

City of Nanaimo

LETTERS PATENT

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Handwritten initials/signature

C A N A D A

PROVINCE OF BRITISH COLUMBIA

ELIZABETH the SECOND, by the Grace of God of the United Kingdom, Canada and Her Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To all to whom these presents shall come --

GREETING.

(WHEREAS by section 10 of the
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(Municipal Act, being Chapter
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(255 of the Revised Statutes
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(of 1960, it is provided, inter
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(alia, that the Minister of

James Stewart
Minister of
Municipal Affairs

Municipal Affairs may, where he is of the opinion that an area should in the public interest be incorporated

into a municipality, upon his own initiative direct that a poll be taken, within such area as he may designate, for the purpose of ascertaining whether those persons entitled to vote are in favour of the proposed incorporation:

AND WHEREAS the Minister directed that a poll be taken pursuant to the said section 10 on the 2nd day of November, 1974, within the general Nanaimo area hereinafter described, the result of which was in the affirmative:

NOW KNOW YE THAT by these presents We do Order and proclaim that on, from, and after the first day of January, 1975, The Corporation of the City of Nanaimo, incorporated the twenty-fourth day of December, 1874, be dissolved and the Letters Patent thereof be revoked and the said municipality reincorporated as a city municipality as hereinafter provided:

AND THAT on, from, and after the first day of January, 1975, the residents of the area hereinafter described shall be incorporated as a city municipality (hereinafter referred to as the "municipality") under the said Municipal Act and under and subject to the provisions hereinafter contained or referred to:-

1. The municipality shall be called and known by the name of the "City of Nanaimo" and shall be incorporated as a city municipality on, from and after the first day of January, 1975.

2. The municipality shall comprise of that tract of land, foreshore and land covered by water hereinafter described:-

Commencing at the northwest corner of Lot 53, Wellington District, being a point on the highwater mark of Vancouver Island on the northeasterly shore thereof; thence northerly in a straight line and in a direction perpendicular to the general direction of the said highwater mark for a distance of 1,000 feet; thence in a general southeasterly direction parallel to and 1,000 feet perpendicularly distant northeasterly from the said highwater mark on the northeasterly shore of Vancouver Island to a point which lies due north of the most northerly extremity of Neck Point; thence southeasterly in a straight line to a point which lies 1,000 feet north of the most northerly extremity of Lagoon Head; thence in a general southeasterly direction parallel to and 1,000 feet perpendicularly distant northeasterly from the aforesaid highwater mark of Vancouver Island on the northeasterly shore thereof to the point of intersection with the easterly prolongation of the northerly boundary of Lot 1 of Lot 29, Registered Plan 15766 on file in the Land Registry Office, Victoria; thence southeasterly in a straight line to the point of intersection of the middle line of Northumberland Channel with a

straight line drawn from the most northerly extremity of Jack Point to the southwest corner of Fractional Section 25, Gabriola Island; thence in a general southeasterly direction along the middle lines of Northumberland Channel, Dodds Narrows and Stuart Channel to the point of intersection with the easterly prolongation of the southerly boundary of Fractional Section 20, Range 5, Cedar District; thence westerly along said prolongation and continuing westerly along the southerly boundaries of Fractional Section 20, Range 5 and Section 20 in Ranges 4, 3 and 2 to the southwest corner of said Section 20, Range 2; thence northerly along the westerly boundary of Section 20, Range 2 to the northwest corner thereof; thence westerly along the southerly boundary of Section 21, Range 1 to the southwest corner thereof; thence southerly, westerly and northerly along the easterly, southerly and westerly boundaries of Section 20, Range 8, Cranberry District to the northwest corner thereof; thence northerly and westerly along the easterly and northerly boundaries of Indian Reserve No. 3 (Nanaimo River) to the most westerly northwest corner thereof, being a point on the highwater mark of the east channel of Nanaimo River on the right bank thereof; thence west to the point of intersection with the middle line of the said east channel of Nanaimo River; thence southerly along said middle line to the

point of intersection with the northerly prolongation of the easterly boundary of Section 2, Nanaimo District; thence southerly along said prolongation and continuing southerly along the easterly boundaries of Sections 2 and 3 to the northwest corner of Lot 1 of Section 3, Registered Plan 2189; thence southerly along the westerly boundaries of Lots 1 and 2 of Section 3, Plan 2189 to the southwest corner of said Lot 2; thence south to the point of intersection with the southerly boundary of aforesaid Section 3; thence westerly along the southerly boundary of Section 3 to the most easterly northeast corner of Section 15, Range 4, Carnberry District; thence southerly along the easterly boundaries of Sections 15, 14 and 13, all in Range 4 to the southeast corner of said Section 13, Range 4; thence westerly along the northerly boundary of Section 12, Range 4 for a distance of 20 chains; thence southerly in a straight line parallel to the easterly boundary of said Section 12, Range 4 to the point of intersection of the southerly boundary of Section 12, Range 4; thence westerly and northerly along the southerly and westerly boundaries of Section 12, Range 4 to the northwest corner thereof; thence westerly along the southerly boundary of Section 13, Range 3 to the southeast corner of that part of Section 13 Range 3 shown

outlined in red on Registered Plan 2030; thence northerly along the easterly boundary of said part of Section 13, Range 3 shown outlined in red on Plan 2030 to the northeast corner thereof; thence easterly along the northerly boundary of Section 13, Range 3 to the northeast corner thereof; thence northerly along the westerly boundaries of Sections 14, 15, 16, 17 and 18 all in Range 4 to the northwest corner of said Section 18, Range 4; thence easterly along the northerly boundary of Section 18, Range 4 to the point of intersection with the westerly limit of the Esquimalt and Nanaimo Railway Company's right-of-way; thence northerly along said right-of-way to the point of intersection with the southerly boundary of Section 7, Nanaimo District; thence westerly and northerly along the southerly and westerly boundaries of said Section 7 to the northwest corner thereof; thence westerly along the southerly boundary of Section 1 to the most westerly corner of Lot 1 of Section 1, Registered Plan 22763, being a point on the southeasterly limit of Harewood Mines Road; thence in a general southeasterly direction along said southeasterly limit as shown on Registered Plan 8656 to the point of intersection with the easterly limit of Nanaimo Lakes Road as shown on aforesaid Plan 8656; thence west to the point of intersection with the westerly limit of said Nanaimo

Lakes Road as shown on Plan 8656; thence northerly along the westerly limit of Nanaimo Lakes Road to the point of intersection with the southerly boundary of Section 2, Range 8, Mountain District; thence westerly and northerly along the southerly and westerly boundaries of Lot 2, of Section 2, Range 8, Registered Plan 6555 to the northwest corner thereof; thence northerly along the westerly boundary of Lot 1 of Section 2, Range 8, Plan 6555 to the northwest corner thereof; thence easterly along the northerly boundaries of Lot 2, Plan 6555 and Lot A of Section 2, Range 8, Registered Plan 13679 to the northeast corner of said Lot 1, Plan 13679, being a point on the aforesaid westerly limit of Nanaimo Lakes Road; thence northerly along said westerly limit of Nanaimo Lakes Road to the southeast corner of Lot A of Section 2, Range 8, Registered Plan D.D.4134; thence westerly along the southerly boundary of said Lot A to the southwest corner thereof; thence northwesterly along the southwesterly boundary of that part of Section 2, Range 8 shown outlined in red on Registered Plan 475R to the most westerly corner thereof; thence easterly along the northerly boundary of Section 2, Range 8 to the point of intersection with the southerly prolongation of the westerly boundary of Lot 3 of Sections 3, 4 and 5, Range 8, Mountain District and

