

17 March 1967.

REPORT NO. 17, 1967.

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

Gentlemen:

Your Manager reports as follows:

1. Re: The George Cross Chapter I.O.D.E.

Council is in receipt of a letter from the Secretary of the above mentioned organization protesting the "increase of rental fees of the Park Club rooms in the recreational parks of Burnaby".

The Secretary of the Parks and Recreation Commission has advised the organization as follows:

"In reply to your letter of February 16, 1967, it would appear there has been some misunderstanding regarding the use of the Lawn Bowling Club House in Confederation Park. This building is allotted to groups by this office during the period October 1st to April 30th each year free of charge. During the balance of the year, the building is used exclusively by the Burnaby North Lawn Bowling Club.

The charge of \$25.00 applies to our recreation centres which are located in Wesburn, Willingdon Hts., and Charles Rummel Parks. If you wish to rent any of these buildings and feel the cost is too high, we can only suggest you write the Parks and Recreation Commission prior to a booking, stating the purpose for which the building is required and the Commission will then deal with each situation individually."

2. Re: Parks and Recreation Commission - Conferences.

The Parks and Recreation Commission approved the attendance of all Commissioners to the Northwest District Conference of the National Recreation and Parks Association to be held in Banff, Alberta, April 23rd to 26th, 1967.

The estimated cost is \$2,339.05 based on the assumption that all the Commissioners will attend and travel by air:

Registration (\$20.00 x 7)	-	\$ 140.00
Transportation	-	624.05
Expenses - \$45.00 x 7 x 5 days	-	1,575.00
		<u>\$2,339.05</u>

The Commission requests Council approval.

3. Re: Carleton Diversion; Willingdon Widening; Malvern-Imperial Sewer Area #5 (Nellie Orlovich); -By-law #5087 - "Burnaby Road Acquisition and Dedication By-law No.7,1967".

The Municipal Solicitor has prepared a new By-law concerning the above-mentioned miscellaneous projects.

The original By-law was passed 2nd May, 1966. Unfortunately, at the same time, the owner of the property upon which the Carleton Diversion is to be located was in the process of completing a Plans Cancellation.

Mr. Reed of the Solicitor's Department reports:

"Subsequently, I attended this Plans Cancellation on behalf of the Corporation, and a new legal description of the parcel over which the Carleton Diversion is to be constructed was created. Subsequent to that, this legal description was again changed as the owners submitted further plans clarifying their lot boundaries. I have had to have our surveyor re-check the areas involved and amend the plan accordingly.

(.....:)

(Item 3....re Carleton Diversion, et cetera.....continued)

However, the original By-law does not meet the present conditions and therefore we are submitting this By-law which will bring the matter up-to-date and allow us to proceed with the acquisition of the Carleton Diversion.

The other properties involved have not changed in any way in their status and are simply being carried forward to complete them."

It is recommended By-law No. 5087 be passed.

4. Re: Hastings Street Redevelopment Project No. 1.

The following request has been received from Mr. A. L. Bruce on behalf of A. L. and J. P. Bruce:

"In accordance with your policy of reimbursing merchants of the 3900 Block East Hastings, who moved their business location to adjoining areas, for immediate out-of-pocket expenses of the move, we would appreciate your remittance to cover as follows:

1. July/64 - shutdown - 3 days @ \$150.00	-	\$ 450.00
2. Extra help to pack and unpack - 96 hrs. @ \$1.50	-	144.00
3. Truck time at both locations - 19 hours @ \$6.00	-	<u>114.00</u>
		\$ 708.00.

Mr. and Mrs. Bruce operated the Sweet Sixteen retail store at 3928-3930 East Hastings Street. The building, which they occupied, was purchased by the Corporation in connection with the above mentioned project. The claimants moved the business to the 4000 Block East Hastings Street and made a claim against the Corporation under the provisions of Section 478 of the "Municipal Act" 1960, R. S. B. C., Chapter 255 and amendments thereto for compensation for injurious affection. The amount of the claim was \$26,900.00.

The claim was adjudicated upon by a Board of Arbitrators which by a majority award dated May 3, 1966, dismissed the claim for compensation on the ground that it did not fall within the provisions of Section 478(1) of the Municipal Act.

Mr. and Mrs. Bruce continued to pay the Corporation \$150.00 per month rent after they had vacated the premises in the 3900 Block for a period of 21 months. The total amount paid was \$3,150.00.

The Chairman of the Arbitration Board pointed out that it was necessary for the Bruces to continue paying the rent during the protracted Arbitration in order to remain a tenant so that a claim could be advanced for derogation from grant. Because of this he recommended that the Corporation refund the amount of \$3,150.00. The Council concurred with the recommendation.

On November 5, 1966, Mr. and Mrs. Bruce executed a release in favour of the Corporation which released the Corporation from all claims, demands or damages whatsoever in connection with the property located at 3928 - 3930 East Hastings Street.

5. Re: Estimates.

Submitted herewith for your approval is the Municipal Engineer's report covering Estimates of Work in the total amount of \$29,230.00.

It is recommended that the estimates be approved as submitted.

