

## THE CORPORATION OF THE DISTRICT OF BURNABY

17 December, 1965.

REPORT NO. 86, 1965.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Refreshment Concession -  
C. G. Brown Pool and Ice Rink

This tender call for operation of the Refreshment Concessions was prepared for either or both manned food concessions and food vending machines.

Kwik Kanteen Limited submitted a bid for concession machines only and in so doing, deleted all items related to a manned operation with the exception of a Performance Bond.

The contract was awarded to Kwik Kanteen Ltd., and when called upon to deposit a \$5,000.00 Performance Bond, they applied to the Parks and Recreation Commission for relief from this requirement.

It is agreed that the Bond is not required for a coin-operated concession. Kwik Kanteen Ltd. has approximately \$15,000.00 invested in the equipment installed and at any one time they would be obligated to pay the Commission no more than \$400.00 in net receipts. If in doubt of payment, the Commission could hold the machines until such payment is made.

The Commission recommends to Council that the Performance Bond requirement of \$5,000.00 be deleted from the contract.

Your Municipal Manager concurs in the recommendation.

2. Re: Improvement of Ellesmere Avenue

The Clerk has received a letter from Mr. Fred Holmes concerning Mr. Holmes' proposals for Ellesmere Avenue.

A report has been made by the Engineer's Department as follows:

"We report, as requested by the Municipal Clerk in his memo of December 2nd, 1965, on the feasibility of opening this street and approving the existing gravelled road to final standard. The continuation of the gravelled road through to Bessborough Drive is a problem of major proportions. The feasibility of continuation must be pre-determined by field survey and pre-designed before any effort is made to include it in a Local Improvement Program.

As you are aware of the heavy design work load created by Stages 1 and 2 of our current Local Improvement Programs, the availability of surveyors and designers for this study is poor. While we will indeed order such an investigation to be made, we may anticipate that considerable time will pass before any firm recommendation will be submitted to your office.

Notwithstanding the work load on our design forces, we draw your attention to the fact that we are now scheduling Local Improvement works into 1968 and, unless otherwise directed, the undertaking of the work as a Local Improvement would not be carried out until that time.

In commenting on the alternate proposal of Mr. Holmes, we suggest that it cannot be implemented as the street allowances are not subject to sale."

It is recommended that no action be considered until such time as the Engineer's Department is in a position to do the necessary field work.

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3. Re: Burnaby Lake Study -  
Progress Report #4

Progress Report #4 by Associated Engineering Services is submitted herewith under Confidential Cover for the information of Council in accordance with the Agreement.

This Report covers the period to 1st December, 1965.

4. Re: Three Outdoor Swimming Pools

On 20th September, 1965, Council agreed to a proposal by Doyle Construction Company Ltd. to replace the three-inch topping, sealant and mesh wire on the side walls of the diving tanks in the three outdoor swimming pools which were constructed by Doyle Construction Company Ltd. The agreement by Council was in the following terms:

- (a) the concrete will be placed by means of the Guniting Process;
- (b) all loose and waste concrete, mesh and debris will be removed from the sites involved;
- (c) the work will be carried out under inspection by the consultants to the project (your firms);
- (d) a financial guarantee will be posted by the Company, if required by the Corporation;
- (e) an attempt will be made to carry out all of the work immediately but this will depend on the availability of concrete placing equipment and crews plus suitable weather conditions; however, notwithstanding all of the work will be completed by March 31st, 1966.

The Council accepted, in part, the undertaking of Doyle Construction Company Ltd., as related above, subject to:

- (1) a further undertaking being received from the Company regarding the repair of the polyvinyl moisture barrier in the pools, as may be necessary;
- (2) the Company commencing all of the work immediately and continuing it uninterruptedly until completion.

Repair work was not started until November and then proceeded continuously, but at a somewhat slow rate.

The Consulting Engineers, Haddin, Davis & Brown Company Ltd. wrote on 3rd December, 1965 suggesting deferment of the placing of Guniting until the spring of 1966 as they are not in favour of carrying out the Guniting work at this time of year.

A staff conference on the subject was held, and the conclusion reached that the advice of Haddin, Davis & Brown Co. Ltd. should be accepted subject to the following conditions:

- 1. The Corporation receiving an undertaking from Doyle Construction Company Ltd. that it will re-commence work by March 14th, 1966, and will complete all work including all concrete work, painting and cleanup in the three pools on or before April 22nd, 1966.
- 2. The Corporation receiving an undertaking from Doyle Construction Company Ltd. that it will accept full responsibility for the damage to the polyvinylchloride waterproof membrane in the diving basins in the three pools which may occur through the winter months as a result of their being left in an open, unprotected state.

