

Minutes of the Regular Meeting  
of the City Council held in the  
Council Chambers, City Hall on  
Monday, July 3rd, 1961, at 8:25  
p.m.

Present:

His Worship Mayor W. Angus,  
Alderman P. Burns, Alderman J.A.W.  
Chadwick, Alderman F. R. Golds-  
worthy, Alderman K.H. Gostick,  
Alderman D. Humphreys and Alder-  
man J.C. McDevitt.

MINUTES

Moved by Alderman Humphreys, seconded by Alderman Chadwick that the minutes of the regular meeting of Council held on June 19th, 1961 and of the special meeting of Council held on June 26th, 1961 be taken as read and adopted, copies of these minutes having been circulated to all members of Council. Carried.

CORRESPONDENCE

1. A letter was received from the North Vancouver Community Players asking for a renewal of their Scout Hall Lease on the same terms as last year.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the Scout Hall be leased to the North Vancouver Community Players for a further twelve month period commencing August 1st, 1961 with permission to have the use of the building on Mondays, Tuesdays, and Fridays and on Thursdays for rehearsals only at an annual rental of Three Hundred Dollars (\$300).  
Carried.

2. An application was received from Lemke Realty Limited asking for the rezoning of 1510 Forbes Avenue from single family use to apartment use.

Alderman Gostick advised that the rezoning of this lot had been discussed fully at the public hearings held when the new by-law was under consideration in 1958. He advised that at that time a petition had been received from the surrounding residents objecting to the apartment zoning and it had been ruled as a single family zone at that time.

Moved by Alderman Gostick, seconded by Alderman Humphreys that Lemke Realty Limited be advised that the Council does not see fit at this time to grant his application for the rezoning of property described as 1510 Forbes Avenue, for apartment use.  
Carried.

3. Applications were received from Seaboard Advertising Company Limited to erect two poster panels on Lots 3 and 4, Block 30, D.L. 272 (the north side of Cotton Road east of Gladstone Avenue) and three poster panels on the north-east corner of Cotton Road and Brooksbank Avenue.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that permission be granted Seaboard Advertising Company Limited to erect two poster panels on Lots 3 and 4, Block 30, D.L. 272 in accordance with Council's policy with respect to lighting and landscaping and that permission for three panels on Lot 28, Block 31, D.L. 272 be approved with the type and scope of the landscaping to be left to the discretion of the City Superintendent. Carried.

- \* A letter was received from Mr. M.M. Frazer, President of the North and West Vancouver Hospital Society, asking if the Council would underwrite the preliminary fees of an architect to estimate the cost of reconstruction of the

- 1 North Vancouver General Hospital for use as a rehabilitative wing to the Lions Gate Hospital.

Moved by Alderman Humphreys, seconded by Alderman Gostick that the Hospital Society be advised that this Council is very anxious that the former North Vancouver General Hospital be put to effective use and it has long been the Council's desire to have it used for rehabilitative chronic care and as soon as an agreement has been reached between the Lions Gate Hospital Board of Management and BCHIS, the Council would be pleased to consider a definite proposal for the use of the said hospital for such purposes.

Discussion followed.

The motion was then put and carried.

- 2 A letter was received from the North Vancouver City and District Property Owners Association opposing any move to transfer radio station CKLG to Vancouver.

Moved by Alderman Chadwick, seconded by Alderman McDevitt that the letter from the North Vancouver City and District Property Owners Association dated June 23rd, 1961 concerning the alleged move of radio station CKLG to Vancouver be received and filed. Carried.

- 3 A letter was received from Guarantee Construction Limited asking if the creek traversing Lot 3, Block 211, D.L. 544 (near 24th Street and Westview Drive) could be placed in a culvert by the City.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the above letter be referred to the Board of Works Committee for consideration and report. Carried.

- 4 A letter was received from the Department of Highways asking that the City advise it of any applications for commercial access to the Trans Canada Highway and recommending that the City permit no commercial developments within one-quarter mile of Trans Canada Highway interchanges.

Moved by Alderman McDevitt, seconded by Alderman Burns that the Department of Highways be advised that the City Council would be pleased to keep in mind the Department's suggestion that all requests for commercial access to the Trans Canada Highway be discussed first with the Department AND THAT the suggestion that there be no commercial developments within one-quarter mile of Trans Canada Highway interchanges will also be kept in mind by the City in any future zoning amendments. Carried.

- 5 A further letter was received from the Department of Highways advising that it will paint the Lynn Creek Bridge prior to declassification of the Marine Drive-Cotton Road highway but suggested that the City submit a proposal with an estimate of what it expects the Department to do with respect to the bridge approaches before declassification.

Moved by Alderman McDevitt, seconded by Alderman Chadwick that although it is not possible to state the exact condition of the Lynn Creek Bridge and its approaches at the time the Bridge was taken over by the Provincial Government in 1949, nevertheless, the City is of the opinion that the condition of both the Bridge and its approaches has deteriorated considerably since that time and feels that it should not be asked to accept declassification of the Bridge unless it is brought up to Department of Highways standards, either by removal of the approaches and substitution of fill, or by bringing the existing approaches up to Highways standards. Carried.

1. A circular letter was received from the Provincial Secretary asking how many Members of the Council will be attending the Civil Defence demonstration in Vernon immediately after the UBCM Convention.

Moved by Alderman Gostick, seconded by Alderman Chadwick that this matter be left in the hands of the Clerk to ascertain how many Members of Council will be attending.  
Carried.

2. A circular letter was received from the UBCM Executive Director reminding Council that July 28th is the last date for filing Convention resolutions.

Moved by Alderman Chadwick, seconded by Alderman Gostick that the above circular letter be received and filed.  
Carried.

#### APPLICATIONS TO PURCHASE PROPERTY

The Clerk submitted one application to purchase a City lot.

3. Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the following sale of tax sale land be placed on the next by-law for conveyance:

<u>Lot.</u>	<u>Block</u>	<u>D.L.</u>	<u>Name of Purchaser</u>	<u>Price</u>
24	209	546	George Frederick Reynolds & Dorothy E. Reynolds	\$ 600
(Subject to consolidation with Lot 23)				Carried.

- \* An enquiry was received from the St. Alice Hotel asking if they could purchase Lots 1 & 2, Block 140, D.L. 274 (on the south side of Third Street between Lonsdale and Chesterfield Avenues).

Moved by Alderman Goldsworthy, seconded by Alderman McDevitt that the above enquiry be referred to the Finance Committee for study and report. Carried.

#### PETITIONS

5. A petition was received for the construction of a concrete sidewalk on the North side of 27th Street from St. Andrews to Tempe Crescent; the certificate of the Clerk was attached to the said petition.

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the above petition be referred now to the City Superintendent for the usual reports and estimates of cost.  
Carried.

#### DUE ACCOUNTS

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the Treasurer be authorized to pay the following warrants:

260	Finance	\$	25.00	
261	Finance		8,092.72	
262	Finance		562.19	
277	Finance		15,619.64	
278	Authorization		<u>99.33</u>	\$ 24,398.88 Carried.

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the Treasurer be authorized to pay the following warrants:

267	Public Works	\$15,392.22	
268	Public Works	3,445.46	
275	Public Works	1,496.81	
273	Waterworks	2,749.89	
276	Waterworks	<u>487.67</u>	\$ 23,572.05 Carried.

Moved by Alderman Chadwick, seconded by Alderman McDevitt that the Treasurer be authorized to pay the following warrants:

271 Parks	\$ 4,018.19	
274 Parks	1,461.69	
266 Building	2,897.14	
272 Building	<u>264.30</u>	\$ 8,641.32 Carried.

Moved by Alderman Goldsworthy, seconded by Alderman Humphreys that the Treasurer be authorized to pay the following warrant:

263 Fire		\$ 14,462.29 Carried.
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Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the Treasurer be authorized to pay the following warrants:

264 Police	\$ 210.55	
265 Police	<u>1,876.93</u>	\$ 2,087.48 Carried.

Moved by Alderman Humphreys, seconded by Alderman Goldsworthy that the Treasurer be authorized to pay the following warrants:

269 Health & Civic Affairs	\$ 130.41	
270 Health & Civic Affairs	25,044.14	
279 Health & Civic Affairs	<u>18,528.97</u>	\$ 43,703.52 Carried.

