

THE CORPORATION OF THE DISTRICT OF BURNABY

22 September 1967.

REPORT NO. 61, 1967.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Equipment Purchases 1967 - Engineering Department.

Sealed tenders were invited for the purchase of Two Heavy Duty Rubber-Mounted Back Hoes.

Tenders were opened by the Purchasing Agent in the presence of Mr. E. E. Olson, Mr. R. J. Constable, and representatives of the firms bidding.

A tabulation of the bids received is submitted herewith.

All tenders received were examined by the Engineering Department and the specifications analysed. Only two tenders met the requirements set out in the Corporation's specifications, namely: Bingham Equipment for Scoopmobile LD 125B and Rollins Machinery for Dynahoe 140.

It is recommended that the tender of Rollins Machinery Ltd. for Two - Dynahoes 140 at \$33,174.00 plus 5% Provincial Tax be accepted.

2. Re: Tenders for Street Lighting Poles.

Tenders were called for the supply of 30-foot and 25-foot Ornamental Street Lighting Poles, based on the Engineer's estimate of need. The tender call provided for Steel Poles - Prime Painted with alternatives of Street Poles - Hot Dip Galvanized, and Aluminum Poles. Prices were also asked for Twist Lock Receptacles for the 30-foot poles.

Five tenders were received and opened by the Purchasing Agent in the presence of Mr. R. J. Constable and representatives of the firms tendering.

A tabulation of the tenders received is submitted herewith.

After consideration of the tenders it is recommended that the Corporation purchase Prime Painted Steel Poles with Twist Lock Receptacles for the 30 foot poles.

Canadian General Electric Ltd. and Norburn Electric Ltd. submitted identical low bids.

It is recommended that the award be given to Norburn Electric Ltd. in accordance with their tender of:

\$93.89 per 30 foot Prime Painted Steel Pole.  
\$86.94 per 25 foot Prime Painted Steel Pole  
\$ 8.57 per Steel Twist Lock Receptacle.

3. Re: Local Improvement - Bell Avenue.

By-law #4776 calls for the construction as a Local Improvement, the widening of existing pavement to 36 feet and to construct five foot wide concrete curb side-walks on several streets, one of which is Bell Avenue from Cameron Street to Loughheed.

Council agreed to cancel the work on Bell Avenue because of the indefinite state of development in the general area.

The Solicitor has prepared a By-law to delete reference to this work in By-law #4776.

4. Re: Lake City Industrial Corporation Ltd. and District of Burnaby  
-Release of certain Ancillary Rights.

When the Corporation of Burnaby obtained an easement for sewers over some Lake City land it reserved ancillary rights to protect its right of access to the easement area.

Because the area at that time was unsubdivided the reservation of ancillary rights applied to the whole parcel as it stood.

The property has now been subdivided and Lake City wish the Municipality to release the Ancillary Rights on those lots not traversed by the Corporation's easement.

This is a reasonable request and the Solicitors for Lake City have prepared all the necessary documents to effect the release. Engineering is agreeable to the proposal.

It is recommended that the Reeve and Clerk be authorized to sign such legal documents as are approved by the Corporation's Legal Department to abandon Ancillary Rights where they are no longer needed.

5. Re: Union Oil Co. of Canada -  
Lot 60, D. L. 153, Plan 26311 - Rezoning Appn, 145/66.

Council established these conditions to rezoning the above parcel at Kingsway and Silver Avenue:

1. That the south 20 feet of Lot 60 be dedicated for lane purposes and constructed to a paved standard,
2. That a sum be deposited with the Corporation to cover the cost of constructing that portion of Silver Avenue adjacent to Lot 60 to the standard required by the Corporation.
3. That the north 16 1/2 feet of Lot 60 be dedicated for road purposes for the eventual widening of Kingsway.

Conditions 1 and 3 have been met by the Company. Some difficulty has arisen concerning Condition 2 which has held up the By-law, The Company is becoming impatient.

