

21 June 1971

MANAGER'S REPORT NO. 41, 1971.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Anti-Noise Bylaw.

Alderman Drummond inquired at the Council meeting of June 7, 1971 as to the status of the above.

A draft of the Bylaw is in the Solicitor's office so that the wording can be checked and that it can be set in Bylaw form. There are a lot of construction contracts on the move right now so it will take two or three weeks before it can be re-drafted.

Unless directed otherwise, presumably the draft Bylaw will go back to the Committee for study and review and it should also be reviewed by such Departments as Planning, Building, Treasury, Engineering and Medical Health. In summary then, the draft Bylaw should be available to the Committee from the Solicitor's office sometime during the week of June 21, 1971.

2. Re: Carlton Private Hospital
Claim for Welfare Patients.

You will probably have read in the newspaper that the Supreme Court of Canada has overruled the judgment of the B.C. Court of Appeal and ordered the Municipality of Surrey to pay a substantial judgment to the King George Highway Hospital in Surrey. The Solicitor has spoken to Mr. G.L. Murray, Q.C., who conducted the case for Surrey and he has advised that the Supreme Court of Canada did not give extensive reasons for judgment. In fact, they amount to not more than three or four lines. The Court simply held that there was an "obligation" on the part of the Municipality to pay. It avoided all mention of "contract" and "quantum meruit", which were the issues raised in the B.C. Supreme Court and Court of Appeal.

It may be that on the basis of this judgment, some Court is going to say that Burnaby has an "obligation" to pay Carlton Private Hospital. The account outstanding with the Hospital as of May 31st is \$127,848.00, and if expenditures continue as they are at present to the end of the year, the amount outstanding will probably be in the vicinity of \$147,000.00. In previous years we have budgetted for the necessary amounts as expenditures and have set them up as Accounts Payable at the end of the year. We have funded the Account Payable. For 1971 we have budgetted for the expenditure that we anticipate we will incur this year. This is for the information of Council.

3. Re: 1970 Financial Statements.

Enclosed is a copy of Burnaby's 1970 Financial Statement.

It is a requirement of the Municipal Act that Statements be published prior to June 30th of each year.

Statements have been mailed to the various financial houses, institutions, Corporations and individuals on our mailing list.

The "Public Accounts" required pursuant to the Public Bodies Financial Information Act, also required to be published by June 30th, are not yet printed. When they are, a copy of that report will also be forwarded.

Continued...

4. Re: Letter of Complaint from Mr. M. Burnett -
Position of Personnel Assistant.

Appearing on the Agenda for the June 21st Council meeting, as a communication, is a letter of complaint from Mr. Burnett regarding the policy of the Municipality in connection with employing university graduates.

This matter has been discussed with the Personnel Director and we would advise that we do not restrict our municipal hiring for senior positions to university graduates only, as Mr. Burnett states in his letter. University graduation or equivalent training is required or preferred for many senior positions because the occupations involved need specialized training and education. The following are typical occupational groups in our organization where university graduation or equivalent formal training is required or preferred:

Engineering	Architecture
Urban Planning	Law
Social Work	Accounting
Medicine	Administration
Psychology	

Our pay levels are designed to attract candidates who have the academic and technical training and competence as well as experience and personal aptitudes. On the other hand there are positions where the main requirement is experience and know-how that is usually obtained on the job with additional training obtained through night school or correspondence courses.

For the position of Personnel Assistant, we would prefer candidates who have training at the University level in industrial relations, interviewing and counselling techniques, psychometrics, standard research methods and ability to analyse and organize data and prepare reports and specifications. Those who have on-the-job experience without a University degree in personnel or a related field have not been ruled out of the competition. We have encouraged any such applicant who has inquired to submit an application and in fact about one-third of the applications we have received are from candidates with related training and experience but without a University degree.

We have not discouraged any candidate on account of age. We want a candidate who is technically qualified with as much experience as possible in interviewing, testing, job classification and labour relations. In this sense, age is an asset.

