



## CHAPTER 90.

**An Act to validate the Incorporation of The Corporation  
of the District of Central Saanich.***[Assented to 18th April, 1951.]***Preamble.**

**W**HEREAS doubts have arisen as to the validity of the incorporation of the District Municipality of Central Saanich:

And whereas it is deemed expedient to resolve these doubts and also to provide for matters unprovided for in the "Corporation of the District of Saanich Relief Act, 1927":

And whereas the description of the land comprising the District Municipality of Central Saanich is as follows: Commencing at the south-east corner of Section 17, Range 6 east, South Saanich Land District, being a point at high-water mark on the easterly coast-line of Saanich Peninsula; thence westerly along the southerly boundaries of Section 17, Range 6 east, Section 17, Range 5 east, Section 17, Range 4 east, Section 17, Range 3 east, and Section 17, Range 2 east, to the south-west corner of said Section 17, Range 2 east; thence northerly along the westerly boundary of said Section 17, Range 2 east, to the south-east corner of Section 16, Range 1 east; thence westerly and northerly along the southerly and westerly boundaries of said Section 16, Range 1 east, to the south-east corner of Section 15, Range 1 west; thence westerly along the southerly boundary of said Section 15, Range 1 west, to the south-west corner thereof; thence northerly along the westerly boundary of said Section 15, Range 1 west, to the middle line of Tod Creek; thence westerly along said middle line to the middle line of Tod Inlet; thence in a general northerly direction along said middle line of Tod Inlet to the entrance of said inlet; thence north-easterly in a straight line to a point one thousand feet westerly from and in a direction perpendicular to the general direction of the shore-line at the south-west corner of Section 10, Range 2 west; thence in a general northerly direction and parallel to

said shore-line to the point of intersection with a straight line drawn north-westerly and in a direction perpendicular to the general direction of the shore-line from the north-west corner of Section 1, Range 3 west; thence south-easterly along said line to the said north-west corner of Section 1, Range 3 west; thence easterly along the northerly boundaries of Section 1, Range 3 west, Section 1, Range 2 west, Section 1, Range 1 west, Section 1, Range 1 east, Section 1, Range 2 east, Section 1, Range 3 east, and Section 2, Range 4 east, to the north-east corner of said Section 1, Range 4 east, being a point at high-water mark on the easterly coast-line of the aforesaid Saanich Peninsula; thence north-easterly in a straight line to a point one thousand feet from and in a direction perpendicular to the general direction of the shore-line at the said north-east corner of Section 1, Range 4 east; thence in a general southerly direction and parallel to said shore-line to the point of intersection with a straight line drawn south-easterly and in a direction perpendicular to the general direction of the shore-line from the south-east corner of Section 17, Range 6 east, being the point of commencement; thence north-westerly along said line to the point of commencement.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

## Short title.

1. This Act may be cited as the "Central Saanich Validation Act"

## Interpretation

2. In this Act:—

"Old municipality" means The Corporation of the District of Saanich:

"New municipality" means The Corporation of the District of Central Saanich.

## Amends Letters Patent.

3. The Letters Patent dated the twelfth day of December, 1950, incorporating the new municipality are hereby amended by substituting for the description of the tract of land contained therein the description contained in the preamble to this Act.

## Letters Patent valid as amended.

4. The said Letters Patent as so amended shall be deemed to be good and valid and to have taken effect and have gone into force as and from the date of their original issuance, and all statutory requirements prerequisite to their issuance shall be deemed to have been fulfilled.

## Only specified provisions of the "Corporation of the District of Saanich Relief Act, 1927," to apply.

5. The only provisions of the "Corporation of the District of Saanich Relief Act, 1927," which shall hereafter apply to the new municipality shall be those specifically stated by this Act to so apply.

## Provides for 1951 assessment roll.

6. The assessment roll of the new municipality for the year 1951 shall be a copy of that portion of the unrevised assessment roll of the old municipality applicable to the aforementioned area comprising the

new municipality as revised and confirmed by the Court of Revision of the new municipality exercising its powers in accordance with the provisions of the "Municipal Act," and as so revised and confirmed shall be the valid and binding assessment roll of the new municipality for the year 1951.