The problem with respect to Condition 2 is the existence of the Ford Agreement which calls for the Ford Company to contribute up to \$12,450.00 for later improvements to Silver Avenue and Beresford. It is a question of interpretation of Council's intent in setting Condition 2. Did Council consider that the Ford Agreement would be exercised to take care of this portion of Silver? - or that Union Oil was to be held responsible.

Your Municipal Manager is of the opinion that Union Oil would be quite justified in presuming that the condition 2 was actually covered by the Ford Agreement. The Company has taken this stand and strongly objects to any suggestion that it put up the required \$1,425.00 estimated for 150 feet of Silver Avenue.

The Ford Company acknowledges the Agreement but states it will not deal with it on a piece-meal basis. They are prepared to honour the Agreement when the Whole job set out in the Agreement is undertaken. Ford's liability under the Agreement is limited to a maximum contribution of \$12,450.00.

Neither Engineering or Planning can substantiate any need for the entire job at this time - either to final standard or to a higher interim standard. An up-dated estimate of the cost of the entire job is now \$17,000.00.

Under these circumstances Condition 2 becomes difficult, and your Municipal Manager has examined ways and means of overcoming the difficulty.

With a new estimate of \$17,000. and Ford's liability limited to \$12,450.00 there is an obvious shortfall of some \$4,550. This could possibly be more since the Ford agreement itemizes the portions of work with liability confined to actual cost of

(Item 5...re Union Oil - D. L. 153...continued)

each item up to a limiting amount.

If the work covered by the Ford Agreement had been undertaken or is undertaken, the Municipality would be responsible for any increased cost over the amounts stipulated in the Agreement.

Your Municipal Manager considers, and recommends, that Condition 2 be satisfied by the Corporation accepting responsibility at this time for any improvement of Silver Avenue. Mr. Reed, of the Legal Department, has assured your Municipal Manager that the liability of Ford Co. under its Agreement with the Corporation would not be affected by this partial construction.

The By-law is being returned to Council.

6. Re: Engineering Proposal - Willingdon Underpass at B. C. Hydro Railway.

The recent acquisition of complete right-of-way for Willingdon Avenue south of Kingsway and apartment developments south of the B.C.H. Tracks has spurred study of the major road proposal for the diversion of Willingdon to Patterson and Imperial.

One of the key factors in consideration of any such proposal is the matter of getting across the B. C. Hydro Rail Right-of-Way. Preliminary discussions with B. C. Hydro appeared to indicate that this might be possible by means of an underpass. At this stage it became necessary to consider retaining consultants skilled in this branch of Engineering, or leave the matter as it is.

Proposals were called for and were received from N. D. Lea and Associates, and Associated Engineering Services Ltd. These proposals have been reviewed by the Engineering Department which recommends that the firm of Associated Engineering Services Ltd. be engaged for the engineering of the Willingdon Avenue underpass.

Engineering considers that the outstanding experience of Mr. A. A. Williams, Chief Bridge Engineer for Associated Engineering Services Ltd., together with their very favourable engineering fee proposal warrants their selection.

Since this structure is the key to future planning of the Willingdon road connection south of Kingsway, it is recommended that Associated Engineering Services Ltd. be retained.

The fee as quoted in the Engineering proposal is:

- "(a) Preliminary services including feasibility studies, surveys, negotiations with such agencies as the Board of Transport Commissioners, B. C. Hydro and Power Authority, etc., can only be submitted on the basis of an estimate. Much will depend on the degree of involvement of the Municipal planning organization and the over-all plans for traffic movement in this section of the Municipality. Engineering services provided by the consultant in this category will be calculated according to the schedule of minimum per diem fees established by The Association of Professional Engineers of the Province of British Columbia. It is estimated that the cost of this service should not exceed \$1,500.
- (b) Once the preliminaries have been resolved, we can proceed directly to the actual design of the structure. We would undertake to do this work for a fee of \$4,800. which will cover design engineering and casual supervision as defined in the Outline of Services and Scale of Minimum Fees, a copy of which is attached. Out-of-pocket expenses, testing, and resident supervision are not included. This fee applies only to a single track crossing without reference to street or highway structures. Should the scope of the project expand to include carrying additional track or adjacent streets, design of adjacent streets, or removal or relocation of services, the fee would be recalculated according to the schedule of per diem rates to a maximum of Curve A in the attached <sup>Scale</sup> of Minimum Fees.
- (c) Resident full-time supervision would be highly desirable for this type of work and we would propose to use only experienced personnel. This service would be charged at payroll plus 50%. "

