



PRELIMINARY SUBDIVISION APPLICATION

Submit this application to the Ministry of Transportation District Office or a Front Counter BC office in your area.

A. PROPOSAL *This is an application for preliminary layout approval for all properties involved*

Applicant File Number 102-149-3		Ministry File Number 02-11-18337	
Subdivision Type	<input checked="" type="checkbox"/> Conventional Subdivision <input type="checkbox"/> Sec 946 Local Government Act <input type="checkbox"/> Bare Land Strata Other (Specify)		No. of Lots 5
Full Legal Description(s) per State of Title Certificate(s)	Lot A, District Lot 40, Kootenay District Plan 22145.		
Full Civic Address			
Property Location	0 Kilometers <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West from Fairmont Local Gov't RDEK		
	Access Road Columbia River Road		Property Zoning R1 (Single Family Residential)
	Existing Land Use Vacant, Natural State		Intended Land Use R1 (Single Family Residential)
	Surrounding Land Use	North Vacant	South Single Family Residential
Proposed Sewage Disposal	<input type="checkbox"/> Septic Tank <input checked="" type="checkbox"/> Community System <input type="checkbox"/> Other (specify)		Fairmont Utility
Proposed Water Supply	<input type="checkbox"/> Well <input checked="" type="checkbox"/> Community System <input type="checkbox"/> Water Licenses <input type="checkbox"/> Other (specify)		Fairmont Utility

B. APPLICATION INFORMATION

Required items include:

- ☒ Subdivision application form.
 - ☒ The Preliminary Subdivision Application fee.
 - ☒ An authorization letter from the owner if someone else, such as an agent, is applying on the owner's behalf.
 - ☒ Original plus a minimum of five copies of a scaleable sketch plan of proposed layout (or as requested by the Development Technician).
- Properly engineered drawings will be required for final approval. The sketch should contain:

- ☒ the date it was drawn
- ☒ the scale
- ☒ north arrow
- ☒ legal description of the property being subdivided, and its adjacent properties
- ☒ outline of the subdivision in red or heavy black line
- ☒ all proposed lots, remainders, parks, rights of way, easements and roads showing dimensions and areas
- ☒ any existing property lines or roads proposed to be removed, closed or relocated
- ☒ all steep banks or slopes exceeding 2 m high and all slopes of 25% or greater, within or adjacent to the proposal area
- ☒ location of existing buildings and structures on the property and adjacent properties within 30m of property boundaries
- ☐ location of any onsite water sources to be developed
- ☐ approximate location of all existing and proposed utility services
- ☒ existing access roads and other roads and trails on the property (state names of roads)
- ☐ site locations of the soil inspection test holes and the percolation tests on each parcel
- ☐ approximate extent of area available for sewage disposal surrounding the test holes
- ☐ location of sewage disposal system and wells on adjacent properties within 30 m of property boundaries

The sketch must include the approximate grades and widths of roads and a design profile, preferably including a cross-section of the proposed road.

- ☒ One copy of the current State of Title Certificate so that property encumbrances can be checked.
- ☒ Copies of any covenants, easements, rights-of-way or other charges registered against the title. These are available through the Land Title Office.

Include these items as well, where applicable

- ☐ A copy of the Provincial Agricultural Land Commission application (if located within ALR). While a developer can apply for subdivision approval before he or she receives permission to proceed from the Agricultural Land Commission or the local government if it has been delegated the authority, the Provincial Approving Officer can only give approval if the property has cleared the Land Commission process in the meantime.
- ☒ A copy of Contaminated Sites Profile form or Contaminated Sites declaration statement, duly completed and signed.
- ☐ One copy of any test required by the Regional Health Authority.
- ☐ A Development Permit and plan where applicable.
- ☒ A copy of BC Assessment Authority Tax Notice showing property tax classification.

C. SUBDIVISION APPLICATION FEES			PAYABLE UPON
1. Preliminary Layout Application	\$350.00	Per lot or shared interest to a maximum of \$70,000.00	Application
2. Final Conventional Plan Exam	\$50.00	Per examination	Final Subdivision Plan Submission
	\$100.00	Per lot on the final plan	
3. Final Strata Plan Examination	\$100.00	Per examination	Final Subdivision Plan Submission
	\$100.00	Per lot on the final plan	
4. Other Strata Fees	\$100.00	To examine Form E for any phased development	Application
	\$100.00	To issue a Certificate of Approval for each phase of a building strata development	Certificate Issuance

Note: These fees may change without notice or amendment on this form. There may be other provincial and local government fees associated with your subdivision. To find out more, contact the local government in which the land is located, or contact the Islands Trust if located on the Gulf Islands.

D. FURTHER INFORMATION AND COMMENTS (Attach a separate sheet if more space is required)

Please refer to accompanying letter of transmittal.

