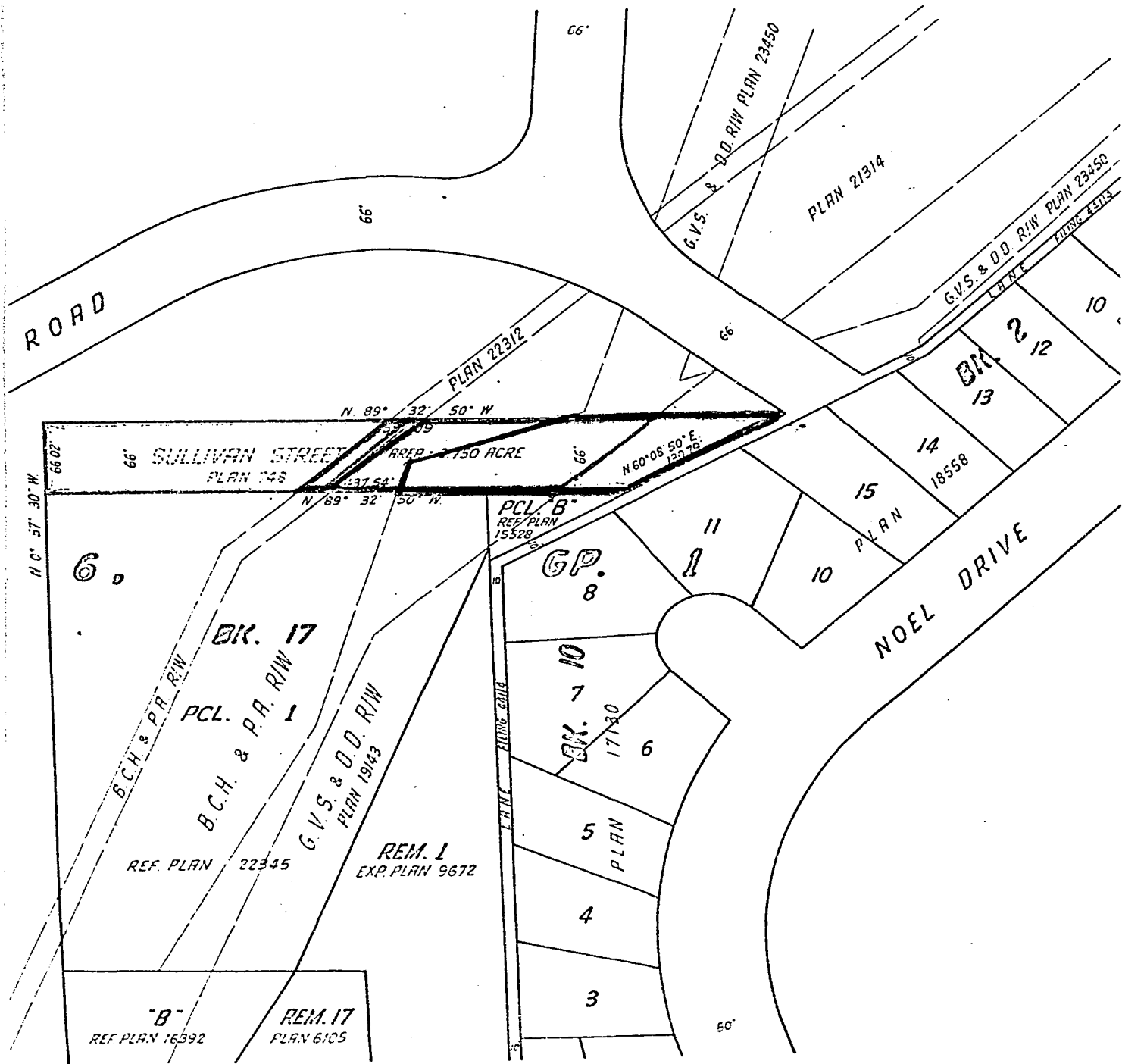


GROUP I, PLAN 748.



Item 10

THE CORPORATION OF THE DISTRICT OF BURNABY

May 22, 1970.

MANAGER'S REPORT NO. 35, 1970.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Report on attendance of Chief Building Inspector
at Canadian Building Official's Conference.

