

# Dan Johnson

PERSONAL REAL ESTATE CORPORATION

*PEMBERTON  
HOLMES*

· ESTABLISHED 1887 ·

## Information Package

For

***1222 McKenzie Dr, Duncan***

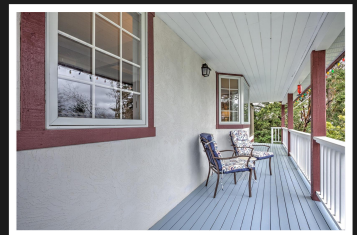
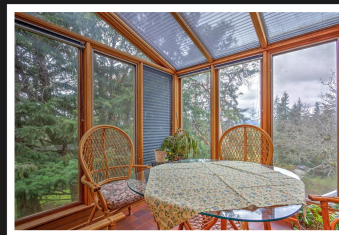


The information and documentation included in this package was gathered from assumed reliable sources but should not be relied upon without further independent investigation and verification by the Buyer.

PEMBERTON  
HOLMES

· ESTABLISHED 1887 ·

## LOVELY FAMILY HOME



### 1222 Mckenzie Dr

Lovely and private mountain view home near beautiful Maple Bay with mature trees and set back from the road is this 3 bed/3 bath home on a large 0.42acre lot! The primary bedroom is on the main floor with two more beds up! The home has a cozy library with built-in shelves and oak floors, esthetically pleasing covered porches front & back, coffered ceilings in the living & dining rooms with loads of windows and access to the front porch through french doors for those morning coffees or evening drinks. There is ample pantry space in the spacious kitchen, a sunlit cedar paneled sunroom that makes you feel like you are in your own little private oasis in the forest. There is also a detached double garage/workshop. Updates include a new wood stove insert, ducted heat pump, new roof on house, garage & shed (2016), new built-in vacuum, fir front door, new concrete patio (\$14k - 2018), hot water tank (2019), and leaf guards on front gutters (2021). Call your agent today to view!



**Priced at**  
**\$869,000**

Area	East Duncan	Age	1984
Bedrooms	3	Taxes	4239
Bathrooms	3	Tax Year	2023
Lot Size	18295.2	MLS#	957441
Floor Space	2159	Parking	

**DAN JOHNSON\***

Pemberton Holmes - Duncan

Scan this QR  
Code with your  
smart phone



(250) 746-8123  
wrkn4you@gmail.com  
ww.DuncanBCRealEstate.ca

23 Queens Road  
Duncan, V9L 2W1



**Dan Johnson**  
 Personal Real Estate Corporation  
 Cell: 250-709-4987  
 wrkn4you@gmail.com  
 Pemberton Holmes Ltd. (Dun)



**1222 Mckenzie Dr Duncan BC V9L 5R8**  
 MLS® No: **957441** **\$869,000** **Active**



Lovely and private mountain view home near beautiful Maple Bay with mature trees and set back from the road is this 3 bed/3 bath home on a large 0.42acre lot! The primary bedroom is on the main floor with two more beds up! The home has a cozy library with built-in shelves and oak floors, esthetically pleasing covered porches front & back, coffered ceilings in the living & dining rooms with loads of windows and access to the front porch through french doors for those morning coffees or evening drinks. There is ample pantry space in the spacious kitchen, a sunlit cedar paneled sunroom that makes you feel like you are in your own little private oasis in the forest. There is also a detached double garage/workshop. Updates include a new wood stove insert, ducted heat pump, new roof on house, garage & shed (2016), new built-in vacuum, fir front door, new concrete patio (\$14k - 2018), hot water tank (2019), and leaf guards on front gutters (2021). Call your agent today to view!

Room	Level	Dims/Pieces
Bathroom	Main	2-Piece
Bedroom - Primary	Main	14'1x12'3
Den	Main	9'0x9'1
Dining Room	Main	11'10x14'4
Eating Nook	Main	10'0x8'0
Ensuite	Main	4-Piece
Entrance	Main	10'8x13'4
Kitchen	Main	12'1x16'11
Laundry	Main	11'0x17'0
Living Room	Main	15'4x14'4
Walk-in Closet	Main	4'8x5'1
Bathroom	Second	4-Piece
Bedroom	Second	11'6x21'1
Bedroom	Second	10'9x14'2
Other	Second	12'10x14'5

MLS® No: **957441** List Price: **\$869,000**  
 Status: **Active** Orig Price: **\$869,000**  
 Area: **Duncan** Sub Area: **Du East**  
**Duncan**  
 DOM: **1** Sold Price:  
 Sub Type: **Single Family Detached**  
 Pend Date: Title: **Freehold**

**Interior**

Beds: <b>3</b>	Baths: <b>3</b>	Kitchens: <b>1</b>	Fireplaces: <b>1</b>	Storeys:
FinSqFt Total: <b>2,159</b>	UnFin SqFt: <b>0</b>	SqFt Total: <b>2,159</b>	Basement: <b>No</b>	Addl Accom:
2pc Ensuites: <b>0</b>	3pc Ensuites: <b>0</b>	4+pc Ensuites: <b>1</b>	Beds or Dens: <b>4</b>	Laundry: <b>In House</b>
Layout: <b>Main Level Entry with Upper Level(s)</b>				
Heating: <b>Baseboard, Electric, Heat Pump</b>				
Intr Ftrs:				
Appl Incl: <b>Dishwasher, F/S/W/D, Freezer</b>				
Cooling: <b>Air Conditioning</b>				

**Exterior/Building**

Built (Est): <b>1984</b>	Front Faces: <b>Northwest</b>	Storeys:	Bldg Warranty:
Construction: <b>Frame Wood, Insulation: Ceiling, Insulation: Walls, Stucco</b>	Access: <b>Road: Paved</b>	Foundation: <b>Poured Concrete</b>	Roof: <b>Wood</b>
Lgl NC Use:	Exterior Ftrs: <b>Balcony/Deck, Garden</b>	Bldg Style:	

