

**BC MINISTRY OF TRANSPORTATION
DEVELOPMENT APPROVALS SYSTEM
SUMMARY SHEET**

Page 1 of 1
2008/08/14
KROWAN

Criteria:

File No = 20957

FILE NO.: 20957

CATEGORY: Fee Simple Subdivision(Unorganized)

SUBMITTED DATE: 2008/04/30

TECHNICIAN: Bains, Rajeeta

APPLICANT FILE NO.:

BYLAW NO.:

PROJECT NAME: Phillip Datchkoff (Annie Gascon)

DESCRIPTION OF WORKS: 2 lot subdiv

INTEREST TYPE NAME

Applicant DATCHKOFF, PHILLIP

PHONE:

bus:(250)365-7767

res:S.22

ROAD NO. / NAME

10-A-@-05121 GANDER

LOCATION DESCRIPTION

RFI Offset: 0.0km; at Krestova

LEGAL DESCRIPTION:

Lot 2, DL 8773, KD, Plan NEP75332

PID	LOT FROM	LOT TO	SL	PCL	PLAN BLK	DL	GR NO	BLOCK	Q	SEC	TP	R	LS	LD	PLAN	IR
025-904-604	2					8773								26	NEP75332	

REFERENCE MAP:

SURVEYOR NAME:

CROSS REFERENCE FILE NO(S):

ACTION DESCRIPTION

ACTION TAKEN

ASSIGNED TO

LETTER TYPE

REFERRAL AGENCY

DATE
SENTDATE
EXPECTED

RESP?

Referral Letter

REGIONAL DISTRICT OF CENTRAL KOOTENAY

2008/08/14

2008/09/04

Referral Letter

INTERIOR HEALTH AUTHORITY - NELSON

2008/08/14

2008/09/13

COMMENTS:

- * Covenant on title is for water potability
- * Previous subdiv. was a boundary adjustment (19060)
- * Wafer was from Gander Creek Water Users Group which was acceptable in 2003/2004 but not today.

Applicant came in requesting
an extension.

I revised the PLA ~~first~~

is it ~~okay~~ to send out?



RBAINS
NOV
26/09



July 29, 2010

Your file: 11707

Our file: 02-010-20957

FOR PICK UP/DELIVER

Stacey, Trillo & Company
1-405 Baker Street
NELSON BC V1L 4H7

Re: Proposed Subdivision – Datchkoff

The above noted subdivision has been approved, and registration at the Land Title Office is now in order. Please note that failure to register within sixty (60) days will necessitate re-approval through the District Office, with Plan Examination Fee and FIN-55 (Tax Clearance Certificate) required.

Enclosed:

- Application to Deposit Plan
- Application to Deposit Plan
- Survey Plan Certification
- Application to Deposit Plan EPP7957, Control # 128-148-1910
- One (1) water covenant
- Setback Covenant
- SetBack Covenant
- Easement Document

for Yours truly,

Kim Rowan

Peter Muirhead
Provincial Approving Officer

PM/kr

Cc: RDCK (Hs.08907.605-05622.250)
IHA – Nelson

L. Lepard

Page 004 to/à Page 038

Withheld pursuant to/removed as

s.3



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Ministry of
Finance

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

2010/12/31

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, PO Box 9432 Stn Prov Govt, Victoria, BC V8W 9N6. (Telephone: Victoria at 250 953-3671, 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 26, NEP 75332, Lot 2

LAND DISTRICT

Kootenay

TAX ROLL FOLIO NO.

24707 08907.605 18

ASSESSED OWNER

Phillip Datchkoff
Robert Datchkoff
Annie Gascon

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** Assignment, renewal or abandonment of _____
REGIONAL (indicate type of tenure — for example, lease, licence, etc. and identifying number) issued by
OPERATIONS 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

V. McWeef

DATED AT

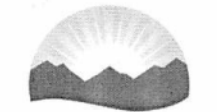
Service BC Nelson

DATE SIGNED

YYYY / MM / DD

2010/10/18

Written
Confirmation
I have ~~out~~ missing
Requested info
from lawyer
Oct 25/10 ✓ *ir No 2/10*



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COLUMBIA

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Date (yyyy/mm/dd) 2010/10/25
District File Number 02-010-20957
Date District Received 2010/10/18

REPORT ON FINAL SUBDIVISION

HIGHWAY DISTRICT West Kootenay	REGIONAL DISTRICT Central Kootenay	MUNICIPALITY
--	--	--------------