*Rec'd
25/5/70* Attached is the Report submitted by Mr. Jones on the Conference of the Canadian Building Official's Conference in Ottawa. *Convey Clk.
off Mr. Jones*

2. Re: Lot 120, D.L. 85, Pl. 32980
5183 Canada Way.

The Corporation obtained an easement over the west 10' of Lot 120, D.L. 85, Pl. 32980, in 1968 for servicing purposes when the property was subdivided.

Prior to the servicing being constructed, adjacent property to the west was subdivided and an easement was obtained over Lot 126 in this new subdivision to contain services of benefit to both subdivisions. No services were placed in the easement on Lot 120.

The easement on Lot 120 is therefore not now needed by the Corporation and should be released. The owner of Lot 120 has requested this.

*advised
25/5/70* It is recommended that approval be granted to release the easement over the west 10' of Lot 120, D.L. 85, Pl. 32980.

3. Canadian Welfare Council and Board of Governors
and Canadian Conference on Social Welfare.

The annual meeting of the Board of Governors of the Canadian Welfare Council, and biennial Canadian Conference on Social Welfare is to be held in conjunction with one another June 15 to 19 in Toronto.

Mr. Coughlin's first priority for attendance is as a Western representative to the Board of Governors of the Canadian Welfare Council at which time the reorganization and By-Laws of the Council will be finalized.

The Canadian Conference of Social Welfare is a professional services conference involving the following:

- (a) Income security and work opportunities programs
- (b) Social service programs and delivery
- (c) Law and its administrative process
- (d) What people can do themselves
- (e) A changing neighbourhood and need of its residents
- (f) Support services to youth on the move
- (g) Humanizing the high-rise community

The papers and discussion leaders are of top international calibre and observance of the above reveals topics relevant to our times.

*advised
25/5/70* Approximate cost is \$500.00.

It is recommended that Mr. Coughlin be given approval to attend.

Continued - -

4. Re: Burnaby Temporary Borrowing Bylaw 1970,
Bylaw No. 5675.

This Bylaw was in the amount of \$3,000,000 which was the Corporation's predicted need based on normal expectations.

\$2,400,000 has already been borrowed.

Tax bills for 1970 have been mailed and payments are being received. Any difficulty with the mail service could disrupt this flow of payments and it is now anticipated that necessary borrowings may well exceed \$3,000,000.

Arrangements have been completed with the Royal Bank to have the credit increased to \$4,000,000.

The Municipal Solicitor has prepared the necessary Bylaw to amend Bylaw No. 5675 and it is recommended it be passed.

*apd.
2/27/70*

5. Re: Municipal Finance Authority of British Columbia.

"The object of the authority is to provide financing of water, sewer, and pollution control and abatement facilities for regional districts and for their member municipalities by the issue of its debentures, or other evidence of indebtedness, and lending the proceeds therefrom to the regional district on whose request the financing is undertaken." (Sec. 4(1) Municipal Finance Authority of British Columbia Act).

"Except with the approval of the Lieutenant-Governor in Council, the authority may finance only those water, sewer, pollution control, and abatement facilities for which a loan authorization by-law was adopted after the thirty-first day of March, 1970". (Sec. 4(2)).

"The council of a municipality may, not later than the second day of July, 1970, notify the Inspector of Municipalities, in writing, that the municipality does not intend to finance its water, sewer, and pollution control and abatement facilities through the authority, and in that event the municipality is not eligible to finance the works either through the authority or the regional district of which it is a member." (Sec. 21).

On 24 April 1968, the Regional District of Fraser Burrard (Greater Vancouver Regional District) invited Burnaby to indicate whether or not she was interested in having the District finance municipal projects. On 9 May 1968, Council indicated acceptance of the principal of financing through the district and has since borrowed \$2,446,440 and has requested a further \$1,940,000, of which \$700,000 is for sanitary sewers.

