

26 March 1971

MANAGER'S REPORT NO. 21, 1971.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Inter-City Express (1965) Limited et al
7976 Winston Street.

The Chief Licence Inspector advises that he has received applications for licences from the following three firms located at 7976 Winston Street:

Inter-City Express (1965) Limited,
Overland Freight Lines Limited,
British Pacific Transport Limited.

According to the direction of Council these applications are hereby referred to Council for decision.

2. Re: Out-of-Pocket Expenses -
Parks and Recreation Commission.

On 15th February, 1971, Council passed the following resolution:

"That a budget item be established by the Parks and Recreation Commission for the purpose of paying out-of-pocket expenses, including mileage expenses, to Parks and Recreation Commissioners, subject to a flat rate of expense pay-out being recommended to Council by the Commission."

The Parks and Recreation Commission now advises:

"Based on last year's expenses, the Commission has included in its budget an amount of \$2,500. The Commission will be reviewing the costs involved over the next few months and hopes to come up with a more accurate figure later this year."

3. Re: Acquisition - Grange Street Extension.

Negotiations for the acquisition of properties on the proposed Grange Street Extension are progressing slowly, and in order that work can proceed when authorized it is recommended that an expropriation Bylaw be passed covering the following properties to be acquired:

Acq. #2 Kennedy - 5990 Sussex - All of Lot 3, Block 9, D.L. 32,
Plan 2250.

Acq. #7 Winged Voyageurs Resorts Ltd.- All of Lot 28, Block 7, D.L. 32,
6006 McMurray Avenue Plan 1229.

Negotiations will, of course, continue.

4. Re: Letter of John J. Uselman.

The "Noise Bylaw" referred to is in an advanced state of completion and should be presented to Council very shortly.

*Carried -
Refer -
3 items -
discuss -
in favour*

Rae

Alpha

Continued....

5. Re: Subdivision Reference No. 169/70 and No. 23/71
Lister Court - Fir Street - Moscrop Street.

On February 8, 1971, Council authorized the acquisition of easements according to the attached Plan A and the execution of the documents with respect to Subdivision Reference No. 169/70. Subsequently the same developers applied for approval to subdivide several properties adjacent to and west of Subdivision No. 169/70. The new subdivision number 23/71 applies.

An amendment to and an extension of the easements are required and the developer has chosen to submit a new easement right-of-way plan to cover the easement requirements for both subdivisions.

In order to correct the easement for Subdivision No. 169/70 and to finalize Subdivision No. 23/71, the easements as shown on attached Plan B are required. The following information applies:

A. Legal Description:

Old legals: D.L. 35, Lots "A" and "B" of Block 2, Plan 7643
Remainder of Lot 3, Plan 7081

New Legals: D.L. 35, Lots 145 and 146, Plan 38753
(created by S.D. No. 169/70

Lots 155, 156, 157, 158 and 159, D.L. 35,
(plan number to be assigned upon registration).

B/C. Details of Ownership:

The developer will take title to the new lots prior to the registration of the easements. All lots containing easements will then be in the name of:

Arma and Laurand Holdings Limited
c/o Harrison Doig - Lawyer
of Doig, Guthrie and Baily
7311 Kingsway,
Burnaby, B.C.

D. Description of Easements:

As per Plan B.

E/F. The easements are required for sewer purposes and are to be provided at no cost to the Corporation.

G. The properties are located between Moscrop and Fir Street on Lister Court.

It is recommended that authority be granted by Council to release the easements shown on Plan A and that authority be granted to acquire the easements shown on Plan B, and further that the Mayor and Clerk be authorized to execute the easement documents on behalf of the Corporation.

6. Re: Fish - Deer Lake.

By Item No. 6 of the Municipal Manager's Report No. 5, 1971, Council was advised that the Health Department was continuing with its investigation as to the dead fish being found on the shores of Deer Lake.

The Medical Health Officer has now provided the following progress report:

"Further to our report of January 22nd regarding the above-noted subject, we would advise that studies of water quality by this Department and the Dominion Department of Fisheries have not revealed anything that could have been responsible for the number of dead fish that have been observed. As an example, the Ph of the water was 6.8, which is very close to the neutral calculation of 7. Dissolved oxygen was 12 parts per million. This particular type of fish can survive in as little as 3 parts per million dissolved oxygen.

