



BRITISH
COLUMBIA
The Best Place on Earth

Ministry of
Small Business
and Revenue

TAX CLEARANCE CERTIFICATE

(SUBDIVISIONS, LEASES, SPECIAL USE PERMITS, ETC.)

General Inquiries: 250 387-0555

This certificate must accompany every plan submitted for examination and approval to the Ministry of Transportation subdivision purposes and renewals, assignments and abandonments of tenures issued over Crown land to the Ministry indicated below.

EXPIRY DATE
YYYY / MM / DD
2008 / 12 / 31

Freedom of Information and Protection of Privacy Act (FOIPPA):
The personal information on this form is collected for the purpose of administering the *Manufactured Home Act* under the authority of both this Act and section 26 of the *FOIPPA*. Questions about the collection or use of this information can be directed to the Information and Privacy Analyst, FOI Section, Ministry of Small Business and Revenue, PO Box 9432 Stn Prov Govt, Victoria, BC V8W 9N6. (Telephone: Victoria at 250 387-0555, Vancouver at 604 660-2421 or toll-free at 1 800 663-7867 and ask to be re-directed.) Email: FOI.QRYS@gov.bc.ca

I hereby certify that all taxes, penalties and interest have been paid which were levied under the provisions of the *Taxation (Rural Area) Act* on the real property described as follows:

LD 29, PLAN 4777, SEC 7, LOT A, TWP 1.

LAND DISTRICT	TAX ROLL FOLIO NO.	ASSESSED OWNER
MALAHAT	03 765 11500.000 15	ARBOTUS MT ESTATES LTD.

THIS CERTIFICATE IS ISSUED FOR THE PURPOSE OF: Check (✓) one

☒ SUBDIVISION — Section 83, *Land Titles Act*; to accompany a subdivision plan tendered to the Ministry of Transportation engineer for examination and approval.
HIGHWAYS
APPROVING
OFFICER

☐ LANDS
REGIONAL
OPERATIONS Assignment, renewal or abandonment of _____
(indicate type of tenure — for example, lease, licence, etc. and identifying number) issued by
Integrated Land Management, if available.

☐ FORESTS Assignment, renewal or abandonment of _____
(indicate type of tenure — for example, sup. road permit, etc. and identifying number) issued by
forestry, if available.

COLLECTOR'S SIGNATURE

[Signature]
FIN 55 Rev. 2007 / 11 / 5

DATED AT

Quencher 277

DATE SIGNED

YYYY / MM / DD

2008/09/22

[Signature]



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EXPIRY DATE
YYYY/MM/DD
2008 12 31

I hereby certify that all taxes, penalties and interest have been paid which were levied under the provisions of the *Taxation (Rural Area) Act* on the real property described as follows:

LD 29, DL 86

LAND DISTRICT	TAX ROLL FOLIO NO.	ASSESSED OWNER
MALAHAT	03 765 11923.300 18	ARBORUS MT. ESTATES LTD

THIS CERTIFICATE IS ISSUED FOR THE PURPOSE OF: Check (✓) one

☒ SUBDIVISION — Section 83, *Land Titles Act*; to accompany a subdivision plan tendered to the Ministry of Transportation engineer for examination and approval.
HIGHWAYS
APPROVING
OFFICER

☐ LANDS
REGIONAL
OPERATIONS Assignment, renewal or abandonment of _____
(indicate type of tenure — for example, lease, licence, etc. and identifying number) issued by
Integrated Land Management, if available.

☐ FORESTS Assignment, renewal or abandonment of _____
(indicate type of tenure — for example, sup. road permit, etc. and identifying number) issued by
forestry, if available.

COLLECTOR'S SIGNATURE	DATED AT	DATE SIGNED YYYY/MM/DD
	Kenney - 27th	2008/09/22

FIN 55 Rev. 2007/11/5

LAND TITLE ACT

FORM C

(Section 233)

Province of

British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

PAGE 1 of 13

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

REED POPE LLP

200 - 848 Courtney Street

Victoria, B.C. V8W 1C4

Telephone: (250) 383-3838

File No.: 4087-001

Signature of Applicant's Solicitor or Agent

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND: *

(PID)

(LEGAL DESCRIPTION)

005-997-283

Lot A, Section 7, Township 1, Malahat District, Plan 4777

3. NATURE OF INTEREST: *

DESCRIPTION

DOCUMENT REFERENCE
(Page and paragraph)

PERSON ENTITLED TO INTEREST

Statutory Right of Way over part shown
in bold as SRW Area 1, SRW Area 2 and
SRW Area 3 on Plan VIP _____

Page 7, Paragraph 1

TRANSFeree

Priority Agreement granting
Covenant _____ priority
over Mortgage EX34444 as modified
by CA661989, and Assignment of
Rents EX34445

Page 11

Priority Agreement granting
Covenant _____ priority
over Mortgage EX132275

Page 12

4. TERMS:

Part 2 of this instrument consists of (select one only):

(a) Filed Standard Charge Terms

(b) Express Charge Terms

(c) Release

☐

D.F. No.

☒

Annexed as Part 2

☐

There is no part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S): *

ARBUTUS MOUNTAIN ESTATES LTD. (Inc. No. BC0703934) of 497 A Garbally Road, Victoria, British Columbia, V8T 2J9

FISGARD CAPITAL CORPORATION (Inc. No. C603095) (as to consent and priority only)

NORTHERN SAVINGS CREDIT UNION (as to consent and priority only)

6. TRANSFeree(S): *

[Handwritten signature]

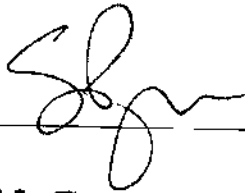
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA as represented by the MINISTER OF TRANSPORTATION having an office at 175 Ingram Street, Duncan, British Columbia, V9L 1N8 AND INFRASTRUCTURE having an office at 240-4460 Chatterton Way, Victoria BC. V8X 5J2 *RL*

7. ADDITIONAL OR MODIFIED TERMS: *

None

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any:

Officer Signature(s)



SARA E. POPE
Barrister and Solicitor
200-848 Courtney Street
Victoria, B.C. V8W 1C4
Telephone: 250-383-3838

Execution Date

Y	M	D
08	08	29

Party(ies) Signature(s)

ARBUTUS MOUNTAIN ESTATES LTD. by its authorized signatory:

Print Name:

Michael Kelly

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.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form

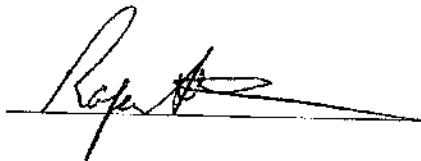


LAND TITLE ACT
FORM D
EXECUTIONS CONTINUED

Officer Signature(s)

Execution Date

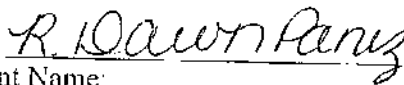
Transferor/Borrower/Party
Signature(s)



Rafer Strandlund
Commissioner for taking affidavits for British Columbia
Commission 2006-0644
Expires June 30, 2009
3378 Douglas Street
Victoria BC V8Z 3L3

Y	M	D
08	09	03

FISGARD CAPITAL CORPORATION
by its authorized signatory(ies):


Print Name:
R. DAWN PANIZ

Print Name: _____

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.



LAND TITLE ACT
FORM D
EXECUTIONS CONTINUED

Officer Signature(s)

Execution Date

Transferor/Borrower/Party
Signature(s)


TARA M. BATE, DISTRICT CLERK,
A Commissioner for taking Affidavits
within the Province of British Columbia
(Expires March 31, 2011)

#240-4460 CHATTERTON
WAY

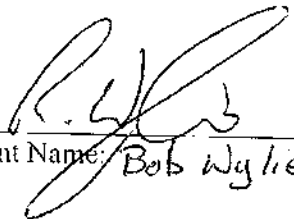
VICTORIA BC V8X5J2

250 952-4506

Y	M	D
08	10	07

HER MAJESTY THE QUEEN IN RIGHT
OF THE PROVINCE OF BRITISH
COLUMBIA as represented by the
MINISTER OF TRANSPORTATION by its
authorized signatory(ies):

AND
INFRASTRUCTURE

Print Name: Bob Wylie

Print Name:

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.



TERMS OF INSTRUMENT - PART 2

STATUTORY RIGHT OF WAY
HIGHWAY PURPOSES

BETWEEN:

ARBUTUS MOUNTAIN ESTATES LTD. (Incorporation No. BC0703934),
 having an office at 497 A Garbally Road, Victoria, British Columbia, V8T 2J9

(the "Grantor")

AND:

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
 BRITISH COLUMBIA** as represented by the **MINISTER OF
 TRANSPORTATION** ~~having an office at 175 Ingram Street, Duncan, British
 Columbia, V9L 1N8~~ *AND INFRASTRUCTURE having an office at
 240-4460 Chatterton Way, Victoria B.C. V8X 5J2*
 (the "MOT")

WHEREAS the Grantor is the registered owner of the land (the "Lands") described
 in Item 2 of the *Land Title Act* Form C to which this agreement is attached;

AND WHEREAS the MOT requires and the Grantor has agreed to grant to the
 MOT the Statutory Right of Way defined herein for highway purposes;

AND WHEREAS this Statutory Right of Way is necessary for the operation and
 maintenance of the MOT's undertaking.

AND WHEREAS Section 219 of the *Land Title Act* provides that there may be
 registered as a charge against the title to any land a covenant in favour of a municipality that land is
 to be used in a particular manner of that land is not to be subdivided except in accordance with a
 particular covenant.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration
 of the sum of **TEN DOLLARS (\$10.00)** of lawful money of Canada and other good and valuable
 consideration paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, the
 Grantor does hereby covenant and agree as follows:

Statutory Right of Way – Road Dedication



1. The Grantor grants, conveys, confirms and transfers in perpetuity to the MOT, a universal right of passage, at all times, to enter by vehicle, including maintenance vehicles, foot, non-motorized bicycle, wheelchair, or similar modes of conveyance, over, on or in those portions of Lands shown outlined in bold and labelled "SRW Area 1", "SRW Area 2" and "SRW Area 3" on the Plan of Statutory Right of Way prepared by Peter I. M. Broeren, B.C. Land Surveyor, certified correct on August 8, 2008 and deposited in the Victoria Land Title Office under Plan VIP _____, a reduced copy of which is attached hereto as Schedule "A" (the "Statutory Right of Way"), to the same extent as if the Statutory Right of Way was a highway open to public use for general highway purposes.

2. The Grantor shall:
 - (a) not do or permit to be done any act or thing which in the opinion of the MOT might interfere with, injure, impair the operating efficiency of, or obstruct the access to or the use of, the Statutory Right of Way;
 - (b) upon notice from the MOT, trim or, if necessary, cut down any tree or other growth on the Lands which in the opinion of the MOT constitutes or may constitute a danger or obstruction to those using the Statutory Right of Way or, at the discretion of the MOT, permit the MOT to enter on the Lands and carry out such work at the Grantor's expense;
 - (c) permit the MOT, and every member of the public for the period during which the MOT accepts this grant but not beyond the day, if ever, on which the MOT releases this grant, to peaceably hold and enjoy the rights hereby granted;
 - (d) be permitted to install signage in and on the Statutory Right of Way that indicate those lands beyond the Statutory Right of Way are private property;
 - (e) permit the MOT to do all other things deemed by the MOT to be reasonably necessary for the safe use, operation and preservation of the Statutory Right of Way; and,
 - (f) execute all further documents and things whatsoever for the better assuring unto the MOT of the Statutory Right of Way hereby granted.

3. The MOT shall:

Statutory Right of Way – Road Dedication



- (a) use the Statutory Right of Way in a good and workmanlike manner in order to cause no unnecessary damage or disturbance to the Grantor, the Lands or any improvement on the Lands;
 - (b) be solely responsible at its own expense for the maintenance and operation of the Statutory Right of Way;
 - (c) maintain and operate the Statutory Right of Way in a good and workmanlike manner;
 - (c) rake up all rubbish, litter, brush, clippings and construction debris it creates or it deposits on the Statutory Right of Way in order to leave the Statutory Right of Way in a reasonably neat and clean condition;
 - (f) exercise the utmost care not to damage the Lands or any improvement on the Lands AND IF the MOT should cause any such damage RESTORE such damaged Lands or improvements thereon to as close to their pre-damaged condition as is reasonably practical with reasonable dispatch OR WHERE the MOT deems restoration to be impractical REIMBURSE the Grantor for all damage the MOT has caused but not restored;
 - (g) not be unreasonable in its opinions herein.
4. All chattels, fixtures and other items installed by the MOT over, on, in or under the Statutory Right of Way are and shall remain owned by the MOT, any rule of law or equity to the contrary notwithstanding.
5. The Grantor and the MOT agree that:
- (a) the covenants, promises and agreements herein contained will run with and burden the Lands and if the Lands are subdivided by way of a strata plan or subdivision plan then the covenants, promises and agreements herein contained will continue to run with and bind each subdivided parcel or strata lot; and
 - (b) the covenants of the Grantor herein contained will be personal and binding upon the Grantor only during its ownership of any interest in the Lands but the Lands will nevertheless be and remain at all times charged herewith, with the intent that upon the transfer by the Grantor of all of its interest in the Lands the Grantor will be freed and discharged from the observance and performance thereafter of the covenants herein on its part to be observed and performed; and



- (c) nothing herein shall be deemed to constitute a waiver of any lawful requirement with which the Grantor would otherwise have to comply.
6. THE MOT INDEMNIFIES, SAVES HARMLESS, RELEASES and FOREVER DISCHARGES the Grantor from and against all manner of actions, causes of action, claims, debts, suits, demands and promises whatsoever at law or at equity, whether known or unknown, which the Grantor may suffer or incur as a result of the grant, existence or use of the Statutory Right of Way SAVE AND EXCEPT FOR NEGLIGENCE by the Grantor or any person for whom the Grantor is, in law, responsible.
7. NOTWITHSTANDING ANYTHING HEREIN CONTAINED the MOT reserves all rights and powers of expropriation otherwise enjoyed by the MOT.
8. Waiver of any default by either party shall not be deemed to be a waiver of any subsequent default by that party; this Agreement runs with the Lands, whenever it is required or desired that either party shall deliver or serve a notice on the other, delivery or service shall be deemed to be satisfactory if and deemed to have occurred when:
- (a) that party has been served personally, on the date of service; or
 - (b) mailed by pre-paid registered mail, on the date received or on the sixth day after receipt of mailing by any Canada post office, whichever is the earlier, so long as the notice is mailed to the party at the most recent address shown on title to the Lands in the records of the Victoria Land Title Office for that party or to whatever address the parties from time to time may in writing agree to.
9. Whenever the singular or masculine is used in this Agreement, the same is deemed to include the plural or the feminine or the body politic or corporate as the context so requires, every reference to each party is deemed to include the heirs, executors, administrators, successors, assigns, employees, agents, officers and invitees of such party whenever the context so requires or allows; any opinion which the MOT is entitled by virtue of this Agreement to form may be formed on behalf of the MOT's Public Works Superintendent, in which event the opinion of the Public Works Superintendent shall be deemed to be the opinion of the MOT for the purposes of the Agreement; nothing herein grants to the MOT any interest in the riparian or littoral rights of the Grantor to any lands which may accrete to the Lands; if any section, subsection, sentence, clause or phrase in this Agreement is for any reason held to be invalid by the decision of Court of competent jurisdiction, the invalid portion shall not affect the validity of the remainder of this Agreement; this Agreement shall enure to the benefit of and be binding on the parties hereto NOTWITHSTANDING any rule of law or equity to the contrary; and this

Agreement shall be governed and construed in accordance with the laws within the Province of British Columbia.