Burnaby's indicated borrowing requirements for sewer, water and pollution control, as shown in its Capital Improvement Program 1970-1975 are:

| | |
|------|------------|
| 1970 | \$ 725,683 |
| 1971 | 265,000 |
| 1972 | 125,000 |
| 1973 | 100,000 |
| 1974 | 100,000 |
| 1975 | 100,000 |

\$ 1,415,683

The Program calls for a further expenditure over six years of a total of \$2,300,000 for sanitary and storm sewer connections and storm sewers to be financed by general revenue of the municipality. Also, street improvement programs to be financed as local improvements contain storm sewers as integral parts thereof. In the event of continued refusal by the Inspector

5. Re: Municipal Finance Authority of British Columbia. (Contd.)

of Municipalities to authorize borrowings for Parks and Libraries, and perhaps local improvements, it may become necessary to finance storm sewers together with storm and sanitary connections by borrowing, and free budget money for other purposes, and in the case of local improvements, get on with the drainage portions of the works.

Vancouver City has exercised its rights under Section 21 and has opted out. Obviously, it considers there are no advantages to the City of financing through the authority. Nevertheless, Burnaby cannot take this point of view. It has accepted the principle of financing through the Regional District, and with the advent of the Finance Authority, will no longer be able to secure financing for sewers, water and pollution control projects through the District. If it opts out, it must secure financing for these projects on its own authority, and with the passage of time Burnaby, as a credit, is likely to become less and less attractive to the buyers. Why should they buy a Burnaby when they can buy a Greater Vancouver Regional District jointly and severally guaranteed by all members of the District, and for sewer, water and pollution control purposes, they can buy a Municipal Finance Authority, jointly and severally (in practice) guaranteed by the taxation on all taxable real estate in the Province, including the City of Vancouver.

Furthermore, the Province, in its wisdom, has set up the Authority for the purpose of assisting the smaller communities in the Province in their financing problems. They are not likely to look kindly at Burnaby if she does not help them carry out their task.

It is recommended that Council take no action pursuant to Section 21.

Currently, Burnaby has before the District a request for \$700,000 in financing for sewers. By-law No. 5634 to authorize the borrowing was passed 12 January 1970. Whether or not this by-law must be repealed and passed in another form remains to be seen.

The loan authorization by-law involved (No. 4913) was passed 30 May 1966, and the borrowing of a portion thereof (\$700,000) is not currently within the power of the Finance Authority. However, if the Municipality does not opt out, it has no other way of securing this money than by application to the Regional District. The Regional District must then apply to the Authority, and the Authority must apply to the Lieutenant-Governor in Council for authority to proceed. No doubt, there are many other municipalities currently in this position.

6. C.N.R. Land Exchange and Street Alignment -
Willingdon Overpass and C.N. Tunnel Project.

Consent of this Municipality to the C.N. Tunnel project was contingent, among other things, upon a meaningful new road pattern being provided to replace the previous road pattern.

The new road pattern also considered the construction of the Willingdon Overpass and its effect on the road pattern.

All of the above have been achieved on the ground but much paper work remained uncompleted. For some time now Planning has been working with the C.N.R. to complete details of the original agreements on the exchange of lands and re-alignment of streets related to the tunnel and the overpass.

One of the final steps involved is the removal of some of the existing road allowances and the creation of others. It has been agreed that this will be done in two parts:

*Adopted
25/5/70*

6. C.N.R. Land Exchange and Street Alignment -
Willingdon Overpass and C.N. Tunnel Project. (Contd.)

(a) Street Exchange

A new road is to be created along the North side of the tunnel Right-of-Way. This road will replace the former Alaska Street. The new road is already constructed and what is now required is the passage of a Street Exchange Bylaw which will exchange the new allowance outlined in red for the redundant allowances outlined in green and brown. (See attached sketch.) Council authority to introduce such a Bylaw is requested.

(b) Plans Cancellation

All of the redundant allowances lying West of the new road and its continuation on Rosser Avenue are to be acquired by the C.N.R. through their own efforts. This will be done under the Plans Cancellation Act.

*adoption
25/5/70*
It is recommended that Council grant authority to introduce a street exchange Bylaw as described above.

7. Re: Proposed Road Abandonment
Smith Avenue - Myrtle Street to Still Creek Avenue.

A request was recently received from Jackson Scaffolding, the owners on the West side of the above allowance, that the Corporation consider abandoning this piece of road. The applicant has discussed this proposition with the owner to the East and the Corporation is given to understand that he is in agreement with this action.

Planning has examined the request and is prepared to recommend that the allowance be closed, abandoned, and sold to the adjacent owners. It would be necessary to make provision for the B.C. Hydro and Gas installations in the allowances. This is now being examined.

