



BRITISH  
COLUMBIA

Ministry of Transportation  
and Infrastructure

## PRELIMINARY SUBDIVISION APPLICATION

<b>Submit this application to the Ministry of Transportation and Infrastructure District Office in your area.</b>				
<b>A. PROPOSAL</b> <i>This is an application for preliminary layout approval for all properties involved</i>				
Applicant File Number		Ministry File Number <u>2014-02230</u>		
<b>Subdivision Type</b>	<input checked="" type="checkbox"/> Conventional (fee simple) Subdivision		<input type="checkbox"/> Bare Land Strata	
	<input type="checkbox"/> Other (Specify)			
<b>Full Legal Description(s) per State of Title Certificate(s)</b>	Lot 2 Plan 811 District Lot 4595 Except Plan NEP81179			
<b>Full Civic Address</b>	Not Assigned			
<b>Property Location</b>	<u>2</u> Kilometres <input checked="" type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West from <u>Kootenay Bay</u> Local Gov't <u>RDCK</u>			
	Access Road <u>Riondel Rd</u>		Property Zoning <u>None</u>	
	Existing Land Use <u>Vacant Land</u>		Intended Land Use <u>Residential</u>	
	Surrounding Land Use		West	
	North <u>Residential</u>	South <u>Residential</u>	East <u>Residential</u>	West <u>Residential</u>
<b>Proposed Sewage Disposal</b>	<input checked="" type="checkbox"/> Septic Tank		<input type="checkbox"/> Community System	
<b>Proposed Water Supply</b>	<input type="checkbox"/> Well		<input type="checkbox"/> Community System (name of existing system)	
	<input checked="" type="checkbox"/> Water Licenses (License #)		<input checked="" type="checkbox"/> Other (specify) <u>Apply for 2 more from Kootenay</u>	

### B. APPLICATION INFORMATION **Incomplete applications will not be accepted**

**Required items include:**

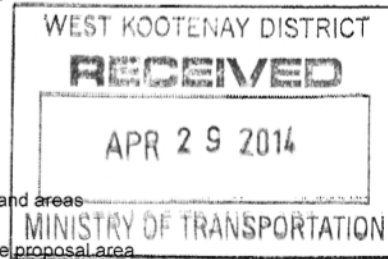
- ☒ Subdivision application form.
- ☒ The Preliminary Subdivision Application fee. Please make cheques payable to the Minister of Finance. (see page 2)
- ☒ An authorization letter from the owner(s) if someone else is applying on the owner's behalf. (Permission to Act as an Agent H1275)
- ☒ A copy of BC Assessment Authority Property Assessment Notice showing property tax classification.
- ☒ All new lots MAY require a sewage report—please contact your local Transportation office for clarification.
- ☒ 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.
- ☐ A copy of Contaminated Sites Profile form or Contaminated Sites declaration statement, duly completed and signed.
- ☐ Original copy and a PDF file of a scaleable sketch plan of proposed layout with metric dimensions.

Properly engineered drawings will be required for final approval. The sketch must 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 heavy black line
- ☐ all proposed lots, remainders, parks, rights-of-way, easements and roads showing metric 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, wells and sewage disposal fields on the property, as well as adjacent properties within 30 m of property boundaries
- ☐ location of any onsite water sources to be developed (wells, surface)
- ☐ approximate location of all existing and proposed utility services
- ☐ existing access roads and other roads and trails on the property (state names of roads)
- ☐ location of all water courses (seasonal or otherwise) and water bodies

**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.
- ☐ One copy of any test required by the Regional Health Authority.
- ☐ A Development Permit and plan where applicable.