**Lot**

Lot SqFt: <b>18,295</b>	Lot Acres: <b>0.42</b>	Dimensions:	Shape:	Water: <b>Municipal</b>
Park Type: <b>Additional, Carport Double, Driveway</b>	Park Spcs: <b>4</b>	View: <b>Mountain(s)</b>	Waterfront:	
Carpport Spcs: <b>2</b>	Garage Spcs: <b>0</b>	Services:		
Sewer: <b>Septic System</b>	Restrictions:			
Lot Ftrs: <b>Family-Oriented Neighbourhood, Landscaped, Quiet Area, Recreation Nearby</b>				

**Legal/Public Records**

Assessed: <b>\$775,000</b>	Assess Yr: <b>2024</b>	Taxes: <b>\$4,239</b>	Tax Year: <b>2023</b>
PID: <b>000-425-982</b>	Roll No: <b>9876000</b>	Zoning: <b>R1</b>	Zone Desc: <b>Residential</b>
Plan Number:	Lot: Block:	District Lot:	Land District:
Legal Description: <b>Lot 35, Section 4, Range 4, Comiakn District, &amp; Sec 5, Plan VIP36806</b>			

## Property Notes – 1222 McKenzie Dr

Nice library with BI shelves and old oak floors.

Oak floors in the entry and thru to the 2pc and laundry.

Tile in kitchen and sunroom.

Covered porches front and back.

Coffered ceilings in living & dining room.

Beautiful arbutus trees on property and mountain views.

New Wood stove insert installed by South Island Fireplace in 2018ish.

New ducted heat pump 2016 American Standard with new ducting (was elec bb).

New Roof 2016 on house, garage & shed.

New BI vac in 2017.

Fir door on front 2021.

New concrete \$14k patio in 2018.

2 pantries?

Gorgeous cedar panelled sunroom with 2 opening windows.

Hot water tank purchased in 2016 and installed 2019.

Leaf guards installed on Front gutters 2021.

Rhubarb & Raspberries.

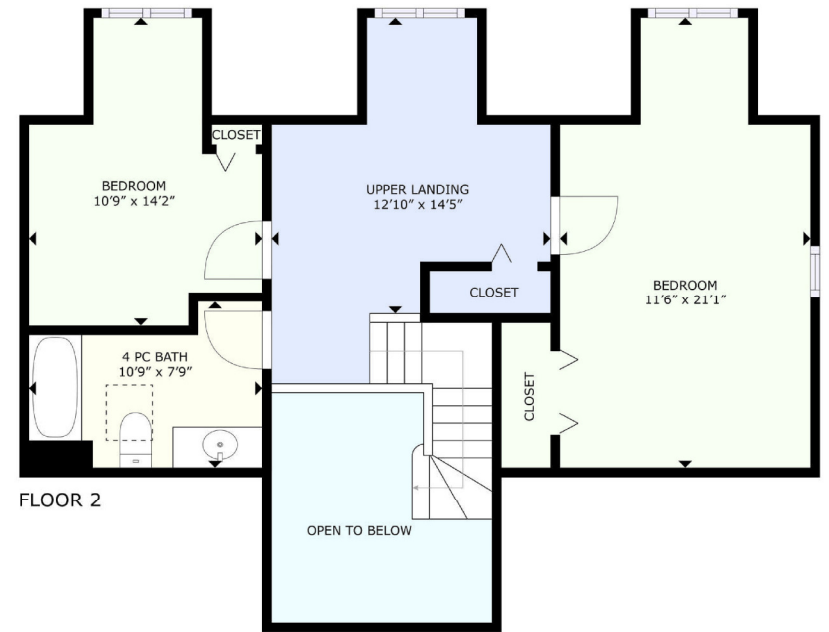
6' crawl accessed under front porch - excellent dry storage.

Prices Alarm installed but not used.

Dishwasher new November 2023, washer/dryer 3yrs old - all Bosch.



FLOOR 1



FLOOR 2

GROSS INTERNAL AREA  
 FLOOR 1: 1,516 sq. ft , FLOOR 2: 643 sq. ft  
 TOTAL: 2,159 sq. ft  
 SIZES AND DIMENSIONS ARE APPROXIMATE, ACTUAL MAY VARY.



## Residential Rural Zone (R1)

### Permitted Uses

- 56 (1) The permitted uses for the R1 zone are as follows:
- Agriculture
  - Assisted Living
  - Bed and Breakfast
  - Community Care Facility
  - Home-based Business
  - Modular Home
  - Single-Family Dwelling
  - Supportive Housing
  - Temporary Mobile Home (subject to the Temporary Mobile Home Permit Bylaw)
  - Two-Family Dwelling [BL3302, BL3367, BL3754]

### Minimum Lot Size

- (2) The minimum permitted lot size for the R1 zone is 1,675 m<sup>2</sup> (18,029 sq. ft.).

### Minimum Frontage

- (3) The minimum permitted frontage for the R1 zone is 30.0 m (98.43').

### Density

- (4) The maximum permitted density for the R1 zone is as follows:
- (a) The number of residential buildings shall not exceed one.
  - (b) Despite the foregoing, the placement of a Temporary Mobile Home may also be permitted on lots 0.81 ha (two acres), or larger, subject to the Temporary Mobile Home Permit Bylaw. [BL3754]
  - (c) The maximum permitted floor space ratio for the R1 zone is 0.5:1. [BL3383]
  - (d) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 9272 Cottonwood Road (PID: 006-038-000). [BL3642]
  - (e) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 1217 Barnes Road (PID: 003-134-814). [BL3666]
  - (f) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 6343 Wicks Road (PID: 003-145-603). [BL3731]
  - (g) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 10097 Chemainus Road (PID: 018-858-651). [BL3732]
  - (h) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 2372 Regina Drive (PID 000-368-393). [BL3760]
  - (i) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 1038 Herd Road (PID: 023-168-501). [BL3766]
  - (j) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on Lot 7 Wellburn Place (PID: 031-028-314). [BL3809]
  - (k) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 9376 Cottonwood Road (PID: 004-156-676). [BL3815]

- (l) Despite section 56 (4)(a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 6353 Genoa Bay Road (PID: 001-165-283) [BL3847]
- (m) Despite section 56 (4)(a) a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 8921 Chemainus Road (PID: 029-612-829) [BL3852]
- (n) Despite section 56(4)(a) above, a total combined maximum of two dwelling units within a maximum of two residential buildings is permitted on 1211 Barnes Road (PID: 000-006-793) [BL3911]

### Maximum Lot Coverage

- (5) The maximum permitted lot coverage of the R1 zone is 30% of the lot area.

