

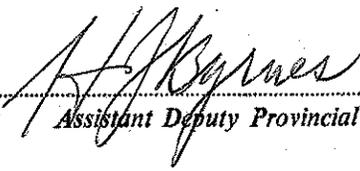


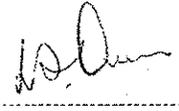
THE GOVERNMENT OF  
THE PROVINCE OF BRITISH COLUMBIA

2655

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.

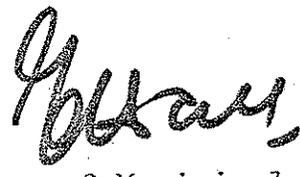
APPROVED AND ORDERED AUG. 14 1975

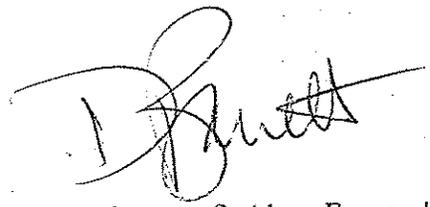
  
Assistant Deputy Provincial Secretary

  
Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA AUG. 14 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. 137 of the Regional District of Alberni-Clayoquot, cited as, "Land Use Contract No. 13, 1975", be approved in the form of by-law hereto attached.

  
Minister of Municipal Affairs

  
Presiding Member of the Executive Council

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BY-LAW NO. 137

A BY-LAW TO AUTHORIZE THE REGIONAL BOARD TO ENTER INTO A LAND USE CONTRACT WITH JOHN AND JOAN WRIGHT RESPECTING LOTS 42, 43 AND 44, D.L. 41, ALBERNI DISTRICT, PLAN 15275.

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. 13, 1975".

Read a first time this 30th day of April , 1975.  
 Read a second time this 30th day of April , 1975.  
 Read a third time this 28th day of May , 1975.

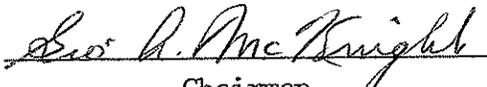
Approved by the Lieutenant-Governor in Council by

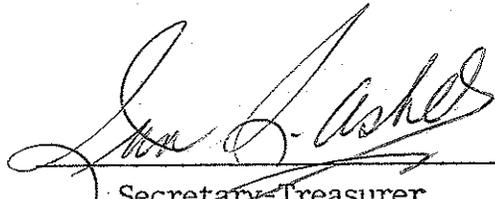
Order in Council No. 2655

this 14th day of August , 1975.

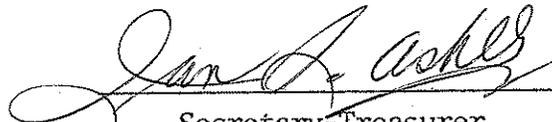
Reconsidered and finally adopted by a two-thirds majority of all the Directors of the Regional Board having among them a two-thirds majority of all the votes on the Regional Board, and including among them a two-thirds majority of the Directors of those parts of the Regional District of Alberni-Clayoquot 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 27th day of August , 1975.

  
 Chairman

  
 Secretary-Treasurer

I hereby certify the foregoing to be a true and correct copy of By-law No. 137, cited as "Land Use Contract No. 13, 1975", as read a third time by the Regional Board on the 28th day of May , 1975.

  
 Secretary-Treasurer

10/8/75

Terms and Conditions of Land Use Contract

between

Regional District of Alberni-Clayoquot

and

John and Joan Wright

respecting Lots 42, 43 and 44, D.L. 41, Alberni District, Plan 15275

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 1975.

BETWEEN REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT,  
(hereinafter called the "District")

OF THE FIRST PART

AND JOHN AND JOAN WRIGHT  
(hereinafter called the "Developer")

OF THE SECOND PART

WHEREAS the District, pursuant to Section 702A of the Municipal Act may, notwithstanding any by-law of the District or sections 712 and 713 of the Municipal Act, enter into a Land Use Contract containing such terms and conditions for the use and development of land as may be agreed upon by the owner, and thereafter the use and development of the land shall be in accordance with the Land use Contract;

AND WHEREAS the Municipal Act requires that the Regional Board of the District consider the criteria set forth in subsections 702(2) and 702A(1) in arriving at the terms, conditions and considerations contained in a land use contract;

AND WHEREAS the Developer is the owner of Lots 42, 43 and 44, D.L. 41, Alberni District, Plan 15275;

AND WHEREAS the lands are presently zoned in accordance with the "Alberni-Clayoquot Zoning By-law, 1971";

AND WHEREAS the lands have been designated by the District's By-law No. 136 as a development area;

AND WHEREAS the Developer has presented to the District a scheme of use and development of the lands and has requested the District to enter into a Land Use Contract under the terms and conditions and for the consideration hereinafter set forth;

AND WHEREAS the Regional Board of the District, having given due consideration to the criteria set forth in subsections 702(2) and 702A(1) of the Municipal Act, have agreed to the terms, conditions, and considerations herein contained;

AND WHEREAS the District and Developer both acknowledged that the Regional Board of the District could not enter into this Land Use Contract until the District had held a Public Hearing thereon in accordance with the provisions of Section 702A of the Municipal Act;

