

REPORT  
REGULAR COUNCIL MEETING  
1985 November 18

File: 2112

THE CORPORATION OF THE DISTRICT OF BURNABY

CERTIFICATE OF SUFFICIENCY

1985 LOCAL IMPROVEMENT PROGRAM

RECOMMENDATIONS:

1. THAT Council receive the Municipal Clerk's Certificate of Sufficiency covering the 1985 Local Improvement Program;
2. THAT Council authorize the preparation of Local Improvement Construction bylaws for each of the surviving projects.

R E P O R T

Section 656 (1) of the Municipal Act provides, in part, as follows:

"656 (1) - unless within one month after the publication of the notice a majority of the owners, representing at least 1/2 of the value of the parcels which are liable to be specially charged, petition the council not to proceed with it, the work may be undertaken as a local improvement."

Petitions have been received against the following Local Improvement Projects as more particularly detailed in the attached schedule:

85-004	85-044
85-007	85-049
85-021	85-051
85-027	85-056
85-039	85-059
85-041	

All of the foregoing petitions are hereby certified as sufficient as these petitions represent a majority of owners of each project who, in turn, represent at least one-half of the value of the parcels liable to be specially charged. The Council is, therefore, precluded from proceeding with any of these projects.

I hereby certify that sufficient petitions have not been received against the balance of the works shown on the attached schedule and Council may proceed with the works as provided for in Section 656 (1) of the Municipal Act.

  
CHARLES A. TURPIN  
MUNICIPAL CLERK

: - AGENDA 1985 NOVEMBER 18  
: - COPY - MUNICIPAL MANAGER  
          - DIRECTOR ENGINEERING  
          - DIRECTOR FINANCE  
          - MUNICIPAL SOLICITOR

HIS WORSHIP, THE MAYOR  
AND ALDERMEN

Gentlemen/Madam:

1985 LOCAL IMPROVEMENT PROGRAM

In accordance with Section 656 (1) of the Municipal Act, I wish to report that I have published in a newspaper circulating in the Municipality and also served upon the owners of properties affected, Notice of Intention to construct, as a Local Improvement, the works described below:

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
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85-001	Edson Avenue from Portland Street to McKee Street	12	7	4	912,750.00	456,375.00	312,900.00
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8.5m pavement curbs  
both sides and trees  
as required

85-002	Hurst Street from Patterson Avenue to Willingdon Avenue	7	4	NIL	486,350.00	243,175.00	NIL
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8.5m pavement curbs  
both sides and trees  
as required

85-003	Carleton Court from Burke Street south and east to 50 ft. east of the west property line of Lot 23	11	6	NIL	680,550.00	340,275.00	NIL
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8.5m pavement curbs  
both sides storm sewers  
and trees as required

85-004	Booth Avenue from Bond Street to Sardis Street	15	8	12	995,650.00	497,825.00	797,400.00
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8.5m pavement curbs  
both sides storm sewers  
and trees as required

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-005	Burns Place from Kilsbey Avenue east to Cul-de-sac	10	6	NIL	685,750.00	342,875.00	NIL
85-006	Halligan Street from Salisbury Avenue to Walker Avenue	7	4	NIL	445,750.00	222,875.00	NIL
85-007	Southwood Street from Patterson Avenue west to ravine	20	11	13	1,602,200.00	801,100.00	991,350.00
85-008	Ashworth Avenue from Burford Street to Imperial Street	18	10	5	1,274,150.00	637,075.00	353,950.00
85-009	McKay Avenue from Rumble Street to Greta Street	25	13	NIL	2,564,250.00	1,282,125.00	NIL

8.5m pavement curbs  
 both sides storm sewers  
 and trees as required

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 both sides storm sewers  
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 and trees as required

8.5m pavement curbs  
 both sides storm sewers  
 and trees as required

8.5m pavement curbs  
 both sides storm sewers  
 and trees as required

8.5m pavement walks  
 both sides storm sewers  
 and trees as required

8.5m pavement walks  
 both sides except east  
 side from Rumble to  
 south property line  
 of lot B storm sewer  
 and trees as required