REPORTS OF COMMITTEES  
FINANCE & LEGAL COMMITTEE

Alderman Gostick submitted the following recommendations explaining the background in each case.

RECOMMEND that the City Treasurer be authorized to pay the legal costs of Mr. A. Thair, a City employee, amounting to \$199, which costs arose from a prosecution of Mr. Thair because of an accident occurring to him on February 3rd, 1961 while driving a City vehicle on his regular duties, Mr. Thair having been acquitted subsequently of the charge laid against him.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the above recommendation of the Finance & Legal Committee be adopted.

Discussion followed.

Alderman Burns asked if some study could be given to the possibility of the City being insured against future charges of this kind and Mayor Angus said he was sure that the Finance Committee would be pleased to investigate this point.

The motion was then put and carried.

RECOMMEND that the City Solicitor be instructed to prepare an amendment to the City's Blasting By-law to provide for the acceptance by the City Clerk of an indemnity agreement from public utility companies in place of public liability insurance as required in Clause 4 of the said By-law.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the above recommendation of the Finance & Legal Committee be adopted. Carried.

1 Alderman Gostick said that the next recommendation dealing with the issuance of dog licenses by the SPCA had been referred to the Civic Affairs Committee to handle.

2. RECOMMEND that the necessary Expropriation By-law be prepared to expropriate the Easterly ten feet of Lots 13, 16 & 18-20 inclusive, in Resub. B, Block 215, District Lot 549 (between 23rd and 25th Streets and Western and Lonsdale Avenues) for lane purposes.

Moved by Alderman Gostick, seconded by Alderman Humphreys that the above recommendation of the Finance & Legal Committee be adopted. Carried.

#### HEALTH & CIVIC AFFAIRS COMMITTEE

3. Alderman Humphreys said that before submitting his recommendations he would like to refer to the good job which had been done by the Kinsmen Club of North Vancouver in again arranging for a suitable celebration on July 1st and suggested that this Council send a letter of appreciation.

Agreed to.

Moved by Alderman Humphreys, seconded by Alderman Gostick that the City Clerk forward a letter of congratulations on behalf of the Council to the North Vancouver Kinsmen Club conveying the Council's approval of the wonderful job done by the Club in again arranging for suitable celebrations in the City on the 1st of July. Carried.

4 Alderman Humphreys said that he understood that a charge had been made by the Musicians' Union before they would permit the School Bands to participate in the 1st of July Parade and that the next recommendation which he wished to make would be in line with this problem.

Alderman Humphreys then submitted the following recommendations on behalf of his Committees giving further explanatory remarks in each case.

RECOMMEND that the following resolutions be endorsed by this Council and submitted to the 1961 Convention of the UBCM for consideration:

(1) THATWHEREAS the learning and playing of musical instruments and the listening pleasure derived from hearing bands and orchestras is an expression of one of man's deepest cultural aspirations and is rightly to be commended; and

WHEREAS in virtually every community across Canada encouragement is given by civic groups, municipal and school authorities, and other local bodies, to young people and others resident in the community to organize themselves into bands and orchestras for their own self-enjoyment, as well as to provide listening pleasure to others; and

WHEREAS such bands and orchestras are comprised of persons, mostly young people, who receive no remuneration for their playing and are, therefore, amateurs and non-professional musicians whose sole compensation is the pleasure they receive and give to others through the playing of music; and

WHEREAS there are occasions of a public and non-commercial nature where such groups contribute a much appreciated community service by rendering musical numbers as part of the program; and

WHEREAS such occasions are in themselves an expression of the cultural life of the community and its aspirations and are devoid of commercial considerations; and

WHEREAS the 1961 Conference of the Canadian Federation

1. of Mayors and Municipalities endorsed in principle a resolution from this City asking for legislation to prohibit the Musicians' Union from imposing stand-by fees on such bands and orchestras and referred the matter to its Executive to take up with the Federal Government, with a request that the Municipalities also approach their Provincial Governments;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to take such steps as may be necessary to prohibit the Musicians' Union and its agents from exacting a stand-by fee or any other consideration or prohibit or penalize any member for playing in a non-professional band or orchestra when such non-professional bands or orchestras voluntarily offer their services for charitable, community or civic events of a non-commercial nature.

2. (2) THAT the necessary amendment be made to the Public Schools Act to require the Department of Education to report to the School Boards of the Province the amount of the Provincial grants to education in sufficient time to allow the School Boards to include such advice when they submit their budgets to the municipalities each year.

Moved by Alderman Humphreys, seconded by Alderman Goldsworthy that the above recommendation of the Health & Civic Affairs Committee be adopted.

Discussion followed.

The motion was then put and carried.

3. RECOMMEND that the Inspector of the North Vancouver SPCA or his deputy be authorized under Section 4 of the "Dog Tax and Regulation By-law, 1961" to receive payment for dog licenses at the City Pound AND THAT he be requested to forward such remittance promptly to the City Collector with a description of the dog to be licensed so that the latter may issue to the owner the required dog license and tag.

Moved by Alderman Humphreys, seconded by Alderman Gostick that the above recommendation of the Health & Civic Affairs Committee be adopted.

Discussion followed.

The motion was then put and carried.

BOARD OF WORKS AND WATERWORKS COMMITTEE

Alderman McDevitt submitted the following recommendations on behalf of his Committees giving the necessary explanations in each case.

4. RECOMMEND that the necessary by-law be prepared to expend the sum of Seven Thousand Five Hundred Dollars (\$7,500) from Tax Sale Lands Reserve for the construction of a watermain along the lane south of 20th Street, from the West Boulevard to Moody Avenue.

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the above recommendation of the Board of Works Committee be adopted. Carried.

5. RECOMMEND that the City Superintendent be instructed to prepare estimates for the construction of an industrial road on MacKay Avenue from Marine Drive to First Street and along First Street from MacKay easterly to Mosquito Creek, including storm sewers.

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the above recommendation of the Board of Works Committee be adopted. Carried.

1. RECOMMEND that the Engineering Department plan dated June 21st, 1961 be filed with the City Clerk to enable him to proceed with expropriation of the South 10 feet of Amended Lot 3, Block 202, D.L. 544, in accordance with Section 483 of the "Municipal Act".

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the above recommendation of the Board of Works Committee be adopted. Carried.

PARKS & BUILDING COMMITTEE

2. Alderman Chadwick said that he was withdrawing the recommendation which was on the agenda paper with respect to the proposed dedication of Lots 32 & 33, Block 240, D.L. 545 (West 28th Street) as further information was needed in order to establish the present status of these lots.

3. Alderman Chadwick asked if the City Clerk would advise his Committee of the number and location of any unsold 33' City lots.

The City Clerk advised that this information would be made available to the Committee.

TRANSPORTATION & LIGHT COMMITTEE

Alderman Burns submitted the following recommendations and gave explanations where necessary in order to clarify the intent of the recommendations.

4. RECOMMEND that the Motion of Council passed April 17th, 1961, concerning the regulation of parking in the vicinity of the Lions Gate Hospital be reconsidered.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of the Transportation Committee be adopted. Carried.

