

THE CORPORATION OF THE DISTRICT OF BURNABY

10 February, 1967.

REPORT NO. 9, 1967

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

Gentlemen:

Your Manager reports as follows:

1. Re: 7826 Nursery Street (Luke)

Item #2 of the Municipal Manager's Report #6/67 refers. The item was tabled for a report from the Solicitor.

Mr. Stirling says:

"As I have already stated to you, there is nothing Council can legally do to resolve the problems which Mr. Luke has created, unless of course it wishes to amend the by-laws which he is at present violating.

That is a course of action which I do not recommend."

The chief problem created by Mr. Luke is his use of a trailer for human habitation on his property in violation of the Zoning By-law and the Auto Court By-law.

2. Re: Acquisition of Easement - D.L. 76

An easement is required for storm sewer purposes as follows:

Owner - Edward Eaton and Jessie Eaton, 5672 Woodsworth Street,
Burnaby 2, B.C.
Property - West 5' Lot 5, Block 10, D.L. 76, Group 1, Plan 1885,
N.W.D.
Location - 5762 Woodsworth 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 easement and that the Reeve and Clerk be authorized to execute the easement documents on behalf of the Corporation.

3. Re: Douglas Road Widening

The Corporation requires a 15' truncation from the South East corner of Lot 7, Block 29, I.L. 117E $\frac{1}{2}$, Group 1, Plan 1222, located at the North West corner of Gilmore Avenue and Douglas Road. The owner will convey the truncation for \$1.00.

It is recommended that the truncation be acquired and that the Reeve and Clerk be authorized to sign the documents.

4. Re: Lake City Industrial Park - Road Exchange

Lake City Industrial Corporation is desirous of obtaining a modification of the cul-du-sac at the east end of Express Street in the Lake City Industrial Park area. which would convert the present cul-du-sac to a hammer-head type of turning area.

Details of the land exchange to provide the modification are outlined on a survey plan prepared by David H. Burnett & Associates dated January 11th, 1967, and amended January 27th, 1967. Copy of plan will be produced at the Council meeting.

It is recommended that the proposed land exchange, as outlined on the above mentioned plan, be approved and that the Reeve and Clerk be authorized to sign the documents.

5. Re: Municipal Finance Officers Association of United States and Canada

The 1967 Conference of the above mentioned association will be held in Chicago, Illinois from June 4th to June 8th.

It has become customary for the Municipal Treasurer and the Deputy Treasurer to alternate attendance at the annual conference.

The Municipal Treasurer recommends the Deputy Treasurer attend this year.

It is recommended that Mr. H.B. Karras be authorized to attend the 1967 conference of the Association.

6. Re: Letter from Mrs. E.C. Walsh, 4249 Percival Avenue

Council is in receipt of a letter from Mrs. Walsh pursuant to the Home-Owner Grant.

The Municipal Treasurer reports as follows:

"4249 Percival Avenue, being Lot 7, of Block 2, D.L. 80S, Map 1798, is registered in the name of C.E. Walsh, 44 Alan Road, S. Hamilton, Mass. U.S.A. The amount of taxes outstanding at 31 December, 1966, on this property is \$443.57.

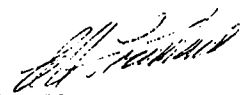
In applying for a Home-Owner Grant, an owner must certify that the building on the parcel is, in whole or in part, his ordinary residence and that he is residing therein. In answer to a query from Mr. Walsh as to why he was not given the Home-Owner Grant, on 26 January, 1966, I wrote as follows:

"The Home-Owner Grant is given to taxpayers paying taxes on a residence in which they live. As you do not live on this property, we cannot give you the Grant even though your wife is in residence. There can be two exceptions to this rule. The first would be if there was registered in the Land Registry Office in New Westminster a joint-ownership of the property, with your wife being one of the owners. The second would be if there was registered in the Land Registry Office a life estate for your wife. If you wish to take either of these course of action, you will require the services of a lawyer or a notary public."

I might say that the contents of my letter were prompted in part by the many telephone conversations I have had with Mrs. Walsh. However, Mr. Walsh did not reply to my letter nor has he taken any of the action suggested.

The Provincial Home-Owner Grant Act is quite clear. Mrs. Walsh cannot claim the Home-Owner Grant unless her husband takes one or other of the actions I have recommended."

Respectfully submitted,


H.W. Balfour,
MUNICIPAL MANAGER

7. Re: Retarded Children's School Site - Grandview and Royal Oak

The matter of an exchange of property between the Corporation and the Burnaby School Board whereby the School Board acquired the site on which the School is now being built, was approved by Council in September, 1965.

Terms of the exchange included responsibility for access to the site by the School Board.

Subsequent examination of the area indicated that an alteration in access could be beneficially selected, whereby four municipal lots could be serviced and made available for sale, being Lots 3A, 4A, 5A, and 6A on Banff Avenue.

Servicing was revised in collaboration with the School District to:

28' curb to curb on Banff from Hardwick to Wordsworth		\$10,600.
28' curb to curb on Woodsworth - Banff approximately 300' West.		

