cost of \$250.00.

Moved by Cr. Charlton, seconded by Cr. Drummond "That the report be received and approval granted as requested."

Carried Unanimously.

The Apartment Committee submitted a report on the application of Pioneer Construction Limited for approval of Lot 3, Block 36, J.L. 151/3 as an apartment site recommending that approval be renewed, provided:

- 1 The ground floor of the proposed building is not lower than the elevation of the sidewalk on McKay Ave. fronting the property.
2. The proposed building is constructed in compliance with all Regulations applicable thereto.

Moved by Cr. Morrison, seconded by Cr. Hean "That the recommendations of the Committee be adopted."

Carried Unanimously.

The Apartment Committee submitted a report on the applications of E.J. Bright Limited for approval of (a) Lot 8 N¹/₂ Block 33, J.L. 34 and (b) Lot 13, Block 36, J.L. 34 for apartment purposes. The Committee pointed out that the properties were located north of the existing commercial district north of Kingsway and were in an area developed residentially with homes which ranged from older types to new dwellings, many of which were well maintained properties. The Committee also pointed out that the area was served by the West Burnaby Sewer which was at present at full capacity. Furthermore multiple family zones had been created in the West Burnaby area where apartment house interest had been more active.

The Committee further submitted that at the present time there were sufficient multiple family areas in the vicinity to meet the demand for apartment house accommodation for some time. Lack of lane access to the properties were detrimental from an apartment viewpoint, and it was also considered that the location of a sporadic apartment development in the area would detract from the present suitability of the area for single and two family use. The Committee took the view that the establishment of an apartment zone in this district was premature.

and recommended that the applications be not approved. It was suggested that the Town Planning Commission give further consideration to the situation.

Moved by Cr. Morrison, seconded by Cr. F. Philips "That the recommendation of the Committee be adopted and referred to the Town Planning Commission and Planning Engineer."

Carried Unanimously.

The Municipal Clerk brought forward application of Bernard A. Evans for rezoning Lot 11, Block 32 E part, J.L.152 from residential to commercial, the said application having been tabled previously for further consideration.

Moved by Cr. Hughes, seconded by Cr. Hean "That the application be lifted from the table."

Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. W.P. Philips "That the application be tabled for one week."

In favour - Crs. F. Philips, Morrison, Charlton and W.P. Philips

Against - Reeve MacSorley, Cr. Hean, Hughes and Drummond.

MOTION NEGATIVE.

Moved by Cr. Drummond, seconded by Cr. Hean "That the application be approved for further consideration."

Carried,
Cr. Hughes dissenting.

Moved by Cr. F. Philips, seconded by Cr. Charlton "That the Town Planning Commission and Planning Engineer be advised of the Council's decision to hold a Public Hearing on the application to rezone Lot 11, Block 32 E pt., J.L.152 and that they be requested to submit their opinion on the rezoning of the west side, affroyal Oak Avenue between Kingsway and Irving Street."

Carried Unanimously.

Moved by Cr. Morrison, seconded by Cr. F. Philips "That the Engineer be requested to submit a report on a proposal to introduce an additional garbage collection shift in residential areas as a means of providing a weekly garbage disposal service in such areas."

Carried Unanimously.

The Municipal Clerk submitted Certificates of Sufficiency for paving the following streets under the Local Improvement Act:

- (a) Holly St. from Humphries Ave. to west property line Lot '1, S.D. "D" Blk. 4, J.L.30.
- (b) Holly St. from Mary Ave. to Humphries Ave.

Moved by Cr. Charlton, seconded by Cr. Morrison "That the certificates be received and referred to the Engineer for a cost report pursuant to the provisions of the Local Improvement Act."

Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Hughes "That "Burnaby Waterworks Regulation By-law 1953, Amendment By-law No. 2, 1955" be now introduced and that the Reeve and Council sit as a Committee of the Whole to consider the by-law."

Carried Unanimously.

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

Moved by Cr. Charlton, seconded by Cr. Hughes "That the by-law be read by short title only."

Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Hughes "That the Committee rise and report the by-law complete without amendment."

The Council re-convened.

Carried Unanimously.

Moved by Cr. Charlton, seconded by Cr. Hughes "That "Burnaby Waterworks Regulation By-law 1953, Amendment By-law No. 2, 1955" be now passed."

Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Hughes "That "Burnaby Tax Sale Lands Moneys Expenditure By-law No.7, 1955" be now reconsidered."

Carried Unanimously.

Moved by Cr. W.P. Philips, seconded by Cr. Hughes "That "Burnaby Tax Sale Lands Moneys Expenditure By-law No.7, 1955" be now finally adopted and that the Reeve and Clerk be authorized to sign the by-law and affix the Corporate seal thereto."

Carried Unanimously.

The meeting then adjourned.

Confirmed:

Chas. MacLorley
Reeve.

Charles B. Brown
Clerk.