

OCTOBER 26, 1959

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, October 26, 1959 at 7:30 p.m.

PRESENT: Reeve Emmott in the Chair; Councillors Brown, Edwards, MacSorley, McLean, Mather, Prittie and Seifner

His Worship the Reeve led in the Lord's Prayer.

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

CARRIED UNANIMOUSLY

Moved by Councillor Prittie, Seconded by Councillor Edwards: "That Councillor Jamieson be granted leave of absence for this meeting."

CARRIED UNANIMOUSLY

The Clerk reported that delegations from each of the following Organizations were present and desired an audience with Council:

- (1) Canadian Manufacturers Association
- (2) Burnaby Southview Ratepayers and Citizens Association
- (3) Bell-Irving Limited
- (4) Capitol Hill Community Hall Association

Moved by Councillor Prittie, Seconded by Councillor MacSorley: "That the delegations be heard."

CARRIED UNANIMOUSLY

No. 1 - Mr. O. Olson, President of the Canadian Manufacturers Association, appeared and presented a brief on the subject of taxation on machinery. It was contended in the brief that the machinery tax imposed by Burnaby was discriminatory in that it imposed an initial tax burden directly on industry and because this tax is not levied by any other municipality in the Greater Vancouver area. The Association also claimed in its brief that this tax has the effect of deterring potential industrialists who may be planning to locate within the Municipality and that this in itself has created an undesirable situation. It was mentioned that this tax was first levied in 1955.

Moved by Councillor Edwards, Seconded by Councillor MacSorley: "That the brief be received and an invitation extended to the Canadian Manufacturers Association to meet with Council at a future date to further discuss the contents of the brief."

CARRIED UNANIMOUSLY

Moved by Councillor Prittie, Seconded by Councillor McLean: "That a study of the brief be made by the Municipal Manager to determine the validity of the points raised therein and that the meeting with the Canadian Manufacturers Association be arranged following receipt of the report on this matter from the Municipal Manager."

CARRIED UNANIMOUSLY

No. 2 - Mr. V. J. Scratchley appeared on behalf of the Burnaby Southview Ratepayers and Citizens Association and complained about the noise emanating from Sunnyslope Kennels on Marine Drive. He presented written evidence that residents in the adjacent area also objected to this nuisance caused by the excessive barking of dogs at the kennels. Mr. Scratchley contended that the problem had reached such proportions that it very definitely was disturbing the peace and quiet of the neighbourhood and requested that Council take appropriate steps to eliminate this nuisance. The Municipal Manager submitted a report which he had received from the Chief Sanitary Inspector and Chief License Inspector in regard to this matter in which advice was contained that an order has been issued to the proprietor of the Sunnyslope Kennels demanding that he strictly observe the terms of the license which had been granted to him for the operation of the kennels and to also rectify the insanitary conditions which exist on the premises. The Manager added that a further report would be submitted by these two officials following the expiration of the date on which the proprietor is required to comply with the directions of the order.

Moved by Councillor Mather, Seconded by Councillor Prittie: "That the complaint from the Burnaby Southview Ratepayers and Citizens Association be tabled pending receipt of the further report from the Chief Sanitary Inspector and Chief License Inspector."

CARRIED UNANIMOUSLY

No. 3 - Mr. L. Alexander appeared on behalf of Bell-Irving Limited requesting the rezoning of the North-easterly part of Block 4 except part shown on By-law 30078, D.L. 97 from Residential to Commercial. The Reeve informed the applicant of the procedure to be followed in regard to applications of this kind.

No. 4 - Mr. H. Purchase appeared on behalf of the Capitol Hill Community Hall Association and presented further information in regard to a request of the Municipality. Mr. Purchase pointed out that quite frequently these promoters contravene the terms of the license which is granted to them to hold these dances and that experience has indicated the prime purpose of these functions is to induce those attending to spend all their money. Mr. Purchase advised that whenever the Community Hall Association sponsors such functions the monies collected are spent on purposeful projects such as the provision of additional recreational facilities for the youngsters of the municipality. The Reeve reported verbally that he had made some inquiries regarding the possibility of utilizing the services of the R.C.M.P. at these teen-age functions and had found that it is contrary to their policy to assign tasks of this kind to their officers. He added that the services of the Civil Defense Auxiliary Police might be available in this regard and suggested that the Association contact the Civil Defense Co-Ordinator for Burnaby in this respect. The Reeve also mentioned that the License Department was totally aware of the situation and had taken certain steps to curtail activities which it is suspected may prove objectionable.

