

FEBRUARY 15, 1965

An adjourned meeting of Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, February 15, 1965, at 7:30 p.m.

PRESENT: Reeve Emmott in the Chair;
Councillors Blair, Cafferky, Corsbie,
Dailly, Drummond, Edwards, Herd and
Hicks.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR EDWARDS:
"That the Minutes of the meetings held January 25 and February 1, 1965 be adopted as written and confirmed."

CARRIED UNANIMOUSLY

The following wrote requesting an audience with Council:

- (1) General Manager, Vancouver Visitors' Bureau, re grant.
- (2) Mr. Robert Edwards, Barrister and Solicitor, re use of Lot 1, Block 10, D.L. 98, Plan T1325 for Rest Home purposes.

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR HICKS:
"That the delegations be heard."

CARRIED UNANIMOUSLY

- (1) Mr. H. J. Merilees, General Manager of the Vancouver Visitors' Bureau, appeared and, at the outset, thanked Council for its past financial support of the Bureau.

He stated that, during the last year, the Bureau established a record in its activities and extended knowledge of its existence to points a great distance away.

Mr. Merilees claimed that the Vancouver Visitors' Bureau is most aggressive and ambitious in fostering its plans for publicizing this area.

Mr. Merilees also introduced Mr. Bensley, who is a new member of the Bureau handling budgeting and promotion.

He also distributed samples of the material relating to the operations of the Bureau and explained some of the information in this literature.

Mr. Merilees also mentioned that more attention would be focussed on Burnaby as a result of its development, particularly that relating to Simon Fraser University. He added that the literature prepared by the Bureau was being revised to reflect this development.

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR BLAIR:
"That the request of the Vancouver Visitors' Bureau for financial assistance be referred to the Grants Committee for consideration and recommendation."

CARRIED UNANIMOUSLY

COUNCILLOR EDWARDS LEFT THE MEETING.

- (2) Mr. Robert Edwards, Barrister and Solicitor, next appeared on behalf of the owner of Lot 1, Block 10, D.L. 98, Plan 11325, Mr. Drews, to obtain permission to erect and operate a Rest Home on the property.

Mr. Edwards advised that the land is presently zoned Commercial and there is on it a large apartment with commercial premises below. He mentioned that the proposed Rest Home is intended primarily to attract old-age pensioners, with rents ranging from \$100.00 to \$105.00 per month. He also stated that it is proposed to provide a recreation room, a television room, a games room, an intercommunication system, a library room, a reading room and a sewing room.

Mr. Edwards advised that, in the past, the Planning Department has recommended Multiple Family use for the property but Council has felt that Light Industrial zoning was more appropriate.

As regards the existing improvements on the property, he stated that they would be removed if the current application was granted.

Mr. Edwards pointed out that there is residentially developed property to the South and, to the East, is the Parsonage of the Anglican Church.

He contended that the property was ideally suited for Rest Home use because:

- (a) It is virtually surrounded by better than average residential development;
- (b) It is within one block of commercial facilities.

He suggested that, if Council was to personally view the parcel, it would undoubtedly come to the conclusion that the land was best suited for Multiple Family use.

He also drew attention to the fact that the property abuts railway tracks but this line is rarely used by the railway.

He also remarked that the Planning Director shared the same views with respect to the future development of the property.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR CORSBIE:
"That the application to use Lot 1, Block 10, D.L. 98, Plan 11325 for Rest Home purposes be tabled for a period of one week in order to allow each member of Council an opportunity to inspect the property and to permit the presentation of a report from the Planning Department on the application."

CARRIED UNANIMOUSLY

COUNCILLOR EDWARDS RETURNED TO THE MEETING.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR EDWARDS:
"That all of the below listed correspondence be received."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR BLAIR:
"That all of the submissions in connection with the proposed operation of a discotheque club be laid over until later in the evening."

CARRIED UNANIMOUSLY

Chairman, Deer Lake Seventh-day Adventist School Board, submitted a letter appealing two of the conditions that were imposed by Council on November 9, 1964 as prerequisites to the approval of an application for permission to erect a private school on Lots 28 and 29, D.L. 83, Plan 1267.

Municipal Manager read a report from the Planning Department on the application of the Seventh-day Adventist Church School in which the Department advised having had several meetings with authorities from the School on the question of road location and width.