It is recommended that Mr. Burnett be advised of the contents of this Report Item in order that the matter be clarified.

5. Re: Subdivision Reference #22/70 - Easement.

Easements for sanitary and storm sewers are required for the above subdivision as shown on the attached sketches. The following information applies:

1. Legal Descriptions:

Old legal: Lot 6, Blk. 12 of Blks. 1, 2 and 3, D.L. 43, Plan 11257.
New legals: Lots 98, 100 and 101, D.L. 43, Plan number to be assigned upon registration.

2. Details of Ownership:

Phillip John Alexander - Photo Engraver
of 3497 Lozells Avenue, Burnaby 2, B.C.
This is a V.L.A. property.

3. Description of Easements:

- a) The southerly 5 feet of Lot 98
- b) The northerly 10 feet of Lot 100
- c) The westerly 10 feet of Lot 101

4. The easements are required for sewerage and drainage works and are to be provided at no cost to the Corporation.

5. The property is located at: 3497 Lozells Avenue, Burnaby, B.C.

It is recommended that Council authorize the acceptance and execution of these easements.

Continued....

6. Re: Subdivision Reference #22/71 - Easements.

On April 13, 1971, Council approved the acceptance of sewer easements for the above subdivision according to the attached plan noted Sketch 1. It has since been found necessary to relocate the sewers thus requiring easements as shown on Sketch 2 attached. The following information applies:

1. Legal Description:

Lots 344, 348 and 349, D.L. 131, Plan 39039

2. Details of Ownership:

Registered Owners:

Lot 348
Van Dyk and Sons Contractors Ltd., of
1223 East 11th Avenue, Vancouver, B.C.

Mortgagee: Lot 348 and owners of Lots 344 and 349

Oak Mortgage Corporation Limited,
c/o Doig, Guthrie and Baily,
7311 Kingsway, Burnaby, B.C.

3. Description of new easements:

As per Sketch 2.

4. The easements are required for sewerage and drainage works and are to be provided at no cost to the Corporation.

5. The properties are located at:

1990 Sperling Avenue
6721 and 6731 Woodvale Crescent.

It is recommended that Council authorize the release of the easements shown on Sketch 1 with respect to Lots 344 and 349, D.L. 131, Plan 39039, and also authorize the acceptance and execution of the replacement easements shown on Sketch 2.

7. Re: Senior Citizen's Housing Research Columbus Charities Association.

Attached you will find a copy of the Planning Director's report of June 11, 1971, regarding the above which was requested by Council on May 17, 1971.

8. Re: Mobile Home Park Standards.

Submitted herewith is a report from the Director of Planning for additional information on mobile home parks as requested by Council.

9. Re: Lane Construction
5584 Claude Avenue
Mr. and Mrs. John Klaver

As a prerequisite to sewer installation in the lane between Claude and Donovan Streets, east of Rayside, a 10 foot dedication from the rear of the Klaver's property at 5584 Claude Avenue was acquired without cost to the Municipality, but in exchange for lane construction and paving. This agreement was reached prior to the establishment of the current lane construction policy, which requires a petition from the affected owners to pave it.

However, in view of the circumstances, it is recommended that Council grant approval to construct and pave the lane a distance of 125 feet at a cost of \$1,250.00, from contingency funds to honor and finalize the Municipal commitment.

Continued

10. Re: Labour Relations as a function of the Greater Vancouver Regional District.

Attached is a copy of a letter received from the Greater Vancouver Regional District dated June 11, 1971 regarding the above. It is recommended that Council approve of the assumption of this responsibility by the District.

11. Re: Apartment Intercom Systems.

The Pacific Apartment Management Association submitted a letter to Council on June 7th suggesting that the Municipality enact legislation making it illegal for intercom systems in apartments to be turned off.

The Municipal Solicitor advises that in his opinion the Municipality has no authority to enact the by-law requested. It is pointed out further that the Corporation has no provision in its by-laws to require the installation of intercom systems in apartment buildings. The present practice is discretionary and optional to the building owner.