10. The Grantor agrees that it is **in** the public interest that this Agreement be terminated, cancelled or discharged only by the MOT's voluntary agreement to do so.

IN WITNESS WHEREOF the parties hereby acknowledge that this agreement has been duly executed and delivered by executing the Forms C and D attached hereto.

CONSENT AND PRIORITY AGREEMENT

WHEREAS FISGARD CAPITAL CORPORATION (herein called the "Chargeholder") is the holder of a Mortgage and an Assignment of Rents registered concurrently in the Victoria Land Title Office on March 31, 2005 under instrument No. EX34444, as modified by CA661989 and EX34445 respectively (herein called the "Charge") encumbering the lands described in the attached Statutory Right of Way (the "Statutory Right of Way").

THEREFORE THIS CONSENT AND PRIORITY AGREEMENT WITNESSETH THAT in consideration of the sum of ONE DOLLAR (\$1.00) of lawful money of Canada and other good and valuable consideration paid by the Transferee described in item 6 of Part 1 of the Form C to the Chargeholder, receipt and sufficiency whereof are hereby acknowledged, the Chargeholder hereby:

1. consents to the granting and registration of the Statutory Right of Way and the Chargeholder hereby agrees that the Statutory Right of Way shall be binding upon its interest in and to the lands described in the Statutory Right of Way.
2. grants to the Transferee priority for the Charge over the Chargeholder's right, title and interest in and to the lands described in the Covenant, and the Chargeholder does hereby postpone the Charge and all of its right, title and interest thereunder to the Statutory Right of Way as if the Statutory Right of Way had been executed, delivered and registered prior to the execution, delivery and registration of the Charge.

IN WITNESS WHEREOF the Chargeholder has duly executed this Consent and Priority Agreement by signing on the Form C above on the date set out therein.



CONSENT AND PRIORITY AGREEMENT

WHEREAS NORTHERN SAVINGS CREDIT UNION (herein called the "Chargeholder") is the holder of a Mortgage registered in the Victoria Land Title Office on October 18, 2005 under instrument No. EX132275 (herein called the "Charge") encumbering the lands described in the attached Statutory Right of Way (the "Statutory Right of Way").

THEREFORE THIS CONSENT AND PRIORITY AGREEMENT WITNESSETH THAT in consideration of the sum of ONE DOLLAR (\$1.00) of lawful money of Canada and other good and valuable consideration paid by the Transferee described in item 6 of Part 1 of the Form C to the Chargeholder, receipt and sufficiency whereof are hereby acknowledged, the Chargeholder hereby:

1. consents to the granting and registration of the Statutory Right of Way and the Chargeholder hereby agrees that the Statutory Right of Way shall be binding upon its interest in and to the lands described in the Statutory Right of Way.
2. grants to the Transferee priority for the Charge over the Chargeholder's right, title and interest in and to the lands described in the Statutory Right of Way, and the Chargeholder does hereby postpone the Charge and all of its right, title and interest thereunder to the Statutory Right of Way as if the Statutory Right of Way had been executed, delivered and registered prior to the execution, delivery and registration of the Charge.

IN WITNESS WHEREOF the Chargeholder has duly executed this Consent and Priority Agreement by signing on the Form C above on the date set out therein.



**EXPLANATORY PLAN OF STATUTORY RIGHT OF WAY OVER PART OF
LOT A, SECTION 7, TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777,
PREPARED PURSUANT TO SECTION 99(1)(a) LAND TITLE ACT.**

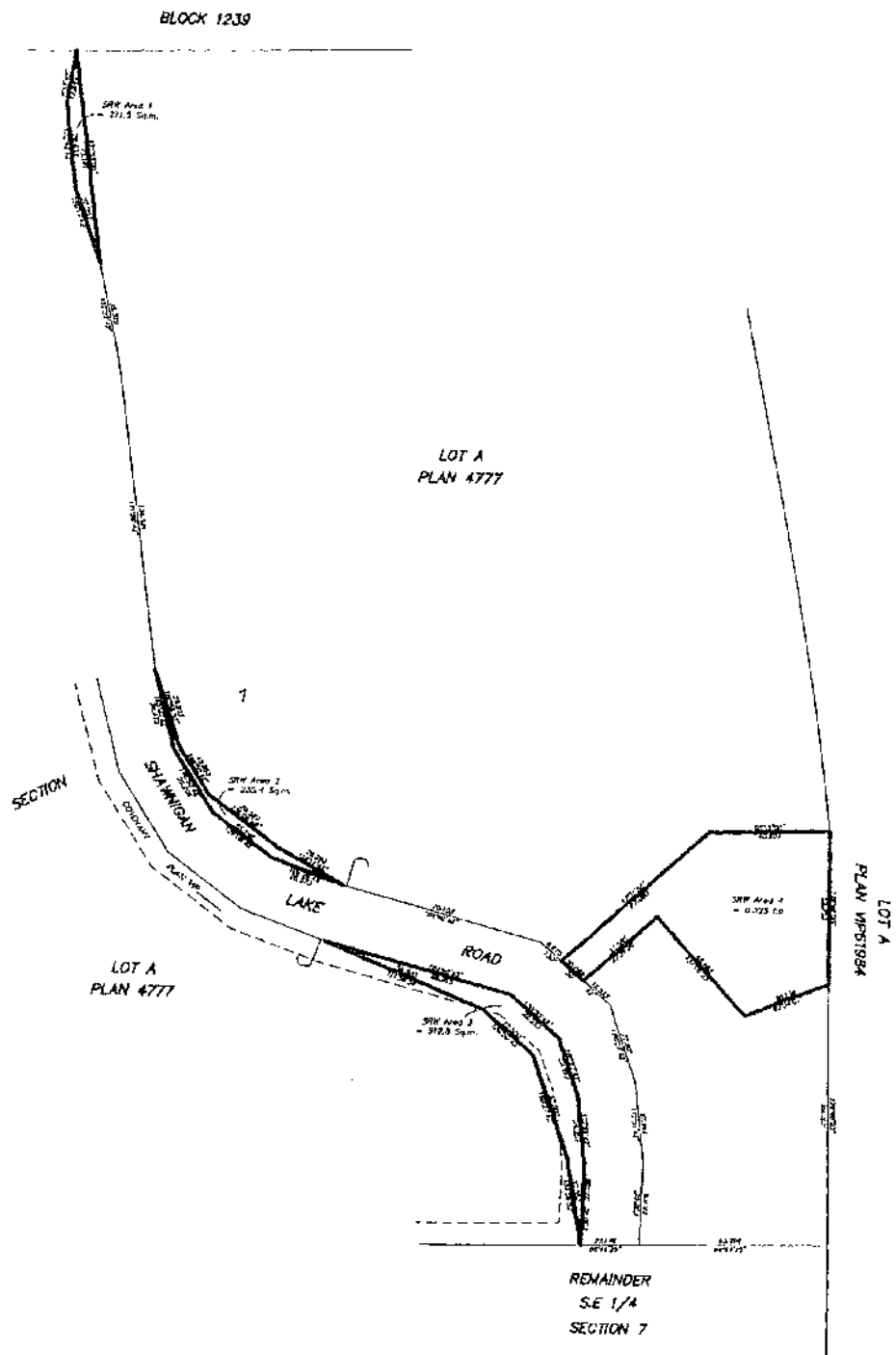
PLAN 110

Scale 1:50,000
STATE OF BC, At distance one in inches

BOOK 928, 053

Registered in the Land Title Office of BC, Vol. 110, Page 110

Legend:
dashed line: proposed right of way
solid line: boundary of land



Plan 110 (2001-01)
All rights reserved
Revised Land Surveying Act
Copyright © 2001
BC Land Title Office
110-110-110-110-110
www.landtitle.bc.ca

BOOK OF REFERENCE				
SRP	Lot	Plan	Area	Area
1	A	4777	274.2 Sq.m.	
2	A	4777	235.1 Sq.m.	
3	A	4777	912.8 Sq.m.	
4	A	4777	0.375 Ha	

END OF DOCUMENT

This plan was considered and checked
and the accuracy of the data
on the 12th day of August, 2001 and
is hereby certified correct in accordance
with Land Title Office records.

Peter L. H. Brown B.C.L.S.



September 28, 2007

Your File No. 01-001-24946

Our File No. 4-B-07 SA

Ministry of Transportation
Saanich Area Office
South Coast Region
Suite 240-4460 Chatterton Way
VICTORIA, BC V8X 5J2



Attention: Ross D. Deveau, District Development Technician

Dear Ross D. Deveau:

**Re: Proposed subdivision of PID: 005-997-283, Lot A, Section 7,
Township 1, Malahat District, Plan 4777, located on Shawnigan Lake Road.**

Please be advised that we are in receipt of a revised subdivision plan dated Jan 2006 with the last revision dated 08 May 2006 (see attached). The CVRD has issued the required permit to construct a mobile home park in addition to issuing the Riparian Areas Regulation Development Permit.

The subdivision plan proposes 157 strata lots ranging in size from 325 m² - 1010 m², and the minimum lot size required for strata title mobile home parks is 325 m² for a singlewide mobile home and 460 m² in the case of doublewide mobile home. The total density cannot exceed 15 units per hectare, and the plan as proposed complies with these density requirements.

Park dedication is required in accordance with Section 941 of the *Local Government Act*, and the applicant is advised to contact the CVRD Parks Department. Please note that the subject property has been included within Shawnigan Lake Fire Protection Area (Arbutus Mountain Estates Contract).

.../2

Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia V9L 1N8

Toll Free: 1 800 665 3955
Tel: (250) 746 - 2500
Fax: (250) 746 - 2513

cowichan
www.cvrld.bc.ca

Recommendation:

That this application not be objected to subject to

- 1) Confirmation on the final survey plan that all lots meet the minimum parcel size;
- 2) Confirmation that parkland dedication requirements under Section 941 of the *Local Government Act* have been satisfied;
- 3) Confirmation that all lots are connected to CVRD operated community water, sanitary sewer system, storm sewer and street lighting utilities.

Please note that the \$46,800 subdivision fee must be paid to the Cowichan Valley Regional District prior to final approval. All other requirements of the Ministry of Transportation and the Vancouver Island Health Authority must also be satisfied.

Yours truly,



Rachelle Moreau
Planning Technician
Development Services Department

RM/lag

Attachment

pc: Director K. Cossey, Electoral Area B - Shawnigan Lake
Arbutus Mountain Estates Ltd. c/o Island Land Surveying Ltd.

HERALD STREET LAW

Kristin R. Marrs*

Barrister, Solicitor & Notary Public

email: kmarrs@heraldstreetlaw.com

*denotes Law Corporation

101 - 536 Chatham Street

Victoria, BC V8W 1S6

Tel (250) 381-1505

Fax (250) 480-4055

Mailing Address:

101 - 536 Herald Street

Victoria, BC V8W 1S6

FACSIMILE COVERSHEET

DATE:

Sept. 22, 2008

TO:

Anne Burns (Min of Trans.)

ATTENTION:

FAX NUMBER:

X 250-952-4508

FROM:

Kristin R. Marrs

FAX NUMBER:

(250) 480-4055

FILE NO.:

OF PAGES:

3 (including coversheet)

RE:

COMMENTS:

Your File 24946

Please see attached title search

which you require as part of a plan approval. Any queries, please contact

either: Mike Kelly 250-516-7477

Allen Wright 250-516-7958

This fax may contain privileged and confidential information and its transmission is not a waiver of that privilege. It is intended for the use of the person to whom it is addressed. Any copying, disclosing, destruction or reliance on this material by anyone other than the intended recipient is strictly prohibited. We assume no responsibility to persons other than the intended recipient. If you have received this transmission in error, please notify the sender immediately and we will arrange for retrieval at no cost to you. Thank you.

If part or all of this transmission is not legible, please call immediately at: (250) 381-1505.

Land Title System

For: [PA69681] [MARRS, KRISTIN (P)]

As Of: 08/09/22 14:17:45

Search Results

Sep 22, 2008

02:17:46 PM

Main Menu	Return	Check for Print	Search Again	Help
Print Only Current Title Info		Print Current & Cancelled Title Info		

Folio: 18066

Search by Title Displaying Current Information

VICTORIA
DECLARED VALUE

LAND TITLE OFFICE
900000

Title Displayed

TITLE NO: EX34443

FROM TITLE NO: EH78186

APPLICATION FOR REGISTRATION RECEIVED ON: 31 MARCH, 2005
ENTERED: 20 MAY, 2005

REGISTERED OWNER IN FEE SIMPLE:
ARBUTUS MOUNTAIN ESTATES LTD., INC. NO. BC0703934
4158 ROY PLACE
VICTORIA, BC
V8Z 7X3

TAXATION AUTHORITY:

CAPITAL ASSESSMENT AREA

DESCRIPTION OF LAND:

PARCEL IDENTIFIER: 005-997-283

LOT A, SECTION 7, TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777

LEGAL NOTATIONS:

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE FB63116

CHARGES, LIENS AND INTERESTS:
NATURE OF CHARGE

CHARGE NUMBER DATE TIME

EXCEPTIONS AND RESERVATIONS
M76300

REGISTERED OWNER OF CHARGE:
ESQUIMALT AND NANAIMO RAILWAY COMPANY
M76300

REMARKS: A.F.B. S.693.7434A
102385G;
SECTION 172(3)
FOR ACTUAL DATE AND TIME OF
REGISTRATION SEE ORIGINAL GRANT
FROM E & N RAILWAY COMPANY

FOR ACTUAL DATE AND TIME OF REGISTRATION SEE
ORIGINAL GRANT FROM E & N RAILWAY COMPANY

MORTGAGE

EX34444 2005-03-31 14:50
REGISTERED OWNER OF CHARGE:
FISGARD CAPITAL CORPORATION
INCORPORATION NO. C-603095
EX34444
REMARKS: MODIFIED BY CA661989

ASSIGNMENT OF RENTS
EX34445 2005-03-31 14:50

REGISTERED OWNER OF CHARGE:
FISGARD CAPITAL CORPORATION
INCORPORATION NO. C-603095
EX34445

MORTGAGE
EX132275 2005-10-18 11:43
REGISTERED OWNER OF CHARGE:
NORTHERN SAVINGS CREDIT UNION
EX132275

PRIORITY AGREEMENT
EX132276 2005-10-18 11:43

REMARKS: GRANTING EX132275 PRIORITY OVER EX34444 AND
EX34445

MODIFICATION
CA661989 2007-12-20 14:26
REMARKS: MODIFICATION OF EX34444

CLAIM OF BUILDERS LIEN
FB195995 2008-07-25 08:43
REGISTERED OWNER OF CHARGE:
465346 BC LTD.
INCORPORATION NO. 465346
FB195995

REMARKS: INTER ALIA

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

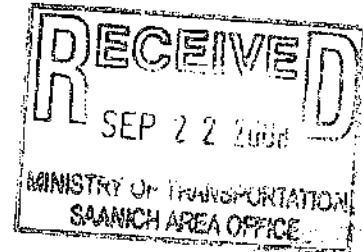
DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

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Print Only Current Title Info		Print Current & Cancelled Title Info			



September 18, 2008

Your File No. 01-001-24946

Our File No. 4-B-07SA

Ministry of Transportation
Saanich Area Office
Suite 240 - 4460 Chatterton Way
VICTORIA, BC V8X 5J2

Attention: Ross D. Deveau, District Development Technician

Dear Ross D. Deveau:

Re: Proposed subdivision of District, PID: 005-997-283, Lot A, Section 7, Township 1, Malahat District, Plan 4777, located on Shawnigan Lake Road

Please be advised the CVRD Parks Department has indicated that Section 941 of the *Local Government Act* has been satisfied for the above-mentioned proposed subdivision.