Of the above costs \$5,300. will be recoverable from the School Board through an increase in Selling Price of Municipal land from \$15,000. to \$20,300.

The Municipality will be responsible for a 6" water main on Banff Avenue at an estimated cost of \$3,000. Sanitary Sewer is available.

A sale price of the four Municipal lots on Banff Avenue, which are all 57.77' x 120' in size, has been set by the Land Agent at approximately \$6,000. each with these services fully paid for.

It is recommended that Council approve the amended servicing and that the four Municipal lots be placed in a sale position as soon as servicing is completed.

8. Re: Subdivision Reference No. 1/67

The owner of Block 7 E $\frac{1}{2}$, except sketch 12133 and except reference plan 17074, D.L. 80S, Group 1, Plan 792, has made application for a subdivision.

The property is located between Spruce and Eglinton Streets, east of Royal Oak. The width of the property (173') is such that only two lots can be created across the property.

The owner has requested the Corporation to share in the costs of the construction of Eglinton Street but has indicated if he could obtain a 7 foot wide strip from the lane to the east, he would be prepared to pay for the full cost of constructing Eglinton Street.

The Planning Director advises that although there is no obligation for the Municipality to share in the construction of Eglinton, there appears to be no reason why the 20 foot lane allowance should not be reduced to a 13 foot walkway thus increasing the subdivision potential of the property.

It is recommended that the Corporation:

Not share in the servicing costs of Eglinton Street.

Abandon 7 feet of the adjacent lane and place the abandoned portion in a sale position subject to:

- (i) .. minimum price of \$2,500.00.
- (ii) The purchaser be required to consolidate the said 7 feet with the adjacent lane as stipulated by the subdivision.
- (iii) The purchaser to pay for the survey and legal costs in connection with the abandonment and consolidation.

9. Re: Miscellaneous Lane Acquisition

The Corporation requires the north 10 feet of Parcel "A" (Explanatory Plan 14200) of Lot 96, D.L. 129, Group 1, Plan 1492, Save and Except part in Parcel "B" (Explanatory Plan 14971) for lane purposes.

The property is located between Fell and Kensington Avenues, north of Winch Street.

The owners will convey the widening strip for \$1.00.

It is recommended that the north 10 feet of the property be acquired for \$1.00 and that the Reeve and Clerk be authorized to sign the necessary documents.

10. Re: Acquisition of Easement - Southerly 10' of Lot 202, D.L. 91, Blocks 14/15, S.D. 1/3, Lot "A", Plan 14836.

An easement is required, in order to finalize a subdivision over the southerly 10' of Lot 202, of a subdivision of D.L. 91, Blocks 14/15, S.D. 1/3, Lot "A", Plan 14836 from James Arthur Steeves and Olof Gudrum Steeves, 6618 Walker Avenue, Burnaby 1, B.C. The location of the easement is the south east corner of Imperial and Walker. The easement is required for service 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.

11. 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

Owner - Board of School Trustees of School District No. 41 (Burnaby),
5325 Kincaid Street, Burnaby 2, B.C.

Property - Portion of Lot 31 of D.L. 79, 30, 33, Group 1, Plan 25720,
N.W.D.

Location of easement - 4433 E. Grandview-Douglas Highway, Burnaby 2,
B.C.

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

(ii) Oakalla Sanitary Sewer Area #21

(a) Owner - William Henry Colbourne and Christian Moira Colbourne,
6229 Denbigh Avenue, Burnaby 1, B.C.

Property - West 10' of Lot 17, Block 3, D.L. 94, Group 1, Plan 1117,
N.W.D.

Location of easement - 6229 Denbigh Avenue, Burnaby 1, B.C.

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

(b) Owner - George Saunders and Marguerite Elizabeth Saunders,
6209 Denbigh Avenue, Burnaby 1, B.C.

Property - West 10' of Lot 18, Block 3, D.L. 94, Group 1, Plan 1117,
N.W.D.

Location of easement - 6209 Denbigh Avenue, Burnaby 1, B.C.

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

(c) Owner - William Spencer, 5338 Oakland Street, Burnaby 1, B.C.

Property - East 10' (Flankage) Lot 2, Block "B", D.L. 94, Group 1,
Plan 1426A, N.W.D.

Location of easement - 5338 Oakland Street, Burnaby 1, B.C.

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

(Item No. 11 - Re: Acquisition of easements - Sanitary Sewer Projects cont.)

- (d) Owner - Donald Orr Bremner and Donna May Bremner, 6197 Denbigh Avenue, Burnaby 1, B.C.
Property - West 10' of Lot 19, Block 3, E.L. 94, Group 1, Plan 13665, N.W.D.
Location of easement - 6197 Lenbigh Avenue, 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.

12. Re: Lane Acquisition - Oakalla Sanitary Sewer Area #21

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

The West 10' of Lot 9, Block "B" of the North Part of D.L. 94, Group 1, Plan 1426A, N.W.D. owned by Adam Babiuk and Susie Babiuk, 6057 Selma Avenue, Burnaby 1, B.C. The consideration is \$50.00 which includes compensation for loss of an old 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.

Respectfully submitted,



H.W. Balfour,
MUNICIPAL MANAGER

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