

THE CORPORATION OF THE DISTRICT OF BURNABY

1 October, 1965.

REPORT NO. 68, 1965.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Letter of Mrs. J. J. McConnell
re: 6288 Nelson Avenue.

This complaint was investigated by Sanitation and the Fire Prevention Bureau.

Sanitation had previously been involved in the control of rodents at this address. The rats were eliminated.

Both Departments confirm that the entire premises are in bad repair and no attempt has been made to keep them up or the lot tidy.

The buildings are owned by Clary and Kalyk, and Mr. Kalyk has agreed to demolish them within 14 days. Failing this, a Fire Marshal's Order will be issued.

2. Re: Magistrate A. D. Johnston

On the sudden death of the late Magistrate Beamish, the Attorney-General authorized arrangements whereby Mr. Johnston, who had been a Magistrate for some years, would fill in for the time-being in the second position in Burnaby.

The appointment was not to be considered as the formal appointment for the position and the compensation to Mr. Johnston was not clarified. It was the Attorney-General's understanding that he should receive compensation and other benefits on the basis that he were the second Magistrate.

Burnaby has now been so advised, and Magistrate Johnston is being paid at the annual rate of \$14,500.00 from 1st September, 1965.

Magistrate Johnston has requested that he be included in the Superannuation Plan and it is necessary that the following Resolution be passed by Council:

RESOLVE that Andrew Due Johnston, A Magistrate in and for the Province of British Columbia, be and is hereby brought within the scope of the Municipal Superannuation Act as provided by Section 3 of the said Act, effective September 6, 1965, subject to the following conditions:

- a) The Municipality shall contribute to the Municipal Superannuation Fund eight per cent of the said Magistrate's salary until he shall have attained the age of 65 years.
- b) Thereafter, the Municipality shall contribute four per cent, provided that the Municipality's contribution shall cease in any event when the said Magistrate shall attain the age of 70 years.

It is recommended the Resolution be passed.

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3. Re: Sanitary Sewer Extension

An application to subdivide the following properties has been received:

Lot 6, D.L. 126, Group 1, Plan 22786
Lot 50, D.L. 126, Group 1, Plan 24431
Blocks 9 & 10, D.L. 126, Group 1, Plan 3473

The properties are located on the north-east corner of the intersection of Delta Avenue and Halifax Street. The subdivision creates 27 lots.

In order to provide the subdivision with sanitary sewer, it is necessary to construct a lateral from the trunk sewer east of Springer Avenue to the subdivision, at an estimated cost of \$13,400.00. The lateral will also serve an additional 14 lots and provide service to other future potential subdivisions north of Halifax.

It is recommended that a sewer lateral be constructed on Halifax from the trunk east of Springer Avenue to serve the subdivision at an estimated cost of \$13,400.00.

4. Re: Quorum - Council Committee

The following opinion has been received from the Municipal Solicitor on the question of a quorum for Council Committees:

"I have been asked by the Municipal Clerk whether or not a quorum is required when standing Committees set up by the Reeve pursuant to section 179 (c) of the Municipal Act meet.

There is no provision in the Municipal Act dealing with this particular matter. The Act in section 150 only fixes the quorum for a meeting of Council itself. Beauchesne states that "Committees are regarded as portions of the general meeting and are governed for the most part in their proceedings by the same rules as the general meeting. It is very important that definite rules should be adopted with regard to the quorum. The House of Commons of Canada fixes the quorum of all its standing Committees and has a standing order which provides that a majority of the members of a Special Committee shall be a quorum unless the House has otherwise ordered".

Since no authority has been delegated to any standing Committee pursuant to subsection (2) of section 181 of the Municipal Act, the question of quorum is of little significance since the proceedings of standing Committees are subject to the approval of Council, in any event. However, it seems to me no good purpose would be served if only two or three members of a nine-member Committee were to bring forth recommendations to Council and Council may wish in the procedure by-law to set out the position of all standing Committees and fix the required quorum."

5. Re: Estimates

Submitted herewith for your approval is the Municipal Engineer's report covering Special Estimates of Work in the total amount of \$12,300.

It is recommended that the estimates be approved as submitted.

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6. Re: Street Lights

Submitted herewith for your approval is the Municipal Engineer's report covering suggested street light installations.

It is recommended that the installations be approved.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'H. W. Ballou', written over a horizontal line.

