

THE CORPORATION OF THE DISTRICT OF BURNABY

27 August, 1965.

REPORT NO. 58, 1965.

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

Gentlemen:

Your Manager reports as follows:

1. Re: Sale of Christmas Trees

This Report Item refers to the letter to Council from Art Knapp Nurseries Ltd. and dated 16th August, 1965.

The tacit suggestion in this letter is that Burnaby adopt the North Vancouver policy of restricting the sale of Christmas trees to legitimate Nurseries and perhaps to charitable organizations.

Burnaby's fee for a licence to sell Christmas trees is \$1.00, which is ridiculously low and does not begin to meet inspection and service costs. Under the new Zoning By-law such sales lots are restricted to C4 zoning as they are classed as a drive-in type business. This will place some restriction on the number of sales lots. Non-profit organizations are not charged.

The City of Vancouver grants a licence for no charge for this purpose to any person already licensed and paying business tax. Any other person may obtain a licence for \$7.50 providing they have the written authority of the property owner.

Especially since the introduction of Business Tax, it cannot be denied that the established Nurseries have legitimate grounds for grievance about the impact on their business of the great number of sales lots which appear at the Christmas Season. The suggestion that such sales be restricted to licensed nursery businesses however, seems rather a drastic one.

It is recommended that Burnaby increase its Licence Fee to \$7.50 with the Vancouver proviso that this fee is not payable by persons, firms or corporations already licensed and paying business tax; and that the present policy of issuing a free licence to charitable and non-profit organizations for the sale of Christmas Trees be continued. In all cases, the issuance of permits, free or otherwise, to be restricted to the proper zone.

2. Re: Eagle Motors Limited  
4161 East Hastings Street.

The following is submitted further to the progress report submitted to Council as Item #3, Report No. 55, 1965.

The Planner was instructed by Council to consult with the applicant, Eagle Motors Limited, as two points:

1. Did the applicant commence his current development program when the former Town Planning By-law was in effect?
2. Would it be possible for the applicant to develop his project in such a manner as to conform with current zoning regulations?

Subsequently the Planner was asked for information by the Zoning Board of Appeal as a result of an application to that Board.

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(Item #2 - Re: Eagle Motors Limited,  
4151 East Hastings Street ..... cont.)

The information required by the Zoning Board of Appeal also serves as a Report to Council on the situation:

"A meeting was held with Mr. F. E. McCracken and his legal representative Mr. A. Hean on 19 August, 1965, at which time the following information was obtained in respect to point 1.

March 30, 1965. Mr. McCracken purchased the 3 lots adjacent to his existing development namely lots D, 26 and 27 of Block 8. The rear of lot 27 had been used by Eagle Motors for the previous three years.

April 1st, 1965. Eagle Motors announced their car sales expansion plans in the local press.

May 1st, 1965 The front portion of lot 26 was used for used car sale purposes, a building being used to store materials.

May 21, 1965 An existing dwelling was removed from lot 26, and the whole lot was in use from that date. The rear of lots 26 and D were graded and levelled (but not blacktopped) at the same time.

June 1, 1965 Lot D was used for car sale purposes with the exception of the A.B. Wenaus Real Estate Office, and the Connie Flowers building which was vacant.

June 7, 1965. New Zoning By-law passed which does not permit open lot car sales within a C3 zone.

June 30, 1965. A.B. Wenaus Real Estate vacated their building having found a new location.

July, 1965. Buildings removed from lot D.

The analysis of the above information would point to the applicant having commenced his current development program prior to the passage of the new zoning by-law. This being the case, the property being used prior to June 7, 1965, was placed in a nonconforming category, and the completion of this work could be said to be an extension of a non-conforming use. In respect to Point 2, although the applicant intends to carry out an attractive scheme of open lot improvement, by landscaping, lighting and the extension of a canopy from the existing showroom, this would not constitute conformance with the current zoning regulation, nor is the applicant desirous of placing this aspect of his business within a completely enclosed building.

It appears therefore that the Board, having received an application from Mr. McCracken should decide, in view of the background material provided, and the chronological order of development listed above, whether the proposal constitutes an extension of a non-conforming use; whether this places it within their jurisdiction; and if so, whether they would approve the applicants plans.

This would of course retain the property in a C3 zone and ensure that future expansion complied with the requirements of this zone."

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(Item #2 - Re: Eagle Motors Limited,  
4161 East Hastings Street ..... cont.)

Any decision on the Eagle Motors Limited appeal to the Zoning Board of Appeal is not available at the time of writing of this Report Item.

3. Re: Request for Road Abandonment

The attached sketch is submitted in connection with this subject.

