

CITY OF BURNABY

BYLAW NO. 12338

A BYLAW to exempt from taxation certain lands and improvements pursuant to section 224(1) and (2)(c) of the *Community Charter*

WHEREAS in the opinion of Council certain lands and improvements would qualify for exemption from taxation but for a secondary use;

AND WHEREAS such secondary use consists of the use of a portion of the land and improvements for commercial purposes;

NOW THEREFORE the Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY TAXATION EXEMPTION BYLAW NO. 7, 2007.**
2. Pursuant to sections 224(1) and (2)(c) of the *Community Charter*, Council does hereby for the year 2008 exempt from taxation under section 197(1)(a) of the said Act, the following lands and improvements, namely:

BURNABY PACIFIC GRACE CHURCH
3883 Triumph Street
Roll No. 0560-3883

That portion of land occupied by the Burnaby Pacific Grace Chinese Church, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lots 11, 12 and 13, Block 10, District Lot 186, Group 1, New Westminster District, Plan 1124, and the buildings thereon SAVE AND EXCEPT the area occupied by the TREASURE ISLAND DAYCARE and a proportionate area of the land as shown outlined in black on the plan annexed to Bylaw No. 10461, filed in the Land Title Office in New Westminster.

WILLINGDON HEIGHTS UNITED CHURCH

4304 Parker Street
Roll No. 0900-4304

That portion of land occupied by the United Church of Canada, Willingdon Heights United Church, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Portion of Lots 19, 20 and 21, Block 35, District Lots 120 and 121, Group 1, New Westminster District, Plan 11500, and the buildings thereon SAVE AND EXCEPT the area occupied by the SANDBOX PRE-SCHOOL and a proportionate area of the land as shown outlined in black on the plan annexed to Bylaw No. 9764 and filed in the Land Title Office in New Westminster.

VANCOUVER KOREAN FULL GOSPEL CHURCH

3905 Norland Avenue
Roll No. 1560-3905

That portion of land occupied by the Vancouver Korean Full Gospel Church, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lot 55, District Lot 79, Group 1, New Westminster District, Plan 57628, and the buildings thereon SAVE AND EXCEPT the area occupied by the MONTESSORI PRE-SCHOOL and a proportionate area of the land as shown outlined in black on the plan annexed to this Bylaw as Schedule "A".

PARISH OF SAINT TIMOTHY ANGLICAN

4514 Kitchener Street

4550 Kitchener Street

Roll Nos. 1050-4514 and 1050-4550

That portion of land occupied by the Parish of Saint Timothy Anglican, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lot 119, District Lot 123, Group 1, New Westminster District, Plan 44141, and the buildings thereon (4550 Kitchener Street, Roll No. 1050-4550) and Lot 2, Block 49, District Lot 123, Group 1, New Westminster District, Plan 1543, and the buildings thereon (4514 Kitchener Street, Roll No. 1050-4514) SAVE AND EXCEPT the area occupied by the TREASURE ISLAND III DAYCARE and a proportionate area of the land as shown outlined in black on the plan annexed to this Bylaw No. 11803 and filed in the Land Title Office in New Westminster.

ST. STEPHEN THE MARTYR ANGLICAN CHURCH

9887 Cameron Street

(Roll No. 1800-9887)

That portion of land occupied by the St. Stephen the Martyr Anglican Church, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lot A, District Lot 6, Group 1, New Westminster District, Plan 2681, and the buildings thereon SAVE AND EXCEPT the area occupied by the THREE BEARS PRESCHOOL and a proportionate area of the land as outlined in black on the plan annexed to Bylaw No. 11016, filed in the Land Title Office in New Westminster.

GRACE CHRISTIAN CHAPEL

3861 Kingsway

3875 Kingsway

3891 Kingsway

Roll Nos. 2690-3861, 2690-3875, and 2690-3891

That portion of land occupied by the Grace Christian Chapel, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lot B, Block 49, District Lot 35, Group 1, New Westminster District, Plan 799, and the buildings thereon (3861 Kingsway); Parcel "One" (Explanatory Plan 15591) Lot A, Block 49, District Lot 35, Group 1, New Westminster District, Plan 799, and the buildings thereon (3875 Kingsway) and Lot A Except: Parcel One (Explanatory Plan 15591), Block 49, District Lot 35, Group 1, New Westminster District, Plan 799, and the buildings thereon (3891 Kingsway) SAVE AND EXCEPT on Lot A, the area occupied by the PARKVIEW DAYCARE CENTRE and a proportionate area of the land as shown outlined in black on the plan annexed to Bylaw No. 10817, filed in the Land Title Office in New Westminster.

SOUTH BURNABY UNITED CHURCH

7551 Gray Avenue

7591 Gray Avenue

Roll No. 5755-7551 & 5755-7591

That portion of land occupied by the South Burnaby United Church, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia and more particularly known and described as Parcel B, District Lot 99, Group 1, Plan 52563 and Lot B, Block 22, District Lot 99, Group 1, New Westminster District, Plan 2231 and the building thereon SAVE AND EXCEPT the area occupied by the MONTESSORI PRE SCHOOL and a proportionate area of the land as shown outlined in black on the plan annexed to Bylaw No. 11998 filed in the Land Title Office in New Westminster.