H. W. Ballou
MUNICIPAL MANAGER

HWB:gr

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7. Re: Acquisition of Easement - Portion of Lot 126 and 127 of
Subdivision of Blocks 2 and 3, D.L. 126, Plan 3473

An easement is required, in order to finalize a subdivision over a portion of Lots 126 and 127 of Subdivision of Blocks 2 and 3, D.L. 126, Plan 3473 from Norburn construction Company Ltd., 5459 Chaffey Avenue, Burnaby 1, B. C. The property on which the easement is located is 334' east of Delta Avenue, approximately 532' south of Parker Street. The easement is required for drainage purposes. There is no consideration payable by the Corporation.

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.

8. Re: Tenders - Buckingham-Sperling Sanitary Sewer Project #8

Tenders for the construction of the above mentioned sewer project were received up to 3:00 p.m., Tuesday, September 28th, 1965, and were opened in the presence of Messrs. N. Savchenko, J. Hagen, R. Dick and representatives of the firms tendering. A tabulation of the tenders is attached hereto.

It is recommended that the low tender of Construction Cartage Company Limited, in the amount of \$214,985.10 be accepted, which includes the clean method recommended by the Municipal Engineer, subject to satisfactory credit ratings being received.

9. Re: Trans Mountain Oil Pipeline Company
Assessment Appeal.

The Municipal Solicitor advises as follows:

"The appeal by the Company from the decision of the Board of Assessment Appeal alleging that the Board had improperly ruled that certain tanks of the Company were storage tanks and therefore assessable was heard in Supreme Court chambers by Mr. Justice Gould on September 15th, 1965.

We have now received his written Reasons dismissing the appeal. However, we have also been served with Notice that the Company now intends to appeal that decision to the Court of Appeal."

10. Re: Letter from Mr. W. Campbell

The Municipal Clerk has a letter from Mr. Campbell thanking the Parks Board for what it has done in his area and raising three points of concern to him:

- (1) The condition of a yard at the north-east corner of Boundary and Hastings.
- (2) Asking that the trees be maintained in their natural state where the new school is being built in the Unit Block, Gamma.
- (3) A speed zone in this immediate area on Gamma.

The first two points have been investigated. The owner of the offending property was visited and he was given two weeks to clean up and remove miscellaneous materials from the premises.

Regarding the School Site, clearing has been completed and building construction is well underway. The easterly fringe of the site is proposed for the future Scenic Drive - Gamma Avenue Diversion and this portion has not been completely cleared. The Parks Superintendent has expressed the opinion that the School Board would spare the remaining trees, if asked to do so, but they will be lost when the proposed diversion road is constructed.

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11. Re: Fell Avenue between Curtis and Frances Streets

The Corporation owns property in D.L. 205, Group 1, which is situated on both sides of that portion of Fell Avenue between Curtis and Frances Streets.

The Planning Director considers the park area in D.L. 205 is not sufficiently large in length or breadth to warrant continued separation by Fell Avenue and that the area is currently, and will continue to be, well served by the streets surrounding the park and school complex, thus no public inconvenience would be experienced by the abandonment of the road. The existence of this portion of Fell Avenue seriously limits the flexibility and does not contribute to establishing a desirable layout plan in the park area.

The Parks and Recreation Commission requests that Fell Avenue, from Curtis Street to a point 33 feet south of the north boundary of Parcel "A", D.L. 205, Group 1, Plan 14671, be abandoned and be consolidated with Corporation property located on each side of this portion of the Avenue. The telephone line presently located on the portion to be abandoned will either be relocated or accommodated on an easement.

12. Re: Southern Slope Holdings (1959) Ltd.
Subdivision Ref. #79/65

On 16th August, 1965, Council approved of a 50% cost sharing arrangement on this subdivision on Gordon Avenue in D.L. 86.

The Subdivider agreed to the cost sharing proposal and negotiations have been conducted with the B. C. Hydro concerning the underground wiring.

As a result of these discussions, B. C. Hydro have agreed to provide underground wiring at a cost of \$175.00 per lot providing five more lots are added to the system.

Council approval is therefore requested for the following steps necessary to create five municipally-owned lots facing Gordon Avenue:

1. The creation of the five lots outlined in red on the attached sketch plan.
2. The cancellation by by-law of Gordon Avenue, north-west of a point 430 feet from Morley Street, and the petitioning of the Lt. Governor in Council to obtain title to this portion.
3. The rededication of Gordon Avenue in the location shown on the attached sketch plan (200 ft. centre line radius).
4. The consolidation of the small remaining portions with the appropriate adjacent lots.

