

THE CORPORATION OF THE DISTRICT OF BURNABY

February 20, 1970.

MANAGER'S REPORT NO. 12, 1970

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

Gentlemen:

Your Manager reports as follows:

1. Re: (a) Watercourses
(b) Lot 1, S.D. 2, Blk. 2, D.L.'s 57/58, Plan 19973
S.D. Ref. #102/69

Alley Estates Limited appealed to Council against a decision of the Approving Officer to:

- a) require the enclosing of the watercourse traversing the above property at an estimated cost of \$11,000 as a prerequisite to the approval of a subdivision of the property;
- b) not allow the subdivision of the property into one 70-foot lot and a 110-foot lot.

Dealing with (b) above first:

1. The minimum lot width required by Burnaby Zoning Bylaw in this R1 Residential area is 80 feet and since this frontage is available the Approving Officer has no alternative but to require it.
2. The Approving Officer's decision in this regard is not appealable to Council - only to a Supreme Court Judge in Chambers.

The matter of Watercourses has been before Council on numerous occasions. In November, 1969 your Municipal Manager reported with particular reference to the Alley Estates problem but on 28th February, 1969 he submitted a comprehensive Special Report on the subject to Drainage Requirements in Subdivisions.

Upon hearing the Alley Estates appeal Council apparently became concerned with whether there may at times be circumstances when the policy of enclosure of watercourses should be waived - such as:

- 1) When the watercourse is considered an amenity;
- 2) When it is extremely unlikely that the watercourse will overflow its banks and flood adjacent lands;
- 3) When the banks of the watercourse are protected to prevent erosion;
- 4) When the bed of the watercourse is adequately maintained.

As a result Council asked for a further report:

- i) outlining the reasons for the policy of enclosing watercourses;
- ii) offering the Municipal Manager's opinion on the merits of waiving the policy under certain circumstances, such as those above;
- iii) indicating the situation as it relates to the subject watercourse.

The above questions, particularly question (i) covers the whole subject of watercourses but your Municipal Manager will attempt to summarize the position.

(Continued....)

1. Re: (a) Watercourses ---continued---
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Staff is more apt to be influenced by experience than by theory in dealing with a subject of this nature. Previous reports have supplied Council with details of subdivisions containing drainage courses. One point which must be considered is that watercourses in subdivisions have two characteristics:

1. They almost invariably change hands after subdivision so the Municipality is forced to deal with a new owner rather than the Subdivider; and
2. Any adverse effects as a result of trouble in a watercourse can be felt by people far from the actual source of a problem.

This Municipality did have a reasonably flexible policy regarding watercourses for many years. As a result of this others were subjected to flooding problems and the Corporation was obliged to rectify the situation by going back in and enclosing the watercourses at a cost of about \$350,000. Because of this a more rigid policy of enclosure was adopted. With developments of all kinds occurring it is extremely difficult to predict what can happen in a watercourse with increased volumes of water run-off. Further, it is necessary to enclose most watercourses at street crossings and every culvert entrance becomes an additional problem and subject to blocking through many acts, such as deliberate blocking by children, garbage and cartons thrown into watercourses, and rocks and soil from erosion.

In summary:

1. The consideration of a watercourse as an amenity is always a matter of opinion. What a developer may claim as an amenity to escape enclosure costs could later be considered by the ultimate owner as a problem and source of expense depending upon the amount of difficulty he experiences with the watercourse.
2. This particular watercourse on Government Road is well-defined and deep - and it could be said that under the circumstances is unlikely to overflow its banks. However, the culvert under Government Road which receives the watercourse was blocked as a result of fill placed by a property-owner on the south side of the street about 2 years ago and as a result Government Road was washed out and had to be restored and repaved at a cost of approximately \$3,500.
3. Bank protection to prevent erosion is a possibility, however the concrete lining of such a watercourse would probably be as expensive as piping and would still leave the problems of possible overflow and culvert blockage. In addition, a great deal of the natural appeal of a watercourse would be lost.
4. The adequate maintenance of a watercourse as an alternate to piping is dependant upon the attitude of the owner. Some owners could take very good care of a watercourse, while others possibly with the very best of intentions could create problems. The McKenzie watercourse is an example.

advised
It is considered then, that the policy of requiring enclosure of watercourses at subdivider's cost should be maintained. In support of this are the following reasons:

- Copy to all Estates*
1. Experience over the years has been that the leaving open of watercourses in subdivisions has resulted in serious problems of erosion and flooding during the first heavy rainy season with a resultant demand from the property owners that the situation be corrected resulting in the Corporation having to return to the subdivision and carry out the work of piping the watercourse at considerable expense, usually within narrow confines between the existing houses, whereas

(Continued....)

