

AUGUST 16, 1965

A regular meeting of the Municipal Council was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, Burnaby 2, B.C., on Monday, August 16, 1965, at 7:30 p.m.

PRESENT: Councillor Edwards in the Chair;
Councillors Blair, Cafferky,
Corsble, Dailly, Drummond and Hicks

ABSENT: Reeve Emmott and Councillor Herd

The Opening Prayer was delivered by Reverend George Searcey.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DAILLY:
"That His Worship, Reeve Emmott, and Councillor Herd be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

The Burnaby Citizen's Committee requested permission for an audience before the Council with regard to the provision of a lifeguard at Barnet Beach.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:
"That the delegation be heard."

CARRIED UNANIMOUSLY

Mr. Williams of the Burnaby Citizen's Committee spoke reviewing the activities of the Committee toward the development of Barnet Beach. It was submitted that the popularity of the Beach had been proven over the summer season with increased numbers of people attending the Beach to the point where it was necessary to take safety measures for the people at the Beach and at the crossing points along the railway track. The Parks and Recreation Commission had been asked to look into the matter. The C.P.R. had installed uniformed men at the track and plain-clothes men at the Highway and these officers were discouraging people from crossing the track.

In spite of this, there were some 500 people at the Beach during the last weekend and some 60 to 75 cars were counted.

It was submitted that the swimming facilities at the Beach were the main attraction and the Council was urged to take the necessary steps in the interests of protecting the people at the Beach.

The Council was advised that there was confusion over the legality of the use of the park as a public park and the Parks and Recreation Commission had written to the Canadian Pacific Railway to have a guard put on the track in the interests of safeguarding the public.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR DAILLY:
"That the Council resolve into Committee of the Whole to deal with Item (5) of report No. 56 of the Municipal Manager on this subject."

CARRIED UNANIMOUSLY

The Manager advised that the delegation had appeared before the Parks and Recreation Commission on August 4th and a written submission was also made asking that a lifeguard be placed at the Beach for the balance of 1965 season to supervise swimmers and help to keep youngsters off the railway tracks. The Chairman of the Commission had noted that the last instruction from the Council and the Legal Department was that the public should not be encouraged to use the Barnet Beach Park and the Manager cited a resolution adopted by the Commission requesting that the C.P.R. provide guards for Barnet Beach on the weekend.

In summary, the Manager advised that the Parks and Recreation Commission had rejected the request to supply lifeguards for the Beach area and the C.P.R. had been asked to consider controlling the tracks with their own safety forces. The C.P.R. had already marked their right-of-way with numerous "No Trespassing" signs.

The Manager further reported verbally that the C.P.R. had drawn to a tender call for the installation of the fence along the South side of the track. The Manager further reported on the history of prior applications to the Federal Government and the Provincial Government with regard to crossings over the track in the vicinity of Barnet Beach.

MOVED BY COUNCILLOR DRUMMOND, SECONDED BY COUNCILLOR CORSBIE:
"That the Parks and Recreation Commission be asked for cost figures on a pedestrian overpass of adequate standard to be installed at Barnet Beach."

CARRIED UNANIMOUSLY

The Council took no action on the request of the Citizen's Committee for a lifeguard at Barnet Beach since, according to Legal advice previously received, any type of allurements of the public to this Beach area until proper and adequate provisions are made for crossing of the track was not considered to be in the public interest.

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

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR BLAIR:
"That the report of the Committee be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR CORSBIE:
"That the original communications be received."

CARRIED UNANIMOUSLY

The Cliff Avenue United Football Club wrote making application for permission to hold a Tag Day in the North Burnaby shopping areas on September 18th to help finance the activities of the Football Club.

Bethel #34, International Order of Job's Daughters, wrote requesting permission to conduct a Peanut Sale fund-raising campaign on September 14th, 15th and 16th in the North Burnaby area.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR DAILLY:
"That permission be granted to the Cliff Avenue Football Club and the Bethel #34, International Order of Job's Daughters, to hold fund-raising campaigns in accordance with their applications."

CARRIED UNANIMOUSLY

The Superintendent of Motor Vehicles wrote in response to a request by the Council for the establishment of a branch office of the Motor Vehicle Division within the boundaries of Burnaby advising that the whole subject of licensing and examination facilities in the Greater Vancouver area was receiving consideration and would be reviewed again in the next few months when expenditure estimates for the coming fiscal year were developed.

