

CHAPTER 81

An Act to Amend the Shaughnessy Heights
Building Restriction Act, 1922

[Assented to 29th March, 1962.]

Preamble.

WHEREAS by the *Shaughnessy Heights Building Restriction Act, 1922*, being chapter 87 of the Statutes of 1922, certain conditions and restrictions in the said Act set forth were made to apply to the lands in the said Act described:

And whereas Lot 1A, Block 51, and Lots 1 and 2, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502, are part of the lands hereinbefore referred to:

And whereas The University Women's Club of Vancouver, B.C., intends to acquire the said lots of land for the purpose of using them and the premises erected thereon as club premises for its members and as a social and cultural centre:

And whereas no petition has been presented by the Corporation of the City of Vancouver to the Lieutenant-Governor in Council requesting the Proclamation of sections 2, 3, 4, and 5 of the *Shaughnessy Heights Building Restriction Act, 1922, Amendment Act, 1955*, which sections would free the said lots from the said conditions and restrictions:

And whereas a petition has been presented by The University Women's Club of Vancouver, B.C., praying that the said lots be freed from the said conditions and restrictions to the extent that The University Women's Club of Vancouver, B.C., may use them for the purpose aforesaid:

And whereas it is expedient to grant the prayer of the said petition:

Therefore, Her 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 *Shaughnessy Heights Building Restriction Act, 1922, Amendment Act, 1962*.

Amends s. 4.

2. Section 4 of the *Shaughnessy Heights Building Restriction Act, 1922*, being chapter 87 of the Statutes of 1922, as amended by chapter 78 of the Statutes of 1933, by chapters 91 and 92 of the Statutes of 1950, by chapter 103 of the Statutes of 1951, and by chapter 83 of the Statutes of 1957, is amended by adding after the words and figures "Plan 4502 Amended." where they last appear in the said section, the words and figures "and Lot 1A, Block 51, and Lots 1 and 2, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502".

Enacts s. 4F.

3. Said chapter 87 is further amended by inserting the following as section 4F:—

"4F. Until such time as sections 2, 3, 4, and 5 of the *Shaughnessy Heights Building Restriction Act, 1922, Amendment Act, 1955*, shall come into force and effect as therein provided, the restrictive covenants contained in the conveyance from The Royal Trust Company of Lot 1A, Block 51, and Lots 1 and 2, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502, shall be deemed to be null and void and shall no longer bind the said lands."

Permitted
use.

4. The said Lot 1A, Block 51, and Lots 1 and 2, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502, and any building or buildings and works now wholly erected thereon may be used by The University Women's Club of Vancouver, B.C., as club premises for its members and as a social and cultural centre, and the said The University Women's Club of Vancouver, B.C., may renovate, alter, repair, and maintain the said building or buildings and works, but no new building or works shall be erected on the said lands other than car parking facilities on the ground level thereof and landscaping and fencing incidental thereto.

Effect of dis-
continuance
of permitted
use.

5. In the event of and upon The University Women's Club of Vancouver, B.C., discontinuing to use the said lots for the purpose mentioned in section 4 hereof or selling or otherwise disposing of the said lots, the said lots shall be subject to the provisions of the *Shaughnessy Heights Building Restriction Act, 1922*, in the same manner and to the like effect as if this Act has not been brought into force, or in the event sections 2, 3, 4, and 5 of the *Shaughnessy Heights Building Restriction Act, 1922, Amendment Act, 1955*, have been brought into force at that time, the use of the said lots shall be subject to the provisions of the Zoning By-law or By-laws of the City of Vancouver.

Commence-
ment.

6. This Act shall come into force on such date as may be fixed by the Lieutenant-Governor by his Proclamation and upon The University Women's Club of Vancouver, B.C., acquiring title to the hereinbefore-described lands.