



Province of
British Columbia

Ministry of
Environment,
Lands and Parks

SPECIAL PROVISIO SCHEDULE

Case No.

104469

File No. 0140194

The Lessee shall:

- (a) not anchor or secure any buildings, structures or improvements on the Land except as shown in the Legal Description Schedule;
- (b) not interrupt the movement of beach sedimentary material by water along the shoreline;
- (c) not construct a fence, bulkhead, groin, breakwater, floating boom or any structure by another name which acts in a like manner, on the Land, without the prior written consent of the Lessor;
- (d) dispose of raw sewage and refuse only in accordance with the requirements and regulations of appropriate federal and provincial agencies;
- (e) store bulk hazardous petroleum products and other toxic substances in accordance with the provisions of the *Waste Management Act*;
- (f) not use construction materials containing toxic substances, except in marine waters where the use of preservative-treated wood may be necessary;
- (g) in each and every year during the term of this Lease within 60 days of an anniversary of the Commencement Date deliver to the Lessor a Statutory Declaration containing:
 - (i) the amount of lineal footage of moorage space developed on the Land,
 - (ii) the monthly moorage charge per lineal foot for open moorage space,
 - (iii) the number of months, or portion thereof, the operation is open for business,
 - (iv) the ancillary uses in the operation,
 - (v) the amount of business generated during the months of closure.

ADDITIONAL PROVISOS

- (a)
Within one year of the Commencement Date, the Lessee covenants and agrees to provide the Lessor with:

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- (i) a revised development plan detailing the proposed improvements, their dimensions, and their location on the Land; and
- (ii) a completion schedule for the development;

which items are to meet with the satisfaction of the Lessor.

The Lessee further covenants and agrees that any development on the Land shall occur only in accordance with the approved development plan which shall be kept on file by the Lessor at 851 Yates Street, Victoria, BC V8R 1G2.