

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 205.

A By-law to divert a portion of the Hastings-Barnet Road in the Municipality of Burnaby.

WHEREAS by Subsection 186 of Section 54 of the "Municipal Act" it is provided inter alia that in every municipality the Council may make by-laws for establishing, opening, making, preserving, improving, repairing, widening, altering, diverting or stopping up roads, streets, squares, alleys, lanes, bridges, or other public thoroughfares within the boundaries of the Municipality or the jurisdiction of the Council;

AND WHEREAS by Subsection 202 of Section 54 of the "Municipal Act" it is provided that in every municipality the Council may make by-laws for disposing of a public street or highway or any portion thereof whenever deemed necessary in exchange for adjacent or contiguous lands acquired or expropriated for the purpose of improving, widening, straightening, or diverting any public street or highway and to execute deeds for property so exchanged when authorized so to do by the Lieutenant-Governor in Council;

AND WHEREAS it is deemed advisable and desirable to divert a portion of the Hastings-Barnet Road in and through District Lots Two Hundred and Thirteen (213) and Two Hundred and Fourteen (214) in the Municipality of Burnaby;

AND WHEREAS The North Pacific Lumber Company, Limited, an Extra-Provincial Company licensed to carry on business in the Province of British Columbia, with Head Office situate at Barnet, British Columbia, has agreed to grant and convey to the Municipality a portion of the lands required for such diversion being those portions of Districts Lots Two Hundred and Thirteen (213) and Two Hundred and Fourteen (214), Group One (1), New Westminster District, hereinafter more particularly described, in exchange for the lands within the limits of said District Lots Two Hundred and Thirteen (213) and Two Hundred and Fourteen (214) now established as a road;

AND WHEREAS for the purpose aforesaid it is necessary to close those parts of the Hastings-Barnet Road now or heretofore established and more particularly hereinafter described;

THE Municipal Council of the Corporation of the District of Burnaby therefore enacts as follows:-

1. A Street, highway or public thoroughfare is hereby established and opened over the lands and premises described as follows:- ALL AND SINGULAR those certain parcels or tracts of land and premises, situate lying and being in the Province of British Columbia, in the District of New Westminster, Group One (1), being composed of portions of District Lots Two Hundred and Thirteen (213) and Two Hundred and Fourteen (214), and which may be more particularly known and described as follows; that is to say:-

AS TO PARCEL "E":

Commencing at the intersection of the Northerly boundary of the Canadian Pacific Railway Company's Right of Way (as shown on Sketch Plan No. 2665 deposited in the Land Registry Office in the City of New Westminster) with the Easterly boundary of District Lot 213; thence Southerly along said Easterly boundary, 434.16 feet; thence South 72 degrees 04 minutes West, 34.7 feet more or less to a point, said point being Westerly and distant 33 feet measured at right angles from the Easterly boundary of said District Lot 213; and being the point of commencement of the centre line of the herein described parcel; thence following said centre line along the courses hereinafter described:- South 72 degrees 04 minutes West, 170.3 feet; North 86 degrees 57 minutes West, 275.9 feet; and North 82 degrees 33 minutes West, 449.7 feet more or less to the Easterly boundary of the Vancouver Power Company's Tower Site; said parcel having a parallel width of 33 feet on each side of the aforesaid centre line and containing 1.35 acres be the same more or less as shown coloured red and marked "Parcel E" on the accompanying plan;

AS TO PARCEL "F":

Commencing at the point of intersection of the centre line of the herein described parcel with the Westerly boundary of the Vancouver Power Company's Tower Site, said point being South Westerly and distant from the intersection of the Northerly boundary of the Canadian Pacific Railway Company's Right of Way as herein before described, with the Easterly boundary of District Lot 213, along the courses hereinafter described:- Southerly along said Easterly boundary 434.16 feet; South 72 degrees 04 minutes West, 205 feet; North 86 degrees 57 minutes West, 275.9 feet and North 82 degrees 33 minutes West, 752.4 feet more or less to the Westerly boundary of the Vancouver Power Company's Tower Site, being the point of commencement of the centre line of the herein described parcel; thence following said centre line along the courses hereinafter described:- North 82 degrees 33 minutes West, 28.6 feet; South 84 degrees 08 minutes West, 521 feet; North 78 degrees 54 minutes West, 189.8 feet; North 61 degrees 56 minutes West, 692.4 feet; North 67 degrees 21 minutes West, 190.8 feet; North 75 degrees 22 minutes West, 278.3 feet; North 86 degrees 04 minutes West, 198.3 feet; North 72 degrees 32 minutes West, 1355.9 feet; North 86 degrees 27 minutes West, 599 feet; South 89 degrees 14 minutes West, 117.6 feet, and South 80 degrees 20 minutes West, 14.6 feet more or less to the point of intersection with the Easterly boundary of a road allowance, said point being Easterly and distant 33 feet measured at right angles from the Westerly boundary of District Lot 214, and being South 1 degree 11 minutes West, 341.66 feet along said Westerly boundary of District Lot 214 and North 80 degrees 20 minutes East, 33.6 feet

from the North Westerly corner of said District Lot 214; said parcel having a parallel width of 33 feet on each side of the aforesaid centre line (save and except that portion occupied by the School Lot adjoining said Westerly boundary of District Lot 214) and containing 6.26 acres be the same more or less as shown coloured red and marked "Parcel F" on the accompanying plan.

