

THE CORPORATION OF THE DISTRICT OF BURNABY

8 October, 1965.

REPORT NO. 70. 1965.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Lane between Leibly and Walker  
from Stanley Street North

When considering this subject on 30th August, Council expressed concern as to why the drainage ditch had been constructed on the centre-line of the lane; and to its legal position with regard to liability because of the presence of this ditch.

The Municipal Engineer advises:

"It was machine dug, a procedure which requires an offset from the property line up 4 or 5 feet, at a minimum. In instances where we do ditch a lane, we endeavour to centre the work to avoid criticism of the owners and their allegations that we are favouring one side over another.

Thirdly, this is a fairly substantial ditch, which, by itself, should be placed as far away as possible from private property."

With regard to the question of liability, the Municipal Solicitor states:

" Notwithstanding any work which the abutting owners may have done on the lane allowance, I do not believe it could be considered 'opened' unless the municipality has by some action acquiesced in the opening, ie. by opening it by by-law or by expending public moneys to improve it.

Since it is a lane allowance the municipality may use it for municipal purposes such as drainage. If the municipality is aware that the lane allowance is used for pedestrian and other traffic and the drainage ditch is in fact a hazard, such knowledge would, in my opinion, make the municipality liable for any injury or damage caused thereby.

Perhaps the municipality should consider closing the lane allowance by by-law and erecting barricades and appropriate signs."

2. Re: Sewer Service to 1080 Cliff Avenue  
Mr. S. Muir

Mr. Muir lodged a complaint with Council concerning the point at which the sewer terminated in front of his property. A manhole had been placed directly in front of the cement sidewalk leading to his house, creating a hazardous situation.

Your Municipal Manager was under the impression that the situation had been corrected, but now finds that action was suspended pending a decision by Council after a Report outlining the circumstances.

The Engineer reports:

"In designing sanitary sewers, it is often necessary for some sewer lines to end mid-block rather than continuing for the block's full length. This is usually caused by the grade of the street, as many streets do not have a continuous grade from one end to the other, which is necessary for sewers to flow by gravity. In other instances sewers are ended mid-block when there are properties with large frontages and the sewer is then designed to end at the edge of the property. In all cases, manholes are built at the ends of sewers for maintenance purposes.

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(Item #2 - Re: Sewer Service to 1080 Cliff Avenue  
Mr. S. Muir .... cont.)

When sewers do end mid-block, such as on Cliff Avenue in front of Mr. Muir's property, the property owner is approached by a Burnaby Sewer Inspector to determine a suitable location for the property's sewer connection. The design location of the end of the sewer is explained to the owner and the Inspector leaves a printed form on which the owner is requested to specify the exact location which will be suitable.

The end of the sewer on Cliff Avenue was designed to extend 5' into the property of Mr. Muir. As the property has 83' frontage and the house is on the north side of the lot, this location would have placed the connection approximately 50' away from the south side of the house on the property. Mr. Muir, however, indicated on the connection location form that he would like the connection 72' from the designed end of the sewer, or at the north side of his house. Our Inspector, on receiving this form, again contacted the owner and, because of the large distance to the house, agreed to have the end of the sewer extended the 50' to accommodate Mr. Muir.

During construction it was found that the water service to Mr. Muir's home was located in the same location as the proposed manhole at the end of this line. Because of this, it was then decided to place the manhole south of the water service. Unfortunately, this placed the manhole in the centre of the owner's sidewalk and left the connection 10' short of the spot designated by Mr. Muir. We would, therefore, suggest that the water service be relocated and the 10' extension of the sewer made to Mr. Muir's satisfaction."

The cost of the relocation of the water service and the extension of the sewer is estimated at \$550.00.

It is recommended the work be approved.

3. Re: Tenders - Gilpin Sanitary Sewer Area #10

Tenders for the construction of the above mentioned sewer project were received up to 3:00 p.m., Tuesday, October 5th, 1965, and were opened in the presence of Messrs. E. Olson, J. Hagen, R. Dick of Associated Engineering Services, and representatives of the firms tendering.

A tabulation of the tenders is attached hereto.