RECOMMEND that the Motion of Council passed April 17th, 1961, concerning the regulation of parking in the vicinity of the Lions Gate Hospital be amended as follows:

- (a) By deleting Clause (2) therefrom and substituting the following therefor:
- (2) Prohibiting parking on the south side of 14th Street from St. Georges Avenue east to 20 feet west of the rear entrance to Lions Gate Hospital.
- (b) By deleting Clause (6) therefrom and substituting the following therefor:
- (6) For 2-hour parking on the west side of St. Georges Avenue from 13th to 14th Street and for prohibiting parking on the east side of St. Georges Avenue from 13th to 14th Streets.
- (c) By deleting Clause (7) therefrom and substituting the following therefor:
- (7) To indicate public parking on the City's parking lot situated on Lots 1 to 6 inclusive, Easterly portion Block 61, D.L. 549; and
- (d) By adding Clause 12 prohibiting parking on the north side of 13th Street between St. Georges and St. Andrews Avenues.

AND THAT the City Superintendent be instructed to place a rail along the south boundary of the lane south of Lots 4, 5 & 6, Block 61, D.L. 549, to prevent parking on Lots 7, 8 & 9 in this Block.



1 AND FURTHER THAT Mr. J.E. Bragg, Administrator, Lions Gate Hospital, and Dr. K.A. Peacock, representative of the Lions Gate Medical Staff, be advised in accordance with the above, and informed also that the 2-hour parking restriction on the City's parking lot is being removed on an experimental basis so that the effect of such removal on the parking situation may be studied by the Council.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of the Transportation Committee be adopted.

Discussion followed.

The motion was then put and declared carried.

2 RECOMMEND that the resolution adopted January 16th, 1961 with respect to the installation of a 400 c.p. street lamp on 29th Street at Eastern Avenue be reconsidered.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of the Light Committee be adopted. Carried.

RECOMMEND that the resolution adopted January 16th, 1961 with respect to the installation of a 400 c.p. street lamp on 29th Street at Eastern Avenue be rescinded.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of the Light Committee be adopted. Carried.

RECOMMEND that the B.C. Electric Company be authorized to instal 18 lumen mercury vapour street lights along 29th Street to serve the area from Lonsdale east to Duchess Avenue, in locations as shown on the Company's Plan TD 15251, provided the City will not be required to pay any portion of the installation costs of same and provided the District of North Vancouver will bear 50 per cent of the energy costs entailed, and provided that seven 4,000 lumen street lights and one 300 w. 79-R Street light now serving East 29th Street and described in the Company's letter of May 24th, 1961 to the District of North Vancouver are removed.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of the Light Committee be adopted. Carried.

3 RECOMMEND that the B.C. Electric Company be authorized to exchange the 4,000 lumen lamps presently serving the City for 6,000 lumen (300 watt) refractory glass enclosed fixtures on modern yard arms PROVIDED that the City will not be responsible for any conversion costs other than the energy charges entailed.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of the Light Committee be adopted.

Discussion followed.

The motion was then put and carried.

#### COMMITTEE MEETING OF COUNCIL MEMBERS

4 Alderman Gostick submitted the following recommendations from a Committee Meeting of Council Members held on June 26th, 1961;

RECOMMEND that the salary of the Assistant City Clerk be increased from \$465 to \$475 per month retroactive to January 1st, 1961.



Moved by Alderman Gostick, seconded by Alderman Chadwick that the above recommendation of the Committee Meeting of Council Members held on June 26th, 1961 be adopted.  
Carried.

1. The City Clerk reported that a special meeting of the Traffic & Safety Advisory Committee had been held at 5 p.m. to-day and that there was a recommendation from that Committee concerning pedestrian overpasses and underpasses on the Trans Canada Highway if Council wished to consider the matter at this time.

Moved by Alderman Chadwick, seconded by Alderman Humphreys that the rules of order be suspended and the recommendation of the Traffic & Safety Advisory Committee, referred to by the Clerk, be considered at this time. Carried.

#### TRAFFIC & SAFETY ADVISORY COMMITTEE

2. RECOMMEND that the Department of Highways be advised that it is the opinion of this Council that the following additional provisions for crossing the Trans Canada Highway be made:

Pedestrian underpass from the north side to the south side of the Highway, at St. Andrews Avenue;

Pedestrian level crosswalk over the south side of the Highway at St. Andrews, with pedestrian-activated light;

Pedestrian underpass at Jones Avenue;

AND THAT anything less than the above will be considered inadequate from a safety standpoint.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of the Traffic & Safety Advisory Committee be adopted.

Alderman Burns advised that no common agreement had been reached on the municipalities' and School Board's approach to the Government on the matter of these facilities and his Committee felt that something concrete should be submitted by this Council to the Provincial Government so that the latter would know our feelings.

Alderman Humphreys asked if the Provincial Government had any plans with respect to these installations and Alderman Burns advised that no decision had been made by the Province as to the number, location or type of the installations.

Discussion followed.

Alderman Goldsworthy requested that the recommendation be tabled for further consideration.

Mayor Angus said that the recommendation is in line with the desire of the Department of Highways to obtain the opinion of the local authorities as to their requirements with respect to over or under passes for pedestrians.

After further discussion the motion was put and carried.

#### MOTIONS AND NEW BUSINESS

3. A letter was received from the Acting Minister of Health advising that the Government has no objection to the former Health Unit Building being used for municipal welfare purposes as requested by the City.

Moved by Alderman Humphreys, seconded by Alderman McDevitt that the above letter of approval be received and filed.  
Carried.

The City Clerk advised that he had received verbal advice to-day by telephone from the Department of Municipal Affairs informing him that the following approvals had been granted:

- (1) Approval for "Tax Sale Properties Reserve Expenditure By-law, 1961, No. 8" (the City's share of the cost of alterations to the Health Unit Building for social welfare offices);
- (2) An Order-in-Council approving of "Rice Lake Water Sale By-law, 1961, Amendment By-law";
- (3) Approval of "Tax Sale Properties Sale By-law, 1961, No. 9".

Moved by Alderman Gostick, seconded by Alderman Humphreys that the above report from the City Clerk be received and filed. Carried.

BY-LAWS

The Clerk asked if the Council would give consideration now to the reconsideration and final adoption of "Tax Sale Properties Reserve Expenditure By-law, 1961, No. 8" as it had not been itemized on the agenda.

Moved by Alderman Humphreys, seconded by Alderman Chadwick that the rules of order be suspended and that the Council give further consideration to the "Tax Sale Properties Reserve Expenditure By-law 1961, No. 8". Carried.

Moved by Alderman Humphreys, seconded by Alderman Chadwick that the following by-laws be reconsidered now:

- "Rice Lake Water Sale By-law, 1961, Amendment By-law",
- "Machinery & Equipment Depreciation and Obsolescence Reserve Expenditure By-law, 1961, No. 3",
- "Tax Sale Properties Sale By-law 1961, No. 9", and,
- "Tax Sale Properties Reserve Expenditure By-law, 1961, No. 8". Carried.

Whereupon the said by-laws were reconsidered.

Moved by Alderman Humphreys, seconded by Alderman Chadwick that the above by-laws be finally adopted now, signed by the Mayor and City Clerk, sealed with the Corporate Seal and numbered. Carried.

Whereupon the said by-laws were finally adopted, signed by the Mayor and City Clerk, sealed with the Corporate Seal and numbered as follows:

- "Rice Lake Water Sale By-law, 1961, Amendment By-law" . . . No. 3036
- "Machinery & Equipment Depreciation and Obsolescence Reserve Expenditure By-law, 1961, No. 3" . . . No. 3037
- "Tax Sale Properties Sale By-law 1961, No. 9" . No. 3038
- "Tax Sale Properties Reserve Expenditure By-law, 1961, No. 8" . . . . . No. 3039

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the "Highways Establishing By-law, 1961 No. 1" be introduced now and read a first time. Carried.

Whereupon the by-law was introduced and read a first time.

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the "Highways Establishing By-law, 1961 No. 1" be read a second time in short form. Carried.

Whereupon the by-law was read a second time in short form.

Moved by Alderman Gostick, seconded by Alderman Chadwick that the "Highways Establishing By-law, 1961 No. 1" be read a third time in short form and passed subject to reconsideration. Carried.

Whereupon the by-law was read a third time in short form and passed subject to reconsideration.

