

1956

THE CORPORATION OF THE DISTRICT OF BURNABY  
BY-LAW NO. 2026

A BY-LAW to define a District Improvement Area in portions of District Lots 120 and 121 in the Municipality of Burnaby, and to provide for the execution of certain works therein.

WHEREAS under the provisions of Section 62 of the Municipal Act the Council of a Municipality may pass By-laws authorizing the undertaking of any special work or service for the benefit of some portion or portions of the Municipality and to define the portions or portions of the Municipality that will be benefitted, and to impose a special rate upon the lands or lands and improvements within such defined portion or portions of the Municipality to meet the cost of the said work or service.

AND WHEREAS it is deemed desirable and expedient to construct, operate and maintain a system of sewers as set out in Schedule "A" hereto for the special benefit of and serving that portion of The Corporation of the District of Burnaby herein defined.

AND WHEREAS a provisional certificate of approval covering the works to be constructed has been received from the Provincial Health Officer.

AND WHEREAS an approximate estimate of the cost of the said works has been made by the Council, as follows:-

Installation of sewers in streets and lanes in Block 1, D.L. 120, as per Schedule "A" attached hereto	\$ 120,000.00
Estimated cost incidental to this By-law and discount on debentures	<u>5,000.00</u>
	<u>\$ 125,000.00</u>

AND WHEREAS the amount of the assessed value of the taxable lands and improvements of the said Municipality according to the last revised Assessment Roll, being the Assessment Roll for 1948, is Thirty million, Six hundred and fifty-six thousand, Six hundred and fifty (\$30,656,650.00) dollars.

AND WHEREAS the amount of the assessed value of the taxable lands and improvements within that portion of the District of Burnaby to be served by the works aforesaid is Six hundred and Sixty-four thousand and Fifty-five (\$664,055.00) dollars.

AND WHEREAS the existing total debt of the Municipality exclusive of the debt to be created by this by-law is two million, Two hundred and Eighty-nine thousand, Seven hundred and Eighty-nine dollars and Twenty-eight cents (\$2,289,789.28) exclusive of local improvements debts secured by special rates or assessments of which none of the principal or interest is in arrear.

AND WHEREAS the amount of the debt which this by-law is intended to create is One hundred and Twenty-five thousand (\$125,000.00) dollars.

AND WHEREAS it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty (20) years, of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

AND WHEREAS it will be necessary to raise annually during the period of twenty (20) years to pay the said yearly sums of principal and interest as they become due, in accordance with Schedule in paragraph 4 hereof.

THEREFORE the Municipal Council of The Corporation of the District of Burnaby ENACTS as follows:-

1. There shall be and there is hereby defined a District Improvement Area embracing those portions of District Lots One hundred and twenty (120) and One hundred and twenty-one (121) in The Municipality of Burnaby, within the following described boundaries, that is to say:

Commencing at the intersection of Gilmore Avenue and lane south of Parker Street; thence easterly and following the lane south of Parker Street to its intersection with Carleton Avenue; thence

Northerly along Carleton Avenue to its intersection with Parker Street; thence East along Parker Street to its intersection with Willingdon Avenue; thence South along Willingdon Avenue to the south boundary of Block One (1) District lot One hundred and twenty (120); thence West along the south boundary of Block One (1) District Lot One hundred and twenty (120) to Douglas Road; thence following Douglas Road in a North-westerly direction to its intersection with Gilmore Avenue; thence North along Gilmore Avenue to the land south of Parker Street, being the point of commencement.

2. It shall be lawful for the Council of the said Municipality to cause the works hereinbefore recited to be executed in the manner set out in the Schedule "A" attached to and incorporated with this By-law at a total approximate cost of One hundred and twenty-five thousand (\$125,000.00) dollars and the whole of the cost of the said works shall be borne by the owners of the lands or lands and improvements within the said District Improvement Area.

