

THE CORPORATION OF THE DISTRICT OF BURNABY

19 March, 1965.

REPORT NO. 23, 1965.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Springer Sanitary Sewer Project #14

A 10' flankage easement and a 10' rear lane dedication is required from Lot W<sub>2</sub><sup>1</sup><sub>9</sub>, Block "H", D.L. 127W3/4, Group 1, Plan 1254, for the above mentioned project. The property is owned by Phillip Martin Walker, 5131 Georgia Street, who is prepared to grant the easement and lane dedication to the Corporation for \$285.00. There are 4 fruit trees on and close to the areas, 3 of which will be destroyed and one severely pruned. They are not to be replaced.

The compensation is calculated on the basis of 50% of \$67.00 a foot for 7' of the flankage frontage being the front foot market value reflected by the assessment plus \$50.50 for the lane dedication and loss of the fruit trees.

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.

2. Re: Complaint of Mrs. Phyllis Mitchell,  
5850 Patrick Street

This report refers to the letter from Mrs. Mitchell addressed to Council through the Municipal Clerk.

There are two aspects to Mrs. Mitchell's complaint:

- (1) The sewer connection
- (2) Damage to the fuel line.

(1) The Sewer Connection

- (a) Sewer connection Permit #4636 was issued from the Engineering Department on 15th February, 1965, to Tabbs Sewers of 4132 Boxer Street, per C. Sadler, for the connection of the house sewer for premises at 5850 Patrick Street.
- (b) The Building Department received an inspection copy of the above permit 16th February, 1965, and Mr. Warner inspected the work outside the building in the afternoon of the 16th February and passed the work.
- (c) Entry to the basement of the building was not possible because there was no one home, but on the following day, 17th February, 1965 an inspection of basement plumbing was completed and passed.

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Note: Inspection of the basement plumbing has no reference to the sewer connection but is done routinely at time premises are connected to public sewer to ensure that all interior plumbing is brought to one point for discharge to the single sewer connection.

- (d) On 18th February, 1965, Mr. Townsend of Associated Engineering reported to the Chief Building Inspector that the connection of the house sewer to the sewer main extension in the lane at the rear of the subject property was so high or so shallow as to prohibit the reconstruction of the lane and the lane-side gutter.
- (e) This complaint was checked by the Plumbing Inspector on 19th February, 1965 and there was found to be 2' of cover over the line at the property line and 3' of cover at a point 18" out from the property line onto the lane allowance. This information was relayed to the Engineering Department and a message received in reply at 3:50 p.m., 23rd February, 1965, that "the sewer connection is low enough for the reconstruction of the ditch".
- (f) The pipe laid in this connection trench is of cast iron and the cover over the top of the pipe averages 12" of earth.
- (g) Mr. Warner, the Inspector, advises that a shallow connection is necessary to 5850 Patrick Street to avoid boulders
- (h) By-law #542 is not contravened in this case as discretion is allowed to the Inspector where cast iron pipe is installed.

Note: For other types of pipe a minimum of 18" of cover is stipulated.

Conclusion:

This connection has been accepted by the Corporation in accordance with its by-laws.

The connection was routine and handled without delay with any problems investigated and dealt with expeditiously.

(2) Damage to the Fuel Line

- (a) Mr. Warner observed that the fuel line had been bent, when he inspected the outside connection.
- (b) There was no one at home at the time.
- (c) On his second visit, the pipe had been repaired.
- (d) The Corporation has no authority except with respect to the sewer connection.

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Conclusion

This problem is outside the jurisdiction of the Corporation. Any interference on the part of a Municipal Inspector can lead to involvement of the Corporation and its servants without warrant.

Summary:

The contract in this case was between the Mitchells and Tabbs Sewers.

From discussion between Mr. Warner and Mr. Mitchell as reported to your Municipal Manager, the bill for the damaged fuel line is the real issue, not the sewer connection.

The Corporation filled in the hole on the lane.

