

THE CORPORATION OF THE DISTRICT OF BURNABY

17 February, 1967.

REPORT NO. 11, 1967

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

Gentlemen:

Your Manager reports as follows:

1. Re: Debenture By-law No. 4645

Debentures as authorized by By-law #4645 were sold 28th September, 1964 for Local Improvements. The amount of the issue was \$1,000,000. - 5½% serials maturing 1965 to 1979 inclusive.

Estimated cost of works was \$962,878. and the apportionment of costs were:

Corporation's Share	\$ 628,281.
Owners' share	334,597.
By-law expense, discount, etc.	<u>37,122.</u>
	\$1,000,000.

Actual cost of works was \$890,176.99 and the apportionment was:

Corporation's share	\$555,579.99
Owners' share	334,597.00
By-law expense, discount, etc.	<u>30,541.86</u>
	\$920,718.85
Less Interest Earnings & Winter Works	<u>10,099.47</u>
	\$910,619.38

being \$89,380.62 less than the amount raised by the sale of debentures.

In accordance with Section 593(2) of the Municipal Act the Treasurer certifies the costs outlined above.

Section 3 labelled 17A of the Municipalities Enabling and Validating Act 1963 permits Burnaby to use surpluses in local improvement debenture by-laws to finance further works of local improvement.

By-law #4795 provides for the construction of 5 foot curb sidewalks and pavement widening to 28 feet on Noel Drive from Cameron Street to Still Creek at an estimated cost of \$96,450.00.

Actual costs were \$88,384.05 to be borne:

Corporation's share	\$58,182.05
Owners' share	<u>30,202.00</u>
	\$88,384.05
Temporary financing	<u>996.57</u>
	\$89,380.62

Under the circumstances it is recommended that the construction of Noel Drive as described in By-law #4795 be financed over a period of 15 years commencing with the year 1967, from the surplus contained in By-law #4645. The frontage rate applicable will be 62¢ per taxable front foot.

A by-law to implement the above recommendations is being submitted.

2. Re: Flooding Claims --
D.A. Tompkins - 4212 Parker Street
Mrs. Hay - 4220 Parker Street

These are claims for flooding resulting from work done by Municipal forces.

... Cont. Page 2.

(Item #2 - Re: Flooding Claims cont.)

In 1960 when the particular storm sewer was constructed which serves these two houses it was imperative to locate the low point on the lane. Since the two houses were draining their tiles to the ditch in the lane, the construction crew provided a piped connection to the storm sewer. Storm sewer connections were not recorded at that time and these two were not readily visible being directly under the catch-basin.

On 25th November, 1966, a Municipal crew moved a catch-basin which was interfering with access to a garage at 4230 Parker. No information was given to the crew about any storm sewer connections for none were on record. Subsequent dye testing did prove that the two houses were on the sewer. When the digger bucket was lifting the catch basin, the storm sewer leads were apparently crushed, and the work being done in the rain, the flowing mud could easily obscure the pipes.

The Corporation does not deny liability for these claims for the resulting flooding.

Solicitors for Mrs. Hay submitted a claim for \$270.00 and have agreed to settle for \$225.00.

It is recommended this settlement be approved subject to the necessary Releases being provided.

The claim of Mr. Tompkins is in two parts:

- a) The claim of Brouwer & Co. for \$562.46 representing payment made to the Tompkins.
- b) A claim by Mr. Tompkins for \$61.26 representing the deductible portion and other damages not covered by insurance.

It is recommended that the claim of Mr. D.A. Tompkins be settled in the total amount of \$623.72.

3. Re: South Burnaby Credit Union Parking Lot

On December 30, 1959, the Council granted the South Burnaby Credit Union permission to use the Northwest 60' of Lots 12 and 13, S.D. 31/33, Blocks 1 and 3, D.L. 95N, Plan 1915 for customer parking purposes.

There were a number of conditions attached to the approval, among which was a requirement that after a five year period the residence on the property should be demolished.

In 1964 this five year period was extended for a further two years and in 1966 the question of demolishing the residence came to the fore.

Council requested the opinion of the Planning Director on the following points:

- (a) Should the house be demolished at this time.
- (b) The legal position of Council if it wished to amend the original condition.
- (c) The current condition of the residence on the property.

The Planning Director reports as follows:

- " (a) It is my opinion that there is no advantage to be gained in demolishing the house at this time, in view of the uncertainty of the Credit Union's plans as to the use of the property; the desirability of retaining the residential characteristic of 18th Avenue; and the shortage of housing existing at this time.
- (b) I have checked with the Legal Department and if Council wished to amend the original condition, it would be necessary to rescind the original approval.

