

RE: LETTER FROM MR. JIM CLARK, PRESIDENT AND GENERAL MANAGER OF
CLARK REEFER LINES LTD., WHICH APPEARED ON THE AGENDA FOR THE
1986 OCTOBER 27 MEETING OF COUNCIL (Item 3b)
UNDERGROUND ELECTRICAL SERVICE CONNECTION
2860 NORLAND AVENUE, BURNABY

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

* * * * *

TO: MUNICIPAL MANAGER 1986 OCTOBER 27

FROM: DIRECTOR PLANNING & BUILDING INSPECTION

SUBJECT: 2860 NORLAND AVENUE, BURNABY
UNDERGROUND ELECTRICAL SERVICE CONNECTION

RECOMMENDATION:

1. THAT a copy of this report be provided to Mr. Jim Clark of Clark Reeper Lines Ltd., 2864 Norland Avenue, Burnaby, B.C., V5B 3A6.

BACKGROUND:

Appearing on the agenda of Council's regular meeting of 1986 October 27 is a letter from Mr. Jim Clark, President and General Manager of Clark Reeper Lines Ltd., 2864 Norland Avenue, Burnaby, B.C., V5B 3A6. Mr. Clark expresses his displeasure with the application of Burnaby Electrical Connection By-Law No. 6336 to the premises of his firm on Norland Avenue, and advises Council of his intention to seek compensation from the municipality for the costs involved in achieving compliance with the by-law.

REPORT:

In 1980 Mr. Clark's company completed the construction of a 8,590 square foot addition to its existing 8,400 square foot building. One of the conditions of Preliminary Plan Approval No. 5168, issued 1979 October 12, was the undergrounding of the electrical service to the building as called for in the Burnaby Electrical Connection Regulation By-Law 1973 which was adopted 1973 August 28.

Rather than contract with B.C. Hydro to have the electrical service placed underground at that time for the quoted price of \$5,935 (Attachment 1), the company chose to install a temporary overhead service authorized by Electrical Permit No. E 10885 issued 1980 July 11 under which the temporary connection was good for 90 days. The issuance of temporary current permits is provided for in Section 30 of "Regulation Governing Permits & Fees" of the B.C. Electrical Energy Inspection Act. The same section provides for disconnection when the temporary current permit has expired or when the installation does not comply with the requirements of the governing regulations or by-laws.

The company was advised 1982 March 05 of the need to complete their obligation (Attachment 2) and shortly thereafter the company approached the Municipal Manager for a review of their situation. The response dated 1982 April 01 from the Director Planning & Building Inspection confirmed the need for compliance and outlined the construction approach recommended by B.C. Hydro for use with conditions of ground settlement (Attachment 3). In response to an appeal citing economic distress and upon a written guarantee

that the work would be completed prior to 1983 May 05 (Attachment 4), the Building Inspection Division agreed to a deferment of one year. The matter was reviewed in 1984 and again in 1986, culminating with further correspondence to the company 1986 April 30 (Attachment 5), 1986 June 24 (Attachment 6) and 1986 July 09 (Attachment 7).

132

A disconnection of electrical service order has been placed with B.C. Hydro, and Mr. Clark's company is now prepared to act to have the undergrounding proceed, but as yet has not deposited with B.C. Hydro the funds necessary to ensure the start of construction.

It is recognized that the undergrounding of electrical services presents some potential difficulties in areas of ground settlement; however, there are many electrical consultants fully qualified to design and supervise the construction necessary to ensure a satisfactory installation under such conditions. Construction in the Central Valley and Big Bend areas of Burnaby under similar circumstances have in the past been entirely successful using a system of adequate loops of extra conductor cable in timber pull boxes adjacent to areas of anticipated settlement. A review of projects approved and constructed in the Norland area in recent years, which have complied with By-Law No. 6336, revealed no difficulty with the continuity of their power requirements.


The undergrounding of electrical service connections has been a consistent requirement of the municipality for all new construction and wherever alterations or additions to existing premises necessitate an increase in the electrical service capacity.

With regard to Mr. Clark's reference to 5750 Lougheed Highway (Ford Motor Company of Canada & Kensington Ford Sales Ltd.), the premises were originally constructed in 1957 and 1965 with an overhead electrical service connection prior to adoption of By-Law No. 6336. The new occupancy by Kensington Ford Sales Ltd. has not necessitated an increase in the electrical service capacity and as a consequence consistent with the by-law and its enforcement, there is no need for undergrounding.

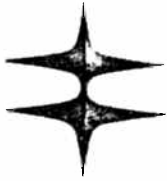
In summary, staff has attempted since 1980 to have the provisions of the Burnaby Electrical Connection By-Law complied with at 2860 Norland Avenue, and can see no justification for further procrastination by the company.

