

ITEM	24
MANAGER'S REPORT NO.	58
COUNCIL MEETING	1978 08 28

RE: LETTER FROM CHAMPLAIN HEIGHTS PLANNING ADVISORY COMMITTEE
6681 TANTALUS LANE, VANCOUVER
CENTRAL PARK LEASE AGREEMENT/BOUNDARY ROAD WIDENING

Appearing on the agenda for the 1978 August 28 meeting of Council is a letter from the Chairman of the Champlain Heights Planning Advisory Committee regarding the effect that the subject lease would have on improvements to Boundary Road. Following is a report from the Municipal Engineer on this matter.

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. G. Pincott, Chairman, Champlain Heights Planning Advisory Committee, 6681 Tantalus Lane, Vancouver, B.C., V5S 1N3.

* * * * *

78 08 15

TO: MUNICIPAL MANAGER

FROM: MUNICIPAL ENGINEER

SUBJECT: CENTRAL PARK LEASE AGREEMENT/BOUNDARY ROAD WIDENING

In a letter addressed to the Municipal Council 78 08 04 Mr. G. Pincott, Chairman of the Champlain Heights Planning Advisory Committee, has expressed concern regarding the proposal to have the City of Vancouver assign Vancouver's interest in the above-named agreement to the Municipality of Burnaby as it may affect the widening of Boundary Road. Mr. Pincott stated that it appears that Vancouver will not have a say in the widening of Boundary Road and in this connection we would advise that Section 535 of the Municipal Act provides that:

"All highways forming the boundary or part of the boundary between Municipalities, shall be opened, maintained, kept in repair and improved by the Municipalities of which they form such boundary or boundaries and the Council's of such Municipalities have joint jurisdiction over the same and are liable accordingly, although the highway may so deviate in some places as to be wholly or in part within one or more of them."

It is our interpretation of this section of the Municipal Act that one Municipality could not improve Boundary Road without the approval of the other and especially with the continuing cost-sharing arrangement for such improvement that exists between the City of Vancouver and the Municipality of Burnaby.

(cont'd)

ITEM	24
MANAGER'S REPORT NO.	58
COUNCIL MEETING	1978 09 28

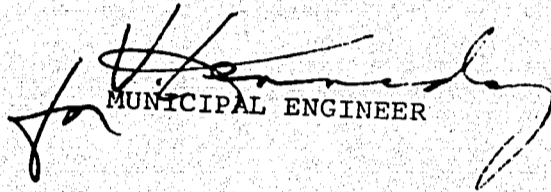
162

TO: MUNICIPAL MANAGER
 FROM: MUNICIPAL ENGINEER
 SUBJECT: CENTRAL PARK LEASE AGREEMENT/BOUNDARY ROAD WIDENING
 continued.....

We therefore see little possibility that Boundary Road could be widened without Vancouver having a say in such widening.

RECOMMENDATION:

THAT Municipal Council receive this report for information and that a copy of the report be sent to Mr. G. Pincott, Chairman Champlain Heights Planning Advisory Committee, 6681 Tantalus Lane, Vancouver, B. C. V5S 1N3


 MUNICIPAL ENGINEER

VK:cj

cc: () Director of Planning