

Deposited in the Land Title Office at Kamloops, B.C.
this day of, 2005.

registrar

(Except Plans 20357, 22961 and 35720)
and Lot A, Plan 20357
(Except Plan 40843),

Sec.2, Tp.20, R.9, W6M, K.D.Y.D.

Scale 1:2000 B.C.G.S.82L.065

50 0

All distances are in metres.



Bearings are astronomic and are derived from Plan KAP71187.

- Standard Iron Post Found
- Standard Iron Post Placed
- ⊗ Standard Caprea Post Found
- ▣ Old Pattern Dominion Iron Post Found

BT bearings are magnetic.

Position of creek established by total station traverse.

APPROVAL

Approved pursuant to the Land Title Act
this day of 2005

Approving Officer for the
Ministry of Transportation.

This plan lies within North Okanagan Regional District.

The registered owners designated hereon hereby declare that they have entered into a covenant in favour of the Crown in right of the Province of British Columbia as represented by the Minister of Transportation pursuant to Section 219 of the Land Title Act.

Owner Siegfried Wilhelm Spieker

Owner . . . Erika Christa Spieker

Witness(as to both)
(print name)

occupation

address.

I, J. C. Johnson, a British Columbia Land Surveyor, of the City of Salmon Arm, in British Columbia, certify that I was present at and personally supervised the survey represented by this plan, and that the survey and plan are correct. The field survey was completed on the 5th day of October, 2005.

The plan was completed and checked, and the checklist filed under #38362, on the 6th day of October, 2005.

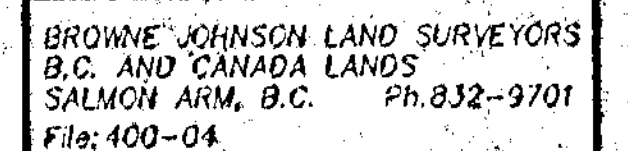
[Signature] B.C.L.S.

BROWNE JOHNSON LAND SURVEYORS
B.C. AND CANADA LANDS
SALMON ARM, B.C. Ph.832-9701
File: 400-04 Fb.478 p.50-55
Fb.481 p.55-57
Fb.R100 p.12-16

and Lot A, Plan 20357,
Sec.2, Tp.20, R.9, W6M, K.D.Y.D.

50 0 50 100 150 200

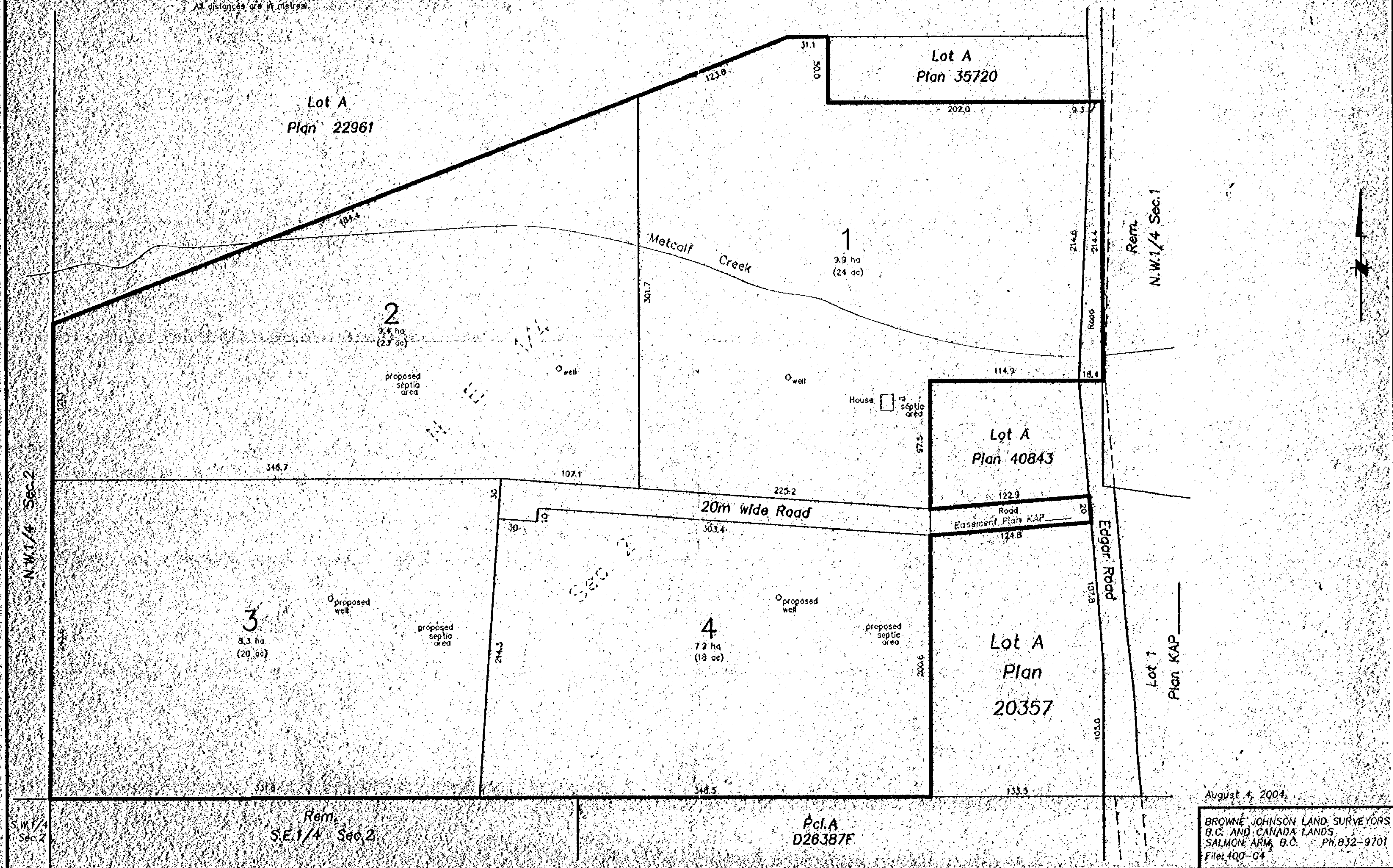
All distances are in metres.



Sketch Plan of Proposed Subdivision of Part of Lot A, Plan 20357 and the N.E.1/4 of Sec.2, Tp.20, R.9, W6M, K.D.Y.D.

Except Plans 28357, 22961 and 35720

Scale 1:2000 B.C.O.S.82L.085
50 100 150 200
All distances are in metres.



August 4, 2004.

BROWNE JOHNSON LAND SURVEYORS
B.C. AND CANADA LANDS
SALMON ARM, B.C. Ph. 832-9701
File 400-04

50 0 50 100 150 200

All distances are in metres.





BRITISH
COLUMBIA

RECEIPT

610787 K

THE SUM OF

THREE HUNDRED & FIFTY

DOLLARS

⁰⁰/₁₀₀ \$350.00

ON ACCOUNT OF

PLAN EXAMINATION & FINAL FEE - SUBDIVISION

LOT A, PL. 20357 & NE 1/4 SEC. 2, TP. 20 RGE. 9

W6M, KD4D, EXC. PL'S 28357, 22961 &
35720

02-013-10116

GST NUMBER

R107864738

The amount receipted above includes GST in the amount of \$

RECEIVED FROM

ON

YYYY

MM

DD

ISSUING OFFICE

ISSUING OFFICER'S SIGNATURE

FIN 48 Rev. 98/11/19
OPC 7539951054 (50/9K)

WHITE: CUSTOMER

PINK: MINISTRY FILE

CANARY: RETAIN IN BOOK FOR AUDIT

August 26, 2004

s.22

c/o Browne Johnson Land Surveyors
Box 362
Salmon Arm, BC V1E 4N5

Dear ^{s.22}

Re: Lot A, Plan 20357; except Plan 40843 and NE 1/4, Sec. 2; except Plans 20357, 22961
& 35720: all in Tp. 20, Rge 9, W6M, KDYD

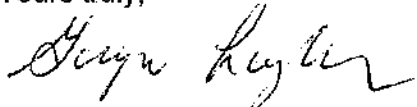
We have received your application August 18, 2004 with respect to the above noted property.

We have contacted the following agencies for their comments:

INTERIOR HEALTH AUTHORITY
NORTH OKANAGAN REGIONAL DISTRICT
MINISTRY OF WATER, LAND & AIR PROTECTION
MINISTRY OF FORESTS
LAND AND WATER BC (INC.)

Please quote file number 02-013-18116 when contacting this office.

Yours truly,



Gwyn Laybourne
District Clerk

GEL

Cc: Peter Gooch, Area Manager

REGIONAL DISTRICT OF NORTH OKANAGANApplication/File # 04-0760-F-SUBDate: SEPT. 23, 2004**Subdivision Information / Report Form**

To: District Highways Manager -
 A.P.C. " F" Chairman -
 Director TUOMINEN -
 Other -

Your File: 18116

Proposed Subdivision of:

Legal Description PART OF LOT A PLAN 20357 AND THE N.E. ¼ OF SEC. 2, TP. 20, RGE. 9, W6M, K.D.Y.D.
 Civic Address 198 AND S. EDGAR ROAD

Owner's Name s.22
 Address

Phone #

Agent's Name BROWNE JOHNSON LAND SURVEYORS
 Address BOX 362, SALMON ARM B.C. V1E 4N5

Phone # 832-9701

Tax Folio # 03771.000 / 03772.000
 Air Photo # 94092-155

Map Sheet No. 82L.065.3
 P.I.D. No. 001-959-573

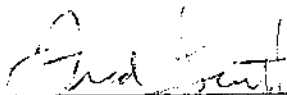
Proposed Use NON - URBAN
 Lots Proposed 4 + REM. Potable Water WELLS
 Property Size 38.1 hectares or 93.9 acres
 Present Zoning NON - URBAN ZONE (N.U.)
 Community Plan FUTURE NON - URBAN
 Affected by Agricultural Land Reserve NO
 Approved by B.C. Land Commission N/A
 Affected by Controlled Access Highway NO
 Affected by Major Road Network Plan NO
 Development Permit Required YES
 Waiver of Lot Frontage Required YES

Development Cost Charge to be paid YES Amount \$ 1500.00
 Purpose FORTUNE PARKS AND RECREATION DISTRICT
 Fee Received _____ by _____ Receipt #
 Parkland or money-in-lieu required NO Amount \$
 Application Fee \$ 360.00 Receipt # 58554
 Fee Received SEP. 1/04

COMMENTS

This office raises no objection to the proposed plan of subdivision subject to the following :

1. Approval of the Environmental Health Officer with respect to sewage disposal.
2. Proof of water supply pursuant to the requirements of Section 402 of Subdivision Servicing Bylaw No. 726, 1986.
3. Application by applicant and issuance of a Development Permit for the Shuswap River Watershed - Protection of the Natural Environment pursuant to Policy XI.B.2 of the Electoral Area "F" Official Community Plan Bylaw No. 1366, 1996 for Metcalfe Creek.
4. Waiver by the Regional Board of the ten percent minimum lot frontage requirement of Section 803.7 of Zoning Bylaw No. 1888, 2003 for Proposed Lots 2 and 3. Applicant must submit a written request for the waiver and, pursuant to Bylaw No. 1963, 2004, the \$100 application fee.
5. Dedication and construction of roads to your Ministry's standards.
6. Access to lands beyond pursuant to the requirements of Section 75 of the Land Title Act if deemed necessary.
7. Payment of the \$500 per lot Development Cost Charge payable pursuant to the Fortune Parks and Recreation District Development Cost Charge Bylaw No. 546.