12. Re: Municipal Land - Wilberforce Subdivision.

As a further step in the subdivision of Municipal Land in the Wilberforce Area, it is necessary at this time to create the lane allowance as indicated on the attached sketch.

Council authority is requested and we, therefore, recommend that the lane allowance, as described, be dedicated from Lot 143A, D.L. 13, Plan 39258, and the 20' lane constructed.

13. Re: Proposed Drive-In Theatre,
South side of Lougheed Highway east of Holdom Avenue.
Preliminary Plan Approval Application No. 1482.

On May 17th your Manager advised Council that an application had been received for development of a drive-in motion picture theatre at a location on the Lougheed Highway, as shown on the accompanying sketch. This development was proposed for a site which is currently zoned R2 Residential and M2 General Industrial; the latter category presently permitting such use as a principle use, and further that after a review of the industrial zoning districts, Council had recently dealt with and given approval in principle to the concept of amendments to the Industrial sections of the Zoning By-law, including the proposition that drive-in theatres be removed from the M2 category and reclassified as an M3 use. These amendments have been the subject of a public hearing, and will be introduced shortly as a Text Amendment By-law for Council's consideration.

Under Section 707 of the Municipal Act, Council may cause permits to be withheld for a period of thirty days where changes in a by-law are contemplated, and may thereafter order that issuance be deferred for a further sixty days pending adoption of the amendments.

In view of the matters presently under consideration, the Planning Department recommended, and the Manager concurred, that Council direct that Preliminary Plan Approval be temporarily withheld in this case.

At its meeting May 17, Council authorized the withholding of the Preliminary Plan Approval pending consideration of amendments to the text of the Zoning By-law.

Submitted for further consideration ^{of} Council is a letter dated June 4, 1971 from the Lougheed Industrial Developments Limited.

14. Re: Tenders for Sale and Removal of Building at 3201 Noel Drive.

On 29 March 1971, Council authorized the terms of purchase of Lot 4, Block 2 of Lots "F" and "G" of Blocks 10, 11, 18 & 19, D.L. 6, Group 1, Plan 18558, N.W.D., 3201 Noel Drive, required for the right-of-way for Eastlake Drive between Noel Drive and Dawson Developments Subdivision. Part of the consideration for the subdivision was the development of this road to finished standard. The developers' contractor is expected to commence work on 1 August 1971.

Continued...

14. Re: Tenders for Sale and Removal of Building at
3201 Noel Drive (Cont'd)

In the interim it will be necessary to remove the building on the site. Your Municipal Manager has caused an advertisement calling for bids for the purchase and removal of the building be placed in the newspapers June 18 and 19 to be returnable July 3, 1971.

It is recommended that your Manager's action be ratified.

15. Deleted

16. Re: Tenders for Storm Drainage F.P.S.L.D. Fund
Contract #3, #4, #5, & #6, 1971

Tenders were received for the subject contracts up to 3:00 p.m. local time, Wednesday, June 16, 1971.

The work includes the supply and installation of storm drainage materials in four separate contracts generally outlined in the following descriptions:

Contract #3, 1971

Involves approximately 6,000' of mains in sizes ranging from 8" dia. to 12" dia., 34 manholes, 52 catch basins and 97 house connections on 6 separate streets.

Contract #4, 1971

Involves approximately 4,000' of mains in sizes ranging from 8" dia. to 10" dia., 26 manholes, 42 catch basins, 63 house connections on 7 separate streets.

Contract #5, 1971

Involves approximately 4,800' of mains in sizes ranging from 8" dia. to 24" dia., 22 manholes, 73 catch basins, 86 house connections on 5 separate streets.

Contract #6, 1971

Involves approximately 4,600' of mains in sizes ranging from 8" dia. to 21" dia., 20 manholes, 28 catch basins, and 56 house connections on Parker Street from Willingdon Avenue to Holdom Avenue.

