

JULY 6, 1959

A Regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, July 6, 1959 at 7:30 p.m.

PRESENT: Reeve A. H. Emmott in the Chair; Councillors Mather, McLean, Seifner, MacSorley, Jamieson, Edwards and Prittie

The meeting was opened with Prayer led by Reverend George Dobie.

Moved by Councillor Jamieson, Seconded by Councillor Edwards: "That minutes of the previous meeting be adopted as written and confirmed."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That Leave of Absence be granted Councillor Brown from this meeting."

CARRIED UNANIMOUSLY

A delegation representing residents of North Burnaby appeared in protest against the proposal to instal a 60 K.V. overhead power line through the Vancouver Heights area leading to the Shell Oil Refinery east of Capitol Hill.

Moved by Councillor Seifner, Seconded by Councillor MacSorley: "That the delegation be heard."

CARRIED UNANIMOUSLY

Mr. M. P. Sutter, spokesman for the delegation, presented a brief opposing the installation of the subject high voltage power line along residential streets, playground and park areas and demanded that the Council protect the resident's interest and insist the proposed power line be placed underground regardless of who pays the cost. Mr. Sutter submitted that the residents were objecting to the influence of big industry in this matter and felt the safety of families in the area was at stake. It was also submitted property values would be depreciated and that T.V. reception would be impaired by the existence of this power line. It was again suggested the line should be installed under ground since its existence would be of no benefit to the people affected.

His Worship the Reeve presented background details on meetings held with B. C. Electric officials when various alternative routes were discussed and decisions made which would result in the least possible affect from the power line installation on residential properties. The meeting was advised B. C. Electric officials would be attending a meeting called for Tuesday evening, July 7th in North Burnaby when the proposed installation would be discussed in further detail. In answer to queries about underground installation costs it was submitted that the overhead installation costs were estimated at \$276, 200.00 while the underground installation cost was \$1,336,500.00 leaving a difference of \$1,060, 300.00 which would be a charge upon the Municipality of Burnaby.

Moved by Councillor Jamieson, Seconded by Councillor Prittie: "That Mr. Sutter be thanked for his presentation on behalf of the delegation and that the need for attendance at the planned public meeting be impressed upon those property owners concerned."

CARRIED UNANIMOUSLY

The Honourable Robert Bonner, Attorney-General for the Province of British Columbia, was present to present a Safety Award Certificate to this Corporation in recognition of its outstanding record in traffic safety during the year 1958. His Worship the Reeve introduced members of the Traffic Safety Committee present, including Mrs. Surridge, Messrs. McCarthy, Dobell and Macfarlane and also Mr. Gordon Wilson, ex-Chairman of the Committee and Magistrate Charles C. Bell.

Mr. Bonner advised he was present on behalf of the Canadian Highway Safety Conference and the Province of British Columbia and congratulated the Corporation, through His Worship the Reeve, for the traffic safety record attained. Mr. Bonner presented statistics which revealed the reduction in traffic accidents within the Municipality during the 1958 year. Mr. Bonner then read the text of the

Certificate as follows:

"Special award to Burnaby for the distinction of having, by united community effort, achieved first place among Canadian cities in reducing fatal traffic accidents during 1958. "

His Worship the Reeve then introduced Mr. G. A. Lindsay, Superintendent of Motor Vehicles, Province of British Columbia and Councillor Prittie, current Chairman of the Traffic Safety Committee.

1
/ Burnaby Ratepayers Council wrote supporting the stand of the ratepayers residing in the Vancouver Heights area against the construction of overhead high tension lines. It was requested the Council postpone further negotiations with the Company until a meeting is arranged between all parties concerned and also endorsed the stand of the ratepayers that the power line be placed underground at the expense of the Company.

The meeting was advised the Company was suspending all work on the western portions of the line pending the outcome of the public meeting.

Moved by Councillor Mather, Seconded by Councillor Seifner: "That the letter be received."

CARRIED UNANIMOUSLY

2
/ N. J. Field wrote protesting the practice of flying model airplanes by young people in Central Park on the grounds that a noise nuisance was created to residents of Patterson Avenue.

Moved by Councillor Jamieson, Seconded by Councillor MacSorley: "That the letter be received and that the Parks and Recreation Commission be requested to consider ways and means of reducing the noise nuisance."

