

THE CORPORATION OF THE DISTRICT OF BURNABY

28 May 1971.

MANAGER'S REPORT NO. 39, 1971.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Frontage Requirements - S.D. Ref. #13/71
D.L. 90, Block 1, Lot 31, Plan 355
7827 Goodlad Street

Subdivision No. 13/71 is located at 7827 Goodlad Street in D.L. 90. See attached sketch.

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.

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. 13/71.

2. Re: Central Park Swimming Pool - Gas Service.

Burnaby Parks and Recreation Commission has taken over the operation of Central Park Swimming Pool for the Central Park Committee. The B. C. Hydro requires a formal contract for the provision of gas service to this pool and has forwarded two copies of a "Firm Gas Service Agreement". At its meeting of May 19, 1971, the Parks and Recreation Commission authorized that this agreement be completed.

It is recommended by the Commission that authority be granted to have these agreements executed by the signing officers of the Corporation.

3. Re: Acting Municipal Manager.

The Municipal Manager will be at the Confederation of Mayors and Municipalities' Conference in Saskatoon from June 14 to 18 inclusive and it would be desirable to have someone recognized on staff who could act in the Manager's capacity for the short term.

There will also undoubtedly be other occasions due to sickness or business that the Manager will be absent from the office and until a definite decision is made regarding an assistant of some sort it would appear that a "standing" authority for someone to assume the duties of this office would be in order.

It is therefore recommended that until further notice Mr. S. B. McCafferty, as part of his duties as Municipal Treasurer, be appointed acting Municipal Manager to act, if necessary, with full authority in any absence of the Manager.

Continued....

4. Re: Burnaby Sign Bylaw Report

Originally, sign regulations were to form part of the Zoning Bylaw and proposed standards designed to govern signs in the Municipality were included in the earlier drafts of the Bylaw. However, during the consideration of these regulations by the Council, it was decided that signs should be the subject of a separate bylaw. Consequently, all references to signs were deleted from the fourth draft of the Zoning Bylaw which was submitted to the Council in January, 1965, and since that date (with the exception of the Freeway Sign Control Bylaw) we have been dealing with signs on an 'ad hoc' basis.

The initial drafts for a separate sign bylaw were prepared during 1965 and 1966, embodying many of the proposed regulations which had initially been included in the earlier drafts of the Zoning Bylaw. Additional research was carried out in 1968, including a detailed review of sign regulations in other municipalities, discussions with Lower Mainland officials and other Municipal departments.

Subsequent review and discussion and the receipt of comments and suggestions from the Building, Engineering, and Legal Departments has resulted in the development of the attached Report.

This Report is placed before Council for its consideration. It is recommended that the Report be referred to the Advisory Planning Commission and other interested groups for comment prior to any action being taken by Council.

5. Re: New Vista Society - Senior Citizen's Project
Construction of Road.
(Item 13, Manager's Report No. 37, Council Meeting May 25, 1971)

The above subject was tabled until the Manager could bring in a report as to whether or not the Municipality could advance money to the Society and show it on its books as an Account Receivable.

Since the Society is not a Committee of Council but is registered under the Societies Act it is not possible for the Municipality to make an advance to the Society. The Municipality is not a lending institution and it is specifically prohibited from doing this.

The road could be developed as a local improvement but the property on each side is privately owned so it is a question of whether or not the private properties will receive any benefit from the work. There is also a problem that our present road By-Law does not cover the construction of a new road, i.e. it basically covers a situation where we can use existing grades.

It would appear that Council must make a decision as to whether or not to make a grant of the amount of money involved for the work in question. As pointed out previously, if we are to assume the cost then they would have to be charged against the Contingency Section of the "Special Roads Projects" of the Capital Budget as no specific provision has been made for this work.

6. Re: Business Tax

On the Agenda before Council November 23, 1970, were two Notices of Motion relative to the subject of business tax, and both were referred to the Manager by Council for further report.