Moved by Councillor Prittie, Seconded by Councillor MacSorley: "That since the problem seems to be well under control by the License Department it be left in the hands of the Chief License Inspector."

CARRIED UNANIMOUSLY

Moved by Councillor Edwards, Seconded by Councillor Mather: "That all delegations appearing this evening be thanked for their respective presentations."

CARRIED UNANIMOUSLY

Secretary, Brentwood Park Ratepayers Association submitted a further letter in regard to the Napier Street sewers advising that their membership felt Council should act upon the recommendations of the Municipal Manager of March 9, 1959 and thereby arrange for the construction of the subject sewer system. The Secretary pointed out that the two Blocks in question on Napier Street comprise the only area in the Brentwood Park area not on sewers.

The Municipal Manager spoke on this matter and advised that it would be imprudent to proceed with any sewer construction at this time in view of the difficulties which would be encountered and the complications which would arise because of the situation respecting an overall sewer financing policy. He explained that the enabling legislation which was obtained for the purpose of allowing the municipality to embark on its new sewer financing policy covered only those debenture issues which were outstanding prior to the date of the special legislation and that therefore, if further sewer work was undertaken, it could not be included in the proposed financing scheme should one be adopted. The Manager pointed out that this would result in two different rates being levied; one being the uniform rate which would apply to the parts of the Municipality served by sewer and the other applying specifically to the "Napier Street" area in question.

Moved by Councillor Edwards, Seconded by Councillor Brown: "That the request of the Brentwood Park Ratepayers Association be referred to the Policy Committee for further consideration."

CARRIED UNANIMOUSLY

Municipal Clerk, Corporation of the District of Coquitlam, wrote in connection with the reclassification of North Road and Clarke Road advising that in February of this year advice had been received by his office from the Department of Highways that the latter did not feel the percentage of through traffic merits reclassification of the subject roads at that time. The Clerk requested that this Municipality consider the matter in the light of the present traffic situation and support a further application for reclassification by the District of Coquitlam.

Moved by Councillor MacSorley, Seconded by Councillor Prittie: "That the District of Coquitlam be asked to furnish evidence in support of their request in order that a better case can be made in the application to the Department of Highways for reclassification of North and Clarke Roads."

CARRIED UNANIMOUSLY

Secretary, Capitol Hill Ratepayers Association, wrote inquiring as to what action had been taken by Council in regard to the development of Harborview Park. Parks Superintendent submitted a report in connection with this matter advising that in the opinion of the Parks and Recreation Commission, Harborview Park is suitable for limited ornamental and viewpoint development together with a small informal play area but that such development is premature. The Parks Superintendent added that the Commission would consider some limited development work on the site in 1960 if the residents of the area would undertake to clear the levelled portion of the second growth alder presently growing thereon.

Moved by Councillor Brown, Seconded by Councillor Seifner: "That the information received from the Parks Superintendent be relayed to the Capitol Hill Ratepayers Association."

CARRIED UNANIMOUSLY

President, Community Chest and Council of the Greater Vancouver Area, submitted a letter requesting that Council reaffirm its support to the recommendations contained in a brief dated November 25, 1958 concerning Social Assistance rates paid in the Greater Vancouver area. The President also asked that Council urge the Provincial Government to incorporate appropriate allocations in the 1960 estimates for substantially increased Social Allowance rates.

Moved by Councillor Mather, Seconded by Councillor Brown: "That Council reaffirm its previous support of the proposal and also endorse the actions to be taken in approaching the Provincial Government for increased Social Allowance rates."

CARRIED UNANIMOUSLY

Reeve Emmott submitted a report recommending that Councillor James H. Edwards be appointed Acting Reeve for the months of November and December, 1959.