Contractors were permitted to tender on any one, any combination of, or all the contracts.

The location of the works are as follows:

Contract #3

- (a) Barker Cres., - Lane south of Pinewood Cres. to Moscrop
- (b) Pinewood Cres., - Parkwood Cres. to Barker Cres.
- (c) Gilpin Cres., - Patterson Ave. to Barker Cres.
- (d) Parkwood Cres., - Parkwood Ave. to Barker Cres.
- (e) Price Cres., - Patterson Ave. to Barker Cres.
- (f) Castlewood Cres., - Patterson Ave. to Ravine E. of Barker

Continued....

16. Re: Tenders for Storm Drainage F.P.S.L.D. Fund
Contract #3, #4, #5, & #6, 1971 (Cont'd.)

Contract #4

- (a) Gilpin Cres. - Barker Cres. to Burke Street
- (b) Cedarwood Court - Willingdon Ave. to Cul-de-sac
- (c) Maplewood Cres. - Gilpin Cres. to E.P.L. Lot 8, Blk. 8, D.L. 34
- (d) Briarwood Cres. - Gilpin Cres. to Willingdon Ave.
- (e) Price Cres. - Barker Cres. to Willingdon Ave.
- (f) Burke St. - Gilpin Cres. to Willingdon Ave.
- (g) Hazelwood - Barker Cres. to Burke

Contract #5

- (a) Barker Avenue - Grange St. to Burke St. (H.C.'s & C.B.'s only)
- (b) Price St. - Smith Avenue to Patterson Avenue
- (c) Sardis Street - Willingdon Avenue to Sussex Avenue
- (d) Booth Street - Sardis Street to Buxton Court
- (e) Patterson Avenue - Grange Street to Moscrop Street

Contract #6

- (a) Parker Street - Willingdon Avenue to Holdom Avenue

The work included in these contracts to be completed by the 31st day of August, 1971.

Twelve tenders were received and opened in the presence of Mr. E. E. Olson, Mr. C. R. Walters, Mr. R. J. Constable, Mr. K. F. Williams and representatives of the firms bidding.

Submitted herewith is a correct tabulation of the tenders received.

The estimates for these contracts as prepared by the Engineering Department are:

Contract #3	\$ 123,300.00
Contract #4	77,500.00
Contract #5	110,000.00
Contract #6	90,000.00
	<u>\$ 400,800.00</u>

Your Municipal Manager concurs with/^{the Purchasing Agent and} the Municipal Engineer and recommends acceptance of the low tender per each contract as follows:

<u>Contract #3</u> - Don Mac Contractors Ltd.	\$ 123,185.65
<u>Contract #4</u> - Gosal Bros. Contracting Ltd.	81,933.60
<u>Contract #5</u> - H. B. Contracting Ltd.	123,164.62
<u>Contract #6</u> - Ed. Bernier Contracting Ltd.	<u>84,385.95</u>
TOTAL	<u>\$ 412,669.82</u>

The actual payments to be based on the unit prices tendered.

17. Re: Proposal for Duplex Development -
5351 Union Street (Lot 11 except
Ex. Pl. 13342, Blk. N, D.L. 127, Plan 1254).

Submitted herewith is a report from the Director of Planning, dated 17 June, 1971, on the above subject.

Continued....

18. Re: Frontage Requirements
S.D. Ref. #157/70
Remainder of Lot 1, Block 10, Plan 3049.

Subdivision No. 157/70 is located on Bainbridge Avenue south of Lougheed Highway in D.L. 44. See attached sketches.

One of the lots, created by the subdivision, cannot meet the requirements of Section 712 (1) of the Municipal Act which requires that a lot have a frontage of not less than 10% of its perimeter.

The actual frontage of the property is 99.46' whereas the 10% rule would require a frontage of 114.19'.

Section 712 (2) of the Act empowers Council to waive the requirements of Section 712 (1).

It is recommended that the requirements of Section 712 (1) of the Act be waived as they apply to Subdivision No. 157/70.

