

Dan Johnson

PERSONAL REAL ESTATE CORPORATION

*PEMBERTON
HOLMES*

· ESTABLISHED 1887 ·

Information Package

For

2063 Kensington Pl, Duncan

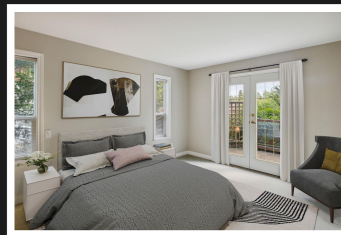
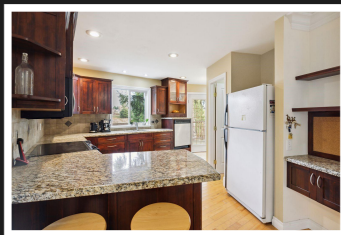
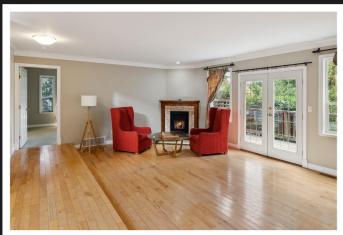


The information and documentation included in this package was gathered from assumed reliable sources but should not be relied upon without further independent investigation and verification by the Buyer.

PEMBERTON
HOLMES

· ESTABLISHED 1887 ·

GREAT FAMILY HOME JUST OUTSIDE OF TOWN!



2063 Kensington Pl

IDEAL FAMILY HOME in an idyllic, quiet, upscale neighbourhood just outside of town on a family friendly cul-de-sac! Updates include a brand new heat pump installed Dec 2023, fresh paint inside & out, barn doors separating the living room & kitchen, new washer/dryer, and a pizza oven! A grand entrance with soaring ceiling leads to a sunken living/dining room with hardwood floors & gas fireplace. A kitchen with granite countertops, lots of wood cabinetry and stainless appliances, nook perfect for a comfy chair to enjoy the views, pantry, 2pc bath, den/office, large laundry room, and the primary suite with walk-in closet and spa-like 4pc bath complete the main floor. Upstairs are 2 more bedrooms, a bonus space & a 3pc bath with new walk-in shower. An in-law suite with a generous bedroom & 3pc bath separated by a breezeway too! With just over a partially fenced 1/2 acre, you can garden till your heart's content and enjoy the fruit trees, too. Call your agent today!



Priced at
\$899,000

Area	East Duncan	Age	2000
Bedrooms	4	Taxes	5579
Bathrooms	4	Tax Year	2023
Lot Size	23958	MLS#	953575
Floor Space	2961	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)



2063 Kensington Pl Duncan BC V9L 5W3
 MLS® No: **953575** **\$899,000** **Active**



MLS® No: **953575** List Price: **\$899,000**
 Status: **Active** Orig Price: **\$899,000**
 Area: **Duncan** Sub Area: **Du East**
Duncan
 DOM: **0** Sold Price:
 Sub Type: **Single Family Detached**
 Pend Date: Title: **Freehold**

IDEAL FAMILY HOME in an idyllic, quiet, upscale neighbourhood just outside of town on a family friendly cul-de-sac! Updates include a brand new heat pump installed Dec 2023, fresh paint inside & out, barn doors separating the living room & kitchen, new washer/dryer, and a pizza oven! A grand entrance with soaring ceiling leads to a sunken living/dining room with hardwood floors & gas fireplace. A kitchen with granite countertops, lots of wood cabinetry and stainless appliances, nook perfect for a comfy chair to enjoy the views, pantry, 2pc bath, den/office, large laundry room, and the primary suite with walk-in closet and spa-like 4pc bath complete the main floor. Upstairs are 2 more bedrooms, a bonus space & a 3pc bath with new walk-in shower. An in-law suite with a generous bedroom & 3pc bath separated by a breezeway too! With just over a partially fenced 1/2 acre, you can garden till your heart's content and enjoy the fruit trees, too. Call your agent today!

Room	Level	Dims/Pieces
Bathroom	Main	2-Piece
Bedroom - Primary	Main	12'0x14'3
Den	Main	8'0x10'1
Dining/Living Combo	Main	22'7x16'4
Eating Nook	Main	6'10x6'0
Ensuite	Main	4-Piece
Entrance	Main	7'10x10'5
Kitchen	Main	13'4x11'7
Laundry	Main	9'10x9'5
Pantry (Finished)	Main	4'6x3'6
Walk-in Closet	Main	6'0x8'0
Bathroom	Second	4-Piece
Bedroom	Second	12'10x10'4
Bedroom	Second	12'10x10'4
Walk-in Closet	Second	5'4x5'5
Walk-in Closet	Second	5'4x4'7
Other	Second	7'8x10'5
Bathroom-Additional	Other	3-Piece
Bedroom-Additional	Other	16'1x11'9
Living-Additional	Other	10'3x26'6

Interior

Beds: **4** Baths: **4** Kitchens: **1** Fireplaces: **1** Storeys:
 FinSqFt Total: **2,961** UnFin SqFt: **0** SqFt Total: **2,961** Basement: **No** Addl Accom:
 2pc Ensuites: **0** 3pc Ensuites: **0** 4+pc Ensuites: **1** Beds or Dens: **5** Laundry: **In House**
 Layout: **Main Level Entry with Upper Level(s)** Appl Incl: **Dishwasher, F/S/W/D, Freezer, Refrigerator**
 Heating: **Electric, Heat Pump** Cooling: **Air Conditioning**
 Intr Ftrs: **French Doors, Vaulted Ceiling(s)**

Exterior/Building

Built (Est): **2000** Front Faces: **Southwest** Storeys: Bldg Warranty:
 Construction: **Cement Fibre, Frame Wood, Insulation: Ceiling, Insulation: Walls** Foundation: **Poured Concrete** Roof: **Fibreglass Shingle**
 Lgl NC Use: Access: **Road: Paved** Bldg Style:
 Exterior Ftrs: **Fencing: Partial, Garden**

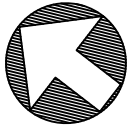
Lot

Lot SqFt: **23,958** Lot Acres: **0.55** Dimensions: Shape:
 Park Type: **Driveway, Garage** Park Spcs: **3** View: Waterfront: Water: **Municipal**
 Carport Spcs: **0** Garage Spcs: **1** Services:
 Sewer: **Septic System** Restrictions: Lot Ftrs: **Cul-de-sac, Easy Access, Family-Oriented Neighbourhood, Irregular Lot, Landscaped, Quiet Area, Recreation Nearby, Rural Setting**

Legal/Public Records

Assessed: **\$1,131,000** Assess Yr: **2024** Taxes: **\$5,579** Tax Year: **2023**
 PID: **023-679-484** Roll No: **5194011** Zoning: **R1** Zone Desc: **Residential**
 Plan Number: Lot: Block: District Lot: Land District:
 Legal Description: **Lot 11, Section 7, Range 8, Somenos Land District, Plan VIP64867**

