

23 June 1967.

REPORT NO. 38, 1967.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Push-Button Pedestrian Traffic Control Devices.

Council requested information concerning the cost of Push-Button Pedestrian Traffic Control Devices. The request was not related to a specific location but was general in nature.

Estimated costs of installing such devices can vary considerably according to the location. Such devices placed along routes that now have traffic signals may require special controllers to provide a continued progression of traffic. Others placed at isolated locations may vary in price because of the geometrics of that particular location.

Because of the above-noted conditions, the following estimates are only approximate for a particular type of location:

- |   |        |   |           |
|---|--------|---|-----------|
| 1. At a normal four-leg intersection on a route with a progression            | system | - | \$ 5,000. |
| 2. At a 'T' intersection on the same route as #1                              | -      | - | 4,200.    |
| 3. Mid-block on the same route as #1  | -      | - | 3,500.    |
| 4. Isolated intersections would be about \$500. less than those quoted above. |        |   |           |

All the estimates given include the use of pedestrian heads as well as three lens traffic heads, as required under Sec. 23.05(a) of the 'Motor Vehicle Act.'

2. Re: Acquisition of Easement - West ten feet Lot "B" of Lot 4, Group 1, Pl. 22880, N.W.D.

An easement is required for sanitary sewer purposes as follows:

Owner: Raymond and Kathleen Marsh, 9176 Cameron Street, Burnaby 3, B. C.  
Property: West ten feet of Lot "B", D. L. 4, Group 1, Plan 22880, N.W.D.  
Location of easement - 9176 Cameron Street.  
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: Local Improvement - Ewart Street from Royal Oak Avenue to MacPherson Avenue.

A spokesman for several property-owners affected by this proposed work of Local Improvement appeared before Council on 12th June 1967 and submitted that there had been a misunderstanding regarding the requirements in connection with the lodging of objections to the proposed work and this resulted in the petition against the work being declared insufficient.

The Certificate of Sufficiency which the Municipal Clerk issued after the expiry date for objections to the proposed work signified that nineteen objections were required to defeat the proposal and, as there were only seventeen acceptable signatures in opposition, the Council was not prevented from proceeding with the project. The Clerk did point out, in addition, that there were three other signatures opposing the work but all of them were unacceptable.

A spokesman for the property-owners supporting the project also addressed Council and urged that it recognize the Clerk's Certificate of Sufficiency.

(Item 3...re Local Improvement - Ewart Street...continued)

Council desired a legal opinion before making any decision with respect to the Petition.

The Municipal Solicitor advises:

"In my opinion, since the Clerk has issued his Certificate of Sufficiency, that is the end of the matter.

Section 529(1) of the Municipal Act provides that the Certificate is final and conclusive. Since Council initiated this work, and since no sufficient petition against the work has been received, the work should be included in a construction by-law forthwith."

4. Re: Burnaby Parade Float.

It is planned to enter the Float in the 5th Annual Vancouver Sea Festival Parade to be held in downtown Vancouver on Saturday, 22nd July, at 10.00 a.m.

The Parade is being held in conjunction with the Centennial Naval Revue and will consist of 25 Naval Units and 100 civilian units, including floats, bands, et cetera.

Submitted for the information of Council.

5. Re: Subdivision of portion of D. L. 73, Group 1,  
Dominion Construction Co. Ltd.

An easement is required over a portion of D. L. 71, Group 1, to facilitate subdivision of a portion of D. L. 73, Group 1, owned by Dominion Construction Co. Ltd. The property is owned by the Province of British Columbia.

The consideration is \$1.00.

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

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

All the buildings situated on properties to be acquired, with the exception of three dwellings, will be demolished.

It is planned to offer the dwellings, that can be moved, for sale by public tender.

It is recommended that the Land Agent be authorized to call for tenders for the demolition or sale and removal of the buildings as the properties are acquired and claims settled.

7. Re: Imperial Oil Company Limited,  
Subdivision of Lots 4, 6, 8, 10, 56, 58 and 148, Group 1, Plan 22462.

Subdivision of the above property requires approval of Imperial Oil Co. Ltd. which has a pipe line across it.