### Minimum Setbacks

- (6) The minimum permitted setbacks for the R1 zone are as follows:
  - (a) Principal Buildings
    - Yard, Front, 6.0 m (19.68')
    - Yard, Side, 3.0 m (9.84')
    - Yard, Rear, 8.0 m (26.25')
  - (b) Accessory Buildings and Structures (Excluding Fences)
    - Yard, Front, 6.0 m (19.68')
    - Yard, Side, 3.0 m (9.84')
    - Yard, Rear, 3.0 m (9.84')
- (6.1) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a public road other than a lane is 5.8 m (19.03'). [BL3150]

### Maximum Building Height

- (7) The maximum permitted building heights for the R1 zone are as follows:
  - (a) Principal Buildings, 9.0 m (29.53')
  - (b) Accessory Buildings, 5.0 m (16.40')

### Conditions of Use

- (8) The conditions of use for the R1 zone are as follows:
  - (a) [Repealed. BL3891]
  - (b) [Repealed. BL3891]
  - (c) [Repealed. BL3891]
  - (d) Bed and breakfast uses may have no more than six sleeping units.
  - (e) [Repealed. 3758]
  - (f) Assisted Living, Supportive Housing, and Community Care Facilities may be permitted provided that the number of residents does not exceed ten, including resident staff,
    - (ii) the use is within a single-family dwelling unit only,
    - (iii) valid health permits for septic systems or on-site wastewater treatment systems are obtained, where no municipal sewer is available. [BL3302]
  - (g) Limited farm sale of agricultural products may be sold directly to the public provided that:
    - (i) a minimum of 50% of the agricultural products offered for sale are produced on the land;
    - (ii) the covered retail sales area does not exceed 100 m<sup>2</sup> (1076.4 sq. ft.); and
    - (iii) the retail sales are clearly ancillary to the farm use. [BL3083]
  - (h) [Repealed. BL3367]



## 1222 MCKENZIE DR DUNCAN V9L 5R8

Area-Jurisdiction-Roll: 04-315-09876.000



04-315-09876000 10/27/2015

**Total value** **\$775,000**

2024 assessment as of July 1, 2023

Land \$358,000

Buildings \$417,000

Previous year value \$820,000

Land \$394,000

Buildings \$426,000

### Property information

Year built 1984

Description 1.5 STY SFD - After 1930 - Semi-Custom

Bedrooms 3

Baths 3

#### Carports

Garages G

Land size .42 Acres

First floor area 1,362

Second floor area 596

Basement finish area

Strata area

Building storeys 2

Gross leasable area

Net leasable area

No. of apartment units

### Legal description and parcel ID

LOT 35, PLAN VIP36806, SECTION 4, RANGE 4, COMIAKEN LAND DISTRICT, & SEC 5

PID: 000-425-982

### Sales history (last 3 full calendar years)

No sales history for the last 3 full calendar years

### Manufactured home

Width

Length

Total area

## Register with BC Assessment



Search properties on a map



Compare property information and assessment values



Store and access favourite properties across devices



View recently viewed properties

# PROPERTY INFORMATION

## General Property Information

**Civic Address:** 1222 MCKENZIE DR  
**Folio:** 09876-000  
**LTO Number:** CA4980414  
**PID:** 000-425-982  
**MHR Number:**  
**Status:** Active  
**Property No:** 108833  
**Legal:** LOT 35 SECTION 4 RANGE 4 COMIAKEN PLAN VIP36806

## Property Attributes

Title	Value	Description
BCAA		
MANUAL CLASS	0151	1.5 STY SFD-AFTER 1930-S. CUST
ACTUAL USE	000	SINGLE FAMILY DWELLING
FIRE AREA	MAPLE BAY	
CURBSIDE PICKUP		
GARBAGE SCHEDULE	RED A	RED A SCHEDULE
ZONING	R1	RESIDENTIAL RURAL ZONE

## Property Tax Levies and Assessments Summary

Year	Notice Date	Type	Total Levy	Class	Gross Land	Gross Improvements	Gross Assessment	Net Assessment
2024		Reg	0.00	1	358,000	417,000	775,000	775,000
2023	May 10, 2023	Reg	4,239.41	1	394,000	426,000	820,000	820,000
2022	May 05, 2022	Reg	4,639.99	1	351,000	429,000	780,000	780,000

## Licensing Information

There is no licensing account information for this property.

## Community Development

There is no community development information for this property.

Please Note: This statement is issued in accordance with Community Charter Section 249 - Certificate of Outstanding Taxes. Under 249(3), an error in a statement or certificate given under this section does not subject the municipality to damages. This property may be subject to other charges or fees.

CERTIFICATE ISSUED  
DATE

OCT 4/84

# BUILDING PERMIT CERTIFICATE OF OCCUPANCY

The Corporation of the District of North Cowichan  
P.O. Box 278, Duncan, B9 876  
Building Dept. Folio No. \_\_\_\_\_  
Phone 746-7101

APPLICANT M.G. JUTRAS DATE FEB 8 19 84 PERMIT NO. 68

PERMIT TO CONSTRUCT (TYPE OF IMPROVEMENT) ADDRESS (NO.) RESIDENCE (STREET)  
1222 MCKENZIE DRIVE (NO.) (STREET) (PROPOSED USE)  
AT (LOCATION) \_\_\_\_\_ ZONING DISTRICT R1

SUBDIVISION COM. 36806 RA SA/5 LOT 35 BLOCK \_\_\_\_\_ LOT SIZE \_\_\_\_\_

BUILDING IS TO BE 49 FT. WIDE BY 33 FT. LONG BY \_\_\_\_\_ FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION

TO THE REQUIREMENTS OF THE NATIONAL BUILDING CODE AND ATTACHED PLAN CORRECTION SHEET.