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR CAFFERKY:
"That the Manager be instructed to continue pressing the Attorney General for the establishment of motor vehicle testing and licensing facilities within this municipality."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR BLAIR:
"That the Council do now resolve into a Committee of the Whole."

CARRIED UNANIMOUSLY

REPORT OF THE PUBLICITY COMMITTEE

The Publicity Committee submitted a report on the following items:

- (1) The Committee submitted that the 1964 Parade Float should be reconditioned and entered into the Burnaby Week Parade and possibly other parades in the Lower Mainland Fall Fairs, etc. The estimated cost of reconditioning was \$750.00; Burnaby Jaycees were prepared to enter and look after the float at a cost of \$125.00 for each parade.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DRUMMOND:
"That the submission of the Publicity Committee be adopted."

CARRIED UNANIMOUSLY

- (2) The Burnaby Jaycees were requesting permission to erect a Space Pin on suitable high land North of the Freeway West of Kensington Avenue, the Pin to comprize a flag pole approximately 60 feet high with a flashing beacon on top.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:
"That the proposal of the Burnaby Jaycees be approved and that their organization be commended for the interest shown in developing this project."

CARRIED UNANIMOUSLY

- (3) The Committee reported that some requests had been received and others might be expected for Corporation participation in special newspaper editions in connection with the opening of Simon Fraser University.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR CORSBIE:
"That an appropriation of \$500.00 be established for this purpose, the said appropriation to be expended at the discretion of the Publicity Committee."

IN FAVOUR -- COUNCILLORS HICKS, CORSBIE
AND REEVE EMMOTT

AGAINST -- COUNCILLORS CAFFERKY, BLAIR
DRUMMOND AND DAILLY

MOTION LOST

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:

"That the Publicity Committee be authorized to insert suitable advertisement in the three local papers circulating in this municipality, the cost of such publicity to not exceed the sum of \$750.00 and the insertions to be made in those newspapers which advertize in depth on Burnaby matters."

CARRIED

COUNCILLOR BLAIR -- AGAINST

MUNICIPAL MANAGER -- REPORT NO. 56, 1965

Report No. 56, 1965 of the Municipal Manager, attached to and forming a part of these Minutes, was then dealt with.

(1) Proposed Sidewalk - Gilpin Street - Grandview to Royal Oak

MOVED BY COUNCILLOR DRUMMOND, SECONDED BY COUNCILLOR HICKS:

"That the proposed sidewalk work be initiated as a Local Improvement pursuant to the information contained in the Manager's report."

CARRIED UNANIMOUSLY

(2) Municipal Development and Loan Fund

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR CAFFERKY:

"That the report of the Manager be received."

CARRIED UNANIMOUSLY

(3) Eagle Motors Limited, 4161 East Hastings Street

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:

"That permission be granted as requested."

CARRIED UNANIMOUSLY

(4) Application for Rezoning of D.L. 30, Block 44, Parcel "A", Plan 5961 and Blocks 43/44, Lot "E", Plan 7174

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DAILLY:

"That the report be received."

CARRIED UNANIMOUSLY

(5) Barnet Beach

This item was dealt with earlier in the meeting.

(6) Land Sale

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR CAFFERKY:

"That the recommendation of the Manager be adopted." CARRIED UNANIMOUSLY

(7) Acquisition of Easement - North 10 feet of Lot 234, D.L. 92, Block 54, Lot 3, Plan 20373

MOVED BY COUNCILLOR CAFFERKY; SECONDED BY COUNCILLOR BLAIR:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(8) Subdivision Cost Sharing - Southern Slope Holdings (1959) Limited

MOVED BY COUNCILLOR DAILLY, SECONDED BY COUNCILLOR HICKS:

"That the recommendation of the Manager be adopted."

CARRIED UNANIMOUSLY

(9) Estimates

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

CARRIED UNANIMOUSLY

(10) Fire Chief's Report for the month of July

(11) R.C.M.P. Policing Report for the month of July

MOVED BY COUNCILLOR CORSBIE, SECONDED BY COUNCILLOR HICKS:
"That these reports be received."