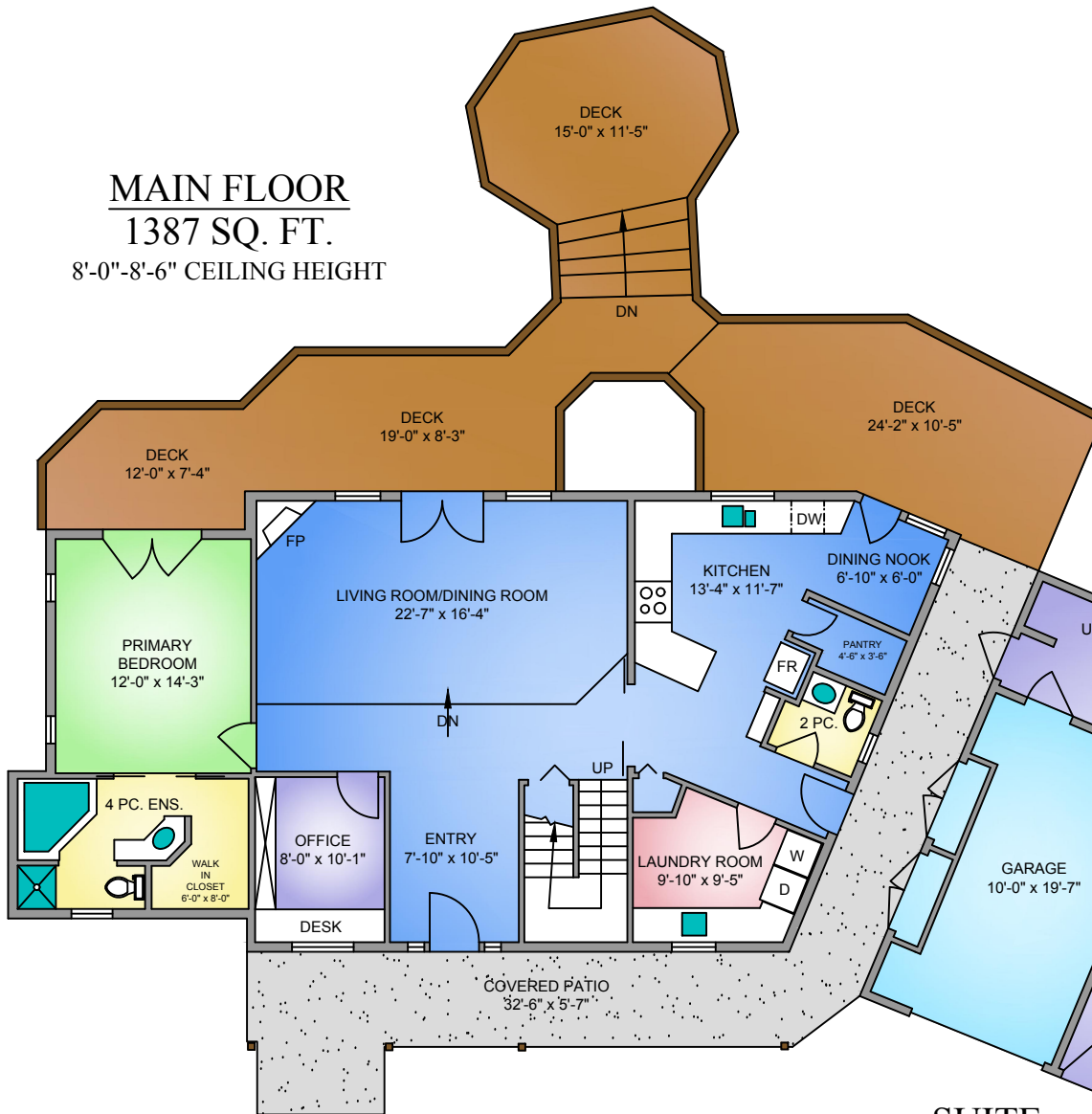
NORTH



MAIN FLOOR

1387 SQ. FT.

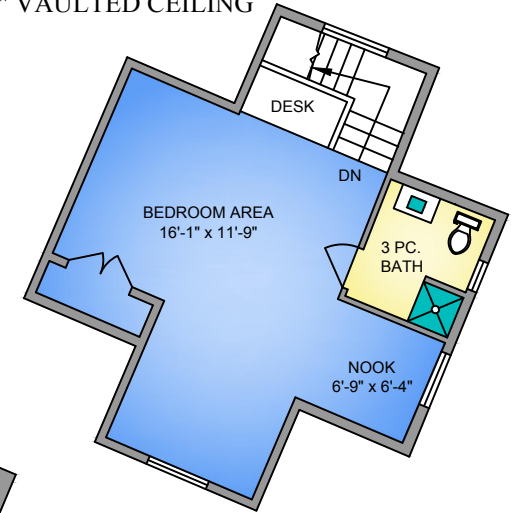
8'-0"-8'-6" CEILING HEIGHT



**SUITE
UPPER FLOOR**

496 SQ. FT.

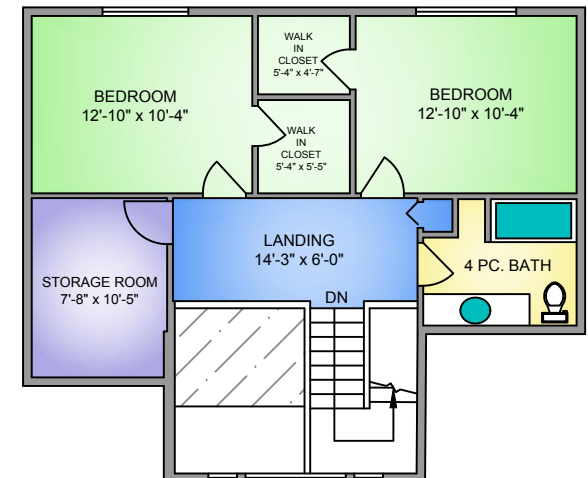
4'-5"-7'-0" VAULTED CEILING



UPPER FLOOR

678 SQ. FT.

8'-0" CEILING HEIGHT



**SUITE
MAIN FLOOR**

400 SQ. FT.

8'-0" CEILING HEIGHT

2063 KENSINGTON PLACE

NOVEMBER 28, 2023

PREPARED FOR THE EXCLUSIVE USE OF DAN JOHNSON.

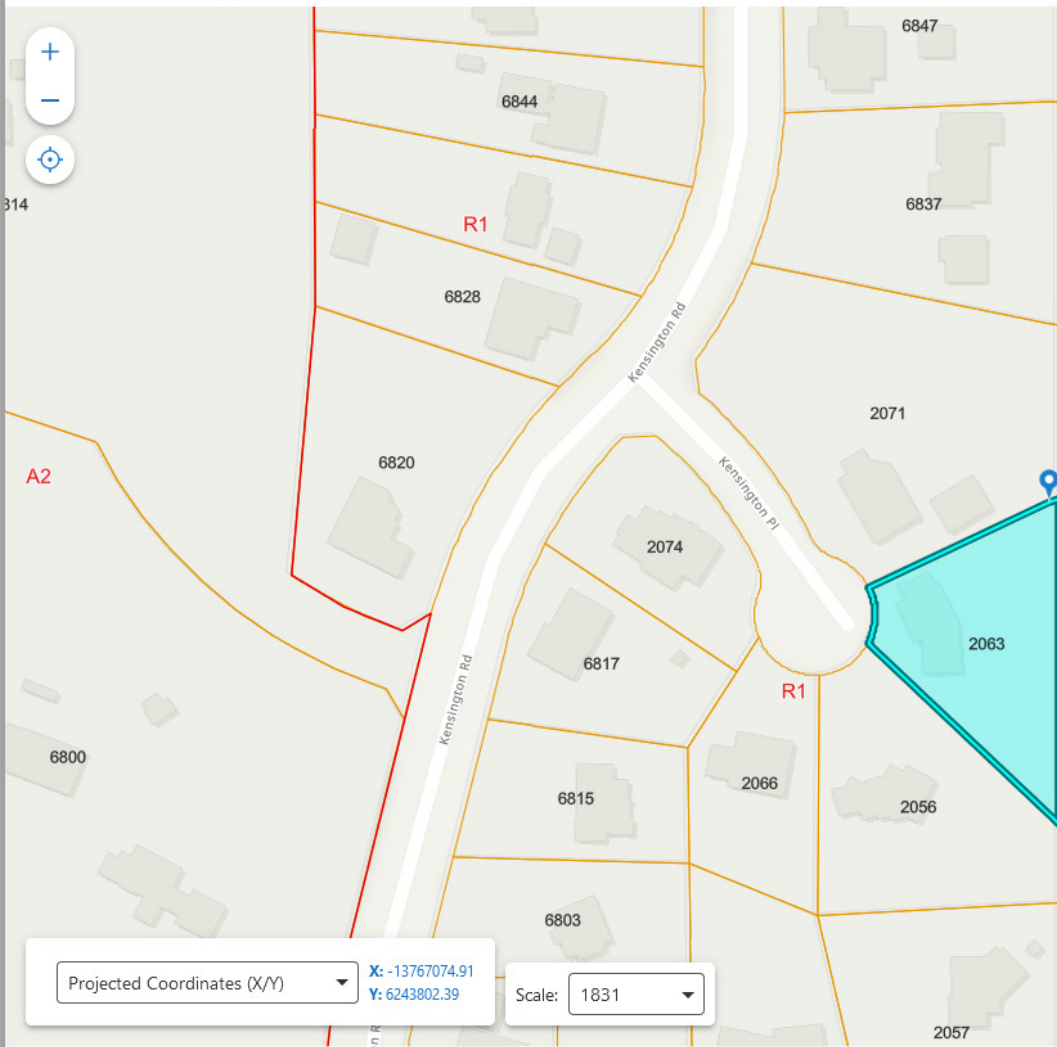
PLANS MAY NOT BE 100% ACCURATE, IF CRITICAL BUYER TO VERIFY.

FLOOR	TOTAL	AREA (SQ. FT.)		
		FINISHED	GARAGE	DECK / PATIO
MAIN	1387	1387	-	1046
UPPER	678	678	-	-
TOTAL	2065	2065		1046
SUITE MAIN	400	400	268	
SUITE UPPER	496	496		
SUITE TOTAL	896	896		

Parcels: 2063 KENSINGTON PLC

House 1: 2063
House 2:
Street Name: KENSINGTON PLC
Approx. m2:
Approx. Acre: 0.546937
Approx. Hectare: 0.221346
PID: 023-679-484
Folio: 05194-011
Lot: 11
Plan: VIP64867
Non-Legal Descript: L 11 PL VIP64867
Section: 7
Range: 8
Land District: Somenos
Zoning: R1
Split Zoned: NA
Accuracy:
Method:
GIS Link ID: 03402
Comments:
[Zoning Bylaw PDF](#)
[Property Report](#)

Search for ...



Parcels: 2063 KENSINGTON PLC

Projected Coordinates (X/Y) X: -13767074.91 Y: 6243802.39

Scale: 1831

30 m

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 m² (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 m² (1076.4 sq. ft.); and
 - (iii) the retail sales are clearly ancillary to the farm use. [BL3083]
 - (h) [Repealed. BL3367]

2063 KENSINGTON PL DUNCAN V9L 5W3

Area-Jurisdiction-Roll: 04-315-05194.011



Total value **\$1,131,000**

2024 assessment as of July 1, 2023

Land	\$532,000
Buildings	\$599,000
Previous year value	\$1,093,000
Land	\$458,000
Buildings	\$635,000

Property information

Year built	1999
Description	1.5 STY SFD - After 1990 - Standard
Bedrooms	3
Baths	3
Carports	
Garages	C
Land size	.548 Acres
First floor area	1,382
Second floor area	822
Basement finish area	
Strata area	
Building storeys	2
Gross leasable area	
Net leasable area	
No. of apartment units	

Legal description and parcel ID

LOT 11, PLAN VIP64867, SECTION 7, RANGE 8, SOMENOS LAND DISTRICT
 PID: 023-679-484

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:	2063 KENSINGTON PLC
Folio:	05194-011
LTO Number:	CA7688738
PID:	023-679-484
MHR Number:	
Status:	Active
Property No:	104128
Legal:	LOT 11 SECTION 7 RANGE 8 SOMENOS PLAN VIP64867

Property Attributes

Title	Value	Description
BCAA		
MANUAL CLASS	0146	1 1/2 Sty Sfd - New Standard
ACTUAL USE	000	SINGLE FAMILY DWELLING
FIRE AREA	SOUTH END	
CURBSIDE PICKUP		
GARBAGE SCHEDULE	BLUE B	BLUE B 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	532,000	599,000	1,131,000	1,131,000
2023	May 10, 2023	Reg	5,579.25	1	458,000	635,000	1,093,000	1,093,000
2022	May 05, 2022	Reg	5,622.90	1	440,000	526,000	966,000	966,000

Licensing Information

There is no licensing account information for this property.