This proposal is for phase one, involving 78 strata lots ranging in size from 325 m² – 1010 m². The minimum lot size required for strata title mobile home park is 325 m² for a single-wide mobile home and 460 m² in the case of double-wide mobile home. The total density cannot exceed 15 units per hectare, and this density requirement should be clearly indicated on the final site plan. The proposed subdivision plan appears to meet these lot size and density requirements.

All CVRD Development Services Department regulations and requirements have been satisfied.

All other requirements of the Ministry of Transportation and the Vancouver Island Health Authority must also be satisfied.

Yours truly,

Alison Garnett,
Planning Technician
Development Services Department

AG/lag

cc: Director K. Cossey, Electoral Area B – Shawnigan Lake
Arbutus Mountain Estates Ltd. (INC. #BC0703934)

\\covidg\1\Projects\DevServices\DS_Apps\SA\2007\B\04-B-07-SA\Documents\4-B-07 SA final letter.doc

Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia V9L 1N8

Toll Free: 1 800 665 3955
Tel: (250) 746 - 2500
Fax: (250) 746 - 2513

www.cvrld.bc.ca



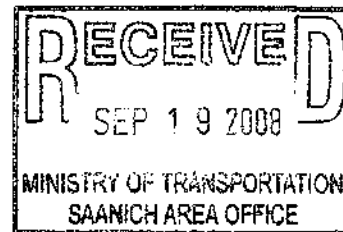
COPY

September 11, 2008

File No. 5330-20-AME

VIA FAX: (250) 952-4508

Ross Deveau, District Development Technician
Ministry of Transportation
240 - 4460 Chatterton Way
VICTORIA BC V8X 5J2



Dear Mr. Deveau:

RE: PID: 005-997-283, Lot A, Section 7, Township 1, Malahat District, Plan 4777

MoT File No. 01-001-24946

Please be advised that the above captioned lot is serviced by the Cowichan Valley Regional District's (CVRD) Arbutus Mountain Estates water, sewer, drainage, and street lighting systems.

Subsequently, the CVRD's Engineering Services Department has no objection to registration of this subdivision.

Please contact the undersigned if you have any questions in this regard.

Yours truly,


Dave Leitch, Manager, AscT.
Manager, Utilities
Engineering Services

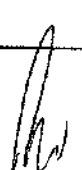
LKJ:ab

pc:

Director Cossey, Electoral Area B
Brian Dennison, P. Eng. Manager, Engineering Services
Louise Knodel-Joy, Senior Engineering Technologist
Mike Tippet, Deputy Manager, Development Services
Dana Beatson, Planning Technician, Development Services
Mike Kelly, mike.sia@shaw.ca
Arbutus Mountain Estates Ltd. (Inc. bc0703934) c/o Island Land Surveying Ltd. 1-15 Cadillac Ave., Victoria, BC V8Z 1T3

\\cvsdstore1\HomeDir\dwalkley\Utilities\Arbutus Mtn Estates\AMEMoTSubDAug0108.doc

Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia V9L 1N8

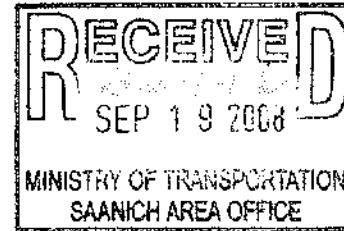

Toll Free: 1 800 665 3955
Tel: (250) 746 - 2500
Fax: (250) 746 - 2513

cowichan
www.cvrld.bc.ca

July 25, 2008

Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Attention: Dave Leitch



Subject: Wastewater Treatment Equipment Supplied by Corix

Dear Dave:

As per your letter to Mike Kelly dated July 9, 2008, regarding the first item under "Sanitary Sewer System", we wish to inform you that as of the evening of July 24, 2008 we have completed the Class 1 Zone 2 upgrade of all wiring, instrumentation and actuators. In addition, the upgraded disconnect switches have been relocated to allow more room between the tanks. At this time, we are moving ahead with the non-operating deficiencies as per our letter to you of June 30, 2008.

We trust that we have fulfilled the requirement of the first item.

Yours sincerely,

James Yap P.Eng.
Corix Water Systems
#100 20329 Logan Avenue
Langley, BC V3A 4L8
Canada

Deveau, Ross TRAN:EX

From: Lowe, Kate A [Kate.Lowe@viha.ca]
Sent: Monday, April 21, 2008 9:53 AM
To: Acorn, Gerry; Deveau, Ross TRAN:EX; Mike Wignell (E-mail); Brian Dennison (E-mail)
Cc: Tompkins, Tara CS:EX
Subject: Water Permit FYI

Attachments: W-C-1718 CP - Shawnigan Modular Home Park (Arbutus Mt. Estates).doc



W-C-1718 CP -
Shawnigan Modula..

Original in mail to Mr. Dennison today.

<<W-C-1718 CP - Shawnigan Modular Home Park (Arbutus Mt. Estates).doc>>

Kate Lowe
Admin Support -Public Health Engineering 3rd Floor - 6475 Metral Drive Nanaimo BC V9T
2L9
PH: 250-755-6299 FX: 250-755-3372

April 17, 2008

File: W-C1718, Arbutus Mt. Estates Ltd.
Your File: 1578.001.02

Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Attention: Mr. Brian Dennison, P. Eng., Manager, Engineering Services

Dear Sir:

**Re: Water Supply System Construction Permit No. W-C-1718 Arbutus Mt. Estates
(a.k.a. Shawnigan Modular Home Park) Water System**

Please find enclosed **Water Supply System Construction Permit No. W-C-1718** issued under Section 7 of the **Drinking Water Protection Act**, authorizing construction of a water supply system and the integration of Drinking Water Wells #1 and #3 to serve this development located south of Shawnigan Lake.

Construction Permit W-C-1718 represents approval of the water sources Wells #1 BCID Tag No. 16541 and Well #3, BCID Tag No. 16542. Prior approvals issued were:

W-C-1719 Phase 1 Watermain Distribution System (& Pump Station) Construction Permit

W-C-1808 Reservoir Construction Permit.

W-C-1718 Wells #1 and #3 were accepted as Drinking Water Sources March 6, 2008 by the Medical Health Officer, Dr. F. S. Rockwell, MD, FRCPC.

This permit is valid for one year and is not transferable unless the transfer is approved by the Issuing Official or the Drinking Water Officer. **This permit is subject to the following terms:**

Design Amendments and Conditions: The submitted design must be amended to address the following item(s), or during construction the following item(s) must be attended to, as a condition of this permit:

.../2

Health Protection &
Environmental Services
3rd Floor 6475 Metral Drive
Nanaimo BC V9T 2L9

Public Health Engineering
Ph: (250) 755-6299
Fax: (250) 755-3372

1. The **Closure of Well #2**, BCID Tag No. 16543.
2. Completion of the construction permit conditions listed for **W-C-1719** and **W-C-1808**.
3. That a **Chlorine Residual** be maintained in the distribution system. (Disinfection of these two groundwater sources will not be required by VIHA.)
4. **A Letter from the Hydrogeologist** describing the final well head improvements constructed to protect the well sources from potential surface water supply contamination.
5. The Owner to provide, before Final Inspection, **final copies of the following documents** as registered & stamped by the Land Titles Office, naming the CVRD:
 - 5.1. Register a CVRD 15 m. radius, or equivalent, "Hazardous Goods Storage" Restrictive (Specific) Covenant.
 - 5.2. Register a CVRD 30 m. radius, or equivalent, "Sanitary Control Area (or No-Build)" Restrictive (Specific) Covenant area.
 - 5.3. Register a 3.0 m. CVRD R.O.W. for watermain access to the Water Treatment Plant area.See the attached *Westbrook Consulting Ltd.* sketch "Well Covenant Areas, WC Fig 1."
6. Final VIHA Inspection of the Water Treatment Building, and the Reservoir, upon completion.
7. Agreement from the CVRD to:
 - 7.1. Conduct **Signage & Labeling** improvements within the first year of operations.
 - 7.2. Develop an **Annual Water Report Template** for the use of the Operator and the CVRD.
 - 7.3. Initiate a **Cross-Connection Control Program**, and to review & sign the valves and other appurtenances near the reservoir.
8. **Monitor the pH in Well #3.** Main Well. The low pH and alkalinity test results if confirmed, could result in considerations for lime softening in the first year of operation.
9. The schedule for ongoing **water sampling** as proposed by hydrogeologist M. Payne is:
 - 9.1. E.coli once per week.
 - 9.2. TC, NC, STP once per month.
 - 9.3. During the start-up of the Wells water samples should be collected immediately for testing.
 - 9.4. Water quality should be monitored at least once a year for complete chemical and bacteriological analyses, preferably during the late summer /early fall when water levels are historically lowest and demand is highest.

.../3

10. Bi-annual reviews by the hydrogeologist of water quality and aquifer vulnerability.
11. For the future the CVRD should look to try and protect the up-slope tributary areas to the aquifer that are now privately owned.
12. An **Annual Water Report** is to be developed by the CVRD for VIHA review, and may include:
 - 12.1. The Report contents should summarize water quality & quantity issues and any notable events.
 - 12.2. The Annual Water Report should contain a chart for tracking each wells: Well water levels, maximums and minimums; Well yield maximums versus their maximum allowable limit and daily flow demands annually. Trends should be noted, and any actions required or recommended should also be discussed.
 - 12.3. Any well water temperature trends should be noted.
 - 12.4. An annual chlorine demand chart showing demand and residuals. Note any seasonal trends.
 - 12.5. Compare annually the Water Consumption versus Sewage Generated (as recorded at the local sewage station.) Trends and the annual ratio of sewage to water demand can then be developed for comparison to other utilities.

Design Deviations: This permit applies exclusively to the works as approved. Any subsequent design modifications will require the submission of amended drawings to the Issuing Official or Drinking Water Officer and approval obtained before installation of the amended works.

Disinfection: It is the responsibility of the water distribution system owner (Cowichan Valley Regional District) to ensure that, following the completion of construction, repair, or draining and refilling of any portion of the system affected, and prior to the delivery of water to customers served by these works, all waterworks affected by this permit are disinfected in accordance with the appropriate American Water Works Association (AWWA) standard or equivalent.

Chlorinated water used for disinfection of all waterworks shall not be directly discharged into the environment without the permission of the Ministry of Environment, and/or Fisheries and Oceans Canada.

.../4

The water supplier (CVRD) shall maintain records of the completion date of the permitted work, and the results of the bacteriological testing conducted as part of the disinfection protocol. The water supplier shall notify the Vancouver Island Health Authority if bacteriological tests are unacceptable. These records shall be made available for inspection if requested by the public health engineer or the environmental health officer.

This document grants authorization under Section 7 of the **Drinking Water Protection Act** only, and does not constitute permission or consent under any other Act or authority.

Please contact Public Health Engineering through the Vancouver Island Health Authority in Nanaimo, should there be any questions concerning the above.

Yours truly,

Original signed by

John L. Spencer, P. Eng.
Public Health Engineer
Vancouver Island Health Authority

Enclosures: Permit + Sketches

cc: Gerry Acorn, Environmental Health Officer, Vancouver Island Health Authority, Duncan Office
Glen Brown, Director, Infrastructure & Engineering Services, Ministry of Community Services
Ross Deveau, Subdivision Approving Officer, Ministry of Transportation, Victoria
M. W. Wignall, P. Eng., Westbrook Consulting Ltd., Victoria
Mike Kelly, Arbutus Mt. Estates Ltd., Victoria



Cowichan Valley Regional District

Water Supply System Construction Permit

NO. W-C-1718

To: Cowichan Valley Regional District

Re: **Ground Water Sources - Arbutus Mountain Estates Limited**

This is to certify that drawings numbered 1590-01-01 (Rev. 5), 1590-01-02 (Rev. 4), 1590-01-03 (Rev. 3) dated February 7, 2008, prepared February 8, 2008 and submitted date by P.K. Shannon, P. Eng. of Bullock Baur Engineering Ltd., portraying a proposed water treatment building and the integration of Production Wells #1 and #3, and drawings numbered E1, E2 and E3, dated April 4, 2007, prepared February 8, 2008 and submitted by J.R.T. Dupuis, P. Eng., of Westbrook Consulting Ltd. *and other related appurtenances* to serve a future modular home development south of Shawnigan Lake, B.C., and submitted in accordance with Section 7 of the **Drinking Water Protection Act** have been reviewed and proposed construction, alteration or extension may be commenced in accordance with the approved plans and the terms and conditions contained in the letter of transmittal.

This document certifies that the plans and specifications for the proposed works have been reviewed pursuant to the current "Guidelines for the Approval of Waterworks" issued by the Vancouver Island Health Authority and that the plans and specifications meet the protection requirements outlined in the Guidelines.

*The standards of structural integrity and safety of the works have not been considered and are not the subject of this Permit. This document grants authorization under Section 7 of the **Drinking Water Protection Act** only, and does not constitute permission or consent under any other Act or authority.*

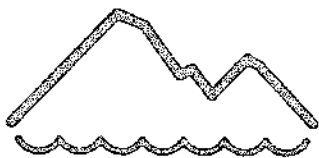
Original dated April 21, 2008

Original signed by

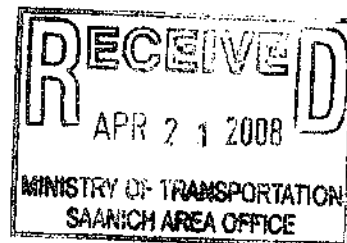
Date Issued

John L. Spencer, P. Eng.
Public Health Engineer

cc: Gerry Acorn, Environmental Health Officer, Vancouver Island Health Authority, Duncan Office
Glen Brown, Director, Infrastructure & Engineering Services, Ministry of Community Services
Ross Deveau, Subdivision Approving Officer, Ministry of Transportation, Victoria
M. W. Wignall, P. Eng., Westbrook Consulting Ltd., Victoria
Mike Kelly, Arbutus Mt. Estates Ltd., Victoria



WESTBROOK Consulting Ltd.



April 16, 2008

1483.001.02

24946

Ministry of Transportation
Suite 240-4460 Chatterton Way
Victoria BC, V8X 5J2
(250) 952-4515

Attn: Ross Deveau

Re: Shawnigan Modular Home Storm Water Mangement

Dear Mr. Deveau:

Below please find a copy of the stormwater management design for the above noted project and submitted to your attention as a requirement of the Preliminary Layout Approval, Ministry's file 01-001-24946, dated March 4, 2008, which states, "A drainage study is to be done to assess the impact of the proposals storm water on all downstream appurtenances to the high water mark of Shawnigan Creek."

