

ITEM 10
MANAGER'S REPORT NO. 45
COUNCIL MEETING 91/07/22

TO: MUNICIPAL MANAGER
FROM: MUNICIPAL CLERK
SUBJECT: CHANGE OF STATUS FROM DISTRICT MUNICIPALITY TO A CITY
PURPOSE: To provide Council with information regarding the requirements and ramifications of changing the status of Burnaby from a District Municipality to a City.

RECOMMENDATION:

1. THAT this report be received for information purposes.

S U M M A R Y

At the regular Council meeting held on 1991 April 22 Council adopted a resolution directing Staff to report on the feasibility and desirability of changing the status of Burnaby from a District to a City in accordance with Section 21(4) of the Municipal Act.

Staff have explored this action with the Provincial Government, other local governments, our own departments and Community boards and groups. This report outlines the results of the investigation and the steps to be followed in the event Council wishes to pursue a change of status.

R E P O R T

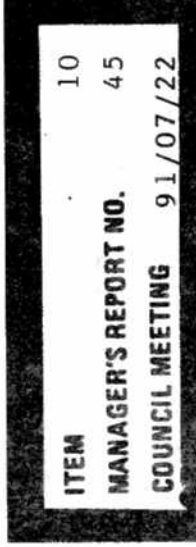
1.0 GENERAL

The Ministry of Municipal Affairs, Recreation and Culture is responsible for processing applications for changes in status for municipalities throughout the Province.

We have been advised by the Ministry that in order to initiate the change, Council must present a proposal to the Minister for consideration. The proposal should include background information on the advantages of Burnaby changing its status, whether or not the proposal has been presented to any Community groups and whether or not the matter has been given any coverage in the local press.

1.1 Advantages

The reasons for initiating this change are not so much an explanation of advantages for the Municipality, but more an expression of its growth and maturity in having the third largest population of any incorporated area in British Columbia. Burnaby has satisfied the requirements of the Municipal Act to obtain City status, and on the advent of its 100th birthday it would seem a fitting time to make this change.



1.2 Community Input

In conducting research for this report staff have corresponded with the Greater Vancouver Regional District, B. C. Assessment Authority, City of Richmond, Firefighters Union, Local 323, Burnaby School Board, B. C. Nurses Union, Burnaby Civic Employees Union Local #23, Burnaby Chamber of Commerce, the Ministry of Transportation and Highways, Ministry of Municipal Affairs, Recreation and Culture and the Royal Canadian Mounted Police.

With the exception of a few associated name changes, the impact on these organizations appears minimal. We have not received any negative responses to this proposal. At the most, we have been requested to advise some organizations when the change is effected.

The Ministry of Transportation and Highways have advised that "a change of status would not have any affect (sic) on the Provincial routes within Burnaby."

The Royal Canadian Mounted Police have confirmed that a change of status would not affect the contract with the Municipality.

The Ministry of Municipal Affairs have confirmed that the change would not impact any cost sharing, revenue sharing or grant agreements with the Provincial government.

1.3 Publicity

When Council considered the original resolution on April 12, Community newspapers included coverage of the request. Since that time various community newsletters have requested information for inclusion in their publications.

2.0 MUNICIPAL IMPACT

It appears the greatest impact would be on the Municipality itself. Financially, the impact would involve the change of letterhead, signage throughout the Municipality, vehicle logos, corporate logo, seals, business cards, various forms of stationery, licences, permits, tickets, summons, maps, brochures and various miscellaneous items such as rubber stamps, plaques, computer programs etc.

Although many of these items may be changed as supplies run out or maintenance is required, the legal department advises that it would be necessary to change the letterhead, business cards, forms, permits, applications, tickets and summons on the reincorporation date as information/notices may not be valid if they are not issued by the correct legal entity.

The costs of printing, logo design and changes to various municipal fixtures is dependent upon the number and the importance of when they should be changed. The purchasing department estimates that a minimum of \$15,000 should be required for one time logo design and remaking of master copies for all on-site and off-site printed documents, advertising, maps, notices and publications.