*app'd
25/5/70*
Authority is requested to introduce a Road Closing Bylaw. Once the petition is granted and the land vests with the Corporation, sale to the adjacent owners can then be considered.

8. Re: Lane Paving - Municipal Overtime.

Council questioned Overtime work on weekends respecting the Initiative Lane Paving Program.

The contract for this program calls for completion of the work by 31st July, 1970, in order chiefly, to get the black-top down as dust preventative measure.

In order to get ahead of the Contractor for such work as is required by Municipal forces, the Engineer arranged for his crews to work one Saturday. It was never intended that further overtime work be done for preparation purposes. Instructions to this effect were issued and re-confirmed.

Rec'd
If the Contractor works hours other than normal municipal hours it is necessary that the Engineer provide inspection service and any other particular service which may become necessary.

9. Re: Water Supply - Deer Lake Drive
Letter from Mrs. Williams.

A letter from Mrs. Williams protesting the water supply to property was received by Council 19th May, 1970, and was tabled for a report from the Engineer.

Burnaby's Water Superintendent had previously been in touch several times with Mrs. Williams in an attempt to gather information necessary for a decision as to what action might be indicated by the Corporation. Mrs. Williams apparently chose to write to Council rather than answer Mr. Francis' enquiries.

Full information has now been obtained and any necessary corrective action has been ordered.

The circumstances of this problem, briefly, are that Mrs. Williams was indirectly affected by the Subdivision Water Servicing. The Williams property, along with two others, was served by a long 3/4" galvanized connection from Hazard Street. There were many such "jury" services in Burnaby at one time. With the servicing of the subdivision the flow of water was reversed when feed was made from Hazard. This disturbed the inevitable rust, sediment and deposits in the galvanized pipe.

The Water Utility accepts its responsibility to serve these customers and a new copper pipe is being provided to which the customers can connect.

10. Re: Proposed Easements -
Sullivan Street Closure.

Council recently approved the closure of Sullivan Street in the eastern portion of the Lake City area. It now becomes necessary to arrange for certain easements as follows, as a result of the closure:

1. Red outline - an easement in favour of the Greater Vancouver Sewer and Drainage District.
2. Blue outline - an easement in favour of the British Columbia Hydro and Power Authority.
3. Yellow outline - an easement in favour of the British Columbia Hydro and Power Authority.

It is recommended that Council grant authority to provide these easements. (Sketch attached.)

With this approval the Lieutenant-Governor-in-Council will be petitioned.

11. Re: Excavation Contract -
Tenth Avenue Water Storage Reservoir.

Tenders were invited for the subject project up to 3:00 p.m. local time, Wednesday, May 20, 1970.

The work to be executed under this Contract consists approximately 70,000 cubic yards of excavation. Details of the work to be performed are shown on drawing number 113-01 prepared by S.W. Faliszewski, Consulting Engineer.

Eight tenders were received and opened in the presence of Mr. S.W. Faliszewski, Mr. R.J. Constable, Mr. K. Williams and representatives of the firms bidding.

A tabulation of the tenders is submitted herewith.

These tenders were reviewed by the Municipal Engineer and it is recommended that the tender of the low bidder, Carper's Services Limited, in the amount

Continued - -

*Inform Mrs. Williams
if there is any
claim she
should submit
with details.*

*Consider
29/5/70*

11. Re: Excavation Contract -
Tenth Avenue Water Storage Reservoir. (Cont'd)

copy 25/5/70

\$11,980.00 be accepted, to do all excavation in accordance with the engineering drawings, specifications, and contract documents, with any additional excavation ordered at 20¢ per cubic yard and any excavation deleted to be at the rate of 10¢ per cubic yard.

12. Re: a) Senior Citizen's High Rise (Edmonds)
b) New Vista Development.

table 1 week 25/5/70

Council required that plans of the above developments be provided to it in order that it can be determined whether they can be integrated to create a "village" situation.

Submitted herewith is a report by the Planner with sketches showing the Senior Citizens catchment area for the proposed Community Centre and of the plans for the block within which the New Vista senior citizens proposal is located.