It should be noted that the stormwater management and design as written below was also submitted to the Cowichan Valley Regional District (CVRD) in April of 2007, for their review and approval prior to their take over of the utilities.

Storm Drainage

The storm drain system was designed based on the Rational Method using the 10 year design storm with a minimum time concentration of 10 minutes.

Pipe capacity was designed using the Manning's formula, with the varying minimum slope of each sized pipe based on Section 6A.3.5 of the Municipality of North Cowichan, Engineering Standards, 1993 Schedule 'B', Bylaw 1851.

Drain manholes along Road B, refer to attached drawing 148302, were designed to have a one meter perforated sump to provide the better ability of exfiltration to the ground

The drain sizing calculations can be found attached.

Stormwater Management

The rate of runoff was calculated for the pre-development condition and for the post-development condition for varying design storms. The difference between the two was determined for various durations and subsequently multiplied by the respective time duration giving a volume of runoff, the maximum of which was used to size the infiltration area.

The maximum or required infiltration volume was found to be 129.59 cubic meters, which corresponds to a 200 year storm of a five minute duration.

The infiltration area is constructed beneath the sewer treatment plant site out of well graded shot rock. The sewer treatment plant lot is 480 square meters and is on an average of 4 meters of blast rock fill providing an approximate infiltration volume of 1920 cubic meters. The blast rock fill is expected to have a void space ratio of 33%. As such a third of the total volume of the infiltration area is available for infiltration, or 640 cubic meters, which exceeds the required infiltration volume.

The infiltration sizing calculations can be found attached.

Additional infiltration areas will be provided on each lot in the form of a rock pit with an overflow connection to the strata's storm drain system.

Individual rock pits were sized based on an assumed impervious area of 300 square meters for each lot and based on a 10 year storm of a 10 minute duration.

Conclusion

The stormwater system has been designed such that the post development runoff from the site does not exceed the predevelopment runoff and should, therefore, have no impact on the downstream appurtenances to the high water mark of Shawnigan Creek.

If you have any questions please do not hesitate to contact me.

Yours truly,


WESTBROOK CONSULTING LTD.


Bruce Crawshaw, EIT
Project Manager

bc

Encl.

Reviewed by


Mike Wignall, P.Eng.
Senior Engineer

H:\PROJECTS\1483-101 Shawnigan Lk Mod Home PKU\2C Correspondence\180416Mot.doc
4/16/2009 3:51:17 PM



**WESTBROOK
Consulting Ltd.**

DRAINAGE CALCULATIONS

Westbrook Consulting Ltd.
202 - 774 Goldstream Avenue
Victoria, British Columbia V9B 2X3
Phone: (250) 391-8592
Fax: (250) 391-8593

Project Name: Shawnigan Mod Park Calculation By: Bruce Crawshaw Date: Feb 20, 06
Project File Number: 1493.001.03 Checked By: _____ Date: _____

		Area * R				Pipe Data										Comments	
From	To	Area (ha)	Total Area (ha)	R	Incr. (ha)	Total (ha)	TC (min)	I (mm/hr)	Q (L/s)	Length (m)	Slope (%)	Size (mm)	n	Q (L/s)	V (m/s)		Time (min)
DMH 8	DMH 7	0.77	0.77	0.60	0.45	0.45	10.00	38.0	49	51.9	1.00	250	0.011	70	1.4	0.60	10 Year Storm
DMH 7	DMH 6	0.80	1.57	0.60	0.48	0.94	10.60	38.0	100	97.1	10.35	250	0.011	226	4.6	0.35	
DMH 6	DMH 5	0.58	2.15	0.60	0.35	1.29	10.95	38.0	136	110.3	12.00	250	0.011	243	5.0	0.37	
DMH 5	DMH 4	0.33	2.48	0.60	0.20	1.49	11.32	37.0	153	45.0	2.00	300	0.011	162	2.3	0.33	
DMH 11	DMH 10	0.35	0.35	0.60	0.21	0.21	10.00	38.0	22	33.2	12.00	150	0.011	62	3.5	0.16	
DMH 10	DMH 9	0.14	0.49	0.60	0.08	0.29	10.16	38.0	31	61.0	4.65	150	0.011	39	2.2	0.46	
DMH 9	DMH 4	0.06	0.55	0.90	0.05	0.35	10.62	37.0	36	62.4	8.50	150	0.011	52	3.0	0.35	
DMH 4	DMH 2	0.80	3.83	0.60	0.48	2.32	10.00	38.0	245	71.5	1.00	450	0.011	337	2.1	0.56	
DMH 2	DMH 1	0.13	3.96	0.60	0.08	2.40	10.56	38.0	253	30.0	1.00	450	0.011	337	2.1	0.24	
DMH 1	Outfall	0.00	3.96	0.60	0.00	2.40	10.80	38.0	253	2.0	1.00	450	0.011	337	2.1	0.02	

Storm Water Management - Storage Requirements

Project: Phase 1 - Shawnigan Modular Home

Project 1483.001.03

Date 11-Nov-05

Done by: Bruce Crawshaw

Catchment Area #	Pre Dev. Area (ha)	Post Dev. Area (ha)
1	6.4	6.7
Runoff Coeff.	0.53	0.67

CATCHMENT AREA 1

5 Year Storm		Pre development				Post Development				Storage Requirement
Duration (mins)	Intensity (mm/hr)	Catchment Area (ha)	R	Release Rate (L/s)	V (m3)	Catchment Area (ha)	R	Q	V(m3)	Required Storage Volume (m3)
5	41	6.4	0.53	282.49	84.75	6.7	0.67	510.92	153.28	68.53
10	30	6.4	0.53	282.49	169.49	6.7	0.67	373.84	224.3	54.81
15	26	6.4	0.53	282.49	254.24	6.7	0.67	324	291.6	37.36
20	23	6.4	0.53	282.49	338.99	6.7	0.67	286.61	343.93	4.94
30	19	6.4	0.53	282.49	508.48	6.7	0.67	236.77	428.19	-82.29
60	15	6.4	0.53	282.49	1016.96	6.7	0.67	186.92	672.81	-344.05
120	10	6.4	0.53	282.49	2033.93	6.7	0.67	124.61	897.19	-1136.74
360	6	6.4	0.53	282.49	6101.78	6.7	0.67	74.77	1615.03	-4486.75
720	5	6.4	0.53	282.49	12203.57	6.7	0.67	62.31	2691.79	-9511.78
1540	4	6.4	0.53	282.49	26102.08	6.7	0.67	49.85	4606.14	-21495.94

10 Year Storm		Pre development				Post Development				Storage Requirement
Duration (mins)	Intensity (mm/hr)	Catchment Area (ha)	R	Release Rate (L/s)	V (m3)	Catchment Area (ha)	R	Q	V(m3)	Required Storage Volume (m3)
5	50	6.4	0.53	357.82	107.35	6.7	0.67	623.07	186.92	79.57
10	38	6.4	0.53	357.82	214.69	6.7	0.67	473.54	284.12	69.43
15	31	6.4	0.53	357.82	322.04	6.7	0.67	386.31	347.68	25.64
20	28	6.4	0.53	357.82	429.38	6.7	0.67	348.92	418.7	-10.68
30	23	6.4	0.53	357.82	644.08	6.7	0.67	286.61	515.9	-128.18
60	18	6.4	0.53	357.82	1288.15	6.7	0.67	224.31	807.52	-480.63
120	13	6.4	0.53	357.82	2576.3	6.7	0.67	162	1186.4	-1409.9
360	8	6.4	0.53	357.82	7728.91	6.7	0.67	99.69	2153.3	-5575.61
720	6	6.4	0.53	357.82	15457.82	6.7	0.67	74.77	3230.66	-12227.76
1540	4	6.4	0.53	357.82	33062.57	6.7	0.67	49.85	4606.14	-28456.43

25 Year Storm		Pre development				Post Development				Storage Requirement
Duration (mins)	Intensity (mm/hr)	Catchment Area (ha)	R	Release Rate (L/s)	V (m3)	Catchment Area (ha)	R	Q	V(m3)	Required Storage Volume (m3)
5	60	6.4	0.53	414.31	124.29	6.7	0.67	747.68	224.31	100.02
10	44	6.4	0.53	414.31	248.59	6.7	0.67	548.3	328.98	80.39
15	37	6.4	0.53	414.31	372.88	6.7	0.67	461.07	414.98	42.08
20	32	6.4	0.53	414.31	497.17	6.7	0.67	398.77	478.52	-18.65
30	27	6.4	0.53	414.31	745.76	6.7	0.67	336.46	605.63	-140.13
60	20	6.4	0.53	414.31	1491.52	6.7	0.67	249.23	897.23	-594.29
120	15	6.4	0.53	414.31	2983.03	6.7	0.67	186.92	1345.82	-1637.21
360	9	6.4	0.53	414.31	8949.1	6.7	0.67	112.15	2422.44	-6526.66
720	7	6.4	0.53	414.31	17898.19	6.7	0.67	87.23	3768.34	-14129.85
1540	5	6.4	0.53	414.31	38282.24	6.7	0.67	62.31	5757.44	-32524.8

200 Year Storm		Pre development				Post Development				Storage Requirement
Duration (mins)	Intensity (mm/hr)	Catchment Area (ha)	R	Release Rate (L/s)	V (m3)	Catchment Area (ha)	R	Q	V(m3)	Required Storage Volume (m3)
5	80	6.4	0.53	564.97	169.49	6.7	0.67	996.92	299.08	129.59
10	60	6.4	0.53	564.97	338.98	6.7	0.67	747.69	448.61	109.63
15	50	6.4	0.53	564.97	508.47	6.7	0.67	623.07	560.76	52.29
20	45	6.4	0.53	564.97	677.96	6.7	0.67	560.77	672.92	-5.04
30	37	6.4	0.53	564.97	1016.95	6.7	0.67	461.07	829.93	-187.02
60	28	6.4	0.53	564.97	2033.89	6.7	0.67	348.92	1256.11	-777.78
120	20	6.4	0.53	564.97	4067.78	6.7	0.67	249.23	1794.46	-2273.32
360	13	6.4	0.53	564.97	12203.35	6.7	0.67	162	3499.2	-8704.15
720	9	6.4	0.53	564.97	24406.7	6.7	0.67	112.15	4844.88	-19561.82
1540	7	6.4	0.53	564.97	52203.23	6.7	0.67	87.23	8060.05	-44143.18

Required Storage Volume = 129.59 cubic meters



BRITISH
COLUMBIA

Ministry of
Transportation

Picked up by Michael Kelly Apr 4/08
**PROPOSED SUBDIVISION
PRELIMINARY LAYOUT APPROVAL**

ARBUTUS MOUNTAIN ESTATES LTD. (INC.)
#BC0703934)
c/o Island Land Surveying Ltd
1-15 Cadillac Avenue
Victoria, BC V8Z 1T3

Your File MD-SHAWSTN-MN3

Our File 01-001-24946

Date (yyyy/mm/dd) 2008/04/04

with Signed form P & copy of receipt JB

Proposed Subdivision of

PID: 005-997-283, Lot A, Section 7, Township 1, Malahat District, Plan 4777

Your proposal for a 77 lot strata subdivision Phase 1 has received preliminary layout approval, subject to the following condition(s):

1. Written confirmation from the Cowichan Valley Regional District that all applicable by-laws have been complied with.
2. Written confirmation from the Cowichan Valley Regional District Engineering that community sewer has been supplied to all lots.
3. Written confirmation from the Cowichan Valley Regional District that the provision of parkland, under Sec. 941 of the Local Government Act has been satisfied.
4. Confirmation that all lots have been connected to Cowichan Valley Regional District storm sewer and that street lighting utilities have been installed and approved.
5. Paving is to be done on Shawnigan Lake Road as previously agreed. Deliniators on both sides of the road at the entrance are to be installed. The bank across from the access is to be cut back from the existing power pole to some 30 metres north.
6. A drainage study is to be done to assess the impact of the proposals storm water on all downstream appurtenances to the high water mark of Shawnigan Creek.

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 \$ 100.00 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 Ross Deveau at (250) 952-4511.
(Name of Technician)

Yours truly,

Ross Deveau
for Ministry of Transportation

cc: C.V.R.D. ENGINEERING SERVICES
C.V.R.D. PLANNING DEPARTMENT
MINISTRY OF ENVIRONMENT - ENVIRONMENT PROTECTION - WASTE

Local District Address

Saanich Area Office
SUITE 240 - 4460 CHATTERTON WAY
VICTORIA BC V8X 5J2

REPORT ON
PRELIMINARY SUBDIVISION

159
STRATA
LOTS
AN. I.
Hills
S10 77
chickadee
with Ross
04/14/08

Highway District: SHAN. AREA Date: Mar 7/08
 Application Form Received? YES DAS No.: 24946
 Legal Description: LOT A, SEC. 7, TOWNSHIP 1, MALAKAT DIST.,
ALAN 4777 Date District Rec'd: Feb 7/07
 Name of Application/Agent: ARBUTUS MTR. ESTATES MIKE KELLY Regional District/Municipality: CURD
 Located: ON km N S E W of SHAWNIGAN LK. RD. Road Name/Route No.:
 Topographic Description: STEEP SLOPES
 Previous Reference:
 Outcome: Reference Date:
 Present Land Use: UNUSED
 Proposed Land Use: TRAILER PARK
 Present Zoning: MP-1 Zoning Minimum Parcel Size: 325 M single wide
400 M double wide
 Conform with OCP: YES (1) ALC Approval: N/A Speed Zone: 50K
 Street System Adequate for Additional Traffic: YES (2) Access All Lots: OK Off Street Parking OK: OK
 Subdivision Affected by Controlled Access Highway: No
 Sec. Street System Exist: No Require Widening? YES (1)
 75 1(a): OK 75 1(b)(c) Involved: No Alternate access (B.C. Regs. 334/79): No
 996 Subdivision: No
 Conflict Highway Design Line: No Pipeline Crossing: No
 Hydro/Tel Line Crossing: No RR Crossing: No
 Frontage Rule: OK Require Community Water: YES (1C)
 Require Community Sewer: YES (1B) Conventional Sewage Disposal OK: N/A
 Road/Land Drainage OK: (3) Require Covenant: No Erosion: No Landslip: No Flooding: No
 Rockfall: No Avalanche: No Wildlife: No Road Closure: No Wildfire: No
 Archaeological Site: No If yes, see attached form.
 Contaminated Site: Site Regraded:
 Require Site Profile: State Title Certificate/Certificate of Title: Attached

COMMENTS:

- (1) Written confirmation from CURD that all applicable by-laws have been complied with.
- (1B) Written confirmation from CURD Eng. that community sewer has been supplied to all lots.
- (1C) Written confirmation from CURD that community sewer has been supplied to all lots. Confirmation that all lots have been connected to CURD storm sewer and that street lighting utilities have been installed and approved.

- (2) Paving is to be done on Shawungon Lake Rd as previously agreed. Delinicators on both sides of the road at the entrance are to be installed. Bank across from access is to be cut back from the existing powerpole to some 300' N.
- (3) A drainage study is to be done to assess the impact of the proposed storm water on all downstream open drainages to the HWM of Shawungon Creek.

