

THE CORPORATION OF THE DISTRICT OF BURNABY

6 March 1964.

REPORT NO. 17, 1964.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Attendance of Park Commissioners
at Conferences.

An interpretive ruling by the Municipal Solicitor prevents the Municipal Treasurer from accepting any expense accounts from Parks Commissioners even for attendance as official delegates of the Parks and Recreation Commission to Conferences.

The Parks and Recreation Commission desires to have one Commissioner attend each of the following Conferences:

1. 17th Annual Northwest District National Recreation and Parks Conference to be held in Billings, Montana, from April 12 to 15, 1964 - approximate cost \$250.00.
2. British Columbia Recreation Association Conference to be held in Prince George, B. C. from May 6 to 9, 1964 - approximate cost \$100.00.

The present restrictions of the Municipal Act can be overcome by the use of Section 203 (1) (d) which reads:

"The Council may by affirmative vote of at least two-thirds of all members thereof, expend money for paying all or some of the expenses of delegates, whether members of Council or otherwise, when on instructions of the Council, they are representing the Municipality outside the limits of the Municipality."

The Parks and Recreation Commission has requested that Council employ the above Section for the purpose of authorizing attendance of one Commissioner at each of the aforementioned Conferences.

It is recommended that Council grant this authority for the selected Commissioners to attend these Conferences as delegates of the Corporation and at the expense of the Corporation for travelling expenses up to the sums estimated, i.e. \$250.00 for the Billings, Montana, Conference and \$100.00 for the Prince George, B. C. Conference.

2. Re: Brighton Avenue - Easterly 33' -
Lougheed Highway south to Government Street.

The provision of sanitary sewer service and road access to the Ford Motor Site north of the Lougheed necessitated several adjustments in rights-of-way and provision of new rights-of-way.

The complete designed width of Brighton from the Lougheed Highway south to Government Road was donated by Webb & Knapp at a cost to the Corporation of the survey costs and registration. Survey Account was \$463.70 and the registration cost nominal.

It is recommended this dedication be accepted on these terms.

(.....2)

Page 2
 REPORT NO. 17, 1964.
 MUNICIPAL MANAGER
 6 March 1964

3. Re: Local Improvement Works.

The following local improvement works are underway, and require temporary financing pending the issue and sale of debentures:

<u>Construction By-law</u>	<u>Amount</u>
4481	\$ 8,035.
4483	700,525.
4484	35,020.
4500	74,460.
4501	6,250.
4502	113,790.
4503	393,646.
4508	270,405.
4523	60,700.
4524	5,945.
4525	2,110.
4526	193,779.
4527	110,285.
4533	24,265.
4534	11,000.
4535	1,650.
4536	48,253.
4540	12,980.
4541	20,635.
4542	45,905.
4543	156,250.
4544	14,230.
	<u>\$2,310,118.</u>

Burnaby Local Improvement Fund, having been reimbursed in part from the issue and sale of debentures in November, 1963, is available for the financing of these works from time to time as they proceed.

The fund balance at 31 December 1963 is \$569,768.

It is recommended that a Local Improvement Financing By-law be passed to authorize the Local Improvement Fund to be used to temporarily finance the above works pending the issue and sale of debentures.

The above is not a full list of works authorized. There are a number of works approved for which construction by-laws have not yet been passed.

4. Re: Portion of Lot 1, Block 7, D. L. 151/3, Plan 1895,
 Southeast Corner of Patterson and Kingsway.

There is a building on this property which belongs to Mr. Miller who owns the lot immediately to the south of Lot 1.

The Municipal property (Lot 1) was purchased from Imperial Oil Ltd. for the original Kingsway widening. In addition to meeting the immediate needs for widening purposes at the time of purchase, it was apparently intended that the balance of the lot would be landscaped, and this, in conjunction with landscaping at the southwest corner, would provide a "Gateway" entrance for Patterson Avenue.

Since the original widening there is a further proposal for another widening of Kingsway by 16½ feet. This, with a truncation, would leave a small irregular-shaped lot varying in width from 21.2'± on Patterson, 34.6'± at its widest point about 25 feet from Patterson, and narrowing to 4.2'± at the east end of the lot.

(.....3

Page 3
 REPORT NO. 17, 1964.
 MUNICIPAL MANAGER
 6 March 1964.

(Item 4....re Portion Lot 1, Blk.7,D.L.151/3,Plan 1895,continued)

Mr. Miller, who owns the Lot 2 to the south and also owns the building on Lot 1, leased Lot 1 from the Corporation for years for his business purposes. The building is now vacant and the land is not rented.

