

THE CORPORATION OF THE DISTRICT OF BURNABY

11 March, 1966.

REPORT NO. 15, 1966.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Sale of Land

The Corporation owns Lots 2, 3, 4, 5, 6, 7, 8 and 9, Block "Q", D.L. 126/127, Group 1, located on the South side of Parker Street between Springer Avenue and Delta Avenue.

The owners of the S $\frac{1}{2}$ and N $\frac{1}{2}$ of Lot 1, D.L. 126, Group 1, Plan 3473 and the S $\frac{1}{2}$ and N $\frac{1}{2}$ of Lot 22, D.L. 126, Group 1, Plan 3473, located immediately south of the Corporation property, has applied for a subdivision.

It is desirable to include the Corporation property in the subdivision through which passes the 86' wide right-of-way for the Springer Avenue Diversion.

Total area of Municipal lots	48,640 square feet
Required for Springer Avenue Diversion	<u>33,480 square feet</u>
Balance	<u>15,160 square feet</u>

The market value of the Corporation property reflected by the assessment is \$36,160.00. The Land Agent's value of the 15,160 square foot area is \$11,275.00.

It is recommended that Lots 2, 3, 4, 5, 6, 7, 8 and 9, Block "Q", D.L. 126/127, Group 1, be placed in a sale position subject to the following conditions:

- (a) A minimum price of \$11,275.00.
- (b) Consolidation with the N $\frac{1}{2}$ and S $\frac{1}{2}$ of Lot 1, and the S $\frac{1}{2}$ and N $\frac{1}{2}$ of Lot 22, both of D.L. 126, Group 1, Plan 3473.
- (c) Subdivision of the consolidated site, as provided in (b) above, proceed as planned in Planning Department Sketch #A1862 attached hereto.

2. Re: Bulk Sales Act - Central Park Esso

Mr. Ossie Sween operated Central Park Esso Service Station located at 3731 Kingsway and has made a voluntary assignment of assets and liabilities.

The amount of \$149.62 (\$142.50 Business Tax and \$7.12 penalty) is owing to the Corporation as an ordinary creditor. The Corporation can expect to recover 14.33 % of this amount.

It is recommended that the Reeve and Clerk be authorized to sign the waiver and consent forms and that the Municipal Treasurer be authorized to write off the uncollected balance of the account.

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3. Re: Cancellation of Easements

The Corporation acquired the following easements and due to a change in design of the works they are no longer required.

(a) Buckingham-Sperling Sewer Area #8

- (i) Easement #40 over Parcel "A" (Expl. Plan 13849) Parcel 1 of Lot "O", D.L. 85, Group 1, Plan 5130 owned by Ralph Hunter Brine and Marion Eleanor Brine, 5651 Malvern Avenue. Consideration was \$1.00.
- (ii) Easement #41 over Parcel 1 (Expl. Plan 10282) of Lot "O", D.L. 85, Group 1, Plan 5130, Except Parcel "A" (Expl. Plan 13849) owned by Franklin Kinsley Currie and Myrtle Marne Currie, 5550 Sperling Avenue. Consideration was \$1.00.
- (iii) Easement #5 over Lot "B", N. 205.5 ft., Block 12, D.L. 85/79, Group 1, Plan 4946 owned by J.C.G. and A.D.G. Jameson, 4991 Claude Avenue. Consideration was \$1.00 and a free sewer connection.

(b) South Slope V Sewer Area #6

- (i) Easement #11 over Lot 39, Block 49, D.L. 95, Group 1, Plan 1643 owned by Ernest Frederick Garlick, 7132 - 17th Avenue. Consideration was \$1.00.
- (ii) Easement #12 over Lot 84, D.L. 95, Group 1, Plan 24134 owned by Robert Wallace Davidson, 4077 Pine Street. Consideration was \$1.00.

It is recommended that the easements be cancelled and that the Reeve and Clerk be authorized to sign the necessary documents.

Respectfully submitted,



H. W. Balfour
MUNICIPAL MANAGER

HWB:gr

4. Re: Acquisition of Easements - Sanitary Sewer Projects

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

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

- (a) Owner - Martin Uzelac and Helen Uzelac,
5376 Gilpin Street, Burnaby 2, B. C.
Property - Portion of Block 33, as shown outlined in red on Plan
filed in Land Registry Office under #29064, D.L. 83,
Group 1, Plan 1267, N.W.D.
Location of Easement - 5376 Gilpin Street, Burnaby 2, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - Casper Paul Wigbers,
4524 Royal Oak Avenue, Burnaby 2, B. C.
Property - Easterly 10' of Lot 1, Block 9, D.L. 80S $\frac{1}{2}$, Group 1,
Plan 13813, N.W.D.
Location of Easement - 4524 Royal Oak Avenue, Burnaby 2, B. C.
Consideration - \$1.00 plus restoration of the easement area.