Section 1, Nanaimo District, Registered Plan 3356; thence northerly along said prolongation and continuing northerly along the westerly boundary of said Lot 1, Plan 3356 to the point of intersection with the southerly boundary of Section 4, Range 8, Mountain District; thence northerly, westerly and northerly along the easterly, northerly and easterly boundaries of those parts of Ranges 6, 7 and 8 as shown on Registered Plan 535R to the southeast corner of Section 7, Range 7; thence westerly and northerly along the southerly and westerly boundaries of Section 7, Range 7 and Section 8, Range 6 respectively, to the northwest corner of said Section 8, Range 6; thence westerly along the southerly boundary of Section 9, Range 5 to the most southerly southwest corner of Lot 5, Block 1, Section 9, Range 5, Registered Plan 3115; thence northwesterly along the southwesterly boundaries of Lots 5 and 4, Block 1, Plan 3115 to the point of intersection with the easterly limit of an unnamed road lying to the east of Lot A of Section 10, Range 4, Registered Plan 4143; thence northerly along said easterly limit to the point of intersection with the northerly boundary of aforesaid Lot 4, Block 1, Plan 3115; thence easterly along the northerly boundary of said Lot 4, Plan 3115 to the southeast corner of Lot 3 of Section 11 in Ranges 4 and 5, Registered Plan 3485; thence northerly along

the easterly boundary of said Lot 3, Plan 3485 to the northeast corner thereof; thence northerly and westerly along the easterly and northerly boundaries of Lot 2 of Section 11 in Ranges 4 and 5, Plan 3485 to the southwest corner of Lot 1 of Section 12, Range 5, Registered Plan 6357; thence northerly along the westerly boundary of said Lot 1, Plan 6357 to the northwest corner thereof; thence northerly in a straight line to the most westerly southwest corner of Lot 3 of Section 12, Range 5, Registered Plan 12942; thence northerly and easterly along the westerly and northerly boundaries of said Lot 3, Plan 12942 and continuing easterly along the northerly boundary of Section 12, Range 5 to the southwest corner of Parcel B of Section 13, Range 5, Registered Plan D.D.23242-N; thence northerly, easterly and southerly along the westerly, northerly and easterly boundaries of said Parcel B, Plan D.D.23242-N to the northeast corner of that part of Parcel A, Section 13, Range 5, Registered Plan D.D. 9237-N, as described on Registered Plan D.D.11113-N; thence northeasterly along the northwesterly boundary of that part of Parcel A of Section 13, Range 5, Plan D.D. 9237-N as described on Plan D.D.11113-N to the most northerly corner thereof; thence northerly along the westerly limit of an unnamed road as shown outlined in red on Registered Plan D.D.2641-I, Section 13,

Range 5 to the point of intersection with the northerly boundary of said Section 13, Range 5; thence easterly along the northerly boundary of Section 13, in Ranges 5 and 6 to the southwest corner of Lot 4, Section 14, Range 6, Registered Plan 2654; thence northerly and easterly along the westerly and northerly boundaries of said Lot 4, Plan 2645 to the southwest corner of Lot 6 of Section 14, Range 6, Plan 2654; thence northerly, easterly, northwesterly, easterly and northerly along the westerly, northerly, southwesterly, northerly and westerly boundaries of said Lot 6, Plan 2654 to the northeast corner of Lot 5, Section 14, Range 6, Plan 2654; thence north to the point of intersection with the southerly boundary of Lot 6 of Section 14 in Ranges 5 and 6, Registered Plan 453; thence easterly along the southerly boundaries of Lots 6 and 1 of Section 14 in Ranges 5 and 6, Plan 453 to the most southerly corner of Lot 1 of Sections 14 and 15, Range 7, Registered Plan 12341; thence northeasterly along the southeasterly boundaries of said Lot 1, Plan 12341 and Lot A of Sections 14 and 15, Range 7, Registered Plan 14331 and that part of Section 15, Range 7 shown outlined in red on Registered Plan 488R to the most easterly corner of said part of Section 15, Range 7 shown outlined in red on Plan 488R; thence northwesterly and southwesterly along the northeasterly and northwesterly boundaries of said part of Section 15,

Range 7 shown outlined in red on Plan 488R to the most easterly corner of aforesaid Lot A, Plan 14331; thence northwesterly along the northeasterly boundary of said Lot A, Plan 14331 to the most northerly corner thereof; thence southwesterly and northwesterly along the southeasterly and southwesterly boundaries of that part of Lot 2, Section 15, Range 7 lying to the southwest of Maxey Road as shown on Registered Plan 18428 to the most westerly corner thereof; thence northwesterly, southerly and westerly along the southwesterly, easterly and southerly boundaries of that part of Lot 1 of Section 15, Range 7 lying to the southwest of Maxey Road as shown on Registered Plan 19186 to the southwest corner thereof; thence northerly along the westerly boundaries of Sections 15 and 16, Range 7 to the most northerly corner of Lot 2 of Section 16, Range 6, Registered Plan 13823; thence southwesterly along the northwesterly boundaries of Lots 2 and 1 of Section 16, Range 6, Plan 13823 to the most easterly corner of Lot A of Sections 16 and 17, Range 6, Registered Plan 2964; thence northwesterly along the northeasterly boundary of said Lot A, Plan 2964 to the most northerly corner thereof; thence northwesterly, westerly and southerly along the northeasterly, northerly and westerly boundaries of that part of Lot B of Sections 16 and 17, Range 6, Plan 2964 shown outlined in red on Registered Plan 1078R, to the south-

west corner thereof; thence northwesterly in a straight line to the most southerly corner of Lot C of Sections 16 and 17 in Ranges 5 and 6, Plan 2964; thence northerly and northwesterly along the easterly and northeasterly boundaries of said Lot C, Plan 2964 to the most southerly corner of Lot 1 of Sections 17 and 18, Range 5, Registered Plan 4539; thence in a general northwesterly direction along the southwesterly boundary of said Lot 1, Plan 4539 to the most westerly corner thereof; thence northerly along the westerly boundary of Section 19, Range 5 to the northwest corner thereof; thence westerly along the southerly boundary of Section 20, Range 4 to the point of intersection with the easterly boundary of Lot 1 of Sections 19 and 20, Range 4, Registered Plan 19054; thence northwesterly and southwesterly along the northeasterly and northwesterly boundaries of said Lot 1, Plan 19054 to the point of intersection with the aforesaid southerly boundary of Section 20, Range 4; thence westerly and northerly along the southerly and westerly boundaries of said Section 20, Range 4 to the northwest corner thereof; thence westerly and northerly along the southerly and westerly boundaries of Section 1, Range 3, Wellington District to the northwest corner thereof; thence northerly along the westerly boundary of Lot 22G to the most westerly northwest corner thereof, being a point on the highwater