There is no problem except that the Company desires the presence of the pipe line on what will become dedicated streets to be covered by permit from the Corporation.

It is recommended that Council authorize the Reeve and Clerk to execute the required permits on authority of Section 506 of the Municipal Act.

(.....3)

8. Re: Social Allowances.

For the information of Council the Provincial Government has authorized an increase in the shelter portion of the Social Allowance, effective 1st July 1967.

In essence it is authority to increase the present shelter allowance up to an additional 50% and according to the unit.

It is not an automatic increase, but is based on an individual case need basis and such increase is not to exceed 50% of the present rate. The following table illustrates the new guide-lines:

<u>Unit (persons)</u>	<u>Present Monthly Shelter Rate</u>	<u>New Monthly Shelter Rate</u>
1	\$ 30.00	Up to \$ 45.00
2	45.00	67.50
3	50.00	75.00
4	55.00	82.50
5	60.00	90.00
6	65.00	97.50
7	70.00	105.00
8	75.00	112.50

The direct costs are unknown at this time, but certainly the increase will assist all concerned to a considerable degree.

9. Re: Lane between 4300 Blocks - Darwin and Halley Avenues.

Council requested the Planning Director present a plan showing what the Department considers should be the ultimate subdivision pattern for the parcel of land on the north side of Fir Street between Halley Avenue and Darwin Avenue. The property is described as Lot 5, except the south 20 feet, Block 2, S. D. "B" and "C" in parts D.L.38, Group 1, Plan 18760.

The plan is submitted herewith as requested.

10. Re: Central Area Fire Hall.

A proposed site for the above mentioned Fire Hall has been selected on property owned by the Corporation and situated on the North West corner of the Sperling Avenue - Grandview Highway intersection.

Additional equipment is being purchased which will be located in one of the existing fire halls for the present. Council has provided funds for additional manpower which will be recruited this year.

The construction and financing of the building is being planned as part of the proposed 5-year capital works program.

Submitted for the information of the Council as requested.

11. Re: Estimates.

Submitted herewith for your approval is the report of the Municipal Engineer covering Estimates of Work in the total amount of \$28,538.00.

It is recommended that the estimates be approved as submitted.

12. Re: Expenditures.

Submitted herewith for your approval is the Municipal Treasurer's report covering Expenditures for the period ended 11 June 1967 in the total amount of \$2,284,005. It is recommended the expenditures be approved as submitted.

(..... 4)

13. Submitted herewith for your information is the report of the Chief Building Inspector covering the operations of his Department for the period 22nd May to 16 June 1967.
14. Submitted herewith for your information is the report of the Fire Chief covering the activities of his Department for the month of May, 1967.
15. Submitted herewith for your information is the report of the Chief Licence Inspector covering the activities of his Department for the month of May, 1967.
16. 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 May 1967.

Respectfully submitted,



H. W. Balfour,  
MUNICIPAL MANAGER.

HB:eb  
Attach.

17. Re: Comprehensive Liability Insurance.

Burnaby's Comprehensive Liability Insurance Policy with the Yorkshire Insurance Company expires 30 June 1967. Originally, its premium was \$9,850. for three years. In 1965 the premium was increased to \$11,175. for three years because of a change requested by the Corporation. Originally the policy contained a deductible of \$1,000. for each property damage claim. This was changed to \$1,000. for each claim not to exceed \$2,500. for any one accident.

The limit of liability for bodily injury contained in the policy is \$100,000. for damages resulting from bodily injury to any one person subject to such limit of \$500,000. for damage resulting from bodily injury to two or more persons in any one occurrence, plus a limit for products liability of \$500,000. and property damage of \$500,000. with the above mentioned deductible.

In addition to the normal comprehensive liability coverage and the property damage deductible cited above, the policy contains the following provisions:

"Coverage for contractual liability, malpractice, the use of explosives, the moving, shoring, underpinning, raising or demolition of any building or structure, vibration from pile driving or caisson work and building collapse due to excavation and any building or structure caused by the removal or rebuilding of any structural support thereof. The policy is written in the name of: "The Corporation of the District of Burnaby and/or individual members of the Corporation Council and/or officers and/or employees and/or Boards and/or Commissioners and/or their individual members under the control of the Corporation and all only while acting in their capacity as such."

