

FEBRUARY 18, 1963

An Adjourned meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, February 18, 1963 at 7:30 p.m.

PRESENT: Acting Reeve MacSorley in the Chair;
Councillors Blair, Cafferky, Clark,
Drummond, Harper, Kalyk and Wells

ABSENT: Reeve Emmott

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR BLAIR:

"That all of the below listed correspondence be received."

CARRIED UNANIMOUSLY

President, Branch No. 26, Old Age Pensioners' Organization, submitted a letter suggesting that Council re-examine the matter of utilizing a tract of land on Burnaby Mountain, owned by the City of Vancouver, for cemetery purposes so as to enable aged persons in particular to obtain a burial plot that would be less costly than those offered by a private cemetery company.

During discussion of this matter, it was mentioned by Council that the Corporation had fought the extension of cemetery facilities in Burnaby on the grounds that there are already five burial grounds situated in the Municipality at the present time. It was considered that, in terms of numbers and area of land, more facilities are available in Burnaby than in surrounding communities. It was added that this comparison becomes quite manifest when it is realized that only one cemetery exists within the boundaries of the City of Vancouver.

It was suggested that the Old Age Pensioners' Organization might make overtures to the private cemetery companies to ascertain whether or not consideration could be given to a special dispensation in regard to the provision of burial space for aged persons with limited means.

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR HARPER:

"That the views and suggestion expressed by Council this evening in respect of the request of the Old Age Pensioners' Organization (Branch No. 26) be conveyed to them."

CARRIED UNANIMOUSLY

President, Forest Lawn Development Limited and Ocean View Development Limited, submitted a letter lodging a complaint

concerning the rate charged by the Municipality for a trades licence fee on the operation of cemeteries. The President requested that Council recognize the validity of the complaint and correct the injustice which is felt exists.

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR KALYK:

"That the Chief Licence Inspector submit a report setting out the reasons for the current licence fee on cemetery operations and that he also supply information indicating the comparisons between this Municipality and others in the Lower Mainland relative to the matter of levying trades licence fees on cemetery operations."

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR HARPER:

"That the previous Motion be amended by adding that a report be also submitted by the Municipal Treasurer covering the entire tax picture (including Local Improvements) relating to cemeteries in this Municipality, and that this report plus the one from the Chief Licence Inspector be submitted at the next Council meeting."

CARRIED UNANIMOUSLY

A vote was then taken on the original Motion and it was also Carried Unanimously.

Secretary, Burnaby Lions Club, submitted a letter applying for permission to hold their Annual Carnation Tag Day on the evening of May 10th and all day on May 11th, 1963.

The Secretary also advised that three other organizations held Tag Days last year at the same time as the Burnaby Lions Club.

The Municipal Clerk stated that investigation had disclosed that none of the three organizations mentioned received permission from Council to conduct their campaigns.

The Council directed that a letter be sent to these three organizations informing them of the requirements in respect of conducting campaigns for funds on streets in this Municipality.

MOVED BY COUNCILLOR BLAIR,
SECONDED BY COUNCILLOR HARPER:

"That permission be granted to the Burnaby Lions Club to conduct its campaign on the dates mentioned."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HARPER,
SECONDED BY COUNCILLOR WELLS:

"That the Council now resolve itself
into Committee of the Whole."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR KALYK:

"That the 1963 Budget of School District
No. 41 be tabled until later in the
evening."

CARRIED UNANIMOUSLY

MUNICIPAL MANAGER -- REPORT NO. 9, 1963.

(1) B. C. Aviation Council.

The Manager submitted an account in the amount of \$10.00 from
the above noted Council, which sum represents the annual
membership fee of this Corporation in the Council.

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR BLAIR:

"That this account be paid."

CARRIED
COUNCILLORS CAFFERKY
& HARPER - AGAINST

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR BLAIR:

"That Councillor Cafferky be appointed
as the Council Representative to the
B. C. Aviation Council."

CARRIED UNANIMOUSLY

Councillor Cafferky declined this appointment.

(2) Application to Purchase Block 8 1/2 Except North 33 feet,
D. L. 159, Plan 930 (Harrison).

The Manager submitted a report on an application by the above
noted to purchase the property described in caption advising
that though the land comprises an area of approximately
1.64 acres, a large portion of it lies within a ravine. He
added that a usable part of the lot, representing 25% of the
total area, is triangular in shape and has a frontage of
approximately 100 feet on Keith Street and it tapers to
approximately 30 feet on Patrick Street.

The Manager further advised that it is felt the Corporation should retain control of the ravine plus sufficient property to provide access. He added that the Corporation is not in a position to offer the property for sale other than by public tender.

The Manager recommended that the property be withheld from sale at the present time.

MOVED BY COUNCILLOR BLAIR,
SECONDED BY COUNCILLOR HARPER:

"That the recommendation of the Manager be adopted."