Hoffars Limited have made the following land transactions in D.L. 119:

1. From Liquid Carbonic Canadian Corporation Limited - Block "F", save and except the South Westerly 344' x 186' thereof; and a small strip along the East boundary of Block "G".
2. From Mrs. Hazel I. M. McQuat - Lots 7, 8 and 9.
3. From Liquid Carbonic Canadian - for five years, the right of first refusal to purchase the above excepted portion of Block "F" and the remainder of Lot "G".

Discussions have been held between Hoffars Limited and the Burnaby Planning Department and as a result of these discussions, it is recommended that Council approve of the abandonment of:

(a) the west 66' of Juneau Street, and

(b) the west 198' of Alaska Street.

In exchange, Hoffars Limited has agreed to convey to the Municipality for road purposes, the south 50' of Block "F" and of the small strip along the east boundary of Block "G"; subject to the B. C. Hydro easement which is registered against a southerly portion of the said 50'. The Company has also agreed that should it acquire Lot "G" on which it has right of first refusal, the said south 50' will be extended to the westerly boundary of Block "G".

In the above event, Planning has agreed to recommend to Council that the Company be granted small crescent-shaped portions of Lots "F" and "G" now forming part of a cul-de-sac on Madison Avenue. It is also agreed that the water mains on Juneau and Alaska will be abandoned when not needed, without salvage, and no easement to contain them is to be retained - unless and until any such easements should become necessary by reason of Burnaby being requested to service any of these water mains.

4. Re: Application for Spur Crossing -  
Tryson and Son Iron Works Ltd.

The approval and consent of Council is required for private trackage to serve a new industry located at the southeast corner of the intersection of Meadow Avenue and Trapp Road, known as Tryson and Son Iron Works Ltd.

Approval must be granted by the local authority for the crossing of the road allowance - in this case, Meadow Avenue.

The technical aspects of the proposed new crossing have been checked out by the Engineering Department and they are satisfied that satisfactory arrangements are being made regarding the Meadow Avenue dyke and other factors concerning this crossing.

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(Item #4 - Re: Application for Spur Crossing-  
Tryson and Son Iron Works Ltd. .... cont.)

It is recommended that Council by Resolution approve of the proposed crossing of Meadow Avenue by a spur track to serve Tryson and Son Iron Works Ltd., as shown on Canadian National Railways Plan No. 1217-44, dated 9th July, 1965.

5. Re: Burnaby Lake Study -  
Progress Report #2

Progress Report #2 by Associated Engineering Services is submitted herewith under Confidential Cover for the information of Council in accordance with the Agreement.

This Report covers the month ending 30th June, 1965 and has been delayed due to Mr. Whelen having been on holidays.

Mr. Whelen further reports that good progress has been made and compilation of important data on several aspects of the program was initiated. Progress Report #3 for the month ending 31st July, 1965 should be more detailed and informative and it is expected that this Report #3 will be submitted at any time.

6. Re: Petition for Opening and Surfacing the Lane  
Between Leibly and Walker Avenues, South of Burriss Street

Item #13 of the Municipal Manager's Report #54, 1965, refers and was tabled by Council pending a further report as to whether it would be reasonable to close the lane and return it to the abutting property while retaining an easement for its width for Corporation utilities.

The Municipal Engineer points out that while the effects of such an action may not be felt for some time, his Department is opposed to creating a situation wherein the sewer utility is accommodated in an easement. The Department greatly prefers Municipal installations such as sanitary sewers being on public rights-of-way.

Regarding the drainage ditch now contained in the lane allowance, the Engineer states this would have to remain regardless of the classification of right-of-way. The alternative would be to replace the ditch with storm drainage which would be more costly than lane construction and more difficult to resist if on private property.

The future of any area may dictate the desirability of secondary access for any of many reasons so while this existing lane allowance is substandard it should be retained for this reason and that it contains the sanitary sewer.

Tentative approval has been issued for a Subdivision which will provide additional width of lane allowance on the section of lane paralleling Burriss Street. If this Subdivision goes ahead, it will partially solve the right-of-way problem.

7. Re: Letter from Mr. A. Russell,  
7081 Sierra Drive, - lane condition

Mr. Russell has written to Council asking that the lane entrance across from his home be paved for a distance of about 50 yards, to overcome the danger and annoyance of gravel being thrown over on Mr. Russell's side of the street by cars.

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(Item #7 - Re: Letter from Mr. A. Russell,  
7081 Sierra Drive - lane condition .... cont.)

His Worship the Reeve, the Municipal Engineer, and Mr. C. Walters, inspected the subject intersection of the lane and Sierra Drive.