- (a) The first resolution dealt with the timing basis on which the business tax was charged, and suggested changes that would necessitate amendments to the Municipal Act. The resolution reads as follows:

"THAT the Council petition the Provincial Government and present a resolution to the Union of B. C. Municipalities, urging that the Municipal Act be amended to permit Municipalities to charge a business tax in any one year based upon the previous year's tax rate with payment due on January 1st, provided that the Council may, on or before May 15th alter the business tax rate for that year. Depending upon the rate established, any amount owing shall be due and payable or any rebate shall be made within a reasonable time thereafter."

Continued....

6. Re: Business Tax (Continued)

The Council requested that the Manager examine the proposal and report to it on the affects of such a change.

- (b) The second resolution concerns the procedures presently necessary with trades licence fees and business tax, and calls for changes that will streamline these procedures. Once again the alternative proposed will require amendments to the Municipal Act. The resolution received by Council is as follows:

"THAT the Council petition the Provincial Government and present a resolution to the U.B.C.M. for amendments to the Municipal Act allowing a Municipality, in instances where a Business Tax is charged, to not impose a Trades Licence Fee, or alternatively, to charge a Trades Licence Fee over and above a Business Tax."

The Manager was requested to examine the concept and indicate to Council the change in procedures that will be necessary, and its affect on the administrative set up should the proposal be implemented. The Council deferred action to take these proposals to the U.B.C.M. and the Provincial Government until the Manager's reports were received.

1. With respect to the first resolution, the matter has been discussed with the Treasurer and it would appear that there will be very little problem administratively in changing to this method. We are not sure that the Government will do anything about the resolution because the Deputy Minister of Municipal Affairs has remarked on several occasions that the Act was written as it is to prevent Councils from altering business tax rates as a means of balancing budgets (or words to that effect). It should be noted that legislation is permissive in other provinces (namely Saskatchewan for example) to permit the procedures outlined in this resolution. In effect this resolution appears to retain our present system but it also gives additional flexibility. It will create few, if any, new administrative problems. It is therefore recommended that this resolution be passed by Council and submitted to the Government through the U.B.C.M.
2. With respect to the second resolution, from past discussions with the Deputy Minister of Municipal Affairs it would appear that there is an interest in Victoria about this subject. We feel that the licence fee or the business tax, whichever is the higher, should be a fee chargeable for a business licence and in practice we do just that. However, the method we must employ to keep within the law tends to confuse the businessman at times. Council will be aware of the fact that we have a combination licence - business tax bill and incidentally we understand it is also being adopted this year by Saanich.

At present the Assessor compiles his roll in autumn of the year and holds his Court of Revision in November. Bills are mailed in December and become due in January. As a consequence, we collect most of the money in January which greatly helps our cash position. All other Municipalities including Vancouver and excepting Saanich, compile assessment rolls in the spring of the year, hold a Court of Revision in April or May, and bill directly thereafter. Under the Municipal Act and, until recently, the Vancouver Charter, licence fees paid are abated against business taxes, which is most confusing.

An alternative is suggested for the second resolution. Effective with the year 1970, Vancouver City is no longer required by its Charter to abate business tax by licence fees. In other words, licences are completely divorced from business tax. It is therefore recommended that Council consider petitioning the Government through the U.B.C.M. for the right to discontinue the abatement of licence fees paid against business taxes paid by the same business.

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7. Re: Business Tax Rate

In 1965 Burnaby brought into effect a business tax of 6 1/2% of the assessed rental value of real property or 1% of the assessed value of landlord and tenant fixtures (machinery). At that point in time, the rates chargeable in Vancouver and New Westminster were 7% and 9%. In Vancouver there is no alternate tax on machinery.

