

THE CORPORATION OF THE DISTRICT OF BURNABY

24 February, 1967

REPORT NO. 13, 1967

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

Gentlemen:

Your Manager reports as follows:

1. Re: Demolition of Buildings - Parks

The Parks & Recreation Commission requests permission to demolish the following buildings:

- (a) Several out-buildings on property located at 6348 Dufferin Avenue acquired for the Kisbey Avenue Park Site. The Sanitation Department requests demolition to comply with the Unsightly Premises By-law.
- (b) The caretaker's house in Deer Lake Park which is in poor condition and unfit for further use.

2. Re: Request of Mrs. Irene Rose Whalley

Mrs. Whalley is the owner of Lot "B", Block 24, D.L. 32, Group 1, Plan 8968, S & E Part on Plan with By-law filed No. 30078.

The property is located on the north side of Kingsway approximately 186 feet east of Nelson Avenue.

A recent survey of the property determined that the brick face on the front of the building protrudes onto Kingsway for a distance of .3 feet.

The owner requests the Municipality to grant an easement of 3/10 of a foot along Kingsway immediately adjacent to and over the whole of the frontage of the property on Kingsway.

The Solicitor for the owner has prepared an agreement which permits the encroachment of 3/10 of a foot on Kingsway during the lifetime of the building. The Municipal Solicitor has checked and recommends the agreement be executed. The consideration is \$1.00.

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

3. Re: Sullivan Heights Subdivision

During the development of the above mentioned subdivision easements were not obtained to contain the storm sewer installation.

All the required easements have now been obtained with the exception of two described as follows:

- (a) The west 5 feet of Lot 12, Block 2 of Lots "F" & "G" of Blocks 10, 11, 18 & 19, D.L. 6, Group 1, Plan 18558 - 3195 Noel Drive.
- (b) The east 10 feet of Lot 13, Block 2 of Lots "F" & "G" of Blocks 10, 11, 18 & 19, D.L. 6, Group 1, Plan 18558 - 3199 Noel Drive.

Efforts to negotiate acquisition of the above easements have not been successful.

It is recommended that the easements be expropriated. Negotiations will continue.

.... Cont. Page 2.

4. Re: Lakedale - Hunter Sanitary Sewer Project

The Corporation requires the following easements in connection with the above mentioned project. Negotiations to acquire have not been successful.

- (a) Property address - 3238 Government Street  
Lot C, Block 3, D.L. 40, Plan 5275, N.W.D.
- (b) Property address - 8033 Winston Street  
Lot A of Lot 6, Block 5, D.L. 40, E.P. 13874
- (c) Property address - 8050 Hunter Street  
Lot 5, Block 2, D.L. 58, Plan 19973 S.D. 2
- (d) Property address - 8070 Hunter Street  
Lot 6, Block 2, D.L. 57/58 Plan 19973 S.D. 2
- (e) Property address - 8069 Hunter Street  
Lot 11, Block 2, D.L. 58, Plan 19973, S.D. 2

It is recommended that the easements be expropriated. Negotiations will continue.

5. Re: Mary and Martin Hahn of 11260 - 132nd Street, North Surrey,  
and 4911 Venables Street, Burnaby 2, B.C.

The following information is supplied in reference to a letter Mr. & Mrs. Hahn have written to Council.

Mrs. Violet Thomas, the occupant of the house in question, has been in receipt of Social Assistance since April 1966. She stated her husband, who has deserted her, was purchasing the property. He was in arrears.

In July 1966 advice was received that Macdonald Realty Ltd. had been appointed Receivers for the property and from that date until 31st December, 1966, the rent cheques were made payable to them.

On 19th December, 1966, the Social Assistance Department was advised by Macdonald Realty Ltd. that they had been informed by Messrs. Dowding, Trasov, Deverell & Harrop that they had been discharged as Receivers, and that future rentals were to be paid to Mr. Hahn.