7. Re: Tax Sale Monies By-law.

The Solicitor has prepared a Tax Sale Monies By-law in the amount of \$90,000. to provide funds for the alterations to the Municipal Hall approved by Council, and for the necessary furnishings.

It is proposed that this sum be budgetted over a ten-year period with interest at 6%. The annual levy would be \$12,228.00.

Verbal assurance was obtained from Victoria that this is a proper use of Tax Sale Monies.

It is recommended the By-law be passed.

8. Re: Business Tax - Truck Farmers  
"Burnaby Business Tax By-law 1965,  
Amendment By-law No. 1, 1967,"

This report item is in explanation of the above Amending By-law.

The history of the proposed amendment is that market farms and mushroom farms were added to the Supplementary Business Tax Roll in 1967 as there was no provision for exemption. Council agreed with a delegation that it did not wish Business Tax to be so levied and instructed that farms be deleted from the Roll.

Council further instructed that an amendment to cover this situation be prepared for the By-law. Any amendment to the By-law must be passed prior to 31st October 1967.

In review of the matter the definition of farmland as contained in the Municipal Act was examined. This is too complicated for the purpose and was not considered suitable for an area such as Burnaby which is principally urban in character.

Consideration was also given to whether or not any exemption should extend to the propagation of trees, plants, shrubs and flowers, or whether it should be confined to the raising of food-stuffs. The conclusion was reached that in generality what is needed is to legalize exemptions which were previously given without By-law support.

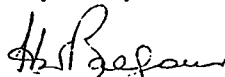
It is recommended then, that the By-law should be amended by exempting:

"Farms, Nurseries and Market Gardens (only those portions of land and buildings used solely for the growth of food for human consumption)."

The proposed amendment was then discussed with Mr. Douglas Jung who had appeared on behalf of the delegation. Mr. Jung agreed that such an exemption seemed most appropriate and appeared to be in line with the type of exemption he was familiar with. He had some reservations about inclusion of Nurseries but it was pointed out to him that the intention is to include only the portion of a Nursery being used solely for the growth of food for human consumption.

Mr. Jung asked to be informed when the By-law was coming forward so he could attend to indicate publicly his agreement with the type of exemption being considered.

Respectfully submitted,



H. W. Balfour,  
MUNICIPAL MANAGER.

H8:cb

attach.

9. Re: Tenders for Sale of Lots 3B, 4B, 5B, 6B, S.D. 4, Blk.6,  
D.L. 7484, Plan 1852,

The above lots are on Banff Avenue between Hardwick Street and Woodsworth Street.  
 They were advertized for sale by tender on September 1st and 2nd, 1967.

Twenty bids were received for their purchase and these bids were opened by the Land  
 Agent in the presence of the Deputy Municipal Treasurer on Friday, 22nd September  
 1967.