E. OWNER(S)/APPLICANT INFORMATION

Property Owner(s) Full Name(s) Fairmont Hot Springs Resort Ltd. (Attention: Richard Haworth)		Home Telephone
Address 5225 Fairmont Resort Road, Fairmont Hot Springs, B.C.		Business Telephone (250) 342-1226
V0B 1L1	E-Mail rhaworth@fhsr.com	Fax (250) 435-6515
Agent Full Name Mulyk Knorr Consulting Inc. (Attention: Peter Mulyk)		Home Telephone
Address Suite 200, 1107 - 7th Avenue S.W., Calgary, AB.		Business Telephone (403) 244-2172
T2P 1B2	E-Mail mercon@windowpane.ca	Fax (403) 229-3779

I certify that all the information about and on all plans and other attachments is true, correct and complete.

I understand that this submission constitutes a preliminary application only.

No approvals are implied prior to receipt of written preliminary approval from the Ministry of Transportation.

Owner/Authorizing Signature

Date (yyyy/mm/dd)

Applicant/Agent Signature

Date (yyyy/mm/dd)

Collection of Information:

The personal information on this form is collected under the authority of the Land Title Act. The information collected will be used to process your preliminary subdivision application, and it may be necessary for the ministry to provide this information to other agencies. If you have any questions about the collection, use and disclosure of this information, contact the District Development Technician at the nearest Ministry of Transportation office.

APPLICATION TO DEPOSIT PLAN
AT LAND TITLE OFFICE
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 3 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.732, and a true copy, or a copy of that true copy, is in your possession.

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

STEIDL KAMBEITZ (Client No. 10787)

Barristers & Solicitors

201 907 Baker Street

Cranbrook

BC V1C 1A4

T: 250-426-7211 F: 250-426-6100

File: 132933 - Mooney

Reference:

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

019-207-638

LOT A DISTRICT LOT 40 KOOTENAY DISTRICT PLAN NEP22145

3. APPLICATION FOR DEPOSIT OF:

PLAN TYPE

PLAN NUMBER

CONTROL NUMBER

NUMBER OF NEW
LOTS CREATED

Subdivision

EPP14431

131-370-1657

4

4. OWNER(S): (updated owner(s) name(s), occupation(s), postal address and postal code)

ELLA ENTERPRISES LTD.

207 - 8TH AVENUE NE

CALGARY

T2E 0P8

ALBERTA

CANADA

Incorporation No

BC0881429

5. ADDITIONAL INFORMATION:

SCHEDULE OF OWNERS AND WITNESSES

PAGE 2 OF 3 PAGES

PLAN NUMBER: EPP14431

CONTROL NUMBER: 131-370-1657

The registered owner(s) designated hereon declares that he/she has entered into a covenant in favour of The Interior Health Authority and the Regional District of East Kootenay under Section 219 of the Land Title Act.

Witness to All Signatures

Owner/Charge Owner [as appropriate]

[signature]

ELLA ENTERPRISES LTD.
[fill in registered owner of corporation]

[fill in witness name]

BC0881429
[fill in Incorporation Number]

[fill in occupation]

[signature] Authorized signatory

[fill in address line 1]

[fill in the name of signatory]

[fill in address line 2]

[signature] Authorized signatory

[fill in the name of signatory]

Witness to All Signatures

Charge Owner [CA1628704]

[signature]

KOOTENAY SAVINGS CREDIT UNION
[fill in registered owner of corporation]

[fill in witness name]

FI-36
[fill in Incorporation Number]

[fill in occupation]

[signature] Authorized signatory

[fill in address line 1]

[fill in the name of signatory]

[fill in address line 2]

[signature] Authorized signatory

[fill in the name of signatory]

PLAN NUMBER: EPP14431

CONTROL NUMBER: 131-370-1657

Approval - Approving Officer - LTA Section 88

Plan EPP14431 is Approved under the Land Title Act on Jan 18, 2013 [date].

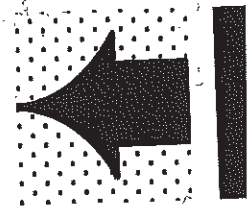
[signature] Approving Officer

LESLIE ELDER

[Fill in name of Approving Officer]

The Ministry of Transportation and Infrastructure,
Rocky Mountain District
[Fill in name of municipality, or as case may be]

BCMoT File: 02-011-18337
[include file reference if desired]





Ella Enterprise Limited
c/o Mark Mooney
207 8th Avenue NE
Calgary, AB,
T2E 0P8

Your File #:
eDAS File #: 02-011-18337
Date: May/15/2012

Attention: Mark Mooney

Proposed Subdivision of Lot A, District Lot 40, Kootenay District, Plan 22154

I am pleased to advise your request for an extension to the Preliminary Layout Approval has been granted, subject to all previous conditions. This extension is for an additional 6 months from this letter and expires November 15th, 2012.

If you have any questions please feel free to call Travis Tormala at (250)426-1667.

