

Manager

THE CORPORATION OF THE DISTRICT OF BURNABY

August 21, 1970

MANAGER'S REPORT NO. 47, 1970

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

Gentlemen:

Your Manager reports as follows:

1. Re: Lot 39 ex. Parcel "A", Expl. Pl. 16876, D.L. 86,
Plan 1203 (Lesosky)

Approved
Mr. Anderson, who spoke before Council on behalf of Mr. Lesosky has requested a further tabling of this subject as Mr. Lesosky is still away.

It is recommended the request be approved.

As Council had also directed that the Planner meet with Mr. Lesosky the subject should be tabled for sufficient time for the Planner to meet with Mr. Lesosky before it is lifted from the table.

2. Re: Subdivision Reference #118/70
D.L. 59, Lot 38, Plan 28938.

Approved
This property is located in Lake City Industrial Park, south of Express Street.

The purpose of the new lot being created is for a Team-track as it is narrow and very long. Consequently it does not meet Section 712 (1) of the Municipal Act insofar as the ratio of frontage to perimeter.

It is recommended that Council waive Section 712 (1) under authority of Section 712 (2) of the Municipal Act, as it relates to Subdivision Reference #118/70.

Sketches of the Subdivision are attached.

3. Re: Sanitary Sewers on Boundary Road -
between Burke and Thurston Streets

Item 3 (d)
Work Order #36-197 appeared on the list of Engineer's Estimates of 6th August, 1970. This job was for the installation of sanitary sewers on Boundary Road between Burke and Thurston Streets. It was mentioned that the work was to serve the B. C. Christian Institute Rest Home site.

Council deleted the item from the estimates pending a further report.

The Boundary-Thurston area has been one of the small pockets lacking sanitary sewers and in the past year or so it has become a problem area. It was omitted from recent reports on unsewered areas because the installation of the Sanitary Sewer was part of the servicing requirements for the B. C. Christian Institute Rest Home site.

B. C. Christian Institute called for tenders for the construction of their new 100-bed Rest Home. The tenders came in significantly over the estimates so the Institute was forced to see where savings could be made. Since the servicing deposit was for \$16,000 the Institute appealed to the Mayor for possible relief from the servicing costs. This appeal was referred to your Municipal Manager.

There was no possibility of removing any of the servicing costs because of the creation of a bad precedent, with the exception of the sanitary sewer.

(Continued ---)

3. Re: Sanitary Sewers on Boundary Road -
between Burke and Thurston Streets -----continued-----

It was only by the accident of time that the Corporation could avoid installing sanitary sewers in this pocket. If the Institute Rest Home were delayed for any reason, the Corporation would have had to undertake sanitary sewers. For that reason, and the undoubted value to the community of a Rest Home of 100 beds of the calibre designed by the Institute, it was considered that some relief could be given to the Institute in their financial problem by removing Sanitary Sewers from the servicing requirements for the site. His Worship the Mayor concurred.

The Institute has deposited the full \$16,000 with the Corporation and let a contract for the full servicing of the site, including Sanitary Sewers. The purpose of Work Order #36-197 is to provide for payment by the Corporation of the Sanitary Sewer portion of this contract. The contract tenders were less than the Engineer had estimated for deposit purposes.

Approved
It is recommended that Work Order #36-197 in the amount of \$5,000 be now approved.

4. Re: Hugh Arthur Message and Glenn Arthur Miles
Double "M" Sales Co.
#2 - 6927 Kingsway

The Chief Licence Inspector has received an application for a licence for the Double "M" Sales Co. to operate an office for the sale and promotion of "Cashchek" discount cards.

A card entitles the holder to receive a 10% discount from any participating merchant, on a cash sales basis. Cost of the card is \$12.00 annually and the purchaser is considered to be a member of Savex Cashcard Ltd., promoters of Cashchek. A booklet is provided as a directory of all participating merchants.

The apparent theory behind this part of the operation is that any person purchasing merchandize for cash should receive a discount equal to the cost a merchant incurs if the purchase were handled on a credit basis.

The area of concern is not with the use of the cards by the members, but rather with the organization for selling memberships. This is a pyramid, or stacking organization. Below the company operation there is a four-level distribution system which requires investment by the participating individual, and ranges from \$48.00 to \$5,000. These levels are directors, managers, senior distributors and distributors.