Recommend PHA

subject to 1, 1B, 1C, 2, 3

Res D. Dewey

April 2, 2008

01 001 24746

Ross,

Preliminary Layout Approval is granted,
subject to items 1, 1b, 1c, 2 & 3 of
your H235P dated March 7, 2008.

We also require:

- Written confirmation from the CVRD that the
provision of parkland, under Sec 941 of the LCA,
has been satisfied.

RWyl

(note phase I of form 'P' was approved Apr 2/08).



March 18, 2008

Your File No. 01-001-24946

Our File No. 4-B-07 SA

Ministry of Transportation
Saanich Area Office
South Coast Region
Suite 240-4460 Chatterton Way
VICTORIA, BC V8X 5J2

Attention: Ross D. Deveau, District Development Technician

Dear Ross D. Deveau:

**Re: Proposed subdivision of PID: 005-997-283, Lot A, Section 7,
Township 1, Malahat District, Plan 4777, located on Shawnigan Lake Road**

Please be advised that we are in receipt of a revised subdivision plan dated February 20, 2008, (see attached). This proposal is for phase one, involving 78 strata lots ranging in size from 325 m² – 1010 m². The minimum lot size required for strata title mobile home parks is 325 m² for a single-wide mobile home and 460 m² in the case of double-wide mobile home. The total density cannot exceed 15 units per hectare, and this density requirement should be clearly indicated on the final site plan. Subdivision fees for the proposed 78 lots have been received by the CVRD.

Please see attached letter from CVRD Engineering Services Department, which states that the CVRD has granted approval in principle for takeover of the sanitary sewer, water, storm drainage and street lighting systems proposed in the development.

Recommendation:

That this application not be objected to subject to;

- 1) Confirmation on the final survey plan that all lots meet the minimum parcel size;
- 2) Confirmation that parkland dedication requirements under Section 941 of the *Local Government Act* have been satisfied;
- 3) Confirmation that all lots are connected to CVRD operated community water, sanitary sewer system, storm sewer and street lighting utilities.

All other requirements of the Ministry of Transportation and the Vancouver Island Health Authority must also be satisfied.

Yours truly,

Alison Garnett,
Planning Technician
Development Services Department
AG/lag
Attachment

cc: Director K. Cossey, Electoral Area B – Shawnigan Lake
Arbutus Mountain Estates Ltd., c/o Island Land Surveying Ltd.

Z:\Subdivision Files\Subdivision Correspondence 2008\MARCH\4-B-07 SA sub letter.doc

Cowichan Valley Regional District
75 Ingram Street
Duncan, British Columbia V9L 1N8

Toll Free: 1 800 665 3955
Tel: (250) 746 - 2500
Fax: (250) 746 - 2513

cowichan
www.cvr.bc.ca

Deveau, Ross TRAN:EX

From: Hunse, Laura A ENV:EX
Sent: Monday, February 25, 2008 9:12 AM
To: Deveau, Ross TRAN:EX
Cc: 'Bruce Crawshaw'
Subject: Arbutus Mtn Estates

Our file PE-14798
Your file 01-001-24946

Dear Mr. Deveau,

Regarding the Arbutus Mountain Estates subdivision proposal, the treated effluent discharge to the land is authorised under *Environmental Management Act* permit PE-14798, subject to its conditions. The permit does not authorize entry upon, crossing over, or use for any purpose of private or crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority rests with the permittee. It is also the responsibility of the permittee to ensure that all activities conducted under this permit are carried out with due regard to the rights of third parties, and comply with other applicable legislation that may be in force.

Consultants for the permittee have submitted to MOE confirmation, signed and stamped by a qualified professional, that the proposed discharge will meet all requirements of the permit, therefore MOE does not object to approval of the subdivision.

Sincerely,

Laura Hunse

*Environmental Protection Officer
Ministry of Environment
2080-A Labieux Road
Nanaimo, BC V9T 6J9
Phone: (250) 751-3224
Fax: (250) 751-3103
Email: laura.hunse@gov.bc.ca*

All things are bound together. All things connect. ~ Chief Seattle, 1855

4-B-075A.



FAXED
Feb. 14/08

February 14, 2008

File No. 5330-20-AME

VIA FACSIMILE: (250) 952-4508

Ross Deveau, District Development Technician
Ministry of Transportation
240 - 4460 Chatterton Way
VICTORIA BC V8X 5J2

Dear Mr. Deveau:

RE: PID: 005-997-283, Lot A, Section 7, Township 1, Malahat District, Plan 4777

MoT File No. 01-001-24946

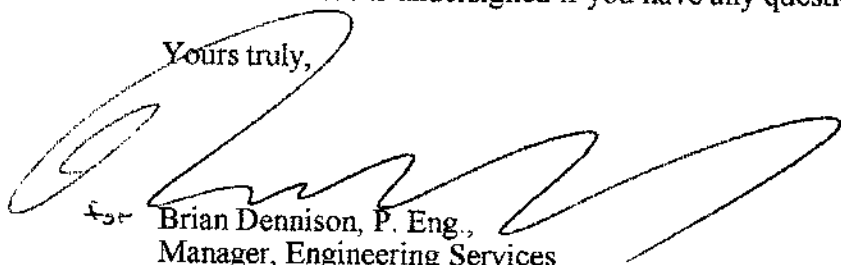
The Cowichan Valley Regional District's Engineering Services Department has carried out a preliminary review of the above noted proposed subdivision with respect to CVRD Subdivision Bylaw 1215 and CVRD Engineering Standards, resulting in the following decision:

On February 14, 2007, the CVRD granted approval in principle for takeover of the sanitary sewer, water, storm drainage and street lighting systems for a proposed 165 unit bare land strata modular home development, described as Arbutus Mountain Estates, Lot A, Section 7, TP 1, Malahat District, Plan 4777), as requested by the developer, Arbutus Mountain Estates Ltd, subject to the several conditions.

All construction completed by the developer must be in conformance with the CVRD's Subdivision Bylaw 1215, 1989, current Workers' Compensation Board of BC standards and inspected by the CVRD. Work within the road allowance will be completed under the CVRD's application for "Permission to Construct Works within the Highway Rights-of-Way". The CVRD will notify the Ministry of Transportation, in writing, when all construction requirements are complete.

Please contact the undersigned if you have any questions in this regard.

Yours truly,


Brian Dennison, P. Eng.,
Manager, Engineering Services

LKF:dwnb

cc: Director Cossey, Electoral Area B
Dave Leitch, Manager, Utilities
Louise Knodel-Joy, Senior Engineering Technologist
Mike Tippet, Deputy Manager, Development Services
Dana Beatson, Planning Technician, Development Services
Arbutus Mountain Estates Ltd. (Inc.bc0703934) c/o Island Land Surveying Ltd. 1-15 Cadillac Ave., Victoria, BC V8Z 1T3

Z:\V\H\res\AME\MoTSub\Nov507.doc

Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia V9L 1N8

Toll Free: 1 800 665 3955
Tel: (250) 746 - 2500
Fax: (250) 746 - 2513

cowichan
www.cvrld.bc.ca

Rw

AG

Loss:

FEB 8/08

Before I can consider the request to
adjudicate the attached Form P, I will
require:

- \$100.⁰⁰ appraisal fee
- also showing the approximate location of the lot
and attached to the Form P so there is no confusion on
any one's part.

Thank.



Note: The attached form 'P' has been replaced.
see letter dated March 25, 2008 with ~~an~~
amended application-



Strata Property Act

FORM P

AMENDED PHASED STRATA PLAN DECLARATION

(Sections 221, 222)

I, ARBUTUS MOUNTAIN ESTATES LTD. (Inc. No. BC0703934), 497A Garbally Road, Victoria, British Columbia, V8T 2J9, declare

- 1 That I intend to create a strata plan by way of phased development of the following land which I own or on which I hold a right to purchase:

[parcel identifier]
005-997-283

[legal description of strata lot]
Lot A, Section 7, Township 1, Malahat District, Plan 4777, except that part in Strata Plan VIS6696 (Ph 1)

- 2 That the plan of development is as follows: See attached Schedule.
- 3 I will elect to proceed with each phase on or by the following dates:

Phase Number	Date [month, day, year]
Phase 1	completed
Phase 2	May 1, 2010
Phase 3	May 1, 2011

Signature of Applicant
ARBUTUS MOUNTAIN ESTATES LTD.
PER:

Director - Michael James Kelly

Date of Approval: SEPTEMBER 22, 2010

Signature of Approving Officer
Cowichan Valley Regional District

SCHEDULES TO FORM "P"
LOT A, SECTION 7, TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777,
EXCEPT THAT PART IN STRATA PLAN VIS6696 (PH 1)

There will be THREE (3) phases to the development.

- 2(a) The number of phases in the order in which they will be deposited and which phase or phases will have constructed in conjunction with them any common facility is as follows:

Phase 1, Commenced and completed, and contain Strata Lots 1 - 79 inclusive; thereafter
Phase 2, containing Strata Lots 80 through 124 inclusive; thereafter
Phase 3, containing Strata Lots 125 through 191 inclusive.

- 2(c) Construction schedule setting out the estimated date for commencement and completion of construction of each Phase is as follows:


	Commencement	Completion
Phase 1	commenced	completed
Phase 2	May 1, 2010	December 31, 2011
Phase 3	May 1, 2011	December 31, 2012

- 2(d) Statement of Unit Entitlement for each Phase. The total Unit Entitlement of the completed development.

Strata Lot No.	Unit Entitlement
1	79
2	45
3	67
Total unit Entitlement	191

- 2(e) The maximum number of units and general type of residence or other structure to be built in each phase:

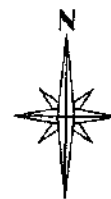
	# of Units	General Type of Residence or other structure to be built
Phase 1	79	Bare Land Strata
Phase 2	45	Bare Land Strata
Phase 3	67	Bare Land Strata



Sketch Plan (2(b)) forming part of Form P, Phased Strafa Plan Declaration

A handwritten signature or mark, possibly initials, located at the bottom center of the page. It consists of a large, stylized 'L' shape with a small 'e' or similar character at the bottom.

SCALE=1:750. All dimensions are in metres.



1. The corporation defines non-voting stock issued prior to the 1993 Restructuring Deal and 2013.

2. All other 10% and 20% ownership of a stock entity or common common property.



Date: August 12 2010
Archive: MG-SHA5SH12-US1
Small Email Marketing List
1-72 Collier Avenue
Victoria B.C. V8P 1T5
Tel: 250 475 1355 Fax: 250 475 8116
www.leicardphoto.com

Strata Property Act

FORM P

AMENDED PHASED STRATA PLAN DECLARATION

(Sections 221, 222)

I, ARBUTUS MOUNTAIN ESTATES LTD. (Inc. No.BC0703934), 497A Garbally Road, Victoria, British Columbia, V8T 2J9, declare

- 1 That I intend to create a strata plan by way of phased development of the following land which I own or on which I hold a right to purchase:

[parcel identifier]
005-997-283

[legal description of strata lot]
Lot A, Section 7, Township 1, Malahat District, Plan 4777, except that part in Strata Plan VIS6696 (Ph 1)

- 2 That the plan of development is as follows: See attached Schedule.
- 3 I will elect to proceed with each phase on or by the following dates:

Phase Number	Date [month, day, year]
Phase 1	completed
Phase 2	May 1, 2010
Phase 3	May 1, 2011

Signature of Applicant
ARBUTUS MOUNTAIN ESTATES LTD.
PER:

Director - Michael James Kelly

Date of Approval: SEPTEMBER 22, 2010

Signature of Approving Officer
Cowichan Valley Regional District

SCHEDULES TO FORM "P"
LOT A, SECTION 7, TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777,
EXCEPT THAT PART IN STRATA PLAN VIS6696 (PH 1)

There will be THREE (3) phases to the development.

- 2(a) The number of phases in the order in which they will be deposited and which phase or phases will have constructed in conjunction with them any common facility is as follows:

Phase 1, Commenced and completed, and contain Strata Lots 1 - 79 inclusive; thereafter
Phase 2, containing Strata Lots 80 through 124 inclusive; thereafter
Phase 3, containing Strata Lots 125 through 191 inclusive.

- 2(c) Construction schedule setting out the estimated date for commencement and completion of construction of each Phase is as follows:

	Commencement	Completion
Phase 1	commenced	completed
Phase 2	May 1, 2010	December 31, 2011
Phase 3	May 1, 2011	December 31, 2012

- 2(d) Statement of Unit Entitlement for each Phase. The total Unit Entitlement of the completed development.

Strata Lot No.	Unit Entitlement
1	79
2	45
3	67
Total unit Entitlement	191

- 2(e) The maximum number of units and general type of residence or other structure to be built in each phase:

	# of Units	General Type of Residence or other structure to be built
Phase 1	79	Bare Land Strata
Phase 2	45	Bare Land Strata
Phase 3	67	Bare Land Strata



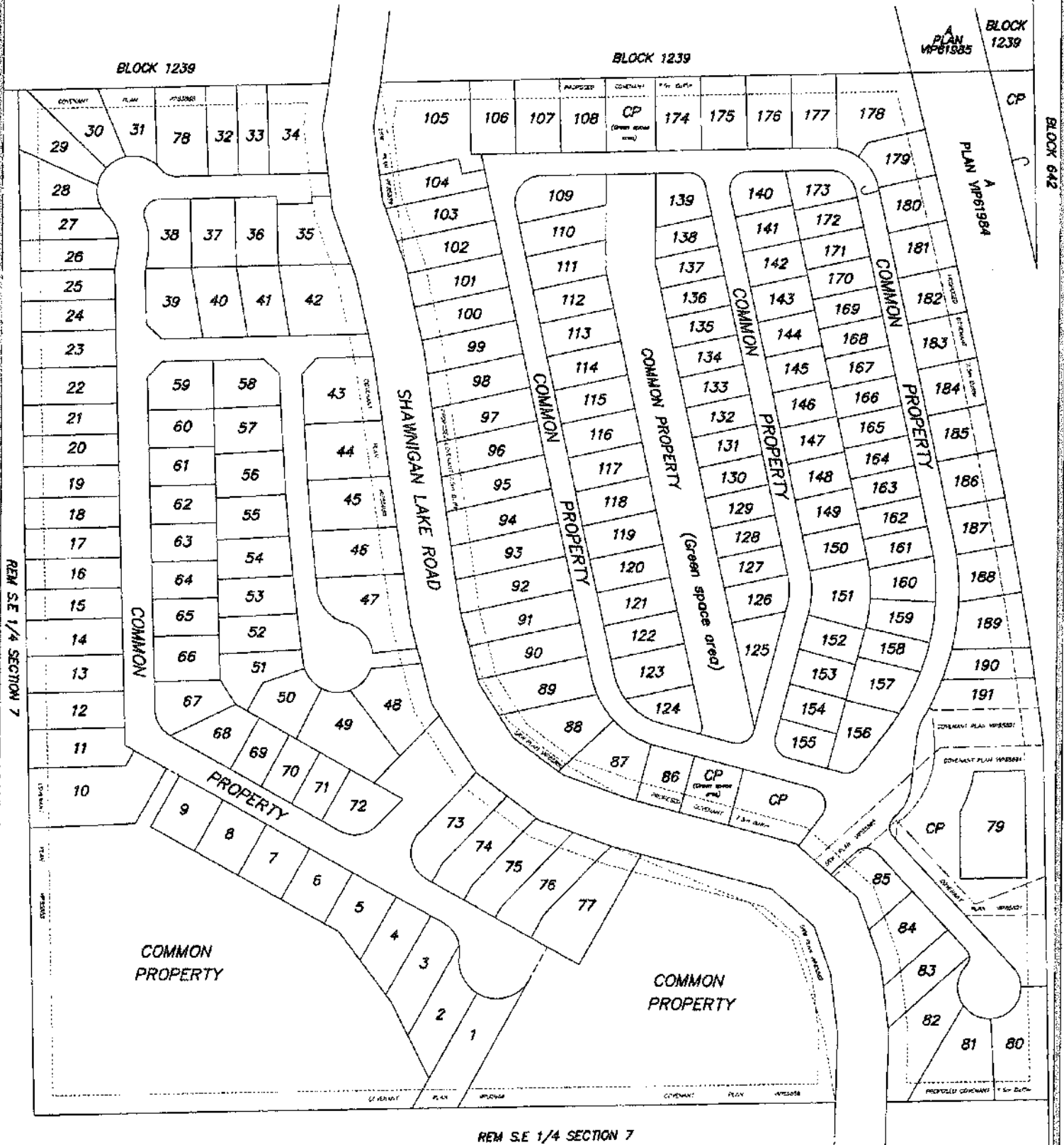
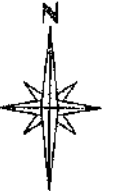
Sketch Plan (2(b)) forming part of Form P, Phased Strata Plan Declaration

A handwritten signature in black ink, appearing to be 'LW' or similar, located at the bottom center of the page.