REMARKS: 

AREA 1500 APP. (SQUARE FEET)

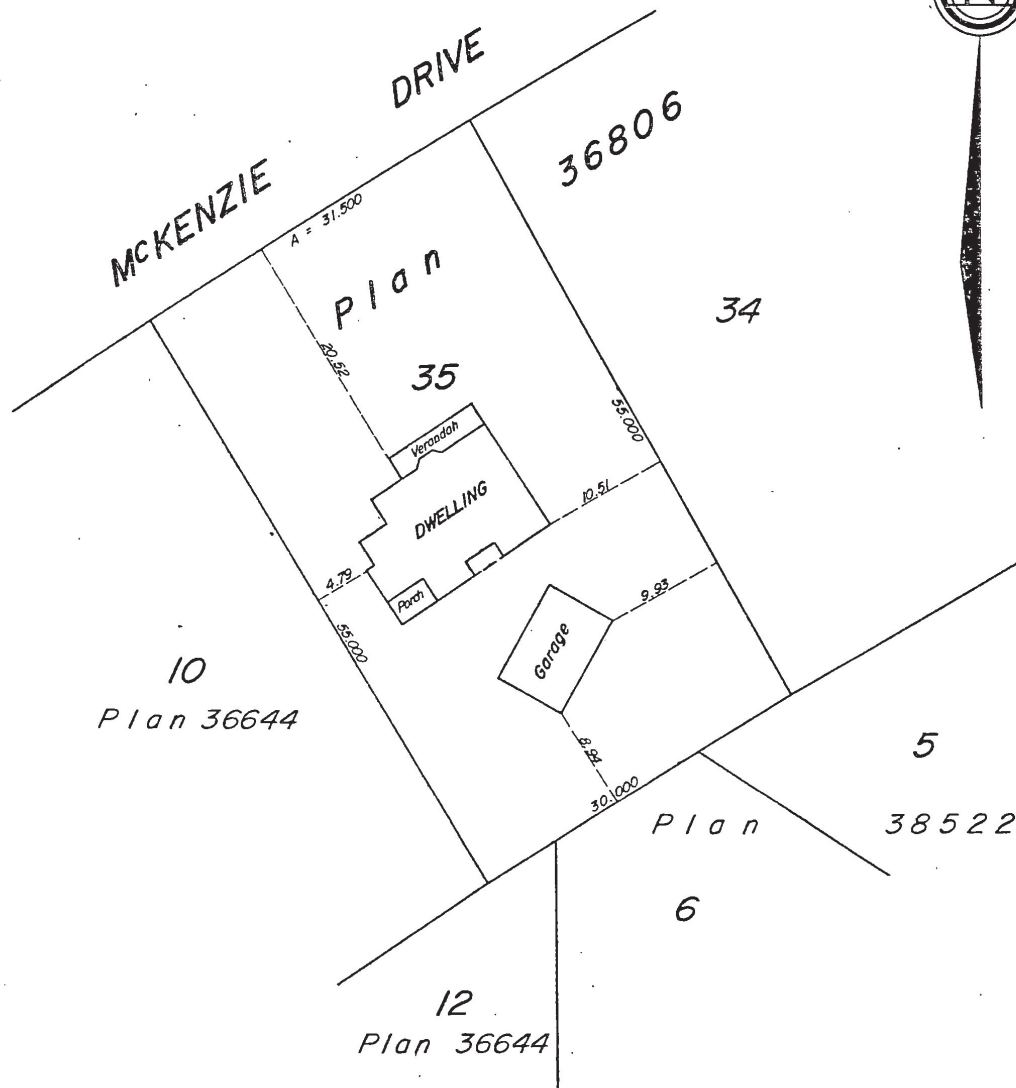
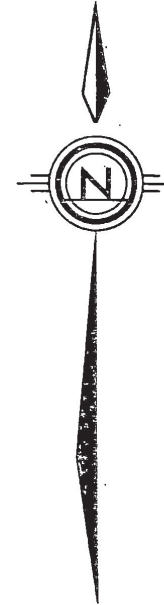
OWNER Same ADDRESS \_\_\_\_\_

*RM w/p*

SITE SURVEY PLAN OF BUILDING LOCATED ON LOT 35, SECTION 4, RANGE 4, COMIAKEN DISTRICT, PLAN 36806.

Scale = 1:500

This information has been provided subject to the federal Copyright Act and in accordance with the provincial Freedom of Information and Protection of Privacy Act.



I hereby certify that the above sketch shows the registered dimensions of the above described property and the relative location of the improvements thereon.

The purpose of this plan is for the protection of the mortgagee only and not for the re-establishment of property boundaries.

August 8<sup>th</sup>, 1984

K Hillyard, B.C.L.S.

Wright Hillyard & Parry  
B.C. Land Surveyors  
715 Canada Ave.,  
Duncan, B.C.

03

# PLAN OF SUBDIVISION OF PARTS OF SECTIONS 4 & 5, RANGE 4, COMIAKEN DISTRICT.

Scale 1:1000



### Legend

All distances are in metres

Grid bearings are derived from Plan 36644

- O.P. denotes standard iron post found
- P. " " " " set
- R. " radius
- m<sup>2</sup> " square metres

This plan lies within Integrated Survey Area No. 10 and shows ground level measured distances

Prior to computation of U.T.M. co-ordinates multiply by combined factor 0.9996846

This plan lies within the Comstock Valley Regional District

NORTH

Section 5  
Section 4



335

33

1679m<sup>2</sup>

21  
62

331° 18' 37" — 55.000  
332° 59' 30"

1679m<sup>2</sup>

34

25.500

55.491  
143° 08' 00"  
55.416  
330° 54' 35" — 55.000

330.7m<sup>2</sup>

1693m<sup>2</sup>

35

5' 10"

19° 22' 45"

IP.

329° 18' 18"

31.500

327° 17' 59" — 55.000  
329° 20' 55"

10

35.00

327° 11' 58"

01P.

