

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 3145

A BY-LAW to define a District Improvement Area in portions of District Lots 68 and 69 in the Municipality of Burnaby and to provide for the execution of certain works therein.

WHEREAS under the provisions of Section 65 of the Municipal Act the Council of a District 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 portion 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 "Burnaby District Improvement By-law No. 1, 1951" being By-law 3111 of the Corporation, created a District Improvement Area in the Municipality, and provided for sewer construction works to be undertaken through the issuance of debentures, at a total cost of \$106,000.00.

AND WHEREAS By-law 3111 received the assent of the electors on April 21st, 1951, and was subsequently amended by By-law 3136 to remove the restriction on the sale of debentures authorized by By-law 3111, on a 4.15 basis.

AND WHEREAS costs of construction of the works provided by By-law 3111, have risen since the passage of the said By-law.

AND WHEREAS it has become necessary to raise an additional amount of \$19,000.00 over the amount provided in By-law 3111.

AND WHEREAS it is deemed desirable and expedient that By-law 3111 and 3136 be repealed.

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 District Lots 68 and 69, as per Schedule "A" attached hereto.....	\$117,400.00
Estimated cost incidental to this By-law and discount on debentures.....	7,600.00
	<hr/>
	\$125,000.00

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 1951, is \$49,779,110.00.

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 \$811,125.00.

AND WHEREAS the existing total debt of the Municipality exclusive of the debt to be created by this By-law is \$4,760,236.12, exclusive of local improvement 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 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 Sixty-eight (68) and Sixty-nine (69) in the Municipality of Burnaby, within the following described boundaries, that is to say:

Starting at a point at the intersection of Boundary Road and Spruce Street; thence north on Boundary Road to Manor Street; thence east on Manor Street to the lane east of Boundary Road; thence north on the lane east of Boundary Road to Clydesdale Street; thence east on Clydesdale Street to Smith Avenue; thence south on Smith Avenue to the lane south of Avondale Street; thence east on the lane south of Avondale to a point 400' east of Smith Avenue; thence south to Nithsdale, thence east on Nithsdale a distance of 717'; thence southwest along the lot line between Lots 35 and 36 to the lane south of Nithsdale; thence southeast along the lane south of Nithsdale to a point 500' east of Ingleton Avenue; thence southwest to a point on Garden Street 200' east of Ingleton Avenue; thence west on Garden Street a distance of 100'; thence south along the lot line between Lots 44 and 45 to the lane south of Garden Street; thence west a distance of 50' on the lane south of Garden; thence south along the lot line between Lots 23 and 24 to Forest Street; thence west on Forest a distance of 200'; thence due south along the lot lines between Lot 38 and 39 and between Lots 12a and 16 to Spruce Street; thence west on Spruce Street to the intersection of Boundary Road.

2. The Council of the Municipality is hereby authorized and empowered to construct, operate and maintain the sewerage works hereinbefore recited as set out in 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. For the purpose and with the object aforesaid the

Reeve and Clerk of the Municipality are hereby authorized 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 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 Second day of January, 1952, and shall be payable on the Second day of January in the respective years and in the respective amounts as hereunder:-

1953	\$4,000.00	
1954	\$4,000.00	
1955	4,000.00	
1956	5,000.00	
1957	5,000.00	
1958	5,000.00	
1959	5,000.00	
1960	6,000.00	
1961	6,000.00	
1962	6,000.00	
1963	6,000.00	
1964	7,000.00	
1965	7,000.00	
1966	7,000.00	
1967	7,000.00	
1968	8,000.00	
1969	8,000.00	
1970	8,000.00	
1971	8,000.00	
1972	<u>9,000.00</u>	<u>\$125,000.00</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; and in the Cities of New Westminster,

Vancouver and Victoria, in the Province of British Columbia, and shall bear interest at the rate of Four and one-half ($4\frac{1}{2}\%$) per cent per annum payable half yearly on the Second day of July and the second day of January 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. There shall be levied and raised during the currency of the said debentures by rate sufficient therefor over and above all other rates on all the rateable land or lands and improvements within the said District Improvement Area as defined in paragraph 1 hereof for the payment of the debt and for the payment of the interest in the respective years, the amounts as follows:-

<u>Year</u>	<u>Annual Principal</u>	<u>Annual Interest Payment</u>	<u>Total Annual Principal and Interest</u>
1952	\$ 4,000.00	\$ 5,625.00	\$ 9,625.00
1953	4,000.00	5,445.00	9,445.00
1954	4,000.00	5,265.00	9,265.00
1955	5,000.00	5,085.00	10,085.00
1956	5,000.00	4,860.00	9,860.00
1957	5,000.00	4,635.00	9,635.00
1958	5,000.00	4,410.00	9,410.00
1959	6,000.00	4,185.00	10,185.00
1960	6,000.00	3,915.00	9,915.00
1961	6,000.00	3,645.00	9,645.00
1962	6,000.00	3,375.00	9,375.00
1963	7,000.00	3,105.00	10,105.00
1964	7,000.00	2,790.00	9,790.00
1965	7,000.00	2,475.00	9,475.00
1966	7,000.00	2,160.00	9,160.00
1967	8,000.00	1,845.00	9,845.00
1968	8,000.00	1,485.00	9,485.00
1969	8,000.00	1,125.00	9,125.00
1970	8,000.00	765.00	8,765.00
1971	9,000.00	405.00	9,405.00
	<u>\$125,000.00</u>	<u>\$66,600.00</u>	<u>\$191,600.00</u>