Community Development

There is no community development information for this property.

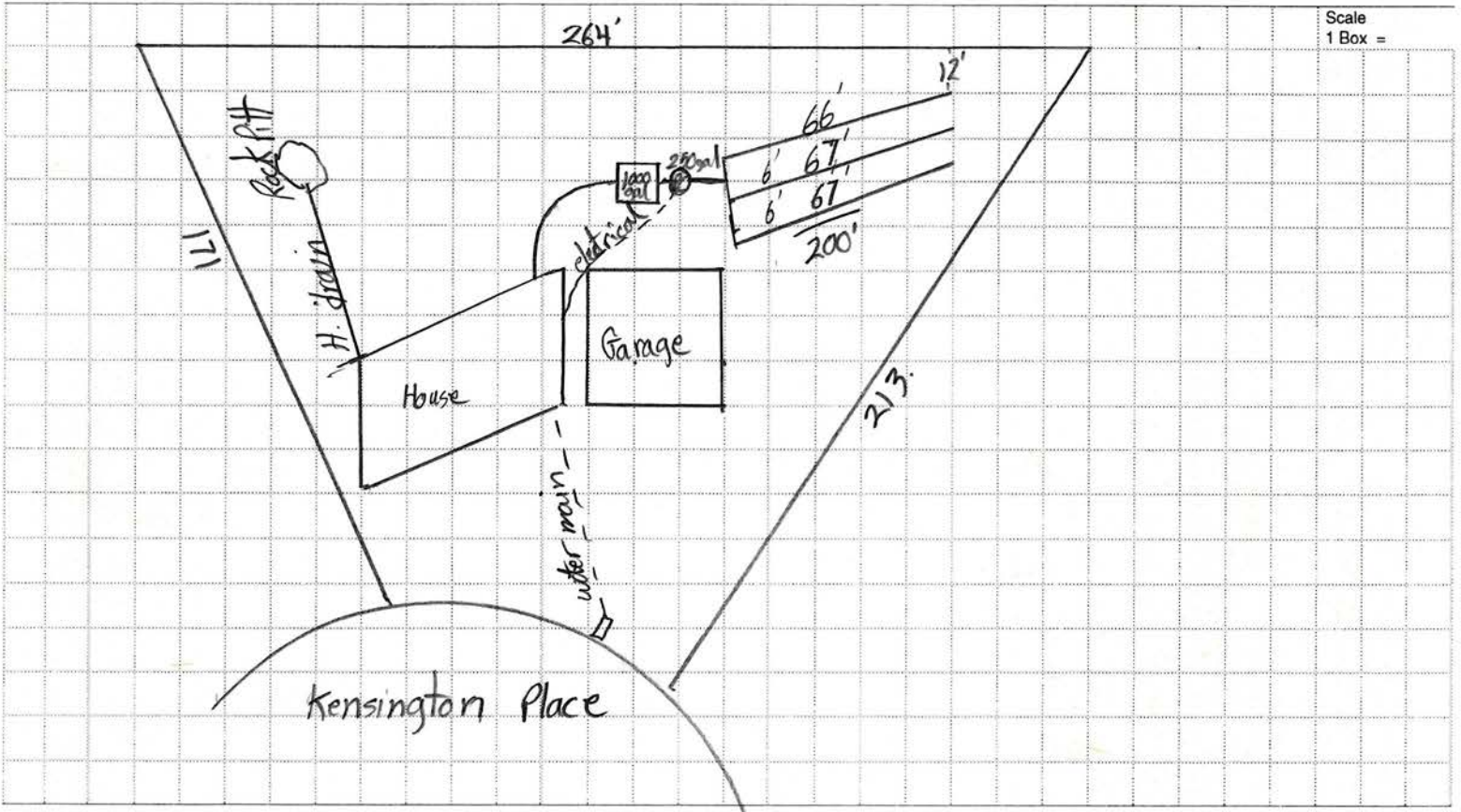
Please Note: This statement is issued in accordance with Community Charter Section 249 - Certificate of Outstanding Taxes. Under 249(3), an error in a statement or certificate given under this section does not subject the municipality to damages. This property may be subject to other charges or fees.



315-05194.011

**AUTHORIZATION TO OPERATE
A SEWAGE DISPOSAL SYSTEM**

FOLIO NUMBER	DATE OF APPLICATION (Y/M/D)	NAME OF OWNER	NAME OF CONTRACTOR
	99/10/20	[REDACTED]	Chester Contracting
LEGAL DESCRIPTION OF LOT		STREET ADDRESS / GENERAL LOCATION	
Lot 11, section 7, Range 8, Someros district, Plan V/P 64867		2063 Kensington Place Duncan BC.	
AS BUILT DIAGRAM : to be completed by the contractor or applicant		INSTALLED AS PER REGULATIONS	SIGNATURE OF OWNER / APPLICANT
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	[REDACTED]



Scale
1 Box =

The Ministry of Health does not guarantee the useable life of the sewage disposal system. The life of the system is affected by the use and maintenance it receives. Pump out the septic tank every 2-3 years. For servicing of package treatment plants, consult your local service agent. For service guarantees, consult your local sewage disposal contractor. If the system needs repair or modification, a new permit is required.

If the system is not authorized for backfilling and if corrections are required, a re-inspection fee of \$100 must be paid for each time the Public Health Inspector checks to see that the faults have been corrected.

DATE BACKFILL / USE AUTHORIZED	SUBJECT TO THE FOLLOWING CONDITIONS:
Oct 20/99	

SIGNATURE PUBLIC HEALTH INSPECTOR / EHO:

FOR PUBLIC HEALTH INSPECTOR / EHO USE ONLY

	APPROVED	REJECTED	NOT APPLICABLE
septic tank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
package treatment plant	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
other (e.g.lagoon,holding tank) specify:			
field laterals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
distribution box	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
siphon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	APPROVED	REJECTED	NOT APPLICABLE
curtain drain	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
interceptor drains	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
pump	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
drain rock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
set back distances	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
fill	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



315-05194.011

POSTED

FOLIO NUMBER	DATE OF APPLICATION (Y / M / D) 22 / 9 / 99	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Repair	<input checked="" type="checkbox"/> Alteration
--------------	------------------------------------------------	------------------------------------------------------	---------------------------------	------------------------------------------------

OWNER INFORMATION
Correspondence to be sent to
 owner

NAME OF OWNER	TELEPHONE NUMBER
Number and Street	City
Postal Code	
MAILING ADDRESS	

APPLICANT INFORMATION
Correspondence to be sent to
 applicant

NAME OF APPLICANT CHESTER CONTRACTING D.V.B. G.K. SEPTIC INSTALLATIONS LTD	TELEPHONE NUMBER 748-0522
Number and Street	City
Postal Code	
MAILING ADDRESS BOX 1008 DUNCAN B.C.	V9L 3Y2

LOT INFORMATION

LEGAL DESCRIPTION OF WHERE DISPOSAL SYSTEM IS TO BE CONSTRUCTED
LOT 11 SEC 7 RANGE 8 SOMENOS DISTRICT
PLAN VIP 64867

STREET ADDRESS / GENERAL LOCATION
2063 KENSINGTON PLACE DUNCAN B.C.

PREMISE INFORMATION

SEWAGE DISPOSAL SYSTEM WILL SERVE: <input checked="" type="checkbox"/> SINGLE FAMILY DWELLING <input type="checkbox"/> DUPLEX <input type="checkbox"/> OTHER (specify):	NUMBER OF BEDROOMS: 3	FINISHED BASEMENT <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DO YOU INTEND TO ADD A BASEMENT SUITE OR MORE BEDROOMS IN THE FUTURE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ESTIMATED DAILY SEWAGE FLOW: 300 GALS	TOTAL LIVING AREA: 1750	LOT SIZE: .54 ACRE	

SYSTEM INFORMATION

TYPE OF SEWAGE DISPOSAL SYSTEM: <input checked="" type="checkbox"/> CONVENTIONAL <input type="checkbox"/> ALTERNATE (E.G. <input type="checkbox"/> PRIVY <input type="checkbox"/> LAGOON, <input type="checkbox"/> RAISED MOUNDS, <input type="checkbox"/> SEEPAGE BED) <input type="checkbox"/> DEEP TRENCH <input type="checkbox"/> OTHER (specify):	SEPTIC TANK MANUFACTURER DAN'S PRE-CAST	LIQUID VOLUME OF TANK 750 GALLON
TOTAL LENGTH OF DRAINAGE PIPE 200'	TYPE OF DRAINAGE PIPE: <input checked="" type="checkbox"/> PVC <input type="checkbox"/> OTHER (specify):	MATERIAL OF SEPTIC TANK CONCRETE
INSIDE DIAMETER OF PIPE 3"	IF PACKAGE TREATMENT PLANT IS PROPOSED GIVE: MAKE N/A	TREATMENT CAPACITY -
SEWAGE PUMP: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	FIELD DOSE VOLUME PUMPED PER CYCLE:	

