

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 4258

A BY-LAW to authorize the construction of certain local improvement works on the initiative plan.

WHEREAS notice of intention of the Council to undertake the construction, as a local improvement, of the works hereinafter described has been duly given by publication of the notice and by service of it upon the owners of the parcels liable to be specially charged.

AND WHEREAS the Clerk has filed a statutory declaration proving publication and service of the said notice.

AND WHEREAS no petition against the said works signed by a majority of the owners, representing at least one-half of the land value of the parcels liable to be specially charged, has been presented.

AND WHEREAS Council has had prepared the report required by Section 601 of the Municipal Act.

AND WHEREAS the lifetime of the said works is fifteen years.

AND WHEREAS the estimated cost of the said works is \$11,500.00.

AND WHEREAS the share or proportion of the cost of the said works which should be borne by the parcels of land which abut or which are deemed to abut upon the said works is \$10,250.00.

AND WHEREAS The Corporation's share or proportion of the cost of the said works is \$1,250.00.

AND WHEREAS the special charges should be made payable in fifteen annual instalments.

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

1. This By-law may be cited as "BURNABY LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO.10, 1961".
2. The Council of The Corporation of the District of Burnaby is hereby authorized and empowered to construct as a local improvement under the provisions of Part XVI of the Municipal Act on Beta Avenue from Lougheed Highway to Ridgelawn Drive, asphaltic pavement 46' wide together with concrete curbs on both sides of the said street.
3. The Reeve and Clerk are authorized and empowered to cause a contract for the construction of the said works to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution.
4. The special charges shall be paid by fifteen annual instalments.
- 5.(1) Where the number of feet of a parcel of land which abuts on any of the said works is more than 66 feet, the taxable foot frontage shall be 66 feet.
 - (2) Notwithstanding anything in this by-law contained
 - (a) Where a parcel of land is situated at the junction or intersection of streets and the work is provided on or along more than one side of the parcel, the taxable foot frontage shall be not more than 66 feet;
 - (b) where a parcel of land is situate at the junction or intersection of streets and the work is provided on or along a second side of the parcel, where a similar work is already provided on or along one side, the taxable foot frontage shall be not more than 66 feet less the taxable foot frontage already charged against the parcel for the similar work; and

(c) where the front and rear boundaries of a parcel of land each abut on a highway, other than a lane, and the work is provided on or along both such boundaries, the taxable foot frontage shall be not more than 66 feet.

(3) For the purposes of this section, lane is defined as a right of way 20 feet or less in width separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of such rights of way.

(4) Notwithstanding anything in this section contained the actual foot frontage of the following described parcel shall be the taxable foot frontage:

Block "Z" except part on Plan 21113 of Lot 123 and 124 Group 1 Plan 20475 New Westminster District.

6. The Assessor shall forthwith prepare a frontage-tax assessment roll in respect of the said works pursuant to section 416 of the Municipal Act and shall from time to time revise the said frontage-tax assessment roll in accordance with subsection (3) of the said section 416.

7. Notwithstanding anything in this by-law or in sections 595 or 596 of the Municipal Act contained, The Corporation of the District of Burnaby shall bear that portion of the cost of the said works exceeding \$13.25 per taxable front foot.

8. The Council may, with the approval of the Inspector of Municipalities, borrow temporarily the sum required to

finance the cost of the said works pending the adoption of a by-law under section 603 of the Municipal Act.

Read a first time this 5th day of June 1961.

Read a second time this 5th day of June 1961.

Read a third time this 5th day of June 1961.

Reconsidered and adopted this 12th day of June 1961.



Robert W. Pette
ACTING/REVE

J. Shaw
CLERK

SCHEDULE "M"
BY-LAW NO. 4258

1. Pursuant to By-law No. 4258, adopted on the 12th day of June 1961, asphaltic pavement forty-six feet wide, together with concrete curbs on both sides of said street, have been constructed on the street hereinafter described:-
 - (1) Beta Avenue from Loughheed Highway to Ridgelawn Drive.
2. The total cost of constructing the said works is \$10,471.58; the Corporation's share is \$4,503.75; and the owners' share is \$5,967.83.
3. The estimated lifetime of the said works is fifteen years.

SCHEDULE "N"
BY-LAW NO. 4270

1. Pursuant to By-law No. 4270, adopted on the 7th day of August 1961, the following works have been constructed:-
 - (1) Asphaltic pavement 13 feet wide with concrete curb on the west side of Willingdon Avenue from Loughheed Highway to a point 58.15 feet south of the north property line of Block 2. Explanatory Plan 9459 except reference plan 16550 District Lot 120.
 - (2) Asphaltic pavement 23 feet wide on the east side of Willingdon Avenue from Loughheed Highway to the north property line of Block A-1 District Lot 124 Plan 22709.
 - (3) Portland cement sidewalk 5 feet wide with concrete curb and an asphaltic pavement 46 feet wide on the east side of Willingdon Avenue from the north property line of Block A-1 District Lot 124 Plan 22709 to the lane south of Brentlawn Drive.
2. The total cost of constructing the works is \$55,265.68; the Corporation's share is:
\$14,650.45; and the owners' share in the First district is \$11,760.89
and the owners' share in the Second district is \$ 3,472.34
and the owners' share in the Third district is \$25,382.00.
3. The estimated lifetime of the said works is fifteen years.