In 1969 Vancouver boosted it's rate to 8% and in October that year, consideration was given by Council to increase Burnaby's rate to 7%. The by-law did not pass. However, a by-law was enacted to reduce the tax on machinery from 1% to .65%, to conform with a change made in the Municipal Act. Section 427 of the Municipal Act reads as follows:

"(1) The Council may by by-law, adopted prior to the thirtieth day of November in any year, provide for the imposition of an annual tax (hereinafter referred to as a "business tax") in succeeding years on every person carrying on a resident business within a municipality in any amount equal to a designated percentage, not exceeding ten per centum, of the annual rental value of the real property, or part thereof, occupied or used for the purpose of the business, or a designated percentage, not exceeding one per centum, of the taxable value of personal property used by him in or on the real property for the purpose of the business, whichever produces the greater amount of tax, ..."

In 1970, Council approved the increase from 6 1/2% to 7% and the by-law was amended accordingly for application in 1971. Under Section 427 of the Municipal Act, you will note that the tax or amendments thereto must be made by by-law adopted prior to 30th November to be applied in the year or years to follow.

At the time of passage, it was suggested the business tax rates be reviewed each year immediately following consideration of the Annual Budget. As the Budget has been passed, Council may now wish to consider a further increase in the business tax rate.

As mentioned, the rate in Vancouver is 8% and is levied on a base calculated in a manner and in amounts quite comparable to Burnaby. In New Westminster, however, the base was much lower than Burnaby, until quite recently. In 1970 the base was revised, and the rate of tax reduced to 5%. Apparently this change in base and rate of tax has had no appreciable effect on the level of business taxes.

The anticipated return from business tax for 1971 is \$1,684,000. Increasing the rate from 7% to 7 1/2% should realize a further \$120,000 plus normal growth through changes in rental values, additions to premises and new premises. Any change made in the rate will not apply to 1971 and it must be kept in mind that if the Business Tax rate is increased, the alternate tax on machinery should be increased accordingly to match; i.e., if the rate were increased to 7 1/2%, the machinery tax rate should also be raised to .75%.

Council's direction in this respect is requested.

8. Re: Subdivision Reference #80/71

In order to finalize the above subdivision, easements are required as shown on the attached plans. The following information applies:

A. Legal Descriptions:

Lot 3 of the north half of Lot 1, Block 2, D.L. 206, Plan 10124.

Lot 4 of the north half of Lot 1, Block 2, D.L. 206, Plan 10124.

B. Ownership:

Lot 3 - James Henry Docherty - Construction Foreman and RITA Docherty -
housewife

both of 925 Sperling Avenue, Burnaby, B. C.

Continued...

8. Re: Subdivision Reference #80/71 (Continued)

Lot 4 - William Robert Miller - Security Guard
of 931 Sperling Avenue, Burnaby, B. C.

C. Description of Easement:

As per Explanatory plan attached.

D. The easement is required for drainage purposes and is to be provided at no cost to the Corporation.

E. The properties are located at:

925 and 931 Sperling Avenue, Burnaby, B. C.

It is recommended that authority be granted to accept and execute the easements involved.

9. Re: Tenders for Storm Drainage Contract #1, 1971

Tenders were received for the subject works up to 3:00 p.m., local time, Wednesday, May 26, 1971.

The work includes supply and installation of storm drainage materials; involving approximately 14,000 feet of mains ranging in sizes from 8" to 36" diameters, including manholes, catch basins and leads and house connections. The location of the works are as follows:

- (a) 14th Avenue from Kingsway to Mary Avenue
- (b) 14th Avenue from Kingsway to 15th Street
- (c) 13th Avenue from 15th Street to existing trunk
- (d) Royal Oak Avenue from Gilpin St. to Watercourse South
- (e) Gilpin Street and Gatenby Avenue from Royal Oak Ave. to Ivar
- (f) Neville Street from Buller Avenue to Gilley Avenue
- (g) Midlawn Drive from Willingdon Avenue to Northlawn Drive
- (h) Westlawn Drive from Midlawn Drive to Delta Avenue
- (i) Northlawn Drive from Midlawn Drive to Delta Avenue
- (j) Fairlawn Drive from Midlawn to Brentlawn Lane
- (k) Beta Avenue from Northlawn Drive to Fairlawn Drive
- (l) Dunblane Avenue from Imperial Street to Grimmer Street
- (m) Sanders Street from Royal Oak Avenue to Nelson Avenue
- (n) Irving Street from Royal Oak to Marlborough Avenue
- (o) First Avenue from Boundary Road to Ingleton Avenue

Four tenders were received and opened in the presence of Mr. V. D. Kennedy, Mr. C. R. Walters, Mr. R. J. Constable, Mr. K. Williams and representatives of the firms bidding.

