

THE CORPORATION OF THE DISTRICT OF BURNABY

June 1, 1964

HIS WORSHIP, REEVE EMMOTT
AND MEMBERS OF THE COUNCIL

GENTLEMEN: REPORT OF THE POLICY COMMITTEE

(1) Homemaker - Housekeeper Service.

Your Committee met on Monday, May 25, 1964 to deal with the report of Councillor Herd concerning a proposed Homemaker-Housekeeper Service which formed the subject of his report dated May 15, 1964.

Your Policy Committee considers that this is a subject which should be deliberated further at the Committee level prior to any formal action being taken on a request of the Homemaker - Housekeeper Implementation Committee of the Community Chest for approval of the service in principle.

Your Committee would therefore recommend that a meeting be arranged between representatives of the Health Committee, the Social Service Department, the Council and the Community Chest to further discuss the ramifications of this service and report back to the Council.

(2) Land Sale to Messrs. Kalyk and Clary - Year 1954.

Problems revolving around a land sale to Messrs. N. Kalyk and A. Clary in the year 1954 covering the South half of Lot 3, D. L. 93, Plan 204, Save and Except the South 33 feet and the East 33 feet and the North half of Lot 3, D. L. 93, Plan 204, Group 1, were the subject of a report of the Manager on October 24, 1963. At that time the sale of these lands, which have been in dispute since 1954 was referred to the Municipal Solicitor for discussion with the principals and report back to the Council.

The circumstances briefly are that an amount of \$6,000.00 was received toward the purchase of the North half of Lot 3, D. L. 93 which amount was placed in trust and the sale of the property was never ratified. Certain conditions were imposed by the Council at that time.

The sum of \$2,400.00 was paid for the South half of Lot 3, D. L. 93 with a deposit of \$9,300.00 for the construction of certain services. It appears the services were not constructed because of a disagreement between the purchasers and certain members of the Municipal staff about future subdivision of the property. There is nothing to indicate that the construction of the services for which the \$9,300.00 was paid was ever formally demanded in writing. Construction of the services at this time is estimated to be \$23,190.00.

PAGE 2
REPORT OF THE POLICY COMMITTEE
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The Solicitor has advised that the problem does not admit of an easy solution. The Municipality can rely on the fact that the purchasers were advised that they had to pay the difference between the estimated and actual cost of the services and that the purchasers have never made any formal demand for construction of the services. On the other hand, the purchasers can argue that the Municipality failed to construct the services within a reasonable time and that the delay was not caused by any fault on their part.

Two courses of action seem to be open and that is that the \$9,300.00 servicing charge can be returned with interest to the purchasers or the services can be constructed and the purchasers asked to pay a substantial part of the increased costs of constructing services at this time.

Outright purchase of the property by the Municipality in view of certain road requirements for Oakland Street is another avenue open. A third alternative would be for the services to be constructed, and the Municipality pay the difference between the original deposit of \$9,300.00 plus the interest earned by this money since June 1954, and the estimated cost of the services at this time.

The property may possibly be affected by current studies being conducted for the major road between Marine Drive and the Deer Lake Interchange. This study will require from sixty to ninety days to complete.

The Municipal Solicitor has recommended with regard to the North half of Lot 3, D. L. 93, that the deposit of \$6,000.00 made by Mr. Kalyk should be returned to him with interest thereon at 6% from the date of deposit.

Your Committee would recommend that this recommendation of the Solicitor be adopted.

With regard to the South half of Lot 3, your Committee would recommend that through the Manager an approach be made to the principals to determine:

- (1) the possibility of returning the money deposited for services, and
- (2) the conditions of purchase of this land by this Corporation.