The Municipal Engineer now reports that this situation is not unique and he is unable to recommend that corrective action of paving be undertaken at public expense, sympathetic though he is to Mr. Russell's case. He considers that to pave this particular lane, could lead to many more requests for the same treatment.

8. Re: Tenders for Construction of South Slope #5 Area 6  
Sanitary Sewer Project

Tenders were received for the above project up to 3:00 p.m. local time, Wednesday, 18th August, 1965.

Five tenders were received and opened by the Purchasing Agent in the presence of Mr. V. Kennedy, Mr. R. Constable, Mr. R. Dick (Associated Engineering Services), and representatives of the firms tendering.

The scope of the work called for supply and installation of:

- A. Approximately 33,810 lineal feet of sanitary sewer consisting of sizes 6", 8", 10" 12", 15" and 18" diameter sewer mains.
- B. Approximately 165 manholes.
- C. Approximately 558 house connections.

Submitted herewith is a tabulation of the bids received.

The bid submitted by the Corporation is \$43,157.92 lower than that of the lowest bid by a Contractor.

It is recommended that the tender be awarded to the Corporation.

With the Local Improvement Program and other drainage works to be done, this will necessitate a temporary build-up to seven or eight sewer crews while this project is underway.

An application is being forwarded to Victoria for permission to undertake certain portions of the work prior to the Winter Work period without affecting the eligibility of the remainder of the project for Winter Works.

9. Re: Golf Course - Tenders for  
Clearing and Grubbing

Tenders were re-called for the contract for Clearing and Grubbing on the Golf Course Site.

Two tenders were received and opened by the Purchasing Agent at 3:00 p.m. local time on Wednesday, 25th August, 1965, in the presence of Mr. P. Stockstad, Mr. R. Constable, Mr. B. Wilkinson and representatives of the firms tendering.

The scope of the work is for the clearance of the Golf Course Site (approximately 150 acres) of all woody growth except for certain desirable native trees which are to be saved to form part of the Golf Course landscaping scheme. Approximately 100 acres shall be completely cleared and the balance shall be selectively cleared.

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(Item #9 - Re: Golf Course - Tenders for  
Clearing and Grubbing ..... cont.)

Submitted herewith is a tabulation of the tenders received. The tender totals quoted are based on the estimates used in the tender call and a credit or extra is provided for all stumps over 30" diameter less or in excess of the estimate of 900 at the quoted unit price.

Tenders were considered by the Parks and Recreation Commission at a special meeting held 12:00 noon, 26th August, 1965, and it was resolved that a recommendation go forward to Council that the work be performed by Municipal forces. In addition to the estimated saving of \$19,580, there is considerable advantage in the work being done by Municipal forces in that it is more practical with this arrangement to dove-tail other work during the clearing program.

It is recommended that the recommendation of the Parks and Recreation Commission be adopted.

10. Re: Tenders for Refreshment Concessions -  
Burnaby Participation Ice Rink and C. G. Brown Memorial Pool

The Parks and Recreation Commission, through the Purchasing Department, put out a call for tenders for the operation of the refreshment concessions in the new Rink and the C. G. Brown Memorial Pool.

It was considered desirable to combine the two concessions because of the proximity of the buildings, rather than to have separate concession contracts. It was fully expected that better bids would be obtained.

The scope of the contract was to operate and supply the food service at the two facilities using accommodation provided by the Commission at each place. Accommodation is unfurnished and unequipped. The licensee shall furnish and equip same at his own expense as refreshment booths and will install concession machines in areas provided, and will be responsible for payment of all rates for Fuel, Heating, Lighting and Electricity, Telephone, Garbage Collection and Trade and Business Licences. Electricity and Water Services which are not on separate meters as in the case of the concession machines, will not be the responsibility of the Licensee.

At the present time, there is no refreshment concession operating in C. G. Brown Memorial Pool and the tender call was for a four-year contract commencing 1st September, 1965.

Bids could be made on a total sum basis or on a percentage of gross sales basis.

One tender only was received as follows:

Kwik Kanteen Ltd. - 15% of gross sales.

Kwik Kanteen Ltd. did operate the concession machines in C. G. Brown Memorial Pool.

The Parks and Recreation Commission considered this tender at its special meeting held 12:00 noon, 26th August, 1965, and resolved that it be recommended to Council that the tender of Kwik Kanteen Ltd. be accepted, subject to the proviso that the Commission reserves the right to operate a manned Canteen in the new Rink.

It is recommended that the recommendation of the Park and Recreation Commission be adopted.