Ratifies election.

7. The election of the Reeve and Councillors of the new municipality elected at the first election held on the thirteenth day of January, 1951, is hereby ratified and confirmed, and shall be deemed in all respects to have been conducted in conformity with the "Municipal Elections Act."

Provides for Board  
of Commissioners of  
Police.

8. (1) The Council of the new municipality shall forthwith by resolution appoint two electors of the municipality, possessing the qualifications required by law, to be Police Commissioners, and the said two electors, together with the Reeve, shall constitute and be the Board of Commissioners of Police for the municipality until the holding of the next succeeding election pursuant to the provisions of the "Municipal Elections Act."

(2) For the purposes of subsection (1) of section 440 of the "Municipal Act," the election to be held in the month of December, 1951, shall be deemed to be the first election held in the new municipality.

Division of liabilities.

9. (1) As a fair proportion of the value of the credits and assets of the old municipality after deducting related liabilities, there is hereby fixed and allowed the new municipality the amount of fifty-four thousand seven hundred and eighty-seven dollars and sixty-six cents.

(2) As consideration for the vesting of the unpaid taxes as provided in section 10, there shall be allowed the old municipality the amount of seven thousand one hundred and ninety-nine dollars and two cents.

(3) The liability of the new municipality in respect of the Service Pension Fund of the old municipality incurred under the provisions of the "Superannuation Act" and the "Municipal Superannuation Act" is hereby fixed at twelve thousand six hundred and eighty dollars and sixty-six cents.

(4) The sums mentioned in subsections (1), (2), and (3) shall be discharged as follows:—

(a) On or before the thirtieth day of June, 1951, the old municipality shall pay to the new municipality the sum of twenty-four thousand three hundred and sixteen dollars and sixty-five cents, and shall also in satisfaction of the obligation specified in subsection (2) deliver a receipt for seven thousand one hundred and ninety-nine dollars and two cents:

(b) On or before the thirtieth day of June, 1952, the old municipality shall pay to the new municipality a further sum of twenty-three thousand two hundred and seventy-one dollars

and ninety-nine cents with interest at the rate of four per centum per annum calculated from the thirtieth day of June, 1951.

(5) Not later than the thirty-first day of July, 1951, the new municipality shall pay to the Municipal Superannuation Commissioner the sum of twelve thousand six hundred and eighty dollars and sixty-six cents specified in subsection (3).

Vests unpaid taxes.

**10.** All taxes due and unpaid in respect of lands heretofore in the old municipality but now included by this Act in the new municipality are hereby vested in the new municipality, and the new municipality shall have all rights, powers, and privileges formerly vested in the old municipality to collect the said taxes by sale of the lands liable therefor or otherwise. Any such amounts collected by the old municipality since the thirty-first day of December, 1950, shall be turned over forthwith to the new municipality.

Central Saanich to bear share of road debenture debt.

**11.** In respect of the outstanding debenture debt under By-law No. 844 of The Corporation of the District of Saanich, cited as "Road Reconstruction and Improvement By-law, 1949," the new municipality shall undertake and be responsible for the payment of eleven and one-half per centum of both principal and interest, and shall, not less than thirty days prior to each due date, pay to the old municipality eleven and one-half per centum of the requirement so due. In respect of the period of the year 1951 prior to the passing of this Act, the new municipality shall in addition pay to the old municipality eleven and one-half per centum of the amount of interest which fell due on the fifteenth day of April, 1951, under the said by-law.

Central Saanich to bear share of non-recoverable school debt.

**12.** In respect of the outstanding debenture indebtedness of The Corporation of the District of Saanich in respect of debentures heretofore issued for school purposes, the new municipality shall assume and be responsible to the extent of eleven and one-half per centum for any non-recoverable amount which the old municipality may be required to pay.

Central Saanich to bear share of contingent liability of cemetery indebtedness.

**13.** In respect of any cemetery indebtedness of the Board of Cemetery Trustees of Greater Victoria for which the old municipality is obligated, the new municipality shall undertake and be responsible to pay eleven and one-half per centum if and when called upon so to do by the said Board of Cemetery Trustees.