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the "Tax Sale Properties Reserve Expenditure By-law, 1961 No. 9" be introduced now and read a first time. Carried.

Whereupon the by-law was introduced and read a first time.

Moved by Alderman McDevitt, seconded by Alderman Gostick that the "Tax Sale Properties Reserve Expenditure By-law, 1961 No. 9" be read a second time in short form. Carried.

Whereupon the by-law was read a second time in short form.

Moved by Alderman Gostick, seconded by Alderman Chadwick that the "Tax Sale Properties Reserve Expenditure By-law, 1961, No. 9" be read a third time in short form and passed subject to reconsideration. Carried.

Whereupon the by-law was read a third time in short form and passed subject to reconsideration.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the "Expropriation By-law, 1961 No. 2" be introduced now and read a first time. Carried.

Whereupon the by-law was introduced and read a first time.

Moved by Alderman McDevitt, seconded by Alderman Goldsworthy that the "Expropriation By-law, 1961 No. 2" be read a second time in short form. Carried.

Whereupon the by-law was read a second time in short form.

Moved by Alderman Chadwick, seconded by Alderman Goldsworthy that the "Expropriation By-law, 1961 No. 2" be read a third time in short form and passed subject to reconsideration. Carried.

Whereupon the by-law was read a third time in short form and passed subject to reconsideration.

#### ANY OTHER COMPETENT BUSINESS

1. A letter was received from the Department of Municipal Affairs advising that the ninth first-year course on Municipal Administration will start at the University on September 11th, 1961 and outlining the various requirements with respect to the course.

The Clerk advised that copies of this letter had been sent to all Members of Council and the various departments of the City.

Moved by Alderman Gostick, seconded by Alderman Chadwick that the above circular letter be received and filed. Carried.

2. Mayor Angus then submitted a written ruling with respect to three questions on procedure which had been asked by Alderman Humphreys at the last meeting of Council.

His Worship's rulings were set out as follows:

#### QUESTION 1

Can any Alderman submit to a Council meeting a statement (written or oral) of his opinions or recommendation on any subject, if that subject is not on the Agenda?

#### Ruling -

No, he cannot and still abide by the rules of procedure

of Council. In the past, I have permitted the introduction of new matters which were not on the Agenda, and allowed discussion on same. This seems to work out pretty well, so long as the subject matter is not controversial. It is apparent now, however, that the rule against the introduction of matters not on the agenda must be adhered to. The principle is set out in Sections 30 and 32 of the Procedure By-law, and is for the purpose of allowing all members of Council to give some thought and study to items on the Agenda, before being required to render a decision, rather than being surprised at a Council meeting by the introduction of new matters.

QUESTION 2

Does an Alderman have the right of rebuttal to any motion introduced into Council?

Ruling -

Yes, he does. Every member can express his views on any question or motion which has been duly moved and seconded, except those which are not debatable under the Procedure By-law, subject of course to limitations of language, length of speech, number of speeches, etc., as set out in the Procedure By-law.

QUESTION 3

Does an Alderman have the right to reply if another member of Council makes any disrespectful remarks concerning him?

Ruling -

Such Alderman may object on a point of personal privilege, but it is the responsibility of the Chairman to see first that there is no infraction of Section 18 of the Procedure By-law, which deals with this aspect of debate.

I should like to state in addition that in my opinion the rulings set out above cannot be applied to the recent statements made by Alderman Humphreys and Alderman Burns with respect to the Lonsdale Lighting Plan. In my view, the first statement of Alderman Humphreys was out of order, and as it involved the Chairman of the Light Committee, I felt that in justice to Alderman Burns he was entitled to a rebuttal - but with no further debate - there being no motion on the floor and no item on the Agenda paper dealing with the subject.

Under Section 90 of the Procedure By-law, the Council can, by two-thirds vote, add items to the Agenda, and by Section 30, the Mayor can do likewise, in extraordinary circumstances. Otherwise, Council discussion is confined to the items on the Agenda paper.

Moved by Alderman Gostick, seconded by Alderman Chadwick that the ruling of His Worship with respect to the questions asked by Alderman Humphreys at the last Council meeting be received and referred to all Members of Council for their information. Carried.

- 2 The City Clerk advised that at a previous Council meeting authority had been given to prepare an Agreement with Crowhurst Motors Limited under which the latter would carry out impounding duties required under the City's Street and Traffic By-law. He advised that this Agreement had been executed by the Company and he asked if the Council would give authority this evening for its execution by the Mayor and City Clerk.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the rules of order be suspended and that the Agreement between the City and Crowhurst Motors Limited be considered now. Carried.

Moved by Alderman Chadwick, seconded by Alderman McDevitt that the Mayor and City Clerk be authorized to sign and seal

1. with the Corporate Seal and Agreement in the form now submitted, with Crowhurst Motors Limited under which the Company will carry out impounding duties required under the City's Street and Traffic By-law for a period of one year from June 29th, 1961. Carried.

Moved by Alderman Humphreys, seconded by Alderman Burns that this Council meeting now adjourn. Carried.

Whereupon the Council meeting adjourned at 9:40 p.m.

Certified correct:

Reelings CITY CLERK      William Angus MAYOR

MINUTES of the Regular Meeting of the City Council held in the Council Chambers, City Hall on Monday, July 17th, 1961 at 8:27 p.m.

Present:

His Worship Mayor W. Angus, Alderman P. Burns, Alderman F.R. Goldsworthy, Alderman K.H. Gostick, Alderman D. Humphreys and Alderman J.C. McDevitt.

MINUTES

Moved by Alderman McDevitt, seconded by Alderman Goldsworthy that the minutes of the regular meeting of Council held on July 3rd, 1961 be taken as read and adopted, copies of these minutes having been circulated to all Members of Council. Carried.

CORRESPONDENCE

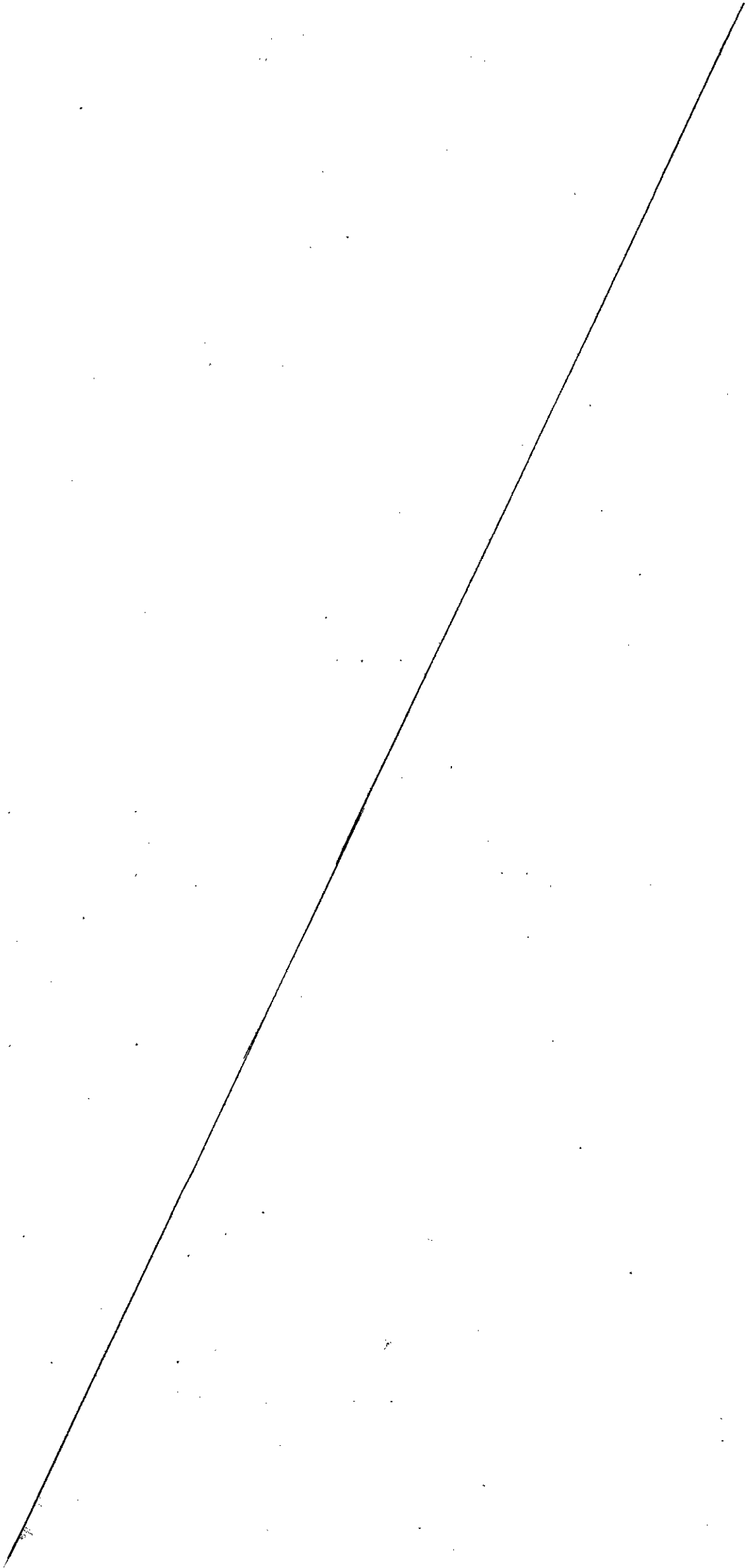
1. From the North Vancouver Kiwanis Club asking for a relaxation of certain Zoning regulations in connection with their proposed new Senior Citizens Apartment on East First Street.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the Advisory Planning Commission be asked for its advice with respect to the request of the N.V. Kiwanis Club dated July 6th, 1961 for an amendment to the Zoning By-law to permit:

- (a) A reduction in the minimum size of apartment suites from 400 to 300 square feet;  
 (b) A reduction in the site area required by the Zoning By-law from 800 square feet to 600 square feet;

such amendments to apply to the proposed new Senior Citizens Apartment to be constructed on Lots 9, 10 & 11, Block 172, D.L. 274. Carried.

2. Letters were read from Norwood Lumber Company Limited, North Shore Shingle Company Limited and the International Woodworkers of America Local 1-217 asking for a meeting with Council to discuss the matter of air pollution and disposal of sawdust waste, etc.



1. Alderman Gostick said that the Council Members felt that it would not be right to meet with the above people at this time prior to the settlement of actions now pending before the Courts and that they should be advised accordingly.

Moved by Alderman Gostick, seconded by Alderman McDevitt that Norwood Lumber Company Limited, North Shore Shingle Company Limited, and Local 1-217 of the IWA be advised that Council feels that it would not be proper to discuss the subject of air pollution, etc. with them until the present prosecutions have been finalized by the Court.  
Carried.

2. Letter was received from North Vancouver Safety Council recommending the installation of suitable signs in the City and District drawing attention to the 1,000 traffic fatality-free days which has been established by both municipalities.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above letter be referred to the Traffic & Safety Advisory Committee as this Committee is presently studying the situation.

A discussion followed as to the appropriate locations for such signs.

The motion was then put and carried.

3. A report was received from Mr. P.B. Stroyan giving his views as to the future use of City property on Jones Avenue north of Confederation Park and in the general area of 23rd and Lonsdale.

Moved by Alderman Gostick, seconded by Alderman Humphreys that the above report be received and circulated to all Members of Council for their information and study. Carried.

4. A letter was received from the Lower Mainland Regional Planning Board of B.C. enclosing a report entitled, "Land for Leisure" and referring to the future development of major parks and open spaces in the Lower Mainland area.  
~~Planning Board of B.C. enclosing a report~~

Moved by Alderman Goldsworthy, seconded by Alderman Burns that the above letter and report be referred to a meeting of all Council Members for study on a date satisfactory to Alderman Chadwick, Chairman of the Parks Committee. Carried.

5. A letter was received from the Safety Committee of the Queensbury School PTA asking what is being done to improve safety conditions in the vicinity of 19th Street and the Grand Boulevard.

Discussion followed with Alderman Burns outlining the problem referred to by the correspondent. He reported that the matter is presently being studied by Mr. George Scholes, of the North Vancouver Safety Council, and Cpl. K. Jensen of the RCMP.

Moved by Alderman McDevitt, seconded by Alderman Gostick that the above letter be referred to the Traffic & Safety Advisory Committee for study and recommendation. Carried.

6. A letter was received from Mrs. M. Cooke, 1256 Grand Boulevard, complaining about the condition of the Grand Boulevard, particularly south of 15th Street.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above complaint be referred to the Parks Committee for investigation and report. Carried.

7. A letter was received from Mr. & Mrs. A.N. Eames, 1849 Larson



- 1. Road, asking for the closure of the East-West lane in their block and a re-subdivision of their four lots.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that Mr. and Mrs. Eames be advised that the Council cannot agree to any subdivision plan that would create any parcel of land with less than 6,000 square feet AND THAT at the present time the Council cannot agree to their request. Carried.

- 2. A letter was received from Mr. S.E. Woodman on behalf of the Nor-Westerns Track and Field Club asking for financial support.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the Nor-Westerns Track and Field Club be advised that the Council regrets that no provision has been made in this year's estimates for a grant to their organization. Carried.

APPLICATIONS TO PURCHASE PROPERTY

- 3. The Clerk submitted an application from Mr. & Mrs. William Snowden to purchase Lot D, Block 209, D.L. 546.

Moved by Alderman Gostick, seconded by Alderman Humphreys that the following sale of tax sale land be placed on the next by-law for conveyance:

<u>Lot</u>	<u>Block</u>	<u>D.L.</u>	<u>Name of Purchaser</u>	<u>Price</u>
D	209	546	William Snowden and Georgina Beatrice Mary Snowden	\$3,300
				Carried.

DUE ACCOUNTS

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the Treasurer be authorized to pay the following warrants:

280	Finance	\$	5.80	
282	Finance		894.46	
281	Finance		1,086.74	
296	Finance		79.38	
299	Finance		8,743.94	
300	Finance		3,442.00	
301	Finance		59,370.77	
302	Authorization		<u>568,065.86</u>	\$ 641,688.95 Carried.

Moved by Alderman McDevitt, seconded by Alderman Burns that the Treasurer be authorized to pay the following warrants:

287	Public Works	\$	12,994.42	
288	Public Works		5,578.95	
289	Public Works		827.04	
297	Public Works		232.15	
294	Waterworks		292.57	
298	Waterworks		<u>25.00</u>	\$ 19,950.13 Carried.

Moved by Alderman McDevitt, seconded by Alderman Burns that the Treasurer be authorized to pay the following warrants:

292	Parks	\$	307.09	
295	Parks		3.24	
286	Building		139.30	
293	Building		<u>7,570.61</u>	\$ 8,020.24 Carried.

Moved by Alderman Goldsworthy, seconded by Alderman Gostick that the Treasurer be authorized to pay the following warrant:

283 Fire \$ 2,632.97 Carried.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the Treasurer be authorized to pay the following warrants:

284 Police \$ 358.29  
285 Police 336.94 \$ 695.23 Carried.

Moved by Alderman Humphreys, seconded by Alderman Gostick that the Treasurer be authorized to pay the following warrants:

290 Health & Civic Affairs \$ 2,500.00  
291 Health & Civic Affairs 5,737.34 \$ 8,237.34  
Carried

#### REPORTS OF COMMITTEES

##### FINANCE & LEGAL COMMITTEE

Alderman Gostick submitted the following recommendations on behalf of his Committee:

Alderman Gostick reported that sixty-six serviced lots were now available in Land Development Area No. 3. He said that in addition some of the other lots in the area have been reserved for future consideration for local business development and others have been reserved for drainage. He advised that the total estimated upset price of the sixty-six lots was approximately \$235,000.