C. SUBDIVISION APPLICATION FEES		Make cheques payable to the Minister of Finance	PAYABLE UPON (see below)
1. Preliminary Subdivision Application	\$350.00	Per lot or shared interest, including remainders, to a maximum of \$70,000	Application
2. Final Conventional Plan Exam	\$50.00	Per examination	Final Subdivision Plan Submission
	\$100.00	Per lot, including remainders, on the final plan	
3. Final Strata Plan Examination	\$100.00	Per examination	
	\$100.00	Per lot, including remainders, on the final plan	
4. Other Strata Fees	\$100.00	To examine Form P for any phased development	Application
	\$100.00	Approval (Form Q) for each phase of a phased building strata plan	Application for phase approval

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)

EXISTING WATER COURSE FROM KODJAWAY LAKE. WILL APPLY FOR 2 MORE TO SATISFY PROOF OF WATER.

**E. OWNER(S)/APPLICANT INFORMATION**

Property Owner(s) Full Name(s) Crawford Bay Recreation & Development		Home Telephone s.22
Address 2035- 622 Front St. Nelson, B.C.		Business Telephone
V1L 4B7	E-Mail	Fax
Agent Full Name Chris Noakes		Home Telephone 250-354-7689
Address 593 Baker St. Nelson, B.C.		Business Telephone
V1L 4J1	E-Mail cgcnoakes@shaw.ca	Fax 250-352-5102

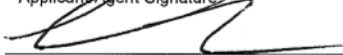
I certify that all the information about and on all plans and other attachments is true, correct and complete.

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 and Infrastructure.

Applicant/Agent Signature

Date (yyyy/mm/dd)



2014/04/29

**COLLECTION 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 involved in the review and approval process. If you have any questions about the collection, use and disclosure of this information, contact District Development Technician at the nearest Ministry of Transportation and Infrastructure Office.

The information in this application may be subject to disclosure under the Freedom of Information and Privacy Act.

Further information can be found at <http://www.gov.bc.ca/citz/iao/foi/submit/general/>



# Interior Health

Date: May 14, 2014

310 Ward St  
4<sup>th</sup> Floor  
Nelson BC  
V1L 5S4

Dear Approving Officer Catherine Littlewood:

**RE: Subdivision file # 2014-02230**

**Recommendations will not be provided due to proposed lots being greater than 5 acres**

The IH Healthy Built Environment (HBE) Team has received the above captioned subdivision referral from your agency. We typically assess subdivision proposals with respect to suitability of onsite sewerage and/ or drinking water servicing.

We have completed a preliminary review and it appears all proposed parcels are 5 acres (2.02 hectares) or larger, and connection to a community water supply system (two or more connections) is not proposed. Therefore, there is no requirement for the Medical Health Officer to comment as per section 6.06 of the *Subdivision Regulations* (BC Reg. 262/70). As such, our team will not be providing recommendations for the purposes of this subdivision review.

However, should the applicant alter this proposal to include servicing with either a new water supply system or an extension of an existing system, or you have further concerns, please return the referral to [hbe@interiorhealth.ca](mailto:hbe@interiorhealth.ca) with a note explaining your new request.

Additional information can be found on our [IH Land Development website](http://ih.landdevelopment.ca). If you have any questions, concerns or require additional assistance please call 1-855-744-6328 and choose HBE option.

Sincerely,

Anita Ely, CPHI(C)  
HBE Intake  
Environmental Health Officer

Cc: Applicant

Bus: 1-855-744-6328  
Email: [hbe@interiorhealth.ca](mailto:hbe@interiorhealth.ca)  
Web: [interiorhealth.ca](http://interiorhealth.ca)

HEALTH PROTECTION  
Less Risk ~ Better Health

May 19, 2014

2014-02230

To whom this may concern,

Regarding the proposed subdivision of Lot 2, Plan NEP811, DL595 KLD

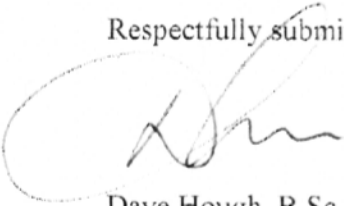
On May 18, 2014 I conducted a pedestrian examination of this proposed subdivision to assess it's capability for on site sewage treatment. The land is heavily timbered with a young forest and characterized by rocky out crops interspersed by benches with stony, loamy sands of moderate depth. Upturned tree root balls indicate a depth favorable for sewage assessment. The property line between the two lots more or less follows a small drainage with a seasonal creek although no water was present at this time.

