

CHAPTER 69

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

[Assented to 6th April, 1968.]

WHEREAS by the *Saughnessy 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 Lots 6 and 7, Block 55, District Lot 526, Group 1, New Westminster District, Plan 4502, are part of the lands hereinbefore referred to:

And whereas The Fraser Manor Ltd. is the purchaser of the said Lots 6 and 7, Block 55, District Lot 526, Group 1, New Westminster District, Plan 4502, under and pursuant to that certain agreement for sale of land registered in the Vancouver Land Registration Office:

And whereas a petition has been presented by The Fraser Manor Ltd. praying that the said lots be freed from the said conditions and restrictions to the extent that there may be erected thereon a town house development:

And whereas it is expedient to grant the prayer of the said petitioner, Her 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 *Saughnessy Heights Building Restriction Act, 1922, Amendment Act, 1968*.

2 Section 4 of the *Saughnessy Heights Building Restriction Act, 1922*, being chapter 87, 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, by chapter 83 of the Statutes of 1957, by chapter 78 of the Statutes of 1960, by chapter 81 of the Statutes of 1962, by chapter 70 of the Statutes of 1964, and by chapter 66 of the Statutes of 1965, is amended by adding after the word and figures " Plan 4502 " where they last appear in the said section the words and figures " and Lots 6 and 7, Block 55, District Lot 526, Group 1, New Westminster District, Plan 4502 ".

3. Section 4H of the said chapter 87 is amended by adding after the word and figures " Plan 4502 " in the sixth line thereof the words and figures " and Lots 6 and 7, Block 55, District Lot 526, Group 1, New Westminster District, Plan 4502 ", so that henceforth the said section 4H shall read:—

"4H. 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 Lots 3, 3A, and 4, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502, and Lots 6 and 7, Block 55, 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."

4. The said Lots 6 and 7, Block 55, District Lot 526, Group 1, New Westminster District, Plan 4502, may be used for a town house development, and there may be constructed thereon, subject to the by-laws of the City of Vancouver, ten town houses of not more than two stories in height with motor-vehicle parking facilities and other facilities in the way of paths, gardens, and a swimming-pool for the common enjoyment of the owners of the town houses.

5. In the event that the development and construction authorized under section 4 of this Act shall not have been completed within two years from the coming into force of this Act, or in the event of and upon the discontinuance of the use of said lots for the purpose mentioned in the said section, 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 had not been enacted.

6. This Act shall come into force on such date as may be fixed by the Lieutenant-Governor by his Proclamation.