It is at the directors level that the applicants are connected with the parent company, and at which they intend to carry on the business of attracting investors at subsequent levels as well as promoting sales of discount cards. Any person wishing to become a representative of this organization pays a fee in accordance with the level at which they wish to operate. Fees are divided between the company and the sponsoring member.

An investor receives a given number of cards which he may sell to the public at \$12.00 each, or distribute as a discount to any person that they may be successful in recruiting at a lower level of distributorship. With the exception of the distributors level, the number of cards provided with initial investments appears to offset the investment if sold at \$12.00 each.

At all levels, the applicant signs an agreement that they are independent contractors and at no time may they commit the company or any other person. The main aim of this operation appears to be the promotion of representatives for the investments which are required - rather than for the sale of the discount cards. The entire method of operation follows very closely that of the Nu-Way Merchandising, except that the sale of the discount cards completes the transaction.

(Continued ---)

4. Re: Hugh Arthur Message and Glenn Arthur Miles
Double "M" Sales Co.
#2 - 6927 Kingsway --continued--

A further service is offered to card holders by way of a comparative pricing service which operates under the name of Computer Buying Service (C.B.S.). Any card holder wishing to purchase a specific item may contact the office and C.B.S. will provide them with the best price and location of the item.

The Better Business Bureau has been investigating this operation in all its aspects and has written to the Attorney-General's Department with respect to the operation. Savex Cashcard Ltd. started business in Vancouver in 1968 but it is only in recent months that there has been a great increase in activity with regard to selling distributorships.

In view of the referral of this type of pyramid selling to the Attorney-General by the Better Business Bureau it is recommended that issue of licence in Burnaby be withheld pending further information.

Savex Cashcard Ltd. is licenced to operate in the City of Vancouver.

If Council agrees with the recommendation, the applicants for the licence should be given an opportunity to be heard before a decision is actually made by Council.

5. Re: Wayburne Way -
Dominion Construction

At the time of subdivision of the Dominion Construction industrial site south of Canada Way in 1966 it was agreed by Council that the Corporation would pay Dominion Construction for the extra width of the Wayburne Drive road allowance.

Wayburne Drive is 86' in width and the subdivider can be required to donate only a 66' allowance so the Corporation agreed to pay Dominion Construction for the additional 20' at a price per acre equal to Dominion Construction's cost of acquisition of the property. The calculated value was \$11,650.00.

Dominion Construction Co., Ltd. has only now billed the Corporation for this amount. In view of the time lapse this information is being passed to Council.

Since provision for this expense was not included in the C.I.P. this bill will be charged to Right-of-way Acquisition Account, rather than to Major Roads Account where it more properly belongs.

6. Re: Problem Lanes

As a result of a re-statement of Council policy respecting incomplete lane allowances, improvement of lane will not be considered unless the necessary property acquisitions are achieved without more than nominal cost to the Corporation, it was necessary to review the situation with respect to the so-called "Problem Lanes" which had been reported on to Council.

Of the twelve problem lanes nine create no new difficulty through application of the policy statement.

There are, however, particular circumstances relating to three of the lanes and the purpose of this report item is to acquaint Council of these circumstances and consider them.

- (a) Allman - Canada Way lane - This is an essential lane to avoid a development of access from the street through high embankments, and to avoid increased Corporation cost in future local improvement projects on Allman in driveway restoration and retaining wall installation.

(Continued ---)

Approved
Advise applicant.
Only to apply directly as well.

Approved

360
140
500 ft.
500

480.00
2.00

A. 2500
C. 4000

18 pph.

6. Re: Problem Lanes ----continued----

(b) Francis - Georgia lane - bet. Delta and Springer - The municipality is committed, to all intents and purposes, to construct this lane. Acquisition costs for the one property required through expropriation would be less than the cost of avoiding it. Some of the property-owners who have given their property are demanding it back if construction does not proceed. The cost of this could exceed the one expropriation. *A. 780 C. 6,000 28 pples. None in trust*

(c) Mary Avenue lane - bet. 11th & 12th Avenues - This lane has actually been constructed for many years - a part of it on private property. Five out of six properties take their access from this lane. Mrs. Badger has agreed to a settlement but she is now interfering with traffic in the lane. Besides Mrs. Badger's, one other property must be acquired, likely through rezoning. *A. 2,000 5 pples. C. NIL Lane in trust*

It is considered that these three lanes should be treated outside the policy for the circumstances outlined above and it is so recommended. *(L.I.L.)*

7. Re: Subdivision Reference #28/70

The property concerned in S.D. Ref. #28/70 is located 130' north of Kincaid Street on Royal Oak Avenue. (See sketches attached.)

