

THE CORPORATION OF THE DISTRICT OF BURNABY

24 April 1964.

REPORT NO. 28, 1964.

His Worship, the Reeve,
and Members of the Council.

Gentlemen:

Your Manager reports as follows:

1. Re: Investments.

The Municipal Treasurer reports that on 24th April 1964, \$250,000. B. C. Hydro and Power Authority 5% Parity bonds were sold to be repurchased on 17 July 1964 at par plus 84 days' interest at 4 5/8%.

It is recommended the action of the Treasurer be ratified.

2. Re: Welfare Institutions Licence Application.

Mrs. Theresa McMillan, 4547 E. Georgia Street, has made application for a Welfare Institutions Licence to give care to aged persons.

The Investigating Committee recommends that a licence be granted for the care of not more than two aged persons subject to the following conditions:

- (a) the front door to open out.
- (b) the accumulated surplus material, etc., in the basement, to be removed. This area to be kept in a tidy condition.
- (c) the insulation batts, left exposed in basement, to be covered with plaster board or plywood to alleviate a fire hazard.

3. Re: Welfare Institutions Licence Application.

Mrs. Mabel Dahl, 5387 Patterson Avenue, has applied for a Welfare Institutions Licence to give care to aged persons.

The Investigating Committee recommends that a licence be issued for not more than two persons subject to the following conditions:

- (a) the front and rear doors to swing outwards.
- (b) the front vestibule door to swing into the vestibule.
- (c) the basement area, where it is assumed the Operator and the Help are to be quartered, is to have an eight foot clear ceiling height.
- (d) three piece plumbing to be provided in the basement area, comprising of water closet, wash hand basin and tub or shower.
- (e) no boarders to be accommodated in basement area.
- (f) exterior basement door to swing outward.
- (g) supply one pressurized water unit extinguisher and one 5 lb. CO2 or dry chemical extinguisher. Location to be selected by Fire Prevention Officer.

4. Re: Welfare Institutions Licence Application.

An application has been received from Mrs. Victoria Shull, 3038 Bainbridge Avenue, for a licence to care for aged persons.

The Investigating Committee recommends the issuance of a licence for the care of

(.....2)

Page 2,
REPORT NO. 28, 1964.
MUNICIPAL MANAGER
24 April 1964.

(Item 4...re Welfare Institutions Licence --- Mrs. V. Shull...continued)

not more than four (4) aged persons subject to the following conditions:

- (a) boarders are to be located on the main floor only.
- (b) the front door to open outwards.
- (c) the front stairs and landing to be cement topped.
- (d) the front sidewalk to be completed.
- (e) because the basement area is below the required minimum of eight (8) feet in ceiling height, basement is not to be used for habitable purposes.

5. Re: Curtis Street from Kensington Avenue
to Holdom Avenue.

In considering the Report of the Traffic Safety Committee at the Council meeting of 6th April 1964, Council required an estimate of the cost of constructing a five-foot curb sidewalk on the north side of Curtis Street between Kensington and Holdom Avenues.

The following cost report and recommendation has been prepared by the Municipal Engineer:

"(a) 5 ft. concrete curb sidewalk on the north side without storm drainage or asphaltic widening	-		\$ 12,150.00
(b) 5 ft. concrete curb sidewalk plus 11 ft. of asphalt widening both sides including storm drainage:			
	Drainage	\$ 35,000.	
	Sidewalks	\$ 24,300.	
	Paving	\$ 18,585.	\$ 77,885.00
(c) 4 ft. walkway on either side	-	-	\$ 9,500.00

Our recommendation, based on the assumption that minimum expenditure will be the governing factor, is for alternative (a) as it will eventually form an integral part of (b) and reduce that related estimate accordingly.

If (c) is adopted, the final treatment (Estimate (b)) would still have to be faced in future to the full amount."

6. Re: Subdivision of Property at
9940 Broadway - R. J. Anderson.

Mr. Anderson appeared before Council on 20th April 1964 to protest the decision of the Approving Officer in offering Mr. Anderson tentative approval of subdivision of his property in a plan which reduced the number of lots to be created from that number Mr. Anderson contends can be created.

Aside from the above contention, Mr. Anderson made certain claims on which Council wished information:

1. The claim by Mr. Anderson was that he had previously made two applications to subdivide and he had heard nothing with respect to these applications.

The file on this subject has been reviewed and it has been found that Mr. Anderson's claim cannot be refuted from the file. There is evidence on the second application that at least three attempts were made to contact Mr. Anderson without success but there is no written record of any verbal discussion with Mr. Anderson with respect to either application nor is there

Page 3
 REPORT NO. 28, 1964.
 MUNICIPAL MANAGER
 24 April 1964.

(Item 6...re Anderson subdivision....continued)

evidence of any written notification to Mr. Anderson disposing of either application.

