



CHAPTER 96.

An Act relating to Shaughnessy Heights.

[4th March, 1914.]

WHEREAS a petition has been presented by Francis W. Rounse- Preamble.
 fell, T. W. Fletcher, William Ernest Burns, Norman MacLean,
 Joseph N. Ellis, Charles H. Gatewood, George E. Macdonald, William
 Murray, Charles Wilson, Peter Winram, and Robert Scott Lennie,
 property-owners and residents of a portion of the Municipality of
 Point Grey, praying that the Lieutenant-Governor in Council be
 authorized (without requiring observance of the provisions of the
 "Municipalities Incorporation Act") by Letters Patent under the
 Public Seal to divide the present Municipality of Point Grey by
 incorporation into a district municipality, under the name of "The
 Corporation of the District of Shaughnessy," all that portion of the
 present Municipality of Point Grey described in the said petition,
 and reducing the limits of the present Municipality of Point Grey
 accordingly:

And whereas the said petitioners and the Council of the Corpora-
 tion of Point Grey have agreed that the said petition should be
 dropped, and have agreed to a settlement of all matters in difference
 on the terms hereinafter set forth:

And whereas it is expedient that the terms of the said settlement
 should be made enforceable:

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

1. This Act may be cited as the "Shaughnessy Settlement Act." Short title.

2. In this Act the words "prescribed area" shall be construed to Interpretation of
"prescribed area."
 extend to and include that portion of the Municipality of Point Grey
 described as follows:—

Bounded on the north by the southern boundary of the City of Vancouver; on the east by the centre line of Oak Street; on the south by the centre line of Twenty-fifth (or King Edward) Avenue to Cypress Street and the centre line of the continuation of said King Edward Avenue north-westerly, on which the tram-line is now constructed; and on the west by the easterly boundary of the right-of-way of the Vancouver and Lulu Island Railway.

Residential district.

3. The prescribed area, with the exception of such lots therein as have a frontage on Oak Street, shall, until the first day of January, A.D. 1925, be used only for residential purposes, during which period there shall not be erected upon the said area any other buildings than private dwelling-houses, either with or without stables, garages, coach-houses, green-houses, and necessary outbuildings. A flat or apartment building, or any building constructed to accommodate more than one household, shall not be deemed to be a private dwelling-house within the meaning of this clause.

Penalty for contravention.

4. In addition to any other remedy, any person contravening or committing any breach of the foregoing section shall be liable, upon summary conviction, to a penalty not exceeding one thousand dollars, and such penalty shall be recoverable by distress and sale of the goods and chattels of the persons against whom the same is adjudged and on whom the same is imposed; and in default of payment, and in default of distress, every such penalty shall be enforced by imprisonment (with or without hard labour) for any period not exceeding six (6) months.

Powers to extend residential district.

5. The Corporation of Point Grey may from time to time after the said first day of January, A.D. 1925, with the consent and approval of the qualified voters within the said area, testified in the same manner as is required for the passage of money by-laws, pass by-laws imposing the restrictions set forth in paragraph 3 hereof, or any other restrictions or conditions, for such period and for such portion of the said area as may be deemed advisable.

Creation of Shaughnessy ward.

6. Notwithstanding the provisions of the "Municipal Act," the Corporation of Point Grey shall during the year 1914 rearrange the wards of the municipality in such a way that the prescribed area shall be one of the wards of the said municipality, and such prescribed area shall, until the thirty-first day of December, A.D. 1925, continue to be a ward of the said municipality, and shall be entitled to elect at least one Councillor at every general municipal election held after the first day of January, 1915.

Special rebate of taxes.

7. A special rebate of fifteen thousand nine hundred dollars over and above all rebates allowed by law shall be made by the Corporation of Point Grey on the municipal taxes assessed and levied on

lands and improvements within the prescribed area in each and every year for ten years commencing with the year 1914; such rebate shall be distributed rateably over all the assessed lands and improvements on which the said taxes are levied within the prescribed area: Proviso. Provided, however, that the said allowance shall not be considered as a debt of the Corporation of Point Grey in any computation of the aggregate debt of the municipality under the provisions of the "Municipal Act" relating to borrowing of money.

8. In each year commencing with the year 1914 the Council of the Corporation of Point Grey shall fix the amount which the prescribed area should pay as its proper share of moneys payable for such year— Assessment of prescribed area.

- (a.) For interest and sinking fund on the debenture debt of the municipality:
- (b.) For fire-protection:
- (c.) For the municipality's share of works of local improvement:
- (d.) For police-protection and street-lighting to the same extent as enjoyed by the other parts of the municipality:
- (e.) For general administration expenses:
- (f.) For schools:
- (g.) For awards for compensation and judgments for damages.

Such share shall be based on the relation which the assessed value of lands and improvements within the prescribed area on which taxes are levied bears to the assessed value of such lands and improvements within the whole of the municipality. The sum so fixed shall be deducted from the taxes levied and collected within the prescribed area, and the balance of such taxes shall be expended within such prescribed area.

In order that all improvements necessary within the prescribed area may be provided for during the said period of ten years, the by-law fixing the rate of taxation for any one year or years may fix a different rate on land and improvements within the prescribed area from that imposed on land and improvements within the remainder of the municipality: Provided always that should any dispute arise between the residents of the prescribed area and the Corporation under this section, all matters in dispute shall be referred to the Inspector of Municipalities, whose decision thereon shall be final.

9. The Corporation of Point Grey shall pay out of taxes levied Cost of Act. within the prescribed area for 1914 all costs, charges, and expenses incurred in obtaining this Act.