REGIONAL FILE NO. _____ REFERENCE/DATE _____

ROAD NAME/ROUTE NO. _____

LEGAL DESCRIPTION Lot2, District lot 8773, KD, Plan NEP75332

LOCATED 23 km ☒ N ☐ S ☐ E ☐ W OF Nelson

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 _____ OR BONDED? _____ APPROVALS/PERMITS IN HAND? _____

NAME/ADDRESS OF APPLICANT Phillip Datchkoff

s.22

NAME/ADDRESS OF AGENT _____

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

<u>X</u>	FIN 55	<u>3</u>	COVENANT	
	I.D. TAX CERTIFICATE	<u>Yes</u>	EASEMENT	
<u>X</u>	EPLANS	<u>Yes</u>	APPROVAL	FEE AMOUNT? <u>\$250.00</u>
<u>N/A</u>	MYLAR			RECEIPT NO.? <u>218074L</u>
<u>N/A</u>	PAPER PRINT	<u>X</u>	STATE OF TITLE CERTIFICATE	
<u>N/A</u>	75 (1) (c)(d) DECLARATION			

COMMENTS:

- Clause 1: Written confirmation from RDCK received Aug 20, 2010 – Covenant doc attached and well log & letter from IHA
- Clause 2: Setback from unnamed creek – covenant attached
- Clause 3: Gander Road is not shown as 20 metres wide on final plans. On original subdivision plan, NEP75332, road is shown at 21 metres in width.
- Clause 4: Septic covenant attached confirmation from Health - received Nov 02
- Clause 5: Wildfire - okay
- Clause 6: archaeological info - good

Recommend for approval: YES – all items have been addressed

Rajeeta Bains District Development Technician PRINT NAME

TO DISTRICT HIGHWAYS MANAGER _____ DATE (yyyy/mm/dd) _____

PLAN(S) RETURNED

APPROVED

RE-APPROVED

NOT APPROVED

ENDORSED 75 (1) (c)(d)

ALSO ATTACHED

COMMENTS

PROVINCIAL APPROVING OFFICER SIGNATURE

PRINT NAME

SUBDIVISION DETAIL FOR DAS ENTRY

BSL	CT	Phased Building Strata Lots Created	
CLA	KM	Common Lot Access	
DED	KM	Length Dedicated R/W Sec 42 Road	
HA	HA	Hectares of R/W	
JIL	CT	Number of Joint Interests Created	
KM	KM	Kilometres of New R/W	
KMG	KM	Lane KM of Gravel Road	
KMP	KM	Lane KM of Paved Road	
KLM	KM	Lane KM Constructed	
LOT	CT	Lots Created Final Subdivision (Rural)	2
SAR	KM	Strata Access Road	
STR	CT	Strata Lots Created	
WID	KM	Length of Widened R/S	

Bains, Rajeeta TRAN:EX

From: Troy Trillo [troy@stacey-trillo.com]
Sent: Tuesday, November 2, 2010 10:50 AM
To: Bains, Rajeeta TRAN:EX
Subject: FW: File 02-010-20957 Datchkoff, DL 8773, KD
Attachments: MOTI# 02-010-20957.doc

Hi Rajeeta,

Please see attached letter from IHA; I hope this is satisfactory. If you need anything else, please don't hesitate to call – otherwise, if you could call or e-mail when the package is signed off by Peter, and we will pick it up.

Thanks,
Troy

From: Subdivisions.Kootenay [<mailto:Subdivisions.Kootenay@interiorhealth.ca>]
Sent: Monday, November 01, 2010 4:18 PM
To: Troy Trillo
Subject: RE: File 02-010-20957 Datchkoff, DL 8773, KD

Hello Troy,

Please find attached a letter regarding the concerns identified in the Sept. 16, 2008 letter from this office. If you have any further questions or concerns please feel free to contact me.

Thank you,

Juliana Gola
Environmental Health Officer
Interior Health Authority
Ph: (250) 505-7206 Fax: 250-505-7211
Email: subdivisions.kootenay@interiorhealth.ca

From: Troy Trillo [<mailto:troy@stacey-trillo.com>]
Sent: Monday, October 25, 2010 3:07 PM
To: Subdivisions.Kootenay
Subject: File 02-010-20957 Datchkoff, DL 8773, KD

Edited by M Hall Oct 25/10 to capture DL number in the subject line. Mandatory information.

Hi Juliana,

Please find attached a fax cover sheet (your office said e-mail is preferred) with a brief note explaining these documents and our request for a "happy" letter, the s.219 septic covenant and the reference and subdivision plan. Should you have any questions, please don't hesitate to call.

