

District of West Vancouver



**Local Area Service
Lane Paving Construction
Bylaw No. 4438, 2005**

**(1010-1090 Keith Road and
1011-1093 Esplanade Avenue)**

Effective Date – July 11, 2005

District of West Vancouver

Local Area Service Lane Paving Construction Bylaw No. 4438,2005

**(1011-1093 Esplanade Avenue and
1010-1090 Keith Road)**

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District of West Vancouver

Local Area Service Lane Paving Construction Bylaw No. 4438, 2005

**(1011-1093 Esplanade Avenue and
1010-1090 Keith Road)**

A bylaw to authorize lane paving at 1000 block Esplanade Avenue and Keith Road a distance of 140 metres, more or less, as a local area service under the provisions of division 5 section 211 of the *Community Charter*.

WHEREAS, a petition has been presented to the Council to construct, as a local area service, the work hereinafter described; the Municipal Clerk has certified that the petition is sufficient; a report has been prepared pursuant to section 211 and 212 of the *Community Charter*, and the Council of The Corporation of the District of West Vancouver deems it expedient to grant the prayer of the petition in the manner hereinafter provided:

NOW THEREFORE, the Council of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as "Local Area Service Lane Paving Construction Bylaw No. 4438, 2005".

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Substantive Provisions

- 3.1 The Council hereby directs that the lane fronting 1000 block Esplanade Avenue and Keith Road be paved, an estimated distance of 140 metres, as a local area service under the provisions of division 5 section 211 of the Community Charter.
- 3.2 The Director of Engineering and Transportation is directed to forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the execution of the work.
- 3.3 The work shall be carried on and executed under the supervision and according to the directions and orders of the Director of Engineering and Transportation.
- 3.4 The Municipal Treasurer is authorized to draw from working capital of the Corporation of the District of West Vancouver such monies as are requisite to meet the owners' portion of the cost of construction of the work.
- 3.5 In respect to the work, the following recommendations from the report prepared pursuant to section 211 and 212 of the *Community Charter* are adopted:
 - 3.5.1 The length of the work is estimated to be 140 metres
 - 3.5.2 The lifetime is estimated to be 15 years
 - 3.5.3 The cost is estimated to be \$13,000
 - 3.5.4 The share or portion of the total cost which will be specifically charged against the parcels benefiting from or abutting the work is 70%(less the cost of work specifically charged against those parcels having an excess of 30 metres abutting the improvement, if any, of which the Corporation will assume the cost of taxable footage over the 30 metres) and is estimated to be \$9,100.00
 - 3.5.5 The Corporation's share or portion of the total cost of the work is 30% (plus the cost of work specifically charged against those parcels having an excess of 30 metres abutting the improvement, if any of which the Corporation will assume the cost of taxable footage over the 30 metres) and is estimated to be \$3,900.00
 - 3.5.6 The number of instalments by which the special charges shall be made payable is 5 plus interest at the rate of twelve and a half percentum (12.5%) per annum.

- 3.6 Following completion of the works herein authorized, the Municipal Treasurer is hereby directed to cause preparation of a Parcel Tax Assessment Roll and any person whose parcel is subject to being specially charged for the work may commute for a payment of cash the special charges imposed thereon, by paying a portion of the cost of construction charged against such a parcel, excluding interest, within 30 days after the Parcel Tax Assessment has been identified, confirmed and authenticated under division 4 section 200 of the Community Charter
- 3.7 For the purpose of establishing the portion chargeable in respect of each parcel of land subject to being specially charged, the following shall apply:
- 3.7.1 Where a similar work or service has previously been provided in or along one side of a parcel covered by this work, at the direct expense of the owner of such parcel, that parcel shall be deemed to be exempted from the special charge in respect of this new work;'
- 3.7.2 Parcels fronting on the lane as noted in section 3.1 shall be liable for the special charge on the basis of taxable metered frontage as detailed in the petition dated October 6, 2004.
- 3.8 All monies collected in repayment of the owners' portion of cost of construction of the work shall be returned to the working capital of the District.

READ A FIRST TIME on July 04, 2005

READ A SECOND TIME on July 04, 2005

READ A THIRD TIME on July 04, 2005

ADOPTED by the Council on July 11, 2005

[Original signed by Mayor]

Mayor

[Original signed by Municipal Clerk]

Municipal Clerk

Schedule A