RECOMMEND that upon completion of Plans Cancellation and subdivision proceedings, the City Clerk be authorized to advertise for sale by public tender, the sixty-six (66) serviced City lots now available in Land Development Area No. 3 (Shavington-Cloverley Streets) with upset prices as recommended by the Land Agent.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the above recommendation of the Finance & Legal Committee be adopted.

In submitting the foregoing recommendation, Alderman Gostick said that the Committee had approved of the upset prices as set by the Land Agent.

The motion was then put and carried.

Alderman Gostick advised that requests had been received from the North Shore Neighbourhood House and from the Retarded Children's Association to take over the space being vacated by the Social Welfare Department in the City's Staff House at 215 East Third Street. He said this matter had been discussed by the Committee and it was felt advisable that North Shore Neighbourhood House should be permitted to take over the whole of the Staff House if it were agreeable to do so. He then submitted the following recommendation:

RECOMMEND that North Shore Neighbourhood House be leased on a yearly basis the whole of the Staff House at 215 East Third Street when vacated by the Social Welfare Department at a monthly rental of \$25, the City to be liable for outside maintenance only and the Lessee to be responsible for all other maintenance and operating costs.

- 1 Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the above recommendation of the Finance & Legal Committee be adopted. Carried.
2. RECOMMEND that the North and West Vancouver Association for Retarded Children be advised of the contents of the previous recommendation.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the above recommendation of the Finance & Legal Committee be adopted. Carried.

Alderman Gostick advised that the Council had recently received an enquiry from the St. Alice Hotel to purchase Lots 1 and 2, Block 140, D.L. 274 for parking purposes but the Committee were not agreeable to the sale of this property until such time as the creek channel in it is not required for drainage purposes. He advised that the Committee were prepared to recommend a lease and he therefore submitted the following recommendation:

- 3 RECOMMEND that the City Solicitor prepare an Agreement for the lease of Lots 1 & 2, Block 140, D.L. 274 to the St. Alice Hotel Limited for parking purposes, for a period of five years from August 1st, 1961, the lessee to be liable for taxes and the installation at its expense of a culvert on the said lots to the specifications of the City Superintendent; AND THAT the Mayor and City Clerk be authorized to execute the said Agreement on behalf of The Corporation.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the above recommendation of the Finance & Legal Committee be adopted. Carried.

- 4 Alderman Gostick said he would like to report that the deadline for payment of the 1961 taxes without penalty was 5 p.m. to-day and that the Treasurer had reported a collection of slightly over 95% of the current levy.

#### BOARD OF WORKS & WATERWORKS COMMITTEES

Alderman McDevitt submitted the following recommendations on behalf of the Board of Works Committee:

- 5 Alderman McDevitt reported that the first recommendation dealt with a proposed dedication of the East-West Grand Boulevards and the stopping up of Queensbury Avenue between Keith Road and 19th Street. He said that there was no record of the Grand Boulevard streets being dedicated in Land Registry and that it was necessary that this matter be clarified.

RECOMMEND that the City Solicitor be authorized to prepare the necessary by-law or by-laws to dedicate the east Grand Boulevard and the west Grand Boulevard between Keith Road and 19th Street as public highways AND THAT the centre portions of each Parcel Z between Keith Road and 19th Street be stopped up and consolidated with the remaining portions of each Parcel Z for park purposes.

Moved by Alderman McDevitt, seconded by Alderman Burns that the above recommendation of the Board of Works Committee be adopted.

The City Clerk advised that it would probably be necessary for the dedication by-law to be passed first with the stopping-up by-law following it at a later date.

The motion was then put and carried.

1. Alderman McDevitt reported that the Annual Convention of the Municipal Engineers Division of the Association of Professional Engineers of B.C. would be held in Courtenay on September 21, 22 & 23, 1961 and he submitted the following recommendation in this regard.

RECOMMEND that Mr. J.M. Greenwood, City Superintendent, be authorized to attend the Annual Convention of the Municipal Engineers Division of the Association of Professional Engineers of B.C. to be held in Courtenay, B.C. on September 21, 22 & 23, 1961 AND THAT his necessary expenses in this regard be paid by the City.

Moved by Alderman McDevitt, seconded by Alderman Burns that the above recommendation of the Board of Works Committee be adopted. Carried.

COMMITTEE MEETING OF COUNCIL MEMBERS

2. Aldermen Burns submitted the following recommendations which had been approved at a Committee Meeting of Council Members held on July 3rd, 1961:

RECOMMEND that the two recommendations of Council dealing with parking on Lonsdale Avenue south of the south property-line of Esplanade and on various surrounding properties, and dated respectively December 7th, 1959 and June 19th, 1961 be reconsidered.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of a Committee Meeting of Council Members held on July 3rd, 1961 be adopted. Carried.

3. RECOMMEND that the two recommendations of Council dealing with parking on Lonsdale Avenue south of the south property-line of Esplanade and on various surrounding properties, and dated respectively December 7, 1959 and June 19, 1961, be amended by adding the following thereto:

"except that the Lonsdale Marina be granted the exclusive right to the 12 parking spaces directly south and adjacent to the Sugar Bowl Cafe at the foot of Lonsdale Avenue after 6:00 p.m. daily, and on Saturdays and Sundays AND THAT the City Superintendent be instructed to establish a further 15 parking spaces on the East side of Lonsdale Avenue extension for the exclusive use of the Lonsdale Marina AND FURTHER THAT the said Marina be advised that if the City is able to find more parking spaces for the Seven Seas Seafood Restaurant on an exclusive basis, the Council will give favourable consideration to granting the Marina exclusive use of the 11 joint parking spaces on the West side of the Lonsdale Avenue extension".

Moved by Alderman Burns, seconded by Alderman McDevitt that the above recommendation of the Committee Meeting of Council Members held on July 3rd, 1961 be adopted. Carried.

TRAFFIC & SAFETY ADVISORY COMMITTEE

4. The City Clerk advised that a proposed recommendation from the Traffic & Safety Advisory Committee to amend Section 6 of the Street and Traffic By-law dealing with the erection of signs was not being submitted at this meeting as the Solicitor had written a further opinion on the proposed amendment which had not yet been considered by the Committee.

MOTIONS, NOTICES OF MOTIONS AND NEW BUSINESS

The City Clerk advised that Mr. C.R. Cunningham at 172 East 25th Street had executed a sewer easement in favour of the City and he asked if the Council would give authority for this easement agreement to be signed now on behalf of The Corporation.

Moved by Alderman McDevitt, seconded by Alderman Burns that the Mayor and City Clerk be authorized to sign and seal with the Corporate Seal an Easement in favour of the Corporation from Mr. C.R. Cunningham, 172 East 25th Street, through Lots N and O, Resub. 3 & 4, Block 229, D.L. 545, for sewer purposes. Carried.

The City Clerk reported that he had received the following approvals:

- (a) Letter from the Deputy Minister of Municipal Affairs enclosing approval of "Tax Sale Properties Reserve Expenditure By-law, 1961 No. 8" (Social Welfare office alterations);
- (b) Letter from the Deputy Minister of Municipal Affairs enclosing approval for the sale of lots set out in "Tax Sale Properties Sale By-law, 1961 No. 9";
- (c) Order-in-Council No. 1684 approving of "Rice Lake Water Sale By-law, 1961, Amendment By-law".

Moved by Alderman Gostick, seconded by Alderman McDevitt that the above report of the City Clerk be received and filed. Carried.

3. A letter was received from the Deputy Minister of Municipal Affairs enclosing "Tax Sale Properties Reserve Expenditure By-law, 1961, No. 9" (20th Street watermain) duly approved under Section 304 of the Municipal Act.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the above letter and enclosed approval be received and filed. Carried.