mark of Brannen Lake on the southerly shore thereof; thence northerly in a straight line to the southeast corner of Lot 7 of Lot 34G, Registered Plan 3221, being a point on the highwater mark of Brannen Lake on the northerly shore thereof; thence northerly along the westerly boundary of said Lot 7 to the northeast corner thereof; thence westerly and northerly along the southerly and westerly boundaries of Section 10 to the northeast corner of Lot 1 of Lot 34G, Registered Plan 3221; thence westerly along the northerly boundary of said Lot 1, Plan 3221 to the northwest corner thereof; thence northerly along the westerly boundary of Lot 34G to the northwest corner thereof; thence westerly, northerly and easterly along the southerly, westerly and northerly boundaries of Section 8 to the southeast corner of Lot 4 of Lot 26, Registered Plan 24687, being a point on the westerly limit of Mary Ellen Drive; thence northerly along the easterly boundaries of Lots 4, 3, 2 and 1 of Lot 26, Plan 24687 to the northeast corner of said Lot 1, Plan 24687; thence northerly in a straight line to point of intersection of the easterly boundary of Lot 26 and the northeasterly limit of Island Highway as constructed on the ground; thence northerly and westerly along the easterly and northerly boundaries of Lot 26 to the southwest corner of Lot 53; thence northerly along the westerly boundary

of said Lot 53 to the aforesaid northwest corner thereof, being the point of commencement and containing by admeasurement 22,316.08 acres of land, more or less, and 8,785.11 acres of foreshore and land covered by water, more or less.

3. The provisions of the Municipal Act shall, except where varied by Statute or the terms of these Letters Patent, apply to the municipality.

4. For the purpose of the first election, the municipality shall be divided into zones and separate lists of electors shall be prepared as follows:-

Zone 1: that area of the municipality lying within Electoral Areas A and C of the Regional District of Nanaimo, and known as Chase River, Cinnabar and including the industrial areas in the Cedar district, more particularly described in Appendix 'A' hereto;

Zone 2: that area of the municipality lying within Electoral Area B of the Regional District of Nanaimo and known as Harewood, more particularly described in Appendix 'B' hereto;

Zone 3: that area of the municipality comprising The Corporation of the City of Nanaimo as incorporated under former Letters Patent (B.C.Gazette dated March 31, 1960).

Zone 4: that area of the municipality lying within Electoral Area D of the Regional District of Nanaimo and known as Northfield and East Wellington, more particularly described in Appendix 'C' hereto;

Zone 5: that area of the municipality lying within Electoral Area E of the Regional District of Nanaimo and known as Departure Bay, more particularly described in Appendix 'D' hereto;

Zone 6: that area of the municipality lying within Electoral Areas F and G of the Regional District of Nanaimo and known as North Wellington, more particularly described in Appendix 'E' hereto.

5. The election of members of the first elected Council of the municipality, which shall consist of a Mayor and eight Aldermen, shall be conducted on Saturday the 14th day of December, 1974, and except as otherwise provided herein, the provisions of the Municipal Act apply.

6. For the election of the members of the first elected Council, provision shall be made for
 - (1) the election of a Mayor by the electors of the municipality at large

who shall hold office on and from the date of the first meeting of the first elected Council until noon of the first Monday after the first day of January, 1977, or until his successor takes office.

(2) the election of five Directors to the Regional Board of the Regional District of Nanaimo by the electors of the municipality at large who shall be the five candidates polling the highest number of votes and who are declared elected to the Council of the municipality each of whom shall hold office until their successor takes office following the annual elections in 1976.

(3) the election by the electors of Zone 1 of the municipality as described in paragraph 4 hereof of one Alderman, who shall be a resident of the said zone and shall be nominated by two electors of the zone and who shall hold office on and from the date of the first meeting of the first elected Council until noon of the first Monday after the first day of January, 1977, or until a sufficient number of Aldermen have been sworn in to make up a quorum.

- (4) the election by the electors of Zone 2 of the municipality as described in paragraph 4 hereof of one Alderman, who shall be a resident of the said zone and shall be nominated by two electors of the zone who shall hold office on and from the date of the first meeting of the first elected Council until noon of the first Monday after the first day of January, 1977, or until a sufficient number of Aldermen have been sworn in to make up a quorum.
- (5) the election by the electors of Zone 3 of the municipality as described in paragraph 4 hereof of three Aldermen each of whom shall be a resident of the said zone and shall be nominated by two electors of the zone, each of whom shall hold office on and from the date of the first meeting of the first elected Council until noon of the first Monday after the first day of January, 1977, or until a sufficient number of Aldermen have been sworn in to make up a quorum.
- (6) the election by the electors of Zone 4 of the municipality as described in paragraph 4 hereof of one Alderman who shall be a

resident of the said zone and shall be nominated by two electors of the zone, who shall hold office on and from the date of the first meeting of the first elected Council until noon of the first Monday after the first day of January, 1977, or until a sufficient number of Aldermen have been sworn in to make up a quorum

(7) the election by the electors of Zone 5 of the municipality as described in paragraph 4 hereof of one Alderman who shall be a resident of the said zone and shall be nominated by two electors of the zone, who shall hold office on and from the date of the first meeting of the first elected Council until noon of the first Monday after the first day of January, 1977, or until a sufficient number of Aldermen have been sworn in to make up a quorum.

(8) the election by the electors of Zone 6 of the municipality as described in paragraph 4 hereof of one Alderman who shall be a resident of the said zone and shall be nominated by two electors of the zone, who shall hold office on and from the date of the first meeting of the first elected Council until noon of the

first Monday after the first day of January, 1977, or until a sufficient number of Aldermen have been sworn in to make up a quorum.

7. Notwithstanding that for the first election a candidate for the office of Alderman shall be a resident of the zone for which he is offering himself for election at the time of nomination, he is not disqualified from holding office if upon election he subsequently takes up residence elsewhere in the municipality.
8. The first elected Council shall during its term of office submit to the electors of the municipality a referendum on the mode of election of subsequent Councils and the structure thereof and shall request an amendment of these Letters Patent to implement the direction thus received.
- 9(1) Subject to paragraph 10 of these Letters Patent, the Clerk of The Corporation of the City of Nanaimo as incorporated under former Letters Patent, shall prepare a list of electors for the first election and shall make due provision in the said list for the election procedures referred to in these Letters Patent, including provision for the division of the list as required.
- (2) Notwithstanding the provisions of section 47A of the Municipal Act, for the first election the names of all applicants who have been

added to the registry of electors up to and including the 2nd day of November, 1974, shall be added to the list of electors and the list as up-dated need not be certified by the Court of Revision.

10. Persons entitled to vote at the first election are those persons who, for that part of the municipality within The Corporation of the City of Nanaimo as incorporated under former Letters Patent, are qualified to vote as electors, provided however that any person who meets the qualifications of section 31 of the Municipal Act, upon the filing with the Clerk or his Deputy of the said municipality, or the Returning Officer, of a completed application for registration as an elector is entitled to vote as if his name appeared upon the list of electors, and for that part of the municipality not within The Corporation of the City of Nanaimo as incorporated under former Letters Patent, those persons who are qualified to vote as electors of the Regional District of Nanaimo, provided however that any person who meets the qualifications of section 31 of the Municipal Act, upon filing with the Secretary-Treasurer, or his Deputy, or the Returning Officer, of a completed application for registration as an elector for the purpose of the first election, is entitled to vote as if his name appeared upon the list of electors.