Since the Corporation's interest in this contract has been satisfactorily performed it would be improper for the Corporation to inject itself into the dispute concerning the fuel line. If, however, the Contractor were found guilty of an offence, the Corporation would have some ground for consideration of the Contractor's licence to operate in Burnaby.

Tabbs Sewers has held a Burnaby Sanitary Contractor's Licence for second half of 1961, first half of 1962, second half of 1964 and first period of 1965, and this is the first citizen's complaint.

3. Re: Port Moody - Burnaby Ramp  
Site Agreement

By-law #4714 may be cited as "Burnaby Ratification By-law 1965" and its purpose is to authorize and ratify an Agreement dated the 15th day of March, 1965, being an Agreement between the Corporation of the District of Burnaby and The City of Port Moody for the joint control, management, operation, maintenance and development of the Rocky Point Boat Ramp Site.

This by-law is authorized by Section 177 of the Municipal Act which makes provision that such an Agreement must be ratified by by-laws adopted by a vote of not less than two-thirds of all the members of each respective Council, and no such by-laws shall come into effect until approved by the Lieutenant-Governor in Council.

The Agreement provides:

1. Three members from the Burnaby Parks and Recreation Commission and three members of the Port Moody Council to form the Rocky Point Boat Ramp Site Committee.
2. The Committee is responsible for the control, management, operation, maintenance, and development of the Ramp Site.
3. Chairmanship of the Committee to alternate between Burnaby and Port Moody membership.

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Site Agreement ..... Cont..)

4. The Committee to prepare annual estimates of Revenue and Expenditure to be submitted to the Port Moody Council and the Burnaby Parks and Recreation Commission for approval.
5. Joint approval of the estimates is required.
6. 50% sharing by each in revenue and expense.
7. Any sums allocated can only be expended in the then current year.
8. Indemnification of Burnaby by the City in respect of any taxes, impositions, rates or charges levied or made by any taxing authority.
9. Termination clause that either party may terminate the Agreement effective on the 31st December in any year by giving one year's notice of termination to the other party. The party not terminating shall, within five years from the date of termination, pay to the party terminating, one-half of the consideration paid up to 31 January, 1968; by the party terminating for the development of the ramp site.
10. If the City terminates the Agreement, Burnaby can lease the Ramp Site for \$1.00 per year terminating 31st October, 1984.
11. The Agreement can be amended.
12. The term of the Agreement is 31st January, 1965 to 31st October, 1984.

The Burnaby Parks and Recreation Commission has requested the Burnaby Council to pass the by-law.

Port Moody Council has already passed its Ratification By-law.

4. Re: Lane Allowance between Neville and  
Clinton Street east from Gilley Avenue

The Engineer's Department has supplied the following information at the direction of Council:

1. Cul-de sac facility at the western end of Clinton Street where the north-south lane east of Gilley Avenue intersects Clinton Street - \$2,300. This sum will provide an asphaltic concrete surface of 76' in diameter, extruded concrete curb and gutters and such storm drainage as is necessary.
2. To pave the lane running parallel to Gilley between Portland and Clinton Street - \$1,000.
3. Paving of the lane from the Clinton Street cul-de sac to the lane north of Clinton Street - \$500.

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Clinton Street east from Gilley Avenue ... cont.)

4. Acquisition of additional 10' for the widening of the east-west lane allowance from Gilley to the lane east of Gilley - \$600. This value is based on the Assessment Department's real evaluation of the land being \$60.00 per front foot approximately.

It is to be pointed out, however, that the owner signed a petition for improvement to the lane and may be willing to dedicate the widening required without charge to the Municipality. Construction of this portion to a gravel standard would cost \$500.

The Land Department has given an estimated acquisition cost at \$800. - \$1,000. as compared to the \$600.00 estimated above.

5. Re Allowances

Submitted herewith for your approval is the Municipal Treasurer's report covering applications received under Section 411 of the Municipal Act in the total amount of \$49.90.

It is recommended that the allowances as applied for be granted.

6. Re: Estimates

Submitted herewith for your approval is the Municipal Engineer's report covering Special Estimates of Work in the total amount of \$29,700.

