

ITEM	5
MANAGER'S REPORT NO.	41
COUNCIL MEETING	1979 06 11

Re: 1979 LOCAL IMPROVEMENT PROGRAM  
PROJECT #78-023: GRIMMER STREET FROM ROYAL OAK AVENUE  
TO EASTERN PROPERTY LINE OF EAST HALF OF LOT 16  
(ITEM 6, REPORT NO. 40, 1979 May 28)

RECOMMENDATIONS:

1. THAT this matter be lifted from the table; and
2. THAT this report be received for information purposes.

REPORT

Mr. James G. Lorimer appeared before Council as a delegation on 1979 May 28 to request that Council not proceed with the subject local improvement project. He noted that the Municipal Clerk, in preparing the Certificate of Sufficiency had, quite correctly, disqualified two signatures on the petition opposing the work. Mr. Lorimer produced additional signatures which would have the effect of validating the signatures that had previously been disqualified by the Municipal Clerk when his Certificate of Sufficiency had been prepared. Mayor Constable then advised Council that he was, under the powers vested in him under Section 180(1) of the Municipal Act, now returning "Burnaby Local Improvement Construction By-law No. 9, 1979", By-law No. 7358 pertaining to Local Improvement Project No. 78-023 to Council for reconsideration. The matter was discussed and subsequently tabled pending submission of further information from staff.

Council wished to know if this project had been initiated at the request of abutting property owners or, alternatively, if it had been advanced as the result of initiation by the Municipality. The answer is that the project appeared as an item in the program as the result of a recommendation from the Engineering Department.

The previous report that Council received on this matter is attached.

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ITEM	6
MANAGER'S REPORT NO.	40
COUNCIL MEETING	1979 05 28

RE: LETTER FROM LORIMER & CORRIGAN, BARRISTERS & SOLICITORS  
 SUITE 7, 4857 KINGSWAY, BURNABY, B.C. V5H 2C8  
 1979 LOCAL IMPROVEMENT PROGRAM  
 PROJECT #78-023: GRIMMER STREET FROM ROYAL OAK AVENUE TO  
 EASTERN PROPERTY LINE OF EAST HALF OF LOT 16

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ITEM	5
MANAGER'S REPORT NO.	41
COUNCIL MEETING	1979 05 11

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. James G. Lorimer, Suite 7, 4857 Kingsway, Burnaby, B.C. V5H 2C8.

REPORT

Appearing on the agenda for the 1979 May 28 meeting of Council is a letter from Mr. James G. Lorimer regarding a local improvement project on Grimmer Street.

The subject work involves construction of a 14 m pavement with curbs both sides (tapering to existing curbs), ornamental street lighting, storm sewers and trees. Following is further background information on this matter:

1. 1978 April 09

The Municipal Clerk's Certificate of Sufficiency contained the following comments on Project 78-023:

"The petition received against this project contained the signatures of the majority of owners affected. It was necessary, however, to disqualify the signatures of two (2) of the owners because they did not fulfil the requirements of the Municipal Act. Section 592(5) of the Municipal Act requires that where ownership is joint a majority of owners must sign the petition. In this case, regarding one of the disqualified signatures, a property that was jointly owned was represented by only one signature on the petition. The other disqualified signature was deemed to be not in agreement with the last authenticated real-property assessment roll as provided for in Section 592(4) of the Municipal Act. In disqualifying the signatures of two owners, the number of petitioners was reduced from the required majority to a number that renders the petition "not sufficient."

Council referred this project back to staff for a further report.

2. 1979 April 17  
(Item 16, Report No. 30)

The Engineer reported that "this street has moderately deep unsightly ditches and is in a built-up commercial area. Parking is presently occurring in the ditches but this would be properly controlled if curbs were installed. Finishing the street would also clean up the boulevard area. The remainder of Grimmer is already built to a finished standard.

Council on this occasion adopted the motion that the project be approved for construction, and that the appropriate Construction By-Law be brought forward.

3. 1979 April 30

"Burnaby Local Improvement Construction By-Law No. 9, 1979" being By-Law No. 7358 was read three times.

4. 1979 May 07

"Burnaby Local Improvement Construction By-Law No. 9, 1979" being By-Law No. 7358 was reconsidered and finally adopted.

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