11. Ruth Thorpe of 184 Garner Crescent, Nanaimo, shall be the Returning Officer at the first election, and the Returning Officer shall appoint such Deputy Returning Officers as are required to preside at the respective polling places and shall otherwise arrange for the holding of the first election.
12. An advance poll shall be provided for.
13. Nominations for the first election shall be held at the City Hall, Nanaimo, on Monday the 25th day of November, 1974, from 10 o'clock in the forenoon to 12 o'clock noon provided however that nomination papers may be delivered to the Returning Officer at the City Hall, Nanaimo, at any time between the date of the notice of election and the day of nomination.
14. At the first election the polling (if any) shall be held at a place or places to be determined by the Returning Officer from 8 o'clock in the forenoon to 8 o'clock in the afternoon.
15. The first meeting of the first elected Council shall be held on Monday the 6th day of January, 1975, at 7:30 o'clock in the afternoon in the Council Chambers, City Hall, Nanaimo, British Columbia.
16. A quorum of the Council of the municipality is five members.

17. Notwithstanding any provision of the Municipal Act, the tax structure of the municipality shall take into consideration the extent or level of services being provided to different areas within the municipality, together with such other considerations as the Council deems appropriate, and the municipality in each year may be divided into not more than two taxation districts by by-law adopted prior to the adoption of the annual budget by-law, and the said taxation districts shall respectively be described by metes and bounds description, classification, or by map or plan and the said by-law for the years 1975 to 1979 inclusive, shall be deposited with the Minister of Municipal Affairs, and for such further period of time as may be determined by the Minister.

18. The annual budget by-law, the annual capital expenditure program by-law and the annual rates by-law of the municipality for the years 1975 to 1979 inclusive, and for such further period of time as may be determined by the Minister of Municipal Affairs, shall before adoption be approved by the Inspector of Municipalities who may, for the year 1975 only, in the process of approval, vary the date of adoption thereof as set forth respectively in sections 198, 199A and 206 of the Municipal Act, and the said rates by-law shall provide for taxation in accordance with the provisions of paragraph 17 hereof.

- 19(1) Subject to sub-paragraph (2) hereof and notwithstanding any provision of the Municipal Act, all land classified as farm for assessment purposes and improvements thereon shall be assessed and taxed by the municipality as if such land was not within the boundaries of the municipality and the provisions of the Taxation Act respecting farm land classification, assessment, exemption, and rate of taxation apply.
- (2) In the event services which were not provided by the Province prior to incorporation of the municipality are provided or made available by the municipality or the Regional District of Nanaimo in respect of the lands referred to in sub-paragraph (1) hereof, the taxation to support such services shall be levied and raised in each year by rate imposed upon the assessed value of improvements only as fixed for taxation under the provisions of the Municipal Act.
20. The municipality is exempt from the obligations of Part XX of the Municipal Act for a period of five years on and from the date of incorporation for that part of the municipality which was not contained within The Corporation of the City of Nanaimo as incorporated under former Letters Patent.
21. The responsibility of the Province for the construction and maintenance of highways and associated services as performed by the

Department of Highways, shall continue for a period of five years on and from the date of incorporation for that part of the municipality which was not contained within The Corporation of the City of Nanaimo as incorporated under former Letters Patent, as if the said area had remained under Provincial jurisdiction.

22. Notwithstanding the provisions of section 616 of the Municipal Act, the water and sewer services areas, respectively of The Corporation of the City of Nanaimo as incorporated under former Letters Patent are hereby declared to be specified service areas, and shall be established by by-law, and the assent of the electors or a petition is not required, and the provisions of sub-section (3) of section 619 of the Municipal Act apply as if merging provisions had been included in any water or sewer by-law.

23. Any proposed by-law having application to or effect within the municipality, the passage of which has been initiated by the Council of The Corporation of the City of Nanaimo as incorporated under former Letters Patent, or the Regional Board of the Regional District of Nanaimo, may be adopted by the Council of the municipality, subject to the provisions of the Municipal Act and these Letters Patent, and shall upon adoption for the purposes of paragraph 27 hereof, be deemed to be a by-law of The Corporation of the City of Nanaimo as incorporated under former Letters Patent, or of the Regional District of Nanaimo, that initiated its passage.

24(1) Subject to the provisions of paragraph 25 hereof the specified service area of the Regional District of Nanaimo established pursuant to By-law No. 16 cited as "Protection Island Fire Protection Specified Area Establishment and Loan Authorization By-law" is hereby deemed to be extinguished and the said by-law repealed.

(2) Subject to the provisions of paragraph 25 hereof and notwithstanding the provisions of section 616 of the Municipal Act, the specified service area of the Regional District of Nanaimo established pursuant to By-law No. 93 cited as "East Wellington Water Supply Specified Area Establishment and Loan Authorization By-law" is hereby declared to be a specified service area and shall be established by by-law, and the assent of the electors or a petition is not required.

25. All property both real and personal, and all rights, powers, and privileges arising out of any contract, agreement, collective agreement, covenant, or otherwise whatsoever, and all taxes, debts, actions, causes of action, and all claims and demands whatsoever either at law or in equity appertaining to The Corporation of the City of Nanaimo as incorporated under former Letters Patent, and the Regional District of Nanaimo in respect of the area thereof contained within the municipality, vest in and belong to the municipality on and from the first day of January, 1975.

26. Nothing in these Letters Patent shall impair or affect the rights of any creditor of The Corporation of the City of Nanaimo as incorporated under former Letters Patent, and the Regional District of Nanaimo in respect to its functions and services as referred to in paragraph 24 hereof, and the municipality shall be liable for and subject to and shall pay, discharge and carry out and perform all the debts, liabilities, obligations and contracts of The Corporation of the City of Nanaimo as incorporated under former Letters Patent, and the Regional District of Nanaimo in respect to the afore-said functions and services, which were existing immediately before the first day of January, 1975.

27(1) Subject to these Letters Patent each by-law, regulation, contract, restriction, right, resolution, order and licence of whatsoever kind and description passed, made, enacted, entered into and granted and in effect or in force in or issued to or by The Corporation of the City of Nanaimo as incorporated under former Letters Patent shall remain in full force and effect in and for only that part of the municipality which was under the jurisdiction and within the boundaries of the said former municipality, and only until such time as it is repealed, withdrawn, cancelled, amended or replaced by the Council of the municipality or the regulatory body issuing the same.