Submitted herewith is a correct tabulation of the firms bidding.

Tender number 4, A & G Construction Limited neglected to include any of the bonding or insurance requirements and is therefore not acceptable.

The Engineering estimate for this project is \$388,000.00.

The Engineer and Purchasing Agent recommend that the tender of the lowest bidder being United Contractors Limited for the sum of \$370,829.76, with actual payments to be based on unit prices tendered, be accepted. The Manager concurs.

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10. Re: Big Bend Area Study - Interim Report

Attached you will find a copy of the Interim Report dated May 27, 1971 submitted by the Director of Planning and as requested by Council.

May we have Council's direction in this connection.

11. Re: Vacant Lot next door to 3731 Regent Street

In reply to Alderman McLean's inquiry, the vacant lot next door to 3731 Regent Street is described as Lot 10, Block 14, D.L. 69, Plan 1558.

This property was acquired by the Municipality for non-payment of taxes in 1932. The property originally had a house on it which was rented to the former owner up until approximately 2 years ago. When she vacated, the house was demolished and the lot cleared.

The property was listed as parcel 7 - 5Ba (Category 5 - Lands to be Offered for Sale Unconditionally) in the Municipal Land Study - Part 1 A Categorized Inventory. However, recent considerations made by freeway consultants for the City of Vancouver makes future development in the immediate area of the subject property undesirable. This results from the possibility of the area being required for interchange purposes should the Regional District designate Boundary Road as a freeway route in conjunction with the proposed underground Vancouver - Grandview freeway. Therefore, despite the fact that the subject property is presently a suitable building lot, it is recommended that the lot not be sold as proposed originally in the Land Sale Study, but instead be held in reserve until such a time as the Regional District clarifies its views on regional freeway routes.

In light of this, the Planning Department would not object to the use of the property for recreational purposes on an interim basis. There may be some justification for this as the area is badly isolated from surrounding parks by existing arterials making access for children of the 19 families in the area difficult.

If it is deemed advisable that the property be used for a tot-lot, we are of the opinion that it should be done through the Parks Commission, otherwise some form of lease would have to be entered into, either with an individual, or a community society incorporated for the purpose. In either case, the conditions of Section 336 of the Municipal Act would pertain and the property would become taxable. We do not think that either of the last two suggestions would be beneficial or practical.

12. Re: Section 411 of the Municipal Act.

The following has made application under Section 411 of the Municipal Act for rebate of percentage additions on the respective property:

M.E. Gaskill, 4171 Pender Street, Burnaby 2, B.C.	Lot 19, Blk. 9, D.L. 121, Plan 1054, Code: 4019218	1970 Penalties \$29.11
		<u>\$29.11</u>

To date, 1971 allowances which have been approved under this section, not including the above, total \$122.36.

It is recommended that approval be given to this rebate.

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

Attached will be found a copy of the Proposal agreed to with the B.C. Research Council in connection with the Study that we have requested Dr. McIntyre of the Council to undertake.

The terms of reference are fairly broad but it is hoped that the conclusions will be precise. This Proposal has been discussed with Chevron Canada Limited and Mr. Harry Fuller so that both are well aware of what we are attempting to do. There does not seem to be any objection by either as to the approach that is to be taken or the results that it is hoped will be attained. We have been offered the full support and cooperation by both, and Dr. McIntyre will not only visit the plant, taking tests where possible, but will also meet with Mr. Fuller and two or three others in his group so that the points of concern raised can be fully explored.

