

**MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD WITHIN THE COUNCIL CHAMBER ON MONDAY THE 25<sup>th</sup> DAY OF APRIL, 1910 AT 8 O'CLOCK, P.M.**

His Worship Mayor May presiding, Alderman McNeish, Alderman Irwin, Alderman Fowler and Alderman Schultz.

The Minutes of the Regular Meeting of 18<sup>th</sup> and of the Special Meetings of 19<sup>th</sup> and 20<sup>th</sup> April last, were read, and on motion adopted.

Communications were received and disposed of as follows:

From Attorney General stating that he could not recommend that the Government be put to the expense of establishing a Land Registry Office at North Vancouver, as he considered North Vancouver's requirements can very well be dealt with in the present office at North Vancouver. Filed.

From North Vancouver Land and Improvement Company asking Council to have the Company's 1098 feet of Shore line property, shown on the Assessment Books as such, and not as water front.

On motion of Alderman Irwin seconded by Alderman McNeish, referred to City Solicitor for opinion.

From John G. Farmer, Secretary, Board of Trade, bringing to the notice of the Council the matter of having the names or numbers of the Streets in the City, who by Notice Boards, to be erected at the Street Corners.

On motion of Alderman Fowler seconded by Alderman Irwin, referred to Board of Works with power to act.

From Burns & Walkem, offering to sell to the City their rights to the unopened portion of 2<sup>nd</sup> Street, purchased by them from Mr. Hammersley, and the lane, for the sum of \$1000. Referred to Committee of the Whole for consideration.

From R.L. Reid, K.C. with opinion on the following matters, which was referred to the Committee of the Whole for consideration.

The Council has power under section 50 of the Municipal Act to make, alter or repeal Bylaws for establishing a general grade for the Streets and Roads in the Municipality and for establishing, opening, making, preserving, altering etc. Streets. The Council may establish a grade by Bylaw and may afterwards repeal such Bylaw and establish a new grade. If this course was taken and people have built on a grade as fixed by the City, and their property is injured by reason of the change of grade, my opinion is that the City would be compelled to make compensation for any such loss or damage under the provisions of Section 251 of the Municipal Act.

All Bylaws in order to come in force must under Section 86 of the Act be reconsidered not less than one day after the original passage thereof, be adopted by the Council, signed by the Mayor or Reeve and registered in the Office of the Registrar of the County Court in which the Municipality is situate and no Bylaw shall take effect or come into force until such Bylaw is so registered, and not then if a subsequent date is set out in the Bylaw.

Bylaws under section 50-S.S. 142 referring to roads must also be published in the B.C. Gazette and in a newspaper published in the Municipality and a certified copy filed in the Land Registry Office for the District.

All bylaws under Section 50, subsection 146, for establishing a general grade must be registered in the Office of the Registrar of the County Court at Vancouver, otherwise they are not in force.

I would advise also that any such Bylaws be published and filed in the Land Registry Office as provided by subsection 142 of Section 50, but this latter is merely an extra precaution.

I have made a search in the Office of the Registrar of the County Court of Vancouver and also in the Land Registry Office. I find that Bylaw 26 is filed in the County Court, but I do not find amongst the records there either Bylaw 27, 80 or 91. Neither is it shown in the index to Bylaws kept in that office.

If my search has been complete and Bylaw 27 has not been filed with the Registrar of the County Court, it is not and never has been in force, but all three Bylaws can be brought into force at any time by filing them there.

I find Bylaw 27 and the Profile thereto attached in the Land Registry Office. The Plan attached thereto is marked "Profile of the B.C. Electric Railway Track". The Bylaw itself says that it is the general grade on Lonsdale Avenue, hence I would infer that the General Grade on Lonsdale Avenue, is the Profile of the B.C. Electric Railway Track.

These Bylaws never having been in force it would appear to me that the whole matter should be very carefully considered and in order to avoid litigation that adjustment should be had between the B.C. Electric Railway and the City and a Bylaw passed, filed, published and registered establishing a general grade on Lonsdale Avenue satisfactory to all parties, as I have not doubt that the B.C. Electric Railway is as anxious for the improvement of the Street as any one.

Mr. J.C. Keith and Mr. Ewing Buchan were heard in reference to the proposed change in Street Grades, and its effect on the Keith Block for which a grade had already been give; and the Building proposed to be erected by the Bank of Hamilton at the corner of 1<sup>st</sup> Street and Lonsdale Avenue.

A plan of the proposed subdivision of Lots 14 and 15, Block 8, D.L. 616, was examined and on motion of Alderman McNeish seconded by Alderman Irwin, approved by the Council.

A plan of a proposed subdivision of Block 122, D.L. 271, was also approved by the Council subject to confirmation by the City Engineer.

A sketch of the proposed subdivision of a portion of D.L. 544 was on motion of Alderman Fowler seconded by Alderman Irwin, referred to the City Engineer for examination and report.

An offer received from the Bank of British North America to purchase the \$42,200 Debentures to be issued under authority of Bylaws Number 99 and 1200 at the price of \$102.55 per \$100 with accrued interest to date of closing purchase; and subject to their obtaining a satisfactory opinion from their Solicitor as to the legality of the issue, was, on motion of Alderman McNeish seconded by Alderman Schultz, accepted by the Council.