ALTERNATE INFORMATION

PRESSURE DISTRIBUTION PROPOSED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	LAGOON SIZE -	DEPTH OF CLAY SOIL -	GARBURATOR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
-------------------------------------------------------------------------------------------------------	------------------	-------------------------	-----------------------------------------------------------------------------------

SITE INFORMATION

SOIL DESCRIPTION
DEPTH OF SOIL: over 1.2 m (4 ft.) under 1.2 m (4 ft.) If under 1.2m (4 ft.), due to rock or clay at _____ ft. from surface.
DEPTH TO WATER TABLE: over 1.2 m (4 ft.) under 1.2 m (4 ft.) If under 1.2m (4 ft.) the depth is _____

PERC TESTS
SLOWEST RATE FROM test hole #1 4 min./2.5 cm (1 inch) test hole #2 3 min./ 2.5 cm (1 inch)
AVERAGE OF SLOWEST RATE FROM EACH TEST HOLE 3.5 min./ 2.5 cm (1inch)

WATER INFORMATION
SOURCES OF DOMESTIC WATER: MUNICIPAL WATER
DISTANCES OF PROPOSED DISPOSAL FIELD FROM: _____ source of domestic water NA breakout point
_____ own well _____ neighbouring wells _____ stream or lake _____ water lines

RESTRICTIVE COVENANTS

ARE THERE ANY RESTRICTIVE COVENANTS / EASEMENTS WHICH WILL AFFECT THE DESIGN OR LOCATION OF THE SEWAGE DISPOSAL SYSTEM? Yes No
If Yes, explain

APPLICANT SIGNATURE

The information on this application is accurate and true to the best of my knowledge:
 Owner or Agent
Signature: George Chester Date: SEPT 22/99

OFFICE USE ONLY
PAID: \$250.00 #394673
DATE: SEPT 22/99
INITIALS: DS

PERMIT TO CONSTRUCT, INSTALL, ALTER OR REPAIR

FOLIO / LOT NUMBER

Pursuant to this application and the Sewage Disposal Regulations, permission is hereby granted to construct, install, alter, or repair the sewage disposal system on this property. This permit may be cancelled if variations are made to these plans and specifications.

Conditions of Permit: ① Pressure distribution is required ② Trenches to be 24" wide or use EQ 24 ③ Increase septic tank size to 1000 gallon with 2 chambers and an effluent screen ④ Place suitable perc fill to a depth of 24" at the east end of the disposal field (area of easterly 4' test pit). ⑤ Trenches to follow natural contours of slope ⑥ Keep trenches on slope above low area.

DATE PERMIT VALID

Sept 30/99

SIGNATURE OF PUBLIC HEALTH INSPECTOR / EHO

FOR PUBLIC HEALTH INSPECTOR / EHO USE ONLY

SITE EVALUATION

- file check
- application complete and consistent
- soil requirements met
- setback distances

SITE INFORMATION

- soil type _____
- soil depth _____
- water table _____
- slope _____

COMMENTS

Original disposal field area was excavated - this is a re-application.

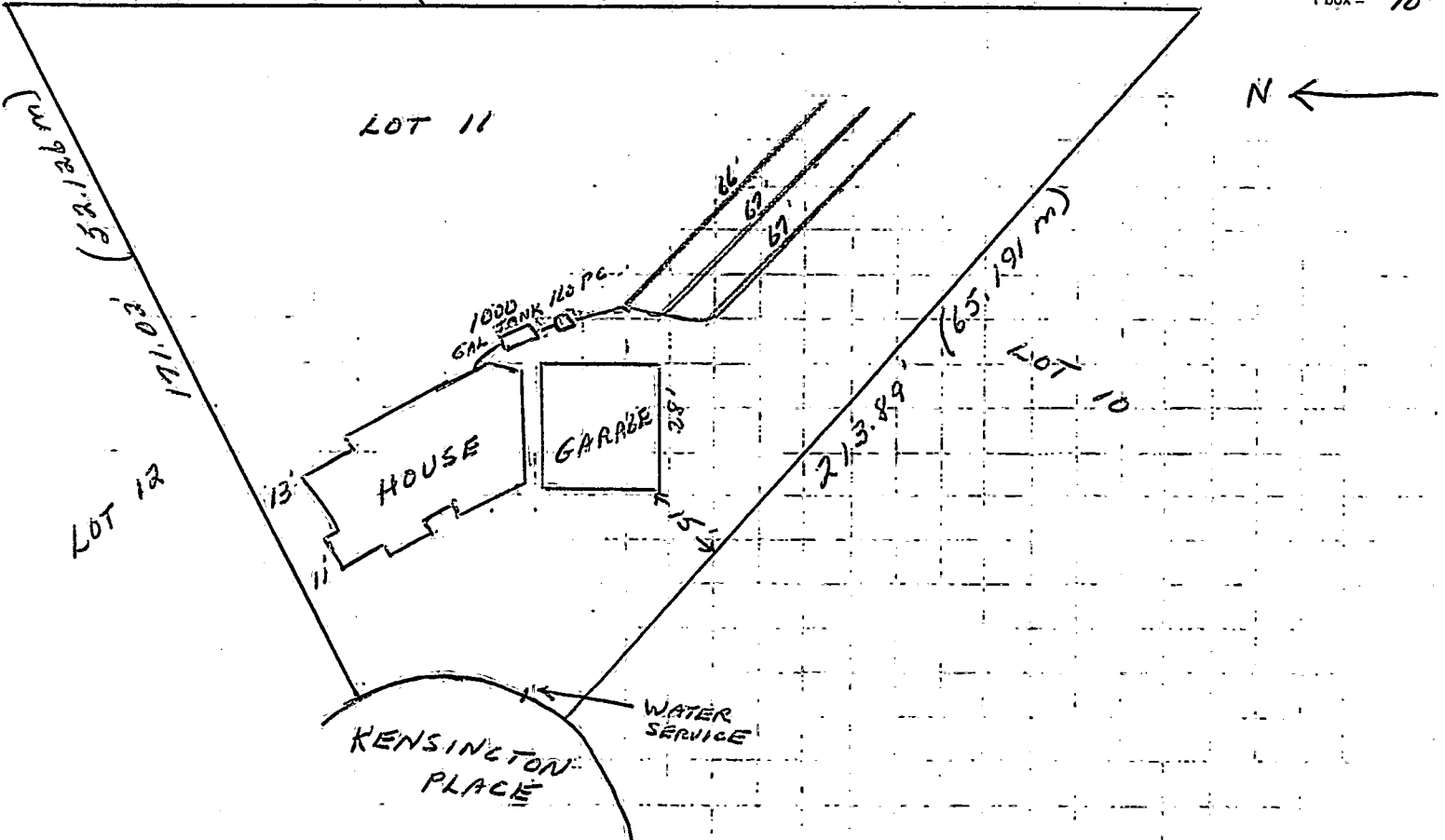
PLOT PLAN DRAWN TO SCALE (to be completed by the Applicant/Contractor)

PLOT PLAN CHECKLIST The following items should appear on the plot plan of the proposed system. Indicate which items have been included by checking the appropriate box.

- | | | | | |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------|----------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> house (or house site) | <input type="checkbox"/> water lines | <input type="checkbox"/> roadways | Distance from septic tank: | Distance from disposal field (or lagoon/mound) |
| <input checked="" type="checkbox"/> other buildings | <input type="checkbox"/> percolation test holes (2) | <input type="checkbox"/> patio / deck | <input type="checkbox"/> to house | <input type="checkbox"/> to house |
| <input type="checkbox"/> septic tank | <input type="checkbox"/> observation test holes (2) | <input type="checkbox"/> paved areas | <input type="checkbox"/> to domestic water source | <input type="checkbox"/> to perimeter of lot |
| <input type="checkbox"/> pkg. treatment plant | <input type="checkbox"/> surface water (creeks, streams, lakes) | <input type="checkbox"/> parking areas | <input type="checkbox"/> to domestic water pipeline | <input type="checkbox"/> to own well |
| <input type="checkbox"/> disposal field | <input type="checkbox"/> retaining wall | <input type="checkbox"/> dimensions of lot | <input type="checkbox"/> to perimeter of lot | <input type="checkbox"/> to neighbouring wells |
| <input type="checkbox"/> drinking water sources | <input checked="" type="checkbox"/> "North" arrow | <input type="checkbox"/> property lines | | <input type="checkbox"/> to surface water (springs, streams, creeks, etc.) |
| <input type="checkbox"/> yours <input type="checkbox"/> adjacent neighbours | <input type="checkbox"/> direction of and percentage of ground slope | <input type="checkbox"/> swimming pool | | <input type="checkbox"/> to interceptor drains |

(80.495 m) 264.10'

Scale APPROX
1 box = 10'



PERMIT TO CONSTRUCT, INSTALL, ALTER OR REPAIR

FOLIO / LOT NUMBER

Pursuant to this application and the Sewage Disposal Regulations, permission is hereby granted to construct, install, alter, or repair the sewage disposal system on this property. *This permit may be cancelled if variations are made to these plans and specifications.*