(ii) Buckingham-Sperling Sanitary Sewer Area #8

- (a) Owner - Fred James Otte and Frances Ellen Otte,
5781 Malvern Avenue, Burnaby 1, B. C.
Property - The Northwesterly 12' being measured at right angles to the
Northwest boundary thereof; of Lot "L" of Lots 28, 29 and
30 of D.L. 86, Group 1, Plan 22219, N.W.D.
Location of Easement - 5781 Malvern Avenue, Burnaby 1, B. C.
Consideration - \$1.00 plus restoration of the easement area;
and approximately 40' of sewer connection estimated
to cost \$200.00. This is a flankage easement.
- (b) Owner - Cecil Spence Walker and Phyllis Frances Walker,
7365 Punnett Close, Burnaby 1, B. C.
Property - Northwesterly 10' of Lot "K" of Lots 28, 29 and 38 of
D.L. 86, Group 1, Plan 22219, N.W.D.
Location of Easement - 7365 Punnett Close, Burnaby 1, B. C.
Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - Theodore Melvin Tosoff and Vivian Marie Toseff,
5537 Rugby Street, Burnaby 2, B. C.
Property - Easterly 10' of Lot 14 of Blocks 1, 2 & 3, D.L. 85,
Group 1, Plan 17524, N.W.D.
Location of Easement - 5537 Rugby Street, Burnaby 2, B. C.
Consideration - \$1.00 plus restoration of the easement area and a
free sewer connection. This is a flankage easement.

(iii) Sixth Street Sanitary Sewer Area #18

- Owner - Frank Baylay of 7891 Rosewood Street, Burnaby 1, B. C.
Property - The Northwesterly 10' of Lot 2, being measured perpendicularly
to the Northwest boundary thereof, and adjoining Lot 1,
Explanatory Plan 10621, Lot 34, Block 3, D.L. 90, Group 1,
Plan 15830, N.W.D.
Location of Easement - 7891 Rosewood Street, Burnaby 1, B. C.
Consideration - \$1.00 plus restoration of the easement area.

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(Item #4 Re: Acquisition of Easements - Sanitary Sewer Projects

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(iv) South Slope V Sanitary Sewer Area #6

- (a) Owner - Elizabeth Barrie Mills, 7132 - 18th Avenue, Burnaby 3, B. C.
Property - Portion of Lot 13, as shown outlined in red on Plan filed
in Land Registry Office, N.W.D., Blocks 48 and 49 of
Lot 2, D.L. 95, Group 1, Plan 1643, N.W.D.
Location of Easement - 7132 - 18th Avenue, Burnaby 3, B. C.
Consideration - \$5.00 plus restoration of the easement area.
Amount includes compensation for one fruit tree which
will be destroyed.
- (b) Owner - Westminster Fuels Ltd.,
7710 Kingsway, Burnaby 3, B. C.
Property - Portion of Lot 1, as shown outlined in red on Plan filed
in Land Registry Office, Block 17, D.L. 29, Group 1,
Plan 5889, N.W.D.
Location of Easement - 7710 Kingsway, Burnaby 3, 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.

5. Re: Lane Acquisition - Sixth Street Sanitary Sewer Area #18

The following lane acquisition is required for the above noted Sanitary Sewer
Project as follows:

The Southeasterly 10' of Lot 15, Block 2, D.L. 90, Group 1, Plan 555, being
measured perpendicularly to the Southeast boundary thereof, and adjoining
Parcel 1 and the West 50' of Lot "B", N.W.D., owned by Leonard Arthur Eaglestone
and Phyllis Irene Eaglestone of 7906 Goodlad Street, Burnaby 1, B. C. The
consideration is \$75.00 for 100 ft. of fence.

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.

6. Re: Bateman Subdivision - D.L. 86

When this subdivision was proceeded with it was discovered that there is a
permanent Water Licence issued to Mr. Ralston which gives the Ralstons
rights to 0.7 acre feet of water per year from a source on the Bateman
property.

Such a Water Licence is not revocable and after a great deal of study by solicitors
for the Bateman property and of the Corporation, the conclusion was reached
that there is only one way to overcome the problem and that is to guarantee
to the Ralstons the amount of water granted to them under the Water Licence.

Block Bros., who are handling the Bateman Subdivision, have been able to
persuade the Ralstons to accept a supply from the public water system and
Mrs. Ralston has given her approval to an Agreement which provides:

1. That the Municipality and/or developer shall instal a water
service;

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(Item #6 - Re: Bateman Subdivision - D.L. 86 cont.)

2. That the water service shall be controlled by a tap or valve, and will be metered;
3. That 0.7 acre feet of water calculated to be 30,447 cu. ft. of water per annum will be supplied to the Ralstons without cost to them for a period of 15 years;
4. That water taken in each year in excess of 0.7 acre feet will be charged at the rates in the Waterworks By-law;
5. After 15 years the Agreement is renewable for a further period of 10 years but during this extended period all water taken shall be paid for at the current rate as contained in the Waterworks By-law;
6. The Agreement is to be registrable in the Land Registry;
7. The owners, the Ralstons, agree to surrender and abandon the said Water Licence #15075.

Costs of the Connection are estimated at \$235.00 and this sum is payable by Block Brothers. The value of water to be supplied free is \$22.89 per annum at present costs. Block Bros. would be responsible for 50% of the cost of water supplied free.

This is a most cumbersome method of disposing of this Water Licence, but it appears the only practicable way which is acceptable to the Ralstons.

It is recommended that Council approve the Agreement and that the Reeve and Clerk be authorized to execute it.

7. Re: Rezoning Applications

Submitted herewith are six rezoning application reports for the consideration of the Council.

8. Submitted herewith is a report prepared by the Municipal Planner entitled "Maywood Area Road Improvements".

For your consideration.

Respectfully submitted,



H. W. Balfour
MUNICIPAL MANAGER

HWB:gr