He pointed out that the last such meeting (January 19, 1965) resulted in the reaffirmation of a decision to obtain a 66-foot road allowance along the West side of the property for a distance of approximately 350 feet, the reasons being that:

- (a) It is probable a second school will apply for permission to locate on the property immediately to the East and a road will not be required between the two school sites as this would necessitate a further East-West road dedication from the subject property in order to permit subdivision of the property to the West.
- (b) Under normal circumstances involving Residential subdivision, the subject property would need to dedicate and construct 350 feet of a 66-foot road allowance in an East-West direction and possibly a further 350 feet of a 33-foot road allowance in a North-South direction in order to enter the property. The proposal of the Planning Department is to merely change the 350 feet of East-West road to a North-South direction and eliminate the possibility of a further 33-foot road allowance.
- (c) Should the Church dedicate only 33 feet for a road allowance, the adjacent property will not only have to dedicate and construct a road allowance across the full width of the property in an East-West direction but it would also be responsible for a 33-foot allowance in a North-South direction.
- (d) The Council would be justified in requiring certain conditions which are related to the community as a whole and which ensure that no excessive cost is borne by the community or by adjacent properties as a result of the School. In the opinion of the Planning Department, road dedication and construction by the Church authorities fall into the category of community interest.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR EDWARDS:
"That the appeal of the Seventh-day Adventist Church School be referred to the Policy/Planning Committee for detailed discussion with the Planning Director."

CARRIED UNANIMOUSLY

Secretary, Kiwanis Club of North Burnaby, submitted a letter indicating the support of the Club of the efforts being expended by the Burnaby Citizen's Committee for Access to Burrard Inlet at Barnet Park to secure beach facilities on the South shore of the Burrard Inlet in the vicinity of Barnet.

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR BLAIR:
"That a copy of this letter be referred to the Parks and Recreation Commission for attention."

CARRIED UNANIMOUSLY

Secretary, Burnaby Citizen's Committee for Access to Burrard Inlet at Barnet Park, submitted a letter attacking certain statements made in the Press by a number of Parks Commissioners regarding the development proposal of the Committee.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR HERD:
"That this letter be referred to the Parks and Recreation Commission for its information."

CARRIED UNANIMOUSLY

It was suggested also that, since all of the correspondence Council has received on the matter of concern to the Committee has been referred to the Parks and Recreation Commission, the Committee should direct all future submissions to the Commission. It was pointed out that it is that body which is considering the proposal and, in the interests of expediency, it would seem preferable for the Committee to make its overtures to the Commission.

City Clerk, City of Port Moody, submitted a letter requesting that this Municipality join with the City in protesting the discontinuation of bus service on Barnet Highway by Pacific Stage Lines.

Bestwood Cedar Shingle Company Ltd. also wrote in connection with the same matter and requested that this Municipality do what it can to maintain bus service on Barnet Highway because the discontinuation of this service will impose serious hardships on some of the employees of the Company.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR BLAIR:
"That, being cognizant of the plight facing those persons who must rely on the subject bus service when travelling to and from work, the Council lodge a formal objection to the proposed discontinuation of the bus service and support the City of Port Moody in any overtures that are made to have the service restored."

CARRIED UNANIMOUSLY

City Clerk, City of New Westminster, submitted a letter soliciting the support of Council in endorsing a resolution which:

- (a) Urges that the Provincial Government purchase the Queensborough Toll Bridge from the City at a price equal to the present outstanding debt;
- (b) Asks for the removal of tolls in the same manner as applies to all other bridge facilities in the Province.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR DAILLY:
"That the resolution of the New Westminster City Council be endorsed."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR BLAIR:
"That the Council now resolve itself into Committee of the Whole."

CARRIED UNANIMOUSLY

The following matters were then lifted from the table:

(a) Discotheque Club

Municipal Manager advised that he and the Reeve had visited the Deputy Minister of Municipal Affairs last week and learned that, if Council wishes to consider allowing an activity of the type proposed by Else Enterprises Limited, it must first pass a By-law to regulate such an operation. He added that this By-law would also establish the conditions under which a Discotheque Club would be permitted.

The following wrote in connection with the proposal of Else Enterprises Limited to operate a discotheque club at 4240 Hastings Street:

- (i) Mrs. Sheila Mitchell and others
- (ii) Mr. R. H. Blackstock
- (iii) Mr. and Mrs. Carl Erickson
- (iv) City Police, Victoria
- (v) Mr. P. Whitlock
- (vi) Alta Vista Baptist Church
- (vii) Mr. G. Ashthorpe
- (viii) Mr. G. H. Cannon

Social Service Administrator also submitted a report suggesting certain terms for the operation of the discotheque club.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR CAFFERKY:
"That the entire matter of allowing discotheque clubs be referred to the Policy Committee for study and recommendation as to the advisability of introducing a By-Law of the type required."

CARRIED

COUNCILLORS DRUMMOND, EDWARDS AND HICKS -
AGAINST

COUNCILLOR HERD LEFT THE MEETING.

(b) Appeal of Mr. Sandhaus

Mr. V. Palitti, Solicitor for Mr. Sandhaus, appeared and stated that the applications of Mr. Sandhaus were made to the Chief Licence Inspector over the telephone. He claimed that the Chief Licence Inspector treated this telephone enquiry as a formal request for licences to operate a machine shop at 7450 Meadow Avenue and to renew the Wrecking Contractor's licence.