Owners are Byron and Karel Andre of 3926 Royal Oak Avenue.

A 15' easement for sanitary and storm sewers is required over the newly created Lot 257. The old legal is N½ of Lot 12, D.L. 30N½, Plan 10063.

The easement is to be provided at no cost to the Corporation.

Council's authority to accept this easement is recommended.

8. Re: Burnaby Historical Files

Simon Fraser University, through the University Archivists, has offered to store and administer the archives of The District of Burnaby.

These records are at present a real concern to the Municipal Clerk as there is no proper space available for their storage and upkeep.

S.F.U. has such space and is willing and able to take care of them for the Municipality. It is proposed that they be for reference purposes only and non-circulating. An agreement would be entered into with the Corporation with respect to any arrangement entered into, respecting such matters as: those records to be transferred; conditions of public use of materials; conditions applying to any restricted documents; etc.

The actual care and maintenance of these records is only aspect to be considered. If this were the only criteria possibly the Burnaby Historical Society could serve the purpose. But the availability of these documents for examination and study by those interested in them, together with the possibility of care, maintenance, and cataloguing under a trained Archivist is very appealing.

Nothing further will be done about exploring the possibility in greater detail without the consent of Council.

Your Municipal Manager strongly recommends that further examination be made of the offer by S.F.U. to store and service these historical documents with the view of entering into a contract with S.F.U. respecting such storage and service.

(Continued---)

*Tabled to
Jr. Camera
Tabled to
next mts.*

Approved

Approved

9. Re: Proposed Senior Citizens Project
for Seton Academy - R.Z. #36/70

This proposed rezoning was reported on to Council by the Planner on 27th July, 1970.

The recommendation of the Planner was that he be authorized to work with the applicant toward the creation of a Senior Citizens scheme which, by reflecting a lower density, would be more compatible with the physical criteria which prevail; could make recreational facilities available to the great number of senior citizens who reside in the surrounding area; and would lessen the disadvantages occasioned by distance to shopping and the inconvenient public transit service.

Council agreed with the above recommendation.

Several meetings have been held with the applicants and no clearly acceptable plan of development has been put forward by the applicants. The attached report to the Municipal Manager from Planning outlines the present situation.

Two additional features are known:

- ✓
- a) there was some apparent opposition to the original proposal from residents in the area. A meeting was held which was attended by representatives of Action Line. Action Line explained its proposal to the meeting and your Municipal Manager has heard that the residents accepted it favourably and a petition in favour of the application would be forthcoming. What is not known is how the proposal put to the residents relates to the present plans of development by the applicants.
 - b) Action Line has made application to C.M.H.C. for funds to convert the mansion and the school. C.M.H.C. will not process this application without a clear commitment from the Municipality that the proposed use is acceptable to this Corporation. In essence this means rezoning.

10. Re: Rezoning No. 24/70,
North 165.5 Feet of Lot 2, Except Northly 123 Feet,
Block 5, D.L. 32, Plan 6123.

This is an application to rezone from R5 Residential to RM5 Multiple Family. The address is 4875 Kingsway.

On August 10, 1970, Council considered the above application and instructed the Planning Department to continue discussions with the applicant to explore the possibility of development of the site for high-density residential purposes without a further land assembly, and to arrive at a mutually acceptable development scheme that would reflect the objectives of the McMurray Community Plan.

A meeting was held with the owner and a representative for the applicant whereby the following was established:

- Rec'd.
Info.
- the applicant is not prepared to expand the site by further land assembly.
 - it was agreed that the applicant will instruct his architect to work with the Department towards an acceptable plan of development, reflecting the concept set out in the McMurray Community Plan.

The architect will contact the Planning Department forthwith and it is expected that preliminary sketches would be available within two weeks. By that time a report on the comprehensive development plan will be submitted to Council for further consideration.

(Continued ---)

11. Re: Subdivision Reference #22/70
D.L. 43, Blocks 1 and 3, S.D. 2
Lot 6, Plan 11257, 3497 Lozells Avenue,
Mr. P. J. Alexander

Alderman D.M. Mercier has requested that the following matter be forwarded to Council for consideration and direction.

