

ITEM	6
MANAGER'S REPORT NO.	41
COUNCIL MEETING	1979 05.11

RE: NORTHEAST BURNABY RECREATION/LIBRARY COMPLEX
LOT 1, BLOCK 23, D.L. 6, GROUP 1, PLAN 6991, N.W.D.
THE DIRECTOR, THE VETERANS' LAND ACT AND LILLIAN F. MANN
9637 CAMERON STREET
(ITEM 23, REPORT NO. 32, 1978 APRIL 24)

RECOMMENDATIONS:

1. THAT this report be received for information purposes; and
2. THAT James R. Insley, Barrister and Solicitor, be appointed the Municipality's nominee to the Arbitration Board.

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REPORT

Council on 1978 April 24 unanimously adopted the recommendation in the attached report regarding the subject property which is required for the development of the Northeast Burnaby Library/Recreation Centre. By-Law No. 7209, "Burnaby Expropriation By-Law No. 3, 1978" received three readings on that date.

The consent of the Governor in Council has now been obtained pursuant to Section 29 of the Veteran's Land Act. The consent is dated 1979 May 24. The By-Law should now be reconsidered and adopted by Council.

It would be appropriate for the Municipality to now appoint its representative to the three-member Arbitration Board. In accordance with our long-standing policy, negotiations would continue with the owner during the period in which expropriation proceedings are in effect.

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

ITEM 23
MANAGER'S REPORT NO. 32
COUNCIL MEETING 1978 04 24

Re: NORTHEAST BURNABY RECREATION/LIBRARY COMPLEX
LOT 1, BLOCK 23, D. L. 6, GROUP 1, PLAN 6991, N.W.D.
THE DIRECTOR, THE VETERANS' LAND ACT AND LILLIAN F. MANN
9637 CAMERON STREET

Following is a report from the Municipal Solicitor regarding the subject property on Cameron Street which is required for the development of the first phase of the North-East Burnaby Library/Recreation Centre.

RECOMMENDATION:

1. THAT By-Law No. 7209, being "Burnaby Expropriation By-Law No. 3, 1978" be introduced and given three readings.

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TO: MUNICIPAL MANAGER
FROM: MUNICIPAL SOLICITOR

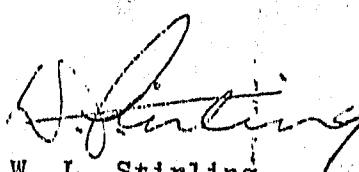
April 18, 1978

SUBJECT: Northeast Burnaby Recreation/Library Complex
Lot 1, Block 23, D.L. 6, Group 1, Plan 6991, N.W.D.
The Director, The Veterans' Land Act and Lillian F. Mann
9637 Cameron Street

By-Law No. 7173, being the "Burnaby Expropriation By-Law No. 2, 1978", authorized the expropriation of Lot 1, Block 23, D.L. 6, Group 1, Plan 6991, New Westminster District. This property is registered in the name of The Director, The Veterans' Land Act and may be expropriated by Council only with the consent of the Governor in Council and subject to any terms that may be prescribed by the Governor in Council. It was intended that this by-law receive three readings and be adopted after the consent of the Governor in Council was obtained. This procedure was not followed. The by-law was adopted and the consent has not yet been obtained. The solicitor for the occupier of the property has stated that the by-law is invalid since it was adopted without the consent of the Governor in Council. Certainly the by-law is not effective until that consent has been obtained. As an abundance of caution, it is recommended that a new expropriation by-law receive three readings and be adopted only after the consent has been obtained. The new by-law will at the same time repeal By-Law No. 7173.

RECOMMENDATION:

That By-Law No. 7209, being "Burnaby Expropriation By-Law No. 3, 1978" be introduced and given three readings.


W. L. Stirling,
MUNICIPAL SOLICITOR

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See B/L #7209
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