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-010	Dow Avenue from Imperial Street to Watling Street	52	27	23	3,825,750.00	1,912,875.00	1,672,550.00
85-011	Forglen Drive from Buxton Street to Grafton Street	27	14	11	1,913,650.00	956,825.00	781,000.00
85-012	Gray Avenue from Rumble Street to Neville Street	4	3	NIL	297,350.00	148,675.00	NIL
85-013	Forglen Drive from Grafton Street to Royal Oak Avenue	16	9	8	1,103,500.00	551,750.00	545,350.00
85-014	Sardis Street from Chaffey Avenue to Abbey Avenue	3	2	NIL	235,800.00	117,900.00	NIL

8.5m pavement walks both sides and trees as required

8.5m pavement curb east side walk west side and trees as required

8.5m pavement curb east side walk west side storm sewers and trees as required

8.5m pavement curb north side walk south side storm sewers and trees as required

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85-015	Salisbury Avenue from Imperial Street to McBride Street	13	7	NIL	833,100.00	416,550.00	NIL
85-016	Salisbury Avenue from McBride Street to Elwell Street	12	7	NIL	729,800.00	364,900.00	NIL
85-017	MacPherson Avenue from Ewart Street to Carson Street	2	2	NIL	141,000.00	70,500.00	NIL
85-018	Trinity Street from Ingleton Avenue to MacDonald Avenue	15	8	10	1,512,350.00	756,175.00	728,650.00
85-019	Trinity Street from MacDonald Avenue to Gilmore Avenue	17	9	8	1,266,800.00	633,400.00	609,450.00
85-020	MacDonald Avenue from Trinity Street to McGill Street	4	3	2	296,500.00	148,250.00	148,250.00

11

11m pavement walks  
 both sides and trees  
 as required

11m pavement walks  
 both side and trees  
 as required

Pavement widening  
 and curb east side  
 only

8.5m pavement curbs  
 both sides and trees  
 as required

8.5m pavement curbs  
 both sides and trees  
 as required

8.5m pavement curbs  
 both sides and trees  
 as required

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-021	Frances Street from Esmond Avenue to Ingleton Avenue	21	11	11	1,420,200.00	710,100.00	745,600.00
85-022	Gravelly Street from Carleton Avenue to Willingdon Avenue	50	26	16	4,023,500.00	2,011,750.00	1,162,550.00
85-023	Dent Avenue from Kitcheners Street to Gravelly Street	24	13	2	1,708,800.00	854,400.00	142,400.00
85-024	Carnegie Street from Kensington Avenue to Brooklyn Avenue	19	10	NIL	1,229,650.00	614,825.00	NIL
85-025	Georgia Street from Springer Avenue to Howard Avenue	25	13	1	1,747,750.00	873,875.00	70,650.00
8.5m pavement curbs both sides and trees as required							
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PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-026	Macdonald Avenue from Union Street to Venables Street	4	3	NIL	262,850.00	131,425.00	NIL
85-027	Napier Street from Sperling Avenue to Kensington Avenue	35	18	21	2,557,800.00	1,278,900.00	1,539,450.00
85-028	Rosser Avenue from Williams Street to Kitcheener Street	14	8	NIL	1,015,050.00	507,525.00	NIL
85-029	Ridelaun Drive from Beta Avenue to Delta Avenue	41	21	12	3,062,650.00	1,531,325.00	915,800.00
85-030	Pender Street from Gamma Avenue to Delta Avenue	29	15	1	2,010,400.00	1,005,200.00	60,300.00

8.5m pavement walks both sides and trees as required

8.5m pavement curb south side walk north side and trees as required

8.5m pavement curb west side walk east side and trees as required

8.5m pavement curb north side walk south side storm sewers and trees as required

1m pavement curbs both sides and trees as required

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-031	Gilmore Avenue from Venables Street to Parker Street	7	4	2	492,600.00	246,300.00	126,400.00
85-032	Darwin Avenue from Fir Street to Moscrop Street	18	10	NIL	1,229,550.00	614,775.00	NIL
85-033	Karen Street from Yeovil Avenue to Moore Avenue	8	5	1	558,500.00	279,250.00	70,500.00
85-034	Darwin Avenue and Pine Street from Fir Street to Huxley Avenue	17	9	2	1,200,450.00	600,225.00	136,350.00
85-035	Fir Street from Darwin Avenue to Huxley Avenue	4	3	1	271,600.00	135,800.00	66,650.00

