

ITEM 7
MANAGER'S REPORT NO. 31
COUNCIL MEETING April 28/75

Re: Letter dated April 21, 1975 from Mr. Fred Pavan
Pavan Holdings Limited
#311 - 9502 Erickson Drive, Burnaby
Rezoning Reference No. 4/75 (2878 Douglas Road)
(Item 26, Report No. 19, March 17, 1975)
(Item 13, Report No. 23, April 1, 1975)

Appearing on the Agenda for the April 28, 1975 meeting of Council is a letter from Mr. Fred Pavan regarding Rezoning Reference No. 4/75. Following is a report from the Municipal Engineer on this matter.

RECOMMENDATIONS:

1. THAT the Municipal Council confirm the requirement of having the developer of Rezoning Reference No. 4/75 construct the necessary storm sewer to his site at an estimated cost of \$7,000; and
2. THAT if the rezoning is to proceed, the developer must prepare the necessary design for the work and submit it to the Engineer for approval, and obtain approval from the owner of the property at 2812 Douglas Road to construct the work across the rear of his property to enclose the ditch on a Greater Vancouver Sewerage and Drainage District easement; and
3. THAT a copy of this report be sent to Mr. Fred Pavan.

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24 April, 1975

TO: MUNICIPAL MANAGER
FROM: MUNICIPAL ENGINEER
SUBJECT: REZONING REFERENCE NO. 4/75 - 2878 DOUGLAS ROAD
PAVAN HOLDINGS LTD.

Mr. Pavan has written a letter to the Municipal Council dated 21 April, 1975, regarding Rezoning Reference No. 4/75, involving the property at 2878 Douglas Road, as outlined on the attached sketch.

At the Council meeting on 1 April, 1975, the Municipal Council approved the Manager's Report Item No. 13, which required as a prerequisite to rezoning that the developer should deposit a sum of money sufficient to cover the cost of providing a storm sewer to the site. The normal procedure subsequent to this approval of Council would be for the Municipal Engineer to provide an estimate of cost for the required work to the Planning Director, who would transmit this information to the developer.

Before receiving this cost estimate in the appropriate manner, Mr. Pavan states in his letter that he came to the Engineering Department on 13 February, 1975, and was told by a counter clerk that the storm sewer requirement would not be required. During the discussion with Mr. Pavan last week, we tried to clarify the matter by asking if he could identify the clerk that gave him such information and he either could not or would not, beyond stating that it was a female clerk. We have three female clerks that could have been involved in a counter enquiry, and each one of them categorically denies that they gave Mr. Pavan such misinformation; in fact, all employees were astounded at the suggestion that they would, at the counter, give an answer that was contrary to a Council requirement that had been shown to them in writing. They all know that they do not have authority to become in any way involved in superseding an established Council requirement for servicing in a rezoning. We are satisfied that no clerk made such a commitment to Mr. Pavan, and in fact he understood that he had received such a commitment; it was a misunderstanding on his part.

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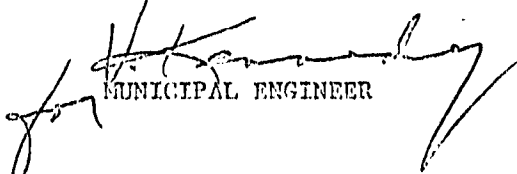
In connection with the suggestion that the Corporation had diverted water from Douglas Road onto Regent Street, we would advise that the construction of the drainage at this intersection was done at the time of the construction of the Freeway, and if water was diverted at that time it would have been by Department of Highways construction crews.

To bring the required storm drainage to the site, it is necessary to construct a drain from Norland Avenue along the rear of the properties on the east side of Douglas Road, and this involves crossing the rear of the property known as Sk. 6223 "B", over an easement in the name of the Greater Vancouver Regional District. Mr. Pavan has stated that he was advised by an assistant engineer of the Greater Vancouver Regional District that they could not give permission to Burnaby to construct the drainage works of any kind in this easement. We have subsequently contacted Mr. J. Rome, engineer in charge of these matters, and he advises that the Regional District would give permission to use their easement for the construction of drainage provided the permission of the owner could be obtained at the same time. We do not foresee any great difficulty here, as the piping of the ditch across the rear of this property would be of considerable benefit in cleaning up the back end of the property and eliminating an open ditch. In any event, as it is a rezoning requirement to bring storm drainage to the site, it would in the normal course of events be the responsibility of the developer to obtain permission from the owner to construct the necessary work across his property.