.... Cont. Page 3.

(Item #3 - Re: South Burnaby Credit Union Parking Lot cont.)

(c) From a visual inspection of the property, the residence is vacant and has suffered to some extent for this reason; otherwise it is in a fair condition with proper sanitary facilities."

4. Re: Policing the District of Burnaby

The contract for the policing of Burnaby by the R.C.M.P. expired March 31st, 1966.

A contract for the period April 1st, 1966, to March 31st, 1967, has now been received.

The contract calls for Canada to provide at all times 122 members of the Force.

The Corporation pays for policing on the following basis:

50% of the cost for each of the first five members
75% of the cost for each additional member

of the average cost per member of maintaining the operating Force during the fiscal year. The per capita cost for municipal policing is estimated to be \$9,757.00.

Transportation is supplied by the Force and is charged to Burnaby at the rate of nine cents per mile for each mile travelled in excess of 3100 miles per annum.

It is recommended that the contract be renewed and that the Reeve and Clerk be authorized to execute the agreement.

5. Re: Street Waste Receptacles

Burnaby at this time has 83 "Pelicans" erected on public streets. Public acceptance has been very good and requests have been received for the installation of more receptacles.

This is the season of the year when the Paint Shop can devote time to construction and it is recommended that, as part of the Clean Up, Paint Campaign, Burnaby instal 100 more "Pelicans" in strategic locations.

The cost of a "Pelican", including installation, is estimated at \$80.00. If approved by Council provision will be made in the 1967 Budget.

6. Re: Sanitary Sewers

The purpose of this report is to provide a current picture of the capital situation as it applies to the Sewer Construction program in the first instance, and secondly to present information on which to base decisions for continuation of the program.

There has been some improvement in the marketability of municipal debentures with a consequent slight drop in interest rates. Interest rates however, remain quite high and at this time 6 3/4% has to be accepted. Burnaby has been to the market twice and has disposed of \$1,000,000. Sewer bonds, and \$563,000. Local Improvement bonds.

Sale of the above bonds has recouped the Corporation's cash position tremendously, of course. It is now appropriate to review the situation and determine the next course of action with respect to continuation of the sewer and local improvement programs. It is necessary to take the two programs together to arrive at a proper conclusion as to the size and extent of each program as the amount of General Fund financing required should be the controlling influence.

When Burnaby curtailed its sewer construction programs it did so because of developments in the bond market over which it had no control, nor were there any danger flags to provide guidance. Consequently there could be no sound basis for any criticism of the Municipality for the investment of such large amounts of General Funds in the Capital Program.

(Item #5 - Re: Sanitary Sewers cont.)

Having recouped to both comfortable and safe levels, however, any future action of commitment of General Funds must be done on a responsible basis, taking into account the present market conditions. Since Burnaby has been to the market twice in the last few months it would now be prudent to remain off the market at least until next fall, with bonds bearing Burnaby's name. This suggestion does not preclude borrowings on Burnaby's account by the Greater Vancouver Sewerage and Drainage District.

After the sale of \$1,000,000. of Sewer Bonds, Council immediately proceeded with Areas #20 and #21 of the Sewer Program. The amount of commitment as determined by the contracts let is approximately \$408,640.00. Council had just previously approved sewer works estimated at \$100,500.

The detail which follows is based on late information regarding work in progress, and of course, reflects the receipt of proceeds of bond sales. The remaining borrowing power is the balance of the two enabling authorities totalling \$13,500,000.00.

(A) FUNDS -- PROJECTED

G.V.S. & D.D. have still to borrow	\$1,145,900.	
Balance of latest borrowing authority	<u>1,000,000.</u>	
	\$2,145,900.	
List of Works (See C)	<u>1,650,500.</u>	
	495,400.	
Less: present debit position of General Fund financing with respect to Sewers -		
Treasurer's Estimate -	\$374,745.	
Reduced by savings in		
Areas #20 & #21	\$57,745.	
Alpha Dry Sewer included in new works 12,000.	<u>69,745.</u>	
	305,000.	<u>305,000.</u>
NET FORESEEN CREDIT POSITION AVAILABLE FOR NEW WORKS NOT INCLUDED IN THESE TABLES.		<u>\$ 190,400.</u>

(B) FUNDS - IMMEDIATE

Present Debit position as above	\$ 305,000.
Anticipated G.V.S. & D.D. Borrowing	<u>250,000.</u>
Net Debit	55,000.
Proposed Additional construction program (D)	<u>450,000.</u>
EXPECTED NEW DEBIT POSITION	<u>\$ 505,000.</u>

(C) SEWER PROGRAM

<u>COMMITMENTS:</u>	
Corporation share Lougheed Mall	\$40,000.
15th Street - Dominion Construction	34,000.
Rem. of Hunter Area	69,000.
Alpha Dry Sewer	<u>12,000.</u>
	\$ 155,000.

