

28. Re: Request for Cost Relief on Road Construction  
 Subdivision Reference #56/70  
 Norburn Construction  
 (Item No. 49, Manager's Report No. 45, Council  
 Meeting July 12, 1971)

The Planning Department has reviewed the attached applicant's letter of August 9th regarding the above subdivision application and comments as follows:

"The applicant submits that the letter of Preliminary Approval on this application did not specifically mention the construction of that portion of the Buffalo allowance which previously existed and that he should not therefore be required to construct.

We have reviewed this matter with the Engineering Department and are assured the estimate given with the Preliminary Approval did include monies for the construction of Buffalo Street to the current standards. The estimate was not for specific roads nor was the estimate specific for other services but they are being provided.

The applicant on the opposite side of the street provided the services to the then existing standard and the request of the current applicant is that he bring the services up to the standard which presently exists.

On this basis, the Approving Officer extended Preliminary and subsequently final approval and money has been deposited to construct the services to the requested standard. As our approach here appears consistent with past practice the servicing costs were reaffirmed.

Subsequently, Council considered other means of assisting in the servicing of this subdivision but this approach was not successful. Unless a policy is established which is to be applied to all similar cases more or less retroactively, we would recommend that the original responsibility for costs be reaffirmed."

The up to date full cost of up-grading Buffalo Street from Bainbridge Avenue East approximately 800 feet to a 28 foot standard, but not including sidewalks is \$23,650.00. Since the local improvement failed, sidewalks have not been included in this estimate. It is felt that the properties on the south side of Buffalo Street should not be provided with a "free" sidewalk, and sidewalks on the north side of Buffalo, if requested by the developer, would be considered separately under our established policy of cost sharing for sidewalks within the subdivision.

If Council adopts the policy recommendation outlined in Item 27 regarding the general subject of cost sharing on road construction for roads partially within and outside subdivisions, it now must be determined by Council whether it wishes to make the new practice cover this particular situation.

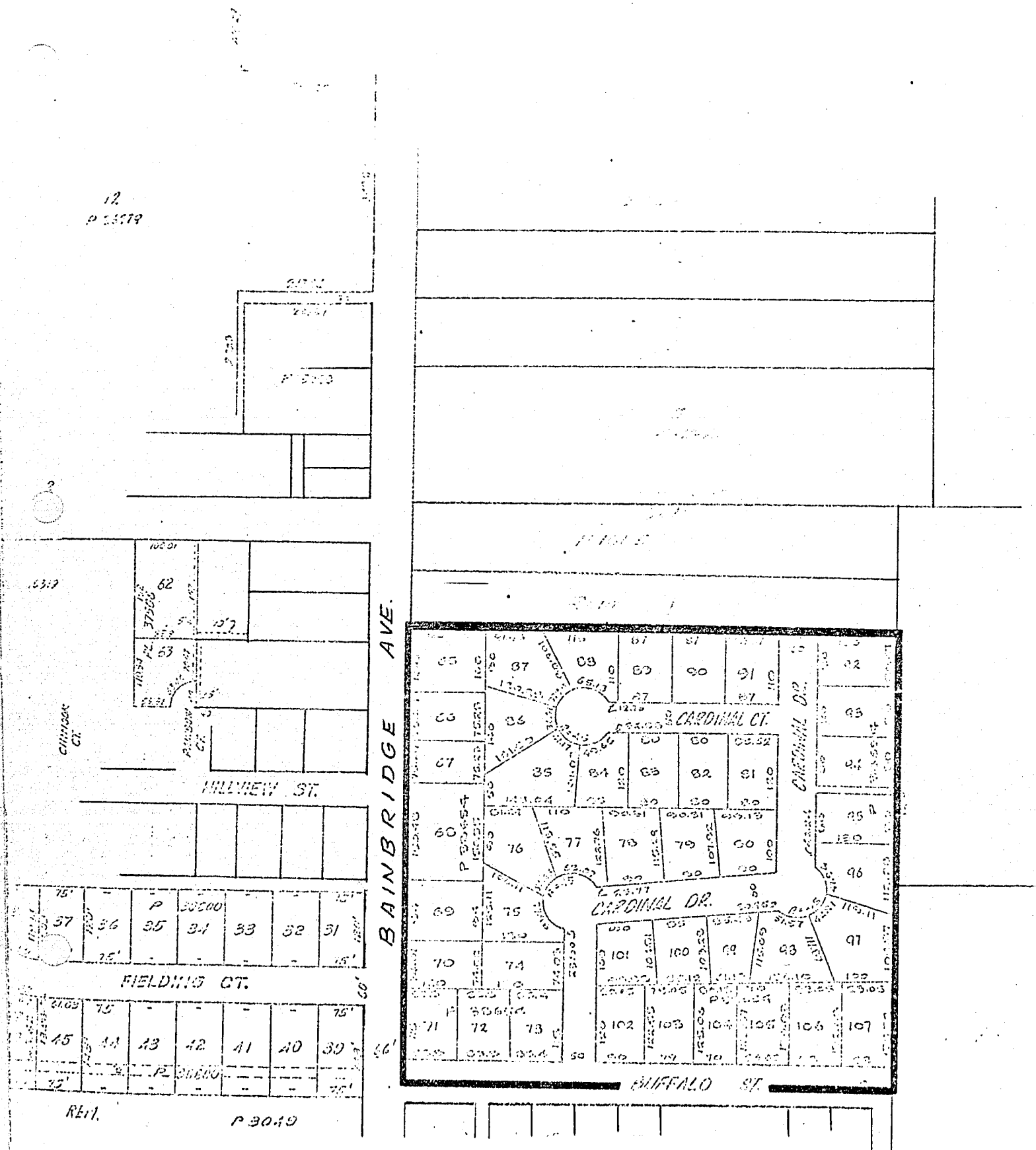
continued . . .