CARRIED UNANIMOUSLY

3
/ Mr. and Mrs. N.N. Carter and others wrote with reference to the proposed inclusion of a bowling alley with the Middlegate Shopping Centre on acreage bounded by Kingsway, Elwell, Hall and Salisbury Avenue protesting location of the bowling alley fronting properties on Salisbury Avenue.

Moved by Councillor Edwards, Seconded by Councillor McLean: "That the letter be received and that a copy be forwarded to the shopping centre developers."

CARRIED UNANIMOUSLY

Alex A. Wadden wrote submitting his observations on certain statements made by Councillors recently in regard to the Civil Defence organization suggesting that the education of the general public to realize the necessity of such organization had been impaired.

Moved by Councillor McLean, Seconded by Councillor MacSorley: "That the letter be received."

CARRIED UNANIMOUSLY

4
/ The Director of Training, Provincial Civil Defence Department, submitted advice of a Provincial Civil Defence Orientation Course No. 14 to be held at Kelowna, B. C., 15th September, 1959 being the day prior to commencement of the Union of B. C. Municipalities convention. The Department extended an invitation to a delegate to attend this course.

Moved by Councillor McLean, Seconded by Councillor Edwards: "That the letter be received and those wishing to attend notify the Municipal Clerk."

CARRIED UNANIMOUSLY

The Fraser Valley Municipal Association submitted notice of its next regular meeting to be held at Burnaby Municipal Hall, July 9, 1959 at 8:00 p.m. The Association enclosed an account for current membership fee in the amount of \$10.00.

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That the letter be received and the meeting be attended by those Councillors able to be present and the account for membership dues be paid."

CARRIED UNANIMOUSLY

The United Fishermen and Allied Workers' Union wrote portraying the position of their Organization in regard to certain investigations being undertaken by the Combines Branch of the Federal Government into the operation of the fishing industry in the Province of British Columbia. The Union requested that letters be forwarded to the Prime Minister and different Federal Cabinet Ministers asking that action be taken to halt the "misuse" of the Combines Branch and to take steps to re-establish collective bargaining in the industry.

Moved by Councillor McLean, Seconded by Councillor Edwards: "That the letter be received."

CARRIED UNANIMOUSLY

Moved by Councillor Edwards, Seconded by Councillor McLean: "That Item (h) of the Agenda - letter from Messrs. Ballantyne and Beasley regarding water service to serve a proposed subdivision of Lots 8 and 9, Block 13, D.L. 99 be tabled for consideration in conjunction with Item 6 of the Manager's Report No. 26."

CARRIED UNANIMOUSLY

E. V. Walker of North Vancouver wrote relating certain experiences relative to the operation of the S.P.C.A. in the District of North Vancouver and expressing the opinion that stress was laid by the Association on the protection of roving dogs rather than the nuisance created, suggesting that the S.P.C.A. confine itself to the prevention of cruelty to animals and that the duties of pound keeper were better handled by some person capable of dealing with the problems arising from stray dogs in a fair but firm manner.

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

CARRIED UNANIMOUSLY

Nicholas Rossmo submitted an offer to supply the Corporation with an oil portrait of His Worship Reeve Emmott for the sum of \$450.00.

His Worship the Reeve reported that he had been asked by Mr. Rossmo to sit for a painting but that at no time was he informed of the eventual disposition of the work. The Reeve recommended the offer be not accepted as it was considered the expenditure would be a misuse of public funds and would establish an expensive precedent which in all fairness would have to be continued once started.

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

CARRIED UNANIMOUSLY

The British Columbia Amateur Sports Council wrote soliciting a grant towards the activities of the Council including the co-ordination of appeals for funds to send promising athletes to national sports events.

Moved by Councillor Jamieson, Seconded by Councillor Prittie: "That the letter be received and this matter be referred to the Committee on Grants for consideration and recommendation."

CARRIED UNANIMOUSLY

Moved by Councillor Edwards, Seconded by Councillor McLean: "That the Council resolve into a Committee of the Whole (8:30 p.m.)"