 S. Fred H. Levitt
 Senior Planner

SUBDIVISION INPUT SHEET

DATE: AUG. 23/04REC'D: AUG. 18/04NAME OF APPLICANT: s.22

ADDRESS OF APPLICANT: _____

Name of Agent: BROWNE JOHNSON LAND SURVEYERS.Agent's File No.: 400-04CATEGORY: IN FEEMUNI/REG. DIST.: NORD.ELECTORAL DISTRICT: SHUSWAPROAD NAME: s.22ROAD NUMBER: s.22

ROAD NAME: _____

ROAD NUMBER: _____

LOCATED 8 KM (North) South/East (West) of GRIND ROD.LEGAL DESCRIPTION LOT A, PLAN 20357; EXCEPT PLAN 40843 AND N.E. 1/4,SEC. 2; EXCEPT PLANS 20357, 22961 & 35720; ALL IN T.P. 20, R. 4E. 9, W. 6M, K.D.V.D.P.I.D. # 007-905-017
001-959-573REFERENCE MAP: 82L.065.2
3

TECHNICIAN: _____

CROSS REFERENCE TO: _____

SEND REFERRAL LETTERS TO:

- ☒ Interior Health Authority (Vernon)
☐ Interior Health Authority (Salmon Arm)
☐ Interior Health Authority (Kamloops)
☐ Interior Health Authority (Kelowna)

- ☒ North Okanagan Regional District
☐ Columbia Shuswap Regional District
☐ Central Okanagan Regional District
☐ Thompson-Nicola Regional District

- ☒ Min. of Water, Land and Air Protection (Vernon) ATTN: MS. SUSAN LATIMER.

☐ Greater Vernon Water

- ☒ Land and Water British Columbia Inc. (Crown Lands)

☐ Fisheries & Oceans, Canada

- ☒ Ministry of Forests (Vernon)
☐ Ministry of Forests (Kamloops)

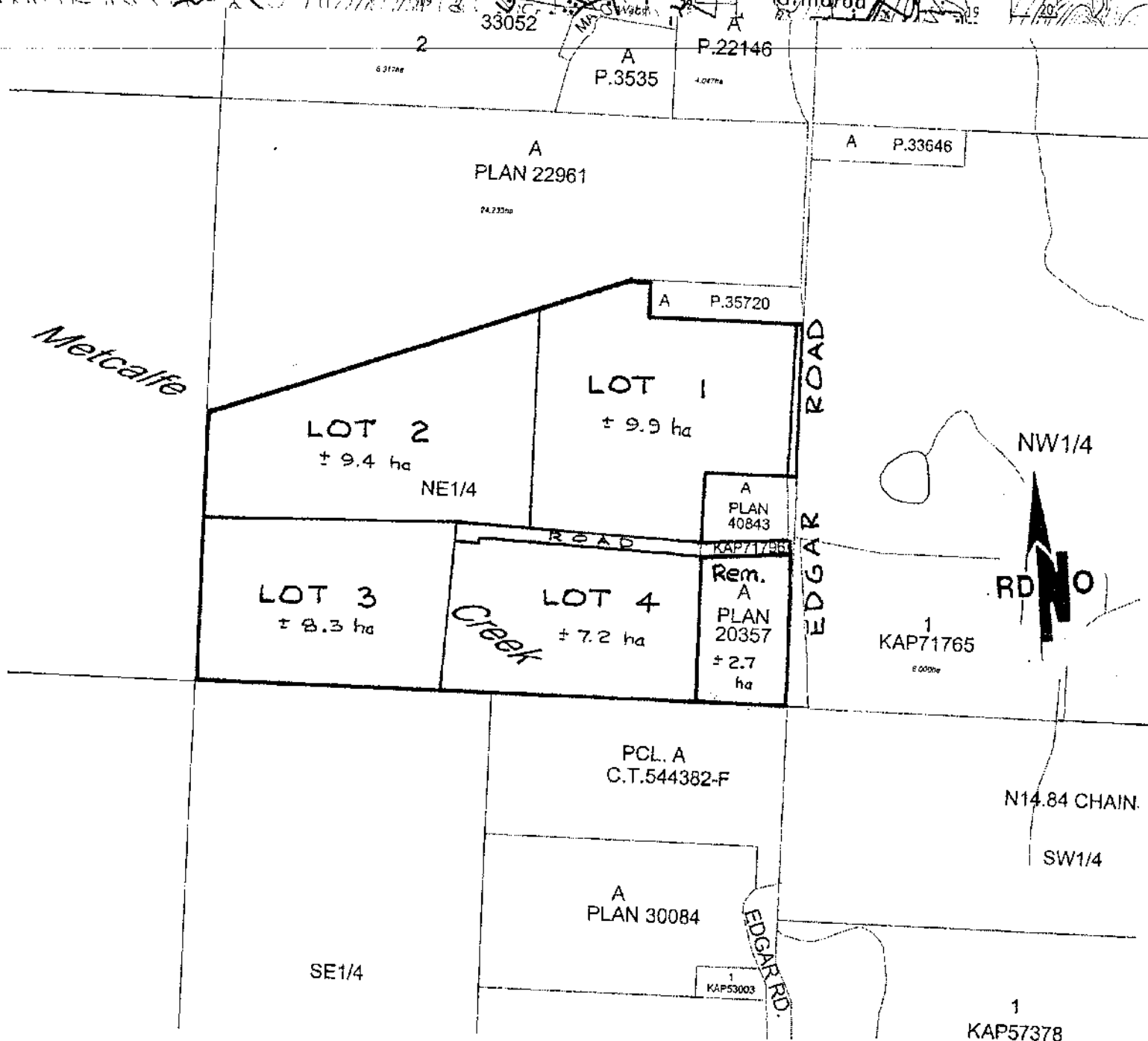
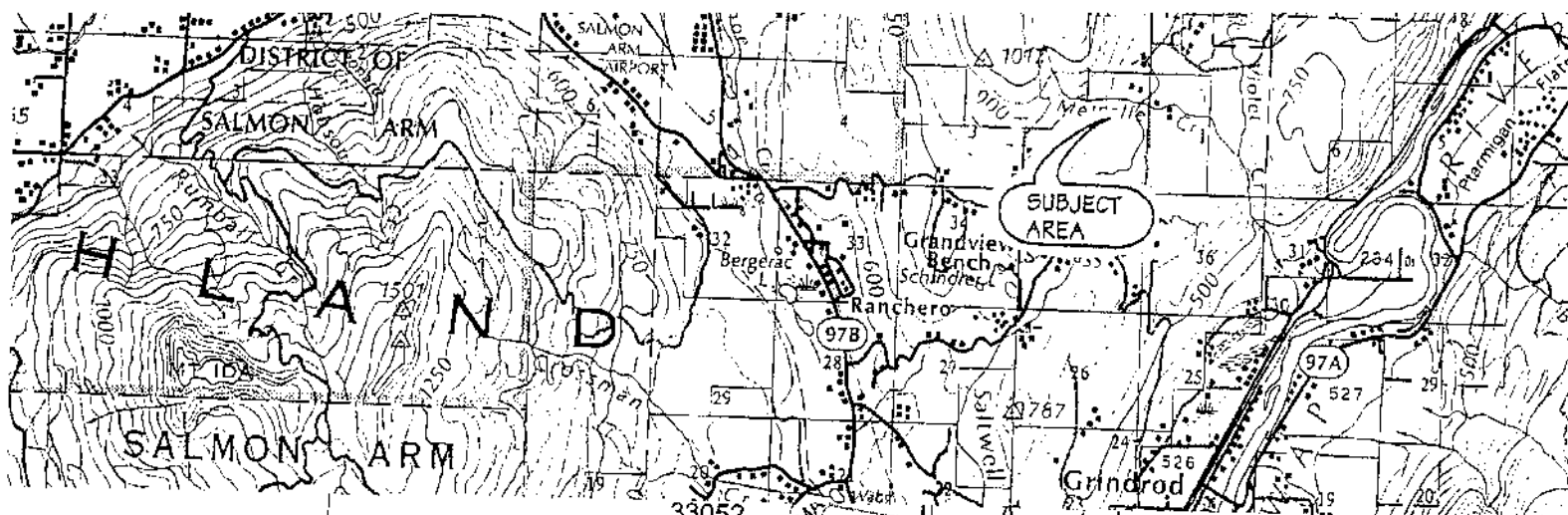
- ☐ City of Enderby
☐ Municipality of Coldstream
☐ City of Armstrong
☐ Municipality of Spallumcheen
☐ City of Vernon
☐ Village of Lumby
☐ City of Salmon Arm

SEND INFORMATION LETTERS TO:

- ☐ Star Gas (Silver Star Mtn.)
☐ Terasen Gas (Kamloops)
☒ Terasen Gas (Kelowna)

- ☐ B.C. Hydro (Kamloops)
☐ B.C. Hydro (Vernon)
☒ B.C. Hydro (Salmon Arm)
☐ B.C. Hydro (Westbank)

- ☒ Telus (Kelowna)



SUBDIVISION APPLICATION
FILE : 04-0760-F-SUB



REPORT ON PRELIMINARY SUBDIVISION

Highway District Okanagan Shuswap (Vernon) Regional District NORD
 Road Name/Route Number s.22
 Legal Description PART OF LOT A PLAN 20357 AND THE N.E. ¼ OF SEC. 2, TP. 20, RGE. 9, W6M, K.D.Y.D.
except Plans 28357, 22961 & 35720

Name of Applicant/Agent s.22 c/o BROWNE JOHNSON LAND SURVEYORS, BOX 362, SALMON ARM B.C. V1E 4N5

Located 8 km ☒ N ☐ S ☐ E ☒ W of Grindrod

Topographic Description 2% to 5% easterly slope, moderately treed.

Previous Reference

Outcome Reference Date (yyyy-mm-dd)

Present Land Use Residential

Proposed Land Use Residential

Present Zoning Non Urban

Zoning Minimum Parcel Size 7.2 ha (17.79 ac.)

Conform with OCP Yes

ALC Approval N/A Speed Zone 50 km/h

Street System Adequate

Access

for Additional Traffic Yes

All Lots

Yes

Off Street

Parking OK

Yes

Subdivision Affected by Controlled Access Highway (B.C. Reg. 8/89) No

Sec. Street System Exist No

Require Widening? Yes , see comments

75 1(a) Yes 75 1(c)(d) Involved No

Alternate access
(B.C. Reg. 334/79) No

946 Subdivision No

Conflict Highway Design Line No

Pipeline Crossing No

Hydro/Tel Line Crossing No

RR Crossing No

Frontage Rule Yes, see comments

Require Community Water No

Require Community Sewer No

Conventional Sewage Disposal OK Yes

Road/Land Drainage OK Yes 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 No

Site Regraded No

Require: Site Profile Waiver previously submitted

State Title Certificate/Certificate of Title Previously submitted

PROPOSAL: To create four (4) fee simple lots.