CARRIED UNANIMOUSLY

(12) Personnel Management Course

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

CARRIED UNANIMOUSLY

(13) Greater Vancouver Sewerage & Drainage District

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

CARRIED UNANIMOUSLY

COUNCILLOR HICKS WITHDREW FROM THE COUNCIL CHAMBER.

(14) Request of Home Oil Distributors Ltd.

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

CARRIED UNANIMOUSLY

(15) Welfare Institutions Licence - CASSIDY, The Pandora Rest Home,
4081 Pandora Street

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR BLAIR:
"That the report of the Manager be concurred with."

CARRIED UNANIMOUSLY

(16) Sussex-Forglen Sanitary Sewer Area No. 9 - Easements

(17) Royal Oak-Douglas Sanitary Sewer Area #12/13 - Easement

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DRUMMOND:
"That the recommendations of the Manager be adopted."

CARRIED UNANIMOUSLY

(18) 1965 Local Improvement Initiative Programme

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

CARRIED UNANIMOUSLY

Councillor Cafferky made reference to the provision of Local Improvement works which appeared to create discrimination between residents of the municipality, particularly those involving pavement widths and suggested that amendments to the Municipal Act might be pursued which would clarify this apparent discrimination and create a standard whereby the residents of the municipality would understand that the costs laid down to the residents were for standard widths and that any costs for width of pavement in excess of the standard were borne by the municipality as a whole. .

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR CORSBIE:

"That the Manager be instructed to look into a possible amendment to the Municipal Act whereby the residents of the municipality would more readily understand the Local Improvement procedures involving costs for standards of Local Improvement works and, at the same time, clarify the position where works were installed in excess of the set standard."

CARRIED UNANIMOUSLY

(19) 1965 Assessment Roll Analysis

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR BLAIR:

"That the report be received."

CARRIED UNANIMOUSLY

Councillor Cafferky raised the question in connection with the current provision in the Assessment Equalization Act whereby a property owner occupying industrial property residentially for a period of five years from a specified date as laid down in the Act should be amended to more properly fit the intent of legislation which it was believed was intended to provide that any industrial property which had been occupied residentially for a period of five years should receive the benefit of a residential assessment. The wording of the Act at the present time leaves some doubt technically and some interpretations are given that only those properties which had been occupied residentially for five years prior to the given date could qualify. Councillor Cafferky suggested that approaches should be made for an amendment to the Act to clarify this situation.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR BLAIR:

"That the question of possible amendment to the Assessment Equalization Act to clarify the five-year residential qualification on industrial properties be referred to the Manager for discussion with the Municipal Assessor and possible approach to the Municipal Affairs Department in Victoria."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DAILLY:

"That the Committee do now rise and report."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DAILLY:

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

CARRIED UNANIMOUSLY

The Clerk reported that the reconsideration and final adoption motions covering "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 3, 1965" passed at the August 2, 1965 Council meeting should be rescinded since the Municipal Act requires that public Notice of Intention to pass such By-law should be published once each week for two consecutive weeks and this procedure was yet to be carried out. The following resolution was then put:

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DAILLY:
"That the following resolutions passed by the Council on August 2, 1965,
be rescinded:

- (a) That "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 3, 1965" be now reconsidered.
- (b) That "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 3, 1965" be now finally adopted, signed by the Reeve and Clerk and the Corporate Seal be affixed thereto."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR DAILLY:
"That plans and specifications of the work or undertaking pursuant to By-Law No. 4744 be filed with the Municipal Clerk pursuant to Section 483 of the Municipal Act."

CARRIED UNANIMOUSLY

A discussion followed on the establishment of Public Hearing dates to deal with those amendments to the "Burnaby Zoning By-Law 1965" following consideration at recent Council meetings of the large group of rezoning applications, certain of which had been approved for further consideration.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR CORSBIE:
"That Public Hearings be held into amendments to the "Burnaby Zoning By-Law 1965" following the approval of certain rezoning applications for further consideration on Tuesday evening, September 7th at 7:00 p.m. and on Wednesday evening, September 8th at 7:30 p.m."