NEW AREAS:

Project #2 - 19th Street	\$40,000.
#3 - Leer Lake	7,500.
#4 - Stanley Street	
(reduced from \$200,000.)	140,000.
#6 - Hillview (was Bainbridge and reduced from \$85,000.)	30,000.
#7 - Copley #3	220,000.
#8 - Aubrey Street	190,000.
#9 - 4700 Blk. Cambridge	<u>2</u>
	655,500.
	<u>\$ 810,500.</u>

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(Item #5 - Re: Sanitary Sewers cont.)

<u>CONTINGENCY:</u>	Brought forward: 810,500.	
Provision of Funds for S/D extensions and other unforeseen sewer installations		250,000.
		<u>\$1,060,500.</u>

<u>DRAINAGE WORKS:</u>		
Area "E"	\$190,000.	
Area "C" was \$450,000. now reduced by L.I. Work	<u>400,000.</u>	590,000.
		<u>\$1,650,500.</u>

(D) PROPOSED NEW PROGRAM:

Project #6 - Hillview	\$ 30,000.
#4 - Stanley	140,000.
Commitments	155,000.
Contingency	<u>125,000.</u>
	<u>\$ 450,000.</u>

It is recommended that Council approve the Proposed New Program, to be put in hand, as design work is completed, to the amount of \$325,000.

7. Re: Local Improvements

The immediate picture concerning the financing of Local Improvements construction costs is shown in the following Table E:

Table E:

Local Improvement Expenditures to 31/12/66		\$1,292,433.03.
Less: Bond Sale Recoveries -		
B/L #5054 -	\$446,755.92	
#5057 -	<u>116,412.32</u>	563,168.24
		729,264.79
Less: B/L #4795 - Noel Drive - Charged to surplus in B/L #4645 (const. costs)		88,334.05
		<u>640,880.74</u>
Less: Marlborough - Newton to Dover - cancelled		627.72
		<u>640,253.02</u>
Add: Est. cost of completing works in progress:		
Broadway - Springer to Holdom	\$10,275.	
Smith Avenue	20,000.	
Humphries - Vista to Imperial	<u>15,711.</u>	45,986.00
		\$ 686,239.02
Add: Bal. of Phase I -	\$439,440.	
Less: Bell Ave. -	<u>20,150.</u>	419,290.00
		<u>\$1,105,529.02</u>
Add: Gilpin S/W -	\$13,000.	
Buckingham S/W -	<u>8,400.</u>	21,400.00
		<u>\$1,126,929.02</u>
Amount to credit of L.I. Reserve		<u>1,008,581.80</u>
Expected new Debit position		<u>\$ 118,347.22</u>

It is considered that it would be desirable for the Corporation to now introduce a new Local Improvement Program for submission to the property-owners. This would place the Council in a position of having an approved program to work with as the financial picture may improve from time to time, and permitting rapid decisions to resume construction work as the circumstances indicate.

(Item #7 - Re: Local Improvements cont.)

Submitted herewith in Summary and in Detail is a proposed Phase 2 Program of Local Improvement. This Phase 2 Program totals \$2,067,465.00 of which the Corporation's share would be \$1,388,543.00 and the property-owners' share \$678,922.00.

One of the primary objectives in the compilation of this proposed program was to place black-top on gravelled streets. To this end \$978,165. is proposed for this purpose, \$67,830. for sidewalks only, and \$1,021,470. for street widening with curbs and/or sidewalks.

A Supplementary Phase 2 has also been produced which totals \$519,700. of which \$320,300. is for gravel streets, \$10,400. for sidewalks only, and \$139,000. for street improvement.

There has been some delay in design production for an Ornamental Street Lighting Program but it would appear that approximately \$75,000. will be needed for the next such program.

In addition to the Phase 2 and Supplementary Phase 2, another Program is being prepared for "Special" works of Local Improvement such as the Weiser Lock Area and Austin Road Extension.

Your Municipal Manager suggests that Council could embark upon a new Local Improvement Program to the extent that, combined with Sewers to be financed from General Funds, the total commitment for the use of General Funds does not exceed \$1,250,000.