Vests certain real property in District of Central Saanich.

**14.** All real property and every interest in real property presently belonging to the old municipality lying within the area of the new municipality is hereby vested in The Corporation of the District of Central Saanich. Without limiting the generality of the foregoing, such real property shall include the following described lands:—

(a) Brentwood (Verdier) Park: Lot 17 in Block 45 of Section 10, Range 2 west, South Saanich District, Plan 1188:

(b) Keating gravel-pits:—

(i) Lots 1 and 2 of Section 13, Range 2 east, South Saanich District, Plan 6462:

(ii) Lots B, C, and N of Section 14, Range 2 east, South Saanich District, Composite Plan 3053.

Continuing liability  
of municipalities  
to creditors.

**15.** Notwithstanding anything herein contained, each of the said municipalities shall remain jointly and severally liable for the debts and liabilities of the old municipality incurred before the twelfth day of December, 1950, until the same shall have been fully paid and satisfied.

Application of  
Transportation  
Agreement.

**16.** Notwithstanding any provision in any other Act contained, it is hereby enacted that a certain Agreement made the twelfth day of September, 1947, between The Corporation of the District of Saanich, of the First Part, and Vancouver Island Transportation Company Limited, of the Second Part, wherein the Party of the First Part granted to the Party of the Second Part an exclusive franchise to operate a motor-bus system on the streets of "The Outer Area of Saanich" (as defined in the said Agreement) for a term of twenty years commencing on the date that the said Agreement came into force, shall, mutatis mutandis, also apply to and be binding upon The Corporation of the District of Central Saanich as and from the date of its incorporation as a district municipality as if it had been a signatory to the said Agreement. For the unexpired term of the said Agreement the Vancouver Island Transportation Company Limited shall have the same exclusive rights and privileges and concomitant duties and obligations concerning operation on the streets of The Corporation of the District of Central Saanich as it had when the said streets lay within the said Outer Area of Saanich. Notices to be given under or in respect of the said Agreement which are applicable to or concern The Corporation of the District of Central Saanich shall be given in the manner provided for in paragraph 18 of the said Agreement, addressed to The Municipal Clerk, Central Saanich, Municipal Hall, Saanichton, Vancouver Island, British Columbia.

Existing contracts  
not affected.

**17.** Subject to the provisions of the last preceding section, neither the passing of this Act nor any matter or thing contained herein shall enlarge, impair, or in any way affect the provisions of any contract or agreement heretofore entered into by The Corporation of the District of Saanich with any person or body corporate, and so far as any such contract or agreement affects The Corporation of the District of Central Saanich, the new municipality shall have all the rights, remedies, and powers and be subject to the same liabilities as The Corporation of

the District of Saanich could have had or be subject to had this Act not been passed.

**Access to  
documents.**

18. The new municipality, by its Reeve, Councillors, officers, or agents, shall have the right of access at all reasonable hours to all books, maps, plans, deeds, by-laws, and documents in the possession of the old municipality relating to or concerning the area of the new municipality, together with the right to take copies of or extracts from any of them.

**Provisions of this  
Act to prevail.**

19. In case of any inconsistency or conflict arising as between the provisions of this Act and those of the "Corporation of the District of Saanich Relief Act, 1927," the provisions of this Act shall prevail.

**Costs of apportion-  
ment and Act.**

20. (1) The amount of the fees and other expenses of the members of any Advisory Committee appointed by the Minister on matters preliminary to the passing of this Act shall be established by the Minister of Municipal Affairs, and shall be paid out of ordinary revenues of the new municipality as the Minister shall direct.

(2) The Council of the new municipality shall pay out of ordinary revenues of the new municipality all costs, charges, and expenses incurred in and about the incorporation of the new municipality, including the expenses of obtaining this Act.

**Application of  
Municipal Acts.**

21. All the provisions of the "Municipal Act," the "Municipal Elections Act," and the "Municipalities Incorporation Act," and amending Acts, shall apply to both of said municipalities, except where the provisions of said Acts are repugnant to the provisions of this Act.

VICTORIA, B.C.

Printed by DON MCDIARMID, Printer to the King's Most Excellent Majesty  
1951