

ITEM	17
MANAGER'S REPORT NO.	52
COUNCIL MEETING	1980 08 18

RE: LOCAL IMPROVEMENT PROJECT NO. 79-032
MCKAY AVENUE FROM RUMBLE TO GRETA STREET
(ITEM 15, REPORT NO. 48, 1980 JULY 21)
(CERTIFICATE OF SUFFICIENCY, 1980 JULY 21)

The following report from the Municipal Engineer contains information on a local improvement that has been proposed for a portion of McKay Avenue (see attached sketch)

RECOMMENDATION:

1. THAT the recommendations of the Municipal Engineer be adopted.

* * * * *

TO MUNICIPAL MANAGER 80 08 13
FROM: MUNICIPAL ENGINEER
SUBJECT: LOCAL IMPROVEMENT PROJECT NO. 79-032 - MCKAY AVENUE,
RUMBLE STREET TO GRETA STREET

RECOMMENDATIONS:

1. THAT Council approve of proceeding with construction of Local Improvement Project No. 79-032 (McKay Avenue, Rumble Street to Greta Street), and Project No. 79-033 (McKay Avenue, Greta Street to Imperial Street).
2. THAT copies of this report be provided to concerned residents Mr. J. Bayer, Claire Bennett, and Arthur Rempel.

REPORT

The Municipal Clerk submitted to the Council, at its Meeting of 80 07 21, the Certificate of Sufficiency for the 1980 Local Improvement Streets Program. At the same Meeting, the Engineer submitted a report with recommendations on several of the projects.

The Council, on 80 07 21, had approved a recommendation in the Engineer's report that the subject project proceed and had directed that Construction Bylaws be prepared. At the Meeting of 80 08 05 when the Construction Bylaws were presented, Council directed that Project No. 79-032 and also Project No. 79-033 (McKay Avenue, Greta Street to Imperial Street) be removed from the schedule of Bylaw 7538 and be brought forward in a separate Bylaw.

(cont'd)

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Subsequent to the Council meeting of 80 08 05, Mayor Mercier was questioned by Mr. J. Bayer (one of the residents) regarding the L.I.P. notices sent to the residents, more specifically with respect to the information on the notices, the system of registering property values, and the method of counting votes. On the Council Agenda for 80 08 18 is a letter from Claire Bennett and Arthur Rempel voicing support for the project.

As a result of the happenings enumerated in the previous paragraph, the Engineer has prepared this report on the chronology of the initiation notices, the tabulation of the land values, and the format of the initiative notices.

The initiative notices for Project No. 79-032, along with all the other projects in the 1980 Local Improvement Program, were prepared and sent to the property owners; simultaneously the required notice of intent was sent to the Newspaper for publication. The letter of intent notice published in the Newspaper unfortunately contained only a portion of the projects scheduled. This problem necessitated a further publication of the letter of intent with a different date for filing petitions against the work; this new letter of intent publication also required a second initiative notice to be sent to the homeowners setting out the new date for petition filing. With regard to the vote counting and the property value tabulation, we have attached a tabular summation. The table shows the property address, the taxable foot frontage of the property, the actual foot frontage of the property, and the annual charge for that property. It also shows the property values of those properties for which no petitions were received against the works and the property values of those properties for which a petition was received against the work. There is one property (7401 Sussex Avenue) which is owned by a church for which the land value did not appear on the Computer print out. The Clerk did not include this value in calculating the required 50% of assessed value. One property (7480 McKay Avenue) is Municipally owned and is listed in the column as not petitioning against the project. Since 1973 November, it has been the practice that on a Council initiative it is assumed that Council is in favour of the project and therefore the Clerk records the Municipal property as not having filed a petition against the work.

In the matter of the format of the initiative notices sent to the property owners, the various concerned Municipal Departments will revise the present notice so that it will show the sharing of total estimated project costs between the homeowner and the Corporation on both a Council policy basis and a project-specific basis. The notice will also contain a very clear direction to refer to the back of the notice for general information concerning frontage rules, storm sewers, street lighting, sidewalk crossings, boulevards, variation of proposed works, commutation charges, and where and how to obtain additional information (see attached copy of notice).