Mr. Palitti stated that the applicant was Mr. David Sandhaus and that the trade names of his two operations were B.C. Wrecking Company and Westmont Steel. Mr. Palitti enquired as to the reasons of the Chief Licence Inspector for referring the applications to Council. He added that the Municipal Solicitor has provided some indication but he was not too certain of the reasons of the Chief Licence Inspector.

When a statement was made to Mr. Palitti that the convictions against Mr. Sandhaus in Magistrate's Court were instrumental in the opinion being formulated that Mr. Sandhaus should not be granted his licences, Mr. Palitti suggested that Council was persecuting Mr. Sandhaus. He also remarked that the convictions against Mr. Sandhaus in Vancouver were by a Magistrate who was subsequently removed from Office. Mr. Palitti also mentioned that Mr. Sandhaus was not able to appeal these convictions for financial reasons.

Mr. Palitti read Section 450 of the Municipal Act and drew attention to the fact that it related specifically to the grounds for refusal of a licence when it was applicable to the premises of the licensee.

Mr. Palitti pointed out that Mr. Sandhaus owns two parcels of property in the Municipality and this is an indication of his desire to establish himself in business.

He also suggested that there would be no harm in granting Mr. Sandhaus his licences until the case currently before the Burnaby Courts is resolved.

Mr. Palitti concluded by suggesting that if the applications are refused under the present circumstances, this was virtual persecution.

The Municipal Solicitor stated that the Chief Licence Inspector of Burnaby has refused to issue the licences in question and referred the applications to Council. He pointed out that Section 450 of the Municipal Act is not applicable, rather it is Section 455 that pertains.

As regards the convictions in Vancouver, the Solicitor cited the names of the various Magistrates who have convicted Mr. Sandhaus of misdemeanors. He also mentioned that there were two convictions in the Burnaby Courts as well, although they were under appeal.

The Solicitor also drew attention to the contempt of Mr. Sandhaus toward a Court Order to post a Demand for Security under the "Payment of Wages Act".

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR DAILLY:
"That the applications of Mr. D. Sandhaus for a licence to operate a machine shop at 7450 Meadow Avenue and to renew his licence as a Wrecking Contractor, be refused."

CARRIED UNANIMOUSLY

THE REEVE DECLARED A RECESS AT 9:05 P.M.

THE COMMITTEE RECONVENED AT 9:15 P.M.

COUNCILLOR HERD RETURNED TO THE MEETING.

MUNICIPAL MANAGER -- REPORT NO. 12, 1965

Report No. 12, 1965 of the Municipal Manager, attached to and forming part of these Minutes, was dealt with as follows:

(1) Storage of Explosives

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR HERD:
"That a policy be established of confining the storage of explosives to one area of the Municipality, this area being Lot 1 except Explanatory Plan 12386 and except Reference Plan 7269, S.D. "B", Block 2, D.L. 215, Plan 3575."

CARRIED UNANIMOUSLY

(2) Estimates

MOVED BY COUNCILLOR HERD, SECONDED BY COUNCILLOR CORSBIE:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(3) Penalty Dates on Property Taxes

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR BLAIR:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(4) Easement - Portion of Lot 68, D.L. 93, Plan 26490 (Bellis)

(5) Easement - Portion of Lot "C" N $\frac{1}{2}$, Block 3, D.L. 136,
Plan 7333 (Butler)

(6) Miscellaneous Easements - Springer Sanitary Sewer Project #1

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR BLAIR:
"That the recommendations of the Manager concerning the above
three items be adopted."

CARRIED UNANIMOUSLY

(7) Debenture Sales

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR CAFFERKY:
"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

REPORT OF THE POLICY/PLANNING COMMITTEE

(1) Justice Building

A report of the Municipal Manager on this subject, attached to
and forming part of these Minutes, was submitted.

MOVED BY COUNCILLOR EDWARDS, SECONDED BY COUNCILLOR CORSBIE:
"That an application be forwarded to the Department of
Municipal Affairs for a recommendation to the Provincial
Legislature for special legislation to enable this Corporation
to adopt a by-law for financing the capital cost of a Justice
Building within the Municipality under similar procedures to
those laid down in Section 253 of the Municipal Act."

CARRIED

COUNCILLOR DRUMMOND AGAINST.

His Worship, Reeve Emmott, mentioned that an invitation had been
received from the Industrial Development Commission of Greater
Vancouver to attend its Annual Dinner on March 4th at 6:15 p.m.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR CORSBIE:
"That those members of Council who are able to be present at
the Annual Dinner of the Industrial Development Commission of
Greater Vancouver on March 4th at 6:15 p.m. be authorized to
attend."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HERD:
"That the Committee now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HERD:
"That the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR EDWARDS:
"That "BURNABY ROAD CLOSING BY-LAW NO. 2, 1965" be now
reconsidered."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR DAILLY:
"That "BURNABY ROAD CLOSING BY-LAW NO. 2, 1965" be now finally
adopted, signed by the Reeve and Clerk and the Corporate Seal
affixed thereto."

CARRIED UNANIMOUSLY