We would hope that we would have a report in two to three weeks time but this will depend upon problems that might arise during the Study. Dr. McIntyre has stated that the \$2,000.00 budget suggested would appear to be adequate, as nearly as we can determine at this time.

14. Re: Chevron Canada Limited Plant Modernization
Application for Temporary Building Permit - Pole type Storage Shelter.

We have received a request for approval to erect a temporary building urgently needed for the purpose of interim storage of project material for construction, which has already been purchased and is now being received at the Burnaby Refinery. The location is within the Refinery's No. 2 Area. The planned structure is pole-type, requiring no foundation other than a level site and the net value is \$3,500.00 after dismantling. The application is for a 6-month permit with option for renewal.

We cannot recommend any temporary permit approval which might imply that development approval for the Refinery Project is necessarily forthcoming. As yet no construction has been authorized and since Council has directed that plans for this project be examined in detail by an outside authority to determine its suitability in terms of environmental factors, it is felt that this application should be considered by Council.

It must be kept in mind that materials for a Project such as is being contemplated had to be ordered as much as a year ago and the delay at present has been brought on by the need for closer examination of the Project. It is therefore recommended that a temporary permit for 6 months be authorized without an option for renewal on the distinct understanding that the granting of the permit is in no way to be considered as approval of the Modernization Project, and that the structure is to be used strictly for the purpose of interim storage of Project construction material.

15. Re: Proposed Amendment to the Montecito Development Plan
R. Z. #143/66.

Dawson Developments Ltd., the developer of Villa Montecito has made a request to amend the approved plans of Stage 3 of the Villa Montecito development. The area involved is shown on the attached sketch.

Council adopted the By-law for the Montecito apartment scheme on December 18, 1968. An amendment to the CD plan of Stage 1, which involved the conversion of 56 three bedroom units into two bedroom units, was approved by Council on February 9, 1970, on the basis of an agreement with the developer that the three bedroom units would be replaced in a subsequent stage of development. Further, on March 2, 1970, Council passed the By-law which incorporated changes to the two high-rise buildings of Stage 2 of the scheme.

The first stage has been fully completed and the two high-rise buildings are now under construction. The developer's architect has approached the Planning Department with a revised development plan for Stage 3. It appears that the amendments proposed are substantial and outside the terms of the approved CD plan and, therefore, an amendment to the Zoning By-law will be required.

Continued....

15. Proposed Amendment to the Montecito Development Plan
R. Z. #143/66 - Continued.

In summary, the developer wishes to consider a condominium rather than a rental situation and, consequently, a number of apartment units have been replaced by individually owned townhouses.

The following observations resulting from a comparative analysis of the original plan and the proposed changes, will explain the present amendment in more detail:

- the total number of dwelling units in this stage has been reduced from 237 to 204;
- the FAR of approximately .64 has not been changed;
- the density has been reduced from 21.0 to 18.2 units/acre;
- the proposed accommodation provides for more three bedroom and four bedroom units and less two bedroom units (51% two bedroom and 49% three bedroom units as planned originally; 10% two bedroom, 75% three bedroom and 15% four bedroom units in the amended proposal).

The reduction in density results from the replacement of 129 apartment units by 96 self-contained townhouses, that occupy larger site area. The average unit size has been somewhat increased. The number of three bedroom and four bedroom units has been increased to 184, thus compensating for the loss of three bedroom units resulting from the amendment of Stage 1.

The concept of the amended proposal appears to satisfy the criteria originally established for this development. The pedestrian plaza, amenities and landscaped areas are of similar character and quality as originally proposed; the parking and driveway arrangements appear to be more satisfactory. The proposal appears compatible in its architectural concept and expression with Stage 1 and 2 of the Montecito project.

It is the Planning Department's opinion, based upon the above observations, that the amended proposal is acceptable and that the amendment reflects the objectives and criteria that were established in conjunction with the original rezoning application. It is therefore recommended that Council agree to accept the above outlined amendments to the development plan which will require a Public Hearing and By-law Amendment for Stage 3 of the Montecito project.