The need for a continuing, consistent and equitable application of municipal by-laws has been recognized as paramount by both staff and Council, and unless Council advises to the contrary, enforcement of By-Law No. 6336 through the process of disconnection of power to the premises or through the necessary court proceedings will be pursued.

FRM:lm
Enc.


A.L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

c.c. F.R. Mehling
CHIEF BUILDING INSPECTOR



BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

3855 Kitchener St.,
BURNABY, B.C. V5C 3L8

ITEM	12
MANAGER'S REPORT NO.	66
COUNCIL MEETING	86/11/03

RECEIVED
SEP 17 1980

BUILDING INSPECTOR'S
OFFICE

Clark Reefer Lines Ltd.
2864 Norland Avenue
NORTH BURNABY, B.C.

12 September 1980

Attention: Mr. Kent McMillan

Dear Sirs:

This will confirm the electric requirements and Hydro electric charges to provide the new underground electric service to your building at 2864 Norland Avenue.

The service will be provided in accordance with the enclosed Drawing No. 464-U07-C589 (400 amps, 120/208 volts, 3-phase, 4-wire).

B. C. Hydro's charge to provide this service will be \$5935.00. This charge is subject to revision within 90 days and is based on the following:

The customer or contractor will be responsible for:

1. All civil work on private property, (trenching, etc.)
2. Providing and installing secondary ducts.
3. All civil work to be done to Hydro standards and to be inspected by Hydro's inspector.

B. C. Hydro will be responsible for:

1. All Hydro civil work on public property. B. C. Telephone not included.
2. Inspection of trenching and duct installation on private property.
3. Supply and pull in service cables to main switch.

To proceed with the electric service, please forward your cheque or purchase order in the self-addressed envelope provided.

If I can be of further assistance, please contact me at 291-2211, local 259.

Yours truly,

D. W. Heritage
SERVICE PLANNER

DWH*LMG
Enc.

cc: Corp. of Burnaby
Attn: D. Jackson



BUILDING DEPARTMENT

D 11381

To: Clark Reefer Line
2864 Norland Ave
Burnaby, B.C.

SECOND NOTICE - RETURN REGISTERED

March 5 1982

Location: 2864 Norland Ave

Permit No. E 10885

134

OBJECTIONS:

This letter is to inform you that a 90 day temporary electrical permit for an overhead B C Hydro connection to the above address issued on 1980 July 11 has long since expired. Unless provisions are made within 10 days to install this service underground per Burnaby's underground By-laws previously explained to you, B C Hydro will be instructed to disconnect this temporary overhead connection.

THE ABOVE OBJECTIONS ARE TO BE CORRECTED AND REINSPECTION CALLED FOR WITHIN 10 DAYS OF THE ABOVE DATE.

Yours truly,
Chief Building Inspector.

Telephone 294-7130

Per E. Fata

ITEM 12
MANAGER'S REPORT NO. 66
COUNCIL MEETING 86/11/03



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

Planning Department

Telephone (604) 294-7400

ITEM	12
MANAGER'S REPORT NO.	66
COUNCIL MEETING	86/11/03

1982 April 01

Clark Reefer Lines Ltd.
2864 Norland Avenue
BURNABY, B.C.
V5B 3A6

RECEIVED
APR 5 1982

Attention: Mr. Patrick Clark

**BUILDING INSPECTOR'S
OFFICE**

Gentlemen:

Re: UNDERGROUND ELECTRICAL SERVICE
CONNECTION - 2864 NORLAND AVENUE

Further to your telephone conversation with our Mr. Stenson, we are writing at the request of the Municipal Manager in response to your letter of 1982 March 16. You have requested that the Municipality investigate the situation relative to your requirement to install your building's electrical service underground, with particular reference to the soil conditions in your area. Our staff have considered your submission and discussed the subject with the Chief Electrical Inspector, who has, in turn, contacted a technical representative of B.C. Hydro relative to your concerns.

As outlined to you in the telephone conversation, Burnaby has a By-Law requiring the placement of electrical service connections underground (Burnaby Electrical Connection Regulation By-Law 1973). This By-Law applies throughout the Municipality to new developments or to developments with new service connections, and represents a significant first step toward the eventual improvement of the community's environment by placement underground of the existing network of overhead wires. This matter became a requirement of the approval for your warehouse extension granted in 1980 and was accepted by your Company at that time.

... 2

Clark Reefer Lines Ltd.
Re: Underground Electrical
Service Connection - 2864 Norland Avenue

1982 April 01
Page 2

136

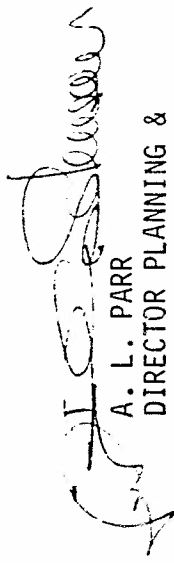
You have referred to the soil conditions in your area and made reference to B.C. Hydro's statement that they would not be responsible if the ground sank and the wires separated. We are informed by B.C. Hydro that they do not guarantee continuity of electrical service under any conditions whether the service be underground or overhead, in good soil conditions or poor. Further, they advise that they know of no problems that have been encountered in installations with your type of soil conditions where proper installation measures have been employed.