The following is a tabulation of the bids received:

		<u>Amount</u>	<u>5%</u>
1. M. W. Fenner	6B	\$ 6,200.	\$ 310.
2. M. W. Fenner	5B	5,400.	270.
3. A. Trotter	4B	8,185.	409.25
4. A. Trotter	3B	8,575.	428.75
5. Olga Patrick	3B	7,620.	381.
6. Edward Moen	4B	6,410.	320.50
7. R.T.Thompson & A.P. Jorgenson	3B	6,800.	340.
8. R. T. Thompson & A.P. Jorgenson	6B	6,500.	325.
9. R. T. Thompson & A. P. Jorgenson	4B	6,100.	305.
10. R. T. Thompson & A. P. Jorgenson	5B	6,400.	320.
11. J. R. and M. L. Nordquist	4B	6,650.	350.
12. Ramada Mortgage Corp.Ltd.	3B	7,135.	356.75
	4B	7,110.	355.50
	5B	7,110.	355.50
	6B	7,110.	355.50
13. Edward Chan	3B	7,150.	1,430)
	4B	7,150.	(
	5B	7,150.	)
	6B	7,150.	(
14. R.G. Carriere	4B	4,605.	230.25
15. J. T. Cook	3B	6,705.)	335.25)
	4B	" (	(
	5B	" )	)
	6B	" (	(
16. Austin Investment Corporation Ltd.	3B	29,600.)	1,480. )
	4B	(	
	5B	)	
	6B	(	
17. R. O'Day	3B	4,100.)	820. )
	4B	" (	(
	5B	" )	)
	6B	" (	(

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(Item 9....re Tenders - D. L. 74S $\frac{1}{2}$ ...continued)

18. H. Dueck & Sons Construction Ltd.	3B	\$ 6,879. )	\$ 1,374. )
	4B	(	
	5B	)	
	6B	(	
19. A. D'Agnolo	5B	5,500.	300.
20. J. Higgins	3B	6,006. )	301. )
	4B	" (	(
	5B	" )	)
	6B	" (	(

Bid #18, H. Dueck & Sons Construction Ltd. did not contain a Certified Cheque as stipulated in the tender call so cannot be considered a valid bid.

It is recommended that:

- (a) the bid submitted by A. Trotter, in the amount of \$8,575. for Lot 3B be accepted.
- (b) the bid submitted by A. Trotter in the amount of \$8,185. for Lot 4B be accepted.
- (c) the bid submitted by Austin Investment Corporation Ltd. in the amount of \$29,600. for Lots 3B, 4B, 5B, and 6B, not be accepted, but that this Company be given an opportunity to purchase Lots 5B and 6B for the sum of \$7,400. each and that in the event that this Company does not wish to purchase these lots at the price named that authority be granted to the Land Department to negotiate the sale of these 2 remaining lots at not less than \$7,400.

It is further recommended that authority be granted to repost these lots as the survey is quite old and the corner posts have been either destroyed or removed.

The lots are 57.77' x 120' in size.

10. Re: Tenders for purchase of Lots 192, 193, 194, 195, 196, D.L. 91, Plan 29657.

The above lots are on Gordon Avenue.

In accordance with the instructions of Council these lots were re-advertized for sale by tender.

Ten bids were received as follows:

	Lot	Amount	%
1. J. Loepke	192	\$ 10,700.	\$ 1,060.)
	193	10,500.	)
2. Ramada Mortgage Corporation Ltd.	192	11,215.	560.75
	193	11,215.	560.75
	194	11,345.	567.25
3. Koehn Enterprises Ltd.	194	8,958.	895.80
	195	8,958	895.80
4. Southern Slope Holdings Ltd.	192	10,458.	1,531.05 )
	193	10,185.	(
	196	9,978.	)
5. Marvin D. Martin	196	10,286.	564.30
6. Bruno Longe	192	7,000.	350.
7. Frank Mahovlic	195	7,500.	375. not certified
8. D. Metzker	196	7,122.	356.10 (.....)

(Item 10.re Tenders - D. L. 91,....continued)

9.	R. O'Day		192	6,600.	1,760. )
			193	6,800.	)
			194	7,600.	(
			195	7,600.	)
			196	6,600.	)
10.	F. W. Lackmanec	(1)	192	10,502.	525.10)
		(2)	193	9,995.	)

It is recommended that:

- (a) the bid received from Ramada Corporation Ltd. for the purchase of Lot 192, for the sum of \$11,215. be accepted.
- (b) the bid received from Ramada Corporation Ltd. for the purchase of Lot 193 in the amount of \$11,215. be accepted.
- (c) the bid submitted by Ramada Corporation Ltd. in the amount of \$11,245. for Lot 194 be accepted.
- (d) the bid submitted by Marvin D. Martin for Lot 196 in the amount of \$10,286. be accepted.
- (e) that all other bids be rejected and approval be granted to negotiate the sale of Lot 195 for the sum of not less than \$10,000.