The plans that have been submitted do not yet satisfy all the requirements of CD zoning, however, the necessary plans will be made available prior to the Public Hearing.

It is recommended that Council forward this application to a Public Hearing with the final reading of the amending Zoning By-law being subject to the submission of a detailed and suitable plan of development.

16. Re: Required Easement - R. Z. #12/71.

In conjunction with the above rezoning, easements are required as shown on the three attached diagrams. The following is provided for information:

Legal Description: Portion of Lot 284, D.L. 6/10, Plan 38574 and
Portion of Lot 67, D.L. 6/10/56/148, Plan 31569;

Details of Ownership:

As to Lot 284: Dunhill Developments Ltd., 778 Premier St., North
Vancouver, B. C.

As to Lot 67: Lake City Industrial Corporation Ltd., 1030 West Georgia,
Vancouver, B. C.

Under agreement for sale with: Dawson Developments Ltd.,
745 Clark Drive,
Vancouver 6, B. C.

Continued....

16. Re: Required Easement - R. Z. #12/71 - Continued.

Description of Easements:

The easements are 10' and 20' wide and are located on the westerly portions of Lot 284 and Lot 67, as shown on the attached diagrams.

Purpose of Easement:

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

Address: The properties are located at: - 8990 Centaurus (Lot 284)
- 9831 Gagliardi Way (Lot 67)

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

17. Re: Proposed Heliport Facility - Gizeh Shrine Temple
Wayburne Drive at Woodsworth.

Representatives of the Gizeh Shrine Temple have requested permission to provide a helicopter landing facility on the existing parking lot of their property at the subject location. The immediate intent is to accommodate a temporary use during the upcoming Shriners' Convention, May 31 to June 6, 1971, but interest has been expressed in developing a permanent facility in future, if municipal approval can be obtained. The initial use would consist primarily of flights to and from the Pacific National Exhibition ground for publicity purposes, and the frequency is estimated at two flights per day.

The Department of Transport has advised the Planning Department that they have examined the proposal and find it acceptable from a safety point of view, and have prescribed an approach and take-off path which would take the craft along Highway 401 and over the industrial and institutional land to the west of the site, with all maneuvering near the landing pad confined to a westerly direction. We are informed that they are prepared to issue a licence for this temporary use subject to approval from the Corporation, and that further, they would consider a permanent permit if certain conditions could be met in the actual facility and if Council so approved.

The Planning Department would observe that the landing site is in close proximity to a residential neighbourhood, immediately east of the property, across Westminster Avenue, and the approach path could have an effect on residential areas to the south near Willingdon Avenue. Protection of the residents from a possible noise nuisance would be a major concern at such a location and we could therefore not recommend any permanent helicopter use for this site.

The direction of Council in the matter of the proposed temporary use is also required in order that the applicants may be advised accordingly. Direction is required regarding both the permanent and temporary use.

18. Re: Wayburne Way - Dominion Construction Landscape Screening.

A letter has been directed to Council by Mr. J. E. Saunders, 4929 Fulwell St., inquiring as to the provision of a landscaped buffer adjacent to the Gizeh Shrine Temple site, between a developing industrial area and a residential neighbourhood. The Planning Department has been engaged in recent months in working with Dominion Construction and other involved parties toward acceptance of a suitable plan for a treed screen buffer along the west side of Westminster Avenue. Prior to development of the Wayburne industrial park, the developer agreed to share the cost of necessary tree planting with the municipality, on a 50/50 cost sharing basis, to a maximum contribution of \$2,000.00 by Dominion Construction.

During the course of meetings, proposals were presented by the Planning Department, and agreement in principle on a plan was achieved in early April. A detailed plan, prepared by the developer, was received May 20 and has been referred to the Parks and Recreation Department for comments and cost analysis. It is our feeling that the plan basically represents a good standard of landscape design, and could be implemented during the current planting season if the costs and maintenance formula prove acceptable. We hope to conclude the design work and to report to Council in the very near future to obtain authorization for the work. This is provided as a progress report for the information of Council.