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(Item #4 - Re: Three Outdoor Swimming Pools ..... cont.)

3. The Corporation receiving an undertaking from Haddin, Davis & Brown Co. Ltd. that it will on March 11th, 1966, provide the Corporation with a report stating that the polyvinylchloride waterproof membranes in the three pools have been repaired satisfactorily.
4. The Corporation receiving from the Contractor and the Consultants a statement to the effect that all other terms and conditions previously agreed upon shall remain in full force and effect.

It is recommended that Council concur.

5. Re: Burnaby Civic Employees' Local Union No. 23

Submitted herewith, for the information of Council, are the demands received from the above mentioned Union for the year 1966.

The estimated cost of the wage demands is approximately \$530,000.00.

6. Re: Craig Construction Company Ltd.

A claim was received from Craig Construction Company Ltd. for \$803.46 for expenses incurred by it because of alleged "mishandling and poor direction by the Building Department".

This claim was directed to the Municipal Solicitor for investigation and opinion as to liability of this Corporation.

The Municipal Solicitor recommends that, at this stage, the Municipality should deny liability and this has been done.

Action taken is reported to Council because the claim was addressed "Attention, Reeve and Council".

7. Re: Assessment of Properties Zoned for  
Non-Residential Use but Occupied by Residences.

Late in August, Council requested that the Municipal Manager and the Assessor review this provision in the Assessment Equalization Act, with the possible view of encouraging an Amendment to the Act to provide that the provision apply for the five year period prior to the property being assessed rather than from a fixed date.

Shortly after Section 37 (6) (e) was enacted, an approach was made to the Department of Municipal Affairs with respect to it and it was discovered that the amendment had not originated in that Department. The approach was made because of concern over the principle involved.

Instead of encouraging any amendment to broaden the use of clause (e) of Sub-section (6) of Section 37 of the Assessment Equalization Act it is respectfully submitted that the efforts of this Corporation should be directed towards a complete rescinding of Clause (e).

Such a recommendation needs some substantiation and the attached information is provided in support of it.

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8. Re: Gas Line Installations of  
B. C. Hydro Authority

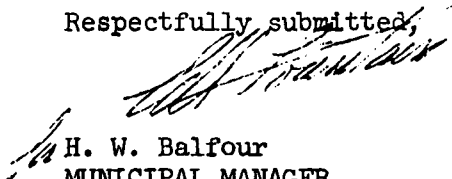
Resulting from discussion of Item #2 of the Municipal Manager's Report No. 66, 1965, Council raised four questions it wished taken up with B. C. Hydro and Power Authority:

- (1) That an enquiry be made of the B. C. Hydro and Power Authority to determine the possibility of its Gas Division extending gas lines latitudinally across streets fewer times than is currently the practice. It was suggested that possibly the Authority could, after cutting across a road, instal its gas lines parallel to, but some distance from, the outer edge of the road and then connect the private services to the longitudinal lines. The Council appreciates that this method would likely be more costly than the present system but it nevertheless feels the proposal should be explored.
- (2) That consideration be given by the Authority to installing the gas lines deeper in the boulevard areas than is presently done. It is felt that some of these lines are so close to the surface that there is a danger of them being disturbed in the course of what might be considered normal digging by the adjacent property owner.
- (3) That the Authority restore the surface of boulevards to their previous condition, assuming this is not being done at present, following line installations.
- (4) That the Authority consider the installation of gas lines in lanes, where such a facility exists, instead of in roads. The Council is aware that the current practice of providing gas service from the road is likely less costly than if it was done from the lane because of the length of pipe involved but, when this cost factor is compared to the additional expense incurred by the municipality in being required to subsequently resurface a road as a result of the damage caused by the Authority, it may be possible that the comparative costs will more closely approximate each other.

Discussions were held with Mr. J. L. Gemmel, Construction Manager, B. C. Hydro and Power Authority, Gas Division, and the attached answers are provided in the order of Council's queries.

9. Submitted herewith for your information is the report of the Chief Building Inspector covering the operations of his Department for the period from November 8th, to December 3rd, 1965.
10. Submitted herewith for your information is the report of the Fire Chief covering the activities of his Department for the month of November, 1965.
11. Submitted herewith for your information is the report of the Chief Licence Inspector covering the operations of his Department for the month of November, 1965.
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 November, 1965.