1. On April 7, 1970, the Planning Department gave Preliminary Approval for the subdivision of the above property.
2. Since that time the Department has been in receipt of a petition (a copy of which is attached) dated May 8, 1970, which protests the above subdivision in that it would eliminate a walkway used for access to Charles Rummel Park and Seaforth Elementary School. The petitioners are indicated by red dots on map. (attached). They request that the subdivision not be allowed to proceed or that the Municipality purchase the southernmost ten feet of this lot to accomodate the walkway as indicated in the accompanying diagram.
3. The residents of the existing subdivision that are protesting the proposed subdivision are presently served by a 10 foot walkway which runs south from Colleen Street to Government Road to connect these residents to the park and the school as indicated in the diagram. The Planning Department felt that when considering the subject subdivision that this walkway was sufficient for the resident's needs.
4. The Department contacted the applicant, Mr. P.J. Alexander by letter dated July 3, 1970, and advised him of the petition and asked for his comments. A copy of his reply dated July 15, 1970, is attached for reference. Mr. Alexander is opposed to the provision of a walkway.

*Tabled for
more info.*

Therefore the Department would now state that two alternative courses of action are open:

1. Negotiate with Mr. Alexander in order to obtain a 10 foot walkway.
2. Declare the present walkway as being sufficient.

Submitted for Council direction.

12. Re: Subdivision Reference #39/70

In order to finalize this subdivision, an easement is required as shown on the attached plans. The property is located between Greenwood and the Loughheed Highway.

The owners are:

- a) Shirley Eileen Mybrg of 7520 Greenwood
- b) The Bank of Nova Scotia - 1301 West Broadway
- c) Laurentide Financial Corp. Ltd. - 520 Seymour Street
- d) Gilmour Wm. McLaren - 7566 Greenwood
- e) Marjorie G.T. McLaren - 7566 Greenwood

Approved

This easement is for sanitary and storm sewer and is to be provided at no cost to the Corporation.

Legals are:

- Old - Pcl. "A", Expl. Plan 35043 of Lot 4 of Lot 3, Blks. 1, 2 & 3,
D.L. 43, Plan 9601
Lot 1, S.D. 3 Part, Blks. 1, 2 & 3, Plan 9601
New - Lots 96 and 97, D.L. 43

(Continued ---)

13. Re: Lots 212 and 213, D.L. 86, Plan 36959
(Chan)

Dr. Chan bid on Lots 212 and 213. He asked to be excused from his bid on Lot 213 with the deposit money to be applied against the bid price of Lot 212 (\$12,550.).

Council refused the request but offered an extension to Dr. Chan of 2 months to complete his commitment with respect to Lot 213, with possibility of a further extension if necessary.

Dr. Chan has now decided to keep Lot 213 and to relinquish Lot 212 with his bid deposit of \$927.50 forfeit to the Corporation. He still wishes to take advantage of the time extension granted on Lot 213.

It is recommended:

- (a) that Dr. Chan's decision be accepted by Council.
- (b) that Lot 212 be withheld from sale until the next tender call for the sale of municipally-owned properties - at which time it be re-advertised and tenders called for its purchase.

14. Re: Burnaby Mobile Buildings Occupancy Fee B/L #5632

The above mentioned By-law was put into effect 1 July 1970.

The application has proceeded smoothly with little friction other than mentioned below. Excluding the 3% collection fee payable to Auto Court operators, the first month's revenue from 77 trailers amounts to \$399.54 or a rate of \$4,794 per annum.

Two problems have arisen.

Section 453 L.L. of the Municipal Act prescribes that no occupancy fee may be charged on trailers containing less than 300 square feet. Three hundred square feet represents a trailer 37.5' by 8', which clearly limits the fee to occupants of what are normally considered to be "Mobile Homes". However there are 69 trailers of smaller size in permanent residence in seven of the nine courts catering to trailers and mobile homes. Many of the occupants liable to the fee, have expressed resentment at this state of affairs. This is being drawn to the attention of the Department of Municipal Affairs. Since the definition of "occupant" as set out in Section 453 L.L. excludes "a bona fide tourist whose occupancy or use does not exceed two months", there appears to be no reason to exempt trailers or mobile homes of a size less than 300 square feet.