COMMENTS: Recommend a PLA be issued subject to the following:

1. Written confirmation of approval from the North Okanagan Regional District of compliance with the following:
 - a) Proof of water supply pursuant to the requirements of Section 402 of Subdivision Servicing Bylaw No. 726, 1986.
 - b) Application by applicant and issuance of a Development Permit for the Shuswap River Watershed – Protection of the Natural Environment pursuant to Policy XI.B.2 of the Electoral Area "F" Official Community Plan Bylaw No. 1366, 1996 for Metcalfe Creek.
 - c) Waiver by the Regional Board of the ten percent minimum lot frontage requirement of Section 803.7 of Zoning Bylaw No. 1888, 2003 for Proposed Lots 2 and 3. Applicant must submit a written request for the waiver and, pursuant to Bylaw No. 1963, 2004, the \$100 application fee.
 - d) Payment of the \$500 per lot Development Cost Charge payable pursuant to the Fortune Parks and Recreation District Development Cost Charge Bylaw No. 546.
2. Written confirmation from the Ministry of Water, Land and Air Protection, Habitat Division, of compliance with any requirements that may be deemed necessary, with respect to the Metcalfe Creek.
3. Pursuant to Sections 219 and 86(1)(d) of the Land Title Act, applicant to enter into a suitable restrictive covenant, regarding the land which may be subject to flooding, with the following vertical and horizontal setback restrictions:
 - Hereafter, no building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within 15.0 metres of the natural boundary of Metcalfe Creek.
 - Hereafter, no area used for habitation, business, or storage of goods damageable by floodwaters shall be located within any building, modular home or structure at an elevation such that the underside of the floor system thereof is less than 1.5 metres above the natural boundary of Metcalfe Creek. In the case of a mobile home or unit, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than the above-described elevation.
 - The required elevation may be achieved by structural elevation of the said structure or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater. Where landfill is used to raise the natural ground elevation, the toe of the landfill shall be no closer to the natural boundary than the setback outlined above. The face of the landfill slope shall be adequately protected against erosion from flood flows (wave action, ice, or other debris).
 - The owner acknowledges that the Province of British Columbia does not represent to the owner or any other person that any building constructed or mobile home located in accordance with the above will not be damaged by flooding or erosion, and the owner covenants and agrees not to claim damages from the Province of British Columbia or the North Okanagan Regional District or hold the Province or the Regional District responsible for damages caused by flooding or erosion to the land or any building, improvement, or other structure built, constructed or placed upon the said lands and to any contents thereof.

The covenant must have priority over all financial charges and be in favor of [1] Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Transportation and [2] the North Okanagan Regional District. The notation on the final plans must accurately reflect the named parties on the covenant document.
4. Written confirmation of approval from Land and Water British Columbia Inc. of compliance with any requirements that they may deem necessary.
5. Written confirmation from B.C. Hydro that all their concerns and requirements as outlined in their letter of September 2, 2004 (enclosed) have been addressed to their satisfaction.
6. Edgar Road to be established 20 metres in width, or 3 metres beyond any cuts or fills, whichever is greater.
7. Proposed road to be established 20 m from the existing mean centreline or 3 m beyond the extremities of any cuts or fills whichever is greater, including 6 m by 6 m corner cutoffs at each intersection.
8. Proposed Road to be designed, constructed and gravelled to Local Ministry standards as per Chapter 14 of the BC Supplement to TAC Geometric Design Guide regarding subdivision roads), complete with a minimum 15.0 m radius offset cul-de-sac(edge of gravel) at its terminus, including drainage works complete to a natural outfall, to the satisfaction of the District Manager, Transportation. Three copies of properly engineered drawings showing vertical and horizontal alignments, cross sections, drainage works to a natural outfall, superelevation design, and all utility locations to be submitted to, and approved by the District Official prior to the commencement of any works. Drawings to be supplied to, and approved by all utility companies in regards to all utility locations.

Said road and drainage works to be designed, supervised and certified as having been constructed in accordance with good engineering practices and according to acceptable Ministry of Transportation standards by a Professional Engineer experienced with Ministry standards and requirements.

Copies of all test results to accompany the Engineer's certification letter.

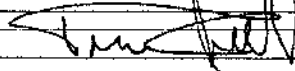
As built drawings to be submitted to the Ministry upon completion of the road and drainage works.

9. Compliance with Section 75(1)(a) of the Land Title Act, namely access to lands beyond being the NW 1/4 Sec. 2, Tp. 20, Rge.9, W6M, KDYD to the west.
10. All required signs, including: road name sign; stop sign; "No Thru Road" sign; and "50 km/h" sign; are to be included on the engineered drawings and installed to Ministry standards prior to final approval. Please provide at least one proposed road name as soon as possible for our review and approval.

Note:

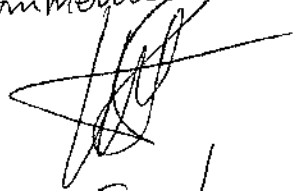
ENCLOSED:

NORD response
BC Hydro response

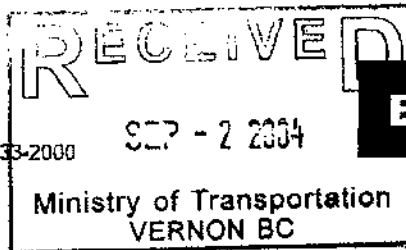
	
4791 - 23 rd Street	(Print Name) Tom Chernenkoff
Vernon, BC V1T 4K9	Ministry Employee Title District Development Technician
(250) 503-3609	For Minister of Transportation
Date (yyyy-mm-dd) September 27, 2004	

September 30/04

PLA as
recommended.


Bill Sparker
RAO.

P.O. BOX 939
SALMON ARM, B.C.
V1E 4P1
Phone: 250 832-1237 OR CELL 250 833-2000
Fax: 250 832-4836



BC HYDRO

Fax

To: Gwyn Laybourne M.O.T. From: ALVIN BACKUS

Fax: 1-250-503-3631 Date:

Phone: Pages: 1

Re: 02-013-18116 CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Comments:

RE: 198 + ^{s.22} EDGAR R.

BC Hydro HAS NO OBJECTION TO THIS
SUB'S REQUEST SUBJECT TO BCH
RECEIVING A R/W AGREEMENT, TO PROTECT
EXISTING DISTRIBUTION.

A handwritten signature in dark ink, appearing to read "Alvin Backus".

August 26, 2004

s.22

c/o Browne Johnson Land Surveyors
Box 362
Salmon Arm, BC V1E 4N5

Dear ^{s.22}

Re: Lot A, Plan 20357; except Plan 40843 and NE 1/4, Sec. 2; except Plans 20357, 22961
& 35720: all in Tp. 20, Rge 9, W6M, KDYD

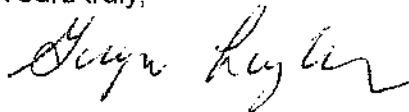
We have received your application August 18, 2004 with respect to the above noted property.

We have contacted the following agencies for their comments:

INTERIOR HEALTH AUTHORITY
NORTH OKANAGAN REGIONAL DISTRICT
MINISTRY OF WATER, LAND & AIR PROTECTION
MINISTRY OF FORESTS
LAND AND WATER BC (INC.)

Please quote file number 02-013-18116 when contacting this office.

Yours truly,



Gwyn Laybourne
District Clerk

GEL

Cc: Peter Gooch, Area Manager

Sept 1/04

Tom: - R/w neg'd on Edgar.
- Corner cut-offs on new
road intersection.
- Access protected to NW 1/4 Sec 2?
(unconstructed R/w?)
- Protection of Drainage (metcal?)
- New gravel road to be stabilized.
Pul



Interior Health

SUBDIVISION RESPONSE SUMMARY

TC

To: ☒ Approving Officer Ministry of Transportation, Vernon Your File#: 02-013-18116
☐ Local Gov. North Okanagan Regional District
☐ Applicant: s.22, c/o Browne Johnson Land Surveyors

Applicant/Agent: Browne Johnson Land Surveyors Date: September 24, 2004

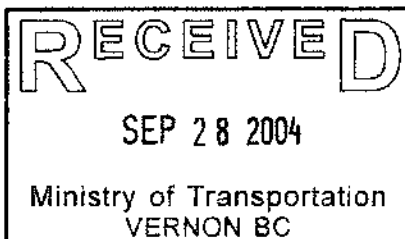
Legal Description: Lot A Plan 20357; except Plan 40843 and NE 1/4, Sec 2; except Plans 20357, 22961 & 35720: all in Twp 20, Rge 9, W6M, KDYD

Site Location: 198 & ^{s.22} Edgar Road, Salmon Arm, BC, V1E 2Y2 # of Lots: 4 (four)

Recommendations:

Appears to meet the requirements of the Interior Health Authority

- The granting of this recommendation is based on the proposed subdivision being in compliance with B.C. Regulation 411/85, Sewage Disposal Regulation and B.C. Regulation 262/70, Subdivision Regulations.
- Large lot sizes proposed (greater than 1 Hectare). Lots of this size are deemed suitable for the construction of on-site sewage works with adequate replacement area.
- Proposal includes development of water supply system (i.e. private well) for each proposed lot.



Keith Orlaw, B.Sc., CPHI(C)
Environmental Health Officer

Bus: (250) 549-5714 Fax: (250) 549-5468
Email:
Web: interiorhealth.ca

ENVIRONMENTAL HEALTH PROTECTION
1440 - 14th Avenue
Vernon, BC V1B 2T1

Applicant File s.22
400-04

Ministry File Number

2-013-18116

A. PROPOSAL

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

Subdivision Type	<input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Sec. 946 Municipal Act <input type="checkbox"/> Bare Land Strata <input type="checkbox"/> Other (specify)			
Full Legal Description(s) per State of Title Certificate(s)	Part Lot A, Plan 20357 & NE 1/4 Section 2, Township 20, Range 9, W6M, KDYD, exc. Plans 20357, 22961 & 35720			
Full Civic Address	198 Edgar Rd. s.22			
Property Location	Kilometers <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West		From	
	Access Road Edgar Road		Property Zoning	
	Existing Land Use		Intended Land Use	
Surrounding Land Use	North Rural Residential	South Rural Residential	East Farm	West Crown
Sewage Disposal Proposed	<input checked="" type="checkbox"/> Septic Tank <input type="checkbox"/> Community System <input type="checkbox"/> Other (specify)			Number of Lots 4 lots
Water Supply	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Community System <input type="checkbox"/> Other (specify)			
Water Licenses				

B. APPLICATION INFORMATION

1. I have enclosed:

- a current State of Title Certificate for each property;
- copies of all charges indicated on the title (restrictive covenants, assessments, etc.);
- a current British Columbia Assessment Authority Tax Notice showing property tax classification;
- 11 copies of the subdivision plan dated Aug. 4/04;
- soil percolation test data;
- the preliminary layout application fee indicated on the reverse side of this form.

2. 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.)

3. I have flagged the corners of the property, the lot lines, the proposed roads and the percolation test holes.

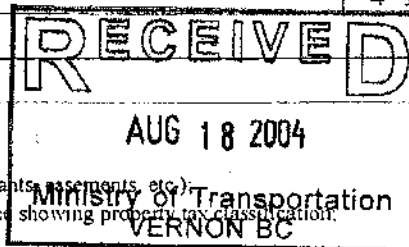
4. Is the property location within the Agricultural Land Reserve? ☐ Yes ☒ No
If yes, I have enclosed a copy of the British Columbia Agriculture Land Commission Approval.

5. 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.

6. 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*.