**PLAN TO ACCOMPANY DISCLOSURE STATEMENT FOR BARE LAND STRATA DEVELOPMENT
OF LOT A, SECTION 7, TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777.**

SCALE: 1:750. All distances are in metres.

NOTES:
1. The boundaries shown on this plan are based on the original survey of the land.
2. The boundaries shown on this plan are based on the original survey of the land.
3. The boundaries shown on this plan are based on the original survey of the land.
4. The boundaries shown on this plan are based on the original survey of the land.



REM S.E. 1/4 SECTION 7

Date: August 12, 2010
Architect: M.C. SHANAHAN
Registered Professional Engineer
1-1111-1111
1-1111-1111
1-1111-1111
1-1111-1111



January 23, 2008

VIA COURIER

District of Saanich
240 – 4460 Chatterton Street
Victoria, BC V8X 5J2

Attention: Ross Deveau, Approving Officer

Dear Sirs/Mesdames:

**Re: Arbutus Mountain Estates Ltd. - Form P, Phased Strata Plan Declaration for
The Estates at Shawnigan Station (the "Development") on those Lands
legally described as: PID: 005-997-283, Lot A, Section 7, Township 1,
Malahat District, Plan 4777 (the "Lands")**

We represent for Arbutus Mountain Estates Ltd., the owner and developer of the above-noted Lands. We are writing to you in your capacity the Approving Officer for the District where the Lands are located.

Our client intends to construct the Development in phases in accordance with the phasing provisions of the *Strata Property Act* (British Columbia) (the "Act"). To fulfill the requirements of the Act, we request, as the Approving Officer, that you review and sign the enclosed Form P – Phased Strata Plan Declaration for the Development (which is in the statutory form as provided under the Act). The Form P sets out the phasing information for the Development and includes a sketch plan for phased strata Development as well. The Form P will be registered at the Land Title Office with the first phase of the strata plan.

We thank you in advance for your assistance and cooperation in this matter. If you have any questions regarding our request or the enclosed, please do contact our office at your convenience. We look forward to receipt and return of the fully executed Form P in due course.

Yours truly,

REED POPE LLP

WENDY L. EVERSON
weverson@reedpope.ca

/dmb

cc: client

Strata Property Act

FORM P

PHASED STRATA PLAN DECLARATION

(Sections 221, 222)

I, Michael Kelly, of Arbutus Mountain Estates Ltd. (Inc. No. 0703934), 497 A Garbally Road, Victoria, British Columbia, V8T 2J9 declare:

- 1 That I intend to create a strata plan by way of phased development of the following land which I own or on which I hold a right to purchase:

PID: 005-997-283 Lot A, Section 7, Township 1, Malahat District, Plan 4777

- 2 That the plan of development is as follows:

- (a) The development will consist of (2) two phases. There are no common facilities;
- (b) Attached hereto as schedule "A" a sketch plan showing:
- (i) all the land to be included in the phased strata plan,
 - (ii) the present parcel boundaries,
 - (iii) the approximate boundaries of each phase,
- (c) a schedule setting out the estimated date for the beginning of construction and completion of construction of each phase;

PHASE	COMMENCEMENT	COMPLETION
ONE	Commenced	March 2008
TWO	July 2008	December 2009

- (d) a statement of the unit entitlement of each phase and the total unit entitlement

PHASE	UNIT ENTITLEMENT
ONE	78
TWO	93
TOTAL UNIT ENTITLEMENT	171

- (e) a statement of the maximum number of units and general type of residence or other structure to be built in each phase.

PHASE	NO. OF STRATA LOTS	DESCRIPTION OF STRUCTURE
ONE	78	Bare Land Strata
TWO	93	Bare Land Strata

- 3 That Arbutus Mountain Estates Ltd. will elect to proceed with each phase on or by the following dates [date for the beginning of construction as set out in section 2(c) of this form]:

Phase Number	Date [month, day, year]
ONE	Elected to proceed
TWO	July 1, 2008

Arbutus Mountain Estates Ltd. (Inc. No. 0703934),
by its authorized signatory:

Signature of Applicant
Michael Kelly

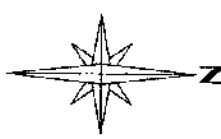
Date of approval: _____, 2008

Signature of the Approving Officer of the
Cowichan Valley Regional District

PLAN TO ACCOMPANY DISCLOSURE STATEMENT FOR PHASED STRATA DEVELOPMENT OF LOT A, SECTION 7,
TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777.



LEGEND
Distances may vary upon completion of a Legal Survey.
C.P. Divides Common Property



REMAINDER
S.E. 1/4
SECTION 7

C.P.
SEMI-
TREAT-
MENT
PLANT

BLOCK 1239

BLOCK 1239

BLOCK 1239

BLOCK 642

E & N RAILWAY

PLAN WP61984

COMMON PROPERTY
WATER
TREATMENT AREA

PHASE 1
LOT A
PHASE 2
PLAN 4777

SHAWNIGAN LAKE ROAD

REMAINDER S.E. 1/4 SECTION 7

REMAINDER S.E. 1/4 SECTION 7

File: January 16, 2009
As above MD-SHAWNIGAN-DSC2
Shawnigan Survey Ltd.
1-888-666-6666
4800 W. 8th St. Unit 115
V1V 4T2-1S19 FAX 473-1518
www.shawnigansurvey.com

PLAN TO ACCOMPANY DISCLOSURE STATEMENT FOR PHASED STRATA DEVELOPMENT OF LOT A, SECTION 7,
TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777.

BLOCK 642

PLAN VP61984

E & N RAILWAY

REMAINDER LOT A
PLAN 4777
PHASE 2

REMAINDER
S.E. 1/4 SECTION 7

REMAINDER S.E. 1/4 SECTION 7

BLOCK 1239

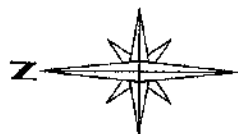
BLOCK 1239



LEGEND

Distances and areas may vary upon completion of a Legal Survey.
C.P. Denotes Common Property

SPW Denotes Statutory Right of Way
Denotes standard iron post.
Denotes lead plug.



REMAINDER
S.E. 1/4
SECTION 7

PLAN
4777

SHAWNIGAN LAKE ROAD

COMMON PROPERTY ROAD

PHASE 1

LOT A

File: February 20, 2008
Archives: MD-SHAWNIGAN-DISC224
Initial Land Surveying Ltd.
1-12 Colfax Avenue
Victoria, B.C. V8V 1T5, CANADA
Email: info@initialsurveying.com

Bate, Tara TRAN:EX

From: Kopat, Martina ENV:EX
Sent: Thursday, August 23, 2007 1:43 PM
To: Bate, Tara TRAN:EX
Cc: Deveau, Ross TRAN:EX
Subject: FW: Subdivision referrals Your file: 01-001-24946

JB

Hello Tara,

Here is the other letter.
Martina

From: Kopat, Martina ENV:EX
Sent: Wednesday, July 11, 2007 2:12 PM
To: Deveau, Ross TRAN:EX
Subject: FW: Subdivision referrals Your file: 01-001-24946

Dear Mr. Deveau,

RE: Your file #01-001-24946

The following comments are on behalf of Environmental Protection Program, Vancouver Island Region.

NEW DISCHARGE:

If this subdivision proposal is for a new discharge (not previously authorised by a permit to discharge effluent under Ministry of Environment jurisdiction), it is recommended that the subdivision not be approved until after the applicant provides for you information certified by a "qualified professional" (as defined in the Municipal Sewage Regulation (MSR) available at <http://www.env.gov.bc.ca/epd/epdpa/mpp/msrhome.html>) that includes confirmation that the sewage discharge from the development will be fully authorised under the Environmental Management Act Municipal Sewage Regulation.

CHANGE TO EXISTING DISCHARGE:

If this subdivision proposal is related to an existing effluent discharge, i.e., already has a permit to discharge effluent under Ministry of Environment jurisdiction, or has an existing registration under the Municipal Sewage Regulation, it is recommended that the subdivision not be approved until after the Ministry of Environment is satisfied with information certified by a "qualified professional" providing status and specifics regarding items (a) to (e) below, as appropriate.

(a) Compliance review/status with the existing authorisation under the Environmental Management Act (ie. permit or MSR registration).

(b) Additional subdivision lots to be connected, sewage flow estimates, etc.

(c) Actions, treatment works additions/upgrades, schedule, etc. to achieve compliance with the existing authorisation, and to remain in compliance with the authorisation after the additional subdivision lots are connected.

(d) Confirmation that the permittee is in compliance with the existing authorisation, and that treatment works additions/upgrades have been completed to ensure the permittee can remain in compliance with the authorisation after the additional subdivision lots are connected.

(e) Assessment of whether any amendments to the existing authorization are necessary and whether the permittee must register under the MSR and request to cancel the existing permit.

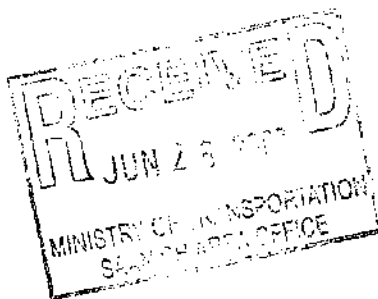
(f) Confirmation that the current and increased effluent discharge is authorized under the Environmental Management Act.

Thank you for the opportunity to comment on this application.

Environmental Protection Officer
Government & Compliance Section
Vancouver Island Region
Ministry of Environment

2080A Labieux Road
Nanaimo, B.C., VST-6J9
p: 250.751.3236 f: 250.751.3103

cc: Island Land Surveying Ltd.
#1 - 15 Cadillac Ave.
Victoria, B.C.
V8Z - 1T3



June 21, 2007

File: W-C, Cowichan Valley Reg. Dist.
Westbrook Consulting File: 1483
Western Tank & Lining File: E5515

Cowichan Valley Regional District
175 Ingram Street
Duncan, B.C. V9L 1N8

24946-24507 or 24171

Attention: Mr. Brian Dennison, P.Eng., Manager of Engineering Services

Dear Sir:

Re: Water Supply System Construction Permit No. W-C-1808 – Reservoir Arbutus Mtn.

Please find enclosed **Water Supply System Construction Permit No. W-C-1808**, issued under Section 7 of the **Drinking Water Protection Act**, authorizing construction of a proposed 739,850 Liter (162,763 Igal.) bolted steel reservoir tank and related piping and valve works to serve future development in the Arbutus Mountain Estates project serving a proposed 72 Lot Subdivision, in Phase 1, and a further 93 Lots in a future Phase 2 Subdivision. The property's legal address is "Lot A, Section 7, Township 1, Malahat District, Plan 4777." The property is located south of Shawnigan Lake on the South Shawnigan Road. It has been proposed that the Water System is to be operated by the Cowichan Valley Regional District, B.C.

This permit is valid for one year and is not transferable unless the transfer is approved by the Issuing Official or the Drinking Water Officer. This permit is subject to the following terms:

Design Amendments and Conditions: The submitted design must be amended to address the following item(s), or during construction the following item(s) must be attended to, as a condition of this permit:

- 1 Construction shall not commence until a Letter Report from a Geotechnical Engineer approving the constructed base for its intended use has been received and approved by the CVRD (and VIHA.)
- 2 Prior to construction commencement a Professional Engineer shall approve the "Western Tank and Lining" design drawing no. 5515-100, Rev. 3 and 5515-101, Rev. 3, for seismic and foundation design. A signed & sealed drawing and/or a signed & sealed Letter will be sent to the CVRD (and VIHA) prior to construction.

.../2

Health Protection &
Environmental Services
3rd Floor 6475 Metral Drive
Nanaimo BC V9T 2L9

Public Health Engineering
Ph: (250) 755-6299
Fax: (250) 755-3372

- 3 Construction shall not commence without a CVRD confirmation that the Western Tank Drawing submission meets with their Design Standards and their current requirements.
- 4 Please attend to the minor design changes during construction as follows:
 - 4.1 Direct the contractor to slope the concrete floor at 2% towards the drain.
 - 4.2 Provide the hydraulic calculations to the CVRD for the sizing of the outlet piping from the reservoir feeding the suction-side of the fire pumps. This is to ensure a 200 mm diameter pipe is sufficient.
 - 4.3 Protect the wellheads prior to commencing construction.
- 5 The VIHA Water Construction Permit is conditional upon the CVRD receiving and accepting a right-of-way and/or land dedication, to their satisfaction, encompassing at least the proposed watermains and the reservoir site. Please add this as a general drawing note.

Related works:

- 6 **A Wellhead Protection Plan** is required of the developer for the three new wells and any existing wells found on the property, and shall consider the following minimum standards:
 - 6.1 6.0 meter wide access rights-of-ways to the wellheads and treatment building to meet CVRD requirements
 - 6.2 15 m. radius, or equivalent rectangle, No-Build Covenant Area around each wellhead
 - 6.3 A blanket covenant regulating "Hazardous Goods Storage" over the affected & adjacent properties, at least a 30 m. radius, or equivalent rectangle to CVRD requirements.
 - 6.4 Site Security fencing or protective landscaping may be required by the CVRD or VIHA.
 - 6.5 Wellhead Surface and potentially Down-Hole Protection improvements.
 - 6.6 Protection of the Aquifer(s).
 - 6.7 Decommissioning of the abandoned and existing wells to meet the ultimate well configuration for the site.
- 7 No cross-connections are permitted on the reservoir outlet drains from the perimeter drains.
- 8 Ensure a 2D air-gap or drain to daylight at or near the de-chlorination chamber.
- 9 Ensure the perimeter drains, if they are to connect to the storm sewer shown, are to connect below, downstream of the 2D air-gap.
- 10 Ensure that the 'De-chlorination Chamber' is located well away from the three drinking water wells nearby.