GOVERNING COUNCIL OF THE SALVATION ARMY CANADA WEST
6125 Nelson Avenue
Roll No. 5895-6125

That portion of land occupied by the Governing Council of the Salvation Army Canada West, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as the Northerly 123.2 feet of Lot 2, District Lot 32, Group 1, New Westminster District, Plan 6123, and the buildings thereon SAVE AND EXCEPT the area occupied by the MONTESSORI PRE-SCHOOL and a proportionate area of the land as shown outlined in black on the plan annexed to Bylaw No. 9764, filed in the Land Title Office in New Westminster.

GRACE LUTHERAN CHURCH OF SOUTH BURNABY
7283 Nelson Avenue
Roll No. 5895-7283

That portion of land occupied by the Grace Lutheran Church of South Burnaby, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lot 1, District Lot 99, Group 1, New Westminster District, Plan LMP14443, and the buildings thereon SAVE AND EXCEPT the area occupied by the KUMON AND MONTESSORI PRE-SCHOOL AND THE TREEHOUSE DAYCARE CENTER and a proportionate area of the land as shown outlined in black on the plan annexed to Bylaw No. 11288, filed in the Land Title Office in New Westminster.

TRUSTEES OF BRENTWOOD PRESBYTERIAN CHURCH
1640 Delta Avenue
Roll No. 5945-1640

That portion of land occupied by the Trustees of Brentwood Presbyterian Church, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lot 153, District Lot 126, Group 1, New Westminster District, Plan 29569, and the buildings thereon SAVE AND EXCEPT the area occupied by the MONTESSORI DAY CARE and a proportionate area of the land as shown outlined in black on the plan annexed to Bylaw No. 11626, filed in the Land Title Office in New Westminster.

**B.C. CONFERENCE OF THE MENNONITE
BRETHREN CHURCHES**

380 Hythe Avenue
Roll No. 5995-0380-0000

That portion of land occupied by the B.C. Conference of the Mennonite Brethren Churches described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lot 7, Block 91, District Lot 127, Group 1, New Westminster District, Plan 4953, Except Plan 20554, and part on Plan 22266, and the buildings thereon SAVE AND EXCEPT the area occupied by the CAPITAL COLLEGE – BURNABY MONTESSORI PRESCHOOL and proportionate area of the land as shown outlined in black on the plan annexed to Bylaw No. 11454, filed in the Land Title Office in New Westminster.

DEER LAKE UNITED CHURCH

5135 Sperling Avenue
Roll No. 6695-5135

That portion of land occupied by the Deer Lake United Church, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Lot 200, District Lot 85, Group 1, New Westminster District, Plan 50388, and the buildings thereon SAVE AND EXCEPT the area occupied by the DEER LAKE PRE-SCHOOL and a proportionate area of the land as shown outlined in black on the plan annexed hereto as Schedule "A".

TRUSTEES OF THE CONGREGATION OF THE EAST BURNABY UNITED CHURCH

7772 Graham Avenue

Roll No. 4434-7772

That portion of land occupied by the Trustees of the Congregation of the East Burnaby United Church, described as follows:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, more particularly known and described as Easterly 181.5 feet of Lot 13 Except: The Southerly Half District Lot 28, Group 1, New Westminster District, Plan 3287, and the buildings thereon SAVE AND EXCEPT the areas occupied by the GRAHAM MOSTESSORI PRESCHOOL and a proportionate area of the land as shown outlined in black on the plan annexed hereto as Schedule "B".

Read a first time this 15th day of October 2007

Read a second time this 15th day of October 2007

Read a third time this 15th day of October 2007

Reconsidered and adopted this 22nd day of October 2007


MAYOR



CLERK

PLAN TO ACCOMPANY THE CITY OF BURNABY TAX EXEMPTION BY-LAW NO. 12338 FOR A PORTION OF LOT 200, PLAN 50388, D.L. 85, GP. 1, N.W.D. PURSUANT TO SECTION 224(2)(g) OF THE COMMUNITY CHARTER ACT.

Scale 1 : 200



Distances are in metres and decimals thereof.
m² denotes square metres.
Bearings are grid and are derived from
monuments B7H2656 and B7H2655.

Legend

Ext. denotes that the dimension is measured to the wall exterior.
Cl. denotes that the dimension is measured to the wall centreline.