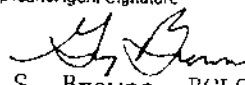
FILE COPY

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

s.22	
Agent Full Name BROWNE JOHNSON LAND SURVEYORS	Home Telephone
Address Box 362, Salmon Arm, B.C. V1E 4N5	Business Telephone 832-9701 Fax 832-8004
I certify that all the information above and on all plans and other attachments is true, correct and complete. I understand that this submission constitutes a preliminary application only. No approvals are implied prior to receipt of written preliminary approval from the Ministry of Transportation	
Owner/Author's s.22	Date (yyyy/mm/dd) 06 Aug 2004 Applicant/Agent Signature  G.S. Browne, BCLS BROWNE JOHNSON LAND SURVEYORS
	Date (yyyy/mm/dd) Aug. 12, 2004

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.

Page 18 to/à Page 19

Withheld pursuant to/removed as

s.3

Date:

File:

s.22

I, _____, hereby acknowledge that the Waste Management (Amendment) Act, 1993 is effective as of April 1, 1997.

Based on my personal knowledge of the property in question, I do not believe that it is or has been used for any of the industrial or commercial purposes and activities specified in Schedule 2 of the regulations. Accordingly, I elect not to complete and submit a 'site profile', as outlined in Section 20.11 of the Act.

I further acknowledge that this election does not remove any liability which may otherwise be applicable under the legislation.

s.22

s.22

Applicant/agent

WITNESS

U

06 Aug 2004
Date

Page 21

Withheld pursuant to/removed as

s.22

Page 22 to/à Page 27

Withheld pursuant to/removed as

s.3



Sun Waterwell Testing

546347 BC. LTD.
1581 16 th. Ave SE.
Salmon Arm BC.
V1E-2M7

Phone 250-832-3742

Fax 250-832-3725

Customer: s.22

Date: July 14 / 2004

Phone : s.22

Location : s.22

LD Kamloops, Sec 2, TW 20, R 9,
W6M Part of North East 1/4 , Except Plan 20357
22961, 35720 :

Well No.

Shallow well

Adjacent to spring

GPS: 50' 40' 22' N
119' 08' 29' W

Elevation	<u>2450</u>	feet
Point of reference	<u>top of cribbing</u>	
Height of reference	<u>6</u>	inches
Well cribbing	<u>72</u>	inches I.D.
Cribbing	<u>Concrete</u>	
Well depth	<u>8.6</u>	feet
Static head	<u>19.8</u>	inches
Water Temperature	<u>8.56</u>	Celsius
Draw down	<u>22</u>	inches

Note:

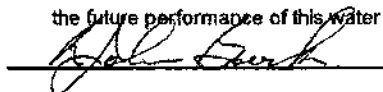
Shallow well adjacent to spring

Results of a constant flow pumping test .

Duration of pumping	<u>12.3</u>	hours
Full recovery in	<u>30</u>	minutes

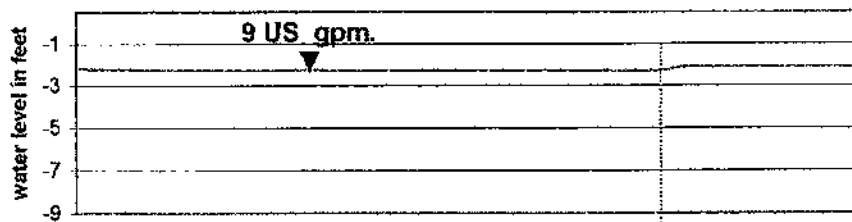
Yield 9 US gpm.
48,600 liters per day

It is not the intent of this pumping test to predict
the future performance of this water well.



John Bourk , Drillers Certificate NO. VA9400 .

Shallow well , July 12 / 04



Geokon Data Logger

All data available on floppy disk
upon request



Interior Health

Subdivision Data Sheet

Applicant/Agent	BROWNE JOHNSON LAND SURVEYORS	Phone #	832-9701
Mailing Address	P.O. Box 362, Salmon Arm V1E 4N5	Our File:	400-04 s.22
Legal Description	Part of Lot A, Plan 203576 & NE 1/4 Sec. 2, Tp. 20, R. 9, W6M, KDYD exc. Plans 28357, 22961 & 35720		
Site Location	198 & s.22 Edgar Road	# of lots	4 Lots

Required information before processing can proceed:

1. A soil inspection hole with a minimum depth of 2m at both ends of proposed sewage disposal area(s)
2. Two percolation test holes within the proposed sewage disposal area(s)
3. Test holes and proposed lot corners to be flagged and identified.

**Soils information must be confirmed by a Professional Engineer or B.C. Land Surveyor. All test holes must be left open for inspection by the Environmental Health Officer.*

4. A Site Plan prepared by a BCLS, which accurately shows:
 - ☒ Lot dimensions and lot area
 - ☒ Area(s) allotted for sewage disposal
 - ☒ Soil inspection hole(s) * Large lots (9.9 ha., 9.4 ha, 8.3 ha & 7.2 ha.)
 - ☒ Percolation test holes and results
 - ☒ Existing buildings, wells, sewage systems and underground services
 - ☒ Existing wells and sewage systems on adjoining properties that may be affected.
 - ☐ Any potential breakout areas within 15m of the sewage disposal area(s).
 - ☐ Drainage courses/average high water mark of lakes and rivers.
 - ☐ Contours where slope exceeds 20% (5 meter intervals).
 - ☒ Existing Restrictive Covenants or Registered Easements
 - ☒ Existing and future highways right of ways.
 - ☐ Environmental Control Areas.
5. Comments in support of proposal may be made on reverse.

**Additional information may be required upon review of this proposal.*

Date: August 12, 2004

Applicant/Agent:

G.S. Browne
G.S. Browne, BCLS
BROWNE JOHNSON LAND SURVEYORS

Bus: (250) 833-4100 Fax: (250) 832-1714
Email:
Web: interiorhealth.ca

ENVIRONMENTAL HEALTH
P O Box 627, 851 - 16 St N E
Salmon Arm BC V1E 4N7

N.O.R.D.

8L2.065.3

11

1
KAP54222

A
PLAN 25215
(Posting KAP59787)

1
KAP49197

1
PLAN 29648

2
PLAN 29648

3
PLAN 29648

A
P.28205

1
P.16223

LARCH HILLS
LARCH
FOREST

REM. 1
PLAN 33052

A
P.3535

A
P.22148

A
P.33648

A
PLAN 22961

A
P.35720

PLAN 22961
A

NE1/4

A
PLAN 40843

A
PLAN 20357

1
KAP71765

2

PCL A
C.T.544382-F

A
PLAN 30084

1
KAP5008

1
PLAN 23276

2

3

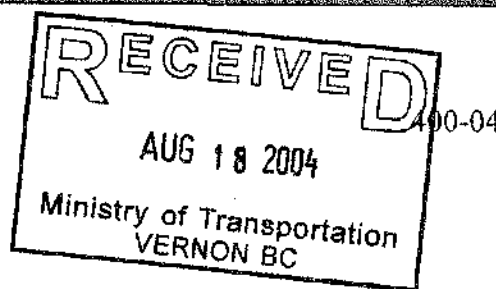
SW1/4

SE1/4

1
KAP71187

TP 20 Rge.9 W6M

TP 10 Rge. 9 W6M



August 12, 2004

Ministry of Transportation,
4791 - 23rd Street,
Vernon, BC V1T 4K9

Dear Sirs,

RE: **Proposed Subdivision of Part of Lot A, Plan 20357,
& NE ¼ Sec. 2, Tp. 20, R. 9, W6M, KDYD, exc. Plans 28357,
22961 & 35720 - 198 & s.22**

We enclose herewith the following for subdivision application:

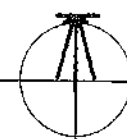
- 1) Subdivision application form;
- 2) Subdivision application fee in the amount of \$40.00;
- 3) Title Searches (2);
- 4) Easement document KT096820 & Easement Plan KAP40843;
- 5) Sun Waterwell Testing re existing well on NE ¼;
- 6) B.C. Tax Assessment;
- 7) Site Profile waiver letter;
- 8) Interior Health data sheet;

Please call if you have any questions.

Yours truly,

G.S. Browne, B.C.L.S.

GSB/ms
Enclos.





VIA PRIORITY POST

FILE COPY

Our File: 02-013-18116

November 16, 2005

BROWNE JOHNSON
P.O. Box 362
Salmon Arm, B.C.
V1E 4N5

RE: Final subdivision of Part of Lot A, Plan 20357, and the N.E. ¼, of Section 2,
Tp. 9, w6M, KDYD, etc...

The above noted plan is herewith returned duly signed and approved. The following is herewith returned:

- (1) original mylar of the final subdivision plan
- (1) mylar print of the final subdivision plan
- (1) restrictive covenant

Please ensure the plan is registered with Land Titles within 60 days of this Ministry's date approval of November 16th, 2005. Should you have any questions, please do not hesitate to call me at 712-3643

Yours truly,

Kurt Edmunds
Provincial Approving Officer

FINAL STATS (F5)		
CLA	_____	km
DED	_____	km
GRA	_____	km
HA	0.248	ha
KM	_____	km
LKM	_____	km
LOT	3	lots
PAV	_____	km
SAR	_____	km
STR	_____	lots
WID	0.215	km

Development Approvals Web Link:

<http://www.th.gov.bc.ca/Development Approvals/home.htm>

Ministry of
Transportation

Okanagan
Shuswap
District

Mailing Address:

300 – 1358 St. Paul Street
Kelowna, British Columbia
V1Y 2E1

Telephone and Email Contact

Telephone: (250) 712-3643
Facsimile: (250) 712-3669
Cell: (250) 878-8355
EMAIL:
kurt.edmunds@gov.bc.ca

DATE:

Nov 15/05

TRANSMISSION FROM:

WAYNE M. LETOURNEAU, NOTARY PUBLIC
(A Professional Notary Corporation)
#201-271 Ross Street NE
PO Box 3009
Salmon Arm, BC
V1E 4R8
Telephone (250) 832-9319
Facsimile (250) 832-9788

TRANSMISSION TO:

ATTENTION:

FAX NUMBER:

*Ministry of Transportation
Tom Chernenko
(250) 503-3631*

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MIGHT CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

OUR FILE NO.

24724

YOUR ACCOUNT NO.

-s.22

CLIENT NAME:

CONVEYANCER:

Marlene Lundrigan

NO. OF PAGES INCLUDING TRANSMITTAL SHEET:

*A*MEMORANDUM

s.22

s.22

*Form C - Covenant signed by
with NORB listed as transferee
only as requested.
Thank you.*

Page 34 to/à Page 36

Withheld pursuant to/removed as

s.3

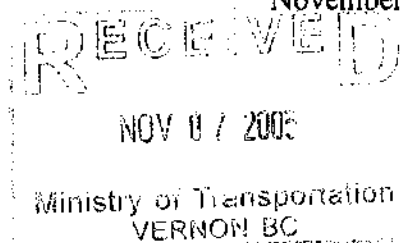
WAYNE M. LETOURNEAU*
NOTARY PUBLIC
***A Professional Notary Corporation**

PO Box 3009
201 – 271 Ross Street NE
Salmon Arm, BC, V1E 4R8
Phone: 250-832-9319
Fax: 250-832-9788
Email:

File Conveyancer: Marlene Lundrigan
File No: 24724

MINISTRY OF TRANSPORTATION
4791 23rd St.
Vernon, BC
V1T 4K7

November 4, 2005



Attention: Tom Chernenkoff

Dear Sir:

Re: Subdivision of The North East ¼ of Section 2 Township 20 Range 9 W6M KDYD
Except Plans 20357, 22961 and 25720 Your file #02-013-18116

With respect to the forenoted, I enclose the following:

1. Title search;
2. Form C – Section 219 Covenant (2), in duplicate, for approval;
3. Subdivision Plans, for approval;
4. TX55 Certificate.