BY-LAWS

Moved by Alderman Gostick, seconded by Alderman McDevitt that the following by-laws be reconsidered:

"Highways Establishing By-law, 1961 No. 1",  
 "Tax Sale Properties Reserve Expenditure By-law, 1961, No. 9", and  
 "Expropriation By-law No. 2, 1961". Carried.

Whereupon the said by-laws were reconsidered.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the above by-laws be finally adopted, signed by the Mayor and City Clerk, sealed with the Corporate Seal and numbered. Carried.

Whereupon the said by-laws were finally adopted, signed by the Mayor and City Clerk, sealed with the Corporate Seal and numbered as follows:

"Highways Establishing By-law, 1961, No. 1" . . . No. 3040  
 "Tax Sale Properties Reserve Expenditure By-law, 1961, No. 9" . . . . . No. 3041  
 "Expropriation By-law No. 2, 1961" . . . . . No. 3042

Moved by Alderman Gostick, seconded by Alderman McDevitt that the by-law entitled "Street and Traffic By-law, 1957, Amendment By-law 1961, No. 4" dealing with the authority of the City Superintendent to erect signs on arterial highways be referred back to the "Traffic & Safety Advisory Committee" for further consideration.  
Carried.

#### UNFINISHED BUSINESS

1. Letters were received from the Department of Labour, Victoria, advising that Mr. B.M. Isman, 626 West Pender Street, Vancouver had been appointed as Chairman of a Board of Arbitration to consider a grievance between The Corporation and the North Vancouver Civic Employees Local 389 concerning a dispute with Mr. H. Greene, a City employee.

Moved by Alderman Gostick, seconded by Alderman Humphreys that the above letters be received and filed. Carried.

#### ANY OTHER COMPETENT BUSINESS

2. A request was received from C.E. Wickland, 877 East 15th Street, renewing his application for permission to convert a dwelling at 881 East 15th Street for duplex use.

Discussion followed.

Moved by Alderman Burns, seconded by Alderman Gostick that the above letter be referred to the Building Committee for a recommendation. Carried.

3. A letter was received from the B.C. Electric Company Limited advising that the proposed reconversion of the City's Street lights to 300 watt 79-R luminaires should be completed by October 31st, 1961 and that the change will improve the appearance and effectiveness of the City's street lighting installations.

Moved by Alderman Burns, seconded by Alderman McDevitt that the above letter be received and filed. Carried.

4. A letter was received from the District of North Vancouver advising that it has appointed a Special Committee to investigate and report on a proposal for new Police quarters.

Moved by Alderman Burns, seconded by Alderman Gostick that the above letter be referred to the Building Committee who are presently studying this matter. Carried.

5. A letter was received from the North Vancouver Schools Band expressing appreciation to the Council for its grant and for the recent victory dinner tendered by the City and District.

Moved by Alderman Gostick, seconded by Alderman Burns that the above letter be received and filed. Carried.

6. Mayor Angus said there was one other matter which he felt was of sufficient importance for him to ask that it be considered tonight and that was the desirability of expediting the construction of a Low Level Road through the Mission Indian Reserve. He said there is question as to the ownership of the land south of the PGE and that he and other Members of Council had been asked to attend a meeting with the Indian Band recently because of the lease given by the National Harbours Board to Deeks-McBride Limited to construct a cement plant on the foreshore in front of the Reserve. He said he was alarmed because the City has been trying to get a road allowance through this area and the granting of a lease without consultation with the City seems rather harsh. He said the Indians have decided to get their boundaries defined.

Alderman Goldsworthy said he knew nothing about the meeting with the Indians and that he was vitally interested as Industrial Committee Chairman. He said he had seen a plan of the proposed plant and the highway allowance which we had asked for and that this knowledge had been received through his course of business.

Alderman McDevitt said he had attended the meeting on an indirect invitation and in his opinion the proposed lease of the National Harbours Board was unfair to the Indians and he said we had a duty to protect their rights.

Moved by Alderman Gostick, seconded by Alderman McDevitt that this Council now give consideration to the matter of a lease by the National Harbours Board to Deeks-McBride Limited on lands fronting the Mission Indian Reserve.  
Carried unanimously.

The following resolution was then proposed by Alderman Burns:

Moved by Alderman Burns, seconded by Alderman McDevitt that WHEREAS a dispute has arisen between the Indian Band on Mission Reserve IR No. 1 and the Federal Department of Citizenship and Immigration with respect to the Band's foreshore rights on Burrard Inlet;

AND WHEREAS such dispute appears to deny to the Indians the ownership of the foreshore rights on the Inlet;

AND WHEREAS such denial appears, prima facie, to be inconsistent with the principles of elemental justice;

THEREFORE BE IT RESOLVED that this Council support the claim of the Indian Band IR No. 1 that construction of a cement plant and/or any other proposed construction of a commercial nature on the waterfront facing their Reserve should be suspended and prohibited forthwith until such time as the claim to foreshore rights by the Indians of Band No. 1 IR Mission Reserve shall have been investigated to the satisfaction of the Band concerned;

AND BE IT FURTHER RESOLVED that copies of this resolution be sent to The Honourable, The Minister of Citizenship & Immigration, Mrs. Ellen Fairclough and Mr. Tom Finlay, Chairman of the Council of Indian Band Mission Reserve IR No. 1.

Discussion followed.

Alderman Humphreys asked that the resolution be amended to include an instruction to send a copy of it to Mr. William Payne, Member of Parliament for this area.

The discussion resumed.

Alderman Gostick said he would like to propose the following resolution as an amendment.

Moved by Alderman Gostick, seconded by Alderman Humphreys that this Council write to the Department of Citizenship and Immigration urging it to clarify the various rights between the Indians and the National Harbours Board with respect to foreshore lands in front of Mission Indian Reserve. Carried.

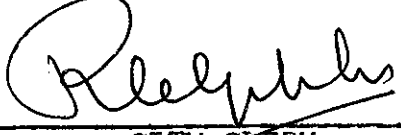
The amendment was then put as the main motion in identically the same form and was carried.

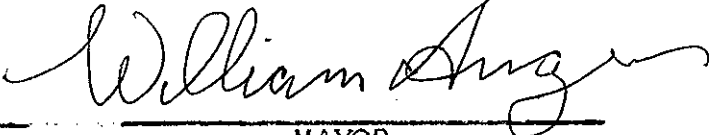


Moved by Alderman Goldsworthy, seconded by Alderman Gostick that this Council meeting now adjourn. Carried.

Whereupon the Council adjourned at 9:30 p.m.

Certified correct:

  
CITY CLERK

  
MAYOR

Minutes of the Special Meeting  
of the City Council held in the  
Council Chambers, City Hall on  
Monday, July 31st, 1961 at 7 p.m.

Present:

His Worship Mayor W. Angus,  
Alderman J.A.W. Chadwick, Alderman  
F.R. Goldsworthy, Alderman K.H.  
Gostick, Alderman D. Humphreys and  
Alderman J.C. McDevitt.

Mayor Angus said that this Special Meeting of Council had been called to consider the submission of a resolution to the Union of B.C. Municipalities with reference to railway crossings, the appeal of G.T. Scarlett, 427 East 12th Street against a Council Order to connect to the public sewer, a resolution to authorize certain special Council meetings and By-laws.

U.B.C.M. - RESOLUTION RE RAILWAY CROSSINGS

The Clerk reported that the City Solicitor had talked to the Department of Municipal Affairs' officials and the latter had advised that it was not the intention in the Municipal Act to require the consent of the electors when the Council desired to approve of a railway over a City street. He said that as a result, Mr. Anderegg had drawn a fairly lengthy resolution in legal terms for submission to the Union of B.C. Municipalities asking for an amendment to the Act.

The Clerk advised that he had prepared a short form of a resolution for submission to U.B.C.M. without actually specifying the precise manner in which the amendment would be made.

Discussion followed.