The land rises steeply from the road at 35% grade but levels off to a broad bench of about 50 x 180 meters gently sloping at 12%. Dowsing has shown prospective drilling sites for water but plenty of space remains for sewage site assessments should access be gained.

No percolation test were conducted but loamy sands are acceptable for Type 1 effluent and typically produce a Hydraulic Loading Rate of 25L/D/sq m. Given that an area of 419 sq m plus 12% for slope could be contained easily on this bench of approximately 4500 sq m per lot.

Above this bench the slopes exceed 24% and the soils are very thin with rocky out crops prevalent.

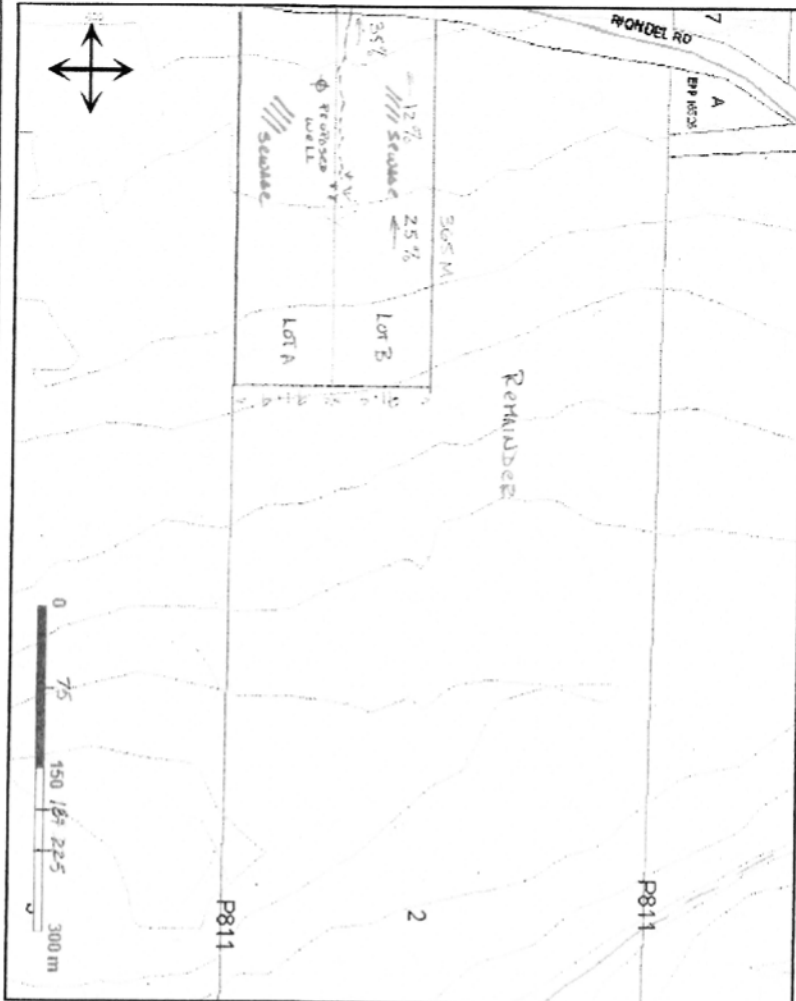
Respectfully submitted,



Dave Hough, B.Sc. ROWP



# John Noakes subdivision



Lot 2, Plan 811

Scale 1:5000

18 May 2014, 11:14

Disclaimer: This map was compiled by RDCK, using data believed to be accurate; however, a margin of error is inherent in all maps. This product is distributed without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability or particular purpose or use.



