

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 4795

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

WHEREAS the Council has received a petition to construct as a local improvement 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 fifteen years.

AND WHEREAS the estimated cost of the said works is \$96,450.00.

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 \$30,202.00.

AND WHEREAS the Corporation's share or proportion of the cost of the said works is \$66,248.00.

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. 21, 1965".

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 the following works on Noel Drive from Cameron Street to Still Creek Street:

- (a) Widening of the pavement to 28 feet;
- (b) The construction of concrete curb sidewalks five feet in width on both sides.

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 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 a highway 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 similar work payable by special charges has previously been provided on or along one side of a parcel, the taxable footfrontage 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 right-of-way.

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.

Read a first time this 27th day of September, 1965.  
Read a second time this 27th day of September, 1965.  
Read a third time this 27th day of September, 1965.

Reconsidered and adopted by an affirmative vote of at least two-thirds of all members of Council this 4th day of October, 1965.



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

THE CORPORATION OF THE DISTRICT OF BURNABY

SCHEDULE 1

1. Pursuant to By-law No. 4795, adopted on the 4th day of October 1965, construction of the following works as a local improvement is authorized on Noel Drive from Cameron Street to Still Creek Avenue:
  - a) Widening of the pavement to 28 feet;
  - b) The construction of concrete curb sidewalks five feet in width on both sides.
  
2. The cost of constructing the said works is \$88,384.05; the Corporation's share is \$58,182.05; and the owners' share is \$30,202.00.
  
3. The estimated lifetime of the works is fifteen years.