Early this year, as the policy was coming up for renewal, your Treasurer, the Municipal Solicitor, the Chief Building Inspector, the Municipal Engineer, the Parks Superintendent, and the Corporation's insurance advisor, Mr. C. "Tip" Robertson, reviewed Burnaby's position. It was recognized that Burnaby's population is growing quite rapidly, that it has concentrated high value industrial and commercial enterprises, office buildings and apartment blocks. It was also recognized that the creation of extensive recreational facilities during the past three years has increased the responsibilities of the Corporation.

Burnaby has had one experience which, while not particularly expensive, if repeated, could be very expensive indeed.

Several years ago, a Corporation crew unknowingly broke a gas pipe which thereupon discharged gas into drain tiles leading into a residence. There was an explosion, but fortunately no person was injured. Damage was not extensive. Such an occurrence, if it were to happen to a department store or an industrial plant, could be very costly indeed.

Then, in March it was reported that a Supreme Court Judge had awarded \$260,000. against the District of Powell River for injuries sustained by Mr. Brian Bisson (who was employed as a Lifeguard by Burnaby). Mr. Bisson was paralysed by diving into water of insufficient depth. Apparently there were no signs posted to warn of the shallow water at low tide. Powell River was found 80% negligent.

Also, this year there was a disastrous fire in a neighbouring community. If it could be shown that the City was negligent in its efforts to fight this fire, it is possible that a law suit would result.

As stated, Burnaby's policy was due for renewal on 30 June. However, the two cases cited gave urgency to the matter. As a consequence, your Treasurer asked Mr. Robertson to increase the Corporation's coverage to \$2,500,000. for the ensuing three months. This the Yorkshire Company agreed to do for a premium of \$319.00. The \$2,500,000. seemed to be a safe figure.

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(Item 17....re Insurance.....continued)

In renewing insurance policies, it is the custom of Mr. Robertson to call for bids. As it was quite possible that a different company might be low bidder, the matter of reporting to Council was held in abeyance until all of the information was available.

Mr. Robertson invited bids from 10 companies, one of which is a member of the Canadian Underwriters Association. As mentioned, the Corporation's liability coverage requirements are broad - so broad that two companies declined to bid, and three companies' bids contained exclusions which were unacceptable. Four companies' bids ranged from \$18,000. to \$17,584. The British Canadian Company bid \$14,575. and this is representative of the rate chargeable by other members of the Canadian Underwriters Association.

The Yorkshire Company experienced difficulty in renewing at these large limits.

For an additional premium of \$200. the British Canadian is prepared to include the following up to a limit of \$100,000.

"The term 'Bodily Injury' shall be construed to include mental injury, mental anguish and shock resulting from said 'Bodily Injury' and shall also include personal injury arising out of:

- A. False arrest, malicious prosecution, or wilful detention or imprisonment.
- B. Libel, slander, or defamation of character.
- C. Invasion of privacy, wrongful eviction or wrongful entry, committed during the policy period.

Personal injury insurance does not apply:

- A. To liability assumed by the insured under any contract or agreement.
- B. To injury caused by the wilful violation of a penal statute or ordinance committed by or with the knowledge or consent of an insured.
- C. To acts committed in connection with advertising, broadcasting or telecasting by or in the interest of the named insured.
- D. To injury sustained by a person who is an employee of the named insured at the time of the offence causing the injury."

Burnaby has many employees whose duties cause them to enter private property. This added coverage would protect the Corporation in the event one of them did not conduct himself in a proper manner, or otherwise showed lack of good judgment.

Under the circumstances, it is recommended that:

- (a) The Treasurer's action of increasing the coverage to \$2,500,000. inclusive, for the months of April, May and June at a cost of \$319.00 be ratified;
- (b) That a policy be written with the British Canadian Company for a limit of \$2,500,000. inclusive, at a cost of \$14,575. for three years.
- (c) That the policy include the additional coverage cited above at a further premium of \$200. for three years.

Respectfully submitted,



H. W. Balfour,  
MUNICIPAL MANAGER.

HB:eb