N/A to be made at the meeting

13. Re: The X-Kalay Foundation Society.

Council directed that all correspondence which had been submitted by the Society during the past three weeks or so relating to the Universal Life Foundation property be brought forward for consideration at the May 25th meeting.

There have been only three items of such correspondence, dated 30th April, 1970, 6th May, 1970, and 7th May, 1970, all of which were placed before Council.

Copies of this correspondence have been made to comply with Council's direction.

The report regarding the building which is being prepared by staff is not yet complete. Mr. Jones is again examining the building with a representative of X-Kalay to determine how the Society would propose to use the building so he can develop estimates of the cost of repair and rehabilitation.

Rec'd 25/5/70

The Parks and Recreation Commission has not yet dealt with the question.

On 27th April, 1970, Council met with the Library Board and suggested to that Board that it could possibly use either of the buildings in question on an interim basis for Library purposes. The Board has not responded to this suggestion as yet.

14. Re: New Lane Construction and Paving
W. O.'s #32-761 to 32-769 Inclusive.

Council questioned the above Work Orders because they included a cost for paving. A report to substantiate this inclusion in view of the Initiative Lane Paving Program was called for.

The Municipal Engineer has provided the following information:

"With reference to queries received at the last Council meeting re construction and paving of lanes, we justify the paving of lanes and the provision of lane construction as a general charge, on the following basis.

- table 1 week*
1. Considering the fact that asphaltic paving has a road-bearing value of twice that of gravel per inch of each material, it costs no more to construct a paved lane on a fresh gravel base than to construct the lane to a gravel standard only. There is also to consider the fact

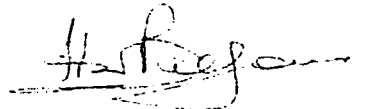
14. Re: New Lane Construction and Paving
. O.'s #32-731 to 32-739 Inclusive. (Cont'd)

that maintenance costs are literally eliminated with a paved lane and the additional factor of complete elimination of reparation costs to come back at a later date to pave. First construction pavement also provides a final grade to meet with carports, etc., and eliminates problems of meeting grades with delayed paving.

2. Lane construction in itself is not always 100% popular, particularly to owners where access to the property has been developed from the streets. In some circumstances a lane is of little use to some owners and the success of any local improvement initiative or petition to construct it would be negative in these instances. Therefore, we do not believe that a policy of constructing lanes by local improvement methods would be an effective means of accomplishing an increase in our lane mileage.
3. You may recall that a few years ago, we would open a lane only on a cash subscription basis if it was not in the general public's interest to do so. That policy was dropped by reason that there was not one single case in our recollection where the policy was implemented. Admittedly, the demand for cash contribution is considerably different in local improvement procedures and we fear that the end result would be the same in respect to accomplishing the work.
4. Our lane construction program annually is rather a modest one in terms of money and it is our intention to keep it that way. We wish to maintain a firm control on lane development because of the many circumstances wherein a subdivision will provide both right-of-way and construction costs. We do not wish to lose this advantage by introducing a policy which could readily be used against public interest in reducing subdivision servicing charges.
5. The lanes we propose for construction do have good justification for completing. If you examine the lane construction program for 1970, you will observe that the lanes all provide secondary access to properties that front on major thoroughfares, except W.O.'s #32-786 and 32-788, which abut school sites.

In view of these points so listed, we recommend the above-named work orders be approved including paving.

Respectfully submitted,



H. W. Balfour,
MUNICIPAL MANAGER.

HB:ep

Attachs.

15. Re: 6060 Kitchener Street
Lot 155, D.L. 129, Plan 25798
Mrs. (C.H.) Dorothy Parker

The Chief Building Inspector has supplied the following information with respect to the letter from Mrs. Dorothy Parker:

"The Parkers built a single family dwelling on the above described property in 1963. At that time Town Planning Bylaw No. 1991 was in force and the zoning of the Parker's property was Residential Single and Two Family Type II. The conditions of use and lot size requirements of the Bylaw No. 1991 for the above property were: Single Family Use - minimum width 60', minimum area 7200 sq. ft.; Two Family Use - minimum width 72', minimum area 3640 sq. ft.

Currently under Burnaby Zoning Bylaw No. 4742 the Parker's above property is within a Residential R4 District which permits of either single family or two family dwellings. The lot area and width requirements under the current Bylaw are: Single Family - minimum width 60', minimum area 7200 sq. ft.; Two Family: minimum width 72', minimum area 3600 sq. ft.