\*SEE NOTE 'A'\*



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85-036	Pandora Street from Boundary Road to Esmond Avenue	16	9	2	1,200,000.00	600,000.00	146,500.00
85-037	Fifteenth Avenue from 2nd Street to 4th Street	18	10	1	1,199,950.00	599,975	63,250.00
85-038	Union Street from Alpha Avenue to Beta Avenue	32	17	9	2,260,350.00	1,130,175.00	613,350.00
85-039	Lorraine Avenue from Burke Street North to Cul-de-sac	33	17	18	1,962,250.00	981,125.00	1,063,200.00
85-040	Rosser Avenue from Pandora Street to Triumph Street	3	2	NIL	152,950.00	76,475.00	NIL

8.5m pavement curbs both sides and trees as required

8.5m pavement curbs both sides storm sewers and trees as required

8.5m pavement curbs both sides storm sewers and trees as required

Pavement widening and curbs south side only

8.5m pavement curbs both sides and trees as required

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-041	Hardwick Street from Godwin Avenue to Trans Canada Hwy.	12	7	7	981,150.00	490,575.00	506,350.00
85-042	Fir Street from Halley Avenue to Darwin Avenue	4	3	NIL	316,500.00	158,250.00	NIL
85-043	Lister Street from Smith Avenue to Inman Avenue	12	7	NIL	978,950.00	489,475.00	NIL
85-044	Hazelmere Street from Canada Way to west property line of Lot C (7809 Hazelmere Street)	15	8	9	1,213,400.00	606,700.00	809,600.00
85-045	Davies Street from 14th Avenue to 16th Avenue	24	13	1	1,406,800.00	703,400.00	62,250.00

8.5m pavement walks  
 both sides storm sewers  
 and trees as required

8.5m pavement curbs  
 both sides storm  
 sewers and trees as  
 required

8.5m pavement walks  
 both sides storm  
 sewers and trees as  
 required

8.5m pavement curbs  
 both sides storm  
 sewers and trees as  
 required

8.5m pavement curbs  
 both sides storm  
 sewers and trees as  
 required

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-046	Fir Street from Smith Avenue to Carleton Avenue	47	24	3	3,388,200.00	1,694,100.00	184,050.00
85-047	Forest Street from Littlewood Avenue east to the east property lines of Lot 260 on the south side and Lot 221 on the north side	10	6	NIL	705,350.00	352,675.00	NIL
85-048	Atlee Avenue from Spruce Street to Monarch Street	31	16	NIL	2,299,350.00	1,149,675.00	NIL
85-049	Piper Avenue from Government Street north to north property line of Lot 39 (3540 Piper Avenue)	6	4	6	404,300.00	202,150.00	404,300.00
85-050	Kitchener Street from Willingdon Avenue to Westlawn Drive	5	3	1	759,800.00	379,900.00	316,750.00

8.5m pavement walks both sides and trees as required

8.5m pavement walks both sides and trees as required

8.5m pavement walks both sides and trees as required

8.5m pavement walks both sides and trees as required

8.5m pavement walks both sides and trees as required

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL ASSESSED PETITIONERS' ASSESSMENT
85-051	Vista Crescent from Humphries Avenue to Mary Avenue	14	8	10	1,142,200.00	571,100.00	610,500.00
85-052	Carleton Avenue from Pender Street to Georgia Street	8	5	4	552,500.00	276,500.00	272,100.00
							*SEE NOTE 'B'*
85-053	Pandora Street from Rosser Avenue to Willingdon Avenue	23	12	NIL	1,638,900.00	819,450.00	NIL
85-054	Carleton Avenue from Georgia Street to Union Street	4	3	NIL	277,900.00	138,950.00	NIL
85-055	Hertford Street from Smith Avenue to Inman Avenue	21	11	NIL	2,147,500.00	1,073,750.00	NIL

8.5m pavement curb north side walk south side storm sewers and trees as required

8.5m pavement curb west side walk east side and trees as required

8.5m pavement curb north side walks south side and trees as required

8.5m pavement walks both sides except from lane south of Pender Street to Pender Street curbs both sides and trees as required