Moved by Councillor McLean, Seconded by Councillor MacSorley: "That the recommendation of the Reeve be adopted."

CARRIED UNANIMOUSLY

Moved by Councillor McLean, Seconded by Councillor Edwards: "That the Council now resolve itself into Committee of the Whole to discuss Report No. 42 of the Municipal Manager and other matters that may arise."

CARRIED UNANIMOUSLY

The Reeve declared a recess at 8:50 p.m.

The Council reconvened at 9:00 p.m.

MUNICIPAL MANAGER -- REPORT NO. 42, 1959

1. The Manager submitted the Treasurer's Statement of Expenditures for the period ended October 16, 1959 in the total amount of \$369,792.23 recommending that they be approved.

Moved by Councillor Brown, Seconded by Councillor Prittie: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

2. The Municipal Manager submitted a report of the Medical Health Officer covering the activities of his Department for the month of September, 1959.

Moved by Councillor Mather, Seconded by Councillor Prittie: "That the report be received."

CARRIED UNANIMOUSLY

3. The Manager reported that following the maturity of certain securities, the Treasurer had re-invested these funds as follows:

Par:	Security:	Gross Cost	Fund
\$500,000.00	Gov't. of Can. Treasury Bills Due 30 October 1959 Yield 4.25%	\$499,397.50	Current
\$500,000.00	Gov't. of Canada Treasury Bills Due 13 November, 1959 Yield 4.30%	\$498,567.50	Current

The Manager recommended that the action of the Treasurer in making these investments be confirmed.

Moved by Councillor McLean, Seconded by Councillor Brown: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

4. Easement over the Northerly 16 feet of Lots 1 and 2 of Lots 9 and 10, Block I, D.L.'s 57/58, Plan 4338

The Manager reported that the Municipality requires the above easement for drainage purposes and that no consideration is payable by the Corporation for it. He added that the grantors are E. C. and H. M. Brown. The Manager recommended that Council authorize the acquisition of this easement.

Moved by Councillor Prittie, Seconded by Councillor McLean: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

5. Application for Building Permit - Oscar Covello

The Manager reported that preliminary plans have been submitted by I. Haugen & Son for a building permit to construct a storage and repair shop building on Lot 17, S.D. "A", Blocks 4 and 5, D.L. 98 (6891 Palm Avenue) for the above noted. He added that the building would be used in conjunction with Mr. Covello's present operation and that the property is within that area included in the Kingsway - Central Park Rezoning Report. The Manager pointed out that the subject lot is proposed to be changed from a Light Industrial zone to a Residential zone and that therefore the intended use of the proposed building would be in conflict with uses permitted in a Residential zone. The Manager advised that this application was being referred to Council under Section 704 of the Municipal Act.

Moved by Councillor Prittie, Seconded by Councillor McLean: "That in view of the recent decision of Council to hold a Public Hearing soon on the rezoning proposals contained in the Kingsway - Central Park area report, the provisions of Section 704 of the Municipal Act be invoked on the subject application."

CARRIED
COUNCILLOR MacSORLEY
AGAINST

6. Lots 13 E $\frac{1}{2}$ and 13 W $\frac{1}{2}$, Block 30, D.L. 32, Plan 1848

The Manager reported the above mentioned Lot 13 E $\frac{1}{2}$ was sold at the 1959 tax sale to a Mr. Nick Boykiw at a price of \$175.00 while the West $\frac{1}{2}$ of Lot 13 was purchased by the Municipality. He advised that when the Municipal Solicitor attempted to register the tax sale document he discovered that the two lots had been consolidated and registered on an Agreement for Sale in 1957. The Manager pointed out that Section 408 (2) of the Municipal Act provides that "if, during the period allowed for redemption, the Council finds any manifest error in the said (tax) sale or in the proceedings prior thereto, the Council may by resolution order that the purchase price be returned to the purchaser with interest at the rate of 6% per annum, and that the taxes as they appeared upon the real property tax roll prior to such sale be restored to the said roll, and thereafter the same shall be deemed to be delinquent taxes, or the Council may otherwise deal with the said taxes as the exigencies of the case may require."

