

DECLARATION(S) ATTACHED

VICTORIA LAND TITLE OFFICE
LAND TITLE ACT BRITISH COLUMBIA
FORM 17 CHARGE, NOTATION OR FILING May-02-2013 10:38:40.025
LAND TITLE AND SURVEY AUTHORITY

CA3107410

PAGE 1 OF 9 PAGES

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application.and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.

Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

Dennis Alexander
Schaffrick
U7PWUI

Digitally signed by Dennis Alexander
Schaffrick U7PWUI
DN: c=CA, cn=Dennis Alexander
Schaffrick U7PWUI, o=Lawyer,
blueVerdy ID at www.juricor.com/
LKUP.cdn?id=U7PWUI
Date: 2013.05.02 10:10:51 -0700

1. APPLICANT: (Name, address, phone number of applicant, applicant's solicitor or agent)

D.A.Schaffrick Law Corporation

Barrister & Solicitors

1984 Comox Avenue

Comox

BC V9M 3M7

Document Fees: \$73.50

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[legal description]

SEE SCHEDULE

STC? YES ☐

3. NATURE OF CHARGE, NOTATION, OR FILING: AFFECTED CHARGE OR NOTATION NO:

STATUTORY BUILDING SCHEME

ADDITIONAL INFORMATION:

Relates to Plan EPP22329

NATURE OF CHARGE, NOTATION, OR FILING: AFFECTED CHARGE OR NOTATION NO:

ADDITIONAL INFORMATION:

4. PERSON TO BE REGISTERED AS CHARGE OWNER: (including occupation(s), postal address(es) and postal code(s))

NOT APPLICABLE

FORM E7 V7

**LAND TITLE ACT
FORM E****SCHEDULE**

PAGE 2 OF 9 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LANDRelated Plan Number: **EPP22329**STC for each PID listed below? YES ☐

[PID] [LEGAL DESCRIPTION – must fit in a single text line]

NO PID NMBR LOT 1, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 2, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 3, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 4, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 5, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 6, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 7, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 8, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 9, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 10, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 11, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 12, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 13, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 14, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 15, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 16, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 17, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 18, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 19, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 20, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 21, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 22, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 23, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 24, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 25, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 26, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 27, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 28, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 29, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 30, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

FORM E7 V7

**LAND TITLE ACT
FORM E****SCHEDULE**

PAGE 3 OF 9 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LANDRelated Plan Number: **EPP22329**STC for each PID listed below? YES ☐

[PID] [LEGAL DESCRIPTION – must fit in a single text line]

NO PID NMBR LOT 31, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 32, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 33, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 34, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 35, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 36, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 37, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 38, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 39, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 40, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 41, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 42, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 43, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 44, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 45, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 46, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 47, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 48, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 49, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 50, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 51, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 52, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 53, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 54, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 55, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 56, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 57, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 58, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 59, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329
NO PID NMBR LOT 60, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

FORM E7 V7

**LAND TITLE ACT
FORM E****SCHEDULE**

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2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LANDRelated Plan Number: **EPP22329**STC for each PID listed below? YES ☐

[PID] [LEGAL DESCRIPTION – must fit in a single text line]

NO PID NMBR LOT 61, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

NO PID NMBR LOT 62, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

NO PID NMBR LOT 63, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

NO PID NMBR LOT 64, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

NO PID NMBR LOT 65, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

NO PID NMBR LOT 66, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

NO PID NMBR LOT 67, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

NO PID NMBR LOT 68, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

NO PID NMBR LOT 69, DISTRICT LOT 153, COMOX DISTRICT, PLAN EPP22329

Land Title Act
Form 35
(section 220 (1))

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DECLARATION OF BUILDING SCHEME

NATURE OF INTEREST: CHARGE: BUILDING SCHEME

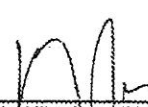
FEE OF \$ _____

Name and Address of person entitled to register this building scheme:

BUCKSTONE INVESTMENTS LTD. (Inc. No. BC0822663)
c/o 1984 Comox Avenue
Comox, British Columbia
V9M 3M7