.../3

Related works cont.:

- 11 The individual pipe sizing for the reservoir shall not be less than: 200 mm for the Outlets; 150 mm for the Inlet; 200 mm for the Overflow; and 100 mm for the Floor Drain, as shown on the drawing.
- 12 The reservoir will be installed with a roof level vent, sized appropriately and c/w a 180 degree gooseneck and bug screen mesh or equivalent.
- 13 The internal ladder described, shall extend from the roof hatch to the base of the reservoir.
- 14 The roof hatch shall be 900 mm square as described.
- 15 **Please e-mail "PDF's" of the drawings** (unsigned is okay) in 11 x 17 format before construction completion.
- 16 **Show prominently** on the as-constructed drawing(s) a reference to "VIHA Water Supply System (Reservoir) Construction Permit W-C-1808."
- 17 The as-constructed drawings from Western Tank **will not be required** by this office.

Standard VIHA Construction Permit Conditions:

Design Deviations: This permit applies exclusively to the works as approved. Any subsequent design modifications will require the submission of amended drawings to the Issuing Official or Drinking Water Officer and approval obtained before installation of the amended works.

Disinfection: It is the responsibility of the water distribution system owner (Cowichan Valley Regional District) to ensure that, following the completion of construction, repair, or draining and refilling of any portion of the system affected, and prior to the delivery of water to customers served by these works, all waterworks affected by this permit are disinfected in accordance with the appropriate American Water Works Association (AWWA) standard or equivalent.

Chlorinated water used for disinfection of all waterworks shall not be directly discharged into the environment without the permission of the Ministry of Environment, and/or Fisheries and Oceans Canada.

The water supplier (Cowichan Valley Regional District) shall maintain records of the completion date of the permitted work, and the results of the bacteriological testing conducted as part of the disinfection protocol. The water supplier shall notify the Vancouver Island Health Authority if bacteriological tests are unacceptable. These records shall be made available for inspection by the Public Health Engineer or Vancouver Island Health Authority personnel, if requested.

Sewers: It is the responsibility of the water distribution system owner (Cowichan Valley Regional District) to ensure that mains under construction or repair are not contaminated by seepage or effluent from sewers or storm drains.

Water Utility: Please be advised that this development may fall under the regulatory responsibility of the Water Utility Act and the Utilities Commission Act, (if not accepted by the CVRD.) A water utility is defined in the Water Utility Act as a person who owns or operates waterworks that serve five or more connections. You may wish to contact the Utility Regulation Section, Water Management Branch, Ministry of Environment, PO Box 9340, Stn. Prov. Govt., Victoria, B.C. V8W 9M1, telephone 250-387-6341 for further information.

Certificate of Public Convenience and Necessity: The issuance of this Construction Permit relates only to the **Drinking Water Protection Act**. Under the *Water Utility Act* a utility may need a "Certificate of Public Convenience and Necessity" prior to commencement of construction.

Source Approval: This permit does not approve nor relate to, the source of water, nor the proposed water treatment, as being acceptable as a potable water supply. Approval of the water source for potable supply rests with the Medical Health Officer or the Drinking Water Officer based on future recommendations from this office and/or the Environmental Health Officer.

The three Wells and their Wellheads, the Pump House and Booster Station, and the Site Water Distribution Piping: This permit does not approve the construction of the wells, wellheads, pump house nor the site water distribution piping or appurtenances. The water supplier in accordance with the Drinking Water Protection Act and Drinking Water Protection Regulation must obtain approval of these waterworks before construction commences. Approval of these waterworks shall be obtained separately at a later date.

Reservoir connection to the water supply system: This permit does not approve of the connection of this reservoir to the water supply system. Approval of the wellhead, chlorination kiosk and site water distribution piping or appurtenances will be required as a pre-condition of VIHA considering a request for reservoir connection and integration.

Risk of Proceeding without Source and Water Treatment Approval: The Proponent (Arbutus Mountain Estates Limited) is constructing this portion of the waterworks at his or her own risk with full knowledge that a source of potable water has not yet been approved. Any proposed water supply may be approved as proposed, may be approved with conditions (such as treatment) or changes, or rejected. There is no guarantee, expressed or implied, that the source of proposed potable water will be approved.

.../5



Water Supply System Construction Permit NO. W-C-1808

To: Cowichan Valley Regional District

Arbutus Mountain Estates Reservoir

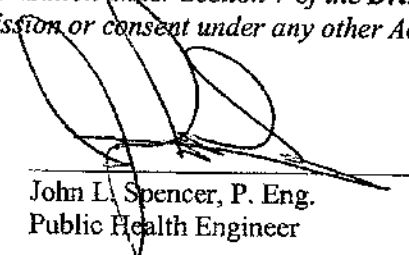
This is to certify that project E5515 drawings numbered: 5515-100 (Rev.3), and 5515-101 (Rev.3) dated November 2006, revised April 10, 2007, prepared, signed & sealed April 11, 2007 by H. Labridis, P. Eng. of Western Tank and Lining, and submitted by M. Wignall, P.Eng., of the firm Westbrook Consulting Ltd. *all portraying a proposed 739,850 Liter (162,763 lgal.) bolted steel reservoir tank and related piping and valve works and other related appurtenances* to serve existing & future development in the Arbutus Mountain Estates, found south of Shawnigan Lake, to be operated by the Cowichan Valley Regional District, B.C., and submitted in accordance with Section 7 of the **Drinking Water Protection Act** have been reviewed and proposed construction, alteration or extension may be commenced in accordance with the approved plans and the terms and conditions contained in the letter of transmittal.

This document certifies that the plans and specifications for the proposed works have been reviewed pursuant to the current "Guidelines for the Approval of Waterworks" issued by the Vancouver Island Health Authority and that the plans and specifications meet the protection requirements outlined in the Guidelines.

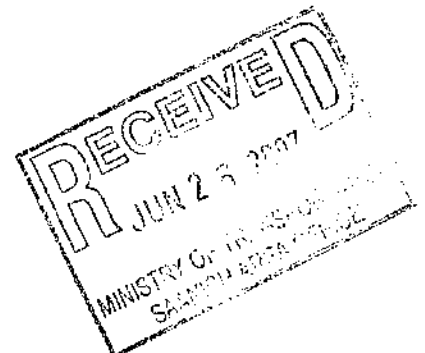
*The standards of structural integrity and safety of the works have not been considered and are not the subject of this Permit. This document grants authorization under Section 7 of the **Drinking Water Protection Act** only, and does not constitute permission or consent under any other Act or authority.*

June 21, 2007

Date Issued


John L. Spencer, P. Eng.
Public Health Engineer

- cc: Glen Smith, Environmental Health Officer, Vancouver Island Health Authority, Duncan
Approving Officer, Ministry of Transportation, Saanich
ec: Glen Brown, Municipal Engineering Services, Local Government and Finance,
Ministry of Community, Aboriginal and Women's Services
Bill Worobets, P. Eng., Utility Regulation Section, Land and Water BC Inc., Victoria
Mike Wignall, Westbrook Consulting, Victoria
Bob Naylor, Western Tank and Lining Ltd, Richmond



Notifications: It is a condition of this permit that the local Environmental Health Officer (and the CVRD) is:

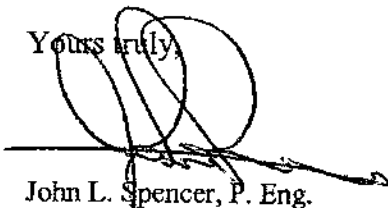
- a) notified upon completion of the permitted work; and,
- b) supplied with the results of all bacteriological testing conducted as part of the disinfection protocol.

Please contact **Gerry Acorn**, Environmental Health Officer, Vancouver Island health Authority, Duncan office, 4th Floor, 238 Government Street, Duncan, B.C., V9L 1A5, at telephone 250-746-1414, facsimile 250-746-1408 with the above notification and the results of the bacteriological testing.

This document grants authorization under Section 7 of the **Drinking Water Protection Act** only, and does not constitute permission or consent under any other Act or authority.

Please contact Public Health Engineering through the Vancouver Island Health Authority in Nanaimo, should there be any questions concerning the above.

Yours truly,



John L. Spencer, P. Eng.
Public Health Engineer
Vancouver Island Health Authority

Attachment: Permit + Location Plan Sketch.

- cc: Glen Smith, Environmental Health Officer, Vancouver Island Health Authority, Duncan
- Approving Officer, Ministry of Transportation, Saanich
- ec: Glen Brown, Infrastructure & Engineering Services, Ministry of Community Services
- Bill Worobets, P. Eng., Utility Regulation Section, Land and Water BC Inc., Victoria
- Mike Wignall, Westbrook Consulting, Victoria
- Bob Naylor, Western Tank and Lining Ltd, Richmond

Deveau, Ross TRAN:EX

From: Shawnigan Lake Watershed Watch Association [slwwa@uniserve.com]
Sent: Tuesday, May 15, 2007 11:25 AM
To: tanderson@cvrld.bc.ca; mtippett@cvrld.bc.ca; kcossey@pacificcoast.net
Subject: South Shawnigan Trailer Park Site

Dear Tom, Mike, and Ken,

Re: the south Shawnigan trailer park site: Is there any chance the CVRD might be officially liable if the sites, especially those located on the eastern and western side of the property, flood during the winter, or suffer some sort of water damage then?

The reason I'm bringing this matter to your attention is that there are more wetlands and watercourses present on this site than the one designated under the SEI. In addition to the large and clearly visible marsh, there's another smaller wetland that dries up and is difficult to detect at this time of the year. [It may be connected by virtue of an interrupted flow to the marsh]. Other ephemeral streams gush along with fair strength during the rainy season, and their flow is quite broad - the pattern is splayed. On the western section of the property, there weren't any wetlands that I can recall, but there was a definite stream that has been liquidated [pardon the pun] by the construction.

I have these features recorded on video tape if verification is required, but unfortunately I don't have the technology to make copies [I'll try to get someone else to copy them and send them to you]. However, if it is too difficult to determine the locations from film, please let me know and I would be glad to show them to all concerned.

The decision by DFO regarding the buffer for the marsh is insufficient, and should be revisited. Buffers need to be enforced for the other riparian zones as well. This is such a wet and vulnerable site that around 1955 it flooded rendering the road almost impassable.

I would be extremely grateful if the riparian aspect of this place was to be reconsidered by all parties; CVRD, DFO, MOR, and MOT, and if these concerns could be directed to the appropriate parties.

I apologise for not including the new planner who is now handling this file, but I've forgotten her name, and since my answerphone is temporarily indisposed [needs a new battery], time might be wasted playing telephone tag. Also, people are often away. [Ken, I know you are away for awhile, but may receive this message anyhow].

With best regards,

Mary Desmond
743-2278



REPORT OF PRELIMINARY SUBDIVISION

REGIONAL DISTRICT FILE: 4-B-07SA
HIGHWAYS FILE: 01-001-24946
DATE: May 14, 2007

Re: Proposed Subdivision at PID: 005-997-283, Lot A, Section 7, Township 1, Malahat District, Plan 4777, located on Shawnigan Lake Road.

Purpose:

This is a proposal to subdivide the ± 14.7 ha subject property into 167 strata lots ranging from 363 m^2 to $1,167 \text{ m}^2$.

Planning Division Comments:

The minimum lot size for the MP-1 zone is 2 ha. However in the case of strata title mobile home parks, the minimum parcel size is 325 m^2 for a single wide and 460 m^2 for a double wide mobile home site, but in no case can the density exceed 15 units per hectare.

The CVRD is in the process of considering the issuance of the required permit to establish a mobile home park in this location, but to date such a permit has not been issued. Russ McArthur, Chief Building Inspector, is the official responsible for issuance of this permit. Approval under CVRD Mobile Home Park Bylaw No. 275 is required, first partly because compliance with the bylaw may require changes to the subdivision layout proposed. The other reason is that this site is not considered to be a mobile home park until the permit has been issued, so the $325\text{-}460 \text{ m}^2$ minimum lot size does not apply. Therefore, this application does not comply with the minimum lot size of the bylaw at this time.

In accordance with Section 941 of the *Local Government Act*, park dedication will be required and the applicant is advised to contact the CVRD Parks Department in order to satisfy this requirement.

Recommendation:

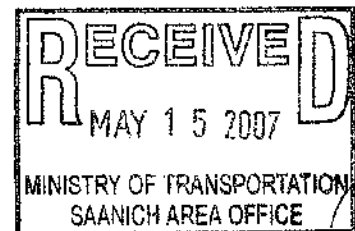
That the proposal not be approved pending issuance of the required permit to establish a mobile home park.

Submitted by,

Rachelle Moreau,
Planning Technician
Development Services Department
RM/lag

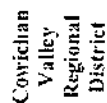
Pc: Director K. Cossey, Electoral Area B – Shawnigan Lake
Arbutus Mountain Estates Ltd.

C:\Dyna\Subdivision Files\Subdivision Correspondence 2007\May 2007\4-B-07 SA Subdivision Report no permit.doc



APPENDIX "A"**Background Information:**

<u>Size of Parcel:</u>	+ 14 ha
<u>Zoning:</u>	
<u>Zoning Bylaw No:</u>	985
<u>Existing Zoning:</u>	MP-1 (Mobile Home Park)
<u>Minimum Parcel Size:</u>	2.0 hectares or in the case of strata title mobile home parks 325 m ² for a single wide and 460 m ² for a double wide.
<u>Setbacks:</u>	1.5 m from one side parcel line or mobile home site side boundary and 3.0 m from the other side. 1.5 m from any buffer area. 6 m from roadways.
<u>OCP/OSP:</u>	
<u>OCP/OSP Bylaw No:</u>	1010
<u>Existing Designation:</u>	Forestry
<u>Development Permit Area:</u>	Yes, applicant has applied for Development Permit
<u>Parkland Dedication Required:</u>	Yes
<u>Agricultural Land Reserve Status:</u>	Outside
<u>Other Considerations:</u>	No



This map is compiled from various sources for internal use and is designed for reference purposes only.

The Red and Distinct does not warrant the accuracy.

Adjusted for the use of the
correlation is a finding that
arrangements have been
consolidated for convenience
of users only and that boundaries
are not artificial.