There are three sections of the Municipal Act of B. C. (see Appendix A), which confer authorities to District Municipalities which are not available to Cities. The Ministry advises that in making an application for a change in status, the Municipality may request that these three sections are included in the amended Letters Patent in order to retain this authority.

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3.0 APPLICATION PROCESS

A letter of application which includes a resolution of Council and advice as to the response of the Community and any publicity given the proposal must be submitted to the Minister of Municipal Affairs; following that, a period of six months must pass before the Letters Patent are amended. During this time the Ministry processes the necessary documentation to effect the change. This is done at no cost to the Municipality.

The six month waiting period actually works to the Municipality's advantage in that it provides a period of time to work through stationery supplies prior to having to order new ones. It also provides Council with the opportunity to pick the date on which you wish the change to become effective.

After the documentation is processed and the appropriate time has passed, the Lieutenant Governor presents the amended Letters Patent to the Municipality in a public ceremony.


4.0 CONCLUSION

The process to change Burnaby's status from a District Municipality to a City appears to be a fairly straightforward, if somewhat time consuming undertaking.

The majority of costs are borne by the Municipality in the form of stationery and other changes, but these can be offset to a fair degree through careful management of supplies and a review of municipal facilities during the document processing period.

If Council chooses to make application to proceed with this change, it would be appropriate to pass a resolution to this effect and directing staff to take the necessary steps to submit the application to the Minister of Municipal Affairs. Council may also wish to request an appropriate date during the 1992 Centennial celebrations for the change to be effective.

Respectfully submitted,



C. A. Darpin
MUNICIPAL CLERK

Attach.

cc: Municipal Solicitor

APPENDIX A

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RS Chap. 290

MUNICIPAL

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Disposal of portion of highway

574. (1) The council may by bylaw dispose of a portion of a highway in exchange for land necessary for the purpose of improving, widening, straightening, relocating or diverting a highway.

(2) All deeds executed under this section have effect as a Crown grant free of all rights of way, and all land taken in exchange for a portion of a highway under this section are public highways, and title to them vests in the Crown.

(3) Before adopting a bylaw under this section, the council shall cause public notice of intention to be given by advertisement once each week for 2 consecutive weeks in a newspaper published or circulating in the municipality.

RS1960-255-509; 1971-38-40.

District may resume reserved land

575. (1) If the Crown has not resumed the entire area reserved in a Crown grant for making roads, canals, bridges, towing paths or other works of public utility or convenience, a district municipality may, by bylaw approved by the minister, resume any part of the land so granted which may be deemed necessary to make roads, canals, bridges, towing paths or other works of public utility or convenience, not exceeding 1/20 of the whole of the land granted.

(2) No resumption shall be made of land on which a building may have been erected, or which may be in use as gardens or otherwise for the more convenient occupation of that building.

RS1960-255-510; 1977-57-29; B.C. Reg. 304/77.

Expropriation in substitution for road allowances

576. In a district municipality where there have been reserved to the Crown certain road allowances running directly along the boundary lines of each section, and where it is found to be inadvisable to make those roads, the council may by bylaw provide for the making of a new road, and in that behalf expropriate so much of the land of other persons as shall be necessary to make a road in place of the road allowance so reserved by the Crown, and in exchange for it grant to the owner of the land expropriated for that purpose so much of the road allowance as shall be replaced by the new road, and for the purposes of this section the reserved road allowances are vested in the municipality in which they are situate.

RS1960-255-511.

Material for public works

577. (1) The council of a district municipality may enter on any land and take from it timber, stone, gravel, sand, clay or other material which may be required in the construction, maintenance or repair of roads, bridges or other public works.

(2) Compensation for a taking under subsection (1) shall be determined by the Expropriation Compensation Board.

RS1960-255-512; 1987-23-101, effective December 24, 1987 (B.C. Reg. 451/87).

Council powers

578. (1) The council may by bylaw

- (a) authorize the establishment, widening, alteration, relocation or diversion of a highway or a portion of it;

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Feb. 29, 1988