The Surveyor involved in the Southern Slope Holdings Subdivision has told the Planner he is prepared to provide a plan to accompany the Road Closing By-law should such a plan be necessary.

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

The following lane acquisition is required for the above mentioned Project:

Owner - Francis Andrew Edwards and Mazie Edwards, 7144 Edmonds Street, Burnaby 3, B.C.
Property - Southeasterly 10' of Lot 22, Blocks 34 to 38 of Lots 1 and 3, D.L. 95, Group 1, Plan 1152, N.W.D. (Save and Except the Westerly 16' thereof, shown on Explanatory Plan 11262)

Location of Easement - 7144 Edmonds Street, Burnaby 3, B. C.
Consideration - \$37.50 for 50 feet of fence at 75¢ per foot.

It is recommended that the portion 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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14. Re: South Slope V Sanitary Sewer Area #6

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

- (a) Owner - Frank Hughes and Frances Hughes,
7212 - 18th Avenue, Burnaby 3, B. C.
Property - The Southeasterly 10' being measured at right angles to the
Southeast boundary of Lot 42 of Lots 34 to 38, Block 1 and 3 of
D.L. 95, Group 1, Plan 1152, N.W.D.
Location of Easement - 7212 - 18th Avenue, Burnaby 3, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - William Hill and Margaret Hill,
7204 - 18th Avenue, Burnaby 3, B. C.
Property - The Southeasterly 10' being measured at right angles to the
Southeast boundary of Lot 43, Blocks 34 to 38 of Lot 1 and 3,
D.L. 95, Group 1, Plan 1152, N.W.D.
Location of Easement - 7204 - 18th Avenue, Burnaby 3, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - Michael Hladych and Christine Elizabeth Hladych,
7312 - 12th Avenue, Burnaby 3, B. C.
Property - Southeasterly 5' of Lot 8, Block 7, D.L. 29, Group 1, Plan 3035,
N.W.D.
Location of Easement - 7312 - 12th Avenue, Burnaby 3, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (d) Owner - Thora Violet Martindale, 7305 - 11th Avenue, Burnaby 3, B. C.
Property - Northwesterly 5' of Lot 14, Block 7, D.L. 29, Group 1, Plan 3035,
Location of Easement - 7305 - 11th Avenue, Burnaby 3, B. C. N.W.D.
Consideration - \$1.00 plus restoration of the easement area.
- (e) Owner - Myrtle Blanche Moir, 7295a - 11th Avenue, Burnaby 3, B. C.
Property - The Northwesterly 5' being measured at right angles to the Northwest
boundary of Lot 15, Block 7, D.L. 29, Group 1, Plan 3035, N.W.D.
Location of Easement - 7295 - 11th Avenue, Burnaby 3, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (f) Owner - Joseph Frank Wigbers and Barbara Wigbers,
7284 - 12th Avenue, Burnaby 3, B. C.
Property - The Southeasterly 5' being measured at right angles to the
Southeast boundary of Lot 4, Block 7, D.L. 29, Group 1, Plan 3035,
Location of Easement - 7284 - 12th Avenue, Burnaby 3, B. C. N.W.D.
Consideration - \$30.00 plus restoration of the easement area.
Amount includes compensation for 6 pine trees.
- (g) Owner - George William Wilson and Janet Sophia Wilson,
7344 - 12th Avenue, Burnaby 3, B. C.
Property - The Southeasterly 5' being measured at right angles to the
Southeast boundary of Lot 2, Block 6, D.L. 29, Group 1, Plan 3035,
Location of Easement - 7344 - 12th Avenue, Burnaby 3, B. C. N.W.D.
Consideration - \$25.00 plus restoration of the easement area.
Amount includes compensation for a large plum tree.

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(Item #14 - Re: South Slope V Sanitary Sewer Area #6 cont.)

- (h) Owner - Clifford Leslie Adams and Doreen Evelyn May Ridgway
and Isabel Jean Wisheart and Ann Jones and William Leslie Strong
and Breda Mary Strong.

Property - The Southeasterly 5' being measured at right angles to the
Southeast boundary of Lot 9, Block 7, D.L. 29, Group 1, Plan 3035,
Location of easement - 7318 - 12th Avenue, Burnaby 3, B. C. N.W.D.
Consideration - \$1.00 plus restoration of the easement area.

- (i) Owner - John Constable and Margaret Dewar Constable,
7269 - 11th Avenue, Burnaby 3, B. C.

