

STATUTES
OF THE
PROVINCE OF BRITISH COLUMBIA

PASSED IN THE SESSION HELD IN THE TWENTY-FIFTH YEAR OF THE
REIGN OF HIS MAJESTY

KING GEORGE V.

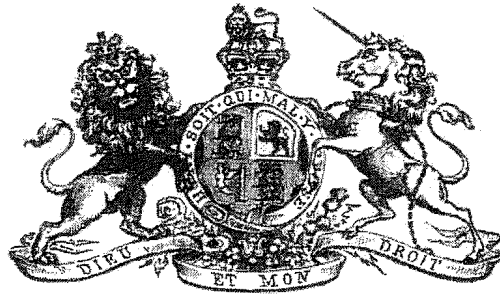
BEING THE SECOND SESSION OF THE EIGHTEENTH PARLIAMENT OF BRITISH
COLUMBIA BEGUN AND HOLDEN AT VICTORIA ON THE 1ST OF
FEBRUARY, 1935, AND ENDING ON THE 23RD MARCH

1935



HIS HONOUR J. W. FORDHAM JOHNSON
LIEUTENANT-GOVERNOR

VICTORIA, B.C. :
Printed by CHARLES F. BANFIELD, Printer to the King's Most Excellent Majesty.
1935.



CHAPTER 54.

An Act respecting The Corporation of the District of Oak Bay.

[Assented to 23rd March, 1935.]

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "Oak Bay Special Powers Act, Short title. 1935."

2. (1.) Without prejudice to any powers and authorities vested in the Council of The Corporation of the District of Oak Bay by any Act of the Legislature, the said Council may by by-law make regulations, to apply only to that part of the Municipality of the District of Oak Bay known as "The Uplands" and being the area shown on the plan deposited in the Land Registry Office at the City of Victoria numbered 1216-A, or on any registered plan of resubdivision thereof, for any of the following purposes:—

Power of Council to make regulations applicable to The Uplands.

- (a.) Regulating and prescribing the class, minimum cost, and location of buildings; providing for the approving by the Council of the site and architectural design of buildings; limiting the number of buildings on any one lot; prescribing the purpose for which buildings may be used; and prohibiting the erection, reconstruction, maintenance, and use of buildings which do not comply with such regulations:
- (b.) Prohibiting or regulating the height and design of fences:
- (c.) Regulating the height of hedges:
- (d.) Prohibiting any trade or business:
- (e.) Prohibiting or regulating signs and advertisements and the keeping of certain kinds of animals:
- (f.) Prohibiting or regulating the situation aboveground of electric light, power, telephone, or other wiring on any

lot: Provided, however, that any prohibition or regulation under this clause shall not affect, impair, or retract any right that may now be held or enjoyed by the Consolidated Railway Company; the British Columbia Electric Railway Company, Limited; the Vancouver Island Power Company, Limited; or the British Columbia Telephone Company:

(g.) Prohibiting or regulating the further subdivision of lots and prescribing the minimum size of lots.

(2.) The regulations in one part of the area may differ from those in other parts.

(3.) The Council may, in any by-law made hereunder, provide for the enforcement of the regulations therein by inflicting fines and penalties, and the provisions in the "Municipal Act," or in any special Act applicable to the municipality, as to the authentication, quashing, and enforcement of by-laws and penalties for breach of by-laws shall apply to any such by-law.

(4.) Such regulations and any amendments thereto may be registered in the said Land Registry Office against the title to any or all lots upon application by The Corporation of the District of Oak Bay without payment of any fee.

3. Any such regulations may be enforced and the contravention thereof restrained by the Supreme Court upon action brought by the said Corporation, whether or not any penalty has been imposed for such contravention, and it shall be unnecessary for the Crown or the Attorney-General or any other officer of the Crown to be a party to such action.

4. The Council shall not make or amend any such regulations until it has held a hearing thereon, of which a notice stating the time and place of hearing has been published by insertion in not less than two consecutive issues of a newspaper published or circulating in the said municipality, so that the last of such insertions shall appear not less than three days nor more than ten days before the date fixed for the hearing, and at such hearing (which may be adjourned from time to time) all persons who deem themselves affected by the proposed regulations shall be afforded an opportunity to be heard before the Council on the matters contained therein. No notice of the by-law or regulations need be given to the persons affected thereby, but the notice of hearing shall state a place where and the days and hours within which a copy of the proposed by-law may be inspected. The Council may without notice, in the by-law as adopted and finally passed, give such effect as it deems fit to representations made at the hearing.

Hearing of interested parties prior to making of regulations.

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