

Re: Lane Between Allman and Stanley Streets
 (Item 1 (In Camera), Report No. 50, July 3, 1973)
 (Item 2 (In Camera), Report No. 56, July 23, 1973)
 (Item 20, Report No. 66, September 4, 1973)
 (Item 21, Report No. 84, November 13, 1971)

The proposal to open the lane between Allman and Stanley Streets (see attached sketch) has been the subject of considerable deliberation and discussion since March, 1971, when the matter was initially considered by Council. Although the matter has received intermittent attention for a period of almost three years, Council's deliberations that resulted in a decision to open the lane were actually commenced in July, 1973. Following is a summary of the considerations that led to this decision:

- July 3: Council approved the opening of the lane to Sixth Street, authorized the Land Agent to negotiate for acquisition of the rear ten feet of Lot 3, Expl. Plan 14265, Block 2, D.L. 87, and directed the lane opening at Allman Street to be deferred until such time that Lot 3, Plan 1494 is subdivided.
- July 23: Council authorized preparation of a Bylaw to expropriate the rear ten feet of Lot 3, Expl. Plan 14265, and directed that negotiation for acquisition of the parcel be continued.
- August 27: Council received a letter from Mr. & Mrs. Bruce Lucas objecting to the proposed opening of the lane.
- September 4: Council received a letter opposing the lane from Mr. & Mrs. D. McGhee, two letters favouring the lane from Mr. W. J. Burrell and Mr. & Mrs. M. Burlin, a petition favouring the lane and a third report on the matter from Staff.
- Council subsequently on this date reaffirmed its previous decision to proceed with construction of the lane, and gave three readings to Burnaby Highway Expropriation Bylaw No. 2, 1973.
- September 10: Council finally adopted the Expropriation Bylaw.
- September 17: Council received a letter from F.A. Armstrong, owner on Lot 3, Expl. Plan 14265, and a petition opposing the lane. Mr. Armstrong on that date appeared before Council to state his objections to construction of the lane.
- September 24: Council received another letter from F.M. Burlin, and a petition supporting construction of the lane.
- October 1: Mr. F.M. Burlin appeared as a delegation to urge Council to have the lane from Allman Street opened at this time.
- Council again reaffirmed the decision to proceed with construction of the lane, and directed that steps be taken to proceed with expropriation of the rear ten feet of Lot 3, Expl. Plan 14265, Block 2, D.L. 87.

On November 13, 1973, an estimate in the amount of \$16,000 for work involving construction of the entire subject lane was approved by Council.

On November 28, 1973, the Solicitor advised the owners in writing that "The Corporation is prepared to pay you the said sum of \$350.00. I am sure you are aware that on a before and after valuation the value of the above mentioned Lot 3 would be the same."

Continued ...

ITEM 1

MANAGER'S REPORT NO. 15

COUNCIL MEETING Feb. 25/74

Re: Lane Between Allman and Stanley Streets Cont'd.

Following are two letters from the owner dated December 3, 1973 and February 7, 1974:

December 3, 1973

"In reply to your letter of November 28th, your offer of \$350.00 is not acceptable. We also disagree that there is no difference between the before and after values. We feel strongly that the proposed lane and everything that goes with it will detract from our use and enjoyment of this property."