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If this subdivision receives the benefit of the new policy (if adopted), since one-half of the road serves the north side of Buffalo Street, only half of the remaining cost would be shared as being the "extra" costs; i.e., 50% of \$11,825 or \$5,912.50 would be the Municipal share.

RECOMMENDATION:

THAT the Municipality share to the extent of 50% of one-half the contractor's cost (excluding inspection fee) of constructing Buffalo Street to a 28 foot standard including curb and gutter on both sides, with the Municipal share not to exceed \$5,912.50; and THAT if this sharing is not acceptable to the developer, we revert to the full initial requirements of the Approving Officer made at the time the plan was approved.



S.D. REF. # 56/70

August 9th 1971.

ITEM 28 (Cont'd)  
MANAGER'S REPORT NO. 51  
COUNCIL MEETING Aug. 23/71

The Mayor and Members of Council,  
Municipal Hall,  
4949 Canada Way,  
Burnaby, 2, B. C.

Dear Sirs:

We have been advised that the decision of Municipal Council has been to require that Norburn Construction Co. Ltd. bear the full cost of construction of Buffalo Street east from Bainbridge Avenue in connection with servicing subdivision reference no. 56/70. We appeared before Council on July 20th 1971, but asked for a deferment for two weeks in order to clarify certain points concerning our case and the deferment was granted by Council.

During 1970, we had asked for cost sharing of the one-half of Buffalo Street lying outside the subdivision and the request was reported to Council by the then Municipal Manager with an affirmative recommendation concerning cost-sharing. It was Council's decision that the local improvement method be used and we were quite agreeable to this decision but the initiation of the local improvement proved to be unsuccessful, primarily owing to the fact that we, as developers, had only one valid vote in as much as we were still owners of all abutting properties on the north side of Buffalo Street.

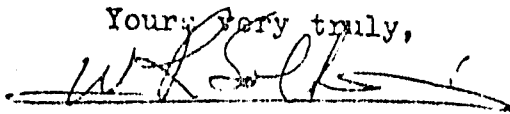
The main point of our submission is that the local improvement method is not a suitable means of cost-sharing but the principle of cost-sharing remains the same and it is our contention that some alternative means of financing the cost-sharing should be found.

Our letter of preliminary subdivision approval from the Approving Officer, Mr. Parr, made no specific mention of having to construct the portion of Buffalo Street which clearly lies outside the limits of our subdivision.

We feel that since the Council saw fit initially to agree with the principle of cost-sharing when deciding upon the local improvement method of financing the cost-sharing, that some alternative means of undertaking the financing should be found.

We respectfully request that Council consider the provision of some alternative means of financing the cost-sharing for the construction of the portion of Buffalo Street lying outside the limits of the subdivision.

Yours very truly,



W. K. COLHEIM.  
NORBURN CONSTRUCTION CO. LTD.

WKS/ejm