Sincerley,

Travis Tormala
District Development Technician (TELP)
Rocky Mountain District - Cranbrook
Office Phone- 250-426-1667



**PROPOSED SUBDIVISION
PRELIMINARY LAYOUT APPROVAL**

Ella Enterprises Ltd.
c/o Mark Mooney
207 8th Avenue NE
Calgary, AB
T2E 0P8

Your File N/A

Our File 02-011-18337

Date (yyyy/mm/dd) 2011/05/20

FILE COPY

Proposed Subdivision of
Lot A, District Lot 40, Kootenay District, Plan 22145

Your proposal for a 4 lot fee simple subdivision has received preliminary layout approval, subject to the following condition(s):

1. Written confirmation of approval from the Regional District of East Kootenay, stating compliance with all bylaw requirements of their letter dated July 14, 2010.
2. Applicant is to provide written confirmation from the water utility that all connection fees have been paid and provide an amended Certificate of Public Convenience and Necessity (CPCN) pursuant to the Water Utility Act
3. Pursuant to Section 219 of the Land Title Act the Applicant is to enter into a covenant with Interior Health Authority and the Regional District of East Kootenay to establish the identified areas as "for sewage disposal only". For the lots requiring covenants the sewage area should be surveyed and staked in the field and confirmed as acceptable by the Health representative. Written confirmation from the Health representative that the identified area for sewage is acceptable and that they have reviewed the covenant documents and reference plan and find them to be satisfactory to be submitted. Covenant to contain priority over any financial charges. Covenant notation to be provided on final plans.
4. All charges/ covenants/ statutory right-of-way/ easements registered on title must remain with the lands being subdivided.
5. Applicant to submit a suitably worded access easement agreement and reference plan to protect the shared access for proposed Lots 1 to 4. A letter of undertaking from the registering agent is required to ensure the easement is registered in the Land Title Office with the subdivision plan. The easement document is to include details regarding how the shared driveway will be maintained, how the responsibility will be shared, and how disputes will be resolved. The applicant must submit a copy of the easement documents with the final plans. The easement must be 10 metres wide to accommodate snow storage, maintenance and utilities, and extend from the public road to the subject properties.
6. Construction of the portion of the shared driveway within the public right of way identified as Columbia River Crescent requires a Permit for Works within the Highway Right of Way from the Ministry of Transportation and Infrastructure. Prior to construction, applicant must submit a permit application to the Ministry for review and approval. Applications can be found at: <http://www.th.gov.bc.ca/permits/H0020.pdf>. Driveway access must meet the requirements of the driveway guidelines with a 9 metre wide throat and at a 90° angle to Columbia River Rd. Driveway must join Columbia River Rd at a grade of +/-2% for a distance of 6 metres. This document or the subsequent permit do not provide exclusive use of the public right of way.

Local District Address

Rocky Mountain District
129 - 10TH AVENUE SOUTH
CRANBROOK BC V1C 2N1

May 20, 2011

7. On final plans MoT signature area, insert a line for the MoT File No.02-11-18337

*Approved under the Land Title Act
this _____ day of _____ 200__*

*Approving Officer,
Ministry of Transportation
MoT File No. 02-11-18337
This plan lies within the Regional District of East Kootenay*

Note:

The property being subdivided is within a wildfire interface area and may be subject to a hazard of wildfire. It is therefore recommended that the owner consult the following websites and review the Firesmart Manual for information about reducing the risk, <http://bcwildfire.ca/Prevention/Property/> or www.partnersinprotection.ab.ca, or contact the Ministry of Forests and Range for more information. Appropriate protection measures should be implemented and maintained, and property purchasers should be advised of the risk.

Archaeological sites in British Columbia, whether recorded or unrecorded, are protected under provisions of the Heritage Conservation Act and may not be altered without a permit issued by the Ministry of Tourism, Sports and the Arts, Archaeology Branch. Since some potential does exist for the presence of unrecorded sites on this property, please notify the applicant to stop land-altering activity and contact the Archaeology Branch at Ph:(250) 953-3334 Fax:(250) 953-3340 should remains be encountered during land development activities.

The approval granted is only for the general layout of the subdivision and is valid for one year from the date of this letter. However, if at any time there is a change in legislation, regulations or bylaws this preliminary layout approval is automatically cancelled.

Submission of Final Plans (Mylar and 5 prints) to be accompanied by a current Tax Certificate (FIN 55), together with a plan examination fee of \$ 50.00 plus \$ 100.00 per lot, including remainders, created by the plan and made payable in the form of a cheque to the Minister of Finance.

If you have any questions please do not hesitate to call Brooke Clasby at (250)426-1500.
(Name of Technician)

Yours truly,



Brooke Clasby, SR. Dist. Dev. Tech.
Ministry of Transportation
For: Provincial Approving Officer

cc: FAIRMONT UTILITIES LTD.
INTERIOR HEALTH - Creston
REGIONAL DISTRICT OF EAST KOOTENAY (File P 707 551)