CARRIED UNANIMOUSLY

REPORT NO. 26 -- MUNICIPAL MANAGER

- (1) Submitted herewith for your approval is the Municipal Treasurer's Statement of Expenditures for the period ended 26th June 1959 in the total amount of \$311,012.61 and recommending these expenditures be approved.
- (2) Submitted herewith is the Property Manager's report of Property Sales covering Property Sales Slips No's 8606 and 8807 with the recommendation that these sales be approved:

<u>SALES NO.</u>	<u>PURCHASER</u>	<u>LOCATION AND LEGAL</u>	<u>SALES PRICE</u>
8806	Kelly, Douglas and Company Limited	Blocks 14 N $\frac{1}{2}$ Save and Except the east 33 feet and Blocks 15 and 16 of Lots 1 and 3, D.L. 95, Group 1, New Westminster District, Plan 556. North-East corner of Kingsway and Salisbury Avenue	\$224,000.00

TERMS OF SALE:

\$56,000.00 cash and the balance payable in three years.

8807	Shell Oil Company of Canada Ltd.	Lot 37, Block 65, D.L. 218, Group 1 New Westminster District, Plan 20256. West side of Walney Avenue between Pandora and Dundas Streets	7,500.00
------	----------------------------------	---	----------

TERMS OF SALE:

7,500.00 Cash.

(3) Re: Estimates of Work.

Submitted herewith is the Municipal Engineer's estimates covering miscellaneous items of work in the total amount of \$5,800.00 and recommending that these estimates be approved.

Moved by Councillor McLean, Seconded by Councillor Edwards: "That Items (1), (2) and (3) be approved."

CARRIED UNANIMOUSLY

(4) Re: Court of Revision - Frontage Tax Assessment Roll.

The Manager reported the Assessment Department had completed Frontage Tax Assessment Rolls pursuant to Municipal By-laws Nos. 4016, 4029 and 4935 and amendments thereto and recommended that Council set 2:30 p.m., Monday, October 19, 1959 for the Court of Revision for the works covered. Said Court to be held at the Burnaby Municipal Hall. It was submitted the establishment of the Court of Revision date at this time would facilitate preparation and mailing of necessary notices.

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

CARRIED UNANIMOUSLY

(5) Easement over portion of Lot 3, Block 1, D.L. 206

It was reported an easement that a sanitary sewer was required from the Director, The Veterans' Land Act (Paul Grant Cassidy) over that portion of Lot 3, Block 1, D.L. 206, Group 1, N.W.D., Plan 1071, lying to the east of a line drawn parallel to and perpendicularly distant 15 feet from the easterly boundary of the said Lot 3. The easement was required to contain a sanitary sewer installed through the property during the Westridge Sanitary Sewer District Improvement By-law construction, consideration for which included the enclosure of a drainage ditch through Mr. Cassidy's property by the Municipality against the cost of which \$900.00 was deposited by a subdivider of a subdivision which created a dead-end street and lane draining onto Mr. Cassidy's property. Balance of the cost of enclosing the ditch was considered a part of the Westridge Sanitary Sewer District Improvement By-law Construction costs.

Moved by Councillor McLean, Seconded by Councillor Jamieson: "That authority be granted to acquire an easement over the property forming the subject of Item 5 of the Manager's report."

CARRIED UNANIMOUSLY

(6) Re: Ballantyne Water Main

A letter was read from Messrs. Ballantyne and Beasley offering the sum of \$500.00 for installation of a water main to service a lot to be created by subdivision of Lots 8 and 9, Block 13, D.L. 99 fronting on Sussex Avenue and Watling Street. The opinion was expressed that the Municipal charge of \$780.00 for this water service was excessive. The Manager reported on the offer of Messrs. Ballantyne and Beasley submitting that in protesting the servicing cost it was pointed out that in 1957 the same type of subdivision

was carried out from two lots facing Dow Avenue and Council of that year permitted water service by long connection over an easement from Dow Avenue. The Manager advised he had reached the conclusion the Corporation was either justified in making a full charge of \$780.00 or it should permit water service by long connection from Sussex. A recommendation had already been made and approved by Council that the main should be constructed at the subdivider's cost and it was again recommended that the servicing costs for water to this proposed new lot facing Watling Street be confirmed by the Council.

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

MOTION NEGATIVE
IN FAVOUR: COUNCILLORS EDWARDS,
JAMIESON, McLEAN AND HIS
WORSHIP THE REEVE

AGAINST: COUNCILLORS PRITTIE,
MacSORLEY, MATHER AND SEIFNER

Moved by Councillor Mather, Seconded by Councillor Prittie: "That the offer of \$500.00 made by Messrs. Ballantyne and Beasley for installation of water service to serve the Watling Street lot to be created by subdivision of Lots 8 and 9, Block 13, D.L. 99 be accepted."