11. Re: Subdivision Reference #181/67.

Section 712(a) of the Land Registry Act requires that frontage of a lot must be not more than 10% of its perimeter.

The Approving Officer wishes to approve a Subdivision of Lot 24,  $\frac{N}{2}$  and  $\frac{S}{2}$  of Lot 25, Portion of Parcel "A" (Exp. Plan 13684) of Lot 26, Portion of the Remainder of the  $\frac{N}{2}$  of Lot 26, Portions of the  $\frac{S}{2}$  of Lot 26 and the  $\frac{N}{2}$  of Lot 27, all in D. L. 126, Plan 3473; and Lot 176 of D. L. 126, Plan 30932, Group 1, N. W. D.

The property is east of Springer and South of Curtis Street. 51 lots are being created.

Lot 247 which is a very large lot does not conform to the 10% perimeter frontage requirement.

It is recommended that under Section 712(B) of the Land Registry Act the Council waive the provisions of Section 712(A) of the Land Registry Act.

12. Re: Sewer Financing By-laws - Change in Interest Rate.

By-law No. 5044 dated 12 December ratifies an agreement dated 31 October 1966 with the Greater Vancouver Sewerage and Drainage District in which the District undertook to borrow for Burnaby the sum of	-	-	\$ 1,149,831.50
The District has provided Burnaby with	-	-	<u>250,000.00</u>
leaving a balance to be found of	-	-	<u>\$ 899,831.50</u>

The District is considering entering the market in the near future. As current interest rates are now in excess of 7%, the District has asked that Burnaby amend its by-laws.

The matter has been discussed with the Department of Municipal Affairs and they have indicated they are prepared to ratify the necessary amending by-laws.

By-law No.5215 being "Burnaby Sewerage and Drainage Financing By-law No. 2, 1966, Amending By-law 1967" to increase the interest rate on By-law No. 5044 to 7 1/2% is  
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(Item 12...re Sewer Financing By-law...continued)

being presented to Council this evening for first three readings.

Also being presented is By-law No. 5214 being "Burnaby Sewerage and Drainage Financing By-law 1964, Amending By-law 1967" which will amend By-law No. 4594 passed pursuant to Section 253 of the Municipal Act which gives By-law No. 5044 its authority. The amending By-law changes the interest rate in By-law No. 4594 from 7% to 7 1/2%.

13. Re: Lake City Industrial Corporation - By-law No. 5195 being "Burnaby Road Closing By-law No. 7, 1967".
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The above By-law closed unused road allowances in the Lake City Industrial area. Order-in-Council Number 2946 allowing the Corporation to close this road and vest title thereto in the Corporation has now been received.

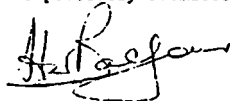
There is no question of compensation concerned as Lake City Industrial Corporation is the only owner involved and they donated the property to the Corporation in the first place.

Lake City is anxious to have the transaction concluded this week and the land placed in a position to be transferred to Lake City by approval that the property be posted.

The legal description of the portion of road closed is: the .883 acre portion of D.L. 10, Plan 31019 and 31569, Group 1, N.W.D. as shown outlined in red on plan filed in the Land Registry Office at New Westminster under No. 31757. The requirement is consolidation with Lot 63 of D.L.'s 10 and 56, Group 1, Plan 31569, N.W.D.

It is recommended that Council so approve.

Respectfully submitted,



H. W. Balfour,  
MUNICIPAL MANAGER.

HB:eb