This was done, including the month of February 1967, but on 30th January, 1967, Mr. Hahn sent the Department a copy of a letter to Mrs. Thomas advising her that her tenancy would expire on 1st March, 1967. A Social Worker visited Mrs. Thomas and advised her that she should follow the terms of the eviction.

As of 21st February, 1967, Mrs. Thomas had not found a place to rent.

The Social Welfare Department is not able to interfere with the due process of law and Mr. Hahn has been advised that should Mrs. Thomas continue to occupy the house beyond the expiry date it will be his responsibility to proceed with any eviction procedures. It was pointed out that the Social Welfare Department assumes no responsibility for Mrs. Thomas' occupancy; that the Department had nothing to do with her occupying the place; that it was her responsibility to find suitable accommodation; and that any dealings between landlord and tenant did not necessarily involve the Department. The rent was paid directly to the landlord only to accommodate the landlord and the tenant.

6. Re: Sewer Extensions required for Subdivisions

The following subdivision applications require sanitary sewer extensions to the edge of the proposed subdivision:

(Item #6 - Re: Sewer Extensions required for Subdivisions ... cont.)

Appn. #207/66	Broadway at Sperling. 20 lots in S/D - no additional lots would be serviced by the extension on Loughhead.	\$ 5,770.
Appn. #236/66	Donavon - Claude. 19 lots in S/D - no additional lots will be served.	2,100.
Appn. #240/66	Government at Brighton. 18 lots in S/D - no additional lots will be served.	1,930.
Appn. #25/67	Stanley at Empress. 3 lots in S/D - easement required over another parcel with 3 or 4 lot potential, which would be served.	<u>1,300.</u> <u>\$11,100.</u>

It is recommended that Council authorize the above extensions to permit the Subdivisions to proceed.

7. Re: Filling Sidewalk "Devil Strips"

The term "devil strip" is applied to a very narrow boulevard between a curb and a sidewalk.

Council received a suggestion that the devil strip abutting 4178 Smith Avenue should be paved by the Corporation, and it directed that the Engineer indicate any justification for such action.

Some filling of devil strips has up to now been carried out in commercial areas but not in apartment zones. The Engineer does not recommend that the Corporation fill in the strip at this location as it would set a costly precedent which would require the same treatment in all other apartment zones.

Your Municipal Manager does not concur with the recommendation of the Engineer. Burnaby normally does not now construct separate walk and curb as the standard is combined walk and curb. There are many areas, admittedly, where there are existing sidewalks and curbs which will in all likelihood be constructed.

The devil strips, if not properly finished, spoil the appearance of very expensive works. The widths vary greatly, so opportunity to improve the appearance by sowing grass varies accordingly.

Your Municipal Manager considers that the Corporation should adopt a policy with respect to these devil strips in Multi-family zones whereby the Corporation does pave them, taking into consideration in the application of the policy:

1. Any special circumstances such as existence of a bus-stop and width of the devil strip.
2. The wishes of the adjoining property-owners on a "block" basis.

8. Re: Damage Claim of Mr. John Yanko, 7391 East Broadway

This is claim for flooding damage to a basement due to a faulty tile.

The sewer contractor in this area was Berger Construction Co. and during construction of the sanitary sewer, the drain tile was removed. After the sewer lateral was

(Item #3 - Re: Damage Claim of Mr. John Yanko, 7391 East Broadway .... cont.)

installed and back-filled, the tile was replaced, laying it across the backfill on top of a plank. Subsequently the fill under the plank settled, leaving a large depression into which the end of the plank sank. This pulled the drain tile out of line completely and drainage was blocked.

It appears that the damage suffered by Mr. Yanko was in no way brought about by his drainage system or faulty construction, but was caused directly by Burnaby's contractor not doing a proper job of replacing Mr. Yanko's tiles.

The Municipal Engineer observes that the claim appears to result from poor workmanship on the part of the Contractor involved. Nonetheless, the Municipality would most likely be held responsible for the employment of such a contractor, so the Corporation will have to bear the costs.

Efforts will be made to recover from Borger Construction but the chances are remote.

The amount of the claim is \$474.00.