Respectfully submitted,

  
H. W. Balfour  
MUNICIPAL MANAGER

HWB: gr

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13. Re: Acquisition of Miscellaneous Sewer Easements  
- Morley Street at Gordon Avenue

Easements are required for sewer purposes in connection with the above Project as follows:

- (a) Owner - David Robert Denman and Edna Irene Denman,  
7661 Morley Street, Burnaby 1, B. C.  
Property - North 11' of Parcel 1 (Ex. Pl. 14872) of Lot "A", Block "F",  
D.L. 91, Group 1, Plan 4446, N.W.D.  
Location of Easement - 7661 Morley Street, Burnaby 1, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - Richard Robic and Maria Robic,  
1210 Cameron Street, New Westminster, B. C.  
Property - Northerly 15' of Lot 174, D.L. 91, Group 1, Plan 25478, N.W.D.  
Location of Easement - 7635 Morley Street, Burnaby 1, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - Ike Warfield and Donna M. Warfield,  
7615 Morley Street, Burnaby 1, B. C.  
Property - Northerly 15' of Lot 176, D.L. 91, Group 1, Plan 25478, N.W.D.  
Location of Easement - 7615 Morley Street, Burnaby 1, 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.

14. Re: Land Sales

While deliberating the sale of lots in the Buckingham Heights area (D.L. 86/91) on December 13th 1965, a question was raised as to whether or not the Lands Office maintains a list of names of persons who are interested in obtaining land in a given area, and if these people had been advised of the sale of lots in the Buckingham Heights area.

Section 470 of the Municipal Act reads as follows:

"The Council shall not grant, either directly or indirectly, any option to purchase real property owned by the municipality, and no sale of municipal property is valid which is based on an option, whether constructive or implied, contained in any agreement or lease entered into by or on behalf of the municipality."

The list of persons, who have shown interest in purchasing lots in D.L. 86/91, contains 147 names. They were advised by letter that the properties, sold on December 13th 1965, were being offered for sale by public tender.

Submitted for the information of the Council.

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15. Re: Acquisition of Easements - Sanitary Sewer Projects

Easements are required in connection with the undernoted Sanitary Sewer Projects as follows:

(1) South Slope V Sanitary Sewer Area #6

- (a) Owner - Margaret Chamberlain,  
7325 Ethel Avenue, Burnaby 3, B. C.  
Property - Portion of Lot 29, as shown outlined in red on Plan filed in Land Registry Office, Block 3, D.L. 29, Group 1, Plan 3035, N.W.D.  
Location of easement - 7325 Ethel Avenue, Burnaby 3, B. C.  
Consideration - \$75.00 plus restoration of the easement area.  
Amount includes compensation for loss of three apple trees which will be destroyed.
- (b) Owner - Jean Batiste Robillard, 7352 - 14th Avenue, Burnaby 3, B. C.  
Joseph Arthur Robillard, 6907 Frederick Street, Burnaby 1, B.C.  
and  
Peter Robert Smith and Emily Smith,  
7352 - 14th Avenue, Burnaby 3, B. C.  
Property - Portion as shown outlined in red on Plan deposited in Land Registry Office, of Lot B, Block 3 D.L. 29, Group 1, Plan 6816, N.W.D.  
Location of Easement - 7352 - 14th Avenue, Burnaby 3, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - Jessie Wilson Philps, 7461 Kingsway, Burnaby 3, B. C.  
Property - The South 10' of Lot 7, of Lots 51 and 52 of D.L. 30, Group 1, Plan 4098, N.W.D.  
Location of Easement - 7461 Kingsway, Burnaby 3, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (d) Owner - The Director, The Veterans' Land Act,  
(Veteran - S. Klimko, 7325 - 14th Avenue, Burnaby 3, B. C.)  
Property - Portion of Lot 30 as shown outlined in red on Plan filed in Land Registry Office, Block 2, D.L. 29, Group 1, Plan 3035, Except Parcel "A" (Explanatory Plan 24960) thereof, N.W.D.  
Location of Easement - 7325 - 14th Avenue, Burnaby 3, B. C.  
Consideration - \$1.00 plus restoration of the easement area.
- (e) Owner - The Director, The Veterans' Land Act,  
(Veteran - J. Galloway, 7267 - 14th Avenue, Burnaby 3, B. C.)  
Property - Portion of Lot 33, as shown outlined in red on Plan filed in Land Registry Office, Block 2, D.L. 29, Group 1, Plan 3035, N.W.D. Except Parcel "A" (Explanatory Plan 11966) and Except the South Westerly 33' shown on Plan with By-law filed 40506 thereof.  
Location of Easement - 7267 - 14th Avenue, Burnaby 3, B. C.  
Consideration - \$25.00 plus restoration of the easement area.  
Amount includes compensation for loss of a cherry tree which will be destroyed.
- (f) Owner - Pelican Oils Ltd., c/o Pacific Petroleums,  
540 Burrard Street, Vancouver, B. C.  
Property - Southwesterly 10' of Lots 9, 10 and 11, Block 9, D.L. 29, Group 1, Plan 3035, N.W.D.  
Location of Easement - 7855 Kingsway, Burnaby 3, B. C.  
Consideration - \$1.00 plus restoration of the easement area.