- (2) Subject to these Letters Patent each by-law, regulation, right, resolution, order and licence of whatsoever kind and description passed, made, enacted, entered into and granted, and being in effect or in force in or issued to or by the Regional District of Nanaimo shall remain in full force and effect in and for that part or those parts of the municipality in which the same was in force or in effect on the 31st day of December, 1974, only until each may be amended or repealed by the Council of the new municipality.
- (3) For the purposes of sub-paragraphs (1) and (2), "by-law" includes the provisions of British Columbia regulations made applicable in the Letters Patent or supplementary Letters Patent of The Corporation of the City of Nanaimo as incorporated under former Letters Patent or of the Regional District of Nanaimo as the case may be, as amended or repealed pursuant to such Letters Patent or supplementary Letters Patent, to the extent that such provisions were applicable to areas within the boundaries of the municipality incorporated hereunder.
- (4) The provisions of any by-law of a regulatory nature adopted by the Council of the municipality shall take into consideration the character of the different areas of the municipality in accordance with the provisions of the Municipal Act.

- (5) By-law No. 101, including all amendments thereto, of the Regional District of Nanaimo cited as "Building By-law No. 101" is hereby extended to the whole of that part of the municipality not contained within The Corporation of the City of Nanaimo as incorporated under former Letters Patent.
28. All motor vehicles and trailers registered under the Motor-Vehicle Act or the Department of Commercial Transport Act in the name of The Corporation of the City of Nanaimo as incorporated under former Letters Patent or the Regional District of Nanaimo in respect of its functions and services as referred to in paragraph 24 hereof, are deemed to be transferred to the ownership of the municipality and the records of the Motor-Vehicle Branch shall be amended accordingly.
29. The real property assessment roll of The Corporation of the City of Nanaimo as incorporated under former Letters Patent together with the Provincial real property assessment roll for that part of the municipality not contained

within the said former municipality shall form the 1975 real property assessment roll of the municipality and for the purposes of this paragraph the municipality shall be deemed to have been incorporated on the 31st day of December, 1974.

30. Pursuant to the provisions of section 29A of the Municipal Act the Lieutenant-Governor in Council may dissolve any improvement district contained wholly or partly within the municipality, and may transfer to the municipality any or all of the assets, rights, claims, obligations, and liabilities of the improvement district under such terms and conditions as may be deemed advisable and such dissolution shall take effect not later than the 30th day of June, 1975, unless an extension is requested by the Council of the municipality and the Board of Trustees of the improvement district and is approved by the Minister of Municipal Affairs.

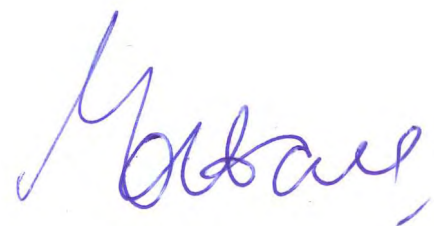
31. The Board of Variance of The Corporation of the City of Nanaimo as incorporated under former Letters Patent is dissolved on and from the 1st day of January, 1975.

32. The provisions of these Letters Patent with respect to the procedures for the first election are retroactive to the extent necessary.

In testimony whereof, We have caused these Our Letters to be made Patent and the Great Seal of Our said Province to be hereunto affixed.

WITNESS, the Honourable Walter S. Owen, Q.C., LL.D., Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this *4th* day of *December*, in the year of our Lord one thousand nine hundred and seventy-four, and in the twenty-fourth year of Our Reign.

By Command.



Provincial Secretary.



APPENDIX A

ZONE 1

Firstly: Commencing at the northeast corner of Nanaimo Town Indian Reserve 1, Nanaimo District, being a point on the highwater mark of the westerly shore of Nanaimo Harbour; thence N.87°45"E. for a distance of 2,854.9 feet; thence east to the middle line of that body of water separating Protection and Newcastle Islands from Jack Point and Gabriola Island; thence northerly along said middle line, to the point of intersection with a straight line drawn from the point of intersection of the easterly prolongation of the northerly boundary of Lot 1 of Lot 29, Wellington District, Registered Plan 15766, on file in the Land Registry Office, Victoria, and a line drawn parallel to and 1,000 feet perpendicularly distant easterly from the highwater mark of Vancouver Island on the easterly shore thereof, to the point of intersection of the middle line of Northumberland Channel with a straight line drawn from the most northerly extremity of Jack Point to the southwest corner of Fractional Section 25, Gabriola Island; thence southeasterly along the said straight line and continuing in a general southeasterly direction along the middle lines of Northumberland Channel, Dodds Narrows and Stuart Channel to the point of intersection with the easterly prolongation of the southerly boundary of Fractional Section 20, Range 5, Cedar District; thence westerly along said prolongation and continuing westerly along the southerly boundaries of Fractional Section 20, Range 5 and Section 20 in Ranges 4, 3 and 2 to the southwest corner of said Section 20 Range 2; thence northerly along the westerly boundary of Section 20, Range 2 to the northwest corner thereof; thence westerly along the southerly boundary

of Section 21, Range 1 to the southwest corner thereof; thence southerly, westerly and northerly along the easterly, southerly and westerly boundaries of Section 20, Range 8, Cranberry District to the northwest corner thereof; thence northerly and westerly along the easterly and northerly boundaries of Indian Reserve No. 3 (Nanaimo River) to the most westerly northwest corner thereof, being a point on the highwater mark of the east channel of Nanaimo River on the right bank thereof; thence west to the point of intersection with the middle line of the said east channel of Nanaimo River; thence southerly along said middle line to the point of intersection with the northerly prolongation of the easterly boundary of Section 2 Nanaimo District; thence southerly along said prolongation and continuing southerly along the easterly boundaries of Sections 2 and 3 to the northwest corner of Lot 1 of Section 3, Registered Plan 2189; thence southerly along the westerly boundaries of Lots 1 and 2 of Section 3, Plan 2189 to the southwest corner of said Lot 2; thence south to the point of intersection with the southerly boundary of aforesaid Section 3; thence westerly along the southerly boundary of Section 3 to the most easterly northeast corner of Section 15, Range 4, Cranberry District; thence southerly and westerly along the easterly and southerly boundaries of Section 15, Range 4 to the southwest corner thereof; thence northerly along the easterly boundaries of Sections 15, 16, 17, and 18, Range 3, to the northeast corner of said Section 18, Range 3; thence easterly along the southerly boundary of Section 19, Range 4, to the point of intersection with the aforesaid westerly limit of the Esquimalt and Nanaimo Railway Company's right-of-way; thence northerly along said right-of-way to the point of intersection with the westerly prolongation of the

centre line of South Street; thence easterly along said prolongation and said centre line to the prolongation northerly of the westerly boundary of Triangle Block, Plan 477H; thence southeasterly along said prolongation and continuing along the westerly boundary of said Triangle Block to the southwesterly corner thereof; thence easterly along the southerly boundary of said Block to the southeast corner thereof, and continuing easterly in a straight line across Nicol Street, Plan 1748 to the easterly limit of said street; thence northerly along said easterly limit to the centre line of Woodhouse Street; thence easterly along said centre line and its prolongation to the westerly boundary of Indian Reserve 1; thence northerly and easterly along the boundaries of said Indian reserve to the aforesaid northeast corner of Nanaimo Town Indian Reserve 1, Nanaimo District, being the point of commencement.