15"

56644  
1995

58

01P.

30.000 IP.  
12

IP.

15.993

11.50

IP. 11.50

60

IP. 11.50

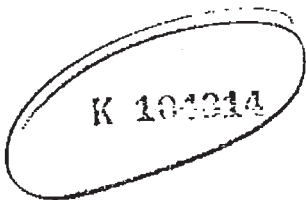
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K 87758

to

K 87792

J. du



LAND TITLE ACT

FORM 35

(Section 216 (1))

DECLARATION OF BUILDING SCHEME

Nature of Interest: Charge: Building Scheme

Herewith fee of: \$10.00

Address of person entitled to apply to register this building scheme:

MAPLE BAY.....5932-6...RSA/lkp

Full name, address, telephone number of person presenting application:

ACHTEM ALEXANDER, Barristers and Solicitors  
808 - 1175 Douglas Street, Victoria, B.C. (388-4444)

*[Handwritten Signature]*

Signature of Applicant or  
Solicitor or Authorized Agent

I, MAPLE BAY VENTURES LTD., (Inc. No. 192,283), with registered  
offices at 808 - 1175 Douglas Street, P.O. Box 667, Victoria, B.C.  
(Full name, address and occupation of declarer)

I am the registered owner in fee simple lessor of the following land (hereinafter called "the lots"):

Lots 1 to 35 both inclusive  
Sections 4 & 5  
Range 4  
Cowichan District  
Plan 36806

*[Stamp: MEMORANDUM OF REGISTRATION, Rev. 1-1-80, on the Law and...]*

- 2. Thereby create a building scheme relating to the lots
- 3. A sale of any of the lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
- 4. The restrictions shall be for the benefit of all the lots.

MAPLE BAY VENTURES LTD.

Per: *[Signature]*  
authorized signatory

Consent and priority agreement of charge holders:

I/We \_\_\_\_\_  
of \_\_\_\_\_ the holders of the following registered charges, consent to the registration  
of the above declaration of creation of building scheme and agree that it shall have priority over our  
respective charges.

Type of Charge	Registration Number of Charge	Signatures of Holders of Charges

- NOTE: 1. Any executing or consenting corporation must seal this instrument, see section 16 of the Conveyancing and Law of Property Act.  
2. The execution of all declaring or consenting parties must be witnessed and the execution proved in the manner prescribed by Part 5.  
3. This form may be adapted to include any further provisions permitted by section 216.  
4. The consents of charge holders may be on a separate Form(s) 35.

SCHEDULE OF RESTRICTIONS

Must Print on and Submit to Ltd., Vancouver, B.C.  
Law and Commercial Services Form No. LTA 6

LAND TITLE ACT

FORM 6  
(Section 46)

*2*

PROOF OF EXECUTION BY CORPORATION

I CERTIFY that on the \_\_\_\_\_ day of October, 19 81,  
at the City of Victoria, ~~in~~ British Columbia,

~~(whose identity has been proved by the evidence on file of)~~  
RALSTON STEWART ALEXANDER ~~(Principal Name Address and Telephone)~~

who is personally known to me, appeared before me and acknowledged to me that he ~~is~~ is the authorized signatory of MAPLE BAY VENTURES LTD.

and that he ~~is~~ is the person who subscribed his ~~own~~ name and affixed the seal of the corporation to the instrument, that he ~~is~~ was authorized to subscribe his ~~own~~ name and affix the seal to it. (and that the corporation existed at the date the instrument was executed by the corporation.)

IN TESTIMONY of which I set my hand and seal of office at Victoria, B.C.

this \_\_\_\_\_ day of October, 19 81.

*[Signature]*  
MICHAEL S. GREENE

\*Where the person making the acknowledgment is a resident of a province or territory other than British Columbia, the affidavit must be sworn to before a Justice of the Peace or a Notary Public in that province or territory. The words in brackets may be added to the affidavit if the person making the affidavit is a resident of a province or territory other than British Columbia. The words in brackets may be added to the affidavit if the person making the affidavit is a resident of a province or territory other than British Columbia.



3

SCHEDULE OF RESTRICTIONS

1. Building Scheme provisions relating to Lots One (1) to Thirty-Five (35), both inclusive of Sections 4 & 5, Range 4, Cowichan District, Plan 36806.

Maple Bay Ventures Ltd. is hereinafter referred to as the "Company". Purchasers of lots in the subdivision subject to this Building Scheme and their successors in title are hereinafter referred to as the "Owners".

2. There shall be no commencement of site preparation, including filling and excavation, or constructions of any improvement or alteration thereof until a complete set of plans, signed by the Owners, has been deposited with Maple Bay Ventures Ltd., or its agent or nominee and approval therefor has been obtained as hereinafter provided, it being the intent of these restrictive covenants that all improvements, including dwellings, fences and landscaping are to be controlled as to design, siting, height, set backs, type of materials used and exterior colour schemes. For greater clarity and certainty it is the intent of these restrictive covenants to ensure a variety in set backs and dwelling types to be built upon the lots and to ensure that all dwellings and improvements are suited to the particular lot on which they are to be located. Notwithstanding the foregoing, all conditions will be applicable provided they do not contravene the provisions of the Municipality of North Cowichan zoning bylaws.

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3. Without restricting the generality of Clause 2, no trees or vegetation shall be removed or substantially altered without approval, and conversely, no lot after the initial sale thereof by Maple Bay Ventures Ltd. shall be left in such a state as to unreasonably impede the view from any other lot or lots and to this end, the Company may require that any trees or vegetation be removed, topped or otherwise modified from time to time.

4. No improvement or lot shall be allowed to become in disrepair or unsightly or untidy, it being the intent of these covenants that all lots and improvements thereon shall be maintained at all times in a neat and attractive state and condition.

5. The Owner covenants and agrees that he will not subdivide any lot within the said Plan, unless the portion in which each is to be divided are added to the adjoining lots within the said Plan to increase the size of such adjoining lots nor erect or permit to be erected more than one dwelling house on each lot whether enlarged or not, nor use or permit to be used as a dwelling house more than one building on each lot whether enlarged or not. A second building may be built for non-residential purposes, providing that it meets with the approval of the Municipality of North Cowichan, and the Company.