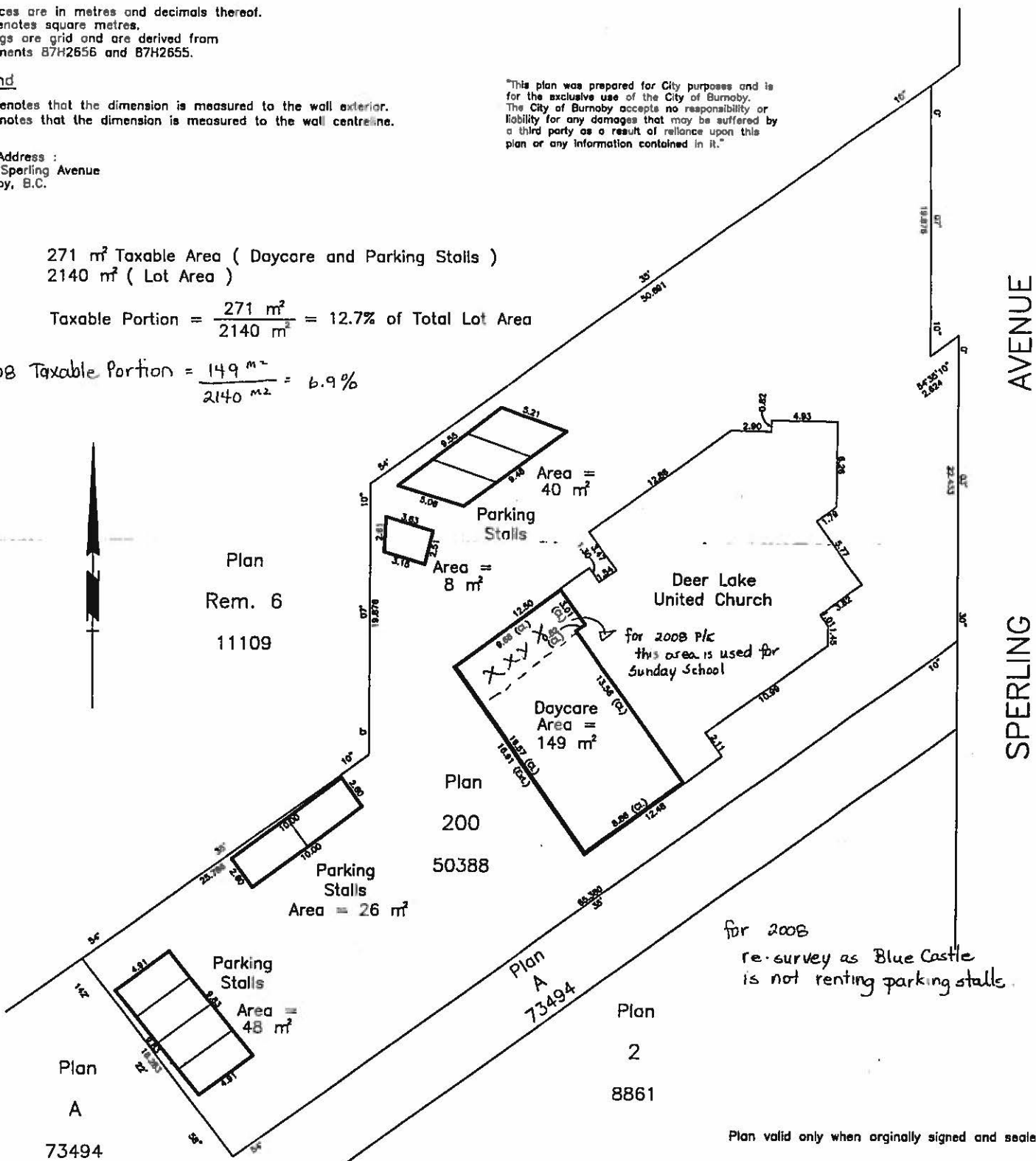
Civic Address :
5135 Sperling Avenue
Burnaby, B.C.

"This plan was prepared for City purposes and is
for the exclusive use of the City of Burnaby.
The City of Burnaby accepts no responsibility or
liability for any damages that may be suffered by
a third party as a result of reliance upon this
plan or any information contained in it."

271 m² Taxable Area (Daycare and Parking Stalls)
2140 m² (Lot Area)

$$\text{Taxable Portion} = \frac{271 \text{ m}^2}{2140 \text{ m}^2} = 12.7\% \text{ of Total Lot Area}$$

$$\text{2008 Taxable Portion} = \frac{149 \text{ m}^2}{2140 \text{ m}^2} = 6.9\%$$



SPERLING AVENUE

for 2008
re-survey as Blue Castle
is not renting parking stalls.

Plan valid only when originally signed and sealed.

Certified correct this 14th day
of September, 2006.

PLAN TO ACCOMPANY THE CITY OF BURNABY TAX EXEMPTION BY-LAW NO. 12338 FOR A PORTION OF THE EASTERLY 181.5 FEET OF LOT 13 EXCEPT: THE SOUTHERLY HALF. DISTRICT LOT 28, GROUP 1, N.W.D., PLAN 3287.

PURSUANT TO SECTION 224(2)(g) OF THE COMMUNITY CHARTER ACT.

Scale 1 : 200



Distances are in metres and decimals thereof. m² denotes square metres. Bearings are grid and are derived from Posting Plan BCP21627

Legend:

Cl. denotes that the dimension is measured to the wall centreline.

Civic Address : 7772 Graham Avenue, Burnaby, B.C.

Taxable Area (Playground & kindergarten) = 330m²

Lot Area: 2023m²

Taxable portion: 330m² / 2023m² = 16.3% of total lot area.

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