CARRIED
COUNCILLOR CAFFERKY -
AGAINST

MOVED BY COUNCILLOR BLAIR,
SECONDED BY COUNCILLOR KALYK:

"That the Land Agent investigate the possibility of selling a portion of the subject property not required for the purposes mentioned in the report of the Municipal Manager to determine whether this can be done the next time tenders are invited on the purchase of Municipal property, and that Mr. Harrison be advised of this action."

CARRIED UNANIMOUSLY

The Engineering Department was also directed to indicate the amount of land which it feels is necessary to adequately retain control of the ravine, including the amount needed for access purposes.

(3) Lot 13, D. L. 32, Plan 17168 (South-east corner of Forglen Drive and Duxton Street).

The Manager reported that a petition has been received from residents in the "Forest Glen" area requesting that the above described property, which is owned by the Corporation, be cleared.

He advised that the cost of doing this work would be approximately \$150.00 and that there are seven other lots in the area which are owned by the Corporation that are in a similar condition and have been withheld from sale until sewer service is available.

He added that the Land Agent is reluctant to recommend that the request be acceded to since it would establish a precedent.

The Manager recommended that the request of the petitioners be denied.

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR CLARK:

"That (a) an investigation be made to determine the recovery that could be made from the Senior Governments if the subject lot and the others mentioned in the report of the Manager were cleared as a Winter Works project

(b) information be submitted indicating whether these lots are reserved for future park use

(c) Council be advised as to whether the subject Lot 13 is capable of being built upon

(d) the information requested be submitted to the Policy Committee for consideration."

CARRIED UNANIMOUSLY

(4) Portion of Lot "A", D. L.'s 34/35, Plan 5487 (McCALLUM).
Moscrop Street Widening.

The Manager reported that on September 24, 1962, Council authorized payment of the sum of \$1,000.00 in settlement of a claim resulting from the Corporation expropriating a portion of the above described property for the widening of Moscrop Street. He pointed out that the owner, the above noted, indicated that she was prepared to accept this settlement but now she is demanding that the Corporation provide an additional gate to the property, the estimated cost of which is \$50.00.

The Manager recommended that the Municipal Engineer be instructed to provide this additional gate. He added that the Municipal Solicitor concurs with this recommendation.

MOVED BY COUNCILLOR HARPER,
SECONDED BY COUNCILLOR BLAIR:

"That the recommendation of the Manager be adopted."

IN FAVOUR - COUNCILLORS HARPER,
BLAIR, DRUMMOND

AGAINST - COUNCILLORS CAFFERKY,
CLARK, KALYK AND WELLS

MOTION LOST

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR KALYK:

"That a report be submitted by the Municipal Solicitor indicating the legal position of the Corporation if it acceded at this time to the request of the owner for a gate and further, that information be supplied by him as to the costs which could be anticipated if Council refused to provide the gate."

CARRIED UNANIMOUSLY

(5) Claim - Cappyz.

The Manager reported that on August 23, 1962, a Municipal truck accidently dumped fill material on the property of the above noted as a result of the truck having a brake failure. He advised that the matter was referred to the insurance adjusters who ruled that the accident was an inevitable one, with the result there is no negligence on the part of the Corporation and therefore it should deny liability.

The Manager pointed out that Mr. Cappyz considers the Corporation should pay the cost of removing the material and repairing the fence, and he is prepared to accept a settlement of \$100.00.

The Manager recommended that an ex gratia payment of \$100.00 be made to Mr. and Mrs. Cappyz, provided they release the Corporation from any liability.

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR CLARK:

"That a report be obtained from the Municipal Engineer indicating why it took so long to investigate the claim and also the amount it would have cost if the Corporation had removed the fill material immediately following the accident and further, that the decision of the insurance adjusters be challenged."

IN FAVOUR - COUNCILLORS MacSORLEY,
CLARK, CAFFERKY & WELLS

AGAINST - COUNCILLORS DRUMMOND, BLAIR,
HARPER & KALYK

MOTION NEGATIVED

MOVED BY COUNCILLOR KALYK,
SECONDED BY COUNCILLOR DRUMMOND:

"That the recommendation of the Manager be adopted and an enquiry be made as to why the insurance adjusters arrived at the decision indicated in the report of the Manager."

CARRIED
COUNCILLORS CAFFERKY,
BLAIR & CLARK -AGAINST

The Council also directed that information be presented respecting the servicing record of the truck involved in the accident.

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR BLAIR:

"That the Municipal Solicitor endeavour to recover the amount of the claim from the insurance adjusters."

CARRIED UNANIMOUSLY

(6) Burnaby Ratification By-Law 1962.

The Manager reported that the above noted By-law, which was finally adopted by Council on December 3, 1962, ratifies an agreement between the City of Vancouver and this Municipality whereby storm drainage from approximately 52 acres of land in the City will be diverted into a natural watercourse in Burnaby in the vicinity of Boundary Road and Tanner Street and, at the same time, provide service to approximately six acres of property in Burnaby with storm and sanitary sewer facilities.