II. Mr. Anderson questioned the practicability of the road alignment diagonally across his property.

There is a memo on file from the Engineering Department confirming the subdivision lay-out and giving servicing costs. Construction of the road as planned in a diagonal fashion is quite feasible and practical. There is also a letter on file from Coquitlam advising that Como Lake Avenue is designated for major road treatment, thus necessitating the proposed Broadway diversion to avoid the steep grade west of North Road. Mr. Anderson's proposal that Larkin Crescent be extended through his property would, of course, not tie in with the major road proposal nor would it recognize the development to the South of the Anderson property.

III. Mr. Anderson's third claim was that he was told by someone in the Planning Department that the Municipality would be purchasing the road allowance through his property. He could not recall who had given him this information.

It cannot be substantiated by record that Mr. Anderson was told this. It is quite likely that the matter of acquisition of all or part of his land would have been discussed with him; but no one in the Planning Department is in a position to say the Municipality will purchase the road allowance. This is a decision which rests properly with Council. Just recently your Municipal Manager did discuss the subdivision problem with Mr. and Mrs. Anderson at which time it seemed that acquisition of all or part of the Anderson property had to be considered. A price for the entire property was mutually agreed upon and the Corporation broke this down to arrive at a figure for actual final estimated cost to the Corporation. Purchase of the entire property appeared to be indicated for recommendation to Council until the proposal came forward to change the road alignment for the time-being to miss the existing house. This changed the entire picture and reduced the recommendation to Council to one of recompense for over-width road.

There is no question now as to the location of the 86'0" road allowance through this subdivision. In addition to the adjacent allowance which has to be continued, the need for this diversion has been confirmed on previous occasions by the Engineering Department and its extension along Como Lake Road confirmed by Coquitlam.

There are two obvious approaches available if the tentative approval now issued does not meet with Council's approval as being reasonable under the circumstances. These two are: outright purchase of the entire site from Mr. Anderson or compensation to Mr. Anderson based on the loss of lots between the unacceptable subdivision pattern. This latter difference is 3 lots and this is not influenced by the width of the required road allowance but by its diagonal location.

It is estimated that with outright purchase at \$23,500. the ultimate net cost to the Municipality will be \$14,500. more or less. To purchase over-width road and compensate for three lots is calculated to be approximately the same sum. Both approaches have their own merits.

(.....4)

Page 4
 REPORT NO. 28, 1964.
 MUNICIPAL MANAGER
 24 April 1964.

7. Re: Miscellaneous Easement Acquisition.

The owners of Lot 10, Block 12, D. L. 8N $\frac{1}{2}$, Plan 1744 (Harry and Edith Newfeld - 408 E. 46th Avenue, Vancouver) are prepared to grant an easement over the said property for \$1.00 to contain a sewer constructed as part of a subdivision requirement.

The easement is outlined in red on a plan filed in the Land Registry Office, New Westminster under No. 26511 and contains 0.021 acres.

The easement is located at 2625 Noel Drive.

It is recommended that the easement be acquired and that the Reeve and Clerk be authorized to sign the necessary documents.

8. Re: Acquisition of Easement -
 South Slope Sanitary Sewer Project #4.

An easement is required in connection with the above sewer project from John and Katherine Shawarowski, 6121 McKee Street, Burnaby 1, B. C. over the east ten feet of Lot 7, Block 22, D. L. 159, Plan 1241, except the north 61 feet thereof, N.W.D. The easement is located at 6121 McKee Street.

The consideration payable by the Corporation is \$1.00 plus a sewer connection and restoration of the easement area. This is a flankage easement.

It is recommended that authority be granted to acquire the easement and that the Reeve and Clerk be authorized to sign the easement documents on behalf of the Corporation.

9. Re: Taxi Parking.

Council has directed your Municipal Manager to consider and report on the question of establishing adequate control over the practice of one Taxi Company in utilizing curb parking spaces to the annoyance of adjoining businesses. The Taxi Company in question offered to the Traffic Safety Committee that it would discontinue the practice if it were granted a Taxi Zone in front of their own premises.

It is submitted that the public highway is for the use of the public, which includes businesses and the vehicles they operate. It is the right of the Municipality to regulate the use of streets but this right does not include that of granting exclusive privilege to a use of a portion of the highway to an individual or business as is suggested by the Taxi Company. It takes a special statute to validate parking meters.

It is common practice to set aside a portion of a street or streets as Taxi Stands but such Stands are available to any licensed taxi-cab and the justification for them is the convenience to the public - not the convenience of the taxi operators. A part of the background of such Stands was to eliminate cruising by taxis by the setting aside of areas where the public could expect to find a cab.

No person, firm or corporation has any vested right in the street on which his property or premise is located. In this case this applies to both the aggrieved and the taxi company. The Corporation in its Traffic By-law/^{has} set out regulations for the control of parking on public streets and these regulations apply to all without discrimination.