It is recommended the claim be settled for \$474.00 subject to the required Releases being obtained.

9. Re: Sanitary Sewers - 3800 Block Dominion and Norfolk

There is a serious need for sanitary sewers in the above blocks. They have been designed as part of Copley No. 2 Pump Area, rather than as part of the Burnaby Hospital Area because of a ravine which runs through between Ingleton and MacDonald and which separates the two areas.

Burnaby Hospital Area has been let by contract to Tide Bay.

The Engineering Department has taken a close look at the possibility of adding the 3800 Blocks on Dominion and Norfolk Streets to the Burnaby Hospital Area. There are 29 properties to be served, and while Copley No. 1 Pump Station did not include capacity for this area, the Engineer does not consider the small addition will hamper the operation of Copley No. 1 for many years. In any event, if trouble did arise later it would be possible to disconnect the Area from Copley No. 1 and connect it to Copley No. 2 Pump Station when it is constructed at a future date.

Grading and filling of the ravine which resulted from Freeway construction makes it possible to connect this small area to the Burnaby Hospital System by running very close to the south limit of the Trans Canada Highway on the Manor Street access road.

The estimated cost to extend the Tide Bay contract to include this area with the Burnaby Hospital Area is \$31,000. with an anticipated Winter Works recovery of \$6,500., bringing the net cost to \$24,500.00.

It is recommended that the 3800 Blocks of Norfolk and Dominion Streets be added to the Burnaby Hospital Sewer Area at an estimated net cost of \$24,500. and that the Tide Bay Contract be extended accordingly.

By coincidence a petition for this work has been received since this report item was prepared.

10. Re: Golf Course Sprinkling System

Four tenders were received for the above mentioned project and opened in the presence of Messrs B.R. Wilkinson, P.R. Stockstad, R.J. Constable and E.E. Brown, on Tuesday, February 21st, 1967. Representatives of the firms tendering were also present. A tabulation of tenders is attached hereto.

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(Item #10 - Re: Golf Course Sprinkling System .... cont.)

The Parks & Recreation Commission recommends that the tender of Terra Irrigation Ltd. for the sum of \$49,930.46 be accepted.

11. Re: Gasoline Service Stations

Submitted herewith for the consideration of Council is a report on Gasoline Service Stations in C3 (General Commercial Districts).

12. Re: Application for the rezoning of Lot "B" except sk. 12387, S.D. 4, Block 3, L.L. 120, Plan 9309 from M1 Industrial and R5 Residential to C4 Commercial

This property is located on the south side of Douglas Road at the intersection of that street and the extension of Halifax Street.

The application for rezoning to permit the development of a fraternal lodge hall on the above property was the subject of our rezoning report of December 8, 1966.

The recommendation of this report with respect to the subject property was as follows: "That the property be rezoned to C4 Commercial, subject to the removal of the existing dwelling in advance of the development for fraternal lodge purposes".

A letter of January 12, 1967, from the applicant included the following request:

"The removal of the building and the erection of a new hall is in full accord with their future plans, but at the present time they are working on a limited amount of finances and have asked if the following points could be considered in their favour:

- (a) Stripping the interior of the existing building, but leaving the exterior walls as they now exist.
- (b) If the opportunity presented itself, move a large hall onto the lot to attach to the existing building.

It is fully understood that any alterations or additions will have to be approved by the Building Department and meet their standards".

Although the building is quite old (constructed in 1921), it is in fair condition and may be considered as one of the better structures in an area where existing development is generally of a low standard.

The Planning Department has no objection to the requested retention of the building, provided that it is not used for dwelling purposes. It is therefore recommended that the rezoning to C4 Commercial be approved, subject to this condition, and provided, of course, that the Building By-law will permit such retention.

The By-law covering this rezoning was given two readings by Council on 23rd January, 1967.

13. Re: Lot 1, Explanatory Plan 10989, Except Plan 15900 and Reference Plan 11756, R.S.D. "A" and "B", S.D. 1, Blocks 1 and 2, D.L. 207, Plans 4141 and 5923  
(Crescent Auto Court)

Submitted herewith for the consideration of Council is a report on the Crescent Auto Court.