19. Re: 6907 Dunblane Avenue

A petition has been received from a number of residents in the vicinity of 6907 Dunblane Avenue whereby complaints are lodged regarding alleged nuisances emanating from this residence.

Submitted herewith for Council information are reports from the Chief Public Health Inspector, Social Service Department, and R.C.M.P. in this connection.

It is recommended that this matter be tabled for one week and that the petitioners be advised of the results of the investigation to date.

20. Re: Block 3, Expl. Pl. 6177 and Except Pcl "A", Ref. Pl. 10610
and ex. pt. on Plan with By-Law 30078, D.L. 97, Plan 824
R.Z. No. 25/71

Attached you will find a copy of the Planning Director's report dated June 17, 1971, regarding the above in which he re-affirms his earlier recommendation that the site in question be proposed for medium density apartment development.

21. Re: Chevron Canada Limited - Plant Modernization
Preliminary Plan Approval No. 1435

Attached you will find copies of the following pertaining to the above:

- Daily*
1. 1974 further expansion. what about
2. No joint mtg.
- (1) Report by Dr. McIntyre of the B. C. Research Council dated June 14, 1971 outlining certain recommendations.
 - (2) Letter dated June 17, 1971, from the Director of Planning advising that all outstanding matters have been satisfactorily resolved and that the Department is now in a position to issue the P.P.A. subject to Council's direction.
 - (3) Letter dated June 14, 1971, from Dr. Sunderland advising that he does not foresee any Public Health hazard as a result of this proposed modernization.

It is therefore recommended that:

- (1) Dr. McIntyre's report be adopted and the recommendations therein implemented.
- (2) Council authorize the issuance of the P.P.A., subject to the recommendations contained in Dr. McIntyre's report.
- (3) The invoice from B. C. Research Council for \$2,617.77 for the preparation of the report be paid.

Continued...

22. Re: Contract re Dredging Burnaby Lake
Sceptre Dredging Limited

Sceptre Dredging Limited have submitted, through Associated Engineering Services Limited, an application to extend the time limit for the completion of their dredging contract to August 31, 1971. Associated Engineering Services Limited have recommended that the extension of the time limit on the contract to August 31 be granted to provide for the possibility of the disposal of material from the two end areas, which is unsuitable for discharge through the trunk sewer prior to July 15, which is the dead-line imposed by the Pollution Control Board for the use of the trunk sewer and the river. It is to be understood that this extension is only to be applicable to materials in the end areas, which is in any event unsuitable for disposal via the trunk sewer, and that all remaining material to be dredged should be dredged through the sewer as soon as he can possibly be given permission to do so.

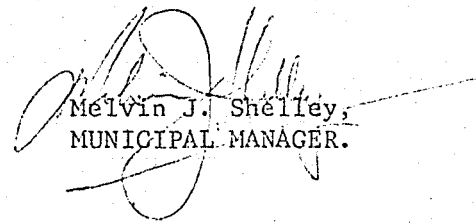
It is therefore recommended by the Engineer, and the Manager concurs, that this extension of time to August 31, to dredge only material which could not in any event be disposed of through the trunk sewer, be approved without application of the \$100 per day liquidated damages.

23. Re: Disposal of Dredge Material
Burnaby Lake

Attached you will find a copy of a report dated June 17, 1971 from the Engineer recommending that Council authorize another attempt at using the sewer in connection with the above.

It is recommended that the work be attempted as planned on the understanding that any extra costs involved will be the subject of negotiation with the Summer Games Committee.

Respectfully submitted,


Melvin J. Shelley,
MUNICIPAL MANAGER.

MJS:bp

Attach.

June 21, 1971

26. Re: Estimates.

Submitted herewith for your approval is the Municipal Engineer's report covering Special Estimates of Work in the total amount of \$453,500.

It is recommended that the estimates be approved as submitted.

Respectfully submitted,


Melvin J. Shelley
MUNICIPAL MANAGER

MJS:mc
Attach.