It follows then that the Taxi Company is quite within its rights to park where it can find space providing it is otherwise complying with the regulations governing parking and vehicle operation. The Police should enforce such regulations, but fairly and without discrimination against any individual or company.

(.....5)

Page 5,
REPORT NO. 28, 1964.
MUNICIPAL MANAGER
24 April 1964.

(Item 9...re Taxi Parking....continued)

Use of the streets for storage purposes is a common matter and regrettably is one of absolute necessity in the absence of adequate off-street parking. The taxi being well-marked to indicate it as a Taxi is readily recognizable and easily selected as a problem such as this Company creates. There are unquestionably many others who do the same, but their vehicles are not identifiable.

Strict enforcement seems to be the only answer and this could only be to enforce the law as it exists and applies to all.

Council controls the licensing of businesses and some control could be achieved through this but again, it would not be possible to, say, require a Taxi Company to have adequate off-street parking as a condition of licensing its place of business unless other commercial enterprises operating vehicles were subject to a comparable restriction.

Your Municipal Manager is unable to suggest any way of preventing this Taxi Company from making use of the streets by properly licensed and operated vehicles providing they conform to the parking regulations which are the law.

10 Re: Temporary Financing.

Periodically it becomes possible to market short term promissory notes on the open market at a cost which is less than charged by the bank. Bank rates are currently 5 3/4% as compared with 4 1/2% on the open Market.

Section 607 of the Municipal Act reads as follows:

- "(1) Where the Council has adopted a construction by-law, the Council may, with the approval of the Inspector of Municipalities, borrow temporarily the sums required to finance the costs of the work pending the adoption of a by-law under section 603.
- (2) The proceeds from the sale of debentures issued shall be first used for the repayment of any sums of money borrowed temporarily."

To date Council has passed \$2,713,782. in local improvement construction by-laws, against which it has a revolving fund for financing of \$569,768. Approximately \$2,000,000. will be spent in these works during 1964. An application has been made to the Inspector of Municipalities to authorize the temporary financing of \$1,400,000. of these works.

To date \$733,000. has been spent.

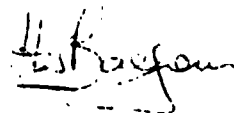
It is recommended that the Reeve and Treasurer be authorized to issue and market from time to time, as circumstances warrant, for the above purpose, promissory notes of a total sum not to exceed \$1,400,000.

11. Re: Estimates.

Submitted herewith for your approval is the Municipal Engineer's report covering Special Estimates of work in the total amount of \$13,750.

It is recommended the estimates be approved.

Respectfully submitted,



H. W. Balfour,
MUNICIPAL MANAGER.

HB:eb

Page 1 - Supplementary.
 REPORT NO. 28, 1964.
 Municipal Manager.
 27 April 1964.

12. Re: Subdivision of a Portion of Lot 1, D. L. 129,
 Group 1, Plan 23360.

The above mentioned property is owned by Mr. W. Soroka, 6431 Aubrey Street, and is being subdivided into five lots. It is located on the south-west corner of Napier Street and Kensington Avenue.

The servicing costs amount to \$5,100.00 including \$1,200.00 for a water main extension on Napier Street which will service two Corporation-owned lots on the street.

It is recommended that the Corporation pay its proportionate share of the cost of extending the water main on Napier Street being \$518.79 to be charged to the Revolving Servicing Fund.

13. Re: Proposed Auto Wrecking Yard,
 Lot 1, Sk. 8252 except parts on Plans 13401 and 24749,
 Block "A", D. L. 79 East 50 acres of West ½, Plan 4328 -
 Atlas Auto Wrecking Yard.

An application under Section 13 of the Town Planning By-law has been received to use the above described property for an Auto Wrecking Yard. The applicant is presently located on the east side of Willingdon Avenue just north of Still Creek Street.

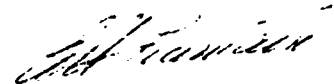
Council denied a request last week for the establishment of a used building material yard on the site.

The Planning Director made this observation when reporting on the former application:

"the subject property is located immediately north of the Willingdon Interchange on the west side of Willingdon and is slightly over two acres in area. Because of this rather strategic location on the throughway and on one of the few prime north-south streets, it is felt that the land is capable of a higher and more attractive use. It is recognized that there are already some junk yards immediately north of the subject property but this unattractive type land use should not be fostered in this area, when considerable effort has been made to encourage surrounding properties to provide a higher standard of development. Two examples are the Villa and the Provincial Government complex."

The Planning Director recommends that the application be denied.

Respectfully submitted,



E. A. Fountain,
 EXECUTIVE ASSISTANT
 TO MUNICIPAL MANAGER.