1. Re: (a) Watercourses ---continued---
(b) Lot 1, S.D. 2, Blk. 2, D.L.'s 57/58, Plan 19973
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the work could have been carried out by the developer under much easier circumstances before the houses were built. The most recent example of such a problem is the Meadedale watercourse, which was considered to fall in the category of an amenity and was left open at the time of subdivision; and after the first Winter, because of erosion and flooding, the Corporation had to pipe the watercourse at a cost of approximately \$20,000. A similar example was the Young watercourse on Halifax Street.

2. Many of the earlier subdivisions left the watercourse open on unusually wide parcels of land, when the cost of piping the watercourse could have been distributed against the development of many lots. Burnaby is now facing requests from the owner to further subdivide these remnant parcels where the cost of piping the watercourse appears excessive against the number of lots being created. Such is the case on Government Road and the Alley Estates subdivision. It should also be pointed out that Western Pacific, in their subdivision adjacent to this same watercourse between Hunter Street and Lougheed, were required and did enclose the section of the same watercourse through their property.
3. Considering the hundreds of subdivisions of various sizes which have proceeded in the past number of years, and accepted the storm drainage costs, including the piping of watercourses, it would seem to be quite inconsistent and unfair to these previous developers to have the Corporation commence a policy at this late date of subsidizing drainage costs in subdivisions.

2. Re: Hastings and Holdom

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The Department of Highways, Victoria, have informed the Engineer's Department that they are hoping to start on the traffic signal installation at Hastings and Holdom about the middle of April, 1970.

3. Re: Miscellaneous Easement

An easement is required over Lot "H", Block 2E, D.L. 87, Group 1, Explanatory Plan 13780, Plan 6404 to contain a storm sewer. The property is located at 7737 Stanley Crescent. See attached sketch.

The owner will grant the easement for \$1.00

accepted
It is recommended that the easement be acquired and that the Mayor and Clerk be authorized to sign the documents.

4. Re: Acquisition of Easement - Lot 7, Blk. 19, D.L. 34, Plan 1355.
S. D. Ref. #165/69

An easement is required, in order to finalize a subdivision, over a portion of Lot 7, Blk. 19, D.L. 34, Plan 1355 (New Legals: Lots 85 & 86, D.L. 34, Plan No. to be assigned upon registration) from H. and D.S. Volbeck, 4789 Inman Avenue, Burnaby, B. C. The easement is 8 feet wide and is located at the northerly end of Lots 85 and 36 as shown on the attached plan. The property is located at 4789 Inman Avenue, Burnaby, B. C. The easement is required for drainage and sewerage works.

There is no consideration payable by the Corporation.

accepted
It is recommended that authority be granted to acquire the above easement and that the Mayor and Clerk be authorized to execute the easement documents on behalf of the Corporation.

(Continued....)

5. Re: Burnaby Fire Department - Annual Report: 1969

Rec'd
Submitted herewith for your information is the annual report of the Fire Chief covering the activities of his Department for the year 1969.

6. Re: Estimates

adopted
Submitted herewith for your approval is the Municipal Engineer's report covering Special Estimates of Work in the total amount of \$5,600.00.

7. Re: Allowances

adopted
Submitted herewith for your approval is the Municipal Treasurer's report covering applications received under Section 411 of the Municipal Act in the total amount of \$38.05.

8. Re: R.C.M.P.

Rec'd
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.

Respectfully submitted,

H. W. Balfour
H. W. Balfour,
MUNICIPAL MANAGER.

HUB:bp

Attachments