The common, practical measures for dealing with ground settlement conditions generally entail the provision of one or more pull boxes, constructed of either cedar or concrete, or other material, in the line of the underground duct such that a loop of service cable may be provided, thereby allowing settlement to occur without putting strain on the cable or damaging connections. The pull box installation typically consists of four (4) sides and a top, without a bottom, is not required to be water tight, and may have vertical slots in the side walls to allow for differential movement between the pull box and the duct itself, thereby avoiding shearing at the interface.

It is recognized that underground electrical installations entail a higher cost than a comparable overhead service connection; however, the additional cost of including a pull box-type installation is minimal and is definitely recommended as a protection in areas with soil conditions which are such as encountered on Norland Avenue.


In order that you may now conclude this outstanding requirement, we would recommend that you meet with your electrician or electrical engineer to ensure that a proper installation is made using the means described or other approved techniques to safeguard your service. Should you or your consultants have any further technical questions, please do not hesitate to contact Mr. D. Jackson at 294-7161.

Yours truly,



A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

DGS:lf

cc: Chief Electrical Inspector 

Office
299-7526

ATTACHMENT 4

CLARK

REEFER LINES LTD.



RECEIVED
MAY 10 1982
RF
OM

ITEM 12
MANAGER'S REPORT NO. 66
COUNCIL MEETING 86/11/03

*Specialists in Food and Pharmaceutical Transportation
Refrigerated and Heated Trucking Services*

May 7, 1982

RECEIVED
MAY 10 1982

Corp. of the District of Burnaby,
4949 Canada Way,
Burnaby, B.C.
V5G 1M2

CLARK REEFER LINES LTD'S
OFFICE

Attention: Mr. Frank R. Mehling

Dear Sir:

Thank you for your letter of May 3, 1982, allowing Clark Reefer Lines to defer our commitment to install the underground electrical connection to May 5, 1983.

This letter, endorsed by our company seal, will serve as our guarantee that we will fully complete the installation of the underground electrical connections to the satisfaction of your department prior to May 5, 1983.

Also, we will confirm that we will not request any further deferment regardless of our financial situation.

Thank you for your understanding in this matter.

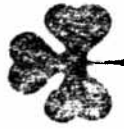
Yours truly,

CLARK REEFER LINES LTD.

Patrick Clark
PATRICK CLARK
PC/EJ

1982 May 10

Copy to: DIRECTOR PLANNING
& BLDG. INSPECTION



PROTECT YOUR PRODUCT — SHIP CLARK

2864 NORLAND AVENUE, BURNABY, B.C. V5B 3A6





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

Planning & Building Inspection Department
Building Inspection Division

138

Telephone (604)
294-7159

CERTIFIED MAIL

1986 April 30

Clark Reefer Lines Ltd.
2864 Norland Avenue
Burnaby, B.C. V5B 3A6

Attention: Mr. Patrick Clark

Subject: 2860 Norland Avenue, Burnaby, B.C.
Lot 74, District Lot 75, Plan 54137
UNDERGROUND ELECTRICAL SERVICE CONNECTION
Burnaby Electrical Connection By-Law 6336

We have again reviewed your file regarding the subject address and note there has been no progress on your part towards installing underground the existing temporary overhead electrical service.

As you know, there has been extensive correspondence and discussion with this department. Your letter dated 1982 May 07, under company seal, was offered as a guarantee that undergrounding of the electrical service would be completed prior to 1983 May 05. You also confirmed that further deferment would not be requested. Also, you have not replied to our letter of 1984 February 21 requesting an update on the status of your commitment.

It is imperative that you make the necessary arrangements with the B.C. Hydro & Power Authorities to immediately install the underground service.

Failure to complete the undergrounding of the electrical service on the subject premises by 1986 June 30 will result in the withdrawal of our electrical connection approval to the property, and the initiation of legal action as provided under the Municipal Act and Section 4 of the Offense Act.

WJM:DHJ:lm

c.c: W.J. Malcolm, Supervisor
Electrical Inspections

DIRECTOR PLANNING &
BUILDING INSPECTION

Attention: Don Stenson

B.C. Hydro & Power Authority
3855 Kitchener Street
Burnaby, B.C. V5C 3L8

D.H. Jackson, P.Eng.
ASSISTANT CHIEF BUILDING INSPECTOR

ITEM 12
MANAGER'S REPORT NO. 66
COUNCIL MEETING 86/11/03



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

Planning & Building Inspection Department
Building Inspection Division

Telephone (604)
294-7158

CERTIFIED MAIL

1986 June 24

Clark Reefer Lines Ltd.
2864 Norland Avenue
Burnaby, B.C.
V5B 3A6

Attention: Mr. Jim Clark
President & General Manager

Subject: 2860 Norland Avenue, Burnaby,
Lot 74, District Lot 75, Plan 54137
Underground Electrical Service Connection

This is in response to your letter of 1986 June 18.