Mr. Miller has made repeated attempts to purchase the remnant of Lot 1 after all widening of Kingsway is effected but Council has consistently refused to sell. Last year, Hean, Wylie et al, on behalf of Mr. Miller, made another application to purchase. At that time the reconstruction of Kingsway at this location had been arranged and your Municipal Manager advised Hean, Wylie et al that he would not be in a position to report on the application until the work had been completed and the picture then obtainable had been under observation.

The work has been completed to all intents and purposes so this report is now being made to Council.

Your Municipal Manager recommends that the lot not be sold. As it is now, this lot gives the Corporation control over this intersection. Sale to Mr. Miller would lead to consolidation with Lot 2, thus giving Mr. Miller a large lot with Kingsway frontage whereas his present lot only has Patterson Avenue frontage. The development of Central Park, which is proceeding apace, emphasizes the desirability of the Corporation retaining control at this intersection which will likely become even more strategic than it is now.

In recommending that the property not be sold it would be advisable for Council to:

- (a) officially withdraw the property from sale so future requests can be dealt with accordingly.
- (b) Instruct Mr. Miller to remove his building from Corporation property.
- (c) Consider rezoning of Lot 2 from General Commercial to Residential Multiple Family Type I to remove this one-lot commercial zone fronting on Patterson Avenue.
- (d) Dedicate the new widening strip and truncation as highway.
- (e) Assign the balance of the lot as Park.

5. Re: Lot 3, Blk.4, D. L. 94N, Plan 117 (Earle)
 Lot 4, S.D."A", Pt. Blk.4, D. L.94N, Plan 10673 (Lafreniere).
(re north-south lane between Denbigh and Elgin Avenues-6000 Block.

In 1956, Mr. Earle and Mr. Lafreniere, along with others, offered 10 feet of the rear of their property to complete a full-width lane allowance. For some reason or other no action was taken by the Corporation. Actually some work was done on the lane allowance but since it is not entirely dedicated and not constructed to proper standard there is no maintenance done on the lane.

Mr. Earle and Mr. Lafreniere have again offered their 10 feet to be dedicated. On inspection to ascertain whether attempts should be made to acquire from other properties, it was found that on the lot next to Mr. Lafreniere's there is a large 2-storey house located at the rear of the property which would be on the lane allowance if the lane is widened to the full twenty feet. This effectively prevents completion of the lane and it is assumed to be the reason no action was taken in 1956.

The Engineer states it is quite practicable to construct the lane at the rear of Lots 3 and 4 only. The legal costs of accepting the offer of Messrs. Earle and Lafreniere are estimated at \$100.00.

It is recommended that the dedication offered by Messrs. Earle and Lafreniere be accepted subject to there being no expense to the Corporation other than legal and lane construction costs.

(.....4)

Page 4,
REPORT NO. 17,1964.
MUNICIPAL MANAGER
6 March 1964.

Re: Lot 9, Blk.1 of the N $\frac{1}{2}$ of S.W. $\frac{1}{4}$ of the SW $\frac{1}{4}$ of D.L.175, Group 1, Plan 10761.
- (8550 Boundary Road).

Dixon Plumbing and Heating (1960) Ltd. proposed to move its operations into Burnaby and construct a new building for the purpose. To this end they acquired the above property at a cost of \$4,000.00.

On circulation of plans submitted for a Building Permit Application it was revealed that this particular property would be badly affected by the reconstruction of Boundary Road in conjunction with the re-location of Marine Drive. There would be a substantial wall on Boundary Road where it passes this lot and in addition, the traffic pattern to the lot will be altered which makes consideration of this particular lot for Dixon Plumbing and Heating (1960) Ltd. purposes very questionable.

The firm has very stringent limitations on location in Burnaby due to Union contract Commitments. An effort was being made to locate an alternative site, preferably for exchange, but in the meantime Mr. Dixon advises that he has found another site. He has offered the Boundary Road site to the Corporation for \$7,150.00, presumably the cost of the new site.

The Corporation's position is this:

- (a) Dixon Plumbing and Heating (1960) Ltd. acquired the Boundary Road site in good faith. It is properly zoned and as it is now it is entirely adequate for its proposed purpose.
- (b) The future needs for road construction make it undesirable for the Corporation to acquiesce in the proposed development.
- (c) The Corporation could ignore the future requirements and in due course take whatever action is necessary in connection with road construction.
- (d) In so doing, the Corporation could be faced with considerable cost plus inconvenience to Dixon Plumbing and Heating (1960) Ltd.