It is recommended that the low tender of Tide Bay Dredging Company Limited, in the amount of \$239,282.79 be accepted, which includes the clean method recommended by the Municipal Engineer, subject to satisfactory credit ratings being received.

4. Re: Fresh Pak Limited

Submitted herewith is a report prepared by the Municipal Planner pursuant to a rezoning application received from the above noted Company.

5. Re: Estimates

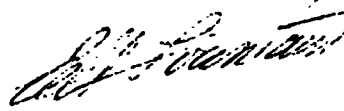
Submitted herewith for your approval is the Municipal Engineer's report covering Special Estimates of Work in the total amount of \$22,665.

It is recommended that the estimates be approved as submitted.

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6. Submitted herewith for your information is the report of the Fire Chief covering the activities of his Department for the month of September, 1965.
7. Submitted herewith for your information is the report of the Chief Licence Inspector covering the operations of his Department for the month of September, 1965.
8. 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 September, 1965.

Respectfully submitted,



H. W. Balfour  
MUNICIPAL MANAGER

HWB: gr

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9. Re: South Slope V Sanitary Sewer Area No. 6

Easements are required in connection with the above sewer project as follows:

- (a) Owner - Donald Lawrence Laberge and Marthe Laberge,  
7222 - 18th Avenue, Burnaby 3, B. C.  
Property - The Southeasterly 10 feet being measured at right angles to the  
Southeast boundary of Lot 40, Blocks 34 to 38, D.L. 95N, Group 1,  
Plan 1152, N.W.D.  
Location of Easement - 7222 - 18th Avenue, Burnaby 3, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - Alice Webster, 750 Brookmere Avenue, Coquitlam, B. C.  
Property - The Southeasterly 10 feet of the said lands, being measured at  
right angles to the Southeast boundary of Lot 29W $\frac{1}{2}$  of Lots 31,  
32, 33 of Lots 1 and 3, D.L. 95, Group 1, Plan 1915, N.W.D.,  
having a frontage of 59.1 feet on 18th Avenue by a full uniform  
depth of 77.5 feet and adjoining Lot 27.  
Location of Easement - 7288 - 18th Avenue, Burnaby 3, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - Peter John Mallory and Dorothy Mallory,  
7306 - 12th Avenue, Burnaby 3, B. C.  
Property - The Southeasterly 5' being measured at right angles to the  
Southeast boundary of Lot 7, Block 7, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7306 - 12th Avenue, Burnaby, B. C. N.W.D.  
Consideration - \$1.00 plus restoration of the easement area.
- (d) Owner - Gordon Edward Cousins and Fairrie Cecilia Cousins,  
7294 - 12th Avenue, Burnaby, B. C.  
Property - Southeasterly 5' of Lot 6, Block 7, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7294 - 12th Avenue, Burnaby, B. C. N.W.D.  
Consideration - \$50.00 plus restoration of the easement area.  
Amount is for an old garage to be demolished.
- (e) Owner - Robert Anderson Balfour and Shirley Gladys Balfour,  
7274 - 12th Avenue, Burnaby 3, B. C.  
Property - Southeasterly 5' of Lot 2, Block 7, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7274 - 12th Avenue, Burnaby 3, B. C. N.W.D.  
Consideration - \$1.00 plus restoration of the easement area.
- (f) Owner - John Charles Frizzell, 7275 - 11th Avenue, Burnaby 3, B. C.  
Property - Northwesterly 5' of the West 52' of Lot "A", Block 7, D.L. 29,  
Group 1, Plan 5306, N.W.D. having a frontage of 52' on 11th Avenue  
by full depth of Lot "A" and adjoining Lot 20.  
Location of Easement - 7275 - 11th Avenue, Burnaby 3, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (g) Owner - Violet May Keam and Hubert William Keam,  
7381 - 11th Avenue, Burnaby 3, B. C.  
Property - The Northwesterly 5' being measured at right angles to the  
Northwest boundary of Lot 15, Block 6, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7381 - 11th Avenue, Burnaby 3, B. C. N.W.D.  
Consideration - \$1.00 plus restoration of the easement area.