Secondly: Commencing at the southeast corner of Section 7, Range 7, Mountain District; thence westerly and northerly along the southerly and westerly boundaries of said Section 7, Range 7 to the northwest corner thereof; thence westerly and northerly along the southerly and westerly boundaries of Section 8, Range 6 to the northwest corner thereof; thence northerly and easterly along the westerly and northerly boundaries of Section 9, Range 6 to the northeast corner thereof; thence easterly along the northerly boundary of Section 9, Range 7 to the northeast corner thereof; thence southerly along the easterly boundaries of Sections 9, 8 and 7 all in Range 7, to the aforesaid southeast corner of Section 7, Range 7, being the point of commencement.

Thirdly: Commencing at the northeast corner of Section 14, Range 4, Cranberry District; thence southerly along the easterly boundaries of Sections 14 and 13, Range 4 to the southeast corner of said Section 13, Range 4; thence westerly along the northerly boundary of Section 12, Range 4 for a distance of 20 chains; thence southerly in a straight line parallel to the easterly boundary of said Section 12, Range 4 to the point of intersection with the southerly boundary of Section 12, Range 4; thence westerly and northerly along the southerly and westerly boundaries of Section 12, Range 4 to the northwest corner thereof; thence westerly along the southerly boundary of Section 13, Range 3 to the southeast corner of that part of Section 13, Range 3 shown outlined in red on Registered Plan 2030; thence northerly along the easterly boundary of said part of Section 13, Range 3 shown outlined in red on Plan 2030 to the northeast corner thereof; thence northerly and easterly along the westerly and northerly boundaries of Section 14, Range 4 to the aforesaid northeast corner thereof, being the point of commencement.

APPENDIX B

ZONE 2

Commencing at the southwest corner of Section 10, Range 8, Mountain District; thence easterly and northerly along the southerly and westerly boundaries of said section to the northeast corner thereof; thence northerly in a straight line to the southwest corner of that part of Section 1, Nanaimo District, outlined in red on Registered Plan 758R; thence easterly, northerly, and westerly along the southerly, easterly and northerly boundaries of said parcel shown outlined in red on Plan 758R to the edge of the bed of the Millstone River, on the left bank thereof; thence in a general northeasterly direction along the said edge of the bed of Millstone River, on the left bank thereof, to the southerly limit of Comox Road; thence easterly along the said southerly limit to the northwest corner of a four-acre parcel of aforesaid Section 1, as shown on Registered Plan 614; thence southerly and easterly along the westerly and southerly boundaries of said four-acre parcel to the westerly boundary of the 26.48 acre parcel of said Section 1, Plan 1175R; thence in a general southerly and easterly direction along the westerly and southerly boundaries of said 26.48 acre parcel to the southeast corner thereof, being a point on the westerly limit of Wakesiah Avenue; thence due east to the centre line of said Wakesiah Avenue; thence southerly along said centre line to a point due west of the northwest corner of Lot 16, Block 4 of aforesaid Section 1, Plan 1465; thence east to said northwest corner and continuing easterly along the northerly boundaries of Lots 16 and 15, Block 4, Lots 16 and 15, Block 3, and Lots 16 and 15, Block 2, of said Plan 1465, and crossing Acacia and Doric Avenues and all intervening lanes to the northeast corner of

said Lot 15, Block 2; thence due east to the centre line of Ashlar Avenue; thence southerly along said centre line and the prolongation thereof to the southerly boundary of Section 39, Range 6, Plan 630; thence easterly along said southerly boundary and its production easterly to the centre line of Howard Avenue; thence southerly along said centre line to the centre line of Second Street; thence easterly along said centre line to the point of intersection thereof with the northerly prolongation of the easterly boundary of Lot 1 of aforesaid Section 1, Plan 1624; thence southerly in a straight line to the northeast corner of said Lot 1, and continuing southerly along the easterly boundaries of Lots 1, 2, 3, 4, and 5 of said Plan 1624 to the point of intersection of said easterly boundary of Lot 5 with the westerly prolongation of the northerly boundary of Lot 23 as registered by said Plan 1624; thence easterly in a straight line to and along the northerly boundary of said Lot 23 and its production easterly to the westerly boundary of Lot 6 of Block 3 of aforesaid Section 1, Plan 1016; thence southerly along the westerly boundaries of Lots 6, 5 and 4 of said Block 3 to the southwest corner of said Lot 4; thence easterly along the southerly boundary of said Lot 4 and its production easterly to the centre line of Craig Street; thence southerly along the centre line of Craig Street produced to the centre line of Elizabeth Street; thence easterly along said centre line to its intersection with the northerly prolongation of the westerly boundary of Lot 9, Block 8 of aforesaid Section 1, Plan 1717; thence southerly in a straight line to and along the westerly boundary of said Lot 9 to the southwest corner thereof; thence easterly along the southerly boundaries of Lots 9, 8, 7, 6, and 5 of the said Block 8 to the northerly

prolongation of the westerly boundary of Lot 1, Block 9 of aforesaid Section 1, Plan 2215; thence southerly in a straight line to and along the westerly boundary of said Lot 1 to the southwest corner thereof; thence easterly along the southerly boundary of said Lot 1 and its production easterly across Pine Street to the westerly boundary of Block R, Plan 584; thence southerly along the westerly boundaries of Blocks R, Q, P, O and N of said Plan 584, and crossing Fitzwilliam, Franklyn, Albert and Hecate Streets, to the easterly limit of the right-of-way of the Esquimalt and Nanaimo Railway; thence southerly along said easterly limit to the southwest corner of Lot B of aforesaid Section 1, Plan 1662; thence northerly along the easterly boundary of said Lot B, being the westerly limit of View Street and continuing northerly along the said westerly limit of View Street to the point of intersection thereof with the prolongation westerly of the centre line of Rainier Street; thence easterly along said prolongation and said centre line to the point of intersection thereof with the prolongation northerly of the centre line of the alleyway through Block 4, Plan 2009; thence southerly along said prolongation to the southerly limit of Rainier Street and continuing southerly along the centre line of said alleyway and the prolongation thereof to the centre line of South Street; thence westerly along said centre line and the prolongation thereof westerly to the point of intersection with the westerly limit of the aforesaid Esquimalt and Nanaimo Railway Company's right-of-way; thence southerly along the westerly limit of said right-of-way to the point of intersection with the southerly boundary of Section 7; thence westerly along the southerly boundaries of Sections 7,

6, 5 and 4, Nanaimo District, and Section 1, Range 8, Mountain District, to the southwest corner of said Section 1, Range 8; thence northerly along the westerly boundaries of Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9, Range 8, to the aforesaid southwest corner of Section 10, Range 8, Mountain District, being the point of commencement.