Dixon Plumbing and Heating (1960) Ltd. having found an alternate site in Burnaby which meets its needs, your Municipal Manager considers that it is good business for the Corporation to protect its position on Boundary Road by buying the property known as 8550 Boundary Road.

The asking price does not relate to the value of 8550 Boundary Road, but rather to the alternate site. It can be argued that the alternate site is a better one since it is/sewered site thus permitting greater use of the area so the Municipality should not consider its cost price as setting the purchase price of 8550 Boundary.

The other side of the picture is that it would be difficult to refuse a Building Permit for 8550 Boundary Road and if a building were erected thereon the Corporation could face considerably more than the difference in site values to carry out the designated road construction and re-location plus the inconvenience to a located industry.

On weighing all factors in this case, your Municipal Manager recommends that the offer of Dixon Plumbing and Heating (1960) Ltd. to sell 8550 Boundary Road to the Corporation for the sum of \$7,150.00 be accepted.

Re: Grassmere Sanitary Sewer Project No.2.

Council recently authorized the acquisition of the following two easements for the considerations indicated:

- (a) East 10 feet of Lot "M" of Lots 1,2, and 3, Blk.30, D. L.35, Group 1, Plan 16710 - 3786 Moscrop St. - \$65.00 plus restoration. Amount included compensation for loss of concrete slab 12' x 20'.

(.....5)

Page 5
 REPORT NO. 17, 1964.
 MUNICIPAL MANAGER
 6 March 1964.

(Item 7....re Grassmere Sanitary Sewer Project No.2....continued)

- (b) South 15 feet of Lot "B", Block 6/7/8/9/34/35/36, D. L. 35, Group 1, Plan 16294 - 4558 Smith Avenue - \$25.00 plus restoration. Amount included compensation for loss of two fruit trees.

The recommendation should have included a sewer connection in each instance being compensation for a flankage easement.

It is recommended that the consideration for each of the above easements include a sewer connection.

8. Re: Acquisition of Easement - N. 10 feet Lot 195, D. L. 92.

In order to finalize the subdivision of Lot 195, D. L. 92, an easement is required for drainage purposes over the north ten feet of Lot 195 as shown on Survey plan prepared by J.E. Hermon, B.C.L.S. dated 4th day of February 1964, from Dr. W. Chu, and Mrs. P. Chu, of 6351 Walker Avenue, Burnaby 1, B. C. There is no consideration payable by the Corporation. The easement is located on the west side of Walker Avenue approximately 150 feet south of Stanley Street.

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

9. Re: Acquisition of Easements.

Easements are required in connection with the following Projects:

Sunset to Spruce Storm Sewer Project:

Owner - Edna Hemsworth, 3763 Spruce Street, Burnaby 1, B. C.
 Property - East ten feet of Lot "H", Block 17, D. L. 68, Group 1, Plan 12798, N.W.D.
 Location of easement - 3763 Spruce Street.
 Consideration - \$1.00 plus restoration of the easement area.

Grassmere Sanitary Sewer Project - Phase 2.

- (a) Owner - Ferdinando and Paolo Flaim, 4312 MacDonald Avenue, Burnaby 1, B. C.
 Property - East ten feet of Lot 4, Blk. 3, D. L. 39, Plan 1436, N.W.D.
 Location of easement - 4312 MacDonald Avenue.
 Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner: John Gall, 4811 Smith Avenue, Burnaby 1, B. C.
 Property - ptn. of Parcel "C" (Expl. Plan 9081) Block 28/29, D. L. 35, Plan 799, S&E the N. 102.69', as shown on plan prepared by G. C. Emerson dated 27 January 1964. (flankage easement).
 BCLS
 Location of easement - 4811 Smith Avenue.
 Consideration - \$230.00 plus restoration of the easement area.

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

(.....6)

Page 6
 REPORT NO. 17, 1964.
 MUNICIPAL MANAGER
 6 March 1964.

10. Re: Intersection - Grandview-Douglas Highway with
 Gilpin and Freeway Exchange.

On direction of Council the Department of Highways was approached to reconstruct this intersection as re-designed by Fenco. Approach was made by delegation and letter, with the Corporation offering to share the cost of reconstruction.

Dated 4th March 1964 the following letter has been received from Mr. H. T. Miard, Deputy Minister of Highways:

"Thank you for your letter dated 31 January 1964.