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- (h) Owner - Lewis Cooper and Jennie Godson Edwards,  
7376 - 12th Avenue, Burnaby, B. C.  
Property - The Southeasterly 5' being measured at right angles to the  
Southeast boundary of Lot 7, Block 6, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7376 - 12th Avenue, Burnaby, B. C. N.W.D.  
Consideration - \$1.00 plus restoration of the easement area.
- (i) Owner - Leonhard Disterhoeft and Ilse Minna Marie Disterhoeft,  
7364 - 12th Avenue, Burnaby 3, B. C.  
Property - Southeasterly 5' of Lot 5, Block 6, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7364 - 12th Avenue, Burnaby 3, B. C. N.W.D.  
Consideration - \$1.00 plus restoration of the easement area.
- (j) Owner - Jacob Andrew Heisler and Susan Heisler,  
7356 - 12th Avenue, Burnaby, B. C.  
Property - The Southeasterly 5' being measured at right angles to the  
Southeast boundary of Lot 4, Block 6, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7356 - 12th Avenue, Burnaby, B. C. N.W.D.  
Consideration - \$1.00 plus restoration of the easement area.
- (k) Owner - Ferdinand Seitz and Anna Marie Seitz,  
7338 - 12th Avenue, Burnaby 3, B. C.  
Property - The Southeasterly 5' being measured at right angles to the  
Southeast boundary of Lot 1, Block 6, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7338 - 12th Avenue, Burnaby 3, B. C. N.W.D.  
Consideration - \$1.00 plus restoration of the easement area.
- (l) Owner - Edward Baronowsky and Marie Baronowsky,  
7370 - 12th Avenue, Burnaby 3, B. C.  
Property - The Southeasterly 5' being measured at right angles to the Southeast  
boundary of Lot 6, Block 6, D.L. 29, Group 1, Plan 3035, N.W.D.  
Location of Easement - 7370 - 12th Avenue, Burnaby 3, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (m) Owner - Joseph Yacowar, 5672 Heather Street, Vancouver 13, B. C.  
Property - The Northwesterly 5' being measured at right angles to the  
Northwest boundary of Lot 21, Block 6, D.L. 29, Group 1, Plan 3035,  
Location of Easement - 7343 - 11th Avenue, Burnaby 3, B. C. N.W.D.  
Consideration - \$1.00 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 execute the easement documents on behalf of the Corporation.

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10. Re: Royal Oak - Douglas Sanitary Sewer Area 12/13

Easements are required in connection with the above sewer project as follows:

- (a) Owner - Anthony Victor Dowding and Barbara Joan Dowding,  
3090 Douglas Road, Burnaby 2, B. C.  
Property - West 7' of Parcel 3, Explanatory Plan 9343 of Parcel "A",  
Block 2, D.L. 75, Group 1, Plan 3061, N.W.D.  
Location of Easement - 3090 Douglas Road, Burnaby 2, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - William Adams and Marion Estelle Adams,  
3130 Douglas Road, Burnaby 2, B. C.  
Property - The West 7' of Lot 1 of Parcel "B", Block 2 of D.L. 75, Group 1,  
Plan 7797, N.W.D.  
Location of Easement - 3130 Douglas Road, Burnaby 2, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - William John Anderson,  
5436 Grandview Douglas Highway West, Burnaby 2, B. C.  
Property - The South 20' of the West Half of Lot 6 of the North Half of  
D.L. 80, Group 1, Special Survey Plan 10063, N.W.D.  
Location of Easement - 5436 Grandview Douglas Highway West, Burnaby 2, B.C.  
Consideration - \$1.00 plus restoration of the easement area.
- (d) Owner - Ralph T. Dierks and Laura Dierks,  
5149 Manor Street, Burnaby 2, B. C.  
Property - North 20' of Lot 18, Block 18, D.L. 74N $\frac{1}{2}$ , Group 1, Plan 2603, N.W.D.  
Location of Easement - 5149 Manor Street, Burnaby 2, B. C.  
Consideration - \$1.00 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 execute the easement documents on behalf of the Corporation.