Conditions of Permit: _____

DATE PERMIT VALID

SIGNATURE OF PUBLIC HEALTH INSPECTOR / EHO

FOR PUBLIC HEALTH INSPECTOR / EHO USE ONLY

SITE EVALUATION

- file check
- application complete and consistent
- soil requirements met
- setback distances

SITE INFORMATION

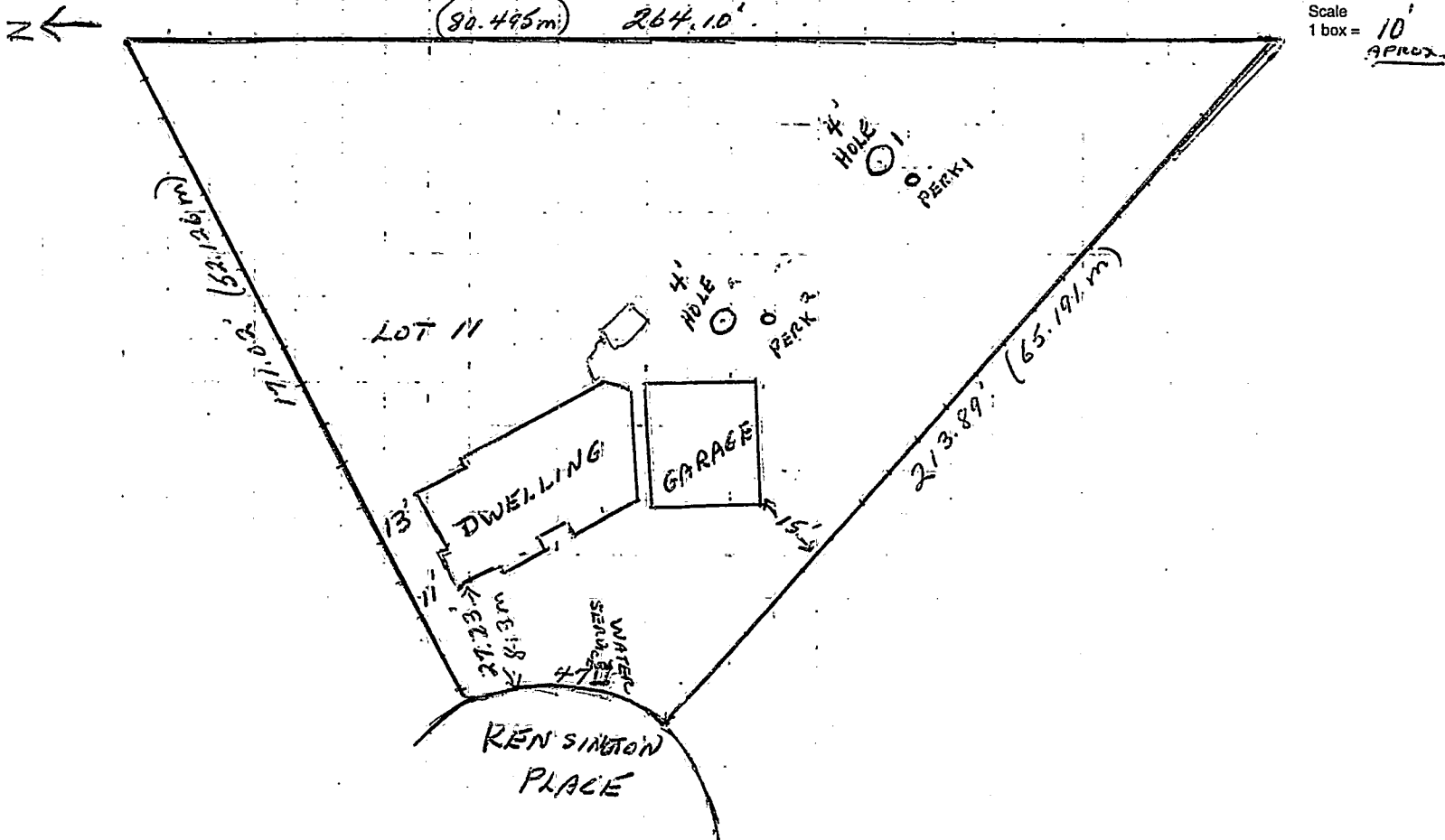
- soil type _____
- soil depth _____
- water table _____
- slope _____

COMMENTS

PLOT PLAN DRAWN TO SCALE (to be completed by the Applicant/Contractor)

PLOT PLAN CHECKLIST The following items should appear on the plot plan of the proposed system. Indicate which items have been included by checking the appropriate box.

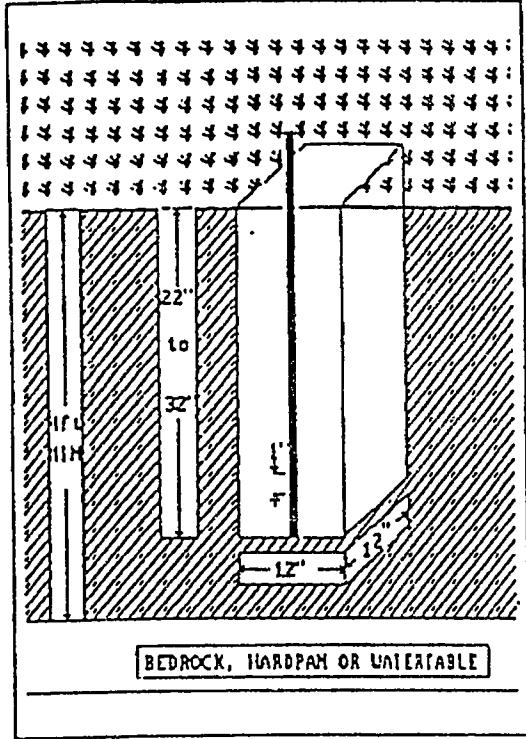
- | | | | | |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------|----------------------------------------------------------------------------|
| <input type="checkbox"/> house (or house site) | <input type="checkbox"/> water lines | <input type="checkbox"/> roadways | Distance from septic tank: | Distance from disposal field (or lagoon/mound): |
| <input type="checkbox"/> other buildings | <input type="checkbox"/> percolation test holes (2) | <input type="checkbox"/> patio / deck | <input type="checkbox"/> to house | <input type="checkbox"/> to house |
| <input type="checkbox"/> septic tank | <input type="checkbox"/> observation test holes (2) | <input type="checkbox"/> paved areas | <input type="checkbox"/> to domestic water source | <input type="checkbox"/> to perimeter of lot |
| <input type="checkbox"/> pkg. treatment plant | <input type="checkbox"/> surface water (creeks, streams, lakes) | <input type="checkbox"/> parking areas | <input type="checkbox"/> to domestic water pipeline | <input type="checkbox"/> to own well |
| <input type="checkbox"/> disposal field | <input type="checkbox"/> retaining wall | <input type="checkbox"/> dimensions of lot | <input type="checkbox"/> to perimeter of lot | <input type="checkbox"/> to neighbouring wells |
| <input type="checkbox"/> drinking water sources | <input type="checkbox"/> "North" arrow | <input type="checkbox"/> property lines | | <input type="checkbox"/> to surface water (springs, streams, creeks, etc.) |
| <input type="checkbox"/> yours <input type="checkbox"/> adjacent neighbours | <input type="checkbox"/> direction of and percentage of ground slope | <input type="checkbox"/> swimming pool | | <input type="checkbox"/> to interceptor drains |



Scale
1 box = 10'
APR 02

PERCOLATION TEST SHEET

- (1) Determine the subsurface ground conditions in the area of the absorption field by digging or boring a representative number of holes to a MINIMUM of 4 feet. Flag the location of the test holes and cover the test holes to avoid accidents. Leave the excavated material for inspection.
- (2) Determine the suitability of the soil to absorb effluent by conducting PERCOLATION TESTS as follows:



- (a) Dig a test hole 12" square and 22 to 32" deep at each end of the absorption field.
- (b) Pre-soak test holes by keeping holes filled with water for 4 hours.
- (c) Allow water to drain to within 5" of bottom of test holes, then re-fill the test hole with water.
- (d) When the water in the test hole drops to the 6" mark, commence timing. When the water level reaches the 5" mark, stop timing and record the time in minutes.
- (e) Re-fill the hole with enough water to bring the depth of water to 6" or more and repeat step (d).
- (f) Repeat step (e) above until the last two rates of fall do not vary more than 2 minutes per inch.
- (g) Record and report all rates of fall in minutes per inch. The PERCOLATION RATE is determined by averaging the slowest rate determined for each of the test holes.

PERCOLATION TEST RESULTS

	TEST HOLE NO. 1	TEST HOLE NO. 2
1st Timing	<u>4</u> min./inch	<u>3</u> min./inch
2nd Timing	<u>4</u> min./inch	<u>3</u> min./inch
3rd Timing	_____ min./inch	_____ min./inch
4th Timing	_____ min./inch	_____ min./inch
5th Timing	_____ min./inch	_____ min./inch

Average the SLOWEST rate for each test hole _____ min./inch.

*NOTE: Repeat timing procedure until the last two rates of fall do not vary more than 2 minutes per inch.