It is recommended that the estimates be approved as submitted.

7. Submitted herewith for your information is the report of the Fire Chief covering the activities of his Department for the month of February, 1965.

8. Submitted herewith for your information is the report of the Chief Licence Inspector covering the operations of his Department for the month of February, 1965.

9. Submitted herewith for your information is the report of the Medical Health Officer covering the activities of his Department for the month of February, 1965.

Respectfully submitted,



H. W. Balfour  
MUNICIPAL MANAGER

HWB:gr

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10. Re: Sperling-Halifax Sanitary Sewer Project #16/17

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

- (a) Owner - Domenico Bortignon and Christina Bortignon,  
1009 East Eleventh Avenue, Vancouver, B. C.  
Property - East 10' of Lot 171, D.L. 132, Group 1, Plan 26191, N.W.D.  
Location of Easement - 6927 Kitchener Street, Burnaby 2, B. C.  
Consideration - \$1.00 plus restoration of easement area.
- (b) Owner - Ronald Adrian Gregerson and Dorothy Lorraine Gregerson,  
6640 Kitchener Street, Burnaby 2, B. C.  
Property - Portion of Lot 79, as shown outlined in red on plan filed  
in the Land Registry Office numbered 27745, D.L. 132, Group 1,  
Plan 1493, N.W.D.  
Location of Easement - 6640 Kitchener Street, Burnaby 2, B. C.  
Consideration - \$1.00 plus restoration of easement area.
- (c) Owner - David Swinnerton Dyer, 6626 Kitchener Street, Burnaby 2, B. C.  
Property - Portion of Lot 78, as shown outlined in red on plan filed  
in the Land Registry Office numbered 27745, D.L. 132, Group 1,  
Plan 1493, N.W.D.  
Location of Easement - 6626 Kitchener Street, Burnaby 2, B. C.  
Consideration - \$1.00 plus restoration of easement area.  
There are two apple trees on the easement area which may  
be destroyed. In this event, the owners are to be  
compensated the sum of \$25.00.

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: Malvern-Imperial Sanitary Sewer Project #5

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

- (a) Owner - William H. Reddeman and Mildred Edith Reddeman,  
7637 Imperial Street, Burnaby 1, B. C.  
Property - Portion of Lot 177, as shown outlined in red on plan filed in  
the Land Registry Office numbered 27739, D.L. 91, Group 1,  
Plan 26458, N.W.D.  
Location of Easement - 7637 Imperial Street, Burnaby 1, B. C.  
Consideration - \$1.00 plus restoration of easement area.
- (b) Owner - Frank Kenneth Hawkrige and Mary Anne Hawkrige,  
7629 Imperial Street, Burnaby 1, B. C.  
Property - Portion of Parcel 2 (Expl. Pl. 13961) of Parcel "P" as shown  
outlined in red on plan filed in the Land Registry Office  
numbered 27739, of Blocks 1 and 2 (Plan 535) and of Block 26  
(Plan 580) of D.L. 91, Group 1, N.W.D.  
Location of Easement - 7629 Imperial Street, Burnaby 1, B. C.  
Consideration - \$1.00 plus restoration of easement area.
- (c) Owner - Isabel Marguerite Spidel, 7605 Imperial Street, Burnaby 1, B. C.  
Property - North 15' of Lot 1, Block 26, D.L. 91, Group 1, Plan 580, N.W.D.  
Location of Easement - 7605 Imperial Street, Burnaby 1, B. C.  
Consideration - \$1.00 plus restoration of easement area.

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- (d) Owner - Harold Fred Bird and Lorraine Grace Bird,  
7587 Imperial Street, Burnaby 1, B. C.  
Property - North 15' of Lot 3, Block 25, D.L. 91, Group 1, Plan 580, N.W.D.  
Location of Easement - 7587 Imperial Street, Burnaby 1, B. C.  
Consideration - \$1.00 plus restoration of 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.

Respectfully submitted,



H. W. Balfour  
MUNICIPAL MANAGER

HWB:gr