Once executed, please return the Form C – Section 219 Covenant (2) and Subdivision Plans to my office at your earliest convenience.

I trust you find the above and enclosed to be in order, however, should you have any questions or concerns, please contact Marlene of my office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'W. M. Letourneau', written over the printed name.

WAYNE M. LETOURNEAU
Notary Public
vml
Enclosures

Page 38 to/à Page 39

Withheld pursuant to/removed as

s.22

Page 40 to/à Page 44

Withheld pursuant to/removed as

s.3

Page 45 to/à Page 47

Withheld pursuant to/removed as

DUPLICATE

Page 48 to/à Page 50

Withheld pursuant to/removed as

s.3

DATE:

Nov 1/05.

TRANSMISSION FROM:

WAYNE M. LETOURNEAU, NOTARY PUBLIC
(A Professional Notary Corporation)
#201-271 Ross Street NE
PO Box 3009
Salmon Arm, BC
V1E 4R8
Telephone (250) 832-9319
Facsimile (250) 832-9788

TRANSMISSION TO:

ATTENTION:

FAX NUMBER:

Ministry of Transportation
Tom Chernenkoff.
(250) 503-3631

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OUR FILE NO.

24724.

YOUR ACCOUNT NO.

s.22

CLIENT NAME:

CONVEYANCER:

Marlene Lundrigan

NO. OF PAGES INCLUDING TRANSMITTAL SHEET:

2.

MEMORANDUM

Please forward our office a memo reflecting
Amendments required by your office. We
would appreciate same in writing.
Thank you.



Ministry of
Transportation

Okanagan-Shuswap
4791 - 23rd Street
Vernon BC
V1T 4K9

MEMORANDUM

Wayne Letourneau, Notary Public
PO Box 3009
201 - 271 Ross Street.
Salmon Arm, BC V1E 4R8

Date: October 27, 2005

Telephone: (250) 503-3609

Facsimile: (250) 503-3631

Attn: Marlene Lundrigan

File: 02-013-18116

Re: Proposed Subdivision - Edgar Road
Part of Lot A, Plan 20357, and the N.E. ¼ OF Sec. 2, Tp. 20, Rge. 9, W6M,
K.D.Y.D., except Plans 28357, 22961 & 35720

Enclosed please find returned final subdivision package for amendment
as per our phone conversation this morning.
If you have any questions please phone this office.
Thank you.

A handwritten signature in black ink, appearing to read "Tom Chernenkoff".

Tom Chernenkoff
Development Technician

REGIONAL DISTRICT OF NORTH OKANAGAN
 9848 Aberdeen Road
 Coldstream, B. C.
 V1B 2K9
 (250) 550-3700

CERTIFICATE OF COMPLIANCE

Date: OCTOBER 26, 2005

To: Operations Manager
 Ministry of Transportation
 4791 - 23rd Street
 VERNON, B. C.
 V1T 4K9

Your File: 02-013-18116 TC

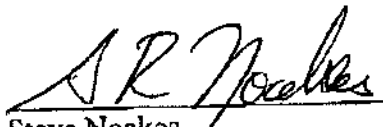
Our File: 04-0760-F-SUB

Re: Proposed Subdivision of PART OF LOT A PLAN 20357 AND THE N.E. ¼
OF SEC. 2, TP. 20, RGE. 9, W6M, K.D.Y.D., EXCEPT PLANS 28357, 22961
AND 35720.

We wish to advise that the applicant has now:

- satisfied the water supply requirements of the
 Regional District of North Okanagan Subdivision Bylaw ☐
- paid the development cost charge payable ☐
- obtained the approval of the Regional District of North Okanagan
 Board to waive the lot frontage requirement ☐
- satisfied *all* of the requirements of the Regional District
 of North Okanagan..... ☒

with respect to the above described plan of subdivision.


 Steve Noakes
 Planner

/sm

WAYNE M. LETOURNEAU*
NOTARY PUBLIC
***A Professional Notary Corporation**

PO Box 3009
201 - 271 Ross Street NE
Salmon Arm, BC, V1E 4R8
Phone: 250-832-9319
Fax: 250-832-9788
Email:

File Conveyancer: Marlene Lundrigan
File No: 24724

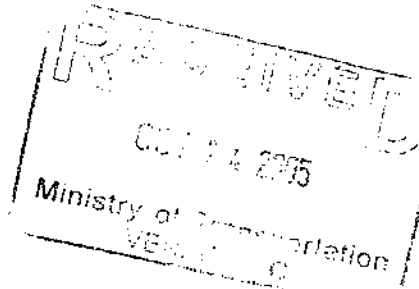
PLEASE COURIER

TO
MINISTRY OF TRANSPORTATION
4791 23rd St.
Vernon, BC
V1T 4K7

October 21, 2005

Attention: Tom Chernenkoff

Dear Sir:



**Re: Subdivision of The North East ¼ of Section 2 Township 20 Range 9 W6M KDYD
Except Plans 20357, 22961 and 25720 Your file #02-013-18116**


With respect to the forenoted, I enclose the following:

1. Title search;
2. Form C - Section 219 Covenant (2), in duplicate, for approval;
3. Subdivision Plans, for approval;
4. My cheque in the sum of \$350.00, made payable to the Minister of Finance;
5. TX55 Certificate.

Once executed, please return the Form C - Section 219 Covenant (2) and Subdivision Plans to my office at your earliest convenience.

I trust you find the above and enclosed to be in order, however, should you have any questions or concerns, please contact Marlene of my office.

Yours truly,


WAYNE M. LETOURNEAU
Notary Public
\ml
Enclosures

done
Oct. 28/05

Chernenkoff, Tom TRAN:EX

From: Chernenkoff, Tom TRAN:EX
Sent: Monday, August 08, 2006 9:50 AM
To: BrowneJohnson
Subject: Your File 400-04 Edgar Road .s.22 Subdivision

Re: Our File 02-013-18116

Greg:

The Approving Officer has reviewed your request for relief from the access to lands beyond requirement of the above subdivision, and has agreed to relief, therefore the plan need not comply with Section 75(1)(a)(ii) of the Land Title Act. Please phone if you have any questions.

Tom Chernenkoff
District Development Technician
Okanagan Shuswap Highways District
Ph. (250) 503-3609 Fax (250)503-3631

Tom.Chernenkoff@gov.bc.ca

BROWNE JOHNSON LAND SURVEYORS*

*British Columbia and Canada Lands
Salmon Arm, B.C. V1E 4N5*

Office: 201-371 Alexander Street
Mail: P.O. Box 362,
Phone: (250) 832-9701
Fax: (250) 832-8004
Email: brian@brownejohnson.com

FAX MEMO

Fax No 503-3631

August 4, 2005

To: Ministry of Transportation

File: 400-04

Attention: Tom Chernenkoff

From: Marj for G.S. Browne, BCLS

RE: Highways #02-013-18116 – Edgar Road

Tom,

Our client is inquiring further regarding a response to the access issue (*see letter of July 7, 2005).

Thanks for your assistance.

This is Page 1 of 2 page(s). Please notify me if you did not receive all the pages

*A PARTNERSHIP PROVIDING LAND SURVEYING SERVICES THROUGH LAND SURVEYING COMPANIES

400-04

July 7, 2005

FAXED 503-3631
July 8

Ministry of Transportation
4791 23rd Street,
Vernon, B.C. V1T 4K9

Attention: Tom Chernenkoff

Dear Tom:

RE: Hwys file # 02-013-18116 - s.22 - Edgar Road.
Part of Lot A, Plan 20357, and the N.E. ¼ of Section 2, Township 20,
Range 9, W6M, KDYD, except Plans 28357, 22961 & 35720.

On behalf of our client, we hereby request relief from compliance with *Sec. 75(1)(a) LTA (access to lands beyond)* for NW ¼, Section 2, Township 20, Range 9. (*See *PLA dated June 30, 2005 - Item #7*).

In seeking a suitable location for this required access to the NW ¼, Section 2 our clients have advised of the inaccessible area of the rear (*west end*) of their subject property which steep area may preclude any opportunity for access of a reasonable grade through this parcel.

Prior to attending to the site to determine a suitable location, it has come to my attention that Lidstone Road (trail extension) (*see sketch) currently accesses and passes through the said NW ¼ thereby providing a reasonable opportunity for the required access. On our previous discussion we were advised that the Road Register identifies Lidstone Road ending 250 m. short of the said NW ¼ boundary (*south*). I feel that this current trail extension of Lidstone Road shows a historical use for access. The reasonable grade can be met utilizing this route and a potential for proper access fulfill the future requirements of *Sec. 75(1)(a) LTA*. I believe this new site/access data will offer the required access alternative and thereby supports our request for a waiver for an access.

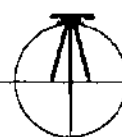
Please call if you wish to discuss further.

Yours truly,



G.S. Browne, B.C.L.S.

GSB/ms
Enclos.



s.22

c/o Browne Johnson Land Surveyors

P.O. Box 362

Salmon Arm, BC V1E 4N5

Your File 400-04

Our File 02-013-18116

Date (yyyy/mm/dd) 2005-06-30

Revised Preliminary Layout Approval
FILE COPY

Proposed Subdivision of **Part of Lot A, Plan 20357, and the N.E. ¼ OF Sec. 2, Tp. 20, Rge. 9, W6M, K.D.Y.D., except Plans 28357, 22961 & 35720**

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

1. Written confirmation of approval from the North Okanagan Regional District of compliance with the following:
 - a) Proof of water supply pursuant to the requirements of Section 402 of Subdivision Servicing Bylaw No. 726, 1986.
 - b) Application by applicant and issuance of a Development Permit for the Shuswap River Watershed – Protection of the Natural Environment pursuant to Policy XI.B.2 of the Electoral Area "F" Official Community Plan Bylaw No. 1366, 1996 for Metcalfe Creek.
 - c) Waiver by the Electoral Area Services Committee, of the ten percent minimum lot frontage requirement of Section 803.7 of Zoning Bylaw No. 1888, 2003 for Proposed Lot 3.
 - d) Payment of the \$500 per lot Development Cost Charge payable pursuant to the Fortune Parks and Recreation District Development Cost Charge Bylaw No. 546.
2. Written confirmation from the Ministry of Water, Land and Air Protection, Habitat Division, of compliance with any requirements that may be deemed necessary, with respect to Metcalfe Creek.
3. Pursuant to Sections 219 and 86(1)(d) of the Land Title Act, applicant to enter into a suitable restrictive covenant, regarding the land which may be subject to flooding, with the following vertical and horizontal setback restrictions:
 - Hereafter, no building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within 15.0 metres of the natural boundary of Metcalfe Creek.
 - Hereafter, no area used for habitation, business, or storage of goods damageable by floodwaters shall be located within any building, modular home or structure at an elevation such that the underside of the floor system thereof is less than 1.5 metres above the natural boundary of Metcalfe Creek. In the case of a mobile home or unit, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than the above-described elevation.
 - The required elevation may be achieved by structural elevation of the said structure or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required

Local District Address
MINISTRY OF TRANSPORTATION
4791 – 23 rd Street
Vernon, B.C.
V1T 4K9

elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater. Where landfill is used to raise the natural ground elevation, the toe of the landfill shall be no closer to the natural boundary than the setback outlined above. The face of the landfill slope shall be adequately protected against erosion from flood flows (wave action, ice, or other debris).