6. No building shall be erected on any such lots for use as a dwelling house unless the same shall have a minimum liveable area of

5

1,200 square feet on the main floor, measured from the outside edge of walls, exclusive of garages, carports, patios and other annexures.

7. No building shall be erected on any such lot unless the same shall be completed within twelve (12) months from the date of commencement. For the purposes of this building scheme "Completed" shall mean completion of all exterior finishes including stucco, siding, and like finishing material and includes placement of windows, doors and exterior painting; and also shall include the completing of porches and other like annexures.

8. No mobile home, trailer, modular unit, nor any building constructed substantially of any metal or according to any A-frame or quonset hut plan shall be placed on any lot herein described. In addition no trailer, basement, garage or other out-building shall be used for either permanent or temporary residence.

9. No garbage receptacle, incinerator or compost heap shall be kept on any lot herein described unless the same is screened from view at all times.

10. No building erected on the lots shall be used for the purposes of any profession, trade, employment, manufacture or business of any description or as a day-care facility, school, hospital, or other charitable institution, or as a hotel, apartment house, rooming house or

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place of public resort, or for any other purpose than that of a private single family residence, nor shall the lots without a building be so used, nor shall any thing be done on the lots or in any building thereon which may be an annoyance or a nuisance to the occupiers of any neighbouring land.

11. No billboard or sign of any character shall be erected, posted, and pasted or displayed upon or about any part of the lot or lots or upon or in any buildings on the lot or lots hereby purchased, other than "For Sale" signs not larger than 18" X 30", PROVIDED that nothing in this clause contained shall prevent the Owner erecting or displaying a sign showing his name and/or street address so long as the dimensions of such sign does not exceed two feet by six inches (2' X 6").

12. No animals, birds or livestock excepting only the usual house pets shall be kept upon the said lands.

13. No person shall habitually park or cause to be habitually parked in or about the building site or the lands comprising the lot or lots hereby purchased, any commercial vehicles or machinery in the nature of logging truck, bulldozers or the like conveyances, nor any vehicle or machinery of a like kind or character PROVIDED that this clause shall not be deemed to affect or prohibit the parking for the specified purpose of doing construction or maintenance work upon the

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said lands for the improvement and benefit thereof, or of commercial vehicles parked temporarily for the purposes of conducting their regular business in or about the said lands. AND PROVIDED that Recreational Vehicles belonging to visitors shall be permitted to park in private driveways for a period not exceeding one month in any one year.

14. No wall, fence, tent awning or other similar structure or works shall be erected, constructed, altered or maintained on any lot in excess of six (6) feet in perpendicular height from ground level to the highest point thereof.

15. No outdoor clothes lines or poles shall be used save and except for an umbrella or collapsible type erected in such a manner as not to be visible from the street upon which the lot is situated.

16. No dwelling house shall be erected on any of Lots 16 and 17 having a floor elevation of the lowest floor higher than elevation 175 metric geodetic unless there is installed an ancillary hydro-pneumatic pressure system in the dwelling house.

17. In the event of any breach by an Owner of these restrictive covenants for a period of thirty (30) days after notice in writing delivered to the lot by the approving body requesting the Owner to remedy such breach, such body may cause such work as may be necessary to cure the breach to be performed and the cost thereof shall be a

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debt owing by the Owner, payable on delivery to the lot of an invoice for such work.

18. Any consents or approvals necessary pursuant to the foregoing restrictions shall be in writing and obtained from Maple Bay Ventures Ltd. or its agent, or nominee, who may also relax, waive or modify any of these restrictive covenants as it in its sole discretion may see fit.

19. Any approval being granted as aforesaid shall be final and binding and shall not be open to question by any Owner or Owners of other lots and failure of the approving body to enforce these restrictive covenants or to exercise its power in a judicial manner shall not render such body liable in damages or to any claims or demands whatsoever.

20. The restrictions and stipulations herein contained shall not be deemed to be exclusive of the obligations or liabilities imposed by statute or by common law on owners or occupiers of lands, all of which shall be duly observed and complied with.

21. If any restrictions, stipulations, covenants or conditions contained herein shall be or be declared by a court of competent jurisdiction to be invalid, such invalidity shall not affect or impair the validity of any other restriction, stipulation, covenant or condition contained herein, which shall be read and construed as if any such invalid restriction, stipulation, covenant or condition had never been included in these presents.

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104314

22. The Company hereby reserves the right to modify, waive or release any restrictions or stipulations relating to any of the lots remaining unsold within the said building scheme, including any restrictions and stipulations which may become binding on the Company by virtue of this Deed. If any lot is exempted from these restrictions hereby created, its Owners shall not be entitled to enforce these restrictions for their own benefit.

LAND TITLE ACT  
Section 216(1) Form-35

CT K 112402

MODIFICATION OF BUILDING SCHEME

**K 112402**

Interest: Modification S.B.C. ALEXANDER ACHTEM ALEXANDER  
Fee herewith: \$10.00 BARRISTERS & SOLICITORS Barristers & Solicitors  
1175 DOUGLAS STREET  
VICTORIA, B.C.  
MAPLE BAY 5932-6 RSA/lkp V6W 2P3  
Per: [Signature]  
agent

THIS INDENTURE made the 11th day of December, 1981.

WHEREAS MAPLE BAY VENTURES LTD., (Inc. No. 192,283), with an office at 808 - 1175 Douglas Street, Victoria, British Columbia, is the registered owner in fee simple of the following lands, in the Province of British Columbia, Municipality of North Cowichan, and being more particularly known and described as:

Lots 1 to 17 and Lots 20 to 35  
Sections 4 & 5  
Range 4  
Comiaken District  
Plan 36806

1101 551976 LsD 33

*Bill*  
(1981)

hereinafter called the "said lands");

AND WHEREAS MAPLE BAY VENTURES LTD. did cause to be created a Statutory Building Scheme charging the said lands, which Statutory Building Scheme was duly registered at the Victoria Land Title Office on the 30th day of October, 1981 under number K104314;

AND WHEREAS no lots which are the subject matter of this Statutory Building Scheme have been sold;

AND WHEREAS MAPLE BAY VENTURES LTD. reserved unto itself pursuant to paragraph 21 of the said Statutory Building Scheme, the right to modify, waive or release the restrictions as to any unsold lots;

MEMORANDUM OF RESERVATIONS

on application of

1981 DEC 11

*Bill*

RECEIVED  
LAND TITLE OFFICE  
VICTORIA, B.C.