2. The Corporation of the District of Burnaby declares closed and stopped up that portion of the Vancouver-Port Moody Road located and established under and by virtue of the "Burnaby Road Appropriation By-Law 1906" described as follows: ALL AND SINGULAR those certain parcels or tracts of land and premises, situate lying and being in the Province of British Columbia, in the District of New Westminster, Group One (1), being composed of portions of District Lots Two Hundred and Thirteen (213) and Two Hundred and Fourteen (214), and which may be more particularly known and described as follows, that is to say:

AS TO PARCEL "A":

Commencing at the intersection of the Northerly boundary of the Canadian Pacific Railway Company's Right of Way (as shown on Sketch Plan No. 2663 deposited in the Land Registry Office in the City of New Westminster) with the Easterly boundary of District Lot 213; thence Southerly along said Easterly boundary of District Lot 213, 884.06 feet; thence South 63 degrees 40 minutes West, 36.8 feet more or less to a point, said point being Westerly and distant 33 feet measured at right angles from the Easterly boundary of said District Lot 213 and being the point of commencement of the centre line of the herein described parcel; thence following said centre line along the courses hereinafter described; South 63 degrees 40 minutes West, 43.2 feet; South 52 degrees 08 minutes West, 111.8 feet; South 61 degrees 38 minutes West, 128.2 feet, South 68 degrees 42 minutes West, 130 feet; South 82 degrees 09 minutes West, 130.5 feet; North 81 degrees 29 minutes West 183.8 feet; North 65 degrees 11 minutes West, 125.5 feet; North 87 degrees 52 minutes West, 155 feet and North 78 degrees 48 minutes West, 103.6 feet more or less to the

measured at right angles from said centre line; thence continuing along said centre line along the courses hereinafter described:- South 68 degrees 09 minutes West, 439.7 feet to the point of a curve; thence along a curve to the right having a radius of 231 feet a distance of 148.4 feet; thence on a tangent North 74 degrees 45 minutes West, 138.6 feet; thence North 60 degrees 18 minutes West, 540 feet; South 87 degrees 42 minutes West, 471.8 feet; South 70 degrees 48 minutes West, 74 feet and South 55 degrees West, 55.7 feet more or less to the point of intersection with the Easterly boundary of a road allowance, said point being Easterly and distant 33 feet measured at right angles from the Westerly boundary of District Lot 214 and being South 1 degrees 11 minutes West along said Westerly boundary 287 feet and North 55 degrees East, 40.8 feet from the North Westerly corner of said District Lot 214; said parcel having a parallel width of 33 feet on each side of the aforesaid centre line, and the whole containing 5.99 acres be the same more or less as shown outlined in yellow and marked "Parcel B" on the accompanying plan.

3. The Corporation of the District of Burnaby declares closed and stopped up that portion of the Vancouver-Port Moody Road as re-located and established on May 2nd, 1911, and described as follows:-

ALL AND SINGULAR these certain parcels or tracts of land and premises situate lying and being in the Province of British Columbia, in the District of New Westminster, Group One (1), being composed of portions of District Lots Two Hundred and Thirteen (213) and Two Hundred and Fourteen (214), and which may be more particularly known and described as follows, that is to say:-

AS TO PARCEL "C":

Commencing at the intersection of the Northerly boundary of the Canadian Pacific Railway Company's Right of Way (as shown on Sketch Plan No. 2663 deposited in the Land Registry Office in the City of New Westminster) with the Easterly boundary of District Lot 213; thence Southerly along the said Easterly boundary 789.76 feet; thence along a curve to the left (from a tangent North 86 degrees 13 minutes West) having a radius of 176 feet for a distance of 33.1 feet more or less to a point, said point being

Westerly and distant 33 feet measured at right angles from said Easterly boundary of District Lot 213 and being the point of commencement of the centre line of the herein described parcel; thence following said centre line along the courses hereinafter described:- continuing along the aforesaid curve to the left for a distance of 17 feet; thence along a tangent South 77 degrees 55 minutes West, 119 feet; thence along a curve to the right having a radius of 153.6 feet for a distance of 123.4 feet; thence along a tangent North 55 degrees 10 minutes West, 104.5 feet; thence along a curve to the right having a radius of 303 feet a distance of 111.1 feet; thence along a tangent North 34 degrees 03 minutes West, 256.4 feet; thence along a curve to the left having a radius of 104 feet a distance of 81.7 feet; thence along a tangent North 81 degrees 04 minutes West, 235.5 feet more or less to the Easterly boundary of the Vancouver Power Company's Tower Site; said parcel having a parallel width of 33 feet on each side of the aforesaid centre line, and containing 1.58 acres be the same more or less as shown outlined in red and marked "Parcel C" on the accompanying plan.