4 foot Hole - Within this depth, note the following:

	HOLE #1	HOLE #2
Depth of suitable soil	<u>4'</u>	<u>4'</u>
Depth to clay, hardpan - (within 4 ft. maximum)	<u>4'</u>	<u>4'</u>
Depth to solid rock - (within 4 ft. maximum)	_____	_____
Depth to water table - (within 4 ft. maximum)	_____	_____

TEST PERFORMED BY:

GEORGE CHESTER CHESTER CONTRACTING
 NAME: DIV OF G K SEPTIC INSTALLATIONS LTD
 OCCUPATION: CONTRACTOR
 ADDRESS: BOX 1008 DUNCAN B.C.
 DATE: SEPTEMBER 22 1999

George Chester
 Signature

LEGAL DESCRIPTION:

LOT 11 SECTION 7 RANGE 8 SOMERSET DISTRICT PLAN V1P6#867

NOTE:

The Environmental Health Officer is **NOT** permitted to design the sewage disposal system. Should you require assistance, we recommend that you contact a contractor, consultant, or Engineering Firm of your choice to supervise and carry out the required testing.

The Corporation of the District of North Cowichan

BUILDING PERMIT

DEPT. FILE COPY

P.O. Box 278, Duncan, BC
Building Department
Phone: 746-3100 • Fax: 746-3154

Folio No. 5194-011

1293
VALIDATION

DATE AUG 18th 19 99

PERMIT NO. 211/99

APPLICANT MARCIA ROBERTS ADDRESS [REDACTED]

PERMIT TO CONSTRUCT (TYPE OF IMPROVEMENT) (2) NO. STORY SINGLE RESIDENCE (PROPOSED USE) NUMBER OF DWELLING UNITS 1

AT (LOCATION) 2063 KENSINGTON PLACE (NO.) (STREET) ZONING DISTRICT R-1

SUBDIVISION SEC 7 RG 8 SEMENOS VIP 64867 LOT 11 BLOCK _____ LOT SIZE .548

This permit is granted on the express condition that the said construction shall, in all respects, conform to the Ordinances of this jurisdiction including the Zoning Ordinance, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances. THE BUILDING SHALL CONFORM IN CONSTRUCTION TO THE REQUIREMENTS OF THE BRITISH COLUMBIA CODE AND ATTACHED PLAN CORRECTION SHEET

REMARKS: CONSTRUCT TO 1998 B.C. BUILDING CODE.

BUILDING AREA 1375 ESTIMATED VALUE \$ 120,000.00 PERMIT FEE \$ 641.25

OWNER / ADDRESS [REDACTED]

BUILDING DEPT. BY [Signature]

SE WARRIOR

The Corporation of the District of North Cowichan

P.O. Box 278, Duncan, BC
Building Department
Phone: 746-3100 • Fax: 746-3154

Folio No. 5194-011

ACCESS APPROVED *J*

CERTIFICATE ISSUED
DATE

FEB 15 / 2000 *EVTRIC*


BUILDING PERMIT - *See report*

CERTIFICATE OF OCCUPANCY *for items to complete*

SEE ATTACHED INSPECTION REPORTS.

DATE AUG 18th 19 99

PERMIT NO. 211/99

APPLICANT MARCIA ROBERTS ADDRESS 

PERMIT TO CONSTRUCT (2) STORY SINGLE RESIDENCE NUMBER OF DWELLING UNITS 1
(TYPE OF IMPROVEMENT) NO. (PROPOSED USE)

AT (LOCATION) 2063 KENSINGTON PLACE ZONING DISTRICT R-1
(NO.) (STREET)

SUBDIVISION SEC 7 RG 8
SOMENOS VIP 64867 LOT 11 BLOCK _____ LOT SIZE .548

This permit is granted on the express condition that the said construction shall, in all respects, conform to the Ordinances of this jurisdiction including the Zoning Ordinance, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances. THE BUILDING SHALL CONFORM IN CONSTRUCTION TO THE REQUIREMENTS OF THE BRITISH COLUMBIA CODE AND ATTACHED PLAN CORRECTION SHEET

REMARKS: CONFORM TO 1998 B.C. BUILDING CODE

The inspection on which this certificate is based is made to further municipal interests, and not for the benefit of the owner. The inspector and municipality disclaim any responsibility to the owner for the effectiveness of the inspection, and they make no representation by this certificate.

BUILDING AREA 1375 122,000 647,25

OWNER / AG 

ADDRESS 

[Signature]

B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF BUILDING(S) ON
LOT 11, SECTION 7, RANGE 8,
SOMENOS DISTRICT, PLAN VIP64867.

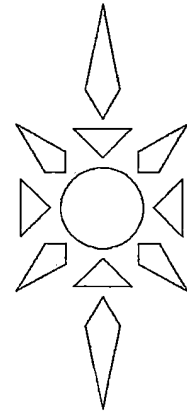
Civic address - 2063 Kensington Place, Duncan.

Scale = 1:600

RECEIVED

SEP 23 1999

THE DISTRICT OF
 NORTH COWICHAN



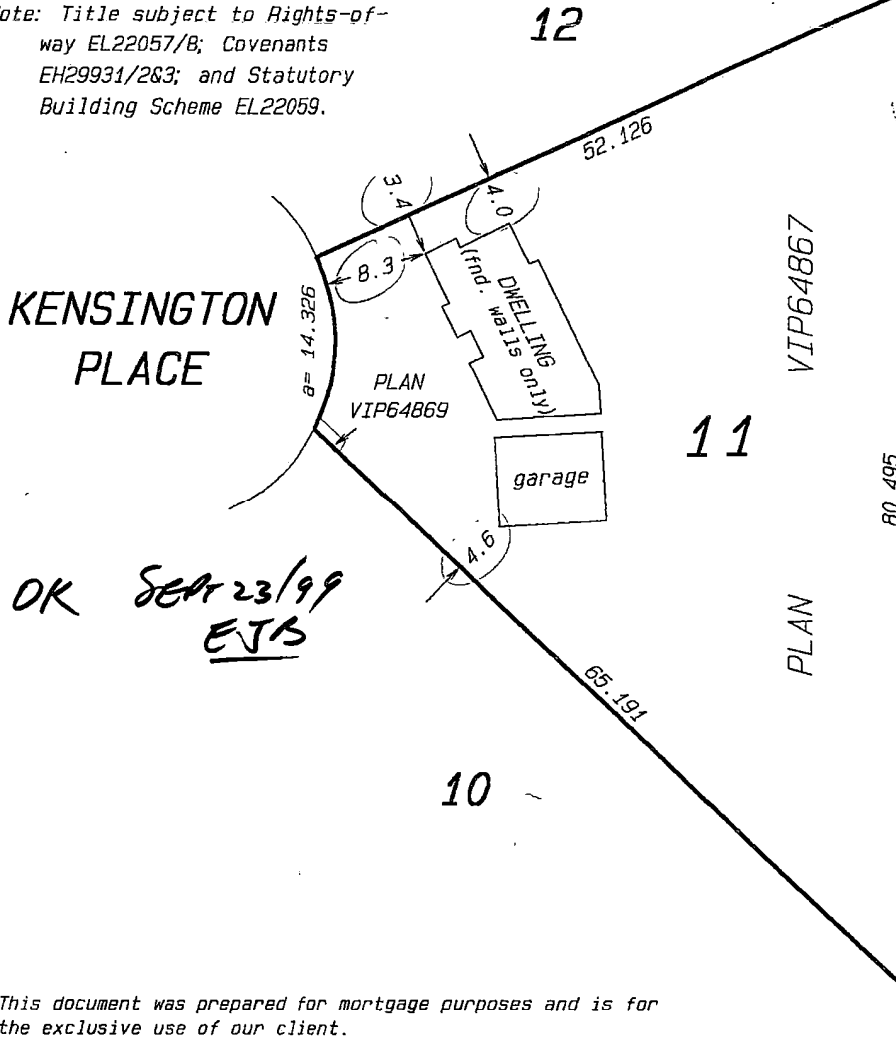
1
 PLAN
 VIP58422

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.

LEGEND

All distances are in metres.

Note: Title subject to Rights-of-way EL22057/B; Covenants EH29931/2&3; and Statutory Building Scheme EL22059.



OK SEP 23/99
 EJS

This document was prepared for mortgage purposes and is for the exclusive use of our client.

The surveyor accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made or actions taken based on this document.

This document shows the relative location of the surveyed structures and features with respect to the registered boundaries of that land, and is not a boundary survey.

This document is not valid unless originally signed and sealed.

Certified correct this 13th day of Sept, 1999.

Philip J. Bowers

Philip J. Bowers

B.C.L.S.

Field survey completed September 9, 1999.

BOWERS & ASSOCIATES

B.C. LAND SURVEYOR
 Box 436, 2856 Caswell Street
 Chemainus, B.C., V0R 1K0
 email: pbowers@islandnet.com
 phone/fax: 250-246-4928

© 1999

Sept. 23/99 B20

FOLIO No. 5194-011					
LEGAL DESCRIPTION					
LOT	BLK	RGE	SEC	PLAN	DIST.
11		8	7	64867	SOMANOS

**THE CORPORATION OF THE
DISTRICT
OF
NORTH COWICHAN**

ADDRESS
2063
KENSINGTON PLC.