The above property with a width of 62.03' and a depth of 122' does not qualify as the site of a two family dwelling."

The Planning Director reports as follows:

"The above property, the subject of the Municipal Clerk's memo of May 14, 1970, has been examined by this Department.

Lot 155 is situated on the south side of Kitchener Street at the easterly end of the block between Holdom and Fell Avenues. A T-lane intersection divides the lot from the adjoining properties to the east, which front on Fell Avenue. Although the zoning in the general area is R4 (Two-family) Residential, most of the development is of a single family character. In fact, all of the dwellings within the block in which Lot 155 is situated are single family units, the majority of which were constructed in the period between 1960 and 1966.

Lot 155 has a frontage width of 62.04 feet on Kitchener, and a depth of 122.06 feet to provide an overall area of approximately 7,572.6 square feet. The R4 regulations specify a minimum lot area of 3,600 square feet and a width of 72 feet for two-family development. The corresponding standards for a single family dwelling in this zone are 7200 square feet and 60 feet.

That section of the Municipality in which Lot 155 is located has to the best of our knowledge, never been designated as a "Multiple Dwelling Area", as suggested in Mrs. Parker's letter to the Council. Under the former zoning regulations (Town Planning Bylaw of 1948) which were in effect in 1963 when the Parker's bought the lot and built their house, the area was zoned Residential Type II. This category permitted both single family and two-family dwellings. The lot area and width standards at that time were the same as those presently in effect for single family development. In the case of a two-family dwelling the requirements included a minimum lot width of 72 feet and a lot area of 3,640 square feet.

As the foregoing analysis indicates, Lot 155, which clearly meets the area and width requirements for single family occupancy, is considerably below the minimum standards for two-family development under both the 1948 and the present zoning bylaws, not only on a front footage basis but, more importantly, on a lot area basis as well. Although

15. Re: 6060 Kitchener Street
Lot 155, D.L. 129, Plan 25798
Mrs. (C.H.) Dorothy Parker (Cont'd)

the owners have apparently misunderstood the intent of these regulations, the requirements for two-family development, which are quite explicit, have equal application to all the properties located within the large R4 zoned area in the north-central portion of the Municipality.

We cannot therefore recommend any change that would enable the owners of Lot 155 to develop what is obviously a single family residential property for two-family use. However, the fact that the existing regulations permit two boarders or lodgers to be accommodated in each dwelling unit, as a home occupation, may be of some assistance to the Parkers in meeting their own particular problem."

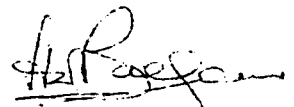
16. Courtesy Cabs Limited and 4388 Imperial Street.

The Municipal Solicitor has supplied the following opinion:

"The Municipal Clerk has requested me to submit a report to Council, through you, indicating whether the activity being conducted in the building at 4388 Imperial Street is a business office or a taxi office. Before answering the question, I wish to point out that an official charged with the enforcement of the Zoning Bylaw has ruled that it is a taxi office. The Company, being a person aggrieved by this decision pursuant to the interpretation of the Zoning Bylaw, has appealed pursuant to section 709(1) (a) to the Board of Variance and the Board of Variance has ruled that it is a taxi office. If the Company now wishes to challenge this decision, it should use the procedure provided in section 709, namely an appeal to a Judge of the County Court.

Although in these circumstances it really does not matter what my opinion is, I will state it since I have been asked for it. In my view, a business office is where the business of the Company is transacted. There one would expect to find the officers of the Company, its files, accounts, etc. In my view, the Company does not operate a business office at 4388 Imperial Street, but only a dispatch office. Further, even if the Company's operation at 4388 Imperial Street could be classified as a business office, the bylaw makes it clear that a taxi office, i.e. the business office of a taxi company, cannot be located there. If Council wishes to permit the operation carried on by the Company at 4388 Imperial Street, it should amend the bylaw."

Respectfully submitted,



H. W. Daifour,
MUNICIPAL MANAGER

HE:ep

*Memo. amend to Bk
to permit Dispatch office
in this zoning
+ define Dispatch office carried*