- The owner acknowledges that the Province of British Columbia does not represent to the owner or any other person that any building constructed or mobile home located in accordance with the above will not be damaged by flooding or erosion, and the owner covenants and agrees not to claim damages from the Province of British Columbia or the North Okanagan Regional District or hold the Province or the Regional District responsible for damages caused by flooding or erosion to the land or any building, improvement, or other structure built, constructed or placed upon the said lands and to any contents thereof.

The covenant must have priority over all financial charges and be in favor of [1] Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Transportation and [2] the North Okanagan Regional District. The notation on the final plans must accurately reflect the named parties on the covenant document.

4. Written confirmation of approval from Land and Water British Columbia Inc. of compliance with any requirements that they may deem necessary.
5. Written confirmation from B.C. Hydro that all their concerns and requirements as outlined in their letter of September 2, 2004 (enclosed) have been addressed to their satisfaction.
6. Edgar Road to be established 20 metres in width, or 3 metres beyond any cuts or fills, whichever is greater.
7. Compliance with Section 75(1)(a) of the Land Title Act, namely access to lands beyond being the NW 1/4 Sec. 2, Tp. 20, Rge.9, W6M, KDYD to the west.

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

Local District Address
MINISTRY OF TRANSPORTATION
4791 – 23 rd Street
Vernon, B.C.
V1T 4K9

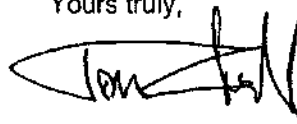
Submission of Final Plans(Mylar and 2 prints) to be accompanied by a current Tax Certificate (FIN 55), together with a plan examination fee of \$ 50.00 plus \$ 100.00 per lot created by the plan and made payable in the form of a cheque to the Minister of Finance.

Tom Chernenkoff

at (250) 503-3609

(Name of Technician)

Yours truly,



Tom Chernenkoff
District Development Technician
Ministry of Transportation

cc: NORD, File: 04-0760-F-SUB

Local District Address
MINISTRY OF TRANSPORTATION
4791 – 23 rd Street
Vernon, B.C.
V1T 4K9

Kurt Edmunds
Approving Officer
Kelowna, B.C.

Date: July 12, 2005

Telephone: (250) 503-3609
Facsimile: (250) 503-3631

File: 02-013-18116

**Re: Request for Waiver of Access to Lands Beyond Requirements
Proposed Subdivision of Part of Lot A Plan 20357 and the N.E. ¼ OF Sec. 2, Tp.
20, Rge. 9, W6M, K.D.Y.D. ; except Plans 28357, 22961 & 35720
Edgar Road -s.22**

Kurt,

Attached please find letter from Greg Browne, BCLS requesting waiver of Sec. 75(1)(a) LTA.

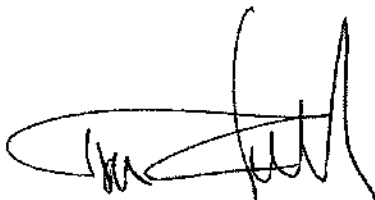
I did not walk through this 1/4 Section, as it is undeveloped dense bush in the west half.

1:50,000 mapping shows it to be somewhat steep. (attached)

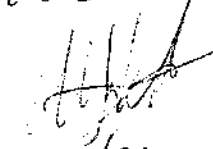
Our Road Register shows Lidstone Road ending short of the NW 1/4 Sec. 2. (attached)

I believe access to this parcel (NW 1/4, Sec. 2) was waived previously when ^{s.22}
subdivided, the reason being the grades were too steep. ^{s.22}
I can confirm this.

Lidstone Road is shown as a trail on NORD composites, beyond our R/W.
Recommend waiving Sec. 75(1)(a), LTA.



Tom Chernenkoff
Development Technician

Aug 3, 2005
Agree to waive requirement.
Please advise the applicant.

DA/PAU

COPY

400-04

February 21, 2005

Ministry of Transportation,
4791 - 23rd Street,
Vernon, BC V1T 4K9

Attention: Tom Chernenkoff

Dear Tom,

RE: **Hwys File 02-013-18096**
Proposed Subdivision of Part of Lot A, Plan 20357,
& NE ¼ Sec. 2, Tp. 20, R. 9, W6M, KDYD, exc. Plans 28357,
22961 & 35720 - 198 & s.22

As requested by our client, we enclose herewith an *amended* subdivision sketch
re the above (6 *prints*). Please note the revision that includes panhandles to Lot 2
and Lot 3.

Please call if you have any questions.

Yours truly,

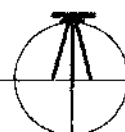


G.S. Browne, B.C.L.S.

GSB/ms

Enclos.

Copy to North Okanagan Regional District (Attention: Steve Noakes) - 2PR





February 21, 2005

File: 02-013-18116
Your File:

s.22

c/o Brown Johnson Land Surveyors
P.O. Box 362
Salmon Arm, BC V1E 4N5

**Re: Revised Preliminary Layout Approval - Proposed Subdivision
PART OF LOT A PLAN 20357 AND THE N.E. ¼ OF SEC. 2, TP. 20, RGE. 9, W6M,
K.D.Y.D. ; except Plans 28357, 22961 & 35720**

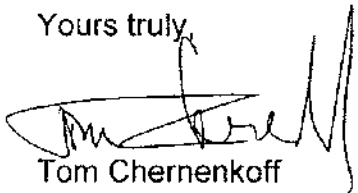
Enclosed please find revised Preliminary Layout Approval noting additional condition :

1. Written confirmation of approval from the North Okanagan Regional District of compliance with the following:

e) Increase the area of Lot A, Plan 20357 commensurate with the area reduced by road dedication in order to maintain the degree of non-conformance with the lot area requirement of the Non-Urban Zone.

If you have any questions or concerns, please do not hesitate to contact this office.

Yours truly,



Tom Chernenkoff
District Development Technician

enclosure

TC/tc

cc: NORD, File: 04-0760-F-SUB

• THE GOVERNMENT OF BRITISH COLUMBIA IS AN "EMPLOYMENT EQUITY EMPLOYER" •

Ministry of
Transportation

Okanagan - Shuswap

Mailing Address:
4791 - 23rd Street
Vernon, B.C. V1T 4K9

Telephone: (250) 503-3609
Facsimile: (250) 503-3631

400-04

February 21, 2005

Ministry of Transportation,
4791 - 23rd Street,
Vernon, BC V1T 4K9

Attention: Tom Chernenkoff

Dear Tom,

18116

RE: **Hwys File 02-013-18096**
Proposed Subdivision of Part of Lot A, Plan 20357,
& NE ¼ Sec. 2, Tp. 20, R. 9, W6M, KDYD, exc. Plans 28357,
22961 & 35720 - 198 & s.22

As requested by our client, we enclose herewith an *amended* subdivision sketch
re the above (6 prints). Please note the revision that includes panhandles to Lot 2
and Lot 3.

Please call if you have any questions.

Yours truly,

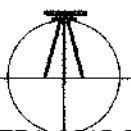


G.S. Browne, B.C.L.S.

GSB/ms

Enclos.

Copy to North Okanagan Regional District (Attention: Steve Noakes)





s.22

c/o Brown Johnson Land SurveyorsP.O. Box 362Salmon Arm, BC V1E 4N5

Your File

Our File 02-013-18116Date (yyyy/mm/dd) 2005-02-21**Revised Preliminary Layout Approval**

Proposed Subdivision of **PART OF LOT A PLAN 20357 AND THE N.E. ¼ OF SEC. 2, TP. 20, RGE. 9, W6M, K.D.Y.D. ; except Plans 28357, 22961 & 35720**

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

1. Written confirmation of approval from the North Okanagan Regional District of compliance with the following:
 - a) Proof of water supply pursuant to the requirements of Section 402 of Subdivision Servicing Bylaw No. 726, 1986.
 - b) Application by applicant and issuance of a Development Permit for the Shuswap River Watershed – Protection of the Natural Environment pursuant to Policy XI.B.2 of the Electoral Area "F" Official Community Plan Bylaw No. 1366, 1996 for Metcalfe Creek.
 - c) Waiver by the Regional Board of the ten percent minimum lot frontage requirement of Section 803.7 of Zoning Bylaw No. 1888, 2003 for Proposed Lots 2 and 3. Applicant must submit a written request for the waiver and, pursuant to Bylaw No. 1963, 2004, the \$100 application fee.
 - d) Payment of the \$500 per lot Development Cost Charge payable pursuant to the Fortune Parks and Recreation District Development Cost Charge Bylaw No. 546.
 - e) Increase the area of Lot A, Plan 20357 commensurate with the area reduced by road dedication in order to maintain the degree of non-conformance with the lot area requirement of the Non-Urban Zone.
2. Written confirmation from the Ministry of Water, Land and Air Protection, Habitat Division, of compliance with any requirements that may be deemed necessary, with respect to the Metcalfe Creek.
3. Pursuant to Sections 219 and 86(1)(d) of the Land Title Act, applicant to enter into a suitable restrictive covenant, regarding the land which may be subject to flooding, with the following vertical and horizontal setback restrictions:
 - Hereafter, no building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within 15.0 metres of the natural boundary of Metcalfe Creek.
 - Hereafter, no area used for habitation, business, or storage of goods damageable by floodwaters shall be located within any building, modular home or structure at an elevation such that the underside of the floor system thereof is less than 1.5 metres above the natural boundary

Local District Address
MINISTRY OF TRANSPORTATION
4791 – 23rd Street
Vernon, B.C.
V1T 4K9

of Metcalfe Creek. In the case of a mobile home or unit, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than the above-described elevation.

- The required elevation may be achieved by structural elevation of the said structure or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater. Where landfill is used to raise the natural ground elevation, the toe of the landfill shall be no closer to the natural boundary than the setback outlined above. The face of the landfill slope shall be adequately protected against erosion from flood flows (wave action, ice, or other debris).

- The owner acknowledges that the Province of British Columbia does not represent to the owner or any other person that any building constructed or mobile home located in accordance with the above will not be damaged by flooding or erosion, and the owner covenants and agrees not to claim damages from the Province of British Columbia or the North Okanagan Regional District or hold the Province or the Regional District responsible for damages caused by flooding or erosion to the land or any building, improvement, or other structure built, constructed or placed upon the said lands and to any contents thereof.

The covenant must have priority over all financial charges and be in favor of [1] Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Transportation and [2] the North Okanagan Regional District. The notation on the final plans must accurately reflect the named parties on the covenant document.

4. Written confirmation of approval from Land and Water British Columbia Inc. of compliance with any requirements that they may deem necessary.
5. Written confirmation from B.C. Hydro that all their concerns and requirements as outlined in their letter of September 2, 2004 (enclosed) have been addressed to their satisfaction.
6. Edgar Road to be established 20 metres in width, or 3 metres beyond any cuts or fills, whichever is greater.
7. Proposed road to be established 20 m from the existing mean centreline or 3 m beyond the extremities of any cuts or fills whichever is greater, including 6 m by 6 m corner cutoffs at each intersection.
8. Proposed Road to be designed, constructed and gravelled to Local Ministry standards as per Chapter 14 of the BC Supplement to TAC Geometric Design Guide regarding subdivision roads), complete with a minimum 15.0 m radius offset cul-de-sac(edge of gravel) at its terminus, including drainage works complete to a natural outfall, to the satisfaction of the District Manager, Transportation. Three copies of properly engineered drawings showing vertical and horizontal alignments, cross sections, drainage works to a natural outfall, superelevation design, and all utility locations to be submitted to, and approved by the District Official prior to the commencement of any works. Drawings to be supplied to, and approved by all utility companies in regards to all utility locations.
Said road and drainage works to be designed, supervised and certified as having been constructed in accordance with good engineering practices and according to acceptable Ministry of Transportation standards by a Professional Engineer experienced with Ministry standards and requirements.
Copies of all test results to accompany the Engineer's certification letter.
As built drawings to be submitted to the Ministry upon completion of the road and drainage works.
9. Compliance with Section 75(1)(a) of the Land Title Act, namely access to lands beyond being the NW 1/4 Sec. 2, Tp. 20, Rge.9, W6M, KDYD to the west.