## Legend

- 20m Contours
- House Points
- Creeks
- Roads
- RDCK Boundary
- Cadastre
- Cadastre\_Owner

POTENTIAL  
SEWAGE SITES





**PROPOSED SUBDIVISION  
PRELIMINARY LAYOUT  
APPROVAL**

Your File #:  
eDAS File #: 2014-02230  
Date: Sep/18/2014

Crawford Bay Recreation & Development Ltd.;  
c/o  
Chris Noakes  
593 Baker Street  
Nelson, British Columbia V1L 4J1  
Canada

Attention: Chris Noakes

**Re: Proposed Subdivision of  
PID 012-363-855, Lot 2, DL 4595, Kootenay, Plan 811 Except Plan NEP81179  
Riondel Road approx 2 km North from Kootenay Bay -- near Walker's  
Landing Rd.**

Your proposal for a 3 lot Conventional subdivision has received preliminary layout approval, subject to the following condition(s):

1. Pursuant to Section 87 of the Land Title Act the applicant shall provide with submission of final plans, written confirmation from the Regional District Central Kootenay (RDCK) stating all the conditions of their bylaws, policies and applicable provisions of the Local Government Act have been addressed. RDCK Subdivision Bylaw 2159 requires proof of a year round source of water for each lot created. If untreated ground water (well) or surface water (water license) is proposed the RDCK requires a Land Title Act Section 219 covenant advising of potential health risks associated with consuming untreated water. Covenant LA78446 shall be extended to all new lots.

NOTE: Shared systems will require a Construction and Operating Permit from the Interior Health Authority.

2. Pursuant to Section 86 of the Land Title Act, the applicant shall enter into a covenant in accordance with Section 219 of the Land Title Act with the Minister of Transportation and Infrastructure and the Regional District of

Local District Address
West Kootenay District 310 Ward Street Nelson, BC V1L 5S4 Canada Phone: (250) 354-6400 Fax: (250) 354-6547

Central Kootenay. The following clauses should be included in a covenant for all proposed Lots:

- a. No building, mobile or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within 15.0 metres of the natural boundary of Beaver Creek.
- b. No area used for habitation, business or storage of goods damageable by floodwaters shall be located within any building at an elevation such that the underside of the floor system is less than 3.0 metres above the natural boundary of Beaver Creek.
- c. In the case of a mobile home, the ground level or top of the concrete or asphalt pad on which it is located shall be no lower than the above described elevation.
- d. The required elevation may be achieved by structural elevation of the said habitable, business or storage area or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for installation of furnaces or other fixed equipment susceptible to damage to floodwater. Where landfill is used to raise the natural ground elevation, the toe of the landfill slope shall be no closer to the natural boundary than the setback requirement given in condition (a) above. The face of the landfill slope shall be adequately protected against erosion from flood flows including but not limited to wave action, ice or other debris.

Covenant to have priority over any financial charges, with appropriate notation on final plans.

3. Applicant shall provide a drawing showing the location of driveways providing necessary and reasonable access to suitable building sites on each of the proposed lots and the remainder. Drawing to include sight distance in both directions. Driveway design, including grades must be suitable for access by emergency vehicles. Driveways shall be roughed in prior to submission of final plans. Please refer to the following website for residential driveways on side roads: <http://www.th.gov.bc.ca/Development/Approvals/driveways.htm> .
4. As necessary, applicant shall enter into reciprocal easement(s) for access over common driveway(s). Area of easement to be shown on a reference plan prepared by a B.C.L.S., as required by the Registrar of Land Titles.
5. Pursuant to Section 83(2)(c) of the Land Title Act, applicant to submit a plan/sketch showing how the remainder can be conveniently further subdivided into smaller parcels.
6. Applicant shall provide a suitably worded easement document(s) with final plans demonstrating how the domestic water supply is conveyed from its source to the receiving Lot(s), or provide a drawing showing why an easement is not applicable.