Sincerely,

Troy Trillo
Stacey, Trillo & Company
#1-405 Baker St., Nelson, BC V1L 4H7
Ph: (250)352-3125

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Interior Health

November 1, 2010

P. Datchkoff
s.22

Attn: Phillip Datchkoff

RE: MOTI File # 02-010-20957 DL 8773

Interior Health has obtained satisfactory documentation regarding the registration of a S.219 septic covenant on Lot A DL 8773, Kootenay District Plan EPP7955 and Lot B DL 8773 Kootenay District Plan EPP7955. The document and reference plan received accurately address the concerns mentioned in the September 16, 2008 letter from this office.

If you have any concerns or require further information on this issue, please feel free to call this office.

Sincerely,

Juliana Gola, CPHI(C)
Environmental Health Officer

Bus: (250) 505-7200 **Fax:** (250) 505-7211

Email: subdivision.kootenay@interiorhealth.ca

Web: interiorhealth.ca

KOOTENAY BOUNDARY HEALTH SERVICES
Nelson Health Center
2nd Floor, 333 Victoria St
NELSON BC V1L 4K3



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4
web: www.rdck.bc.ca

Telephone (250) 352-6665 Fax (250) 352-9300
BC Toll Free 1-800-268-7325
e-mail: info@rdck.bc.ca

R.D.C.K. File #4420-20-HS-08907.605
MoT File # 02-010-20957

August 20, 2010

Rajeeta Bains
Development Approvals Technician
Ministry of Transportation
310 Ward Street,
NELSON BC V1L 5S4

Re: Subdivision of Lot 2, DL 8773, Plan NEP75332
PID: 025-904-604 Owner: Phillip Datchkoff

Please be advised that the Regional District of Central Kootenay has received applicable documentation addressing all outstanding requirements of RDCK Subdivision Bylaw No. 1321.

Please note that in all cases where surface or groundwater is to be used as a domestic water source, a restrictive covenant, advising the property owner that no building shall take place until the owner of the property has received Interior Health Authority information regarding potability of ground and/or surface water sources, shall be registered on the property.

The Regional District has no additional conditions associated with this subdivision.

Sincerely,

Mark Crowe
Planning Technician

cc: Phillip Datchkoff

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Regional District of Central Kootenay

Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4
web: www.rdck.bc.ca

Telephone (250) 352-6665 Fax (250) 352-9300
BC Toll Free 1-800-268-7325
e-mail: info@rdck.bc.ca

R.D.C.K. File #4420-20-HS-08907.605
MoT File # 02-010-20957

March 5, 2010

Phillip Datchkoff
s.22

Dear Mr. Datchkoff:

RE: Subdivision of Lot 2, DL 8773, Plan NEP75332
PID: 025-904-604

Please be advised that the Regional District has received a Preliminary Layout Approval (PLA) from the Ministry of Transportation for the above noted lot. The Regional District is unable to provide the Ministry with confirmation of compliance with all RDCK bylaws until we receive the following information:

- 1) Confirmation of proof of water for each lot is required under Section 6.01 of Bylaw No. 1321. It has come to our attention that you are proposing to use independent shallow wells as proof of water for each lot. Please provide a pump test which has been performed by a qualified well pump installer that demonstrates that the wells are capable of producing at least 15 litres (3 imp. gal.) per minute.
- 2) Confirmation from a British Columbia Land Surveyor (BCLS) or Professional Engineer (P. Eng.) stating that there are no buildings encroaching on existing or proposed lot lines.

Please call me if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "M. Crowe".

Mark Crowe
Planning Technician

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R. K. FINE #4420-2015-0807605

Customer Pumping Equipment Record

Tri-City Pumps and Power 2007 Ltd.

RR#1 S11 C12

South Slokan, BC V0G 2G0

Ph: 250-359-7166 Fx: 250-359-7167

WELL #1

Customer: Gascon, Ann

Postal Add.: s.22

City: s.22

Date: Aug. 16/03

Prov.: s.22

Pump Add.:

Phone:

Ex/email:

Description

System installed by: Tri-City Drilled by:

Pump installed in well that is: 48 In. inside diameter. Cased: concrete rings

Lined: Bedrock: Well depth: 15 Ft. GPM: 20+

Pressure setting: 30-50 PSI Screened: Screen length: Ft.

From surface: Pump set. Ft.: 14Ft. Static level: 10 Ft.

Pump: Make: Goulds Model: 10GS07412 HP: 3/4 Voltage: 230 Phase: 1

Capacity A GPM: 15.6 At 40 Ft With 40 PSI

Capacity B GPM: AT: Ft With: PSI

Pump cable size: 3/14 AWG Type: TWU Cable length: 15 Ft.