6. Submitted herewith for your information is the report of the Fire Chief covering the activities of his Department for the month of February 1967.

(.....3)

7. Submitted herewith for your information is the report of the Chief Licence Inspector covering the operations of his Department for the month of February 1967.
8. 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 February 1967.
9. Submitted herewith for your information is a report prepared by the Social Service Administrator indicating Social Allowance Disbursements and Caseloads for select months in 1965, 1966 and 1967.
10. Re: Applications for Rezoning.

Submitted herewith for your consideration are reports prepared by the Municipal Planner covering various applications received for rezoning as detailed on the covering report of the Municipal Planner.

Respectfully submitted,



H. W. Balfour,  
MUNICIPAL MANAGER.

HB:eb

11. Re: Acquisition of easements - Oakalla Sewer Area #21

Easements are required in connection with the abovenoted Sanitary Sewer Project as follows:

- (a) Owner - Joseph Ringwald, 5691 Sardis Crescent, Burnaby 1, B.C.  
Property - Portion of Lot 10 as shown outlined in red on Plan filed in L.R.O. under #29266, Parcel "B", DL 94, Group 1, Plan 15407, N.W.D.  
Location of easement - 6186 Royal Oak Avenue, Burnaby 1, B.C.  
Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - Cecil Augustus Easterbrook, 6092 Selma Avenue, Burnaby 1, B.C.  
Property - Easterly 10' Lots 5 & 6, Block "C", DL 94, Group 1, Plan 1426A, N.W.D.  
Location of easement - 6092 Selma Avenue, Burnaby 1, B.C.  
Consideration - \$1.00 plus restoration of the easement areas.
- (c) Owner - Frank Butler Wiles and Eleanor May Wiles, 6022 Royal Oak Avenue, Burnaby 1, B.C.  
Property - East 10' Lot 2, Block "A", DL 94N $\frac{1}{2}$ , Group 1, Plan 1426A, N.W.D.  
Location of easement - 5238 Oakland Street, Burnaby 1, B.C.  
Consideration - \$56.00 plus restoration of the easement area.  
The amount includes compensation for loss of the following:
- |                      |          |
|----------------------|----------|
| 1 Plum tree          | \$15.00  |
| 8 Gooseberry bushes  | 11.50    |
| 8 Current bushes     | 11.50    |
| 48 Strawberry plants | 12.00    |
| 24 Strawberry plants | 6.00     |
|                      | <hr/>    |
|                      | \$ 56.00 |
- (d) Owner - John Dobbs, 6091 Denbigh Avenue, Burnaby 1, B.C.  
Property - Westerly 10' Lot 7, Block "C", DL 94, Group 1, Plan 1426A, N.W.D.  
Location of easement - 6091 Denbigh Avenue, Burnaby 1, B.C.  
Consideration - \$1.00 plus restoration of the easement area.  
A tree in the easement area is to be removed.
- (e) Owner - Dale R. McDonald and Margaret Marie McDonald, 6229 Pearl Avenue, Burnaby 1, B.C.  
Property - Northerly 15 feet Lot 17, Block 1, DL 94, Group 1, Plan 1117, except part included in Expl Pl 11303, N.W.D.  
Location of easement - 6229 Pearl Avenue, Burnaby 1, B.C.  
Consideration - \$1.00 plus restoration of the easement area.  
The driveway is to be gravelled and the owner granted permission to construct an open type carport over the easement area. This is a flankage easement.
- (f) Owner - Rene Peter Aymont and Margaret Aymont, 5438 Oakland Street, Burnaby 1, B.C.  
Property - Easterly ten feet Lot 2, Block "C", DL 94, Group 1, Plan 1426A, N.W.D.  
Location of easement - 5438 Oakland Street, Burnaby 1, B.C.  
Consideration \$1.00 plus restoration of the easement area.
- (g) Owner - Nancy M. Nichols, 6170 Selma Avenue, Burnaby 1, B.C. and Gladys McLachlin, Apt. #210, 4400 Central Avenue, Fremont, California, 94536, U.S.A.  
Property - Easterly 10' Parcel "A" (Expl Pl 11597) of Parcel 1, DL 94, Group 1, Save & Except the North 50', N.W.D.  
Location of easement - 6170 Selma Avenue, Burnaby 1, B.C.  
Consideration - \$1.00 plus restoration of the easement area.

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(Item #11 - Re: Acquisition of easements - Oakalla Sewer Area #21 .... cont.)

(h) Owner - John Patrick, 6058 Selma Avenue, Burnaby 1, B.C.  
Property - Easterly 10' Lot 4, Block "C", DL 94, Group 1,  
Plan 1426A, N.W.D.

Location of easement - 6058 Selma 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 Sewer Area #21

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

The westerly ten feet of Lot 8, Block "B", D.L. 94N, Group 1, Plan 1426A, N.W.D. owned by Giovanni Campeotto and Rose Campeotto, 6075 Selma Avenue, Burnaby 1, B.C. The consideration is \$70.00 which includes compensation for loss of a fence and one cherry tree.

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.

Respectfully submitted,



H.W. Balfour,  
MUNICIPAL MANAGER

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