The Engineering Department still considers that there is merit in proceeding with both of the McKay projects simultaneously, and so recommends.


MUNICIPAL ENGINEER

EEO/VMT/ch

Atts.

- c.c. () Municipal Solicitor
- () Municipal Clerk

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McKay - L.I.P. PROJECT NO. 79-032

<u>Address</u>	<u>Taxable Foot- Frontage</u>	<u>Actual Foot- Frontage</u>	<u>Annual Charge</u>	<u>Land Value - No Petitions Against</u>	<u>Land Values Petitions Against</u>
4286 Greta	29.34	70.45	109.44		6,142
7120 McKay	51.5	51.5	192.10		5,467
7122 McKay	51.5	51.5	192.10	5,197	
7149 McKay	65	65	242.45	6,742	
7150 McKay	55.3	55.3	206.26	5,617	
7159 McKay	67	120	249.91		6,067
4292 Victory	55.8	124	208.13		5,655
4305 Victory	64	123	238.72		5,985
7220 McKay	71.43	228.8	266.43		7,035
7249 McKay	54	54	201.42	5,047	
7269 McKay	50.5	50.5	188.36		5,947
7289 McKay	50.5	50.5	188.36	5,947	
7307 McKay	50.5	50.5	188.36		5,947
7325 McKay	50.5	50.5	188.36	5,947	
7326 McKay	114.4	114.4	426.72		8,302
7341 McKay	50.5	50.5	188.36		5,947
7357 McKay	50.5	50.5	188.36		5,947
7362 McKay	54	54	201.42		5,625
7367 McKay	69.28	102	258.41	5,670	
7388 McKay	60.4	60.4	225.29		5,850
7441 McKay	78	129	290.94		6,825
7480 McKay	515.7	515.7	1,923.56	87,900	
4292 Irmin	45.6	129	170.09		5,505
4291 Rumble	46	129	171.58		4,935
7401 Sussex	258	258	843.66	110,355	
7292 Watling	60	117.4	223,80	5,692	
				<u>224,114</u>	<u>97.181</u>

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4949 Canada Way, Burnaby, B.C. V5G 1M2

"REVISED NOTICE"

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TELEPHONE 294-7290
294-7291

TAKE NOTICE THAT:

The Council of the Corporation of the District of Burnaby Proposes to construct as a Local Improvement:

The cost of the work is estimated at \$

Annual charge per taxable front foot \$

Number of years for which annual charge is imposed

Taxable front footage of your property feet

Annual charge against your property \$

Your charges may be paid in full on receipt of first tax bill following construction of the work by paying the sum of \$

PETITIONS AGAINST THE PROPOSED WORKS

1. Any person who is the owner of land abutting a proposed work may petition against such work and, unless within one month from the date a Notice of Intention is published, a majority of those owners (51%) representing at least one half of the assessed value of parcels liable to be specially charged so petition, Council may proceed with the work.
2. Petitions must be in writing, signed by the owner of land abutting the proposed work and, where the property is jointly owned, both owners must individually sign the petition. A petition must show the legal description or street address of the property. Petitions may be by individual letter or may be circulated and contain the names of several affected property owners.
3. Persons desiring to petition against the work must do so by lodging their petition with the undersigned within one month after the date of publication of a Notice of Intention covering this work in The Vancouver Sun and Columbian being 1980 May 16. Final date for the acceptance of petitions will be 1980 June 16.

**JAMES HUDSON
MUNICIPAL CLERK**

GENERAL INFORMATION

1. FRONTAGE RULES

For works undertaken in the 1980 Local Improvement Program you will be charged on the actual foot frontage of your property except in cases of corner lots or triangular or irregularly shaped parcels of land (cul-de-sacs, etc.) where the following regulations will apply:

- (i) where a parcel of land is situated at the junction or intersection of highways and the work or service is provided on or along more than one side of the parcel, the taxable foot-frontage shall be the actual foot-frontage of the shortest of the two frontages plus 25% of the actual frontage of the longer of the two frontages;
- (ii) where a parcel of land is situated at the junction or intersection of highways and the work is provided on or along the longer of the two frontages of the parcel, the taxable foot-frontage shall be the actual foot-frontage of the shortest of the two frontages;
- (iii) where a similar work or service payable by special charges has previously been provided on or along one side of a parcel, the taxable foot-frontage shall be 25% of the actual frontage of the longer of the two frontages;
- (iv) where the frontage of a parcel of land abutting the works is less than five feet, the taxable frontage shall be established at five feet.
- (v) where a frontage tax is levied on a triangular or irregularly shaped parcel of land, or a parcel of land wholly or in part unfit for building purposes, the taxable front footage shall be the number of feet fixed by the Assessor, who, in fixing the number of feet shall have due regard to the conditions, situation, value and superficial area of the parcel as compared to other parcels of land, or to the benefit derived from the work or service, so as to bring the frontage tax, when imposed, to a fair and equitable basis.

2. STORM SEWERS AND STREET LIGHTING

Some of the projects in the 1980 Local Improvement Program include storm sewers and all the 14 m streets include Ornamental Street Lighting. The inclusion of these features does not add to the cost of the project to the abutting owners. The Corporation pays the full cost for the construction of storm sewers and Ornamental Street Lighting.

3. SIDEWALK CROSSINGS

If you have a driveway, it will be necessary to have the sidewalk crossing specially constructed at your expense. If the crossing is constructed at the time the sidewalk is laid, the cost would be \$32.00 for a residential crossing to a maximum width of 8 m and \$97.00 for a commercial crossing to a maximum width of 12 m. If the crossing is constructed at a later date the cost would be greater. This price includes grading, clean-up, and patching of driveways where required. A member of the Engineering Department will secure from you authorization on a printed form if a driveway is already in place on your property or you can make application direct to the Engineering Department. You may tender payment of \$32.00 for a residential crossing or \$97.00 for a commercial crossing or the cost may be applied to taxes at the rate of \$4.33 or \$9.74 respectively for each of 15 years.

No vehicle crossing will be permitted to existing parking areas that are in violation of any of the provisions of the Motor Vehicle Act, the Burnaby Street and Traffic By-law, or the Burnaby Zoning By-law. Examples are: crossings into an intersection, parking in the required front yard, boat or trailer storage in the required front or side yards, parking encroachments onto municipal road allowances, etc.

4. BOULEVARDS

The Municipality will be responsible for the supply and grading of topsoil required for boulevard restoration. Seeding, fertilizing, and future maintenance of the boulevard area will be the responsibility of the abutting owner. If trees are specified in the description of the works on the front page of this notice, they will be planted where required.

5. VARIATION OF PROPOSED WORKS

In the event that the majority of the owners petition against a proposed work and indicate that the reason for the opposing petition is because they want some other type of work and providing that the proposed alternate work is compatible with the design requirements of that particular location taking into consideration such things as topography and traffic conditions and that the work meets municipal standards they may, on request to the Municipal Clerk, be supplied with a petition form drawn pursuant to Section 591 of the Municipal Act. Street widths cannot be altered. On prompt receipt of a sufficient petition Council will consider authorizing the work to proceed.

NOTE: To be considered sufficient, a petition drawn pursuant to Section 591 of the Municipal Act must be signed by two-thirds of the owners of the parcels liable to be specially charged and also representing an assessed land value of at least one-half of all parcels liable to be specially charged.

6. COMMUTATION OF CHARGES

Your charges may be paid in cash on receipt of your first tax bill following construction of the work. If the work is completed between 1 January and 31 May the first annual charge will appear on the tax bill for that year, otherwise it will appear in the year following. If you pay in cash the first year the levy is applied, rather than allowing the levy to remain in force for 15 years, you will save approximately 50%. If you choose to pay in cash in any of the following years, the amount saved will be proportionately smaller. Further advice is obtainable from the Tax Department.

7. ADDITIONAL INFORMATION

If additional information concerning this initiative notice is required, please phone the office of the Municipal Clerk, 294-7290/91. If the information you require concerns the construction of the work, please phone the Engineering Department, Information Clerk, 294-7460.