Drop pipe in.: 1 In. Type: 160 lb Poly Length: 5 Ft.

Pitless Adapter: size: n/a In. Type: Well cap / seal:

Pressure tank #1: size: 45 Gal. Type: float Make: existing Model:

Pressure tank #2 size: Gal. Type Make: Model

Fittings package (tank tee, pres. switch, gauge, etc) existing

Flex/connectors: ex

Electrical package: ex

Check valve size: In. Type Where:

Safety line: 3/8 In. Length: 20 Ft.

Underground wiring: size: ? AWG Length: ? Ft. Type ?

Underground piping: size: 1 1/4 In Length: ? Ft. Type: poly

Tank guarantee: n/a Years Tank serial #:

Pump guarantee: 5 Years Pump ins. #: C49894 Pump serial #: F0325348

Other info: Pump installed in shallow well and connected to existing system.

PUMP TEST

ROCK FILE # 4420-2045
08707-605

Customer: PHILLIP DATCHKOFF MOT FILE # 02-010-20957
Pump location: 3573 GANDER RD. KROSTNA / CREST VALLEY BC

Well ID: - Depth 92" Ft. Cased 36" Bedrock NO Well screen size -
Pump make Gauss Model 1065074/2-IP 3/4 Pump connected to 1" Poly.
Pump set at 8 Ft. Discharge info 1" Poly - 75' DOWN HILL FR. WELL HEAD

Time Hrs & Min.	Elapsed time In minutes	Tape reading or water	Discharge U.S. Gal/Min.	Remarks Problems Weather Etc.
				OVERCAST 4°C - 8°C
0	0	7' 3"	0	36" Cased CISTERN WELL.
10 35	1	7' 0"	12	8.9 A; 75 PSI
10 36	2	6' 10"	10	8.09 A; 95 PSI
10 37	3	6' 8"	10	8.05 A; 95 PSI
10 38	4	6' 7"	10	8.03 A; 75 PSI
10 39	5	6' 7"	10	8.03 A; 75 PSI
10 44	10	6' 5"	10	8.02 A; 95 PSI
10 49	15	6' 2"	10	8.04 A; 95 PSI
10 54	20	6' 0"	10	8.05 A; 95 PSI
11 04	30	5' 9"	10	7.99 A; 95 PSI
11 14	40	5' 6"	10	8.01 A; 95 PSI
11 24	50	5' 4"	10	8.03 A; 95 PSI
11 34	60	5' 1"	10	8.01 A; 95 PSI
12 04	90	6' 5"	0	0 0
				→ RECHARGE.
				GOOD WATER SOURCE;
				PUMPED 600+ GAL WATER;
				RECOVERY EXCELLENT;
				WELL CAN SUSTAIN A RESIDENTIAL
				PROPERTY EASILY.
				Brent Esmer
				B.C.G.W.A. CERT # WPI09052001
				C.G.W.A. CERT # GWPT # 2009-199

GORDON STEIN
B.C. Land Surveyor

Land Use Planning and Cadastral Surveying
808 Front Street, Nelson, B.C., V1L 4C2

leslid@netidea.com
Telephone & Fax: (250) 352-7312

August 11, 2010

Regional District of Central Kootenay
Box 590
202 Lakeside Drive
Nelson, B.C.
V1L 5R4

Attn: Mr. Mark Crowe

Dear Mr. Crowe:

Re: MOT File 02-010-20957, (Phil Datchkoff), Your File 4420-20-HS-08907.605,
Proposed Subdivision of Lot 2, District Lot 8773, Kootenay District, Plan NEP75332.

Further to the preliminary layout approval from the Ministry of Transportation and Infrastructure, we require written acknowledgement from the RDCK that the conditions of Bylaw 1321 are met.

There are buildings on proposed Lots A and B. There are no existing encroachments and the proposed subdivision does not create any non-conformities or encroachments.

Proof of water has been submitted by others.

Please advise if anything additional is required.

Yours truly,



Gordon Stein
B.C.L.S., P.Eng.