DEC 11 11:54



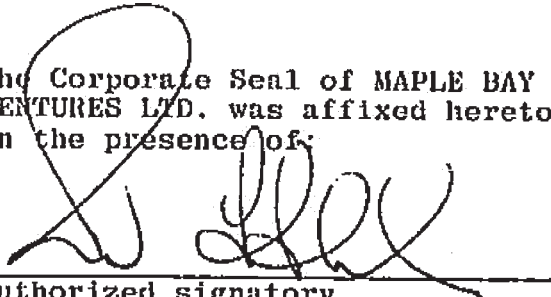
2  
page 2.

AND WHEREAS MAPLE BAY VENTURES LTD. is desirous of modifying the said Statutory Building Scheme by deleting paragraph 5 of page 2 of the Schedule of Restrictions and substituting thereto the following:

"5. The Owner covenants and agrees that he will not erect or permit to be erected more than one dwelling house on each lot, nor use or permit to be used as a dwelling house more than one building on each lot. A second building may be built for non-residential purposes, providing that it meets with the approval of the Municipality of North Cowichan and the Company."

In all other particulars the Statutory Building Scheme is ratified by MAPLE BAY VENTURES LTD.

The Corporate Seal of MAPLE BAY VENTURES LTD. was affixed hereto in the presence of:

  
authorized signatory

REGISTERED VIK112402 RCVD:1981-12-11 RQST:2012-02-13-15.43.13.392

LAND TITLE ACT

FORM 6 (Section 46)

PROOF OF EXECUTION BY CORPORATION

I CERTIFY that on the 11th day of December, 1981,

at the City of Victoria in British Columbia,

~~whose identity has been proved by the residence of~~  
RALSTON STEWART ALEXANDER

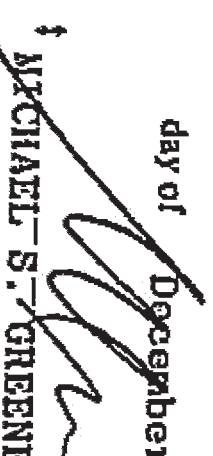


who is personally known to me, appeared before me and acknowledged to me that he/she is the authorized signatory of MAPLE BAY VENTURES LTD.

and that he/she is the person who subscribed his/her name and affixed the seal of the corporation to the instrument, that he/she was authorized to subscribe his/her name and affix the seal to it. (and that the corporation existed at the date the instrument was executed by the corporation.)

IN TESTIMONY of which I set my hand and seal of office at Victoria, B.C.

this 11th day of December, 1981.

  
MICHAEL S. GREENE

\*Where the person making the acknowledgment is personally known to the officer taking it, write out these words in brackets [These words in brackets may be added, if the applicant wishes the registrar to exercise his discretion under the section (69(3) not in call for further evidence of the existence of the corporation] ~~Witness my hand and seal of office at Victoria, B.C. this 11th day of December, 1981.~~ A Commissioner for Taking Affidavits for British Columbia

No. of Application K112402

LAND TITLE ACT  
(NOTICE DECLINING TO REGISTER)

Land Title Office,  
Victoria, B.C.

16th December, 1981

IN THE MATTER of the above application to register a Modification of Building Scheme

Re: Lots 1 to 35, Sections 4 and 5, Range 4, Comiakon District,  
Plan 36806

Sir:

TAKE NOTICE that I refuse to effect registration in accordance with the tenor of the above application. My reason for such refusal and my requirements are as follows:

Lots 18 and 19 are no longer in the name of your owner

91-1781 362965 1s3 500

AND FURTHER TAKE NOTICE that under the provisions of Section 298 of the Land Title Act, this notice is deemed to have been received by you within ten days from the posting, which is the same as the date hereof; and that unless you comply with the provisions of Sections 288 and 289 of this Act, this application shall be deemed to be cancelled and void.

N.B.

See print of Sections 288 and 289 on back hereof.  
Fee for this notice, \$5.00

File 5932-6

R. E. Hooper  
Registrar of Title

Per:

TO:

Achtem Alexander  
Bank of Commerce Building  
Douglas and View Streets  
VICTORIA, British Columbia  
V8W 2P3

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112402

Duty of Registrar to Notify  
Applicant of Refusal of  
Registration

288. (1) Where the registrar refuses to proceed with an application under this Act, he shall forthwith serve a notice in writing on the applicant, or the solicitor or agent of the applicant, of his refusal, stating briefly his reasons and his requirements, and where a subsequent application is affected by his refusal he shall similarly serve a notice on the subsequent applicant.

(2) Where

- (a) the requirements of the registrar are fulfilled, and
- (b) the fee for the notice is paid

within 21 days after service of the notice, the application shall be proceeded with.

(3) Where

- (a) the requirements of the registrar are not fulfilled, or
- (b) the fee for the notice is not paid

within the period referred to in subsection (2), the refusal of the registrar is final, and the application shall, at the end of that period, become void and be cancelled by the registrar unless the applicant applies under section 289.

(4) The registrar may, in his discretion, on request at any time before the lapse of the period referred to in subsection (2), extend the time for making the application under Section 289 or for fulfilling his requirements, as the case may be.

(5) Where the registrar refuses to grant an extension of time, an application in the nature of an appeal may be made to the Supreme Court, ex parte or on such terms as to notice or otherwise as the court may consider proper.

(6) During an extension of time ordered by the court under subsection (5), the application to the registrar remains in full force and effect.