The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

Printed: March 7, 2037

ZONING

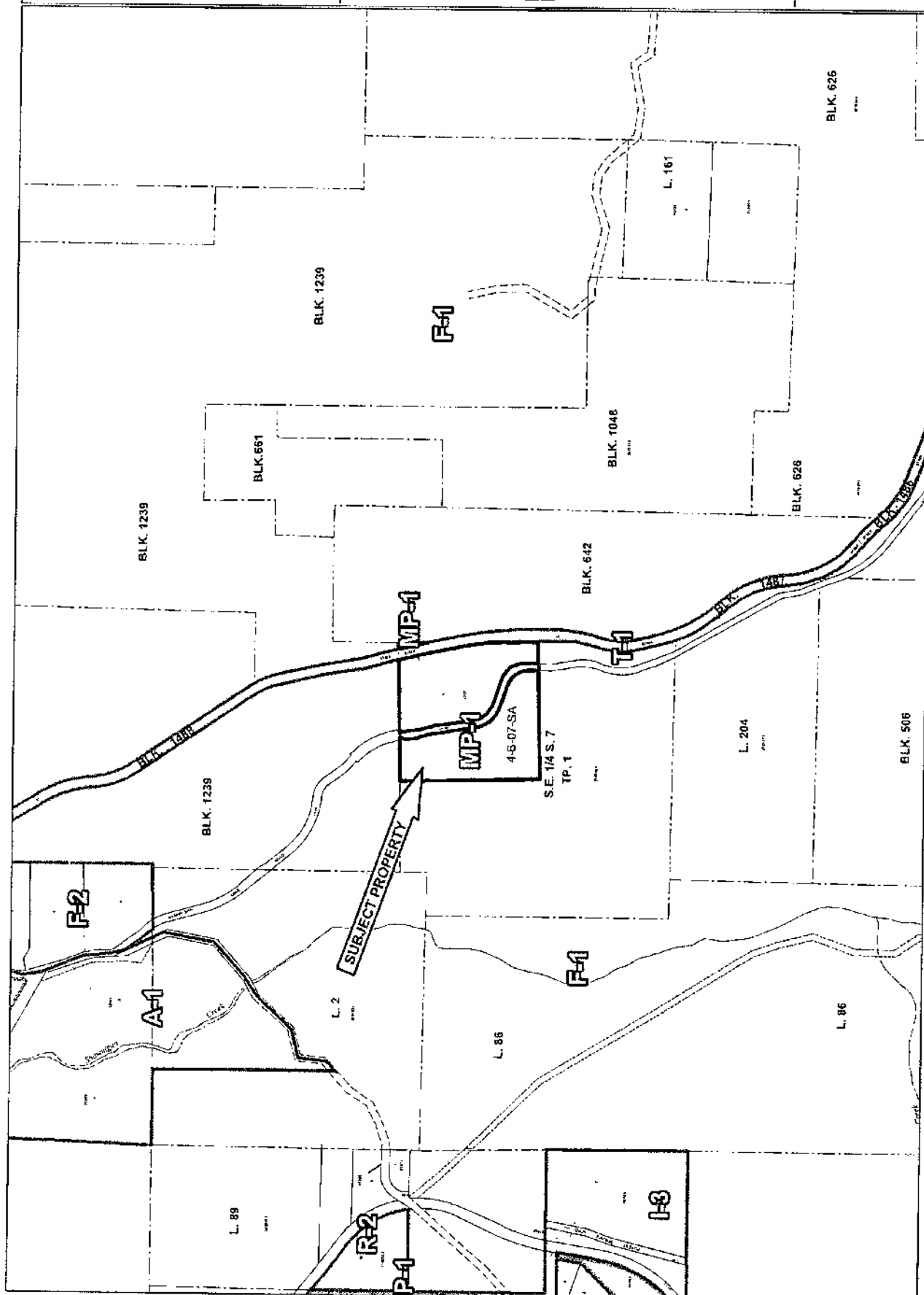
Legend



4-B-07-SA Subject Property
5 ZONE



Scale: 1:10,000



Deveau, Ross TRAN:EX

From: Hunse, Laura A ENV:EX
Sent: Thu, March 8, 2007 3:05 PM
To: Deveau, Ross TRAN:EX
Subject: Proposed Subdivision: your file 01-001-24946 our file PE-14798

Dear Mr. Deveau,

Thank you for the opportunity to comment on the proposed subdivision from Arbutus Mountain Estates, your file number 01-001-24946, our file number PE-14798. Since August, 2005, Arbutus Mountain Estates have held a permit to discharge effluent at a rate of 137 m3/day under the conditions specified in the permit. It is recommended that the proposed subdivision not be approved until after the permittee provides the following information certified by a "qualified professional" (as defined in the Municipal Sewage Regulation (MSR) available at <http://www.env.gov.bc.ca/epd/epdpa/mpp/msrhome.html>) :

- an assessment of whether any amendments to the existing authorisation are necessary and whether the permittee must register under the MSR and request to cancel the existing permit.

I will send a copy of this email to the applicant via fax.

Sincerely,

Laura Hunse

Environmental Protection Officer

Ministry of Environment

2080-A Labieux Road

Nanaimo, BC V9T 6J9

Phone: (250) 751-3224

Fax: (250) 751-3103

Email: laura.hunse@gov.bc.ca

All things are bound together. All things connect. ~ Chief Seattle, 1855

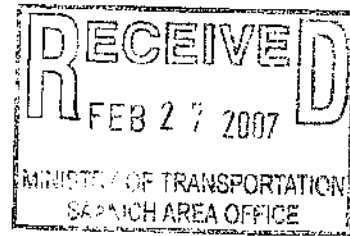
24946

Island
Land Surveying Ltd.

Peter I.M. Broeren, BCLS, PEng
Jason C. Kozina, BCLS

February 21, 2007

Ministry of Transportation
South Island District
240 - 4460 Chatterton Way
Victoria, BC V8X 5J2



Attention: Mr. Ross Deveau

RE: Subdivision Application for Lot A, Section 7, Township 1, Malahat District, Plan 4777

Dear Mr. Deveau;

Please be advised that we submitted a Subdivision Application for the above noted property to your office on February 5th, 2007. At the time of application to the Ministry of Transportation, it was stated that the site was being re-zoned. The client has since withdrawn the re-zoning application and will use the current zoning of MP-1 for the project.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "P. Broeren".

Peter Broeren, BCLS, PEng

PB/cf

A handwritten mark, possibly initials or a signature, consisting of a stylized "S" or "B" shape.

Island

Land Surveying Ltd.

Peter I.M. Broeren, BCLS, PEng

Jason C. Kozina, BCLS

TRANSMITTAL

Date: February 5, 2007

Our file: MD-SHAWSTN-MN3

Job name: MIKE KELLY

To: MOT

From: Peter Broeren



=====

RE: Shawnigan Lake Road:

Herewith please find our application package for a Proposed Phased Bare Land Strata of Lot A, Section 7, Township 1, Malahat District, Plan 4777;

11 paper prints dated January 16, 2007;

Arbutus Mountain Estates cheque in the amount of \$1670.00;

Completed Application form and Waste Management form and;

A Current State of Title, and a BC Assessment Authority Tax Notice as required.

Please call if you require anything further.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "P. Broeren".

Peter I. M. Broeren, B.C.L.S.



1-15 Cadillac Avenue, Victoria, B.C. V8Z 1T3

Telephone: (250) 475-1515 • Fax: (250) 475-1516 • lorrico@vanisle.net

Our File:**District File:** 24946

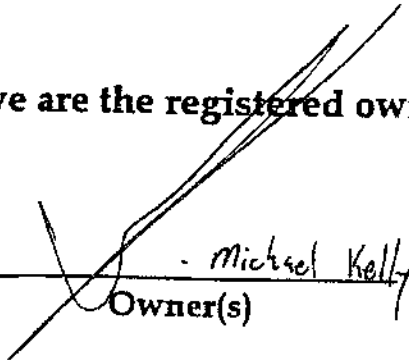
Ministry of Transportation and Highways
South Island District Office
103 - 4475 Viewmont Avenue
Victoria, BC V8Z 5K8


I, ARBUTUS MOUNTAIN ESTATES LTD hereby acknowledge that the Waste Management (Amendment) Act is effective as of April 1, 1997.

I choose not to complete and submit a "site profile", as outlined in Section 20.11 of the Act for the following property(ies):

Legal Description: LOT A, SECTION 7, TOWNSHIP 1,
WALAHAT DISTRICT, PLAN 4777

I/we are the registered owner(s) of the property.


Owner(s)


Witness
P. BROEREN, B.C.L.S.

Applicant/Agent

Witness

Dated: _____

/waiver

24946

Date: 07/02/05 TITLE SEARCH PRINT - VICTORIA
Requestor: (PA35789) ISLAND LAND SURVEYING LTD.
TITLE - EX34443

Time: 11:03:02
Page: 001

VICTORIA LAND TITLE OFFICE TITLE NO: EX34443
FROM TITLE NO: EH78186

APPLICATION FOR REGISTRATION RECEIVED ON: 31 MARCH, 2005
ENTERED: 20 MAY, 2005

REGISTERED OWNER IN FEE SIMPLE:
ARBUTUS MOUNTAIN ESTATES LTD., INC.NO. BC0703934
4158 ROY PLACE
VICTORIA, BC
V8Z 7X3

TAXATION AUTHORITY:
CAPITAL ASSESSMENT AREA

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 005-997-283
LOT A, SECTION 7, TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777

LEGAL NOTATIONS: NONE

CHARGES, LIENS AND INTERESTS:
NATURE OF CHARGE
CHARGE NUMBER DATE TIME

EXCEPTIONS AND RESERVATIONS

M76300

REGISTERED OWNER OF CHARGE:
ESQUIMALT AND NANAIMO RAILWAY COMPANY
M76300

REMARKS: A.F.B. 9.693.7434A
102385G;
SECTION 172(3)
FOR ACTUAL DATE AND TIME OF
REGISTRATION SEE ORIGINAL GRANT
FROM E & N RAILWAY COMPANY
FOR ACTUAL DATE AND TIME OF REGISTRATION SEE
ORIGINAL GRANT FROM E & N RAILWAY COMPANY

MORTGAGE

EX34444 2005-03-31 14:50
REGISTERED OWNER OF CHARGE:
FISGARD CAPITAL CORPORATION
INCORPORATION NO. C-603095
EX34444

ASSIGNMENT OF RENTS

EX34445 2005-03-31 14:50
REGISTERED OWNER OF CHARGE:
FISGARD CAPITAL CORPORATION
INCORPORATION NO. C-603095
EX34445

MORTGAGE

Date: 07/02/05 TITLE SEARCH PRINT - VICTORIA
Requestor: (PA35789) ISLAND LAND SURVEYING LTD.
TITLE - EX34443

Time: 11:03:02
Page: 002

EX132275 2005-10-18 11:43
REGISTERED OWNER OF CHARGE:
NORTHERN SAVINGS CREDIT UNION
EX132275

PRIORITY AGREEMENT

EX132276 2005-10-18 11:43
REMARKS: GRANTING EX132275 PRIORITY OVER EX34444 AND
EX34445

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

PRELIMINARY SUBDIVISION APPLICATION

Applicant File Number

Ministry File Number

24946

A. PROPOSAL

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

Subdivision Type	<input type="checkbox"/> Fee Simple <input type="checkbox"/> Sec. 946 Municipal Act <input checked="" type="checkbox"/> Bare Land Strata <input type="checkbox"/> Other (specify)		
Full Legal Description(s) - per State of Title Certificate(s)	LOT A, SECTION 7, TOWNSHIP 1, MALAHAT DISTRICT, PLAN 4777.		
Full Civic Address	SHAWNIGAN LAKE ROAD		
Property Location	Kilometers <input type="checkbox"/> North <input type="checkbox"/> South <input checked="" type="checkbox"/> East <input checked="" type="checkbox"/> West From SHAWNIGAN LAKE ROAD		
	Access Road SHAWNIGAN LAKE ROAD		Property Zoning MP-1
	Existing Land Use VACANT		Intended Land Use MP-1 AMENDED
Surrounding Land Use	North F1 South F1 East F1 West F1		
Sewage Disposal Proposed	<input type="checkbox"/> Septic Tank <input checked="" type="checkbox"/> Community System <input type="checkbox"/> Other (specify) M.O.E. PERMIT PE-14798		
Water Supply	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Community System <input type="checkbox"/> Other (specify) (WELL TO FILL STORAGE TANK)		
Water Licenses			
	Number of Lots 1667		

B. APPLICATION INFORMATION

- I have enclosed:
 - a current State of Title Certificate for each property;
 - copies of all charges indicated on the title (restrictive covenants, easements, etc.);
 - a current British Columbia Assessment Authority Tax Notice showing property tax classification;
 - 11 copies of the subdivision plan dated JANUARY 16, 2007
 - soil percolation test data;
 - the preliminary layout application fee indicated on the reverse side of this form.
- Under section 26.1 of the *Waste Management Act*, a person who knows or reasonably should know that a site has been used or is used for industrial or commercial purposes or activities must in certain circumstances provide a site profile. (Site profile attached.)

 Schedule 2 of the Contaminated Sites Regulation sets out the types of industrial or commercial purposes or activities to which site profile requirements apply. (Schedule 2 attached.)
- I have flagged the corners of the property, the lot lines, the proposed roads and the percolation test holes.
- Is the property location within the Agricultural Land Reserve? ☐ Yes ☒ No
 If yes, I have enclosed a copy of the British Columbia Agriculture Land Commission Approval.
- Is the property located within the Forest Land Reserve? ☐ Yes ☒ No
 If yes, I have enclosed a copy of the British Columbia Forest Land Commission Approval.
- I have indicated in section D:
 - if the property is subject to any natural hazards (i.e. land slide, rock fall, erosion, snow slide, avalanche);
 - if the subdivision is for a relative (i.e. Section 946 Municipal Act).

Note: To assist subdivision applicants, the Ministry has prepared two brochures, *Subdivision Application Guide*, and *Your Development and British Columbia Highways*.

C. SUBDIVISION APPLICATION FEES

PAYABLE UPON

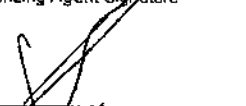

1. Preliminary Layout Application	\$10.00	Per Fee Simple or proposed Strata Lot	Application
2. Final Fee Simple Plan Examination	\$50.00	Per examination	Final subdivision plan submission
	\$100.00	Per lot on the final plan	
3. Final Strata Plan Examination	\$100.00	Per examination	
	\$100.00	Per lot on the final plan	
4. Other Strata Fees	\$100.00	To examine a 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
5. Subdivision Engineering Requirements Booklet	\$18.24	If road construction is involved	Booklet 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 regional district in which the land is located, or contact the Islands Trust if located on the Gulf

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

THE PROJECT IS A PHASED BARE LAND STRATA. PHASE 1 CONSISTS OF ~~7~~⁴ STRATA LOTS ON THE WEST SIDE OF SHAWNIGAW LAKE ROAD AND PHASE 2 CONSISTS OF 93 STRATA LOTS ON THE EAST SIDE OF SHAWNIGAW LAKE ROAD. THIS SITE IS BEING RE-ZONED TO AMEND THE PROPERTY ZONING TO ALLOW MODULAR HOMES TO BE FRAMED ON SITE. THE PROJECTS SEWER PERMIT NUMBER IS WITH THE MINISTRY OF ENVIRONMENT, # PE-14798.

E. OWNER(S)/APPLICANT INFORMATION

Property Owner(s) Full Name(s) ARBUTUS MOUNTAIN ESTATES LTD AND/OR MIKE KELLY		Home Telephone
Address 4158 ROY ROAD		Business Telephone 381-2888
VICTORIA, B.C. V8Z 7X3		Fax 381-8843
Agent Full Name		Home Telephone
Address		Business Telephone
		Fax
<p>I certify that all the information above and on all plans and other attachments is true, correct and complete.</p> <p>I understand that this submission constitutes a preliminary application only.</p> <p>No approvals are implied prior to receipt of written preliminary approval from the Ministry of Transportation.</p>		
Owner/Authorizing Agent Signature	Date (yyyy/mm/dd)	Applicant/Agent Signature
	2007/02/02	
		2007/02/02

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. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation District Development Technician.