CARRIED
IN FAVOUR: COUNCILLORS PRITTIE,
EDWARDS, MacSORLEY, SEIFNER
AND MATHER

AGAINST: COUNCILLORS JAMIESON
AND McLEAN

(7) Dominion Store - Kingsway and Edmonds.

Negotiations have been carried on with Dominion Stores about their new store building at Kingsway and Edmonds.

The Company, in order to make the best use of their property and provide the setbacks desired for the Municipality for the future widening of Kingsway, Edmonds and Britton Street, desired to have a small triangle at the junction of a road and a lane cancelled so they could make use of it. This small triangle is about 1725 square feet in area and it is proposed by agreement to offset this area against that eventually to be acquired by the Municipality for widening of Kingsway and Edmonds.

The Company has agreed to a setback so this property for widening can be secured when required. The Company has also agreed to donate the land necessary for immediate widening of Britton Street and desires that it be paved as a local improvement.

It is recommended that Council authorize application for the cancellation of the triangle in question and that the area be used as an offset against lane to be acquired from the site for future street widenings.

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY

Council reconvened.

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

CARRIED UNANIMOUSLY

The Municipal Clerk requested authority of the Council to execute an agreement with Frances Moore regarding the operation of a Concession at Confederation Park during the summer season. It was reported that this agreement was an extension of a previous agreement entered into with the same party and had the approval of the Parks and Recreation Commission.

2
-

Moved by Councillor McLean, Seconded by Councillor Mather: "That the Reeve and Clerk be authorized to execute an agreement with Frances Moore re the operation of a Concession in Confederation Park during the 1959 summer season and that the Corporate Seal be affixed thereto."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 2, 1959" be now reconsidered."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That "BURNABY LOCAL IMPROVEMENT CONSTRUCTION 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

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That leave be given to introduce

"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 3, 1959"

"BURNABY TOWN PLANNING BY-LAW, 1948, AMENDMENT BY-LAW NO. 6, 1959"

and that they be read a First Time."

CARRIED UNANIMOUSLY

Councillor Edwards withdrew from considerations by the Council on "Burnaby Town Planning By-Law, 1948, Amendment By-Law No. 6, 1959"

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

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That the Council go into Committee of the Whole with the Reeve in the Chair to consider the By-Law."

CARRIED UNANIMOUSLY

Moved by Councillor Mather, Seconded by Councillor Prittie: "That Mr. Dudley Edwards be heard in connection with the proposed rezoning of the South-Easterly 125' X 132' of Lot 17, Blocks 1/4 and 6, D.L. 125, Plan 3520 contained in section 3 of the By-law."

CARRIED UNANIMOUSLY

Mr. Edwards submitted that the beauty of the site would be guaranteed by the erection of a modern Service Station. It was suggested the property would be more functional as a Service Station site. It was suggested the Heavy Industrial zoning across Lougheed Highway would be a deterrent to the development of the property as a motel site. Furthermore, a motel development would establish more traffic openings than would a Service Station development. The Solicitor advised the developers were willing and intended to provide a buffer strip of trees along the north side of the site to screen the view of residences on Broadway. A discussion ensued on the legal position of the Council in establishing and guarantying maintenance of the permanent buffer zone to separate Commercial or Industrial properties from Residential properties.

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That lacking legal advice from the Solicitor on the buffer zone aspect that sub-paragraph (ff) of section 3 be deleted from the By-law and be tabled for further consideration."

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor Mather: "That the Committee do now rise and report the "BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 3, 1959" complete and the "BURNABY TOWN PLANNING BY-LAW, 1948, AMENDMENT BY-LAW NO. 6, 1959" complete as amended."

CARRIED UNANIMOUSLY

The Council reconvened.

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

CARRIED UNANIMOUSLY

Moved by Councillor Jamieson, Seconded by Councillor McLean: "That the "BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 3, 1959" and "BURNABY TOWN PLANNING BY-LAW 1948, AMENDMENT BY-LAW NO. 6, 1959" be now read a Third Time."

CARRIED UNANIMOUSLY

Moved by Councillor Prittie, Seconded by Councillor McLean: "That the Council resolve into a Committee of the Whole (9:25 p.m.)."

