

23 September 1966.

REPORT NO. 52, 1966.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Rezoning Applications 25 and 26, 1965,
Lots 5 to 19 of Block 40, D. L. 151/3, Plan 2666.

Council approved these large rezonings on the east side of Silver Avenue for apartment purposes.

Construction is proceeding rapidly and the lane required on rezoning is needed for secondary access to the apartment area.

The lane allowance is complete except for a ten-foot widening required from:

- Lot 6, Block 41, owned by
Mr. and Mrs. Greenaway of 6649 Telford Avenue,

-and-

- Lot 5, Block 41, owned by
Mr. and Mrs. Francis of 6659 Telford Avenue.

The Greenaways have indicated willingness to sell the rear 10 feet of their lot for \$65.00. It is recommended the rear ten feet of Lot 6, Block 41, D. L. 151/3 be acquired at a purchase price of \$65.00.

The Francis' are not interested in dedicating, or selling, the rear ten feet of their property. If this is to be acquired, it would appear necessary to expropriate the rear ten feet of Lot 5, Block 41, D. L. 151/3. It is recommended that Council approve this action.

2. Re: Springer Street Diversion.

This Report Item is supplied with respect to a letter addressed to Council by Mr. Fred Kranz. In this letter Mr. Kranz asks Council to instruct the Planner to abandon the Springer Diversion project.

Mr. Parr reports that this route has been planned for many years and the provision of the right-of-way has already been implemented in part through land acquisition, dedication, exchange, et cetera. The subdivision and servicing pattern has been laid out in such a manner as to reflect this route.

The Planner strongly recommends against its abandonment.

3. Re: Acquisition of Easement - North ten feet of Lots 117 to 133 inclusive, and east five feet of Lots 126 and west five feet of Lot 127 of Subdivision of Block 3S $\frac{1}{2}$, D. L. 93, Plan 248.

An easement is required, on subdivision, over the north ten feet of Lots 117 to 133 inclusive, and the east five feet of Lot 126 and west five feet of Lot 127 of a subdivision of Block 3S $\frac{1}{2}$, D. L. 93, Plan 248, from Nick Kalyk, 7345 Punnett Close, Burnaby 1, B. C. The property, on which the easements are located, is situated on the north side of Service Street between Gilley Avenue and Waltham Avenue. The easements are required for drainage purposes and there is no consideration payable by the Corporation.

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

(.....2)

4. Re: Lane North of Malibu Drive.

With the completion of heavy construction work on the Trans Mountain Site, your Municipal Manager suggested to Trans Mountain that the Company underwrite the cost of paving the lane north of Malibu Drive.

Without any hesitation the Company agreed to pay the estimated sum of \$3,400.00 for capping the Road and Lane north of and parallel to Malibu Drive from Inlet Drive to Cliff Avenue - including the turn-in to Trans Mountain Gate.

5. Re: Grant Street - East of Boundary Road.

During discussion by Council at its meeting held 19th September 1966, on the application by B. C. Tractor Roller Rebuilders Ltd. for an extension of time for the firm to vacate Grant Street, two questions were raised by Council:

1. Did the Corporation issue a building permit for the shed located on the road allowance.
2. When and how was Grant Street closed through the Kenworth property.

In answer to Question 1, the Chief Building Inspector has written as follows:

"We have been asked by the Municipal Clerk to report to you on a shed on the Grant Street road allowance, adjacent to the above described property, used and occupied by B. C. Tractor Roller Re-Builders Ltd. as a press shed.

All records of this Department concerning this subject property have been checked, plan file, correspondence and inspection files, and no where is there indication that a building permit at any time was issued to allow the placement of a shed on Grant Street road allowance. In fact, it can be said that had any enquiry or application been made for such a permit this Department would have informed any enquiring party that private business use could not be made of road allowance.

In the inspection file is an application and an electrical permit dated October 31, 1962, and the application bears a notation "wire new shed outside building". The work covered by this permit was inspected on the 2nd November 1962, but the Electrical Inspector who made that inspection cannot recall at this time whether the work took place in the temporary shed. Even assuming that the electrical permit did apply to this shed, the Electrical Inspector would not have been in a position to know that the property in question was a road allowance, and the issuance of an electrical permit in no way constitutes an authority for use of property.

In summary, this Department has no record of any permit issued authorizing use of road allowance and therefore we would respectfully suggest that the Corporation is completely free to arrive at a decision to enforce abandonment of this road allowance by the present occupier."

Regarding Question 2, Plan #13774 was deposited in the Land Registry Office 5th August 1953. The owner of the property at that time was Ferguson Truck and Equipment Co. Ltd. Plan #13774 cancelled out Grant Street from the Lane east of Boundary to Ingleton Avenue; Esmond from Gravely to Kitchener; and all lanes between the Lane east of Boundary and Ingleton, except East 100 foot lane north of Gravely. The Plan created Parcel "E", Plan #13774.

Plan #16251 was deposited in the Land Registry Office, 10th February 1956, and consolidated Lots 11 and 12 and remaining lane with Parcel "E" to become Parcel "H". Kenworth had bought Lots 11 and 12 on 11th May 1955 and Parcel "E" on 25th April, 1955.

(.....3)

6. Re: Expenditures.

Submitted herewith for your approval is the Municipal Treasurer's report covering Expenditures for the 4-week period ended 4 September 1966 in the total amount of \$2,801,157.00.

It is recommended that the expenditures be approved, as submitted.

Respectfully submitted,



H. W. Balfour,
MUNICIPAL MANAGER.

HB:eb
Att.

7. Re: Acquisition of Easement - West 15 feet of Lot 16, Blocks 17/18,
D.L.34, Group 1, Plan 1355, N.W.D.

An easement is required for drainage purposes as follows:

Owners-Ralph Michaud and Beverley Michaud, 3907 Price Street, Burnaby 1, B. C.
Property - West fifteen feet Lot 16, Blocks 17/18, D. L. 34, Group 1, Plan 1355, N.W.D.
Location - 3907 Price Street, Burnaby 1, B. C.
Consideration - \$15.00 plus restoration of the easement area.

It is recommended that the easement be acquired and that the Reeve and Clerk be authorized to execute the easement documents on behalf of the Corporation.

8. Re: Display Sign - Lot 21, Block 30, D. L. 152, Plan 1520,
5094 Kingsway.

Item #8 of the Municipal Manager's Report No. 51, 1966 refers.

This item reported the decision of the Zoning Board of Appeal granting permission to Neon Products of Canada Ltd. to erect a sign for "Ernie's Fine Foods" within the Kingsway Widening strip set-back, subject to an agreement to remove the sign.

Council referred the subject back for two points:

- (1) The Company should protect the Corporation by putting up a bond; .
- (2) Remove the restrictive element of the Agreement which held the Corporation's right to order removal to the widening of Kingsway.

Neon Products of Canada Ltd. have now offered to post a \$2,000.00 Bond to cover its responsibility for removal of the sign if ordered by the Corporation for any reason.

It is recommended the Reeve and Clerk be authorized to execute the agreement as amended.

9. Re: Applications for Rezoning.

Submitted herewith is the Municipal Planner's report wherein he lists reports covering various applications for rezoning, for Council consideration.

10. Re: North-East Burnaby Study.

Submitted herewith is the Municipal Planner's report on the North-East Burnaby Study - Revised Simon Fraser Townsite Plan.

For Council consideration.

Respectfully submitted,



H. W. Balfour,
MUNICIPAL MANAGER.

HB:eb