7. Riondel Road to be dedicated and established a minimum of ten (10) metres from existing mean centerline or three (3) metres beyond the extremities of cuts or fills, whichever is greater. Written confirmation from a British Columbia Land Surveyor (BCLS) to be submitted if this requirement is satisfied and sufficient right-of-way exists and no additional dedication is required.
8. As there is a watercourse on the property, the Registrar of the Land Title may require Return to Crown of that watercourse. The BCLS you engage is advised to check with the Office of the Surveyor General prior to commencement of the legal survey.
9. Your title may have charges registered against it. These charges may require that the holder of the charge sign the subdivision plan. Please review your title and determine what permissions you will need to obtain in order to register your subdivision plan.
10. Please have your BC Land Surveyor include the Ministry's file number under the Approving Officer's signature block on the final plans.
11. Provincial records indicate the proposed development is located within an area with the potential to contain archaeological sites protected by the Heritage Conservation Act. However, the likelihood for development activity to impact on archaeological resources is thought to be minimal. As such, the Provincial Approving Officer has no objections to the proposed development proceeding without the need for an archaeological impact assessment. The applicant should be aware that there is still a chance the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads and other stone tools, or even buried human remains. If such material is encountered during demolition or construction, a Heritage Conservation Act Permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work. Please contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property.
12. 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 website and review the Firesmart Manual for information about reducing the risk, [www.for.gov.bc.ca/protect/](http://www.for.gov.bc.ca/protect/) or [www.partnersinprotection.ab.ca](http://www.partnersinprotection.ab.ca) or contact the Ministry of Forests, Lands & Natural Resource Operations for more information. Appropriate protection measures should be implemented and maintained, and property purchasers should be advised of the risk.
13. It is to the applicant's advantage in terms of processing time that each of the above conditions be fully addressed prior to submission of the final plan and documents. Applicant is advised to submit any required approvals along with



the final plan and documents.

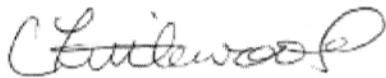
The approval granted is only for the general layout of the subdivision and is valid for one year from the date of this letter. However, if at any time there is a change in legislation or regulations this preliminary layout approval is subject to review and may be cancelled.

Submission of Final Plans (Survey Plan Certification and Application to Deposit) to be accompanied by a current Tax Certificate (FIN 55), together with a plan examination fee of \$50.00 plus \$100.00 per lot created by the plan (for a Total of \$350.00). If paying by cheque, make payable to the Minister of Finance.

If you have any questions please feel free to call Catherine Littlewood at (250) 354-6318.

Please quote file number 2014-02230 when contacting this office.

Signed on behalf of Michele Ihas, Provincial Approving Officer  
by



Catherine Littlewood  
District Development Technician

#### Attachments

cc: Online - INTERIOR HEALTH AUTHORITY  
Regional District of Central Kootenay – S1421

SUBDIVISION PLAN OF PART OF LOT 2,  
DISTRICT LOT 4595, KOOTENAY DISTRICT,  
PLAN 811 EXCEPT PLAN NEP81179  
Pursuant to Section 67 of the Land Title Act

BCGS 82F.066



All distances are in metres and decimols thereof.  
The intended plot size of this plan is 560mm in width by 432mm in height (C size) when plotted at a scale of 1:2000.

Grid bearings are derived from differential GNSS observations and are referred to the central meridian of UTM Zone 11.

MAD83 (CSRS) 4.0.0.BC.1.

To obtain local astronomic bearings referred to the meridian through MAG #946, apply the convergence angle of 0°06'04".