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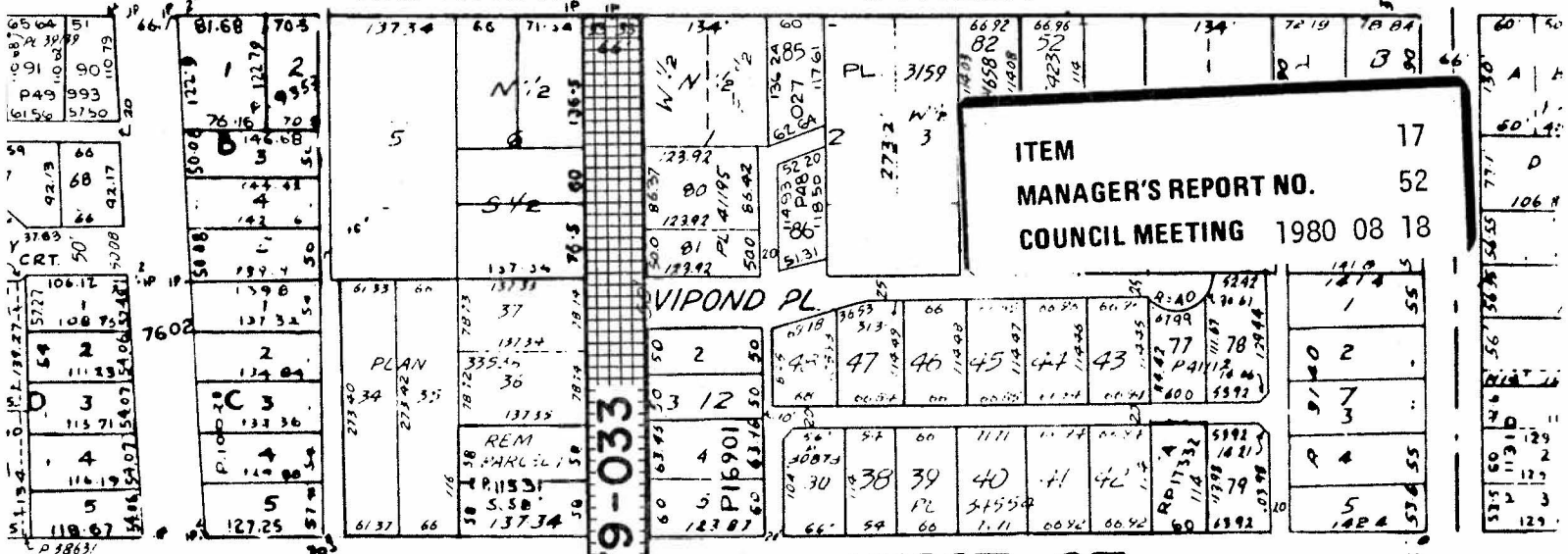
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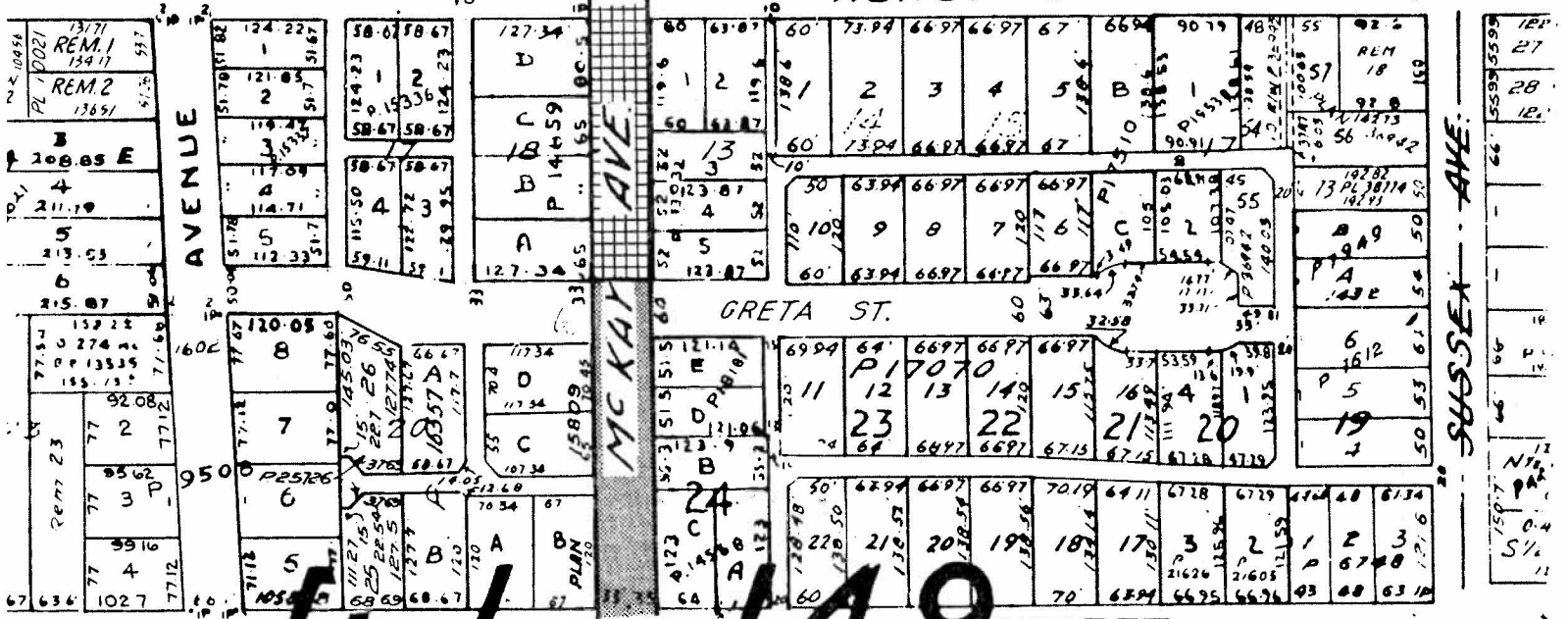
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IMPERIAL STREET

