

CHAPTER 66

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

[Assented to 26th March, 1965.]

Preamble.

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 3, 3A, and 4, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502, are part of the lands hereinbefore referred to:

And whereas Wenham Holdings Limited is the registered owner of the said Lots 3, 3A, and 4, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502:

And whereas a petition has been presented by Wenham Holdings Limited 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:

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 *Saughnessy Heights Building Restriction Act, 1922, Amendment Act, 1965*.

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 93 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, and by chapter 70 of the Statutes of 1964, is amended by adding after the words and figures "Plan 4502", where they last appear in the said section, the words and figures "and Lots 3, 3A, and 4, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502".

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

"4H. Until such time as sections 2, 3, 4, and 5 of the *Saughnessy 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, shall be deemed to be null and void and shall no longer bind the said lands."

4. The said Lots 3, 3A, and 4, Block 472, District Lot 526, Group 1, New Westminster District, Plan 4502, may be used only for a town-house development and there may be constructed thereon, subject to the by-laws of the City of Vancouver, nine town houses not exceeding two stories in height with motor-vehicle parking facilities and other facilities in the way of paths, gardens, and tennis courts 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.