The second is that the by-law was drawn, having in mind the assessing and collecting of occupancy fees from residentially occupied mobile homes. It has been drawn to our attention that Section 617 of Burnaby's Zoning By-law permits temporary buildings or structures for use other than for housing. The Chief Building Inspector may grant a permit for such buildings for a six month period extendable to one year. Some of these buildings are mobile by nature.

There are 14 such trailers under Permit at the present time, used for commercial and industrial use. Business tax is being collected but no realty tax or occupancy fee. If subjected to occupancy fee the calculated annual revenue would be \$612. from these particular trailers.

Section L.L. of the Municipal Act would permit Bylaw #5632 to be extended to cover such trailers.

Permission is requested to introduce a By-law to amend By-law #5682 to bring such trailers under the terms of By-law #5632.

(Continued ---)

Approved

15. Re: Rezoning Reference #84/69

The Burnaby School Board requires a 10 foot sanitary sewer easement as shown on the attached sketch, to serve the Cameron School.

The owners of the property involved have indicated that they are prepared to grant this easement provided that the granting of the easement coincides with a road dedication along the easterly boundary of the school site.

The developer of the parcel of land covered by the above rezoning application and situated west of the Cameron School, is prepared to replace the land required from the Cameron School for road purposes by an equivalent amount of land to the west of the school. Council and the School Board have approved the described land exchange. The attached sketch illustrates the various parcels involved in the exchange, the proposed road dedications, road cancellation and the required easement.

Council's authority to accept and execute this easement is recommended. The following is provided for information:

A. Legal Description: D.L. 4, Block 2, S $\frac{1}{2}$, Plan 245

B/C. Details of Ownership: Day Centre Apartments Ltd.
c/o Erickson / Husband,
319 6th Street, New Westminster, B.C.

D. Description of easement: This easement is 10 feet wide and located on the east side of the parcel involved, as shown on the attached sketch.

E/F. This easement is required for a sanitary sewer and the cost is to be absorbed by the Burnaby School Board.

G. The property is located at 2345 Lougheed Highway.

16. Re: Letter from R. Gage-Cole
6364 Walker Street

The Municipal Engineer has inspected this lane. The lane is unconstructed and in order to consider construction under Corporation policy a widening strip of 8' would have to be donated by three property-owners and a Local Improvement approved by the abutting property-owners for lane paving and at least that section of the watercourse parallel to the lane would have to be enclosed by the School Board.

The drainage ditch referred to is a watercourse which is situated on the Morley Street School grounds and it seems quite apparent that in the process of development of the playing field the watercourse has been pushed onto the lane allowance. There is considerable evidence of erosion and wear-and-tear, probably due to children playing in it.

17. Re: Slugs

Mr. W.E. Reid of 5575 Oakglen Drive wrote to Council concerning slugs.

Council asked for a report on this subject from the Health Department to include suggestions for control and information as to other complaints.

The Chief Public Health Inspector reports:

"Heavy infestation of slugs may be checked by the use of a chemical called "Metaldehyde". This chemical is fairly toxic, however, and should not be left open to children, dogs, or cats. No other chemical is known which would give satisfactory results.

(Continued---)

17. Re: Slugs --continued--

Cultivation is the safest and best way to control these pests."

Mr. Armson further advises that while no actual complaints have been recorded the Public Health Inspectors have observed fairly heavy slug infestation where vegetation, particularly grasses, are not well controlled.

The Engineering Department has been requested to survey the ditch in the 5500 Block Oakglen Drive.

18. Re: Estimates

Submitted herewith for your approval is the Municipal Engineer's report covering Special Estimates of Work in the total amount of \$77,450.

It is recommended that the estimates be approved as submitted.

19. Re: Revenue & Expenditures

Submitted herewith for your approval is the Municipal Treasurer's report covering Revenue and Expenditures for the period 1 January to 2 August 1970.

It is recommended that the expenditures be approved as submitted.

20. Re: Building Department

Submitted herewith for your information is the report of the Chief Building Inspector covering the operations of his Department for the period July 20 to August 14, 1970.

21. Re: Fire Department

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

22. Re: Medical Health

Submitted herewith for your information is the report of the Medical Health Officer covering the activities of his Department for the month of July.

23. Re: Personnel Department

Submitted herewith for your information is the report of the Personnel Director covering the activities of his Department as of August 2, 1970.

Respectfully submitted,

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

HWB:bp

Attach.