3. It shall be lawful for the Reeve and Clerk of the said Municipality to raise by way of loan from any person or persons, body or bodies corporate who may be willing to advance the same on the credit of the Corporation any sum or sums of money not exceeding in the whole the sum of One hundred and twenty-five thousand (\$125,000.00) dollars and to issue debentures therefor in such sums as may be required being not less than One hundred (\$100.00) dollars each and all such debentures shall be sealed with the seal of the Corporation, signed by the Reeve and countersigned by the Treasurer thereof. Said debentures shall have coupons attached thereto for the payment of interest.

4. The said debentures shall all bear the same date and shall be dated the First (1st) day of November, 1948 and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:-

<u>Maturity</u>	<u>Annual Principal</u>	<u>Annual Interest Payments.</u>	<u>Total Annual Principal and Interest Payments.</u>
1949	\$ 4,000.00	\$ 4,687.50	\$ 8,687.50
1950	4,500.00	4,537.50	9,037.50
1951	4,500.00	4,368.75	8,868.75
1952	4,500.00	4,200.00	8,700.00
1953	5,000.00	4,031.25	9,031.25
1954	5,000.00	3,843.75	8,843.75
1955	5,500.00	3,656.25	9,156.25
1956	5,500.00	3,450.00	8,950.00
1957	5,500.00	3,243.75	8,743.75
1958	6,000.00	3,037.50	9,037.50
1959	6,000.00	2,812.50	8,812.50
1960	6,500.00	2,587.50	9,087.50
1961	6,500.00	2,343.75	8,843.75
1962	7,000.00	2,100.00	9,100.00
1963	7,000.00	1,837.50	8,837.50
1964	7,500.00	1,575.00	9,075.00
1965	8,000.00	1,293.75	9,293.75
1966	8,500.00	993.75	9,493.75
1967	9,000.00	675.00	9,675.00
1968	<u>9,000.00</u>	<u>337.50</u>	<u>9,337.50</u>
	\$ <u>125,000.00</u>	\$ <u>55,612.50</u>	\$ <u>180,612.50</u>

5. The said debentures shall be payable at the principal office of The Royal Bank of Canada in the City of Montreal, in the Province of Quebec; in the City of Toronto, in the Province of Ontario; in the City of Winnipeg, in the Province of Manitoba; in the City of Regina, in the Province of Saskatchewan; in the Cities of Edmonton and Calgary, in the Province of Alberta; in the Cities of New Westminster, Vancouver and Victoria, in the Province of British Columbia, and shall bear interest at the rate of Three and three-quarters (3 $\frac{3}{4}$ %) per cent per annum payable half yearly on the First day of May and the first day of November in each and every year and the debentures shall have attached to them coupons for the payment of interest which said coupons shall be payable at the

principal office of The Royal Bank of Canada, in the City of Montreal, in the Province of Quebec; in the City of Toronto, in the Province of Ontario; in the City of Winnipeg, in the Province of Manitoba; in the City of Regina, in the Province of Saskatchewan; in the Cities of Edmonton and Calgary, in the Province of Alberta; and in the Cities of New Westminster, Vancouver and Victoria, in the Province of British Columbia, and the signatures to the interest coupons may be either written, stamped, printed or lithographed.

6. For the payment of the interest on the said debentures there shall be raised and levied in each year during the currency of the said debentures or any of them the annual sums set out in the third column of the schedule as set out in paragraph 4 hereof. For the payment of the debt hereby authorized there shall be raised and levied in each year during the currency of the said debentures or any of them the annual sums set out in the second column of the schedule as set out in paragraph 4 hereof.

The total annual sums for interest and payment of the debt referred to in the preceding paragraph shall be raised and levied in each year during the currency of the said debentures or any of them by a rate sufficiently therefor on all the rateable land or land and improvements within the said District Improvement Area as defined in paragraph 1 hereof.

7. Nothing shall be done in the way of proceeding with the works authorized by this by-law nor shall any liability be incurred in connection therewith until the debentures authorized by this By-law have been sold at a minimum price on a 4.15 basis and the proceeds have been received by the Municipal Treasurer.

8. This by-law before the final passage thereof shall receive the assent of the electors of the said District Improvement Area in the manner required by law.

9. This by-law may be cited as the "BURNABY DISTRICT IMPROVEMENT BY-LAW 1948".

DONE AND PASSED in Open Council this Sixteenth (16th) day of August, A.D. 1948.