*Handwritten initials*

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

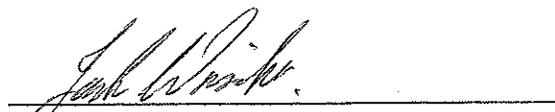
- a) This Contract envisages the phasing out of the use of the land as a resort motel, and envisages the use of the land for not more than one single-family dwelling, for one building constituting premises suitable for licencing as a neighbourhood public-house pursuant to the Government Liquor Act and Regulations, for accessory buildings and uses, and for off-street parking and off-street loading in accordance with the regulations contained in "Alberni-Clayoquot Zoning By-law, 1971", to which end spatial relationships shall be as illustrated by the plan attached hereto and marked "A", and all buildings not in accordance with the provisions of the Acreage Residential (RA 1) District of the "Alberni-Clayoquot Zoning By-law, 1971" or with the use of the land envisaged by this Contract shall be considered as "non-conforming" in accordance with the provisions of subsection 4.2 of the said zoning by-law;
- b) 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 shall be consolidated into a single parcel as soon as practicable, and shall not further be subdivided except, with the permission of the Regional Board of the District, to convey portions of the land to the Province of British Columbia or its agencies, or to Crown Corporations;
- c) Provisions 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:

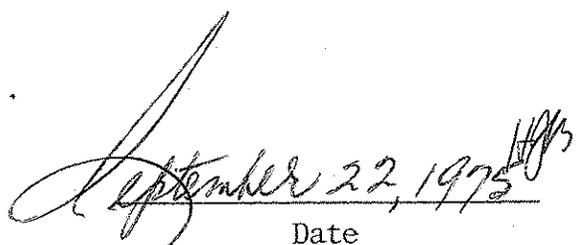
  
Chairman

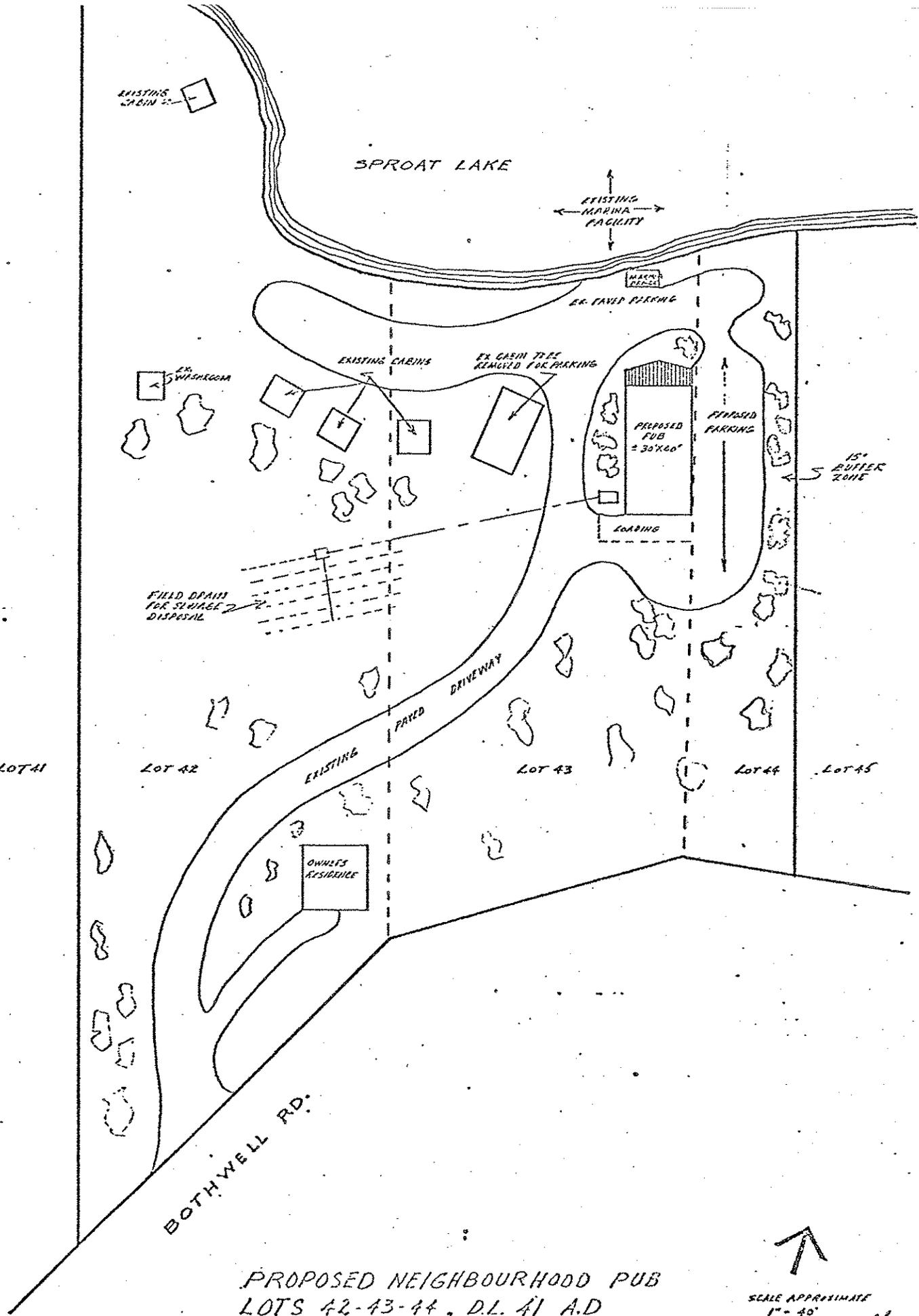
  
Secretary-Treasurer

Signed by John and Joan Wright





  
Date



HJK