Appeal to Court

289. (1) The applicant may, within 21 days after service on him of a notice under section 288, make an application in the nature of an appeal to the Supreme Court, supported by an affidavit of the applicant and of other persons if necessary, stating

- (a) the material facts of the case, and
- (b) that to the best of the information, knowledge and belief of the deponents, all facts and things material to the title have been fully and fairly disclosed.

(2) All parties affected or interested, including the Registrar and a person directed to be served by the court, shall be served with the Court application, together with the copies of all material and exhibits proposed to be used on the hearing.

(3) At least 10 days' notice shall be given of the time and place of hearing and at that time and place all interested parties, whether served with the Court application or not, may appear and be heard.

(4) The place of hearing shall be the city in which the land title office is situated.

(5) The Court may make any order it considers proper as to the notification of other parties, and on the hearing may make such order proper as to costs in respect of the parties appearing.

(6) Where the refusal of the registrar to effect registration in accordance with the application made to him is stated to be on the ground that the applicant's title must be declared under the Quieting Titles Act, the court may order that the proceedings under this section be governed by that Act.

# SOUTH ISLAND FIREPLACE & SPAS

# SOLID FUEL INSPECTION FORM 2970

Tel: (250) 746 - 0123  
www.southislandfireplace.com

Fax: (250) 746 - 0124  
sales@southislandfireplace.com

WETT CERTIFICATION #8164  
GST# 133274209

NAME <b>BLACK</b>		DATE <b>DEC 14/16</b>
ADDRESS <b>1222 MACKENZIE DR. V9L 5R8</b>		POSTAL CODE
CITY <b>DUNCAN</b>	PHONE <b>250-748-2870</b>	POLICY#

### LOCATION OF UNIT WITHIN DWELLING

Appliance Type: **WOOD INSERT**

Make <b>PACIFIC ENERGY</b>	Model <b>AUDERLEA TS INSERT</b>	Serial # <b>3126</b>	Age <b>NEW</b>
Labelled <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> CSA <input checked="" type="checkbox"/> ULC	<input checked="" type="checkbox"/> WARNOCK HERSEY	<input checked="" type="checkbox"/> OTHER <b>EPA</b>

### HEATING UNIT

Manufacturer Approved Clearances (See Label on Appliance) ALL MEASUREMENTS ARE IN INCHES

Side <b>20 1/2"</b>	Back <b>/</b>	Corner <b>/</b>	Mantle (Insert) Measured From Insert Top Shelf <b>16"</b>
Hearth Front <b>18"</b>	Hearth Side <b>8"</b>	Hearth Rear <b>/</b>	

ACTUAL AS MEASURED	Side <b>53"</b>	Back <b>/</b>	Corner <b>/</b>	Mantle (Insert) Measured From Insert Top Shelf <b>MARBLE MANTLE</b>
	Hearth Front <b>18"</b>	Hearth Side <b>28"</b>	Hearth Rear <b>/</b>	Do All Measurements Comply? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

FUEL	<input checked="" type="checkbox"/> Wood Only	Number of Cords burned per year? <b>1-1 1/2</b>	<input type="checkbox"/> Wood and Oil	<input type="checkbox"/> Other, specify:
	How often is unit used? <b>1-2</b> days per week	Is the unit primary source of heat? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Primary source: <b>ELECTRIC</b>	

### CHIMNEY

Note: Building Code Requires a Stainless Steel Liner for Masonry Fireplace Inserts

<input checked="" type="checkbox"/> Masonry	Clay Lined <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Stainless Liner <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> Factory Built Class A	Manufacturer:
<input type="checkbox"/> Factory Built 650 Degree	<input checked="" type="checkbox"/> CSA <input type="checkbox"/> ULC <input checked="" type="checkbox"/> WARNOCK HERSEY	Chimney is installed: <input checked="" type="checkbox"/> Inside Building <input type="checkbox"/> Outside Building		
How often is Chimney cleaned? <b>1-2/YEAR</b>	By: <b>PROFESSIONAL SWEEP</b>	Date of last cleaning: <b>NEW LINER</b>		

### STOVEPIPE

<input type="checkbox"/> Single Wall Stovepipe	<input type="checkbox"/> Double Wall Stove Pipe	Manufacturer:	Does Stove Pipe Pass Through a Combustible Wall? <input type="checkbox"/> YES <input type="checkbox"/> NO	Length of Stove Pipe
Distance to wall:	Construction of Wall:	Distance to Ceiling:	Construction of Ceiling:	

### INSTALLATION

Was the appliance installed by a heating contractor?	<input type="checkbox"/> Unknown <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name of Firm: <b>SOUTH ISLAND FIREPLACE</b>
Was the Chimney installed by a heating or masonry contractor?	<input checked="" type="checkbox"/> Unknown <input type="checkbox"/> NO <input type="checkbox"/> YES	Name of Firm: <b>LINER - SAMIE</b>
Does the stovepipe pass through a concealed space?	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> NO <input type="checkbox"/> YES	Explain:
Is protective shielding used around heating unit?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	Material, clearances etc.
Does the unit share a chimney flue with any other appliance?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	Explain details:
Does other appliance vent above or below the unit?	<input type="checkbox"/> Above <input type="checkbox"/> Below	
Has the installation, including chimney been inspected and approved by a fire department or building code inspector?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	Name of Inspector:
Smoke detector on the same floor as unit?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Carbon Monoxide detector in the building?
Fire extinguisher in the area of the unit?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	TYPE:
Where are ashes kept? <b>METAL CONTAINER</b>	How are ashes disposed of? <b>OUTSIDE</b>	

Special Notes



# Dan Johnson

PERSONAL REAL ESTATE CORPORATION

*PEMBERTON  
HOLMES*

· ESTABLISHED 1887 ·

The information and documentation included  
in this package was gathered from assumed  
reliable sources, but should not be relied  
upon without further independent  
investigation and verification by the Buyer.

Dan Johnson Personal Real Estate Corporation  
Pemberton Holmes Ltd  
23 Queens Rd, Duncan, BC V9L 2W1  
250-709-4987  
[www.duncanbcrealestate.ca](http://www.duncanbcrealestate.ca)