



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

1237

APPROVED AND ORDERED 10. APR. 1975

I hereby certify that the following is a true copy of a Minute of the Honourable the Executive Council of the Province of British Columbia approved by His Honour the Lieutenant-Governor.

G. G. Prather
Assistant Deputy Provincial Secretary

W. Allan
Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA 10. APR. 1975

Pursuant to the Municipal Act, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that By-law No. 116 of the Regional District of Alberni-Clayoquot cited as "Land Use Contract No. 10, 1974" be approved in the form of by-law hereto attached.

[Signature]
Minister of Municipal Affairs

[Signature]
Presiding Member of the Executive Council.

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BY-LAW NO. 116

A BY-LAW TO AUTHORIZE THE REGIONAL BOARD TO ENTER INTO A LAND USE CONTRACT WITH HAY'S ROOFING AND SHEET METAL LIMITED RESPECTING LOT 11 AND REMAINDER OF LOT 12, D.L. 18, ALBERNI DISTRICT, PLAN 7319.

The Board of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts as follows:

1. The Board is hereby authorized to enter into the land use contract, marked Schedule "A", attached hereto and made part of this by-law.
2. This by-law may be cited as "Land Use Contract No. 10, 1974".

Read a first time this 27th day of November, 1974.

Read a second time this 27th day of November, 1974.

Read a third time this 17th day of December, 1974.

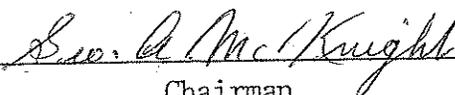
Approved by the Lieutenant-Governor in Council by

Order in Council No. 1237

this 10th day of April, 1975.

Reconsidered and finally adopted by a two-thirds majority of all the Directors of the Regional Board having among them a two-thirds majority of all the votes on the Regional Board, and including among them a two-thirds majority of the Directors of those parts of the Regional District of Alberni-Clayoquot to which this By-law applies having among them a two-thirds majority of the votes allotted to those parts of the Regional District to which this By-law applies,

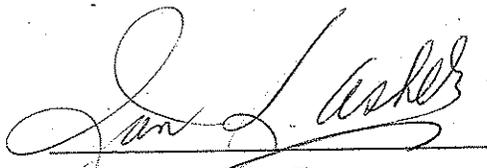
this 18th day of April, 1975.


Chairman


Secretary-Treasurer

I hereby certify the foregoing to be a true and correct copy of By-law No. 116, cited as "Land Use Contract No. 10, 1974", as read a third time by the Regional Board on the 17th day of December, 1974.

Approved under the Controlled Access Highways Act
this 14th day of March 1975
MGEIsm
Senior Approving Officer, Department of Highways


Secretary-Treasurer

8.8.40

NOW THEREFORE THIS AGREEMENT WITNESSETH

that in consideration of the premises and covenants hereinafter set forth the District and the Developer agree as follows:

1. INTERPRETATION AND DEFINITION

To the extent that words or phrases in this Land Use Contract require definition, the provisions of Section 3 of the "Alberni-Clayoquot Zoning By-law, 1971" shall apply;

2. USE AND DEVELOPMENT OF LAND

- a) The development and maintenance of the land shall be consistent with the plans attached hereto and marked "A", which shall be construed as authorizing within the area labelled "A 1" either the erection of one single-family dwelling together with accessory buildings not exceeding 660 square feet in area or the continued maintenance of the existing two-family dwelling as a non-conforming use pursuant to Section 705 of the Municipal Act, as authorizing within the area labelled "R 1" all uses permitted in the Single Family Residential (R 1) District as though the said area were a separately registered parcel, and as authorizing within the area labelled "C 3" all uses permitted by subsection 123.1(2), as set forth in the "Alberni-Clayoquot Zoning By-law, 1971", and except as hereinbefore and hereinafter provided, the said "Alberni-Clayoquot Zoning By-law, 1971" shall be administered as though the land was zoned, respectively, "A 1", "R 1", and "C 3";
- b) The development of the land shall be in accordance with the By-laws of the Cherry Creek Waterworks District;
- c) Subject to approval by the Approving Officer in accordance with the Land Registry Act and in accordance with the Subdivision Regulations pursuant to the Local Services Act or such Subdivision Regulations as may be enacted by the District, the land, with the possible exception of the area marked "R 1", shall be consolidated into a single parcel as soon as practicable, and shall not be further subdivided except, with the permission of the Regional Board of the District, to establish the area marked "R 1" as a separate parcel or to convey portions of the land to Cherry Creek Waterworks District, to the Province of British Columbia or its agencies, or to Crown Corporations;
- d) In addition to screening required pursuant to subsection 123.2(2) of the "Alberni-Clayoquot Zoning By-law, 1971", screening by means of a continuously maintained, compact evergreen hedge not less than six feet in height shall be provided where the area of the lot marked "C 3" abuts the perimeter of the land;
- e) In the event the area marked "R 1" is established as a separate parcel, screening by means of a continuously maintained, compact evergreen hedge not less than six feet in height shall be established as soon as practicable following conveyance or transfer of title of either new parcel, along the border of the area marked "C 3" where it adjoins the area marked "R 1", except that this provision may be waived by resolution of the Regional Board of the District upon proof of agreement between all persons in whom ownership of the parcels is vested exempting the owner of the area marked "C 3" and "A 1" from this obligation;

E.E.P.