Property - The Northwesterly 5' being measured at right angles to the
Northwest boundary of Lot 20, Block 7, D.L. 29, Group 1, Plan 3035,
Location of Easement - 7269 - 11th Avenue, Burnaby 3, B. C. N.W.D.
Consideration - \$15.00 plus restoration of the easement area.
Amount is for 15' of fence at \$1.00 per foot.

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.

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

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

- (a) Owner - Vernon Elderkin Dunham and Phyllis Mary Dunham,
6131 Miller Avenue, Burnaby 1, B. C.
Property - Westerly 10' of Lot "C" of Lots 7 and 8, Block 6, D.L. 32,
Group 1, Plan 10111, N.W.D.
Location of Easement - 6131 Miller Avenue, Burnaby 1, B. C.
Consideration - \$51.00 being compensation for 68 feet of fence at 75¢ per foot.
- (b) Owner - Ethel Jacqueline Wagar, 6207 Miller Avenue, Burnaby 1, B. C.
Property - West 10' of S $\frac{1}{2}$ Lot 4, Block 6, D.L. 32, Group 1, Plan 2278, N.W.D.
Location of Easement - 6207 Miller Avenue, Burnaby 1, B. C.
Consideration - \$31.50 for 42' of fence at 75¢ per foot.
- (c) Owner - Erkki Kivimaa and Jenny Kivimaa,
5465 Sussex Avenue, Burnaby 1, B. C.
Property - West 10' of the N $\frac{1}{2}$ of Lot 44, D.L. 33, Group 1, Plan 944, Except
the North 140.25 feet thereof, N.W.D.
Location of Easement - 5465 Sussex Avenue, Burnaby 1, B. C.
Consideration - \$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.

16. Re: Local Improvement Initiative -
Phase II

Phase I of the Local Improvement Program is now in the construction stage.

Phase II in the amount of \$1,933,145.00 is submitted herewith for the approval
of Council in accordance with the timing schedule presented with Phase I of
the overall program.

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

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

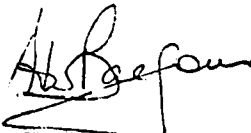
- (a) Owner - George N. Powshuk and Sonja L. Powshuk,
5431 Manor Street, Burnaby 2, B. C.
Property - North 20' of W $\frac{1}{2}$ of Lot 28, Block 19, D.L. 74N $\frac{1}{2}$, Group 1, Plan 2603,
Location of Easement - 5431 Manor Street, Burnaby 2, B. C. N.W.D.
Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - John Barry England and Carol Eunice England,
4949 Manor Street, Burnaby 2, B. C.
Property - North 20' of Lot 28, Block 18, D.L. 74N $\frac{1}{2}$, Group 1, Plan 2603, N.W.D.
Location of Easement - 4949 Manor Street, Burnaby 2, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - Reginald Harold Broadbear and Ronald Percy Broadbear,
4989 Manor Street, Burnaby 2, B. C.
Property - North 20' of Lot 26, Block 18, D.L. 74N $\frac{1}{2}$, Group 1, Plan 2603, N.W.D.
Location of Easement - 4989 Manor Street, Burnaby 2, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (d) Owner - Ralph Ashton Christian
5029 Manor Street, Burnaby 2, B. C. and
Violet May Surina, 3761 Dominion Street, Burnaby 2, B. C.
Property - North 20' of Lot 24, Block 18, D.L. 74N $\frac{1}{2}$, Group 1, Plan 2603, N.W.D.
Location of Easement - 5029 Manor Street, Burnaby 2, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (e) Owner - Frederick William Reger, 5049 Manor Street, Burnaby 2, B. C.
Property - North 20' of Lot 23, Block 18, D.L. 74N $\frac{1}{2}$, Group 1, Plan 2603, N.W.D.
Location of Easement - 5049 Manor Street, Burnaby 2, B. C.
Consideration - \$50.00 plus restoration of the easement area.
Amount includes compensation for 8 nut trees and
1 grape vine which will be destroyed.
- (f) Owner - Joseph Vernon Smith, 5129 Manor Street, Burnaby 2, B. C.
Property - North 20' of Lot 19, Block 18, D.L. 74N $\frac{1}{2}$, Group 1, Plan 2603, N.W.D.
Location of Easement - 5129 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.

18. Re: Rezoning Applications.

Submitted herewith is a report prepared by the Municipal Planner covering various applications for rezoning as detailed in the Planner's report.

Respectfully submitted,



H. W. Balfour
MUNICIPAL MANAGER

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