AS TO PARCEL "D":

Commencing at the point of intersection of the centre line of the herein described parcel with the Westerly boundary of the Vancouver Power Company's Tower Site, said point being South Westerly and distant from the intersection of the Northerly boundary of the Canadian Pacific Railway Company's Right of Way (as hereinbefore described) with the Easterly boundary of District Lot 213 along the courses hereinafter described:- Southerly along said Easterly boundary 789.76 feet; thence along a curve to the left (from a tangent North 86 degrees 13 minutes West) having a radius of 176 feet a distance of 50.1 feet; thence South 77 degrees 55 minutes West along a tangent, 119 feet; thence along a curve to the right having a radius of 153.6 feet for a distance of 123.4 feet; thence along a tangent North 55 degrees 10 minutes West 104.5 feet; thence along a curve to the right having a radius of 303 feet for a distance of 111.1 feet; thence along a tangent North 34 degrees 03 minutes West, 256.4 feet; thence along a curve to the left having a radius of 104 feet for a distance of 81.7 feet; thence along a tangent North 81 degrees 04 minutes West, 537.3 feet more or less to the Westerly boundary of the Vancouver Power Company's Tower Site being the point of commencement of the centre line of the herein described parcel; thence following the said centre line along the courses hereinafter described:- continuing along the tangent North 81 degrees 04 minutes West, 225.7 feet; thence along a curve to the right having a radius of 819 feet for a distance of 196.6 feet; thence along a tangent North 67 degrees 18 minutes West, 922.75 feet more or less to the Westerly boundary of District Lot 213; said parcel having a parallel width of 33 feet on each side of the aforesaid centre line; thence continuing along said centre

line, North 67 degrees 18 minutes West, 1040 feet to a point, said point being Southerly and distant 18.9 feet measured at right angles from the Southerly boundary of the Canadian Pacific Railway Company's Right of Way (as hereinbefore described); said parcel being bounded along the aforesaid course on the North by a line 33 feet northerly and parallel to said centre line and by the Southerly boundary of the aforesaid Right of Way, and on the South by a line Southerly and distant 19 feet at the Easterly end and 24.3 feet at the Westerly end of aforesaid course measured at right angles to said centre line; thence continuing along said centre line along the courses hereinafter described:- along a tangent South 68 degrees 09 minutes West, 439.7 feet; thence along a curve to the right having a radius of 231 feet for a distance of 148.4 feet; thence along a tangent North 74 degrees 45 minutes West, 469.5 feet; thence along a curve to the left having a radius of 819 feet for a distance of 181.4 feet; thence along a tangent North 87 degrees 27 minutes West, 358.2 feet; thence along a curve to the left having a radius of 1042 feet for a distance of 200.8 feet more or less to the point of intersection with the Easterly boundary of a road allowance along the Westerly boundary of District Lot 214; said point being Easterly and distant 33 feet measured at right angles from said Westerly boundary and being South 1 degree 11 minutes West 334.2 feet and North 81 degrees 28 minutes East 34 feet, from the North Westerly corner of said District Lot 214; said parcel having a parallel width of 33 feet on each side of the aforesaid centre line (save and except that portion occupied by the School Lot adjoining the Westerly boundary of said District Lot 214) and containing 5.89 acres be the same more or less as outlined in red and marked "Parcel D" on the accompanying plan.

4. The said lands in the preceding paragraphs Two (2) and Three (3) described may be conveyed to The North Pacific Lumber Company, Limited, in exchange for the lands mentioned in Paragraph One (1) hereof, required for said diversion, and deed or deeds of said lands may be executed under the corporate seal of the said Corporation of the District of Burnaby by the Reeve and Clerk.

5. This By-law shall come into effect upon receiving the consent of the Lieutenant-Governor in Council.

6. This By-Law may be cited as "Hastings-Barnet Road Diversion By-Law, Amendment By-Law, 1915."

7. The Hastings-Barnet Road Diversion By-Law, 1914," being By-Law Number 193, is hereby repealed, and the "Hastings-Barnet Road Diversion By-Law 1915," being By-Law Number 199, is hereby repealed.

DONE AND PASSED in Open Council this
Twentieth (20th.) day of December, 1915.

RECONSIDERED and finally passed this
Twenty-eighth (28th.) day of December, 1915.



Hugh M. Fraser

R E E V E

Arthur G. Moore

C L E R K

I, Arthur G. Moore, Clerk to the Municipal Council of the Corporation of the District of Burnaby, hereby certify that the foregoing is a true copy of a By-law, passed by the Municipal Council on the Twenty-eighth (28th.) day of December, 1915.

Arthur G. Moore

C L E R K.