

JULY 21, 1958

An Adjourned meeting of the Municipal Council was held in the Municipal Hall, 4545 East Grandview-Douglas Highway on Monday, July 21, 1958 at 7:30 p.m.

PRESENT: Reeve Emmott in the Chair; Councillors Brown, Cafferky, Jamieson, Mather, McLean, Seifner and Wilson

Moved by Councillor Wilson, Seconded by Councillor McLean: "That Minutes of the previous meeting be adopted as written and confirmed."

CARRIED UNANIMOUSLY.

Donald B. Moffatt wrote making application for permission to erect a canvas tent to hold evangelistic meetings for a period of six weeks commencing July 27th on property situated on the north side of Gilpin Street between Grandview-Douglas Highway and Sperling Avenue. Mr. Moffatt appeared and submitted that the meetings would be held for a one hour period each evening except Saturday and that an attendance of approximately 150 people was expected.

Moved by Councillor Cafferky, Seconded by Councillor Jamieson: "That permission be granted subject to the approval of the various Municipal Departments concerned."

CARRIED UNANIMOUSLY.

The application of Messrs. Hean, Wylie & Hyde on behalf of a client for rezoning Lot "K", part of South 130 feet (except Ref. Pl. 13006) Block 49, D.L. 35, Plan 799 was lifted from the tabled. The Manager submitted that the Director of Planning considers the dedication of a 20 foot lane along the north side of the property to be essential prior to the application for zoning of the remaining portion being considered by the Council. Mr. Marshall, Solicitor, for the applicant appeared and requested an opportunity to be heard.

Moved by Councillor Mather, Seconded by Councillor Seifner: "That Mr. Marshall be heard."

CARRIED UNANIMOUSLY.

Mr. Marshall submitted that the Council could deal with the matter of off the street parking and rear access to the property by By-law without necessitating his client to bear the expense of a subdivision plan to formally dedicate the subject lane allowance. Mr. Marshall read the appropriate sections from the Municipal Act wherein the Council derives its powers for regulating off-street parking and rear access for the Council's information.

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That the report of the Director of Planning as presented by the Municipal Manager be adopted."

CARRIED AGAINST: COUNCILLOR MATHER

MUNICIPAL MANAGER -- REPORT NO. 16, 1958.

1. Re: Kapoor Sawmills

The Municipal Manager reported on the application of the subject sawmills for a permit to instal a Rees type Burner for burning mill wastes and the concern of the Chief Building Inspector to withhold such permit due to the provisions of the Town Planning By-Law which provides for up-to-date scientific means of eliminating smoke, etc. The Manager reported a Committee of himself and Reeve had considered the application further from all aspects and submitted that the Committee would like to make a definite recommendation against issue of the permit but complete circumstances forced consideration of a compromise. It was recommended that issue of a building permit to Kapoor sawmills for the erection of a Rees type Burner be approved subject to the Company entering into an agreement with the Corporation to include the following protective features for the Municipality:

- (1) The Company will be subject to any smoke control measures which may be adopted by the Municipality either by itself or as a part of a Metropolitan smoke control body.
- (2) The Corporation will have the right after 5 years to order the removal, discontinuance of use, or modification of the burner as it may deem desirable.
- (3) The Burner to be equipped with an adequate means to control the emission of hot fly ash.

- (4) The Agreement to be binding upon Kapoor Sawmills, its heirs, successors and assigns.

Moved by Councillor Brown, Seconded by Councillor Wilson: "That the recommendations of the Committee be adopted."

CARRIED UNANIMOUSLY

An amendment was Moved by Councillor Jamieson, Seconded by Councillor Cafferky: "That the following words be added to the original motion 'subject to the Kapoor Sawmills providing a Performance Bond to an amount of \$3,000.00 to secure the conditions of the Agreement as recommended.'"

CARRIED UNANIMOUSLY.

The report of the Municipal Manager on the application of Messrs. Center & Hanna for permission to erect a funeral parlour on Block 7, D.L. 34, Plan 049 tabled from a meeting of the Council of July 14th. The following representatives were present and requested an opportunity to be heard:

- (1) Lindsay Alexander, agent for the Bell-Irving Realty Limited.
- (2) Mr. Street, Solicitor, representing the Center & Hanna Company.
- (3) Mr. Hallett, representing certain property owners in the area.

Moved by Councillor Jamieson, Seconded by Councillor Wilson: "That Mr. Lindsay Alexander be heard."

CARRIED UNANIMOUSLY.

Mr. Alexander advised that his Company had handled a number of property transactions and appraisals in the general vicinity of the subject property and that their firm was consequently familiar with the background from a Commercial viewpoint of the area. It was submitted that the subject land was ideally suited for the proposed development for the following reasons:

- (1) A traffic island was situated directly across from the property.
- (2) No commercial development existed on the opposite side of Kingsway from the property. Such land being park property.
- (3) In view of (1) and (2) the property under application did not lend itself to normal commercial development. It was submitted a unique situation existed and that the land was therefore suitable for a unique type of business.

Moved by Councillor McLean, Seconded by Councillor Seifner: "That Mr. Street be heard."

CARRIED UNANIMOUSLY.

Mr. Street outlined the proposal of the Company in general terms and requested an opportunity to reserve his remarks until Mr. Hallett, representing certain property owners in the area had been heard.

Moved by Councillor McLean, Seconded by Councillor Jamieson: "That Mr. Hallett be heard."

CARRIED UNANIMOUSLY.