To make it possible to consider such a new construction program it is recommended that Council approve Phase 2 and Phase 2 Supplementary for submission to the property-owners.

3. Re: Abandoned Vehicles

The matters of custody and disposal of abandoned vehicles has had to be examined because of the increase in numbers of such vehicles in recent months.

Regarding custody, the first responsibility falls upon the R.C.M.P. to attempt to locate the owner. Burnaby detachment has now received permission to turn unclaimed vehicles over to the Municipality as soon as Police investigation is complete. This means that some will be turned over to the Municipality in a short time after coming into Police hands, while others will be kept for longer periods of time. In generality, it could be expected that the majority of vehicles could be disposed of in sixty days.

Section 662(3) of the Municipal Act states:

" (3) Where any of the property is a perishable article, or has no apparent marketable value, or its custody involves unreasonable expense or inconvenience, it may be sold or disposed of at any time. In any other case the property shall not be sold or disposed of until it has been in the possession of the police for nine months. The proceeds of any sale shall be held in suspense for one year from the date of sale, unless claimed by and paid to the lawful owner thereof, and then dealt with under Subsection (2)."

It is proposed that Burnaby rely on that portion of Section 662(3) relating to 'unreasonable expense or inconvenience', and establish a procedure for disposal of such vehicles on completion of Police investigation.

The following procedure is recommended:

- (1) That the R.C.M.P. release to the Purchasing Agent of the Corporation, such vehicles when they can be released.

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(Item #3 - Re: Abandoned Vehicles cont.)

- (2) That four times yearly the Purchasing Agent advertise a call for bids to purchase and remove such vehicles. This advertisement to be in one issue of a newspaper circulating in the Municipality. One week's notice of the sale should be given.
- (3) That whenever a vehicle has an apparent value in excess of \$100.00 the Purchasing Agent to establish a reserve bid.
- (4) That vehicles be sold to the highest bidder with a bid in excess of any reserve bid.
- (5) If no bids are received, or if bids are below a reserve bid, the Purchasing Agent be empowered to dispose of the vehicles as best he can.

Undoubtedly, the Superintendent of Motor Vehicles will require an affidavit setting out the various steps taken in order that he may transfer title to the junker or other purchaser of the vehicles. This aspect is being further investigated.

At the present time all abandoned vehicles picked up are stored in the Police Compound. There is some work which should be done in this Compound to improve the surface, enlarge the space, and provide better conditions.

It is estimated the cost of this work is \$2,000.00 and authority for this expenditure is recommended.

9. Re: Estimates

Submitted herewith for your approval is the Municipal Engineer's report covering Special Estimates of Work in the total amount of \$36,813.

It is recommended that the estimates be approved as submitted.

10. Re: Expenditures

Submitted herewith for your approval is the Municipal Treasurer's report covering Expenditures for the 4-Week period ended 22 January 1967, in the total amount of \$360,252.

It is recommended that the expenditures be approved as submitted.

11. Submitted herewith for your information is the report of the Fire Chief covering the activities of his Department for the month of January, 1967.
12. Submitted herewith for your information is the report of the Chief Licence Inspector covering the operations of his Department for the month of January, 1967.
13. Submitted herewith for your information is the report of the Medical Health Officer covering the activities of his Department for the month of January, 1967.
14. Submitted herewith for your information is the report of the Officer in Charge, Burnaby Detachment, R.C.M.P., covering the policing of the Municipality for the month of January, 1967.

15. Re: Extension of Hunter Street Sewer Contract

Clayton Construction was awarded the contract for the reduced Hunter Street Sewer Project.

The contractors were asked for a quotation of unit prices they would ask to undertake completion of the remainder of the Hunter Street Sewer Area. These unit prices extend to the amount of \$34,142.19, including a \$2,000.00 allowance for contingency on force account.

(Item #15 - Re: Extension of Hunter Street Sewer Contract cont.)

The contractor has also submitted a guaranteed minimum works payroll of \$30,000. With a 50% recovery on Winter Works the cost of completing the project would be \$59,142.00.

The present contract, with the above addition, and crediting Winter Works recovery, would bring the total Hunter Street Project to close to the original estimate of \$100,500.00.

It is considered that the increased unit costs asked by the contractor for extension are justified by the working conditions. While it might be preferable to call a separate contract for the extension, time would not permit any possibility of Winter Works Recovery. As a summer job it could be expected that a bid could be obtained about the same as the net Winter Works job.