CARRIED UNANIMOUSLY

It was decided that, of the thirty applications approved for further consideration, ten applications come forward to the September 7th Hearing and twenty come forward to the September 8th Hearing.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:
"That leave be given to introduce "BURNABY EXPROPRIATION BY-LAW NO. 12, 1965"
"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 16, 1965"
"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 17, 1965"
and that they be now read a First Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:
"That the By-Laws be now read a Second Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:
"That the Council now resolve into Committee of the Whole to consider and report on the By-Laws."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:
"That the Committee now rise and report the By-Laws complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR HICKS:
"That "BURNABY EXPROPRIATION BY-LAW NO. 12, 1965"
"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 16, 1965"
"BURNABY ROAD ACQUISITION AND DEDICATION BY-LAW NO. 17, 1965"
be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR HICKS:
"That the Council do now resolve into Committee of the Whole to
consider "BURNABY STREET NAMING BY-LAW 1965"."

CARRIED UNANIMOUSLY

It was directed that the part of the letter from Mrs. N. E. Thorne
concerning traffic matters on Barnet Highway between Westridge and the
eastern boundary of the municipality be referred to the Traffic Safety
Committee for consideration and recommendation.

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR HICKS:
"That the Committee now rise and report the By-Law complete."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR BLAIR, SECONDED BY COUNCILLOR HICKS:
"That "BURNABY STREET NAMING BY-LAW 1965" be now read a Third Time."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR DAILLY:
"That the Council resolve into Committee of the Whole to consider
"BURNABY AIR POLLUTION CONTROL BY-LAW 1965"."

CARRIED UNANIMOUSLY

The Municipal Clerk stated that the Solicitor had offered the following
as Section 9 of the By-Law:

"9. (1) Except as hereinafter provided, no person shall discharge
or allow to be discharged into the atmosphere from any one source
of emission any dust, fumes or smoke which are

(a) as dark or darker in shade than that designated No. 2
on the Micro Ringelmann chart as illustrated in
Schedule "A" to this by-law; or

(b) of such opacity as to obscure the view of an observer
to a degree equal to or greater than that prescribed
in clause (1) hereof

(2) Any person using power-generating equipment may for
a period or periods aggregating not more than three minutes in

any one hour, discharge or allow to be discharged into the atmosphere from any one source of emission any dust, fumes or smoke which exceed the limits or standards herein prescribed when commencing operations or during periods of load fluctuation."

The Solicitor also indicated that, before a regulation requiring some form of photo-electric detecting equipment on chimneys could be introduced, more information would be required as to the type of equipment, the installation on it and the method used to operate it.

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR DAILLY:
"That the amendment to Section 9, as set out above, be approved and incorporated into the By-Law."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR DAILLY:
"That the Committee now rise and report the By-Law complete as amended."

CARRIED UNANIMOUSLY

THE COUNCIL RECONVENED.

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

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR HICKS, SECONDED BY COUNCILLOR CAFFERKY:
"That "BURNABY AIR POLLUTION CONTROL BY-LAW 1965" be now read a Third Time."

CARRIED UNANIMOUSLY

Councillor Cafferky raised the question of an application made by Mr. Dohman for rezoning for apartment purposes property on 14th Avenue legally described as Lots 7, 8 and 9, Block 19, D.L. 29, Plan 3035. The recommendation of the Planner was that this property be rezoned to Residential Multiple Family Type One (RM1) and it was submitted that much of the surrounding land was rezoned Residential Multiple Family Type Two (RM2) and that the Dohman property should be zoned similarly.

The Manager presented a map indicating the zoning of the particular lands in the vicinity of the Dohman property. The Manager explained that the zoning could not be changed at the time of the Public Hearing and if any changes were to be made they must be made before the legal publicity is given to the Public Hearing.

MOVED BY COUNCILLOR CAFFERKY, SECONDED BY COUNCILLOR CORSBIE:
"That the rezoning of Lots 7, 8 and 9, Block 19, D.L. 29, Plan 3035 to Residential Multiple Family Type Two (RM2) be approved for further consideration and that the Director of Planning be asked to bring forward the arguments of his Department in favour of the Residential Multiple Family Type One (RM1) zoning at the time of the Public Hearing."

CARRIED UNANIMOUSLY

Progress of property acquisitions for the Public Safety Building was questioned and the Manager advised that a report on acquisitions of properties along Gilpin Street would be forthcoming at the next meeting.