APPENDIX C

ZONE 4

Commencing at the southeast corner of Section 9, Range 5, Mountain District; thence westerly along the southerly boundary of Section 9, Range 5 to the most southerly southwest corner of Lot 5, Block 1, Section 9, Range 5, Registered Plan 3115 on file in the Land Registry Office, Victoria; thence northwesterly along the southwesterly boundaries of Lots 5 and 4, Block 1, Plan 3115 to the point of intersection with the easterly limit of an unnamed road lying to the east of Lot A of Section 10, Range 4, Registered Plan 4143; thence northerly along said easterly limit to the point of intersection with the northerly boundary of aforesaid Lot 4, Block 1, Plan 3115; thence easterly along the northerly boundary of said Lot 4, Plan 3115 to the southeast corner of Lot 3 of Section 11 in Ranges 4 and 5, Registered Plan 3485 on file in the Land Registry Office, Victoria; thence northerly along the easterly boundary of said Lot 3, Plan 3485 to the northeast corner thereof; thence northerly and westerly along the easterly and northerly boundaries of Lot 2 of Section 11 in Ranges 4 and 5, Plan 3485 to the southwest corner of Lot 1 of Section 12, Range 5, Registered Plan 6357; thence northerly along the westerly boundary of said Lot 1, Plan 6357 to the northwest corner thereof; thence northerly in a straight line to the most westerly southwest corner of Lot 3 of Section 12, Range 5, Registered Plan 12942; thence northerly and easterly along the westerly and northerly boundaries of said Lot 3, Plan 12942 and continuing easterly along the northerly boundary of Section 12, Range 5 to the southwest corner of Parcel B of Section 13, Range 5, Registered Plan D. D. 23242-N; thence northerly, easterly and southerly along the westerly,

northerly and easterly boundaries of said Parcel B, Plan D.D. 23242-N to the northeast corner of that part of Parcel A, Section 13, Range 5, Registered Plan D.D. 9237-N, as described on Registered Plan D.D.11113-N; thence northeasterly along the northwesterly boundary of that part of Parcel A of Section 13, Range 5, Plan D.D. 9237-N as described on Plan D.D.11113-N to the most northerly corner thereof; thence northerly along the westerly limit of an unnamed road as shown outlined in red on Registered Plan D.D.2641-I, Section 13, Range 5, to the point of intersection with the northerly boundary of said Section 13, Range 5; thence easterly along the northerly boundary of Section 13, in Ranges 5 and 6 to the southwest corner of Lot 4, Section 14, Range 6, Registered Plan 2654; thence northerly and easterly along the westerly and northerly boundaries of said Lot 4, Plan 2645 to the southwest corner of Lot 6 of Section 14, Range 6, Plan 2654; thence northerly, easterly, northwesterly, easterly and northerly along the westerly, northerly, southwesterly, northerly and westerly boundaries of said Lot 6, Plan 2654 to the northeast corner of Lot 5, Section 14, Range 6, Plan 2654; thence north to the point of intersection with the southerly boundary of Lot 6 of Section 14 in Ranges 5 and 6, Registered Plan 453; thence easterly along the southerly boundaries of Lots 6 and 1 of Section 14 in Ranges 5 and 6, Plan 453 to the most southerly corner of Lot 1 of Sections 14 and 15, Range 7, Registered Plan 12341; thence northeasterly along the southeasterly boundaries of said Lot 1, Plan 12341 and Lot A of Sections 14 and 15, Range 7, Registered Plan 14331 and that part of Section 15, Range 7 shown outlined in red on Registered Plan 488R to the most easterly corner of said part of Section 15, Range 7 shown outlined in red

on Plan 488R; thence northwesterly and southwesterly along the northeasterly and northwesterly boundaries of said part of Section 15, Range 7 shown outlined in red on Plan 488R to the most easterly corner of aforesaid Lot A, Plan 14331; thence northwesterly along the northeasterly boundary of said Lot A, Plan 14331 to the most northerly corner thereof; thence southwesterly and northwesterly along the southeasterly and southwesterly boundaries of that part of Lot 2, Section 15, Range 7 lying to the southwest of Maxey Road as shown on Registered Plan 18428 to the most westerly corner thereof; thence northwesterly, southerly and westerly along the southwesterly, easterly and southerly boundaries of that part of Lot 1 of Section 15, Range 7 lying to the southwest of Maxey Road as shown on Registered Plan 19186 to the southwest corner thereof; thence northerly along the westerly boundaries of Sections 15 and 16, Range 7 to the most northerly corner of Lot 2 of Section 16, Range 6, Registered Plan 13823; thence southwesterly along the northwesterly boundaries of Lots 2 and 1 of Section 16, Range 6, Plan 13823 to the most easterly corner of Lot A of Sections 16 and 17, Range 6, Registered Plan 2964; thence northwesterly along the northeasterly boundary of said Lot A, Plan 2964 to the most northerly corner thereof; thence northwesterly, westerly and southerly along the northeasterly, northerly and westerly boundaries of that part of Lot B of Sections 16 and 17, Range 6, Plan 2964 shown outlined in red on Registered Plan 1078R, to the southwest corner thereof; thence northwesterly in a straight line to the most southerly corner of Lot C of Sections 16 and 17 in Ranges 5 and 6, Plan 2964; thence northerly and northwesterly along the easterly and northeasterly boundaries of said Lot C, Plan 2964 to the most southerly

corner of Lot 1 of Sections 17 and 18, Range 5, Registered Plan 4539; thence in a general northwesterly direction along the southwesterly boundary of said Lot 1, Plan 4539 to the most westerly corner thereof; thence northerly along the westerly boundaries of Sections 19 and 20, Range 5 to the northwest corner of said Section 20, Range 5; thence easterly along the southerly boundary of Section 5, Wellington District to the southwest corner of Lot 3 of Section 5, Registered Plan 2523; thence northerly, easterly and southerly along the westerly, northerly and easterly boundaries of said Lot 3 to the southeast corner thereof; thence easterly along the southerly boundary of aforesaid Section 5 to the point of intersection with the southwesterly limit of the Esquimalt and Nanaimo Railway Company's right-of-way; thence southeasterly along said southwesterly limit to the point of intersection with the westerly boundary of Section 1, Nanaimo District; thence southerly along the westerly boundaries of said Section 1, Lot 97G and continuing southerly along the westerly boundary of aforesaid Section 1 to the northwest corner of that part of Section 1 shown outlined in red on Registered Plan 758R; thence easterly, southerly and westerly along the northerly, easterly and southerly boundaries of said part of Section 1 shown outlined in red on Plan 758R to the southwest corner thereof; thence southerly in a straight line to the northeast corner of Section 10, Range 8, Mountain District; thence southerly along the easterly boundary of Section 10, Range 8 to the southeast corner thereof; thence westerly along the southerly boundaries of Section 10 in Ranges 8, 7 and 6 to the southwest corner of said Section 10, Range 6; thence southerly along the easterly boundary of Section 9, Range 5 to the aforesaid southeast corner thereof, being the point of commencement.