METER SERIAL No.	MUNICIPAL SERVICES			RECORD		
	WATER	SEWER	DRAIN	CULVERT	GAS	HYDRO/TEL
INSTALLATION DATE	MAY 1995	N/A	MAY 1995			
SIZE OF SERVICE	19mm		100ϕ			
TYPE OF PIPE	P.E. SERIES 160		P.V.C. DR 28			
CONNECTION LENGTH	17.0m		CONNECTED TO			
METER SIZE AND TYPE			ROCK PIT			
DEPTH AT P.L.	0.60		N/A.			
DEPTH OF MAIN	1.0m.		Rock Pit 1.0m Deep.			
LOCATION AT P.L.	3.00m N.E. of 10/11 CORNER		29.0m EAST OF 11/12 CORNER			
LOCATION AT MAIN	AS SHOWN ON SKETCH		N/A.			
REVISION / DATE						
COMMENTS	Rock Pit Drain Connection: Rock Pit 3.0m Long, 2m Wide, 1.0m Deep					

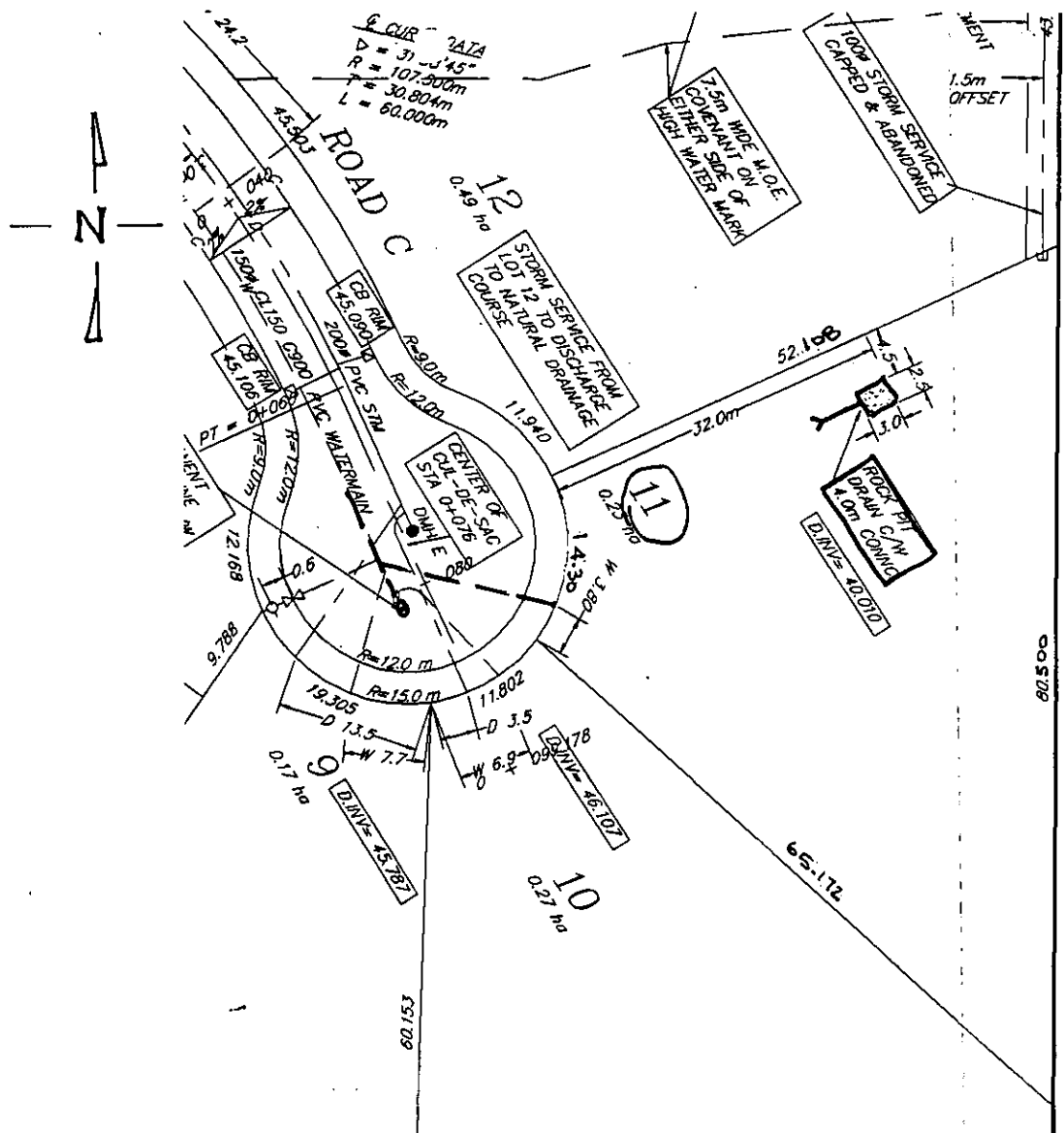
17 AUG 99

SEE REVERSE FOR SKETCH

COLOR CODE — W-BLUE, S-RED, D-GREEN

PRIOR TO EXCAVATING CONTACT GAS, HYDRO, TELEPHONE AND CABLE TO CONFIRM LOCATIONS.

THE MUNICIPALITY ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED ON THIS SERVICE RECORD.



97 FEB 19 14 51

EL022059

LAND TITLE OFFICE
VICTORIA
1 # 5009 (5)
Land Title Act
FORM 35
(Section 216(1))

DECLARATION OF BUILDING SCHEME

NATURE OF INTEREST: **BUILDING SCHEME**
HEREWITH FEE OF:

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

4800 ISLAND HIGHWAY NORTH, NANAIMO, BC, V9T 1W6

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

Kerry A. Pollner VIA: KERRY A. POLLNER

SIGNATURE OF APPLICANT OR SOLICITOR
OR AUTHORIZED AGENT

02/19/97 A3913a CHARGE 50.00

- I, Barry T. Butler, Banker, of 4800 Island Highway North, Nanaimo, British Columbia, declare that I am authorized signatory for Canadian Western Bank the registered owner in fee simple of the following land (hereinafter called "the Lots")

Municipality of North Cowichan
NO PID NUMBERS
Lot 1 to 17 inclusive, Section 7, Range ~~8~~ ^{Somen's} Comiaken District, Plan VIP 1486 ("the Lots")
- I hereby create a building scheme relating to the Lots.
- A sale of any of the Lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
- The restrictions shall be for the benefit of all the Lots.

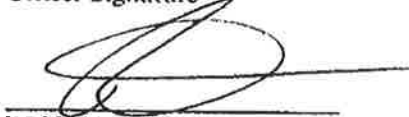
EXECUTION(S):

Officer Signature

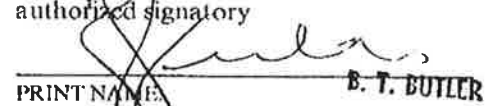
Execution Date
Y/M/D

Signature(s)

CANADIAN WESTERN BANK
authorized signatory



97/02/17



PRINT NAME:

B. T. BUTLER

RICHARD D. WRIGHT
Notary Public
715 Canada Avenue
DUNCAN, BC V9L 1V1



CHARLES PASMORE

OFFICER CERTIFICATION:

Your signatures constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

CONSENT AND PRIORITY AGREEMENT OF CHARGE HOLDERS:

Type of Charge	Registration Number of Charge	Signature of Holders of Charges
Nil	Nil	Nil

OFFICER CERTIFICATION:

Your signatures constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

- Note:
1. The consent and grant of priority of charge holders may be in separate counterparts of Form 35.
 2. The execution of all declaring or consenting parties must be witnessed in accordance with Part 5 of the Land Title Act.
 3. The type and registration number of the charge must be typed or printed immediately below the signature of the owner of the charge.

SCHEDULE OF RESTRICTIONS

(am. B.C. Reg. 34/92)

1. REGISTERED BUILDING SCHEME

- 1.1. A registered building scheme must be obtained, read, and agreed to by all purchasers and their successors in title. It is the intent of these restrictions that all dwellings and improvements are suited to the particular lot on which they are to be located.

2. DEFINITIONS:

- 2.1 As used in this Statutory Building Scheme, the following words mean:

2.1.1 "Developer" means Canadian Western Bank and any authorized agent.

2.1.2 "Municipality" means The Corporation of the District of North Cowichan.

2.1.3 "Owner" means a purchaser of one or more of the Lots 1 to 17 within the subdivision hereby made subject to this Statutory Building Scheme and his successors in title.

2.1.4 "Owners" means every owner.

3. BUILDING PLAN APPROVAL

- 3.1 There shall be no commencement of site preparation, including filling and excavation, and there shall not be erected, constructed or made on any Lot any residence, building, fence or other improvements or additions thereto, or alterations thereof unless and until the proposal for same together with proper plans, elevations and specifications thereof (including exterior materials, finishes, and colour scheme), and a plan showing the location of the proposed improvements on the Lot with respect to topography, finished ground elevations, and Lot boundaries shall have first been submitted in writing to the Developer and signed by the Owner and approved in writing by the Developer.
- 3.2 The Developer shall have the right and power to approve or reject the Owner's proposal and to fix a limit as to the time during which the approval shall be valid and a date for the completion of the work for which approval has been given. Any approval, rejection, relaxation, waiver or modification of these restrictions shall be final and binding and shall not be open to question by any Owner.
- 3.3 Owners are encouraged to discuss conceptual ideas and plans with the developer ~~before~~ detailed plans and working drawings are prepared.
- 3.4 The address for submitting the Owner's proposal, including plans and specifications is 4800 Island Highway North, Nanaimo, British Columbia, V9T 1W6.
- 3.5 Any costs incurred by the Developer in reviewing the Owner's proposal, plans, and specifications shall be paid for by the Owner.

3.6 **SITE REQUIREMENTS**

- 3.6.1 No Lot shall be randomly cleared of existing growth. The building envelope and driveway area shall be carefully cleared to preserve, wherever possible, trees in front, side and rear yards.
- 3.6.2 Only selective clearing of dangerous trees and small growth will be done outside the building envelope. When clearing, care will be taken not to fall trees or pile material on adjacent Lots or boulevards. All debris shall be removed from the development or burned after obtaining the necessary burning permits.
- 3.6.3 The existing grades of all Lots will be maintained as much as possible. Dwellings will take advantage of the existing grade configuration. Any exposed retaining wall over 2 feet in height shall be treated by sandblasting, board forming, or exposed aggregate. Any exposed foundation walls over two feet in height shall be covered with exterior finish material of the dwelling.
- 3.6.4 The Owner accepts responsibility for determining the site for a septic system on the Lot in conjunction with his building plans and proposed changes in the existing grade configuration.