Since the area is now under construction for the approved part of the Hunter Street Area it is recommended that Council authorize an extension of the Contract with Clayton Construction at a quoted estimate of \$69,142.00 after Winter Works Recovery and more specifically on the unit prices quoted by Clayton Construction for the proposed extension.

Respectfully submitted,



H.W. Balfour,
MUNICIPAL MANAGER

HWB:at

16. Re: Acquisition of Easement - Portion of Subdivision of Block 6,
D.L. 87, Plan 966, as shown on Plan
prepared by Hermon & Cotton, B.C.L.S.,
dated 14 September, 1966.

An easement is required, in order to finalize a subdivision, over a portion of a subdivision of Block 6, D.L. 87, Plan 966, as shown on plan prepared by Hermon & Cotton, B.C.L.S., dated 14 September, 1966, from Norburn Construction Co. Ltd., 5459 Chaffey Avenue, Burnaby 1, B.C. The property on which the easement is located is on 6th Street approximately 240' north of Nursery 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.

17. Re: Acquisition of easements - Sanitary Sewer Projects

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

(i) Sullivan Heights Extension

Owner - Noma Investments Ltd., 6688 Haszard Street, Burnaby 1, B.C.
Property - West 10' Lot 3, Block 2, D.L. 8, Plan 11539
Location of easement - 2761 North Road, Burnaby 3, B.C.
Consideration - \$1.00 plus restoration of the easement area.

(ii) Oakalla Sanitary Sewer #21

- (a) Owner - Wellie Cypyz, 5671 Oakland Street, Burnaby 1, B.C.
Property - Portion of E₂ of Parcel "A" (Ref. Pl. 2748) as shown on Plan filed in LRO under #29291, D.L. 94, Group 1, NWD
Location of easement - 5671 Oakland Street, Burnaby 1, B.C.
Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - Helen Houle, 5462 Oakland Street, Burnaby 1, B.C.
Property - West 10' Lot 11, Block "C", D.L. 94, Group 1, Plan 1426A, NWD
Location of easement - 5462 Oakland Street, Burnaby 1, B.C.
Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - Henry Thomas Westcott and Ena Westcott, 6075 Denbigh Avenue, Burnaby 1, B.C.
Property - West 10' Lot 8, Block "C", D.L. 94, Group 1, Plan 1426A, NWD.
Location of easement - 6075 Denbigh Avenue, Burnaby 1, B.C.
Consideration - \$10.00 plus restoration of the easement area.
Amount includes consideration for loss of raspberry canes and miscellaneous plants.

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: Lane Acquisition - Oakalla Sanitary Sewer Area #21

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

The West ten feet of Lot 7, Block "B", D.L. 94N, Plan 1426A, owner by James Albert Corlett and Eva Marion Corlett, 6091 Selma Avenue, Burnaby 1, B.C. The consideration is \$65.00 which includes compensation for loss of a fence and one apple tree.

(Item #18 - Re: Lane Acquisition - Oakalla Sanitary Sewer Area #21 cont.)

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.

19. Re: Land Exchange

Norburn Construction Ltd. owns Block 6, D.L. 37, Group 1, and the Corporation owns Block 7 which is adjacent to Block 6. The properties are located east of 6th Avenue and south of Nursery Street.

The existing legal land subdivision pattern in the area is not suited for a desirable residential development.

The owner of Block 6 has applied for a subdivision and is prepared to exchange a portion of Block 6, outlined in red on a plan dated November 2nd, 1966, prepared by the Planning Department, for a portion of Block 7 outlined in blue.

The exchange of land referred to above makes possible the creation of lots otherwise prohibited by the conflict between the existing legal pattern and the proposed road. The Planning Director recommends that the area coloured blue be exchanged for the area coloured red. Once the exchange is completed the development of the blue area will be the responsibility of Norburn Construction Ltd. under regular subdivision procedures. After the subdivision proceeds the Municipality will then be in a position to open up the area to the east by the continuation of the proposed road and ultimately to develop the area coloured red.

The Land Agent is of the opinion that a reasonable exchange for the area coloured blue would be the area coloured red plus \$2,700.00 payable by the Corporation.

It is recommended that the portion of Block 7, owned by the Corporation, coloured blue be exchanged for the portion of Block 6, coloured red owned by Norburn Construction Ltd. plus \$2,700.00 payable by the Corporation to the owner of Block 6 and that the Reeve and Clerk be authorized to sign the necessary documents.

Respectfully submitted,



H.W. Balfour,
MUNICIPAL MANAGER

HWS:at