.... Cont. Page 6.

14. Re: Uses in the P1 (Institutional) District

Submitted herewith for the consideration of Council is a report on Uses in the P1 (Institutional) District.

15. Re: Goodwin-Johnson

Submitted herewith for the consideration of Council is a report on the Goodwin-Johnson rezoning application.

16. Re: Apartments Over Commercial

Submitted herewith for the consideration of Council is a report on Apartments over Commercial.

17. Re: Applications for Rezoning

Submitted herewith for your consideration are reports prepared by the Planning Director covering applications received for rezoning.

Respectfully submitted,



H.W. Balfour,  
MUNICIPAL MANAGER

HWB:at

18. Re: Acquisition of Easements - Sanitary Sewer Projects.

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

(i) Burnaby Hospital Sewer Area #20.

Owner - Edward Bratus and Doris Marion Bratus, 4098 Nithsdale St., Burnaby 1, B.C. Property-East ten feet Lot 93 of Lot "B" of part of Lot "C" of Parcel "A", D.L.68, Group 1, Plan 12642, N. W. D.

Location of easement - 4098 Nithsdale Street, Burnaby 1, B. C.  
Consideration - \$5.00 plus restoration of the easement area.

(ii) Oakalla Sewer Area #21.

(a) Owner - Harry Havriluk, 6137 Denbigh Avenue, Burnaby 1, B.C. Property - West ten feet Lot 23, Block 3, D. L. 94, Group 1, Plan 18665, N.W.D. Location of easement - 6137 Denbigh Avenue, Burnaby 1, B. C. Consideration - \$1.00 plus restoration of the easement area.

(b) Owner - Her Majesty, the Queen, in the Right of the Province of British Columbia. Property - Portion of Parcel "B", Expl. Plan 15301, as shown outlined in red on Plans filed in L.R.O. under #'s 29291 and 29387, D.L.'s 84 and 94, Group 1, N.W.D.  
Portion of Lot 61 as shown outlined in red on plan filed in L.R.O. under #29387, D. L. 83, Group 1, N.W.D.  
Portion of Lot "A", as shown outlined in red on Plan filed in L.R.O. under #29387, Blocks 19/20, D. L. 93, Plan 3245, Group 1, N.W.D.  
Portion of Lot "B" as shown outlined in red on Plan filed in L.R.O. under #29387, D.L.93, Plan 3245, Group 1, NWD.  
Location of easement - Oakalla Prison Farm, 5700 Block, Royal Oak 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.

19. Re: Lane Acquisitions-Oakalla Sanitary Sewer Area #21.

The following lane acquisitions are required for the above noted Sanitary Sewer Project as follows:

- (a) The east ten feet of Lot 4, Block "B", D. L. 94, Group 1, Plan 1426A, owned by Harold Roger Deppiesse and Betsy N. A. Deppiesse, 5387 Cambie Street, Vancouver 15, B. C. The property is located at 6058 Pearl Avenue, Burnaby 1, B. C. The consideration is \$1.00 plus relocation of the fence.
- (b) The east ten feet of Lot 5, Block "B", D. L. 94, Group 1, Plan 1426A owned by Harold E. Matthews and Jean Matthews, 6076 Pearl Avenue, Burnaby 1, B. C. The consideration is \$45.00, which amount includes compensation for loss of an old shed and one nut tree. The fence is to be replaced with a 5' louvred fence and gate.

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.

(.....2)

20. Re: Proposed Building for Tri-Metal Fabricators Ltd.  
3751 Napier Street.

Frank Anderson - Architect, has submitted plans to the Building Department for a proposed new building.

The design elevation on Napier Street opposite the main entrance is such that five steps will be required, one of which is intended to be at the door, leaving four concrete steps on the boulevard.

Permission to make this installation is requested by the Architect.