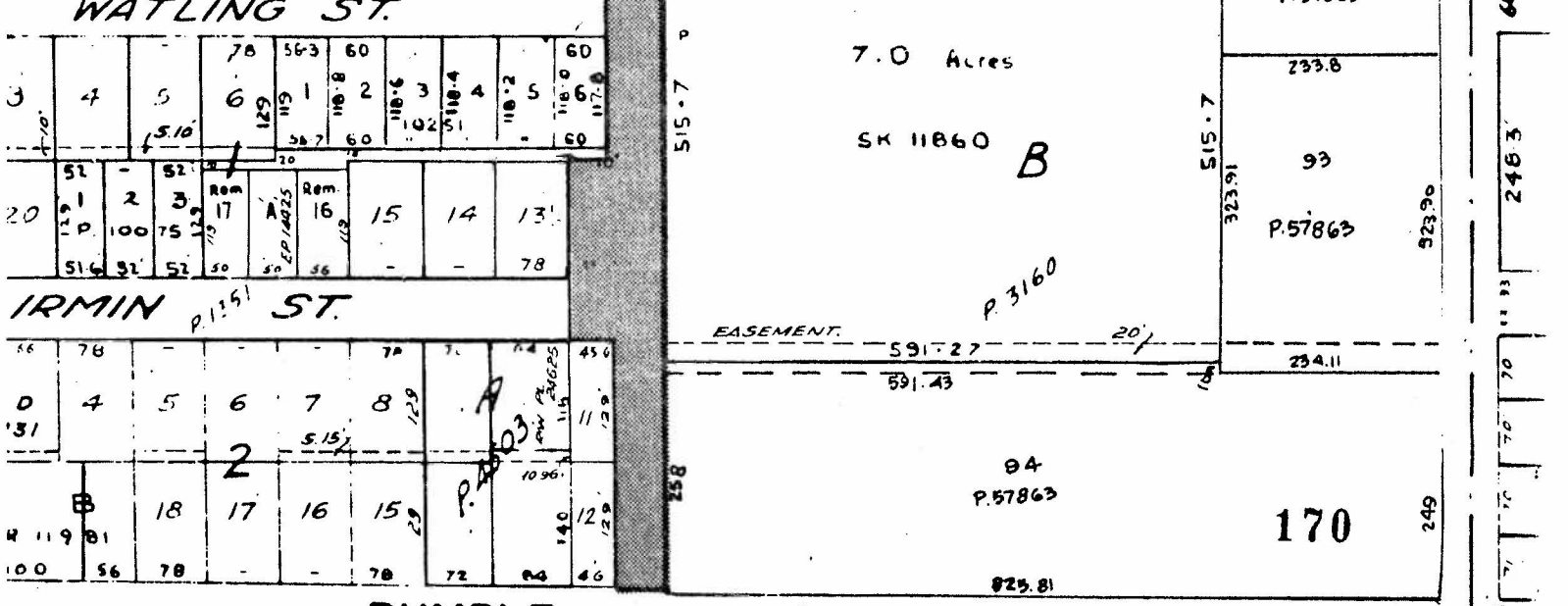
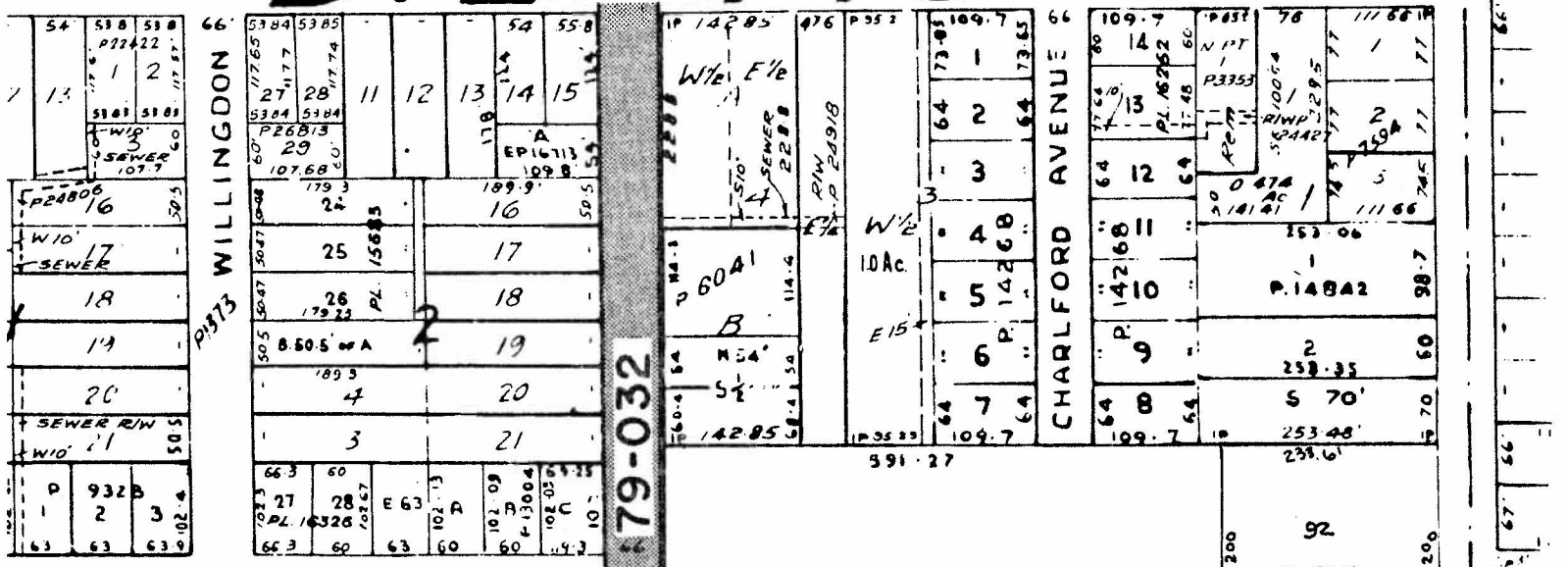
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D. L. VICTORY 149 STREET



RUMBLE STREET

7.0 Acres
SK 11860

B

P 3160

EASEMENT

170

P 57863

825.81

SUSSEX AVE

79-033
MC KAY AVE

79-032