3.7 **SIZE AND HEIGHT**

- 3.7.1 Unless otherwise approved by the Developer, the main floor area of a single level house shall be at least 1,500 square feet. The main floor area of a multi-level house shall be at least 1,200 square feet. The square footage shall be exclusive of any garage, covered extension, patio, porch or other permitted appendage.

3.8 **GUIDELINES**

- 3.8.1 **Building Grades** - The existing building grades of all Lots will be maintained as much as possible. Dwellings will take advantage of the existing grade configurations, if possible. Generally, homes will not appear higher than two stories plus roof. Any site work (cuts, fills, back-filling, etc.) will be kept to a minimum and will not adversely affect the adjacent Lots.
- 3.8.2 **Siting** - Homes will be designed to take maximum advantage of the natural characteristics of the Lots, e.g. trees, views, sunshine, slope, etc.
- 3.8.3 **Exterior Colour Schemes** - Consideration will be given to colours of surrounding homes. Subdued, natural colours are recommended and must be clearly indicated on submitted drawings.
- 3.8.4 **Roofs** - No roofing material made of metal or tar and gravel shall be used on any improvement on any of the Lots.

- 3.8.5 Landscaping - Lots will be cleared carefully to preserve existing trees which are not dangerous wherever possible.
- 3.8.6 Garages - There shall be provided on each Lot an enclosed garage (attached or detached) for a minimum of two standard, passenger-size motor vehicles. No carports or garages without doors will be permitted.
- 3.8.7 Driveways - All driveways or other vehicular access on a Lot or to any improvements constructed on a Lot shall have a finished surface of interlocking pavers, exposed aggregate, asphalt, concrete or a combination thereof. Gravel driveways are not permitted on any Lot except Lots 1 and 2.
- 3.8.8 Fencing - No wire fencing shall be installed or constructed on any Lot in the R1 zone, including without limitation, page wire, barbed wire or chain link fencing.
- 3.8.9 Pets - No more than two dogs shall be kept on any of the Lots and no animals, birds or livestock, excepting only the usual domestic house pets, shall be kept on any of the Lots in the R1 zone. Pitbulls are not permitted.

4. MUNICIPAL REQUIREMENTS

- 4.1 The requirements and stipulations contained herein are not and shall not be deemed to be exclusive either of the bylaws of the Municipality nor the obligations or liabilities imposed by statute or by common law on Owners or occupiers of land, all of which shall be duly observed and complied with.
- 4.2 Minimum setbacks for all yards will conform to those established by the Municipality, however, increased setbacks may be prescribed by the Developer or its Agent in the interest of tree preservation, variety in the streetscapes or maximization of privacy.
- 4.3 Maximum requirements for site coverage and driveway slopes established by the Municipality will be adhered to.

5. TIME FOR COMPLETION

- 5.1 The construction of any dwelling, building or other improvements on a Lot will commence within twelve (12) months of the date of granting of approval of the plans and specifications, otherwise such approval shall be void and the Owner will be required to resubmit all drawings, plans and specifications for re-approval.
- 5.2 Construction of the approved dwelling, building or other improvements will be proceeded with diligently and continuously from commencement of construction until completion thereof which will not be later than six (6) months from the date of commencement of construction, or as negotiated with Developer.
- 5.3 Within six (6) months of completion of any home the landscaping must be completed at the portion of the Lot facing the road.

6. VEHICLES

- 6.1 All chattels, including without limitation, trailers, campers, motor homes, and boats, shall be parked, placed, or situated on the Lot in a garage or in an area bounded by screening.
- 6.2 No trucks in excess of one (1) ton capacity, or commercial vehicle or machinery of any kind and in particular, logging trucks, dump trucks, bulldozers, backhoes or like conveyances, shall be stored or parked anywhere on any of the Lots, or on the streets. Street parking overnight is prohibited.

7. SINGLE FAMILY RESIDENCE ONLY

- 7.1 Except as otherwise permitted by the Developer, no building in the R1 zone shall be used for any purpose other than as a single family residence and home occupation.
- 7.2 No basement, garage or any outbuilding shall be used as a separate residence, whether permanently or temporarily.
- 7.3 No shack or cabin shall be erected on any of the Lots or be used either temporarily or permanently as a residence.
- 7.4 No trailer, mobile home, metal structure, camper or motor vehicle or any kind shall be maintained on any of the Lots as a residence, either permanently or temporarily.

8. APPEARANCE AND MAINTENANCE

- 8.1 No Lot or improvement shall be allowed to become in disrepair or unsightly or untidy.
- 8.2 Each of the Lots and improvements thereon, and the sidewalk/boulevards in front of the Lots, shall be maintained at all times in a neat and attractive state and condition.
- 8.3 No waste or materials of any kind whatsoever shall be stored or accumulated in any exposed area of the Lots at any time.
- 8.4 Storage of logs on the Lots at any time, either permanently or temporarily, is prohibited.
- 8.5 Garbage receptacles, incinerators, compost, firewood, and satellite dishes shall be screened from view at all times. Nothing herein shall prohibit garbage receptacles from being placed at the roadside for municipal pickup.
- 8.6 No outdoor clothes lines or poles shall be used except an umbrella or collapsible type erected in such a manner as not to be visible from the street upon which the Lot is situated.
- 8.7 No billboard or sign shall be erected, posted, pasted or displayed upon or about any of the Lots or improvements other than "For Sale" signs, owners' name and address signs, and election campaign signs not exceeding 18" x 30".

9. **EXEMPTION AND LIABILITY**

- 9.1 The Developer reserves the right to modify, waive, relax or release any restrictions or stipulations relating to any of the Lots remaining unsold including any restrictions or stipulations which may become binding on the Developer by virtue of this Statutory Building Scheme. If any Lot is exempted from some or all of the restrictions hereby created, the Owners of such Lot or Lots shall not be entitled to enforce those restrictions hereby exempted.
- 9.2 Any modification, waiver, relaxation, or release by the Developer or its Agent of any of the restrictions or stipulations relating to any of the Lots remaining unsold including any restrictions or stipulations which may become binding on the Developer by virtue of this Statutory Building Scheme shall be in writing.
- 9.3 Nothing contained herein shall be construed or implied as imposing on the Developer, or any of its employees, any liability in the event of noncompliance with or nonfulfillment of any of the terms, restrictions, stipulations or benefits set forth herein and no liability or responsibility whatsoever shall be incurred by the Developer, or any of its employees, in the performance or non-performance of their rights and obligations herein.

10. **COMPLIANCE**

- 10.1 In the event of any breach of any one or more of the above restrictions or stipulations, the Developer, so long as it owns any land in the area of the lands associated with this subdivision, shall have the right but shall not be obliged, to enter and abate or cure, at the expense of the Owner of the Lot who is in breach, any such breach capable of abatement or cure and such Owner shall pay the Developer forthwith upon demand all costs incurred by the Developer in such abatement or cure and such costs shall constitute a charge upon such Owner's Lot and may be collected by the Developer in a Court of Competent Jurisdiction.
- 10.2 Any damage caused by the Owner of a Lot or the Owner's contractor to the road surface, curbs, sidewalks, service connections, street lights or survey pins in front of or on any Lot, during the construction of any building, structure, addition, alteration or any other improvement on a Lot shall be for the account of the Owner of the Lot. The costs of repair, together with any legal costs, shall be a debt owing by the Owner payable to the Municipality on delivery of any invoice by the Municipality or the Developer to the Owner for the same. In the event that there are missing survey pins or existing damage to these services before the Lot is sold, this must be reported in writing to the Developer prior to the completion of the Lot purchase for replacement or repair by the Developer.
11. The terms, restrictions, and benefits herein shall remain in full force and effect and shall remain in full force and effect and shall be binding on the Owners and occupiers of the Lots. Upon the Developer ceasing to own any of the Lots, the approving function of the Developer shall cease and may become the responsibility of a majority of the Owners or a body acting on their behalf. In the absence of a body acting on behalf of the Owners, any instrument in writing, signed by a majority of the Owners, or a body representing the majority of the Owners, shall be effective for such purposes, provided that notice of the proposed instrument and a copy thereof has been delivered to all Owners by leaving a copy of the instrument at the dwelling of each Lot. If no dwelling has been constructed, the instrument shall be mailed to the address of the Owner shown on the title for the said Lot.

12. **GENERAL**

- 12.1 Any notice required to be given by the Developer to an Owner under this Statutory Building Scheme shall be deemed to be well and sufficiently given if delivered personally or if mailed by prepaid registered mail at the address of the Owner shown on the title of the Lot. Any such notice shall be deemed to have been received forty-eight (48) hours after the mailing thereof, or if delivered, when delivered.
- 12.2 If any of the restrictions, stipulations, covenants, or conditions contained in this Statutory Building Scheme, shall be declared by the 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 in this Statutory Building Scheme, which shall be read and construed as if each invalid restriction, stipulation, covenant or condition had never been included in this Statutory Building Scheme.
- 12.3 The captions appearing in this Statutory Building Scheme are inserted for convenience of reference only and shall not affect the interpretation of this Statutory Building Scheme.

END OF DOCUMENT



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

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