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(i) South Slope V Sanitary Sewer Area #6.. cont.

(g) Owner - Edith Irene Martin and Catherine Isabella Martin,  
7254 - 16th Avenue, Burnaby 3, B. C.

Property - The Southeasterly 8' being measured at right angles to the Southeast boundary of the Northerly Half of Lot 8, Block 35, D.L. 53, Group 1, Plan 3037, N.W.D., being all that part lying North of a straight line bisecting the Easterly and Westerly boundaries.

Location of Easement - 7254 - 16th Avenue, Burnaby 3, B. C.

Consideration - \$200.00 plus restoration of the easement area.

The easement is through a highly developed garden area and the amount includes compensation for the loss of plants of shrubs and the cost of redevelopment of the garden.

(ii) Gilpin - Grandview Sanitary Sewer Area #10/11

Owner - Edo Jan Schaafsma and Gerretje Petronella Schaafsma,  
4308 Norland Avenue, Burnaby 2, B. C.

Property - The East 10' of The North Half of Lot 17, Blocks 12 and 13, D.L. 79, Group 1, Plan 2298, N.W.D.

Location of Easement - 4308 Norland Avenue, Burnaby 2, B. C.

Consideration - \$1.00 plus restoration of the easement area.

(iii) Buckingham - Sperling Sanitary Sewer Area #8

Owner - Franklin Kinsley Currie and Myrtle Marne Currie,  
5550 Sperling Avenue, Burnaby, B. C.

Property - Portion of Parcel 1, (Explanatory Plan 10282) of Lot "O" as shown outlined in red on plan filed in the Land Registry Office at the City of New Westminster, numbered 28802, D.L. 85, Group 1, Plan 5130, Except Parcel "A" (Explanatory Plan 13849), N.W.D.

Location of Easement - 5550 Sperling Avenue, Burnaby, 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.

#### 16. Re: Municipal Service Centre

On April 26th 1965, Council authorized the following:

- (a) The acquisition of two properties to enlarge the Service Centre site;
- (b) The erection of a "dead storage" Rosco utility building measuring 40 x 25 feet;
- (c) The refurbishing of a 30' x 24' section of an existing building in the Centre as a Workmen's shelter.

One of the properties has been acquired, but it is doubtful that the second property can be acquired by negotiation. Council was not prepared to acquire the second property by expropriation.

The purpose of acquiring the two properties was to provide additional parking area, whereby the parking of employee vehicles could be removed from the streets in the area, and to also remove employee vehicles from within the garage, work shops and storage area of the site.

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(Item #16 - Re: Municipal Service Centre ..... cont.)

An examination of the situation reveals that it is possible to develop a parking area within the diminished site available which will serve the purpose for some time to come. The estimated cost of this work is \$32,000.00 and the estimated cost of the Rosco building is \$3,400.00.

It is recommended that the work indicated be approved and that the total estimated amount of \$35,400.00 be charged to the Reserve for Capital Expenditures Account.

17. Re: Progress Report - Rezoning Applications

Submitted herewith for the information of Council is a progress report in connection with rezoning applications.

18. Re: Major Road Study

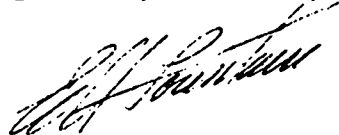
On December 13th, 1965, Council requested a progress report on the Major Road Study. Submitted herewith is the report of the Planning Director:

"The Transportation Planner Mr. W. Scott has been working on a report dealing with what is needed to make a definitive decision concerning the need for a major road study taking into account the question of whether the study should be confined to the Deer Lake road proposal or encompass major road proposals in general.

The work that has been done up to date, resolves itself into the need to find answers to nine basic questions, primarily concerned with Burnaby's position in the metropolitan area, and the validity of the 1955 survey as a basis for a new survey.

Once we have arrived at satisfactory answers to these questions we will be in a position to finalise a report to Council for their consideration."

Respectfully submitted,



H. W. Balfour  
MUNICIPAL MANAGER

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