8.5m pavement walks both sides and trees as required

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PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFER PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-056	Union Street from Beta Avenue to Gamma Avenue	32	17	19	2,272,300.00	1,136,150.00	1,249,150.00
85-057	Union Street from Gilmore Avenue to Willingdon Avenue	137	69	8	9,563,150.00	4,781,575.00	550,800.00
85-058	Boundary Road from Spruce Street to Fir Street	15	8	1	842,500.00	421,250.00	63,250.00
85-059	Walker Avenue from Burris Street to Stanley Street	34	18	21	2,321,100.00	1,160,550.00	1,417,300.00
85-060	Seventeenth Avenue from First Street to Newcombe Street	24	13	1	1,445,750.00	722,875.00	53,650.00

61  
 1m pavement curbs  
 both sides and trees  
 as required

1m pavement curbs  
 east side walk west  
 side and trees as  
 required

1m pavement curbs  
 both sides and trees  
 as required

8.5m pavement curb  
 north side walk south  
 side except Gilmore Avenue  
 to Carleton Avenue curb  
 both sides storm sewers  
 and trees as required

8.5m pavement curb  
 north side walk south  
 side storm sewers and  
 trees as required

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFER PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-061	Broadway from Cliff Avenue to Bainbridge Avenue	20	11	7	1,505,350.00	752,675.00	477,000.00
85-062	Halifax Street from Cliff Avenue to Duthie Avenue	32	17	1	2,283,800.00	1,141,900.00	69,450.00
85-063	First Street from 12th Avenue to 16th Avenue	27	14	3	1,607,600.00	803,800.00	179,300.00
85-064	Willingdon Avenue from Lane north of Hastings to Eton Street	12	7	1	771,700.00	385,850.00	58,950.00
85-065	Adair Street from Sperling Avenue to Cliff Avenue	4	3	NIL	605,600.00	302,800.00	NIL
	Sidewalk south side						
	Sidewalk only						
	west side except from Lane south of Cambridge Street to Cambridge Street						
	1m pavement walks both sides storm sewers and trees as required						
	1m pavement walks both sides storm sewers and trees as required						
	1m pavement walks both sides storm sewers and trees as required						

PROJECT NUMBER	DESCRIPTION OF WORK	NO. OF OWNERS	MAJORITY REQUIRED TO DEFEAT PROJECT	NO. OF OBJECTIONS	TOTAL ASSESSED VALUE OF LAND	50% REQUIRED	TOTAL PETITIONERS' ASSESSMENT
85-066	Sixteenth Avenue from Second Street to Fourth Street	23	12	NIL	1,187,250.00	593,625.00	NIL
Sidewalk north side							

NOTE 'A'

85-031 Gilmore Avenue from Venables Street to Parker Street

A total of 7 owners are affected by this project which would require 4 valid objections to defeat the works. A total of 2 objections were received which is 2 less than required. However, in determining the sufficiency of the petition, the Municipal Clerk had to disqualify two signatures. In the first instance, the first interested property owner who owns a 5/6 interest in the property and resides thereon, signed the petition opposing the works while the second interested property owner, who owns a 1/6 interest in the property and resides in San Diego, California did not. In the second instance the property is jointly owned and the one owner who resides on the property signed the petition opposing the works while the other owner, who does not reside on the property, did not.

NOTE 'B'

85-052 Carleton Avenue from Pender Street to Georgia Street

A total of 8 owners are affected by this project which would require 5 valid objections to defeat the works. A total of 4 objections were received which is one less than required. However, the petitioner, when petitioning against the works, was advised by the owner of 571 Carleton Avenue that the property was registered in one name only and the petition was signed accordingly. However, the Municipal Clerk in determining the sufficiency of the petition, had to disqualify this signature as it was determined that the property is jointly owned and therefore both joint owners must sign the petition in order to be counted as a valid vote opposing the work. The Municipal Clerk subsequently contacted the property owner by telephone who had signed the petition and was advised that it was the intention of the owners to oppose the work.

The following legislation is considered pertinent to the subject and noted for Council's consideration.

Municipal Act Section 659(5) - Determining Sufficiency of Petition

(5) Where 2 or more persons are owners of a parcel, they shall be reckoned as one owner only, and are not entitled to petition unless a majority of them concur, and accordingly the signatures of those persons, unless the petition is signed by a majority, shall be disregarded in determining the sufficiency of the petition.