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

D.A. Schaffrick Law Corporation
1984 Comox Avenue
Comox, British Columbia
V9M 3M7 Tel: (250) 339 3363

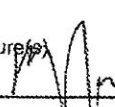

SIGNATURE OF APPLICANT, OR
SOLICITOR OR AUTHORIZED AGENT

We, BUCKSTONE INVESTMENTS LTD. (INC. NO. BC0822663), declare that:

1. We are the registered owner in fee simple of the following land (hereinafter called the "Lots" collectively, individual lots being called the "Lot");
Lots 1 - 69, District Lot 153, Comox District, Plan EPP22329.
2. We hereby create a building scheme relating to the Lots.
3. A sale of any of the Lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
4. The restrictions shall be for the benefit of all the Lots.

EXECUTION(S):

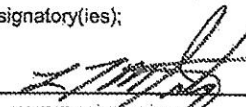
Officer Signature(s)


DENNIS A. SCHAFFRICK
Barrister, Solicitor, Notary Public
1984 Comox Avenue
Comox BC V9M 3M7

Execution Date

Y	M	D
13	05	10

Buckstone Investments Ltd. by its authorized
signatory(ies);


LAWRIE MCINTYRE

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act R.S.B.C. 1996, c. 124, 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.

SCHEDULE OF RESTRICTIONS

1. Residential Use

No building shall be constructed on the Lots except for residential housing as listed below:

- On Lots 1 through 4 inclusive and Lots 6 through 10 inclusive and Lots 12 through 27 inclusive and Lots 29 through 52 inclusive and Lot 54 through 64 inclusive single family dwelling units are permitted. Secondary suites are permitted on each of these lots.
- On Lots 5, 11, 28 and 53 duplex housing or carriage houses are permitted.
- On Lots 65 through 69 inclusive single family homes with separate carriage houses are permitted.

2. Ancillary Buildings

No more than one ancillary building will be permitted on the single family Lots, except for Lots 54 through 64 inclusive where more than one ancillary building may be allowed.

3. Garages

No attached garage shall have a width less than 3.6 meters.

4. Facades/Elevation

Designs that have facades or elevations with large planes of a single homogeneous material will not be allowed.

5. Chimneys

Chimney and vent stacks if visible from the street will not be allowed unless clad in materials consistent with the front elevation.

6. Gable Ends

Gable roof lines are not allowed unless the gable ends are in contrast to the lower wall finish.

7. Carriage Houses

No carriage house will be constructed unless the architectural style of the carriage house matches the architectural style of the main house.

8. Plan Approval

No improvements shall be constructed on a Lot unless and until plans and specifications for the proposed construction have been submitted to and approved in writing by the Developer.

9. Minimum Size

No dwelling unit shall be erected on any Lot which has:

- i) a main floor area of less than 130 sq. meters (1400 square feet) in the case of a one story dwelling, and
- ii) less than 139 sq. meters (1500 square feet) in the case of a one and one half or two story dwelling, excluding basement.

10. Re-subdividing

No Lot shall be re-subdivided or re-zoned.

11. Drainage

No excavation, construction, grading or any other work shall be carried out upon a Lot which would interfere with, or alter in any way, the natural or established drainage thereon.

12. Outbuildings

No outbuildings will be permitted on any of the Lots unless finished on the exterior walls and roof with finishes and materials similar to that of the main house on the Lot.

13. Driveways

No driveways shall be constructed on any Lot other than those constructed of asphalt, concrete or paving stones (bricks). The paving must extend from the property line to the curb/gutter line (approach). Driveways and approaches must be completed prior to occupancy.

14. Fencing

- (a) No fencing shall be permitted to extend beyond the front of the primary structure facing the front of the lot, except on corner Lots and except for Lots 65 through 69 inclusive where fencing in the front yard is permitted and will be constructed by the Developer.
- (b) No fence shall exceed two (2) meters in height.
- (c) Fencing provided along the rear lot lines adjacent to the walking trails shall not be screened off with parallel solid barrier fences to create rear yard privacy. Rear yard privacy will only be allowed by using natural landscaping elements within the rear yards along these walking trails.