Moved by Alderman Chadwick, seconded by Alderman Goldsworthy that the following resolution be approved by this Council for submission to the 1961 Convention of the Union of B.C. Municipalities:

"THAT whereas Chapter 329 R.S.B.C. 1960, being the Railway Act of the Province of B.C. and Chapter 258 R.S.C. 1952 being the Railway Act of the Dominion of Canada require the consent of a Municipality by the passage of a By-law before a railway can be constructed across a street in a municipality;

AND whereas there does not appear to be any specific authority in the Municipal Act to grant such consent, at least not without the consent of the Electors (See Section 553);

THEREFORE BE IT RESOLVED that the necessary amendment be made to the Municipal Act to permit a municipality to consent by the passage of a by-law, to the construction, operation and maintenance of a railway line or lines across or along public highways in the said municipality";

AND THAT a copy of the Solicitor's draft resolution dealing with the same matter be forwarded to the Executive of the Union for its information and guidance. Carried.

Moved by Alderman Humphreys, seconded by Alderman Goldsworthy that the City Clerk forward a copy of the Solicitor's resolution dealing with the proposed amendment to the Municipal Act with respect to railway crossings, to the Department of Municipal Affairs for its information. Carried.

#### G.T. SCARLETT - SEWER CONNECTION

2 A letter was received from Mr. G.T. Scarlett, 427 East 12th Street, asking that he be permitted an extension of time to the late Fall in which to connect to the public sewer because of financial difficulties.

It was pointed out that the Council gave the Order to connect on the 5th of June 1961 as a result of recommendations received from the Health Unit on February 17th, 1961 and which was confirmed by the Health Unit again on March 20th, 1961 and on June 29th, 1961.

Discussion followed.

Moved by Alderman Gostick, seconded by Alderman McDevitt that no action be taken by this Council on the appeal of Mr. G.T. Scarlett for an extension of time in which to arrange for the connection of his premises at 427 East 12th Street to the public sewer.

Further discussion followed.

The motion was then put and carried.

#### SPECIAL COUNCIL MEETINGS

3 Mayor Angus advised that in order to cover the eventuality of there not being a quorum of Council Members present on the following regular Council meeting nights because of the desire of some of the Aldermen to attend the Lions Football Games on the same evenings viz. August 7, August 21, September 18 and October 16, it had been suggested that Special Council Meetings be held on the following dates:

Tuesday, August 8, 1961 at 8:25 p.m.  
 Tuesday, August 22, 1961 at 8:25 p.m.  
 Tuesday, September 19, 1961 at 8:25 p.m.  
 Tuesday, October 17, 1961 at 8:25 p.m.

\* SEE INSERT BELOW.

and that the Council meet in Committee on August 8, and August 22, 1961, at 7 p.m. Carried.

#### BY-LAWS

Moved by Alderman Humphreys, seconded by Alderman Chadwick that the "Blasting By-law, Amendment By-law 1961, No. 1" be introduced and read a first time. Carried.

Whereupon the by-law was introduced and read a first time.

\* and that the Council meet in Committee on the same dates at 7 p.m.

Discussion followed, it being pointed out that the Council meetings in September and October would be held at 8 p.m. and not 8:25 p.m. as the regular Committee Meetings would then be resumed.

Moved by Alderman Gostick, seconded by Alderman Chadwick that Special Meetings of the City Council be held on the following dates and at the times mentioned:  
 Tuesday, August 8, 1961 at 8.25 p.m. Tuesday, August 22, 1961 at 8.25 p.m. Tuesday, September 19, 1961 at 8 p.m. Tuesday, October 17, 1961 at 8 p.m.

Moved by Alderman McDevitt, seconded by Alderman Gostick that the "Blasting By-law, Amendment By-law 1961, No. 1" be read a second time in short form.  
Carried.

Whereupon the by-law was read a second time in short form.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the "Blasting By-law, Amendment By-law 1961, No. 1" be read a third time in short form and passed subject to reconsideration. Carried.

Whereupon the by-law was read a third time in short form and passed subject to reconsideration.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the "Expropriation By-law 1961, No. 3" be introduced now and read a first time. Carried.

Whereupon the by-law was introduced and read a first time.

Moved by Alderman McDevitt, seconded by Alderman Chadwick that the "Expropriation By-law 1961, No. 3" be read a second time in short form. Carried.

Whereupon the by-law was read a second time in short form.

Moved by Alderman Gostick, seconded by Alderman McDevitt that the "Expropriation By-law 1961, No. 3" be read a third time in short form and passed subject to reconsideration.

1. Discussion arose, the point being raised as to whether or not the property being expropriated in the By-law for "municipal workshops, storage sheds and yards" could be used for some other purpose if at a later date the Council decided to use the property for some other purpose.

The Clerk advised that it was his view that the Expropriation By-law would probably have to be amended to insert any new use but that the whole expropriation procedure would not have to be gone over again.

It was agreed that the Solicitor would check this point before the by-law receives final reading.

The motion was then put and carried.

Whereupon the by-law was read a third time in short form and passed subject to reconsideration.

Moved by Alderman Chadwick, seconded by Alderman McDevitt that the "Tax Sale Properties Sale By-law, 1961, No. 10" be introduced and read a first time. Carried.

Whereupon the by-law was introduced and read a first time.

Moved by Alderman Gostick, seconded by Alderman Chadwick that the "Tax Sale Properties Sale By-law, 1961, No. 10" be read a second time in short form. Carried.

Whereupon the by-law was read a second time in short form.

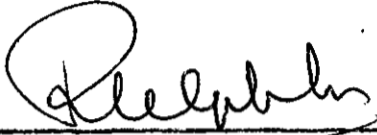
Moved by Alderman McDevitt, seconded by Alderman Humphreys that the "Tax Sale Properties Sale By-law, 1961, No. 10" be read a third time in short form and passed subject to reconsideration. Carried.


Whereupon the by-law was read a third time in short form and passed subject to reconsideration.

Moved by Alderman Goldsworthy, seconded by Alderman Chadwick that this Council meeting now adjourn.  
Carried.

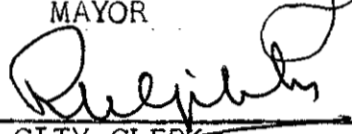
Whereupon the Council meeting adjourned at 7:25 p.m.

Certified correct:

  
CITY CLERK

  
MAYOR

August 7th, 1961 - No quorum.

  
CITY CLERK

Minutes of a Special Meeting of the City Council held in the Council Chambers, City Hall, on Tuesday, August 8th, 1961 at 8:25 p.m.

Present:

His Worship Mayor W. Angus, Alderman P. Burns, Alderman J.A.W. Chadwick, Alderman F.R. Goldsworthy, Alderman K.H. Gostick, Alderman D. Humphreys and Alderman J.C. McDevitt.

#### MINUTES

Moved by Alderman Goldsworthy, seconded by Alderman Chadwick that the minutes of the regular meeting of Council held on July 17th, 1961 be taken as read and adopted, copies of these minutes having been circulated to all Members of Council. Carried.

#### CORRESPONDENCE

1. Letter from Hillside Baptist Church asking if a residence on their property is eligible for exemption from taxation.

Moved by Alderman Gostick, seconded by Alderman Chadwick that the Hillside Baptist Church be advised that the use of the property referred to in their letter of June 23rd 1961 does not qualify for exemption from taxation under the Municipal Act. Carried.

2. Letter from Parr, Bragg & McPherson applying for the rezoning of Lots 16 & 17, Block 87, D.L. 549 on the South side of 11th Street between Lonsdale and St. Georges Avenues to commercial district.

Moved by Alderman Gostick, seconded by Alderman Goldsworthy that the above letter from Parr, Bragg Realty be referred to the Zoning Committee, and that the Solicitor be asked for a report to the said Committee concerning the proposed application. Carried.

3. Letter from W.B. Jones, 830 West 16th Street, complaining about dogs running at large.