The Manager recommended that Council order the purchase price to be returned to the purchaser with interest at the rate of 6% per annum and that the taxes on both parts of Lot 13 as they appeared upon the Tax Roll prior to the sale be restored to the Roll and thereafter be deemed delinquent taxes.

Moved by Councillor Brown, Seconded by Councillor MacSorley: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

7. Fire Fighters' Service Pay

The Manager reported that the Fire Fighters' Union has for several years requested service pay and that this year it was agreed that such pay would be instituted on September 1, 1959. He added that two representatives of the Union and two from the Corporation discussed the type, applicability and amount presently being paid in the Greater Vancouver area with a view to arriving at an agreement acceptable to

both parties and that this Committee has now agreed upon the following formula for the granting of service pay to members of the Fire Fighters' Union:

"That service pay be paid to all members covered by the 1959 Union Agreement on the basis of \$2.50 per month for every five years of service with such service pay to commence after the completion of ten years of continuous service, and an additional \$2.50 for each completed five year period of service be paid and further, that such service pay be paid from the first day of the month next following the completion of the qualified period of service and that service pay be instituted immediately and be effective as from September 1, 1959." The Manager recommended that the service pay benefit outlined above be approved by Council and authority be given the Reeve and Clerk to execute the necessary Agreement.

Moved by Councillor Prittie, Seconded by Councillor Brown: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

8. Budget Recast - 1959

The Manager submitted the recast of the 1959 Budget for the consideration of Council. It was resolved to defer consideration of this recast until the remainder of the Manager's Report has been dealt with.

9. Prepaid Taxes

The Manager reported that inquiries have been received as to whether the Municipality will accept prepaid taxes in 1960 and what interest rate will be paid on such taxes. The Manager recommended that prepaid taxes be accepted in 1960 and that the interest rate on such taxes be increased from 4½% to 5%.

Moved by Councillor McLean, Seconded by Councillor Prittie: "That the recommendation of the Municipal Manager be adopted and a By-law be brought down covering this matter."

CARRIED UNANIMOUSLY

10. The Manager submitted estimates of the Municipal Engineer for the period between November 1 and December 31, 1959 recommending that they be approved. He added that these estimates have been prepared on the basis of the recast budget.

Moved by Councillor McLean, Seconded by Councillor Edwards: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

11. Block 185, D.L. 163/5

The Manager reported that an offer has been received from the owner of the above described property, Mr. George M. Murray, to sell the above Block (located at the foot of Byrne Road) to the Municipality for the sum of \$10,000.00. The Manager added that this offer is valid until October 31, 1959 and that investigations reveal this property could be a definite asset in that it would add to the river frontage controlled by the Municipality on the North Arm of the Fraser River and would result in the Municipality being the sole owner of all water frontage from the foot of Byrne Road to Patterson Avenue. He pointed out that this could materially benefit and simplify any future development of this area for industrial purposes. The Manager reported that discussions were also held with the Parks and Recreation Commission as to the suitability of the site for a marina and/or launching paid but no decision has been as yet reached. The Manager added that the appraised value of the site is \$9,450.00 but the owner has declined to consider an offer less than the current one. The Manager recommended that Council authorize the purchase of the subject Block at a price of \$10,000.00.

Moved by Councillor McLean, Seconded by Councillor Edwards: "That the recommendation of the Municipal Manager be adopted."

CARRIED UNANIMOUSLY

8. 1959 Budget Recast

The recast of the Budget for the year 1959 as at October 1, 1959 and as revised on October 20, 1959 was then considered by Council.

Moved by Councillor McLean, Seconded by Councillor Brown: "That the recast of Budget for 1959, including the revisions of October 26th be approved."

CARRIED UNANIMOUSLY

Reeve Emmott brought forward a newspaper item in which certain comments were made by Councillor MacSorley with respect to the financial condition of the Municipality and also a number of criticisms regarding the administration. The Reeve explained that he felt these statements were erroneous and misleading and that therefore these matters should be aired in public so that a clear understanding of them could be obtained.

