

THE CORPORATION OF THE DISTRICT OF BURNABY

VF 2050

BY-LAW NO. 4270

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

WHEREAS the Council has received a petition to  
construct as local improvements the works hereinafter described  
and the Municipal Clerk has certified that the said petition is  
sufficient.

AND WHEREAS it is expedient to grant the prayer of  
the said petition in the manner hereinafter provided.

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 twenty  
years.

AND WHEREAS the estimated total cost of the said  
works is \$72,717.00.

AND WHEREAS the share or portion of the cost of the  
said works which should be borne by the parcels of land which  
abut or are deemed to abut on the said works is \$70,877.00.

AND WHEREAS the Corporation's share or proportion of  
the cost of the said works is \$1,840.00.

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

AND WHEREAS the parcels of land which abut or are  
deemed to abut on the said works are not equally benefited.

AND WHEREAS the Council has divided the said parcels  
of land into three districts according to their proportion of  
benefit.

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. 14, 1961."

2. The Council of The Corporation of the District of Burnaby is hereby authorized and empowered to construct as local improvements under the provisions of Part XVI of the Municipal Act the following works:

- (a) Asphaltic pavement 13 feet wide with concrete curb on the West side of Willingdon Avenue from Lougheed 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.
- (b) Asphaltic pavement 23 feet wide on the East side of Willingdon Avenue from Lougheed Highway to the North property line of Block A-1 District Lot 124 Plan 22709.
- (c) 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.

3. (1) For the purposes of this by-law the parcels of land which abut or are deemed to abut on the said works are divided according to their proportion of benefit as follows:

- (a) The West side of Willingdon Avenue from Lougheed 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 (hereinafter called the "first district")
- (b) The East side of Willingdon Avenue from Lougheed Highway to the North property line of Block A-1 District Lot 124 Plan 22709 (hereinafter called the "second district")
- (c) 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 (hereinafter called the "third district")

(2) Those parcels of land within the first district shall bear \$15,671.00 of the cost of the said works, those within the second district \$4,629.00, and those within the third district \$35,177.00.

(3) The special charges shall be paid by fifteen annual instalments.

4. (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.

4. (2) Notwithstanding anything contained in this section the actual foot frontage of the following parcels shall be the taxable foot frontage:

- (a) Block A-1 District Lot 124 Plan 22709
- (b) Block C-1 District Lot 124 Plan 22709
- (c) Block Z except part shown on Plan 21113  
District Lots 123 and 124 Plan 20475

5. Notwithstanding anything contained in this by-law or in Sections 595 or 596 of the Municipal Act, The Corporation of the District of Burnaby shall bear in addition to its statutory share under Section 595 of the Municipal Act twenty-one per cent of the total cost of the said works.

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. 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.

8. 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 Council to be declared by resolution.

Read a first time this 24th day of July, 1961.

Read a second time this 24th day of July, 1961.

Read a third time this 24th day of July, 1961.

Reconsidered and adopted by an affirmative vote of at least two-thirds of all members of Council this 7th day of August, 1961.



*[Signature]*  
R E E V E  
*[Signature]*  
C L E R K

SCHEDULE "N"  
BY-LAW NO. 4270

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.

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.

The estimated lifetime of the said works is fifteen years.