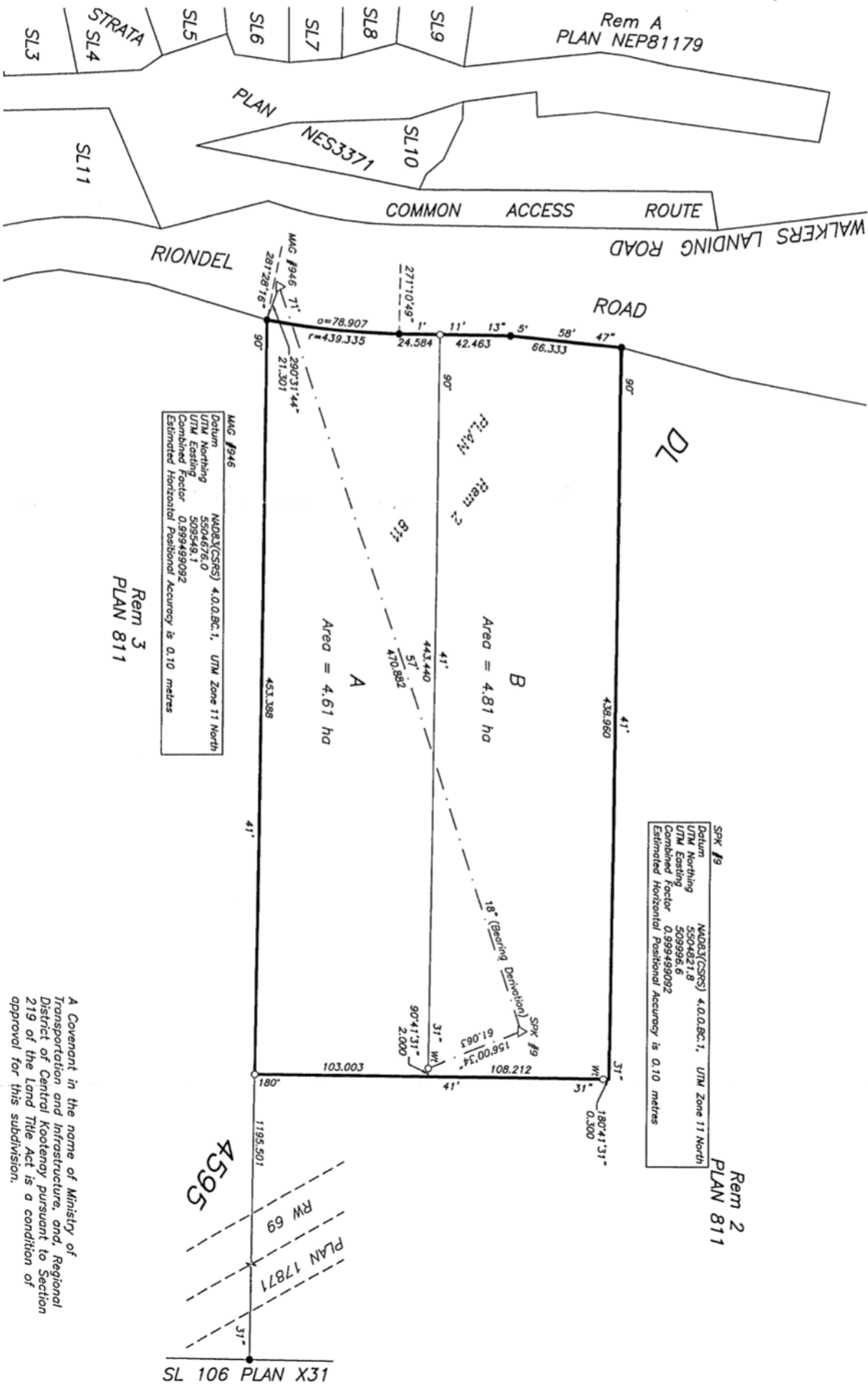
The UTM coordinates and estimated horizontal positional accuracy achieved are derived from differential GNSS observations to Costagor ACP (GCM #382358).

This plan shows horizontal ground-level distances, unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.999499092. The average combined factor has been determined based on an ellipsoidal elevation of 653 metres. CGVD28 (HN2.0)

This plan shows one or more witness posts which are not set on the true corner(s).

LEGEND

- denotes standard iron post found
- denotes standard iron post placed
- △ denotes traverse spike set
- Wt denotes witness



PLAN EPP47274

Rem 2  
PLAN 811

Rem 3  
PLAN 811

A Covenant in the name of Ministry of Transportation and Infrastructure, and, Regional District of Central Kootenay pursuant to Section 219 of the Land Title Act is a condition of approval for this subdivision.

This plan lies within the jurisdiction of the Approving Officer for the Ministry of Transportation and Infrastructure.  
MOTI File No. 2014-02230

This plan lies within the Regional District of Central Kootenay

The field survey represented by this plan was completed on the 18th day of November, 2014.

Robert T. Macdonald, BCLS 873