In consideration of your stated financial difficulties, the Corporation in 1982 May acquiesced to your company's request for a deferment following which Mr. Patrick Clark on 1982 May 07 wrote to guarantee completion of the installation of the underground electrical service connection prior to 1983 May 05. Earlier, at the Municipal Manager's request, Mr. Stenson had written to Mr. Patrick Clark outlining the need for the underground service connection. Mr. Stenson also referred to B.C. Hydro's advice that soil conditions similar to those encountered on your site have not in the past posed any problem provided that proper installation methods using pull boxes and service cable loops were employed.

The Corporation has provided more than sufficient time for your company to arrange with B.C. Hydro to have the connection completed.

If legal proceedings leading to prosecution are necessary as the next step in forcing recognition of your earlier commitment and in obtaining compliance with the by-law, then we shall have to follow that route.

Our preference would be to have the work undertaken without such time-consuming and costly proceedings, and in this regard we ask again that you arrange for B.C. Hydro to begin the necessary work as soon as possible.

If we do not receive evidence of your serious pursuit of this matter with Hydro prior to 1986 July 07, we will ask our Solicitor to begin the necessary legal steps to obtain compliance.

FRM:lm

c.c. MUNICIPAL MANAGER

D.G. Stenson, ASSISTANT DIRECTOR
CURRENT PLANNING

Frank R. Mehling
Frank R. Mehling, P.Eng.
CHIEF BUILDING INSPECTOR

ITEM 12
MANAGER'S REPORT NO. 66
COUNCIL MEETING 86/11/03

ITEM	12
MANAGER'S REPORT NO.	66
COUNCIL MEETING	86/11/03



140

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

Planning & Building Inspection Department
Building Inspection Division

Telephone (604)
294-7161

1986 July 09

Clark Reefer Lines Ltd.
2864 Norland Avenue
Burnaby, B.C.
V5B 3A6

Attention: Mr. Jim Clark
President & General Manager

Subject: 2860 Norland Avenue, Burnaby
Lot 74, District Lot 75, Plan 54137
Underground Electrical Service Connection

This is in response to your letter of 1986 June 30 and acknowledges your letter of the same date addressed to B.C. Hydro in which you ask Mr. I. Fattah to make arrangements to have the underground service connection installed.

The undergrounding of electrical services in Burnaby has been in effect since the by-law was first adopted in 1973, and we believe has proven successful and without major problems even in problematical soil conditions such as you describe.

In answer to your comments, we must point out that the routing of your underground service and the construction details employed are matters for consideration by your electrical consultant, especially if you have concerns regarding the system currently being used with success by B.C. Hydro and other property owners on the north side of Norland Avenue and elsewhere. This was clearly spelled out in Mr. A.L. Parr's letter of 1982 April 01 addressed to Mr. Patrick Clark. Certainly Burnaby is not in a position to recommend or guarantee a particular system or route as being permanent or maintenance free. We do know, however, from our discussion with Mr. Glen Parks of B.C. Hydro that the technique of setting electrical kiosks on pads of polystyrene and the provision of timber bounce or pull boxes, with adequate loops of conductor adjacent to areas of heavy traffic, has proven successful.

Burnaby cannot guarantee the continuity of electrical service to your property and it is most unlikely that B.C. Hydro could provide such a guarantee on Norland Avenue or elsewhere for that matter.

In conclusion, your instruction to B.C. Hydro and Mr. Fattah indicates serious intent on your part and this is appreciated. We shall expect

Clark Reefer Lines L.d.

- 2 -

ITEM	12
MANAGER'S REPORT NO.	66
COUNCIL MEETING	86/11/03

1986 July 09

evidence of payment to B.C. Hydro of all charges associated with the underground installation, including removal of the temporary overhead service lines in the immediate future, and trust that the work will proceed post haste.

Please have your electrical consultant or contractor contact Burnaby's Supervisor of Electrical Inspections, Mr. W.J. Malcolm, at 294-7161 if further information is required.

FRM:lm

c.c. M.J. Shelley
MUNICIPAL MANAGER

D.G. Stenson, ASSISTANT
DIRECTOR CURRENT PLANNING

W.J. Malcolm, SUPERVISOR
ELECTRICAL INSPECTIONS

Frank R. Mehling

Frank R. Mehling, P.Eng.
CHIEF BUILDING INSPECTOR