The Chief Building Inspector points out that the building does not observe a set-back from the street property line, and to reach the level chosen for the main floor of the building, the Architect has found it necessary to propose the steps on the street allowance. Mr. Jones is not in favour of such private building work on Municipal street allowances.

Napier Street is designed for an ultimate width of 44' plus sidewalk, so construction of any kind would have to be contained within 6 feet of the property lines.

Section 24(1) of the Burnaby Street and Traffic By-law No. 4299 requires the permission of the Council to construct or do work upon any portion of a highway under such terms or conditions as may be imposed.

Your Municipal Manager contends that Section 24(1) is not intended for the purpose of permitting encroachment on the right-of-way of what would be an essential component of a building. Since the Municipality does not own the streets, any encroachment agreement could only be granted within such rights as the Municipality possesses.

It is recommended the request be denied.

21. Re: Gravel Contract with Deeks-McBride Ltd.  
(Lafarge Cement of North America Ltd.)

A contract was entered into with Deeks-McBride Ltd. for the supply of granular materials required by Burnaby. This contract expired 31st January 1967. The Corporation guaranteed certain values of materials under the contract.

The following figures show the results of operations under the Contract:

(1) Value of Guarantee	-	-	\$ 116,030.00
(2) Value of Guaranteed items purchased	-	-	84,362.60
Difference	-	-	\$ 32,667.40 short
(3) Value of Stock - pile items - total	-	-	\$ 175,915.00
(4) Total purchases during Contract year	-	-	\$ 104,287.00.

Under the terms of the contract the only figure Burnaby is obligated to meet is the one applicable to the guaranteed items.

Deeks-McBride has proposed that the Contract continue for the remainder of 1967, with no guaranteed minimums for the year, but modest increases in prices and haulage.

The requested adjustment in price structure, based on the relative quantities of guaranteed materials purchased last year would amount to 5.23%. The 2¢ per ton haulage increase would represent another 2.27% making an overall adjustment of 7.5%.

A comparison of the new prices proposed by Deeks-McBride Ltd. with those submitted by the other two bidders last year, shows that even with the adjustment the Deeks-McBride Ltd. prices are over all better than those of the other two tenderers. The suggested Deeks-McBride Ltd. prices would also be better than those obtainable in an over-the-counter market situation.



(Item 21.....re Gravel Contract with Deeks-McBride Ltd....continued)

The proposal put forward by Deeks-McBride Ltd. is eminently fair as a solution to the 1966 contract shortfall of \$32,667.40 on guaranteed items.

Other factors are:

- (1) The quality of the Deeks-McBride Ltd. material has been consistently high and no problem is feared in this regard.
- (2) Working arrangements with Deeks-McBride Ltd. are well settled and it would be of considerable advantage to continue with a contractor who has proven that he is vitally interested in providing good service.

It is recommended that the proposal of Deeks-McBride Ltd., dated 2nd February 1967, to continue the contract between the Corporation and Deeks-McBride Ltd. until 31st December 1967, under the same terms, but omitting the section in the Contract on Page 7 regarding quantities that are guaranteed by the Corporation, be accepted.

It is further recommended that:

- (a) the following schedule of prices be adopted, to be effective from 1st February to 31st December 1967:

Material Type 1	-	\$ .90 per ton	(\$ .85)
2	-	.85 per ton	(.80)
3	-	.78 per ton	(.75)
4	-	.40 per ton	((.40)
5	-	.70 per ton	(.66)
6	-	.70 per ton	(.66)
7	-	.95 per ton	(.90)
8	-	1.05 per ton	(1.00)
9	-	1.20 per ton	(1.20)
10	-	1.20 per ton	(1.20)
11	-	1.35 per ton	(1.30)
12	-	1.50 per ton	(1.47)
13	-	1.10 per ton	(1.10)
14	-	1.20 per ton	(1.20)
15	.	1.20 per ton	(1.15)

- (b) the cartage rate per ton be increased 2¢ on all items, to be effective from 1st February to 31st December 1967.

Respectfully submitted,

  
H. W. Balfour,  
MUNICIPAL MANAGER.

HB:eb