The proposal made by the Municipality to modify this intersection of Grandview Highway has been given very careful consideration by my Department. We do not feel that there is to date conclusive evidence that the best connection to this intersection leading to the southern part of Burnaby would be around the west side of Deer Lake. In view of the fact that the intersection has been completely constructed in accordance with consultations with officers of your Municipality, it is felt that it would be unwise at this time to engage in expensive modifications until such time as the permanent route has been resolved leading to the south.

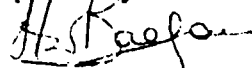
We therefore recommend that it would be preferable to open the freeway using the intersection as it now stands and keep a very careful watch on traffic problems which may develop at this point. These observations may assist us in carrying out future improvements to the intersection.

At some future time when the Municipality has resolved the final location of the connecting roads to the south, we will be glad to give consideration to participating in the cost of any modifications that will be required at this intersection."

11. Submitted herewith for your information is the report of the Chief Building Inspector covering the operations of his Department for the period January 27th to February 21st, 1964.
12. Submitted herewith for your information is the report of the Officer in Charge, Burnaby Detachment, R. C. M.P. covering the policing of the Municipality for the month of February, 1964.
13. Submitted herewith for your information is the report of the Fire Chief covering the activities of his Department for the month of February 1964.
14. Submitted herewith for your information is the report of the Chief Licence Inspector covering the operations of his Department for the month of February 1964.
15. Submitted herewith for your information is the report of the Municipal Engineer covering construction progress for the month of February 1964.
16. Submitted herewith is the Municipal Engineer's report covering Supplementary Works Appropriations for the period 10 March 1964 to 31 March 1964 in the total amount of \$6,100.00.
It is recommended these appropriations be approved.
17. Submitted herewith is the Municipal Engineer's report covering Special Estimates of Work in the total amount of \$2,830.00.

It is recommended the estimates be approved as submitted.

Respectfully submitted,



H. W. Balfour,
 MUNICIPAL MANAGER.

Page 1
 SUPPLEMENTARY TO
 REPORT NO. 17, 1964.
 MUNICIPAL MANAGER
 9 March 1964.

18. Re: Sale of West 12 feet of Lot 34, Block 34, D. L. 188/;189, Group 1, Plan 4953.

On January 20, 1964, Council authorized the sale of the above mentioned property, located on Bessborough Drive, between Brisbane Crescent and Delta Avenue, subject to:

- (a) A minimum price of \$700.00.
- (b) The west 12 feet of Lot 34, being consolidated with Lot 35.
- (c) The balance of Lot 34 and Lots 31, 32 and 33, being consolidated and resubdivided into two lots at the expense of the purchaser of the 12 feet.

The owner of Lot 35 who purchased the west 12 feet of Lot 34 has now advised that the survey costs, estimated at \$150.00 to \$200.00, are \$300.00. (The extra cost is due to lack of survey posts and markers close to the site) and is requesting Council to pay part of these costs, pointing out that the cost of the 12 feet of Lot 34 is now \$1,000.00.

It is recommended that the Corporation contribute \$100.00 towards the survey costs.

19. Re: Request of Rover Scouts
 re 4226 Ledger Street.

The following information is provided Council for consideration when considering the request of the Rover Scouts for tax relief on property located at 4226 Ledger Street:

"4226 Ledger Street, being Lot "B" Sk.11075, Lot 1, Blk.15, D. L. 79, Plan 5293 is registered in the name of Her Majesty, the Queen.

Per Section 335 (1) Municipal Act:

'Lands the fee of which is in the Crown, or in some person or organization on behalf of the Crown, but which are held or occupied otherwise than by or on behalf of the Crown are, with the improvements thereon, liable to assessment and taxation in accordance with this section, but this section does not apply to make liable to taxation lands or improvements which would otherwise be exempt from taxation under clauses (b) to (1), inclusive, of subsection (1) of section 327, or under a by-law adopted under section 328, or a highway occupied by a company mentioned in Part XIV.'

In 1963, the Province on behalf of a tenant paid \$128.10 in taxes.

The assessment for 1964 is:

Land	\$1,445.
Improvements	1,730.

and if the mill rate of 46.7 mills (1963 rate) applied in 1964, the taxes would be \$128.10.

The property will be taxable in 1964 as a by-law exempting it from taxation was not passed by 30 November 1963 (Section 328, Municipal Act)."

Respectfully submitted,

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