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11. Re: Expenditures

Submitted herewith for your approval is the Municipal Treasurer's report covering Expenditures for the 4-week period ending 8 August, 1965, in the total amount of \$1,690,818.

It is recommended that the expenditures be approved as submitted.

12. Re: Allowances

Submitted herewith for your approval is the Municipal Treasurer's report covering applications received under Section 411 of the Municipal Act in the total amount of \$289.58.

It is recommended that the allowances as applied for be granted.

13. Submitted herewith for your information is the report of the Chief Building Inspector covering the operations of his Department for the period from July 19th to August 13th, 1965.

14. Submitted herewith for your information is the report of the Chief Licence Inspector covering the operations of his Department for the month of July, 1965.

15. Submitted herewith for your information is the report of the Medical Health Officer covering the activities of his Department for the month of July, 1965.

16. Submitted herewith for your information is a report prepared by the Social Service Administrator indicating Social Allowance Disbursements and Caseloads for select months in 1965 as compared to those same months in 1964.

Respectfully submitted,



H. W. Balfour  
MUNICIPAL MANAGER

HWB:gr

17. Re: Account for Public Utilities Commission  
Hearings on Transit.

The Council authorized payment of an Account from the City of Vancouver in the amount of \$8,550.20 being Burnaby's share of the costs incurred by several municipalities in opposing the application of B. C. Hydro and Power Authority for transit fare increases. The total costs involved were \$60,212.70 and Council's authority was dated 8th February 1965.

All Municipalities participating in the Brief have paid their accounts, other than the District of North Vancouver. The unpaid account amounts to \$3,131.06.

The City of Vancouver has now apportioned this unpaid account among the remaining municipalities. Burnaby's share is 15%, or \$469.66.

Submitted for the consideration of Council.

18. Re: Acquisition of Easement - D. L. 40 -  
Global Investments Ltd.

An easement for drainage and utility purposes is required on Subdivision over:

The east 7½ feet of Lot 65, D. L. 40, Plan \_\_\_\_\_  
-and-  
The west 7½ feet of Lot 66, D. L. 40, Plan \_\_\_\_\_.

This easement would be acquired from the Subdividers, Global Investments Ltd. of 156 East Pender Street, Vancouver 4, B. C.

The property is located on Winston Street, approximately 500 feet east of Piper Avenue.

No consideration is payable.

It is recommended that Council authorize the acquisition of this easement for drainage and utility purposes.

19. Re: Springer Sewer Area #14.

An easement is required in connection with the above sewer project as follows:

- (a) Owner - George O. Moore and Isabel Moore, 560 Ellesmere Avenue, Burnaby 2, B. C.  
Property - Easterly ten feet of Lot 9, Block 3, D.L.127 E 1/4, Plan 1342,N.W.D.  
Location of easement - 560 Ellesmere Avenue, Burnaby 2, B. C.  
Consideration - \$27.00 plus restoration of the easement area. The consideration requested is to cover the loss of 120 strawberry plants, 15 laurel trees, 10 miscellaneous shrubs and plants, which will be lost. A small greenhouse near the area is to be replaced, if moved, and a small fruit tree near the edge of the easement is to be protected and saved.

It is recommended that authority be granted to acquire the above easement and that the Reeve and Clerk be authorized to execute the easement documents on behalf of the Corporation.

20. Re: South Slope V Sewer Area No. 6.

The following land acquisition is required in connection with the above Project:

North-westerly ten feet of Lot 35 of Lots 34 to 38 of Lots 1 and 3, D.L.95, Plan 1152 - owned by Sarah Marriott and William Alexander Marriott, 7211 18th Avenue, Burnaby 3, B. C. The property is located at 7211 - 18th Avenue.

The consideration requested is \$1.00 plus restoration of the easement area.

It is recommended that the portion of property referred to be acquired for lane purposes and that the Reeve and Clerk be authorized to sign the necessary documents.

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21. Re: Royal Oak - Douglas Sanitary Sewer Area 12/13.