He advised that, through an oversight, the By-law was finally adopted before approval of the Lieutenant-Governor in Council was obtained.

The Manager recommended that Council rescind its resolution to adopt the subject By-law so as to enable the necessary Order-in-Council to be obtained.

The resolution suggested by the Manager was as follows:

"That the following resolution passed by Council on December 3, 1962 be rescinded:

'That Burnaby Ratification By-Law 1962 be now finally adopted, signed by the Reeve and Clerk and the Corporate Seal affixed thereto."

MOVED BY COUNCILLOR HARPER,
SECONDED BY COUNCILLOR BLAIR:

"That the recommendation of the Manager
be adopted."

CARRIED UNANIMOUSLY

(7) Yield Signs.

The Manager submitted a report prepared by the Traffic Director setting out the warrants for the installation of "Yield" signs.

MOVED BY COUNCILLOR BLAIR,
SECONDED BY COUNCILLOR CLARK:

"That the report of the Traffic Director
be received and its contents duly noted."

CARRIED UNANIMOUSLY

(8) Application for Rest Home on Lot "A", Block 7, D. L. 94N,
Plan 14253 (Reeves).

The Manager submitted a report recommending that a licence be granted to the above noted for the care of not more than four persons at any one time, subject to the following conditions:

- (a) That a fire alarm system with a bell be installed on the main floor and break-glass installed in the basement and also on the second floor.
- (b) That the electrical wiring be brought up to Canadian Electrical Code regulations.
- (c) That the front and rear doors open out.
- (d) That the boarders not occupy the basement or second floor.
- (e) That a second means of egress be provided from the second floor.
- (f) That the non-conforming basement unit be used in conjunction with the Rest Home and not as a separate rental unit.
- (g) That, since the property is serviced by a septic tank and disposal field system, any nuisance arising from the occupancy as a result of this method of waste disposal may result in the licence being withdrawn.

MOVED BY COUNCILLOR KALYK,
SECONDED BY COUNCILLOR BLAIR:

"That the recommendation of the Manager
be adopted, subject further to a condition
that the means of egress to be provided
from the second floor is aesthetically
acceptable."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR HARPER:

"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR CAFFERKY:

"That the report of the Committee be
now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR DRUMMOND,
SECONDED BY COUNCILLOR KALYK:

"That the estimates of School District
No. 41 for the year 1963, as presented
to Council on February 4, 1963, be
approved."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR HARPER:

"That leave be given to introduce
"BURNABY RATIFICATION BY-LAW 1963"
and that it be read a First Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR BLAIR:

"That the By-law be now read a Second
Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR BLAIR:

"That the Council do now resolve into
Committee of the Whole to consider the
By-law."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR BLAIR:

"That the Committee do now rise and
report the By-law complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR BLAIR:

"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR BLAIR:

"That "BURNABY RATIFICATION BY-LAW 1963" be now read a Third Time."

CARRIED UNANIMOUSLY

Councillor Clark reported verbally on the complaint of Mr. Kranz, advising that he had reviewed the matter and, as a result, felt it should be referred to the Planning Committee for further consideration.

MOVED BY COUNCILLOR CLARK,
SECONDED BY COUNCILLOR CAFFERKY:

"That the complaint of Mr. Kranz be referred to the Planning Committee and Mr. Kranz advised as to when the next meeting of the Committee will be held."

CARRIED UNANIMOUSLY

Councillor Cafferky stated that a suggestion was made at a recent meeting of the Burnaby Chamber of Commerce that the Corporation employ someone to handle the matter of encouraging industrial development and expansion in the Municipality. He suggested that this person should be responsible for the preparation and distribution of information on zoning, services, site location and other items of interest usually required by those seeking to locate industrial facilities in the Municipality. He added that this person could also assist those desiring the information and advice.

A remark was expressed that the scope of authority of such a person should be broadened to include commercial development as well as industrial.

MOVED BY COUNCILLOR CAFFERKY,
SECONDED BY COUNCILLOR CLARK:

"That a Special Committee be established to consider the appointment of a person for the purpose mentioned and to also seek advice as to the duties and functions of this type of official from the cities of Calgary and Edmonton (where such a person is apparently on staff) and

further, that the Special Committee also include representation from the Chamber of Commerce, Ratepayers Groups, and Labour so that a cross-section of opinion may be obtained from residents in the Municipality."

CARRIED UNANIMOUSLY

An enquiry was made as to the status of a draft by-law governing garbage collection. The Council directed that the situation in respect of this matter be made known to them.

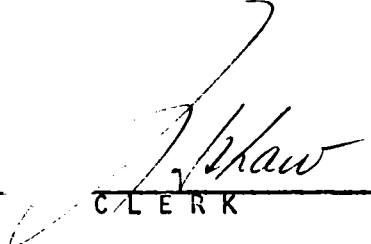
The meeting then adjourned.

Confirmed:

Certified Correct:



REEVE



CLERK