February 7, 1974

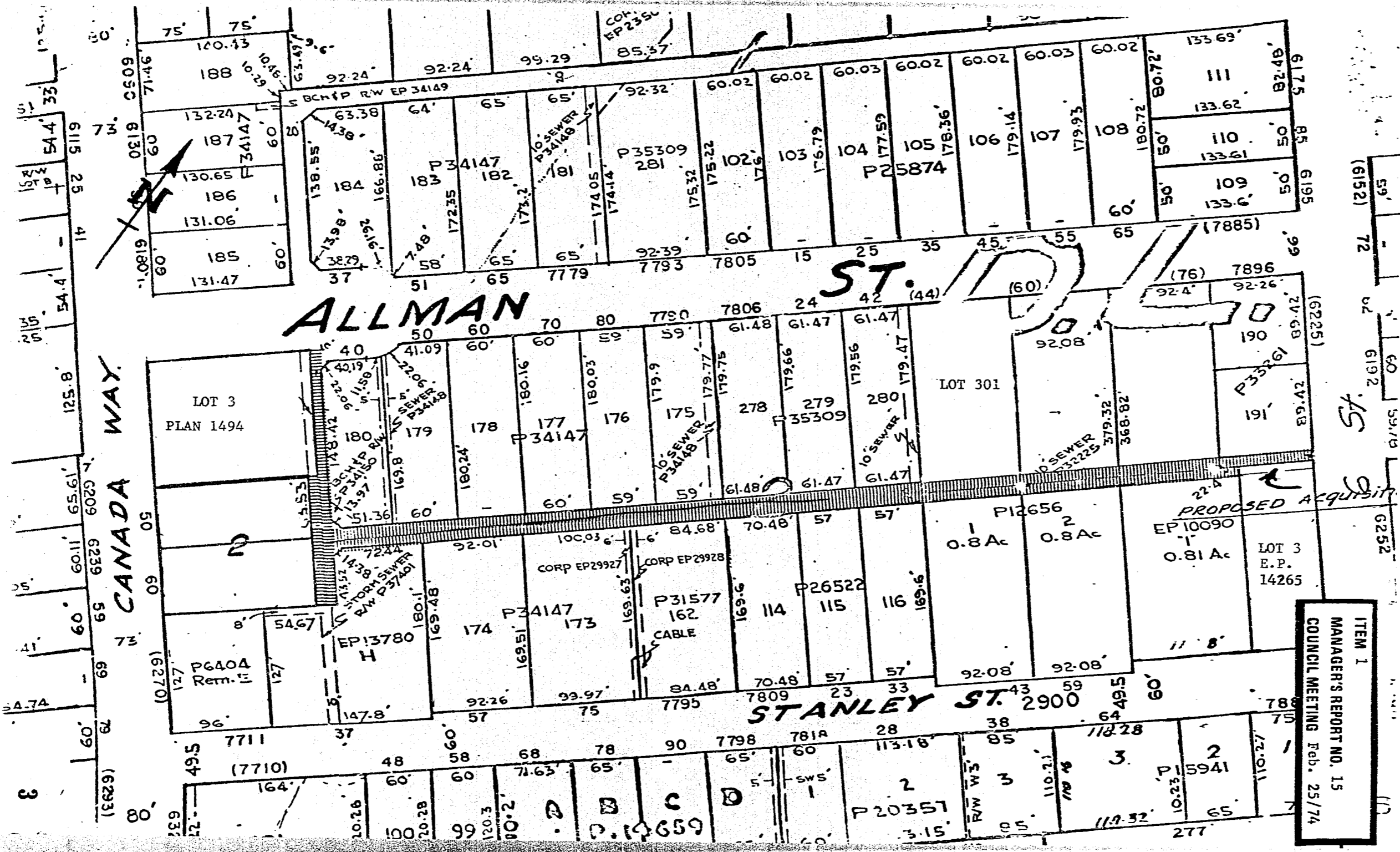
"In response to your Notice of Expropriation dated January 30th, covering 700 square feet of our property required for construction of a lane, please be advised that we claim \$7,500 for injurious affection by severance, and \$2,800 for the land to be taken."

It is apparent that the offer and terms of acceptance are so diverse that a successful negotiation is very unlikely at this time.

RECOMMENDATIONS:

THAT Council approve the appointment of Mr. James R. Insley as the Corporation's nominee to the Arbitration Board; and

THAT Mr. K. I. Williamson be authorized to do an appraisal of the property on behalf of the Corporation (this type of appraisal normally costs between \$300 and \$400).



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