15. Landscaping

- (a) All lawn and landscaping installations shall extend to the curb line of all adjoining streets.

- (b) All landscaping shall be completed within six (6) months of the date of occupancy of any dwelling.

16. Equipment Storage

No heavy equipment, whether owned by the occupier or otherwise, shall be stored either temporarily or permanently on any Lot.

17. Mobile Homes, Boats, Etc.

No commercial vehicles, motor homes, boats, travel trailers, recreation vehicles, or construction equipment shall be permitted on any Lot except in the normal course of business provided by such vehicles. Motor homes, travel trailers and like vehicles shall be temporarily permitted on the Lots for the purpose of loading and unloading such vehicles or for temporary visits by visitors to the Lots. No motor homes, boats, travel trailers and like vehicles may be stored on the Lots unless they are stored behind the projection of the front house line and are adequately screened from public view from the street or parks. No motor vehicles shall be kept on or about a Lot unless it is currently licensed and maintained in an operable condition, temporary mechanical difficulties and breakdowns excepted.

18. Waste

No accumulation of waste, garbage, construction material, piles of soil or gravel, will be permitted by any owner to be left or stored on any of the Lots. There shall not be kept, nor permitted to be stored or kept, on the Lots or premises any wood, junk, wrecked motor vehicles, salvage materials or goods intended for commercial use or sale, nor shall any waste or refuse be kept or stored on the Lots or premises.

19. Temporary Residence

No trailer, mobile home, motor home, tent, shack, garage, barn, basement house or other building shall be used as a residence either temporarily or permanently nor shall any residence of a temporary character be permitted.

20. DELETED

21. Signs

No billboards or advertising signs of any kind or character shall be erected, placed, permitted or maintained on any Lot.

22. Satellite Dishes

No satellite dishes will be erected within the rear portion of any Lot unless screened from public view from streets, trails and parks.

23. Animals

No animals, livestock or poultry of any kind, other than household pets kept for non-commercial use, shall be raised, bred or maintained on any of the Lots.

24. Propane Tanks/ Water Collection Vessels

No combustible liquid or gas tanks, exposed to view, shall be permanently allowed on the Lots. No rain water collection containers are allowed above ground unless they are adequately screened from the public view from the streets or walking paths.

25. Overhead Power/Telephone Lines

No overhead lines shall be permitted except during emergencies and repairs. For all the Lots, temporary overhead, distribution and service lines will only be permitted until permanent underground facilities are installed.

26. Garbage and Refuse

No garbage, garbage cans, ashes, refuse, or trash receptacles shall be allowed on a Lot exposed to view (except when house is under construction and as required by the City of Courtenay to facilitate garbage pickup) and no outside incinerator shall be permitted. Garbage, garbage cans, ashes, refuse, and trash receptacles shall only be placed on a Lot in a convenient place to facilitate pickup on the day of pickup only. No burning or rubbish outside of a residence shall be permitted.

27. Invalidation

Invalidation of these restrictions or provisions or any part hereof by judgement or court order shall in no way affect any of the restrictions set forth not invalidated by such order, and any restrictions not invalidated shall remain in full force and effect.

End of Document

**LAND TITLE ACT
FORM DECLARATION**Related Document Number: **CA3107410**

PAGE 1 OF 6 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

**Dennis
Alexander
Schaffrick
U7PWUI**

Digitally signed by Dennis Alexander
Schaffrick U7PWUI
DN: c=CA, cn=Dennis Alexander
Schaffrick U7PWUI, o=Lawyer,
ou=Verify, ID at www.juricert.com/
LKUP:cn=Dennis Alexander
Date: 2013.05.14 14:23:11 -0700

I, DENNIS A. SCHAFFRICK, Barrister & Solicitor, DECLARE THAT:

1. Pages 5 through 9 of Statutory Building Scheme CA3107410 should be removed and replaced with the attached new pages 5 through 9.
2. The attached Schedule of Restrictions, which addresses the requirements of the defect notice, has been approved and consented to by the affected parties

I make this statement and know it to be true based on personal information/reasonable belief.

NOTE:

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

Fee Collected for Document: \$33.30