Continued....

19. Portion of Water Lot 6317 & 5870 - MacMillan Bloedel Ltd.
Item Nos. 3 and 5, Manager's Report No. 37, Council Meeting May 25, 1971.

These leases were referred back to the Manager to ascertain if the rental rates were adequate - should they be raised? The Land Agent has been in contact with Mr. Eastman of the North Fraser Harbour Commission who advises that the Commission is concerned with exorbitant profits being made as a result of subletting Water Lot leases granted by the North Harbour Fraser Commission. They are not adverse to a reasonable administrative fee being charged, but we could not obtain any commitment as to what in their opinion constituted a reasonable charge.

He informed the Land Agent that it was the Commission's intention on expiration of Head leases on all Water Lots on the North Arm of the Fraser, for the Commission to lease directly to users of the Water Lot. These leases would be granted subject to the approval of the Upland owners, and he indicated that there was a possibility that a fee could be charged for the approval.

Specifically, in the case of the Portion of Water Lot 6317, Council at its meeting of April 5, 1971, approved the extension of a lease to Weldwood of Canada Limited under the same terms and conditions as recommended for this portion of the same Water Lot. It would therefore appear to be inconsistent to sublet the remaining portion of the Water Lot at a different rate.

It is recommended that both leases be renewed on the terms and conditions as recommended at the Council Meeting of May 25, 1971.

20. Re: National Harbours Board Water Lots - Burrard Inlet.

Alderman MacLean inquired at the Council Meeting of May 25, 1971, as to under whose jurisdiction the leasing of water lots in Burrard Inlet comes, and as to how certain industries get authority to build out into the Inlet. The Land Agent has been in contact with Mr. Poulson of the National Harbours Board and he advises that insofar as Water Lots are concerned, the National Harbours Board jurisdiction extends from the high water mark over the whole of Burrard Inlet. The actual depth which a Water Lot might be, can vary in accordance with use. However, construction of any kind on any Water Lot is subject to the provisions of the Navigable Waters Protection Act.

An industry wishing to be located on Burrard Inlet applies to the National Harbours Board for a Water Lot lease, the area of which is determined by survey.

Current National Harbours Board policy tends to favour leases up to 20 years or less, some ranging down as low as a monthly basis. In previous years it was possible to obtain Water Lot leases for a longer period of time than that which is currently favoured. On the 20-year lease there is a rental review every 5 years, and in general this practice is applied over all leases.

Subletting of a National Harbours Board lease is subject to approval by the Board. This condition is rigidly adhered to, to prevent the Board from becoming a party to a situation where a lease has been obtained for a reasonable figure by one party who then for various reasons is able to obtain someone to sublet the lease at an exorbitant profit. Also for the same reason the Board prefers to lease directly to the Water Lot user.

Continued....

21. Re: Glassphalt

In keeping with the trend to recirculate waste materials, the Engineering Department proposes to request our asphalt maintenance contractor, Columbia Bitulithic, to lay a 1½" to 2" overlay of "glassphalt" on Royal Oak between Gilpin and Eglinton, in order to test this material under Burnaby's climatic conditions and under heavier traffic conditions than the only other one in Canada (in Scarborough, Ontario), which was laid on 17 October, 1970.

Mr. Kaller arranged this project with the collaboration of Glass Container Council of Canada, who underwrite any costs in excess of the 'price per ton laid', which Burnaby must pay for ordinary asphalt under the terms of the contract between the Corporation and Columbia Bitulithic Co. Reclaimed glass will be supplied by the Dominion Glass Co. of Burnaby and will be crushed and graded similar to ordinary aggregate. Should the sieve analysis indicate improper gradation standard mineral aggregate in appropriate degree of fineness will be added to assure proper density of the mix.