7. Nothing shall be done in any 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 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. "Burnaby District Improvement By-law No. 1, 1951" and "Burnaby District Improvement By-law No. 1, 1951 Amendment By-law 1951" being By-laws Nos. 3111 and 3136 respectively, of the Corporation, are hereby repealed.

10. This By-law may be cited as the "BURNABY DISTRICT IMPROVEMENT BY-LAW NO. 3, 1951.

DONE AND PASSED in Open Council this Fourth (4th) day of September A.D., 1951.

RECEIVED THE ASSENT OF THE ELECTORS this Twenty-second (22nd) day of September A.D., 1951.

RECONSIDERED AND FINALLY PASSED this Twenty-fourth (24th) day of September A.D. 1951.



W. R. Beames
REEVE

Charles B. Brown
CLERK

BURNABY DISTRICT IMPROVEMENT BY-LAW NO. 3, 1951.

SCHEDULE "A"

Street or lane	From	To	Size	Length
Smith Avenue	Clydesdale St.	Lane S of Elmwood St.	10"	2893'
Smith Avenue	Lane S of Elmwood Street	Lane S of Sunset St.	6"	330'
Clydesdale St.	Smith Avenue	West	6"	671'
Esmond Avenue	Clydesdale St.	Lane S of Clydesdale St.	6"	156'
Lane S of Clydesdale Street	Esmond Avenue	West	6"	230'
Manor Street	Smith Avenue	Lane E of Boundary Rd.	6"	715'
Lane E of Boundary Road	Manor Street	Lane S of Manor St.	6"	174'
Lane S of Manor Street	Lane E of Boundary Road	East	6"	185'
Dominion St.	Smith Avenue	Lane E of Boundary Rd.	6"	715'
Lane E of Boundary Road.	Dominion Street	South	6"	240'
Norfolk Street	Smith Avenue	Lane E of Boundary Rd.	6"	754'
Lane E of Boundary Road.	Manor Street	East	6"	306'
Grandview Hgy.	Smith Avenue	Lane E of Boundary Rd.	6"	773'
Lane E of Boundary Road.	Grandview Highway	South	6"	100'
Laurel Street	Smith Avenue	Lane E of Boundary Rd.	6"	716'
Lane E of Boundary Road	Laurel Street	South	6"	234'
Lane S of Laurel Street	Smith Avenue	Lane E of Boundary Rd.	6"	665'
Lane S of Linwood St.	Smith Avenue	Lane E of Boundary Rd.	6"	720'
Lane E of Boundary Rd.	Lane S of Linwood Street	100' North & 100' South	6"	200'
Lane S of Avondale Street	Smith Avenue	Lane E of Boundary Rd.	6"	720'
Lane E of Boundary Road	Lane S of Avondale Street	100' North & 100' South	6"	200'
Nithsdale St.	Smith Avenue	East	6"	1100'
Lane S. of Nithsdale St.	Smith Avenue	East	6"	1140'
Lane S of Nithsdale St.	Smith Avenue	Lane E of Boundary Rd.	6"	720'
Lane E of Boundary Road.	Lane S of Nithsdale Street	100' North & 100' South	6"	200'
Elmwood St.	Smith Avenue	East	6"	1070'
Lane S of Elmwood	Smith Avenue	East	6"	600'
Lane S of Elmwood	Smith Avenue	West	10"	400'
Lane S of Elmwood	400' W of Smith Ave.	Lane E of Boundary Rd.	8"	320'
Lane S of Sunset	Smith Avenue	East	6"	500'
Lane S of Sunset	Lane E of Boundary	East	6"	500'
Lane E of Boundary Road	Elmwood Street	Lane S of Elmwood St.	6"	100'
Lane E of Boundary Road	Lane S of Elmwood Street	Lane S of Garden St.	8"	660'
Lane E of Boundary Road	Lane S of Garden St.	Spruce St.	6"	430'
Lane S of Garden Street	Lane E of Boundary Road	East	8"	343'
Lane S of Garden Street	343' E of lane E of Boundary Rd.	East	6"	1027'
Lane S of Forest Street	Lane E of Boundary Road.	East	6"	1150'
Easement through Lot 57, Blk. 17 and through Lot 57, Blk. 16.	Lane S of Forest Street	Lane S of Garden St.	6"	330'