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*copy
29/3/71*

*Refer to SSC
Carroll
All M. H. Doig
Carroll
and do review
to the
Laurand Holdings*

6. Re: Fish - Deer Lake. (Cont'd)

"As stated, we could find nothing in water quality that could contribute to the death of fish. The Dominion Fisheries were of the opinion that the fish had died of fin-rot, associated with fungus growth on the gills. A bio-assay at 100% showed no mortalities with Coho fry after 96 hours.

Re: Deer Lake
As dead fish are still being observed, a second investigation is underway. This investigation is also being carried out in cooperation with the Dominion Fisheries. Samples of lake water and incoming tributaries have been taken, along with specimens of fish. We will forward a further report when results are received from the Fisheries Laboratory."

7. Re: Noel Drive Land Acquisition.

Lot 14, Block 2, of Lots "F" & "G" of Blocks 10, 11, 18 and 19, D.L. 6, Group 1, Plan 18558, N.W.D. is known as 3201 Noel Drive and is owned by Mr. & Mrs. S. Gorny.

The property is required for future road purposes and owing to difficult and slow negotiations it was Expropriated and Expropriation Notices were served.

Negotiations were continued and the owners have now agreed to the following:

1. The purchase price for the property to be \$31,000.00.
2. Tax adjustment to be as of April 1st, 1971.
3. The Corporation to take possession of the property on April 1, 1971.
4. The owners to have rent free occupancy of the house up to, but no later than, June 30th, 1971. This is necessitated by the fact that they have children in school, and to allow them time to find other accommodation.

The 1971 assessment is:

Land	-	\$ 6,070.00
Improvements	-	<u>11,700.00</u>
Total	-	<u>\$17,770.00</u>

Approved 29/3/71
The Land Agent advises that he considers this settlement fair and reasonable.

It is recommended the settlement as set out above be approved.

8. Re: Lease of Water Lot No. 6317,
Weldwood of Canada Limited.

The Corporation of Burnaby leases the above noted water lot from the North Fraser Harbour Commissioners and sublets it to Weldwood of Canada Limited and MacMillan Bloedel and Powell River Industries Limited for booming grounds and log storage.

See sketch (attached)
The portion sublet to Weldwood is the upper river end of the water lot stretching approximately from the end of Sussex Avenue to within 200 feet of the end of Dyrne Road. The annual rental for this lot is \$3,262.83. Weldwood's lease on their portion of the water lot expires on the 15th May, 1971, and we are in receipt of a copy of a letter from them, addressed to the Municipal Clerk, in which they request a renewal of the lease of their portion of the water lot.

In conjunction with this water lot lease, Weldwood leased municipally-owned foreshore described as Lots 186 and 187, D.L. 165, Group 1, Plan 1050. See attached sketch. This ground was originally required for a log dumping facility which the company operated some years ago, but at the present time the facility has fallen into disrepair and the company has not made any use of the foreshore property for a number of years, even though they have paid a lease rental for it.

8. Re: Lease of Water Lot No. 6317 (Cont'd)

The Municipality's head lease from the North Fraser Harbour Commissioners expires on October 17, 1972. In view of this, it is recommended that we sublet to Weldwood of Canada Limited "that portion of water lot No. 6317, save and except the portion shown outlined in red on plan prepared by Kenneth B. Wilson, B.C.L.S., dated October 29, 1954" for a period of one year from the expiry date of the present lease, at an annual rental of \$3,262.83, and further, that as the company has no apparent use for Lots 186 and 187, D.L. 165, Group 1, Plan 1050, that its request for a further renewal of the lease for this property be not entertained.

9. Re: Damage Claim -
Mr. & Mrs. N. L. Konkin,
6497 Buchanan Street.

Mr. & Mrs. Konkin suffered a flooded basement at their residence at 6497 Buchanan Street on the 26th January, 1971.

