

ITEM	26
MANAGER'S REPORT NO.	41
COUNCIL MEETING	1979 06 11

RE: LETTER FROM L. JOHANNE STEM0
6507 PIMLICO WAY, RICHMOND, B.C. V6Y 2Y1
LOCAL IMPROVEMENT PROJECT NUMBER 78-028
PALM AVENUE FROM IMPERIAL STREET TO BERESFORD STREET

Appearing on the agenda for the 1979 June 11 meeting of Council is a letter from L. Johanne Stemo regarding the subject Local Improvement Project. Following is a report from the Municipal Clerk on this matter.

The report clearly shows that a large majority of owners are in favor of the project (15 out of 17). The point should perhaps be made that the project would not have been defeated even if the correspondent's objection had been included in the count.

RECOMMENDATION:

1. THAT the recommendation of the Municipal Clerk be adopted.

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TO: Municipal Manager	FILE: 2112
FROM: Municipal Clerk	DATE: 1979 June 05
SUBJECT: Local Improvement Project Number 78-028 Palm Avenue From Imperial Street to Beresford Street	

RECOMMENDATION:

1. THAT a copy of this report item be forwarded to L. Johanne Stemo, 6507 Pimlico Way, Richmond, B.C. V6Y 2Y1.

REPORT

With reference to the correspondence of 1979 June 04 received from L. Johanne Stemo in connection with Local Improvement Project Number 78-028 being 14 m pavement with curbs both sides, ornamental street lighting and trees as required, Palm Avenue from Imperial Street to Beresford Street, we would advise that this portion of the 1979 Local Improvement Program was an Engineering Department recommendation.

All 1,156 initiation notices for the 1979 Program were mailed prior to 1979 February 26 and the required legal advertisement being 9 cm wide and 55 cm long appeared in the 1979 Monday, February 26 edition of the Columbian. At the time of mailing the initiation notices the property bearing civic address 5318 Imperial Street was shown by District of Burnaby records to be registered in the name of Marport Properties Ltd., 5832 Willow Street, Vancouver, B.C. V5Z 3R6. District of Burnaby records now show the property to be registered in the name of Johanne Stemo. The final date for the acceptance of petitions opposing the 1979 Local Improvement Program works was 1979 Monday, March 26.

The Municipal Clerk's Certificate of Sufficiency covering the 1979 Local Improvement Program was submitted to the Municipal Council at the meeting of 1979 Monday, April 09 and indicated that for Project Number 78-028 there are 17 owners, the 51% required to defeat the project was 9 owners, the number of objections received was 2 owners, the total assessed value of the land is \$336,317.00, the 50% required is \$168,158.00, and the total petitioners' assessment is \$30,066.00.

5318 Imperial Street has a taxable land value of \$16,132.00, an actual foot frontage of 121.48 and a taxable foot frontage of 66.10.

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Section 592 of the Municipal Act provides in part:

- (1) *The sufficiency of a petition shall be determined by the Clerk, and his determination shall be evidenced by his certificate, and when so evidenced is final and conclusive.*
- (8) *No person has the right to withdraw his name from, and no name shall be added to, a petition after the Clerk has certified as to its sufficiency.*

By-Law No. 7359 cited as "Burnaby Local Improvement Construction By-Law No. 10, 1979", which contains therein 4 projects including Project Number 78-028, received Reconsideration and Final Adoption on 1979 Monday, May 07.


MUNICIPAL CLERK

JH/dew