Reports and recommendations by the Finance, Board of Works and Water Works Committees, on due accounts were submitted and read to the Meeting, and the Treasurer was authorized to pay accounts to the amounts following, viz:

Finance ..... \$200.00  
 Board of Works ..... \$868.65  
 Water Works ..... \$454.45

The Report of the Fire & Light Committee as contained in the Committee's Minute of this date was read to and accepted by the Council.

The Board of Works Committee recommended that 4' Wooden Sidewalks be constructed on the following Streets and Avenues:

<b>Street</b>	<b>Side</b>	<b>from</b>	<b>to</b>	<b>Length ft.</b>	<b>B.M.</b>
8 <sup>th</sup>	South	St. George	250' West	250	2,500
15 <sup>th</sup>	North	St. Andrew's	450' east	450	4,500
12 <sup>th</sup>	North	n/r Lonsdale	8 <sup>th</sup>	500	5,000
13 <sup>th</sup>	South	Lonsdale	8 <sup>th</sup>	1100	11,000
19 <sup>th</sup>	South	Lonsdale	St. Georges	800	8,000
16 <sup>th</sup>	South	Lonsdale	Chesterfield	800	8,000
12 <sup>th</sup>		Queensbury	Church	400	4,000
St. George	East	4 <sup>th</sup>	200' North	200	2,000
Keith Rd.	North	St. George's	Victoria Park.	200	2,000
and along east side Victoria Road from Lower Keith to 8th					6,000
St. George	West	Keith Road	10 <sup>th</sup>	600	6,000
12 <sup>th</sup>	North	St. George	Ridgeway	1500	15,000
10 <sup>th</sup>	South	Ridgeway	350 ft. W of St.Andrews	1100	11,000

9 <sup>th</sup>	North	St. Andrews	Ridgeway	800	8,000
8 <sup>th</sup>	North	St. Andrews	East to Lot 15	600	6,000

On motion of Alderman Schultz seconded by Alderman Irwin the Committee's recommendation was accepted by the Council.

Upon request and on motion of Alderman Schultz seconded by Alderman Irwin the Chairman of the Board of Works Committee was empowered to employ the clearing gang to clear a portion of 19<sup>th</sup> Street, East, and that portion of 8<sup>th</sup> Street from St. George's Avenue to half a Block East of St. Andrew's Avenue; also a section on 16<sup>th</sup> Street, West of Lonsdale Avenue, and to lay a 4' Wooden sidewalk for 2 Blocks on 19<sup>th</sup> Street East.

Thereafter the following applications for the clearing of Streets and laying of Sidewalks were dealt with:

From Alex Philip, asking to have a road and sidewalk built on 24<sup>th</sup> Street from Lonsdale Avenue to Lots 1, 2 and 3 in Block 227A, D.L. 545, to accommodate the new Presbyterian Church to be erected there. Mr. Philip to be asked to furnish particulars regarding cost of the proposed building.

From Elder Murray Co. asking for the removal of a large stump on 14<sup>th</sup> Street, West, immediately in front of Lot 5, Block 65, D.L. 271, on which the Owners were about to build a residence. On motion of Alderman Schultz seconded by Alderman Irwin referred to Board of Works Committee with power to act.

From C.A. Rainsford, calling attention to the dangerous position of some heavy boulders on that portion of 3<sup>rd</sup> Street crossing the Ravine. On motion of Alderman Fowler seconded by Alderman Irwin, referred to Board of Works to attend to.

From Christine MacLellan, making application for Street to be cleared, and sidewalk connected in front of her property at corner of 2<sup>nd</sup> Street and St. David's Avenue. The Chairman of the Board of Works Committee reported that this matter was being attended to.

From M.E. Chance, making application for Boulevard at corner of 12<sup>th</sup> Street and St. George's Avenue to be cleared. On motion of Alderman Irwin seconded by Alderman Schultz referred to Board of Works to report.

From G. H. Dawson, P.L.S., reporting on the encroachment by the Indians on Forbes Avenue right of way; and submitting sketch showing the present condition of affairs. On motion of Alderman McNeish the letter and sketch were received and filed for future reference.

Bylaw No. 103, The Local Improvement General Bylaw, Amendment Bylaw, was reconsidered, adopted and finally passed by the Council and the Mayor and Clerk were authorized to sign the Bylaw and the Clerk to affix the Corporate Seal thereto.

Bylaw No. 104, being a Bylaw providing for a further temporary loan of \$20,000 at the current year's revenue, was introduced, read, a first, second and third time and passed by the Council.

The matter of arranging terms upon which water would be supplied to Campers on Lonsdale Gardens and other parts was on motion of Alderman Schultz seconded by Alderman Fowler referred to the Water Works Committee with power to act.

The Council thereafter went into Committee of the Whole and took up consideration of the offer made by Burns & Walkem to sell to the City their rights to the unopened portion of 2<sup>nd</sup> Street, and lane in connection therewith, when the following decision was arrived at:

“That, as a matter of principle and practice, the Council could not see their way to purchase the Street; but if the Owners were favourably disposed towards dedicating the Street and the Lane to the City, the Council might consider the advisability of asking their Engineer to report on the cost of opening up the Street, and perhaps undertake the work out of the General Fund, if the Street and Lane were dedicated to the City”.

The Special Committee appointed for the purpose, submitted a draft form of application for Gas Franchise, which was read through, clause by clause, and several amendments made thereto.

The Clerk was directed to furnish each Alderman with a copy, and it was decided that this matter should be gain taken into consideration at next meeting of the Council.

The Council thereafter adjourned.

Signed: Wm. H. May, Mayor