

ITEM	13
MANAGER'S REPORT NO.	52
COUNCIL MEETING	1980 08 18

RE: PETITION REQUESTING THE PAVING OF THE LANE BOUNDED BY
 ELWELL STREET AND GOODLAD STREET
 (ITEM 6, REPORT NO. 34, 1980 MAY 05)

Following is a report from the Municipal Clerk on a petition for the paving of a lane.

The owner of Lot 46 does not want the lane and therefore has not dedicated a 10 foot parcel from the rear of his property to allow for a connection of the lane to Fourth Street. As noted on the sketch, the lane now connects to Sixth Street which is to the east of the petitioners' properties. In the opposite direction, it will stop one property short of Fourth Street.

RECOMMENDATION:

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

* * * * *

TO: MUNICIPAL MANAGER 1980 AUGUST 12

FROM: MUNICIPAL CLERK

RE: PETITION RECEIVED REQUESTING THE PAVING OF THE LANE BOUNDED BY ELWELL STREET AND GOODLAD STREET FROM THE SOUTHWESTERN PROPERTY LINE OF LOT 374, D.L. 90, PLAN 57883 (7967 ELWELL STREET) TO THE EASTERN PROPERTY LINE OF LOT 45, EXPL. PLAN 13695, BLK. 2, D.L. 90, PLAN 555 (7991 ELWELL STREET)

RECOMMENDATION:

1. THAT the Municipal Clerk be authorized to sign the subject petition, on behalf of The Corporation of the District of Burnaby in order to render the petition sufficient and permit the Municipal Clerk to prepare and submit a 'Certificate of Sufficiency' to Council containing the necessary recommendations that, if adopted, will allow the Corporation to proceed with the paving of the lane as requested by the petitioners.

REPORT

A petition requesting the paving of the lane bounded by Elwell Street and Goodlad Street, from the western property line of 7967 Elwell Street to the eastern property line of 7991 Elwell Street and signed by five (5) of the seven (7) owners of properties liable to be specially charged was received by the Municipal Clerk on 1980 March 07.

In compliance with Section 658(1) of the Municipal Act which reads;

144

"A petition for a work is not valid unless it is signed by 2/3 of the owners of the parcels liable to be specially charged, and unless the signatories are the owners of parcels having a value of at least 1/2 of the value of all parcels liable to be specially charged; and a description of the parcel owned by each petitioner shall be set out in it," the Municipal Clerk is unable to declare the petition sufficient.

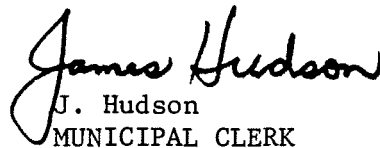
The total assessment amounts to \$460,150.00 with the Corporation of the District of Burnaby owning Lots 23, 24, 25 and 26 (7972, 7978, 7986 and 7996 Goodlad Street as on the attached map) representing a combined assessed value of \$175,200.00. The petitioners represent \$215,250.00 of the assessed value amounting to 46.78% of the total assessment. In order to declare the petition sufficient the petitioners must represent at least \$230,075.00 of the total assessment.

The subject petition was first brought to Council's attention by way of Item 6, Municipal Manager's Report No. 34, Council Meeting 1980 May 05 whereby Council was advised that in order to construct the lane, certain dedications would be required to be obtained from both the Corporation and several of the petitioners. The recommendation of the Director of Planning adopted by Council on the above mentioned date was as follows:

"THAT Council authorize the preparation of the necessary survey plan by the Municipal Engineer to effect lane dedication in order to facilitate lane construction subject to all legal costs being borne by the Municipality."

The survey plan has now been completed and forwarded to the Municipal Solicitor in order that the required By-law and lane dedication agreement can be prepared.

Prior to preparing the required 'Certificate of Sufficiency' it will be necessary for the Corporation to sign the petition and in doing so render it sufficient.


J. Hudson
MUNICIPAL CLERK

CAT/nb
attach.

c.c. Municipal Engineer
Municipal Solicitor
Municipal Treasurer

ITEM 13
 MANAGER'S REPORT NO. 52
 COUNCIL MEETING 1980 08 18