- f) Provision for access, potable water supply, fire protection devices, storm drainage, solid and liquid waste disposal shall be made, subject to the terms of valid permits or licences from the authorities having jurisdiction.

The Corporate Seal of the Regional District of Alberni-Clayoquot was affixed in the presence of:

Ben. A. Mc Knight
Chairman

Jan L. Ashby
Secretary-Treasurer

The Corporate Seal of Hay's Roofing and Sheet Metal Limited was affixed in the presence of:

Date

Approved under the Controlled Access Highways Act
this 14th day of March 19 75

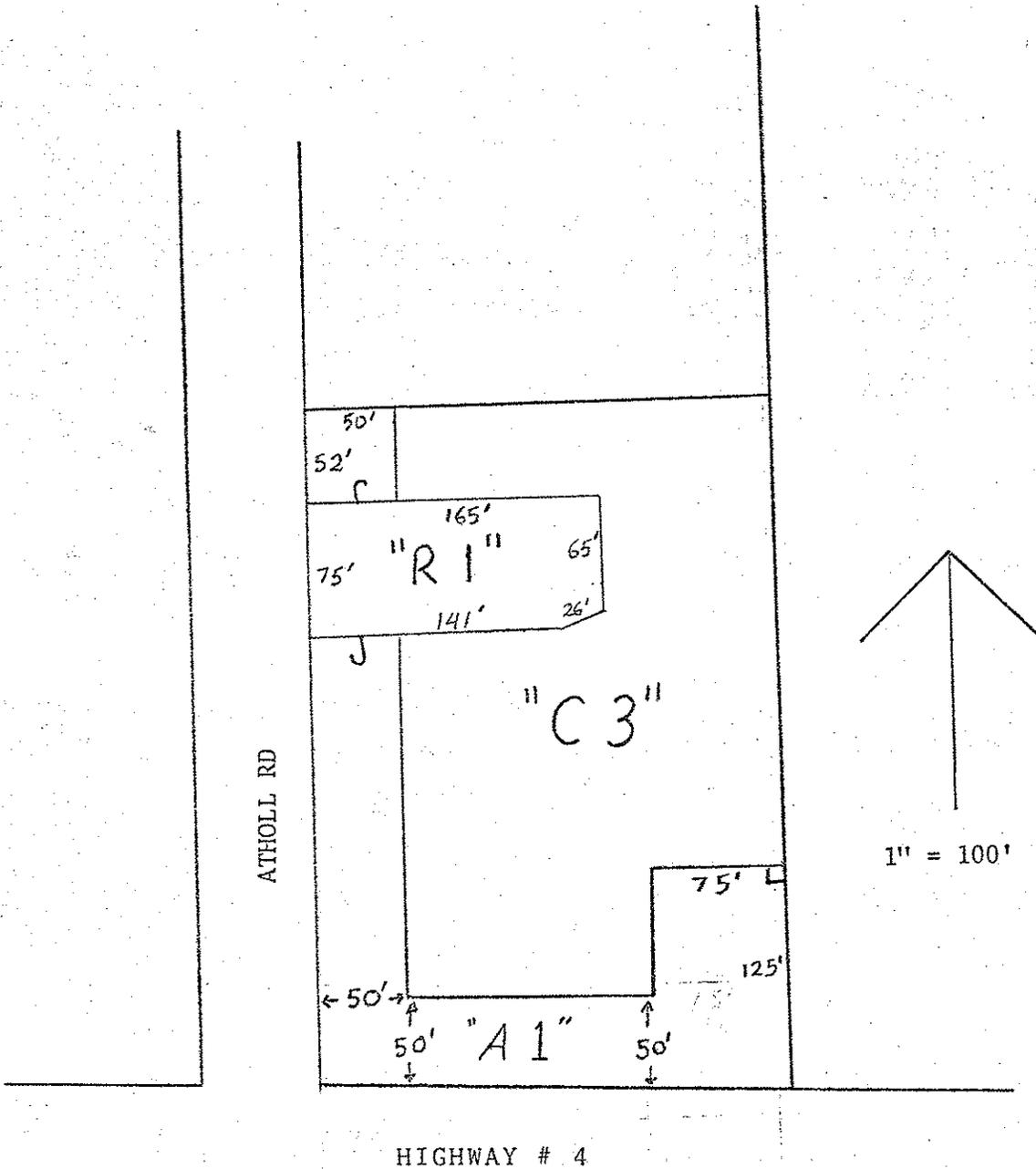
MGEIstr
Senior Approving Officer, Department of Highways

8.8.40

SCHEDULE "A" ATTACHED TO AND FORMING PART OF

LAND USE CONTRACT

Respecting Lot 11 and Remainder of Lot 12,
D.L.18, Alberni District, Plan 7319



Approved under the Controlled Access Highways Act

this 14th day of March 1975

MGE:sta

Senior Approving Officer, Department of Highways

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