



CHAPTER 111.

An Act to amend the "Shaughnessy Heights
Building Restriction Act, 1922."*[Assented to 15th March, 1955.]*

Preamble.

WHEREAS by the "Shaughnessy Heights Building Restriction Act, 1922," as amended by the "Shaughnessy Heights Building Restriction Act, 1922, Amendment Act, 1933," and as amended by the "Shaughnessy Heights Building Restriction Act, 1922, Amendment Act, 1950," and as amended by the "Shaughnessy Heights Building Restriction Act, 1922, Amendment Act (No. 2), 1950," certain conditions and restrictions in the said Act set forth were made to apply to the lands in the said Act described:

And whereas a petition has been presented by owners of some of the lands affected praying that the aforesaid conditions and restrictions shall cease to apply to or bind certain of the said lands:

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, 1955."

Re-enacts 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of 1933, and as amended by chapter 91 of the Statutes of 1950, and as amended by chapter 92 of the Statutes of 1950, is repealed and the following is substituted:—

"4. The lands to which this Act shall apply are described as follows: Commencing at the intersection of the easterly boundary of the Vancouver and Lulu Island Railway and the southerly boundary of King Edward

Avenue; thence easterly along the southerly boundary of King Edward Avenue to the westerly boundary of Oak Street; thence southerly along the westerly boundary of Oak Street to the northerly boundary of Thirty-third Avenue; thence westerly along the northerly boundary of Thirty-third Avenue to the westerly boundary of Granville Street; thence southerly along the westerly boundary of Granville Street to the northerly boundary of Forty-first Avenue; thence westerly along the northerly boundary of Forty-first Avenue to the easterly boundary of Maple Street; thence northerly along the easterly boundary of Maple Street to the southerly boundary of Thirty-ninth Avenue; thence easterly along the southern boundary of Thirty-ninth Avenue to the easterly boundary of Laburnum Street; thence northerly along the easterly boundary of Laburnum Street to the southerly boundary of Thirty-seventh Avenue; thence easterly along the southerly boundary of Thirty-seventh Avenue to the easterly boundary of Marguerite Avenue; thence northerly along the easterly boundary of Marguerite Avenue to the northerly boundary of Thirty-third Avenue; thence westerly along the northerly boundary of Thirty-third Avenue to the easterly boundary of the Vancouver and Lulu Island Railway; thence northerly along the said easterly boundary of the said railway to the point of commencement, except streets, lanes, and parks, and save and except Lots 5, 6, and 7 in Block 675 and Lots 3 and 4 in Subdivision 10 of Block 4 and lands heretofore sold by The Royal Trust Company for any of the purposes mentioned in section 3 of this Act."

Repeals s. 4B.

3. Section 4B, as enacted by chapter 91 of the Statutes of 1950, is repealed.

Renumbers s. 4C.

4. Section 4C, as enacted by chapter 92 of the Statutes of 1950, is amended by renumbering the same as section 4B.

Enacts s. 4C.

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

"4C. The restrictive covenants heretofore by virtue of this Act binding the lands within the following boundaries shall no longer bind the said lands: Commencing at the intersection of the easterly boundary of the Vancouver and Lulu Island Railway and the southerly boundary of Sixteenth Avenue, thence easterly along the southerly boundary of Sixteenth Avenue to the easterly boundary of Granville Street; thence to the most westerly corner of Block 472; thence along the northerly boundary of Block 472 to the most easterly corner of said block; thence to the centre line of Sixteenth Avenue and along the same to the westerly boundary of Oak Street; thence southerly along the westerly boundary of Oak Street to the southerly boundary of King Edward Avenue; thence westerly along the southerly boundary of King Edward Avenue to the easterly boundary of the Vancouver and Lulu Island Railway; thence

no therly along the said easterly boundary of the said railway to the point of commencement."

Amends s. 5.

(3. Section 5 is amended by inserting at the beginning of the section the words "Subject to subsection (2)," and by renumbering the section as subsection (1) and by adding the following as subsection (2):—

"(2) No violation or attempted violation of the provisions of this Act commenced prior to the first day of April, 1955, shall be deemed to be a nuisance, and no person may take steps by injunction or otherwise to restrain any violation or attempted violation of this Act committed or commenced or attempted to be committed prior to the first day of April, 1955."

Coming into force
of ss. 2 to 5.

"Sections 2, 3, 4, and 5 shall come into force on a day to be fixed by the Lieutenant-Governor in Council by his Proclamation after receipt of a petition from the Corporation of the City of Vancouver requesting such Proclamation.

VICTORIA, B.C.

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