CARRIED UNANIMOUSLY

The following resolutions for presentation to the Union of B. C. Municipalities Convention were submitted for consideration:

"WHEREAS the impact of payment of property taxation on an annual basis falls heavily upon property owners and
 WHEREAS monthly payment for goods and services is customary and
 WHEREAS collection of property taxation on an annual basis generally requires municipal borrowing to meet expenditures for public services provided prior to the normal collection date
 THEREFORE BE IT RESOLVED that the Union of B. C. Municipalities petition the Provincial Government to enact legislation permitting municipalities to require payment of property taxation on a monthly basis."

Moved by Councillor McLean, Seconded by Councillor Prittie: "That this resolution be approved for submission."

MOTION CARRIED
 IN FAVOUR: COUNCILLORS
 PRITTIE, MacSORLEY, SEIFNER,
 AND McLEAN
 AGAINST: COUNCILLORS EDWARDS,
 JAMIESON AND MATHER

"WHEREAS the Federal Government and the Provincial government have authority to borrow funds for the provision and maintenance of services in the public interest and
 WHEREAS various municipalities in Canada (notably Metropolitan Toronto) and municipalities throughout the United Kingdom have similar borrowing authority subject to approval of the immediately higher level of government and
 WHEREAS the Administration Boards of Greater Vancouver Water District and Greater Vancouver Sewerage and Drainage District are empowered to borrow funds to meet their respective needs with the concurrence of the appointed members
 THEREFORE BE IT RESOLVED that the Union of B. C. Municipalities petition the Provincial Government to provide legislation whereby municipalities may incur debt for the provision of essential services to property subject to a two-thirds majority of the Municipal Council and the approval of the Lieutenant-Governor-in-Council."

Moved by Councillor Jamieson, Seconded by Councillor Prittie: "That this resolution be approved for submission."

MOTION CARRIED
 IN FAVOUR: COUNCILLORS
 PRITTIE, JAMIESON, SEIFNER
 McLEAN
 AGAINST: COUNCILLORS EDWARDS,
 MacSORLEY AND MATHER

"WHEREAS private companies control the operation of large basic utilities within British Columbia
 AND WHEREAS current inflationary trends create an acceleration of operating costs of these basic utilities reflecting rate-wise on all citizens of the Province as is evidenced by regular submission of applications for rate increases to the Public Utilities Commission
 AND WHEREAS public ownership of basic utilities, differing in profit motivation from private ownership, would minimize the effect of inflationary trends upon such citizens
 AND WHEREAS an interest has been shown by member municipalities, in the formation of a Research Division within the Union of B.C. Municipalities to inquire into matters of public concern
 THEREFORE BE IT RESOLVED that the Union of B. C. Municipalities undertake an extensive and detailed study of the practicability of public ownership of essential utilities with special reference to electric power, mass transportation, and communications."

Moved by Councillor McLean, Seconded by Councillor Jamieson: "That this resolution be approved for submission."

CARRIED UNANIMOUSLY

"WHEREAS Park Commissions may be appointed pursuant to powers conferred upon Municipal Councils by the Municipal Act as enacted in 1957 and
WHEREAS no provision is made for elected Park Boards or Commissions and
WHEREAS, in urban areas, Park Development is more pronounced, and forms an important part of the Municipal expenses and
WHEREAS the Park and Recreation programme is a specialized Municipal function
THEREFORE BE IT RESOLVED that the Union of B. C. Municipalities petition the Provincial Government for an amendment to the Municipal Act permitting City or District Municipalities by By-law to establish a Park Commission or Board by appointment or by general election,"

Moved by Councillor Prittie, Seconded by Councillor Jamieson: "That the resolution be approved for submission."

CARRIED UNANIMOUSLY

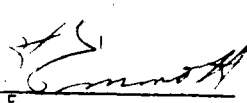
"WHEREAS no provision is contained in the Municipal Act for the correction of manifest errors on the Certified List of Electors, save through an application to the local Magistrate or County Court Judge prior to November 30th, and
WHEREAS annually, many electors are deprived of municipal franchise through manifest error
THEREFORE BE IT RESOLVED that the Union of B. C. Municipalities petition the Provincial Government for an amendment to the Municipal Act whereby all citizens who are not included in a current List of Electors, but who were included on the list for the immediately preceding year, be allowed to vote by swearing a Statutory Declaration as to their qualifications either as owner-electors, tenant-electors, or resident-electors."


Moved by Councillor Prittie, Seconded by Councillor Edwards: "That this resolution be approved for submission."

CARRIED UNANIMOUSLY

The meeting adjourned to 2:00 p.m. Thursday, July 9th.

Confirmed:


REEVE


CLERK