The flooding resulted from water coming from Halifax Street. At the time of the rain the catch-basins had been raised to the finished grade of the road but the final lift of asphalt had not been laid. For that reason the water could not get into the catch-basin and it ran down Kensington, across the lane and into Mr. Konkin's property.

The Solicitor considers that the Municipality is responsible.

The claim is for \$800 but it includes certain items for which the Corporation does not consider itself wholly responsible.

It is considered that this claim can be settled for \$500 and it is recommended that authority be granted to settle for \$500 subject to the necessary releases being obtained.

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10. Re: Rezoning Bylaw Amendment Procedure.

At the March 22, 1971 meeting of Council, Alderman Mercier requested a list of outstanding Rezoning Bylaws. The Department is presently continuing the process of implementing Council's policy regarding long outstanding rezoning applications as adopted at the July 13, 1970 meeting of Council. The Municipal Clerk will be reporting to Council under separate cover on Bylaws in the following categories:

1. Applications which have been withdrawn by the applicants.
2. Applications which have been superseded by more recent applications.
3. Application in which the Bylaw has been split into two Bylaws because the rezoning proceeded in two stages; the first stage being finalized.

Re: id.

Attached hereto is a list of long outstanding rezoning applications along with the addresses of the respective properties and the expiry date of the applications, together with a list of rezonings abandoned by their applicants since being notified of their respective expiry dates.

11. Re: Big Bend Area Study - Stage I.

Submitted herewith for the information of Council is a Report by the Planner on this subject.

It is noted that the Study covering Stage I will be available for distribution to Council at its meeting 29th March, 1971.

*Re: id.
29/3/71*

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12. Re: Bonding on Building Construction Projects.

The attached letter from the Chief Building Inspector is submitted for Council's information relative to the recommendation to Council by the Parks and Recreation Commission concerning reducing the bonding requirements to 50%.

Council direction has been to require 100% Performance Bonds and 100% Labour and Material Bond.

It will be noted that Mr. Jones advises that a "mixture" is not possible - either the Corporation requires 50% bonds or 100% bonds.

The other aspects of procedures referred to in the last paragraph of Mr. Jones' letter have not been examined but apparently would not influence bonding requirements.

13. Re: Rezoning Application No. 11/71.

Submitted herewith for the consideration of Council is the Planner's Report with respect to Rezoning Application No. 11/71, being an application to rezone property known as 7857, 7865 and 7871 Sixth Street from C2 Commercial to C7 Commercial.

14. Re: Loan Authorization Bylaws.

We are in receipt of advice from Victoria that the following Federal Provincial Special Development Loans have been approved:

(1) Miscellaneous Parks	\$ 415,000
(2) Stride Avenue Secondary School Recreation Facilities	60,000
(3) Senior Citizens' Recreation Hall Confederation Park	200,000
(4) Senior Citizens' Recreation Building Kingsway at Edmonds	279,000
(5) Winston Street Construction	351,000

The Solicitor has also advised that these Bylaws were approved by the Inspector of Municipalities on 23 March, 1971, pursuant to Section 255(1) of the Municipal Act.

Numbers (1) and (4) as applied for were \$414,150 and \$278,200 but Victoria, to suit their own purposes, altered the Bylaws to show the figures as above. These Bylaws may now be passed by Council. Bylaw numbers are as follows:

- (1) Bylaw No. 5861
- (2) Bylaw No. 5862
- (3) Bylaw No. 5863
- (4) Bylaw No. 5860
- (5) Bylaw No. 5857

The Bylaws are subject to quashing for a period of one month after the date of adoption of the Bylaw, which is somewhat of a technicality.

It will be of interest to Council to know that the site on which the Elder Citizens' Recreation Centre in North Burnaby is to be built is on land owned by the Burnaby School Board.

The Parks and Recreation Commission Administrator advises it is anticipated that the planned property exchange with the School Board wherein the Corporation will obtain title to the site as part of Confederation Park may take some time. In the meantime the Commission is asking approval of the School Board to permit the project to go forward immediately. Plans and specifications for the building are in the hands of the Chief Building Inspector.

It is now recommended that the Bylaws (using the corrected figures) be finally adopted by Council and signed by the Mayor and Clerk.

Respectfully submitted,
[Signature]
MAYOR