We have now prepared the necessary preliminary estimate of \$7,000 to construct the required drainage to meet this rezoning requirement, and this figure has been transmitted to the Planning Director to be supplied to the developer. This estimate is for bonding purposes and for the application of 4 percent to recover inspection fees.

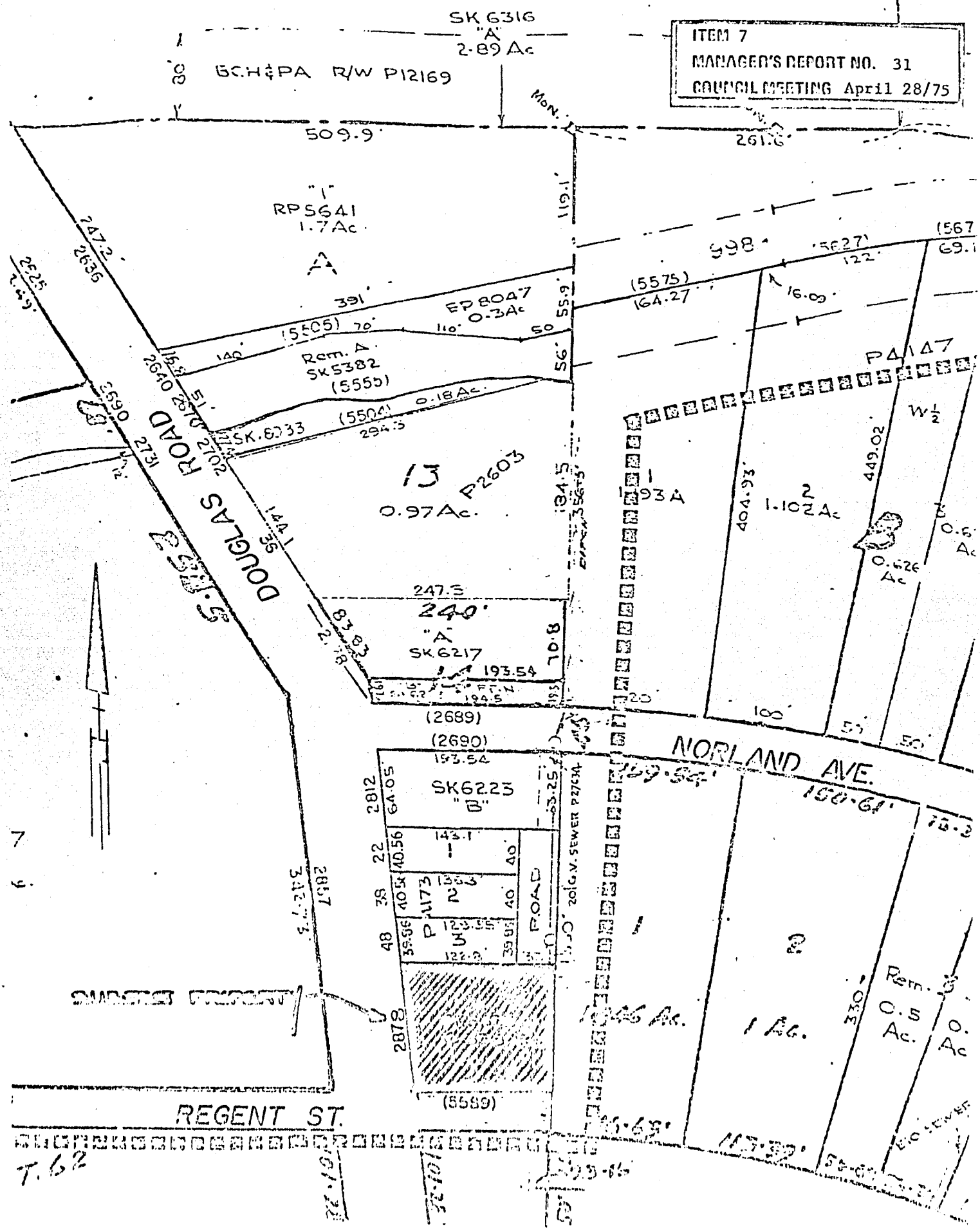
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MUNICIPAL ENGINEER

VK:cmg

c.c. () Planning Director
 () Municipal Solicitor
 () Land Agent



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SUBJECT PROPERTY

RZ. 4/75