Mr. Hallett spoke on behalf of four property owners immediately adjacent to the property under application opposing the application on the following grounds:

- (1) That an already bad traffic situation in the general area would become worse.
- (2) A devaluation of existing properties and businesses in the area would result. In elaborating the spokesman submitted that the R.C.M.P. traffic officials were concerned with the increased traffic hazard which would occur at Patterson Avenue, Kingsway and Grange Street as a result of funeral processions travelling to and from the funeral parlour. The property owners in the vicinity were concerned that the tenants in their respective apartments would be psychologically affected by the existence of a funeral home adjacent to their developments. To substantiate their objections the spokesman submitted that the apartment owners would have difficulty in obtaining further mortgage loans for enlargement of their apartment premises if the mortuary were established on the property. Mr. Hallett submitted that his clients' capital investment in the area represented some 450 thousand dollars. It was also submitted if the area was unsuitable for commercial purposes that a funeral home would only tend to depreciate the area further. It was submitted that to protect the existing apartment development in the area that further apartment buildings should be permitted which would blend with the present development.

Moved by Councillor Mather, Seconded by Councillor Jamieson: "That Mr. Street be heard."

CARRIED UNANIMOUSLY.

Mr. Street made the following points in his submission:

- (1) That a principal existed whereby the Council possessed a right to determine the use of a parcel of land for a particular purpose regardless of zoning.

- (2) That as a result of studies in the area it had been determined a majority of commercial property owners in the vicinity had no objection to the proposed development.
- (3) That experience in another area had shown a funeral parlour did not create a psychological barrier to apartment tenants.
- (4) That the average funeral procession consisted of eight cars and thus the traffic situation would not be aggravated.
- (5) That the Company's plans provide for a capital expenditure of \$150,000.00.

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That the Council give approval pursuant to Section 13 of "Burnaby Town Planning By-Law, 1948"- No. 1991 to the proposed development of the funeral home by the Center and Hanna Company on property legally described, Block 7, D.L. 34, Plan 849."

CARRIED UNANIMOUSLY.

Moved by Councillor McLean, Seconded by Councillor Mather: "That authority be granted to the Reeve and Clerk to sign and affix the Corporate Seal to Releases of Temporary Housing Agreements between the Corporation and the following persons:

- (a) Irene Edith Shepherd - Lot "A", S.D. 9, Block 40, D.L. 189
- (b) William H. and Dorothy A. Killer - Lot 14, Block 13, D.L. 186, Plan 1124
- (c) Mitchell Sowden - Lot 65, S.D. 34/30, Blocks 1/3, D.L. 95North."

CARRIED UNANIMOUSLY.

His Worship Reeve Emmott, reported having considered the application of the Children's Hospital for a grant in lieu of taxes levied against property owned by their Institute in Burnaby. The Reeve recommended against a grant in lieu of taxes for precedent reasons and suggested the Council could, in its wisdom, give consideration to a straight grant to the Hospital.

Moved by Councillor McLean, Seconded by Councillor Cafferky: "That the grant be denied and the Hospital authorities be advised of the circumstances governing the Council's decision."

CARRIED UNANIMOUSLY.

His Worship the Reeve submitted that the Director of Planning had considered the Council's request for a report on the compatibility of proposed Gasoline Service Stations at 6th Street and 10th Avenue and Hastings Street and Rosser Avenue would be surrounding area following the decision of the Council to withhold building permits for the subject Stations pursuant to Section 704 of the Municipal Act pending consideration of an amendment to "Burnaby Town Planning By-Law 1948" which would have the effect of excluding future Gasoline Service Station developments from commercial areas. It was submitted that the Director of Planning was not opposed to the proposed developments from the viewpoint of his Department.

Moved by Councillor Cafferky, Seconded by Councillor McLean: "That the Building Inspector be instructed to issue Building Permits for Gasoline Service Stations at Hastings Street and Rosser Avenue and at 6th Street and 10th Avenue."

CARRIED UNANIMOUSLY.

His Worship, the Reeve reported on behalf of the Manager that an application had been received from Western Power and Development Company for approval of an application to erect a warehouse plant on land east of McPherson Avenue and north of Irmin Street for the storage of high explosive solvent material. It was submitted that the application had been thoroughly investigated by those Departments concerned with safety and fire in the Municipal Administration and that from a technical viewpoint no objection to the proposed development was present. It was suggested in the report, however, that the property was situated in an area surrounded by heavy residential population and that while no technical objection was found to the application it might perhaps be unwise to grant permission for the location of this plant in this particular area.

Moved by Councillor McLean, Seconded by Councillor Wilson: "That the report of the Reeve and Manager be concurred in and the application for the subject permit be denied."

CARRIED UNANIMOUSLY.

Councillor Mather reported verbally that complaints had been registered against the lack of a pedestrian crosswalk on Kingsway between Boundary Road and Patterson Avenue. It was submitted that children desiring to cross from the north side of Kingsway to Central Park found difficulty in obtaining safe crossing. It was also suggested that the distance between existing traffic lights at Boundary Road and Patterson Avenue was too far and that serious consideration should be given to the subject crosswalk at a point mid-way.

Moved by Councillor Brown, Seconded by Councillor McLean: "That this matter be referred to the Traffic and Traffic Safety Committee for consideration."

CARRIED UNANIMOUSLY.

The Meeting then adjourned.

Confirmed:

R E L V E

Walter B. Brown

C L E R K