Local District Address
MINISTRY OF TRANSPORTATION
4791 – 23 rd Street
Vernon, B.C.
V1T 4K9

10. All required signs, including: road name sign; stop sign; "No Thru Road" sign; and "50 km/h" sign; are to be included on the engineered drawings and installed to Ministry standards prior to final approval. Please provide at least one proposed road name as soon as possible for our review and approval.

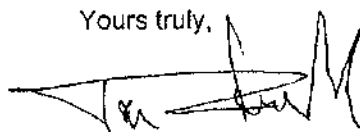
The approval granted is only for the general layout of the subdivision and is valid for one year from this letter. However, if at any time there is a change in legislation, regulations or bylaws this preliminary layout approval is automatically cancelled.

Submission of Final Plans(Mylar and 2 prints) to be accompanied by a current Tax Certificate (FIN 55), together with a plan examination fee of \$ 50.00 plus \$ 100.00 per lot created by the plan and made payable in the form of a cheque to the Minister of Finance.

Tom Chernenkoff at (250) 503-3609

(Name of Technician)

Yours truly,



Tom Chernenkoff
District Development Technician
Ministry of Transportation

cc: NORD, File: 04-0760-F-SUB

Local District Address
MINISTRY OF TRANSPORTATION
4791 – 23 rd Street
Vernon, B.C.
V1T 4K9



REGIONAL DISTRICT OF NORTH OKANAGAN

9848 ABERDEEN ROAD, COLDSTREAM, B.C., V1B 2K9

Phone: (250) 550-3700

Fax: (250) 550-3701

Email: info@nord.ca

www.nord.ca

OFFICE OF: DEVELOPMENT SERVICES

YOUR FILE No.: 02-013-18096

OUR FILE No.: 04-0760-F-SUB

February 16, 2005

Ministry of Transportation
4791 – 23rd Street
Vernon B.C. V1T 4K9

Attention: Tom Chernenkoff, District Development Technician

Dear Mr. Chernenkoff

RE : Proposed Subdivision of Part of Lot A, Plan 20357 and the N.E. ¼ of Sec. 2, Tp. 20, Rge. 9, W6M, K.D.Y.D., Except Plans 28357, 22961 and 35720.

Further to your Ministry's Preliminary Layout Approval issued for the above noted proposed plan of subdivision, it has come to our attention that the following additional condition of subdivision should be required.

- Increase the area of Lot A, Plan 20357 commensurate with the area reduced by road dedication in order to maintain the degree of non-conformance with the lot area requirement of the Non – Urban Zone.

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

Yours truly,

S. Fred H. Levitt
Senior Planner
/srn

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

'B' SWAN LAKE
'C' B.X./SILVER STAR
'D' RURAL LUMBY

'E' CHERRYVILLE
'F' RURAL ENDERBY



REGIONAL DISTRICT OF NORTH OKANAGAN

9848 ABERDEEN ROAD, COLDSTREAM, B.C., V1B 2K9

Phone: (250) 550-3700

Fax: (250) 550-3701

Email: info@nord.ca

OFFICE OF: Development Services

YOUR FILE No.: 18116

OUR FILE No.: 04-0760-F-SUB

July 25, 2005

Ministry of Transportation
4791 – 23rd Street
Vernon, BC V1T 4K9

Dear Sirs:

Re: Proposed Subdivision - Part of Lot A, Plan 20357 and the NE 1/4 of Section 2, Township 20, Range 9, W6M, K.D.Y.D., except Plans 20357, 22961 and 35720, 242 Edgar Road, Electoral Area "F"

At the regular meeting of the Electoral Area Services Commission held on July 19, 2005, the application of s.22 for exemption of the minimum highway frontage requirement of the Zoning Bylaw and the "Local Government Act" was considered.

We wish to advise that pursuant to Section 803.7 of Zoning Bylaw No. 1888, 2003, the Electoral Area Services Commission has exempted the proposed Lot No. 3 from the minimum highway frontage requirement and reduced the frontage requirement from 244.5 metres to 20 metres in this instance.

Yours truly,

Steve Noakes
Planner

/lm

s.22

cc:

Director Jean Tuominen

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

"B" SWAN LAKE
"C" B.X./SILVER STAR
"D" RURAL LUMBY

"E" CHERRYVILLE
"F" RURAL ENDERBY

400-04

July 7, 2005

FAXED 503-3631
July 8

Ministry of Transportation
4791 23rd Street,
Vernon, B.C. V1T 4K9

Attention: Tom Chernenkoff

Dear Tom:

RE: Hwys file # 02-013-18116 - ^{s.22} - Edgar Road.
Part of Lot A, Plan 20357, and the N.E. ¼ of Section 2, Township 20,
Range 9, W6M, KDYD, except Plans 28357, 22961 & 35720.

On behalf of our client, we hereby request relief from compliance with *Sec. 75(1)(a)*
LTA (access to lands beyond) for NW ¼, Section 2, Township 20, Range 9. (*See
PLA dated June 30, 2005 - Item #7).

In seeking a suitable location for this required access to the NW ¼, Section 2 our clients have
advised of the inaccessible area of the rear (*west end*) of their subject property which steep area
may preclude any opportunity for access of a reasonable grade through this parcel.

Prior to attending to the site to determine a suitable location, it has come to my attention that
Lidstone Road (trail extension) (*see sketch) currently accesses and passes through the said NW ¼
thereby providing a reasonable opportunity for the required access. On our previous discussion
we were advised that the Road Register identifies Lidstone Road ending 250 m. short of the said
NW ¼ boundary (*south*). I feel that this current trail extension of Lidstone Road shows a historical
use for access. The reasonable grade can be met utilizing this route and a potential for proper
access fulfill the future requirements of *Sec. 75(1)(a) LTA*. I believe this new site/access data will
offer the required access alternative and thereby supports our request for a waiver for an access.

Please call if you wish to discuss further.

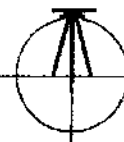
Yours truly,



G.S. Browne, B.C.L.S.

GSB/ms

Enclos.







REPORT ON FINAL SUBDIVISION

HIGHWAY DISTRICT Okanagan Shuswap	REGIONAL DISTRICT North Okanagan	MUNICIPALITY
REGIONAL FILE NO. R2-013-18116	REFERENCE/DATE District PLA - June 30, 2005	
ROAD NAME/ROUTE NO. Edgar Road s.22		
LEGAL DESCRIPTION Part of Lot A, Plan 20357, and the N.E. ¼ OF Sec. 2, Tp. 20, Rge. 9, W6M, K.D.Y.D., except Plans 28357, 22961 & 35720		

LOCATED 8 km ☒ N ☐ S ☐ E ☒ W OF Grindrod

REPORTED ON BEFORE AS ZONING /LUC /DEVELOPMENT PERMIT /ACCESS /SUBDIVISION

WHAT WAS THE OUTCOME? REFERENCE/DATE

PLA REFERENCE

 NO PLA. THEREFORE COMPLETED FORM H235P IS ATTACHED

WORKS INSTALLED Yes OR BONDED? APPROVALS/PERMITS IN HAND? Yes

NAME/ADDRESS OF APPLICANT s.22

NAME/ADDRESS OF AGENT c/o Brown Johnson Land Surveyors
P.O. Box 362
Salmon Arm, BC V1E 4N5

ATTACHED: (PLEASE CHECK/INDICATE QUANTITY AND COMPLETE WHERE APPLICABLE)

<u>X</u>	FIN 55	<u>1</u>	COVENANT	
	I.D. TAX CERTIFICATE		EASEMENT	
	TRANSPARENCY		APPROVAL	FEE AMOUNT? <u>\$350.00</u>
<u>2</u>	MYLAR			RECEIPT NO.? <u>610787K</u>
	PAPER PRINT		STATE OF TITLE CERTIFICATE	
	75 (1) (c)(d) DECLARATION			

COMMENTS: Approval Recommended:

1. Certificate of Compliance NORD dated October 26, 2005 enclosed, stating all conditions have been satisfied.
2. All conditions of Preliminary Layout Approval dated June 30, 2005 have been satisfied.
3. Relief from access to lands beyond granted Aug. 3, 2005.
4. Please submit signed final plans & documents to Wayne Letourneau, Notary Public (agent)



DISTRICT DEVELOPMENT TECHNICIAN SIGNATURE

Tom Chernenkoff

PRINT NAME

TO DISTRICT HIGHWAYS MANAGER

DATE (yyyy/mm/dd)

REGIONAL FILE NUMBER

PLAN(S) RETURNED

APPROVED

RE-APPROVED

NOT APPROVED

ENDORSED 75 (1) (c)(d)

ALSO ATTACHED

COMMENTS

PROVINCIAL APPROVING OFFICER SIGNATURE

PRINT NAME



REGIONAL DISTRICT OF NORTH OKANAGAN

9848 ABERDEEN ROAD, COLDSTREAM, B.C., V1B 2K9

Phone: (250) 550-3700

Fax: (250) 550-3701

Email: info@nord.ca

www.nord.ca

OFFICE OF : DEVELOPMENT SERVICES

YOUR FILE No.: 02-013-18116 TC

OUR FILE No.: 04-0760-F-SUB

June 29, 2005



Ministry of Transportation
4791 – 23rd Street
Vernon B.C. V1T 4K9

Attention: Tom Chernenkoff, District Development Technician

Dear Mr. Chernenkoff

RE : *Proposed Subdivision of Part of Lot A, Plan 20357 and Part of the N.E. ¼ Sec. 2, Tp. 20, Rge. 9, W6M, K.D.Y.D., s.22*

Further to your letter of June 13, 2005 and revised plan of subdivision, this office raises no objection to the proposed plan of subdivision for three lots subject to the following :

1. Approval of the Environmental Health Officer with respect to sewage disposal.
2. Proof of water supply pursuant to the requirements of Section 402 of Subdivision Servicing Bylaw No. 726, 1986.
3. Application by applicant and issuance of a Development Permit for the Shuswap River Watershed – Protection of the Natural Environment pursuant to Policy XI.B.2 of the Electoral Area "F" Official Community Plan Bylaw No. 1366, 1996 for Metcalfe Creek.
4. Waiver by the Electoral Area Services Committee, of the ten percent minimum lot frontage requirement of Section 803.7 of Zoning Bylaw No. 1888, 2003 for Proposed Lot 3. The applicant has submitted the waiver request and fee. Your office will be notified of the decision.
5. Dedication and construction of roads to your Ministry's standards.
6. Access to lands beyond pursuant to the requirements of Section 75 of the Land Title Act.
7. Payment of the \$500 per lot Development Cost Charge payable pursuant to the Fortune Parks and Recreation District Development Cost Charge Bylaw No. 546.

If you require further information, please do not hesitate to contact this office.