RECEIVED THE ASSENT OF THE ELECTORS this Twenty-eighth (28th) day of August A.D. 1948.

RECONSIDERED AND FINALLY PASSED by a three-fourths majority this Thirtieth (30th) day of August A.D. 1948.



*Garrison*

REEVE

*Charles B. Brown*

CLERK

"BURNABY" DISTRICT IMPROVEMENT BY-LAW 1948"

SCHEDULE "A"

Street or Lane	From	to	Size	Length
Gilmore Avenue	Williams Street	Graveley Street	6"	1200'
Douglas Road	Gilmore Avenue	199 ft. South East	6"	199'
Graveley Street	Carlton Avenue	Dent Avenue	6"	1231'
Madison Avenue	Kitchener Street	Graveley Street	6"	602'
Grant-Kitchener Lane	Carlton Avenue	Madison Avenue	6"	790'
Graveley-Grant Lane	Carlton Avenue	Madison Avenue	6"	925'
Grant Street	Madison Avenue	150' west	6"	150'
Charles-Williams Lane	Carlton Avenue	Lane W. of Madison	6"	546'
Kitchener Street-				
Charles Lane	Carlton Avenue	Lane W. of Madison	6"	559'
Williams Street	Gilmore Avenue	Carlton Avenue	6"	600'
Williams-Napier Lane	Gilmore Avenue	Willingdon Ave.	6"	2430'
Napier Street	Gilmore Avenue	Carlton Avenue	6"	600'
Napier-Parker Lane	Carlton Avenue	Willingdon Ave.	6"	1885'
Dent Avenue	Graveley Street	Kitchener Street	6"	605'
Whitsell Avenue	Graveley Street	Lane S. of Williams	6"	1164'
Graveley Street	Corner Graveley			
	Street	Rosser Avenue	6"	65'
Rosser Avenue	Graveley Street	Charles Street	6"	1025'
Kitchener-Charles				
Lane	Rosser Avenue	Lane E. of Madison	6"	504'
Charles-Williams Lane	Whitsell Avenue	Lane E. of Madison	6"	820'
Carlton Avenue	Graveley Street	Douglas Road	8"	256'
Graveley Street	Dent Avenue	Rosser Avenue	8"	284'
Carlton Avenue	Lane North of			
	Napier Street	Graveley Street	8"	1873'
Willingdon-Whitsell				
Lane	Graveley Street	Lane South of		
		Williams Street	8"	1146'
Willingdon Avenue	Parker-Napier lane	Lane South of		
		Williams Street	8"	660'
Lane South of				
Williams Street	Willingdon Avenue	Lane West of		
Graveley Street	Corner Graveley St.	Willingdon Ave.	10"	138'
		Whitsell lane	10"	25'
Through Blk. 2.				
D.L. 120	Halifax St.	300' north	10"	300'
Douglas Road	Corner Carlton Ave.	Douglas Road	12"	26.7'
Douglas Road	Carlton Avenue	128' northwest	12"	128'
Through Lot 1,				
Blk. 2, D.L. 120	Gilmore Avenue	Douglas Road	12"	203'
Gilmore Avenue	Sackville Street	219' south	12"	219'
Graveley Street	Rosser Avenue	Lane west of		
		Willingdon Ave.	12"	520'
Through Blk. 2,				
D.L. 120	Graveley Street	477.5' South	12"	477.5'

" MUNICIPAL ACT "

CANADA:  
Province of British Columbia }



No. 2147.

# Certificate of Approval

*In pursuance of the "Municipal Act," I hereby certify that the within by-law, being By-law No. 2026, cited as the "Burnaby District Improvement By-law 1948", as amended by By-law No. 2029, cited for all purposes as the "Burnaby District Improvement By-law 1948 Amendment By-law 1948", of The Corporation of the District of Burnaby,*

*has been lawfully and validly made and enacted, and that its validity is not open to be questioned on any ground whatever in any of the Courts of the Province of British Columbia.*



Dated this -----Ninth----- day  
of -----November-----, 1948.

*Ab. Pracew*  
Inspector of Municipalities of British Columbia.