The laying of "glassphalt" will take place in the afternoon of 18 June, weather permitting. Should the unsuitable weather prevent this work, it will be postponed to Saturday morning, or if wet conditions will again prevail, to the first dry day in the subsequent week.

Similar test strips are to be laid also in Montreal and other large cities in Canada.

According to information available, the performance of "galssphalt" in Scarborough does not differ materially from performance of standard asphaltic surfaces.

Mr. Kaller, who will be attending the National Solid Wastes Seminar in Toronto in the week of June 6 - 12, is instructed to double check the performance of "glassphalt" in Scarborough, which gives sufficient time to our approach to this subject.

It is recommended that Council approve of this "test strip".

22. Re: Contract with Jack Cewe Limited re Engineering and Construction of Services Corporation Subdivision D. L. 86, Stage 3, Phase 1, 1971.

Enclosed herewith from Jack Cewe Limited is a request for an extension of time on the above-named contract from 31 May, 1971, to 15 July, 1971. In connection with the overload problems of McElhanney Engineering and Surveying, we would confirm that we have an engineering agreement with McElhanney for Phase 2 of the F.P.S.D.L. Program, dated 22 February, 1971, and Phase 4 dated 1 March, 1971. Their commitment to us on these two engineering agreements was that the engineering design for the F.P. S.D.L. Program would be substantially completed by 31 March, 1971.

In connection with the comment regarding the wet spring, the Engineer advises that he can only agree that it was the usual wet spring which we may be expected to encounter in this country; however, the extreme wetness in the area to be developed in D.L. 86 would cause serious problems of clearing or carrying out any work with even an ordinary wet spring.

We notice that the request is for a six week extension, and in this connection we would point out that the Council delayed awarding the contract for one week to consider a problem of burning or disposing of the clearing debris. This delay of one week was no fault of the contractors, and certainly should be considered in extending the time to complete the contract.

Although there may be a loss to the Municipality by virtue of the fact that we may not be able to command as high a price as we did in our previous subdivision as we will be unable to sell these lots at a "prime" time, and although we have not been able to earn a return on money which we would have done if the lots had been sold by now, we are sympathetic to the contractor's problems. We have held this contractor up for 5 or 6 months on

continued....

22. Re: Contract with Jack Cewe Limited re Engineering and Construction of Services Corporation Subdivision D. L. 86, Stage 3, Phase 1, 1971. (cont'd.)

North Road through no fault of his own because of a delay by B.C. Telephone in moving a pole line and he has not suggested that any extra be charged.

Under the circumstances, taking all things into consideration, it is recommended that the contract be extended to July 15, 1971, as requested by the contractor and that liquidated damages not be assessed.

23. Re: Confederation Park Elder Citizens Recreation Centre
Item 20, Manager's Report No. 37, Council Meeting May 25, 1971.

Attached is a copy of a letter dated May 28, 1971, from the Secretary of the Parks and Recreation Commission regarding the above.

Basically, what has happened is that the Contract covers more than just the construction of the building, and the original communication last week referred to the building only. The Contract price will, therefore, have to be changed as suggested.

The total Contract price of \$172,687.00 compares with an estimate of \$188,000.00 for the same work.

It is recommended that Council authorize the change in the Contract from \$154,627.00 to \$172,687.00.

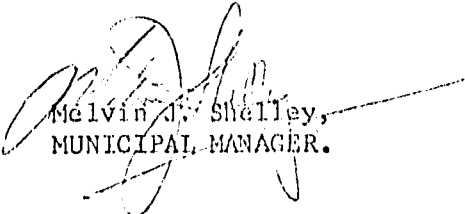
24. Re: Building Department.

Submitted herewith for your information is the report of the Chief Building Inspector covering the operations of his Department for the period April 26 to May 21, 1971.

25. 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 April.

Respectfully submitted,


Melvin J. Shelley,
MUNICIPAL MANAGER.

MJS:ep

Attachs.