Easements are required in connection with the above sewer project as follows:

- (a) Owner - Columbian Investments Limited, 1134 Commercial Dr., Vancouver 6, B. C.  
 Property - North 20 feet of Lot 34, Block 19, D. L. 74N $\frac{1}{2}$ , Group 1, Plan 2603, NWD,  
 Location of easement - 5329 Manor Street, Burnaby 2.  
 Consideration - \$1.00 plus restoration of the easement area.
- (b) Owner - Florence Millington, 5289 Manor Street, Burnaby 2, B. C.  
 Property - North twenty feet of Lot 36, Block 19, D. L. 74N $\frac{1}{2}$ , Grp.1, Plan 2603, NWD.  
 Location of easement - 5289 Manor Street, Burnaby 2, B. C.  
 Consideration - \$1.00 plus restoration of the easement area.
- (c) Owner - The Canada Trust Company "In Trust", 901 W. Pender St., Vancouver 1, B.C.  
 Property - North twenty feet of Lot 27 and 28E $\frac{1}{2}$ , Block 19, D. L. 74N $\frac{1}{2}$ , Group 1,  
 Plan 2603, save and except portion of Lot 27 and portion of Lot 28E $\frac{1}{2}$ ,  
 Highway on Plan 26541, N. W. D.  
 Location of easement - 5443 Manor Street, Burnaby 2.  
 Consideration - \$1.00 plus restoration of the easement area.
- (d) Owner - Raymond Allen and Sybil Mary Allen, 5494 Norfolk St., Burnaby 2, B. C.  
 Property - West ten feet of Lot 8E $\frac{1}{2}$ , Block 2, D. L. 74S $\frac{1}{2}$ , Group 1, Plan 1380, NWD,  
 Location of easement - 5494 Norfolk Street.  
 Consideration - \$150.00 plus restoration of the easement area. The consider-  
 ation includes payment for the following trees and shrubs for  
 which the owners will take full responsibility:
 

1 6' Pine	1 Dwarf Apple
1 8' Hazelnut	1 8' Chestnut
6 Large Blueberries	7 Red Currants
2 Black Currants	1 Gooseberry
2 - 12' White Lilacs	1 15' Cypress
6 feet - Boxwood Hedge.	
- (e) Owner - Samuel Parker and Mary Parker, 5491 Laurel Street, Burnaby 2, B. C.  
 Property - North 20 feet of Lot 13 E $\frac{1}{2}$ , Block 2, D. L. 74S $\frac{1}{2}$ , Group 1, Pl. 1380, NWD  
 Location of easement - 5491 Laurel Street, Burnaby 2, B. C.  
 Consideration - \$1.00 plus restoration of the easement area.
- (f) Owner - Sigurd Haga and Vivian Haga, 5479 Laurel Street, Burnaby 2, B. C.  
 Property - Northerly twenty feet of Lot 13W $\frac{1}{2}$ , Block 2, D. L. 74S $\frac{1}{2}$ , Grp.1, Plan  
 1380, N.W.D.  
 Location of easement - 5479 Laurel Street, Burnaby 2.  
 Consideration - \$1.00 plus restoration of the easement area, including fences,  
 three rows (20 feet long) of Raspberries, 18 small Evergreens  
 and five 8-foot fir trees which are to be replaced following  
 construction.

It is recommended that authority be granted to acquire the above easements and that the Reeve and Clerk be authorized to sign the easement documents on behalf of the Corporation.

22. Re: Portion of Lot 64, D. L. 86,  
 Glenwood Development Ltd.

Lot 64 is owned by the Corporation and it adjoins privately-owned property which fronts on the West side of Whelen Court.

Glenwood Developments have asked for a small portion (approx. 40 feet x 25 feet) of Lot 64 to enlarge Lot "L" in order to provide a larger rear yard so that a house may be constructed on the enlarged lot.

The sale of this property has been referred to the Planning, Engineering and Sanitation Departments and favourable reports have been received, subject to

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(Item 22 re Portion of Lot 64, D. L. 86.....continued...)

the following conditions:

- (a) Consolidation with Lot "L", D. L. 86, Plan 23211.
- (b) That a drainage easement be retained over the whole of the property it is proposed to sell.

The Land Agent has set \$200.00 as a reasonable value for the property and it is recommended that the Land Agent be authorized to place this portion of Lot 64 in a sale position subject to the conditions set out above and further that the purchaser be required to pay all legal and survey costs involved in meeting the conditions heretofore set out.

23. Re: Lot 9, Block 7, D. L. 70E $\frac{1}{2}$  of E $\frac{1}{2}$ , Plan 1397.


With the approval of Council the Land Agent posted notice of intention to sell the above property on the Bulletin Boards in the Municipal Hall and Police Station for a period of 7 days. The minimum acceptable price and conditions of sale were stated on the notices.

One bid was received from Mr. L. Hanson, owner of Shirlaw Enterprises Ltd. who are the owners of the adjoining property. The bid was for the minimum price of \$4,000.00.

The assessed value of the lot is \$635.00.

It is recommended that the bid of Mr. L. Hanson of \$4,000.00 be accepted.

Respectfully submitted,



H. W. Balfour,  
MUNICIPAL MANAGER.