Councillor Brown objected to the Reeve introducing this entire matter and described this approach as unethical. He pointed out that the statements attributed to Councillor MacSorley were made at a political rally and that there was nothing improper in what Councillor MacSorley did.

The Reeve called upon the Municipal Manager to clarify the situation as regards the financial position of the Municipality.

The Municipal Manager explained that he was reluctant to offer for sale at this time the debenture issues covering Local Improvement works owing to the unfavourable and disadvantageous market conditions. He mentioned that the money to finance these works had come from the tax sale account and that this fund was now almost depleted or, at least, there were insufficient amounts in it with which to undertake a project such as a Winter Works Incentive programme. The Manager pointed out that he felt this had been clearly understood by Council a few weeks ago when the matter was discussed in great detail.

The Reeve concluded by emphasizing that the sole reason for bringing up the subject matter was that he felt the article in the newspaper cast a very bad reflection on the financial status of the Municipality and that since he himself knew this to be incorrect, he felt a statement should be made in open Council to clarify the situation.

Councillor Seifner reported that the Transportation Committee had prepared a brief in draft form setting out its conclusions as a result of the study made with respect to a public transportation system for the Municipality. He distributed copies of this brief to the individual members of Council and requested that its contents be kept confidential for the moment.

The Municipal Manager reported verbally on the current Sidewalk Construction programme advising that it would be desirable, for the same reasons given in connection with the recent paving programme, to proceed with the construction of only the following four projects at this time:

1. South Pender Street from Willingdon to Beta
2. S.W. Cariboo Road from Armstrong Avenue to NPL Lot 3, Block 22, D.L. 13
3. North Lyndhurst from Noel Drive to North Road
4. West McPherson from Kingsway to Imperial Street

The Manager requested authority to proceed with the above works following passage of the Construction By-law.

Moved by Councillor Edwards, Seconded by Councillor Prittie: "That the Municipal Engineer be given authority to proceed with the construction of the above four sidewalks following passage of the necessary by-law."

CARRIED UNANIMOUSLY

Moved by Councillor Edwards, Seconded by Councillor McLean: "That the Committee now rise and report."

Council reconvened.

CARRIED UNANIMOUSLY

Moved by Councillor McLean, Seconded by Councillor Edwards: "That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Edwards: "That leave be given to introduce

"BURNABY TOWN PLANNING BY-LAW 1948, AMENDMENT BY-LAW NO. 9, 1959"
 "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 7, 1959"

"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 8, 1959"

"BURNABY BUDGET AUTHORIZATION BY-LAW 1959, AMENDMENT BY-LAW, 1959"

and that they be read a First Time."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Edwards: "That the By-laws be read a Second Time."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Edwards: "That the Council go into Committee of the whole with the Reeve in the Chair to consider the By-laws."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Edwards: "That the Committee rise and report the By-laws complete without amendment."

CARRIED UNANIMOUSLY

The Council reconvened.

Moved by Councillor Mather, Seconded by Councillor Edwards: "That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Edwards: "That

"BURNABY TOWN PLANNING BY-LAW 1948, AMENDMENT BY-LAW NO. 9, 1959"
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 7, 1959"
"BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 8, 1959"
"BURNABY BUDGET AUTHORIZATION BY-LAW 1959, AMENDMENT BY-LAW, 1959"

be now read a Third Time."

CARRIED UNANIMOUSLY

Moved by Councillor McLean, Seconded by Councillor Edwards: "That "BURNABY TAX-SALE MONEYS EXPENDITURE BY-LAW NO. 2, 1959" be now reconsidered."

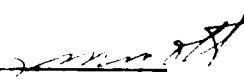
CARRIED UNANIMOUSLY

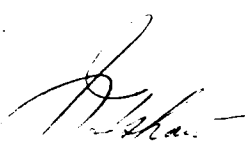
Moved by Councillor McLean, Seconded by Councillor Edwards: "That "BURNABY TAX-SALE MONEYS EXPENDITURE BY-LAW NO. 2, 1959" be now finally adopted and signed by the Reeve and Clerk and that the Corporate Seal be affixed thereto."

CARRIED UNANIMOUSLY

The meeting then adjourned.

Confirmed:

REEVE 


CLERK