

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 7039

A BY-LAW to amend By-Law No. 3728, being
"Burnaby Tax-Sale Lands Moneys
Expenditure By-Law No. 5, 1956".

WHEREAS by By-Law No. 3728, being "BURNABY TAX-SALE LANDS MONEYS EXPENDITURE BY-LAW NO. 5, 1956" adopted on the 16th day of July 1956, Council did authorize the expenditure of \$15,000.00 for the construction of an underpass across the Canadian Pacific Railway right-of-way in District Lot 215, Group 1, New Westminster District.

AND WHEREAS the said underpass has never been constructed and no moneys have been expended under the authority of the said By-Law No. 3728.

AND WHEREAS there is presently in the said By-Law No. 3728 fund the sum of \$51,019.00.

AND WHEREAS The Corporation of the District of Burnaby (hereinafter called "Burnaby") has acquired and dedicated for park purposes Block A of Blocks 8, 9 and 12 of Lots 213 and 214, Group 1, Plan 6584, New Westminster District; Lot 1 of District Lot 213, Group 1, and of Tidal lands in front of District Lot 213, Group 1, Plan 47520, New Westminster District; and Lot 2 of District Lot 213, Group 1, and of Tidal lands in front of District Lot 213, Group 1, Plan 47520, New Westminster District.

AND WHEREAS the Canadian Pacific Railway right-of-way separates the said Block A from the said Lots 1 and 2.

AND WHEREAS Burnaby has entered into an Agreement with Canadian Pacific Limited to construct, maintain and use a private crossing over the railway right-of-way at Mile 119.56 Cascade Subdivision for the purpose of access between the said Block A and the said Lots 1 and 2.

AND WHEREAS Council deems it desirable and in the public interest to expend the moneys presently in the said By-Law No. 3728 fund, namely the sum of \$51,019.00, to pay part of the cost of constructing and maintaining a public crossing at Mile 119.56 Cascade Subdivision, protected by automatic signals.

AND WHEREAS the approval of the Minister of Municipal Affairs has been obtained.

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

1. This By-law may be cited as "BURNABY TAX-SALE LANDS MONEYS EXPENDITURE BY-LAW NO. 5, 1956, AMENDMENT BY-LAW 1977".
2. Council is hereby authorized and empowered to expend the sum of \$51,019.00 presently in the said By-Law No. 3728 fund to pay part of the cost of constructing and maintaining a public crossing, protected by automatic signals, of the Canadian Pacific Railway right-of-way at Mile 119.56 Cascade Subdivision.
3. By-Law No. 3728 is amended to the extent necessary to give effect to this By-law.

Read a first time this 12th day of April, 1977.

Read a second time this 12th day of April, 1977.

Read a third time this 12th day of April, 1977.

Received the approval of the Minister of Municipal Affairs this 9th day of May, 1977.

Reconsidered and adopted by an affirmative vote of at least two-thirds of all the members of Council this 9th day of May, 1977.



[Handwritten Signature]
MAYOR

[Handwritten Signature]
CLERK