APPENDIX D

ZONE 5

Commencing at the northwest corner of Lot 54G, Wellington District, being a point on the highwater mark of Vancouver Island on the northeasterly shore thereof; thence north to the point of intersection with a line drawn parallel to and 1,000 feet perpendicularly distant northerly from the said highwater mark on the northeasterly shore of Vancouver Island; thence in a general southeasterly direction parallel to and 1,000 feet perpendicularly distant northeasterly from the said highwater mark on the northeasterly shore of Vancouver Island to a point which lies due north of the most northerly extremity of Neck Point; thence southeasterly in a straight line to a point which lies 1,000 feet north of the most northerly extremity of Lagoon Head; thence in a general southeasterly direction parallel to and 1,000 feet perpendicularly distant northeasterly from the aforesaid highwater mark of Vancouver Island on the northeasterly shore thereof to the point of intersection with the easterly prolongation of the northerly boundary of Lot 1 of Lot 29, Registered Plan 15766 on file in the Land Registry Office, Victoria; thence southeasterly along a straight line drawn to the point of intersection of the middle line of Northumberland Channel with a straight line drawn from the most northerly extremity of Jack Point to the southwest corner of Fractional Section 25, Gabriola Island to the point of intersection with the middle line of that body of water separating Newcastle and Protection Islands from Gabriola Island and Jack Point;

thence southerly along the middle line to a point thereon which lies due east of the most easterly corner of the City of Nanaimo as described in The British Columbia Gazette under date of March 31, 1960; thence west to said most easterly corner thence north twenty degrees and four minutes west for a distance of four thousand six hundred and twenty-two and four-tenths feet; thence north forty-eight degrees nine minutes and three seconds west for a distance of five thousand eight-hundred and forty-four and three-tenths feet; thence north eighteen degrees thirty-nine minutes and three seconds west for a distance of six thousand three hundred feet; thence westerly in a straight line to the mouth of Northfield Creek, situated to the north of Brechin and Northfield Roads; thence in a general westerly direction along the middle line of said Northfield Creek to the easterly boundary of that part of Section 1 shown as park on Plan 9915 on file in the Land Registry Office, Victoria; thence northwesterly and westerly along the easterly and northerly boundaries of said park shown on Plan 9915 to the northwest corner thereof; thence southwesterly along the northwesterly boundary of that part of Section 1 shown as park on Registered Plan 12530 to the northeasterly boundary of Lot 3 of Section 1 of said Plan 12530; thence southeasterly, southerly and westerly along the northeasterly, easterly and southerly boundaries of said Lot 3 of Section 1, Plan 12530, to the southwest corner of said Lot 3, being a point on the northeasterly limit of Departure Bay Road as shown on Registered Plan 1059RW; thence southeasterly and easterly along the northeasterly limit of Departure Bay Road and the northerly limit of the

Island Highway as shown on said Plan 1059RW to the southeast corner of Lot 17 of Section 1 of aforesaid Plan 12530; thence southwesterly in a straight line to the most northerly corner of Lot 2 of Section 1 as shown on Registered Plan 13280; thence southwesterly along the northwesterly boundary of said Lot 2 of Section 1, Plan 13280, and the southwesterly prolongation thereof to the southwesterly limit of the aforesaid Island Highway as shown on Plan 1059RW; thence in a general northwesterly direction along the said southwesterly limit of the Island Highway as shown on Plan 1059RW to the easterly prolongation of the southerly limit of Northfield Road; thence westerly along the said easterly prolongation of the southerly limit of Northfield Road to the westerly boundary of Section 1; thence northerly along said westerly boundary to the southerly boundary of the Esquimalt and Nanaimo Railway Company's right-of-way; thence northwesterly along said right-of-way to the point of intersection with the southerly boundary of Section 5, Wellington Land District; thence easterly and northerly along the southerly and easterly boundaries of said Section 5 to the southwest corner of Lot 1 of Lot 5, Registered Plan 14405; thence northwesterly, north-easterly and southeasterly along the southwesterly, northwesterly and north easterly boundaries of said Lot 1 to the northeast corner thereof; thence northerly along the easterly boundaries of Section 5, Lots 18, 31 and 43, to the northeast corner of said Lot 43; thence easterly, northerly, and westerly along the southerly, easterly, and northerly boundaries of Lot 55 to the southwest corner of Lot 5; thence southerly, westerly and northerly along the easterly, southerly and westerly boundaries of Lot 54 to the aforesaid northwest corner, being the point of commencement.

APPENDIX E

ZONE 6

Commencing at the northwest corner of Lot 54, Wellington District, being a point on the high-water mark of the Strait of Georgia, on the south-westerly shore thereof; thence southerly, easterly, and northerly along the westerly, southerly and easterly boundaries of said lot to the southwest corner of Lot 51; thence easterly, southerly and westerly along the northerly, easterly and southerly boundaries of Lot 55 to the northeast corner of Lot 43; thence southerly along the easterly boundaries of Lots 43, 31, 18 and Section 5 to the northeast corner of Lot 1, Section 5, Registered Plan 14405; thence north-westerly, southwesterly and southeasterly along the northeasterly, northwesterly and southwesterly boundaries of said lot to the southwest corner thereof; thence southerly and westerly along the easterly and southerly boundaries of aforesaid Section 5 to the southeast corner of Lot 3, Section 5, Registered Plan 2523; thence northerly, westerly and southerly along the easterly, northerly and westerly boundaries of said Lot 3 to the southwest corner thereof; thence westerly along the southerly boundary of Section 5 to the northwest corner of Section 20, Range 5, Mountain District; thence southerly along the easterly boundary of Section 20, Range 4 to the southeast corner thereof; thence westerly along the southerly boundary of Section 20, Range 4 to the point of intersection with the easterly boundary of Lot 1 of Sections 19 and 20, Range 4, Registered Plan 19054; thence northwesterly and southwesterly along the northeasterly and northwesterly boundaries of said Lot 1, Plan 19054 to the point of intersection with the aforesaid southerly

boundary of Section 20, Range 4; thence westerly and northerly along the southerly and westerly boundaries of said Section 20, Range 4 to the northwest corner thereof; thence westerly and northerly along the southerly and westerly boundaries of Section 1, Range 3, Wellington District, to the northwest corner thereof; thence northerly along the westerly boundary of Lot 22G to the most westerly northwest corner thereof, being a point on the highwater mark of Brannen Lake on the southerly shore thereof; thence northerly in a straight line to the southeast corner of Lot 7 of Lot 34G, Registered Plan 3221, being a point on the highwater mark of Brannen Lake on the northerly shore thereof; thence northerly along the westerly boundary of said Lot 7 to the northwest corner thereof; thence westerly and northerly along the southerly and westerly boundaries of Section 10 to the northeast corner of Lot 1 of Lot 34G, Registered Plan 3221; thence westerly along the northerly boundary of said Lot 1, Plan 3221 to the northwest corner thereof; thence northerly along the westerly boundary of Lot 34G to the northwest corner thereof; thence westerly, northerly and easterly along the southerly, westerly and northerly boundaries of Section 8 to the southeast corner of Lot 4 of Lot 26, Registered Plan 24687, being a point on the westerly limit of Mary Ellen Drive; thence northerly along the easterly boundaries of Lots 4, 3, 2 and 1 of Lot 26, Plan 24687 to the northeast corner of said Lot 1, Plan 24687; thence northerly in a straight line to point of intersection of the easterly boundary of Lot 26 and the northeasterly limit of Island Highway as constructed on the ground; thence northerly and westerly along the easterly and northerly boundaries of Lot 26 to the southwest corner of Lot 53;

thence northerly along the westerly boundary of said Lot 53 to the northwest corner thereof, being a point on the highwater mark of Vancouver Island on the northeasterly shore thereof; thence northerly in a straight line and in a direction perpendicular to the general direction of the said highwater mark for a distance of 1,000 feet; thence in a general southeasterly direction parallel to and 1,000 feet perpendicularly distant northeasterly from the said highwater mark on Vancouver Island on the northeasterly shore to a point which lies due north of the aforesaid northwest corner of Lot 54; thence south to said northwest corner, being the point of commencement.