11. Re: Sussex-Forglen Sanitary Sewer Area #9

The following lane acquisitions are required for the above mentioned Project:

- (a) The West 10' of the South Half of Lot 6, Block 6, D.L. 32, Group 1, Plan 2278, N.W.D., owned by Catherine Frances Taylor of 6159 Miller Avenue, Burnaby 1, B. C. The consideration is \$31.50 for 42' of fence at 75¢ per foot.
- (b) The West 10' of Lot "D", Block 6, D.L. 32, Group 1, Plan 16196, N.W.D. owned by James Arthur Richardson and Maybelle Richardson both of 6175 Miller Avenue, Burnaby 1, B. C. The consideration is \$1.00 plus restoration of the easement area.

It is recommended that the portions of property referred to be acquired for lane purposes and that the Reeve and Clerk be authorized to sign the necessary documents.

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12. Re: South Slope V Sanitary Sewer Area #6

The following lane acquisitions are required for the above mentioned Project:

- (a) The Southeasterly 10' of Lot 46, Blocks 34 to 38, D.L. 95, Group 1, Plan 1152, N.W.D., owned by James Sellers and Peggy Mary Sellers, 7182 - 18th Avenue, Burnaby 3, B. C. The consideration is \$49.50 for 66' of fence at 75¢ per foot.
- (b) The Northwesterly 10' of Lot 62, Blocks 34 to 38 of Lots 1 and 3, D.L. 95, Group 1, Plan 1152, N.W.D., being measured at right angles to the Northwest boundary thereof, owned by Girard Camire and Rita Camire, 7189 - 17th Avenue, Burnaby 3, B. C. The consideration is \$49.50 for 66' of fence at 75¢ per foot.
- (c) The Southeasterly 10' of Parcel "B" (Reference Plan 3105) of Lot 78, Blocks 34 to 38 of D.L. 95, Group 1, Plan 1152, N.W.D., being measured at right angles to the Southeast boundary thereof, owned by Pheobe Jane Jackson and Emily Edith Jackson, both of 7170 - 17th Avenue, Burnaby 3, B. C. The consideration is \$1.00 plus restoration of the easement area.

It is recommended that the portions of property referred to be acquired for lane purposes and that the Reeve and Clerk be authorized to sign the necessary documents.

13. Re: Springer Sanitary Sewer Area #14

An Easement is required in connection with the above sewer project as follows:

Owner - Walter Carl Lorz, 5041 Parker Street, Burnaby 2, B. C.  
Property - Easterly 10' of Lot 23, Block "K" of D.L. 127, Group 1, Plan 21748, N.W.D.  
Location of Easement - 5041 Parker Street, Burnaby 2, B. C.  
Consideration - \$1.00 plus restoration of the easement area, and a free sewer connection. This is a flankage easement.

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

14. Re: Land Sale

Council received a letter from Fred and Evelyn Salisbury, 5406 Manor Street, requesting that Lot 10, Block 20, D.L. 74N $\frac{1}{2}$ , Group 1, Plan 2603, owned by the Corporation, be sold by public auction.

Lot 10 is 66' x 133' and is located on the south side of Manor Street, east of Royal Oak. There is an old dwelling and two other old buildings on the property which should be demolished.

Mr. and Mrs. Salisbury point out that Lot 10, together with their present lot, would provide a combined site of one-half acre required under V.L.A. to enable them to get financial assistance to carry out further improvements.

There may be some merit in a group of lots being sold by public auction, but it is doubtful that there would be any benefit to the Corporation by disposing of one lot in this manner.

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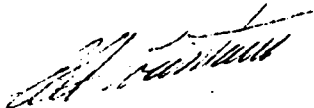
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(Item #14 - Re: Land Sale ..... cont.)

It is recommended that the said Lot 10 be sold by public tender, subject to the following conditions:

- (a) A minimum price of \$3,800.00.
- (b) The purchaser to demolish the buildings within 90 days from the date of the sale.

Respectfully submitted,



E. A. Fountain  
EXECUTIVE ASSISTANT TO  
MUNICIPAL MANAGER

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