Yours truly,

S. Fred H. Levitt
Planning Technician
/srn

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

"B" SWAN LAKE
"C" B.X./SILVER STAR
"D" RURAL LUMBY

"E" CHERRYVILLE
"F" RURAL ENDERBY



REGIONAL DISTRICT OF NORTH OKANAGAN

9848 ABERDEEN ROAD, COLDSTREAM, B.C., V1B 2K9

Phone: (250) 550-3700

Fax: (250) 550-3701

Email: info@nord.ca

www.nord.ca

OFFICE OF : DEVELOPMENT SERVICES

YOUR FILE No.: 02-013-18116

OUR FILE No.: 04-0760-F-SUB

June 29, 2005

Ministry of Transportation
4791 – 23rd Street
Vernon B.C. V1T 4K9

Attention: Tom Chernenkoff, District Development Technician

Dear Mr. Chernenkoff

RE : *Proposed Subdivision of Part of Lot A, Plan 20357 and Part of the N.E. ¼ Sec. 2, Tp. 20, Rge. 9, W6M, K.D.Y.D., s.22*

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7. Payment of the \$500 per lot Development Cost Charge payable pursuant to the Fortune Parks and Recreation District Development Cost Charge Bylaw No. 546.

If you require further information, please do not hesitate to contact this office.

Yours truly,

S. Fred H. Levitt
Planning Technician
/srr

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

B SWAN LAKE
C B.X./SILVER STAR
D RURAL LUMBY

E CHERRYVILLE
F RURAL ENDERBY



FILE COPY

June 13, 2005

File: 02-013-18116
Your File: 04-0760-F-SUB

North Okanagan Regional District
9848 Aberdeen Road
Vernon, B.C.
V1B 2K9

Attn: Fred Levitt, Senior Planner

**RE: Revision to Plan of Proposed Subdivision -
Part of Lot A Plan 20357 and the N.E. ¼ OF Sec. 2, Tp. 20, Rge. 9, W6M, K.D.Y.D. ;
except Plans 28357, 22961 & 35720
Edgar Road - s.22**

Enclosed please find a revision to the above proposal.
It would be appreciated if you would examine this revision from the viewpoint of your
regulations and policies and provide us with your comments.
Thank you.

If you have any questions, please contact this office at (250)503-3609.

Yours truly,

Tom Chernenkoff
District Development Technician

TC/tc

• THE GOVERNMENT OF BRITISH COLUMBIA IS AN "EMPLOYMENT EQUITY EMPLOYER" •

Ministry of
Transportation

Okanagan - Shuswap

Mailing Address:
4791 - 23rd Street
Vernon, B.C. V1T 4K9

Telephone: (250) 503-3664
Facsimile: (250) 503-3631

400-04

June 6, 2005

Ministry of Transportation,
4791 - 23rd Street,
Vernon, BC V1T 4K9

Attention: Tom Chernenkoff

Dear Tom,

RE: **Hwys File #02-013-18116**
Proposed Subdivision of Part of Lot A, Plan 20357,
& NE ¼ Sec. 2, Tp. 20, R. 9, W6M. KDYD. exc. Plans 28357,
22961 & 35720 - 198 & s.22

Further to *revised* Preliminary Layout Approval dated Feb. 21/05, and as requested by our client, we enclose herewith a *further amended* subdivision sketch (6 prints) showing only one *additional* (10 ha.) lot at this time.

Please call if you have any questions. We await your response.

Yours truly,



G.S. Browne, B.C.L.S.

GSB/ins

Enclos.

Copy to North Okanagan Regional District (Attention: Steve Noakes)

P.O. BOX 939
SALMON ARM, B.C.
V1E 4P1
Phone: 250 832-1237 OR CELL 250 833-2000
Fax: 250 832-4836

BC HYDRO

Fax

To: GWYN Laybourne From: ALVIN BACKUS
Fax: 1-250-503-3631 Date:
Phone: Pages: 1
Re: File 02 - 013 - 18116 CC:
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments: s.22

B.C. Hydro HAS NO OBJECTION TO THIS
PROPOSED SUB'D.



Hipkiss, Joanne TRAN:EX

From: Laybourne, Gwyn TRAN:EX
Sent: Tuesday, October 26, 2004 1:27 PM
To: Hipkiss, Joanne TRAN:EX
Subject: FW: File 02-013-18116

-----Original Message-----

From: Latimer, Susan WLAP:EX
Sent: Tuesday, October 26, 2004 11:53 AM
To: Laybourne, Gwyn TRAN:EX
Cc: Fred Levitt
Subject: File 02-013-18116

I have been out of the office and on other priorities so I apologize for the delayed response. This application should fit under the Regional District blanket development permit process. The only thing I noticed is that the location of the creek differed between the location drawing and the survey. I am assuming the surveyed one is correct. Therefore if it does WLAP need not be involved any further.

Susan Latimer, RP Bio.
Ecosystems Biologist
Environmental Stewardship Division
Ministry of Water, Land and Air Protection
Ph: (250) 558-1744 fax: (250) 558-1795



s.22

c/o Brown Johnson Land Surveyors

P.O. Box 362

Salmon Arm, BC V1E 4N5

Your File

18116

Our File

02-013-18096

Date (yyyy/mm/dd)

2004-10-01

Proposed Subdivision of **PART OF LOT A PLAN 20357 AND THE N.E. ¼ OF SEC. 2, TP. 20, RGE. 9, W6M, K.D.Y.D. ; except Plans 28357, 22961 & 35720**

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

1. Written confirmation of approval from the North Okanagan Regional District of compliance with the following:
 - a) Proof of water supply pursuant to the requirements of Section 402 of Subdivision Servicing Bylaw No. 726, 1986.
 - b) Application by applicant and issuance of a Development Permit for the Shuswap River Watershed – Protection of the Natural Environment pursuant to Policy XI.B.2 of the Electoral Area "F" Official Community Plan Bylaw No. 1366, 1996 for Metcalfe Creek.
 - c) Waiver by the Regional Board of the ten percent minimum lot frontage requirement of Section 803.7 of Zoning Bylaw No. 1888, 2003 for Proposed Lots 2 and 3. Applicant must submit a written request for the waiver and, pursuant to Bylaw No. 1963, 2004, the \$100 application fee.
 - d) Payment of the \$500 per lot Development Cost Charge payable pursuant to the Fortune Parks and Recreation District Development Cost Charge Bylaw No. 546.
2. Written confirmation from the Ministry of Water, Land and Air Protection, Habitat Division, of compliance with any requirements that may be deemed necessary, with respect to the Metcalfe Creek.
3. Pursuant to Sections 219 and 86(1)(d) of the Land Title Act, applicant to enter into a suitable restrictive covenant, regarding the land which may be subject to flooding, with the following vertical and horizontal setback restrictions:
 - Hereafter, no building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within 15.0 metres of the natural boundary of Metcalfe Creek.
 - Hereafter, no area used for habitation, business, or storage of goods damageable by floodwaters shall be located within any building, modular home or structure at an elevation such that the underside of the floor system thereof is less than 1.5 metres above the natural boundary of Metcalfe Creek. In the case of a mobile home or unit, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than the above-described elevation.
 - The required elevation may be achieved by structural elevation of the said structure or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater. Where landfill is used to raise the natural ground elevation, the toe of the landfill shall be no closer to the natural boundary than the setback outlined above. The face of

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the landfill slope shall be adequately protected against erosion from flood flows (wave action, ice, or other debris).

- The owner acknowledges that the Province of British Columbia does not represent to the owner or any other person that any building constructed or mobile home located in accordance with the above will not be damaged by flooding or erosion, and the owner covenants and agrees not to claim damages from the Province of British Columbia or the North Okanagan Regional District or hold the Province or the Regional District responsible for damages caused by flooding or erosion to the land or any building, improvement, or other structure built, constructed or placed upon the said lands and to any contents thereof.

The covenant must have priority over all financial charges and be in favor of [1] Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Transportation and [2] the North Okanagan Regional District. The notation on the final plans must accurately reflect the named parties on the covenant document.

4. Written confirmation of approval from Land and Water British Columbia Inc. of compliance with any requirements that they may deem necessary.
5. Written confirmation from B.C. Hydro that all their concerns and requirements as outlined in their letter of September 2, 2004 (enclosed) have been addressed to their satisfaction.
6. Edgar Road to be established 20 metres in width, or 3 metres beyond any cuts or fills, whichever is greater.
7. Proposed road to be established 20 m from the existing mean centreline or 3 m beyond the extremities of any cuts or fills whichever is greater, including 6 m by 6 m corner cutoffs at each intersection.
8. Proposed Road to be designed, constructed and gravelled to Local Ministry standards as per Chapter 14 of the BC Supplement to TAC Geometric Design Guide regarding subdivision roads), complete with a minimum 15.0 m radius offset cul-de-sac(edge of gravel) at its terminus, including drainage works complete to a natural outfall, to the satisfaction of the District Manager, Transportation. Three copies of properly engineered drawings showing vertical and horizontal alignments, cross sections, drainage works to a natural outfall, superelevation design, and all utility locations to be submitted to, and approved by the District Official prior to the commencement of any works. Drawings to be supplied to, and approved by all utility companies in regards to all utility locations.
Said road and drainage works to be designed, supervised and certified as having been constructed in accordance with good engineering practices and according to acceptable Ministry of Transportation standards by a Professional Engineer experienced with Ministry standards and requirements.
Copies of all test results to accompany the Engineer's certification letter.
As built drawings to be submitted to the Ministry upon completion of the road and drainage works.
9. Compliance with Section 75(1)(a) of the Land Title Act, namely access to lands beyond being the NW 1/4 Sec. 2, Tp. 20, Rge.9, W6M, KDYD to the west.
10. All required signs, including: road name sign; stop sign; "No Thru Road" sign; and "50 km/h" sign; are to be included on the engineered drawings and installed to Ministry standards prior to final approval. Please provide at least one proposed road name as soon as possible for our review and approval.

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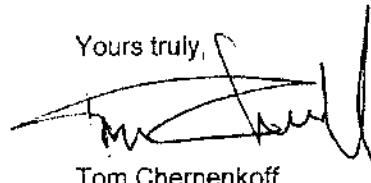
The approval granted is only for the general layout of the subdivision and is valid for one year from this letter. However, if at any time there is a change in legislation, regulations or bylaws this preliminary layout approval is automatically cancelled.

Submission of Final Plans(Mylar and 2 prints) to be accompanied by a current Tax Certificate (FIN 55), together with a plan examination fee of \$ 50.00 plus \$ 100.00 per lot created by the plan and made payable in the form of a cheque to the Minister of Finance.

Tom Chernenkoff at (250) 503-3609

(Name of Technician)

Yours truly,



Tom Chernenkoff
District Development Technician
Ministry of Transportation

cc: NORD, File: 04-0760-F-SUB

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ROUTE CARD

TIM 023

PROGRAM MANAGER

FILE NO: 10550-20/Moth
02-013-18116

Ministry of Transportation

TECHNICIAN: John Donnelly

**NOTE: COMMENTS MUST BE RELAYED TO RESOURCE CLERK
IN EMAIL BY Sept 30, 2004**

Write comments for your program in the format to be included verbatim in approval letter. Attach extra note if space insufficient.

STAFF	COMMENT	DATE	INITIAL
PROTECTION PLANNING OFFICER			
AGROLOGY OFFICER	No concerns	04/09/23	JD
ENGINEERING OFFICER	No Engineering concerns	Sept 23/04	UE
PLANNING OFFICER			
ZONE TECHNICIAN	No concerns	04.09.23	JD