Encl:



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4
web: www.rdck.bc.ca

Telephone (250) 352-6665 Fax (250) 352-9300
BC Toll Free 1-800-268-7325
e-mail: info@rdck.bc.ca

R.D.C.K. File #4420-20-HS-08907.605
MoT File # 02-010-20957

December 8, 2009

Phillip Datchkoff

s.22

Dear Mr. Datchkoff:

**RE: Subdivision of Lot 2, DL 8773, Plan NEP75332
PID: 025-904-604**

Please be advised that the Regional District has received a Preliminary Layout Approval (PLA) from the Ministry of Transportation for the above noted lot. The Regional District is unable to provide the Ministry with confirmation of compliance with all RDCK bylaws until we receive the following information:

- 1) Confirmation of proof of water for each lot as required under Section 6.01 of Bylaw No. 1321. This can be provided in the form of written confirmation from the Community Water System stating that all taxes, tolls, connection fees and subdivision servicing requirements have been met; and
- 2) Confirmation from a British Columbia Land Surveyor (BCLS) or Professional Engineer (P. Eng.) stating that there are no buildings encroaching on existing or proposed lot lines.

Please call me if you have any questions.

Yours truly,

Mark Crowe
Planning Technician

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Interior Health

January 27, 2010

s.22

Attention: Phillip Datchkoff

Re: Potability of Groundwater Source for Proposed Subdivision of Lot 2, DL 8773, KD, Plan NEP75332

A site visit was conducted on December 9, 2009 to assess the source and site characteristics of this water supply. It was noted by the applicant that there are two shallow wells, one for each lot, so as to forego the requirements of the *Drinking Water Protection Act*.

Please be advised of the health risks associated with using shallow wells or raw surface water for domestic purposes. You are advised to adequately treat this source of water to meet the *Guidelines for Canadian Drinking Water Quality* for bacteriological and chemical parameters, or find a safe alternative source (ie. deep well source, approved community water system).

This health advisement is in keeping with the Section 219 covenant placed on Lot 2, district lot 8773, district plan NEP75332 – "No building until the owner has obtained information from the Interior Health Authority regarding the potability of a surface or ground water source."

I trust this is adequate information required by the RDCK. If you have any questions, please contact me directly.

Sincerely,

Graham Pipher
Environmental Health Officer

cc: Shaun Malakoe, Environmental Health Officer – Team Leader, Interior Health

Bus: (250) 364-6210 **Fax:** (250) 364-6218
Email: Graham.Pipher@interiorhealth.ca
Web: interiorhealth.ca

ENVIRONMENTAL HEALTH SERVICES
Suite 2 – 1500 Columbia Ave
Trail BC V1R 1J9



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4
web: www.rdck.bc.ca

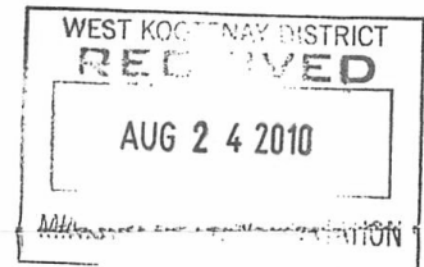
Telephone (250) 352-6665 Fax (250) 352-9300
BC Toll Free 1-800-268-7325
e-mail: info@rdck.bc.ca

R.D.C.K. File #4420-20-HS-08907.605
MoT File # 02-010-20957

August 20, 2010

Rajeeta Bains
Development Approvals Technician
Ministry of Transportation
310 Ward Street,
NELSON BC V1L 5S4

Re: Subdivision of Lot 2, DL 8773, Plan NEP75332
PID: 025-904-604 Owner: Phillip Datchkoff



Please be advised that the Regional District of Central Kootenay has received applicable documentation addressing all outstanding requirements of RDCK Subdivision Bylaw No. 1321.

Please note that in all cases where surface or groundwater is to be used as a domestic water source, a restrictive covenant, advising the property owner that no building shall take place until the owner of the property has received Interior Health Authority information regarding potability of ground and/or surface water sources, shall be registered on the property.

The Regional District has no additional conditions associated with this subdivision.

Sincerely,

Mark Crowe
Planning Technician

cc: Phillip Datchkoff

W:\Departments\Plandept\SUBDIVSNAPPROVALS\Approval_Hs08907.605.DOC

To: Peter Goodier
(HAD TO PULL this
out of an email string)

IHA Letter
Sept. 16, 2008

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

From: Ray, Chasch [mailto:chasch.ray@interiorhealth.ca]

Sent: Tuesday, September 16, 2008 10:28 AM

To: 'Bains, Rajeeta TRAN:EX'; 'Rowan, Kim R TRAN:EX'

Cc: Malakoe, Shaun; Ray, Chasch; Phil Datchkoff

Subject: File 02-010-20957 - Datchkoff

We have reviewed this proposed 2 lot subdivision and provide the following comments:

Proposed Lot 1 (the smaller of the two) has tight silty soils and therefore will require a s. 219 covenant to protect an area that is 1190 m² plus 3 meters on all 4 sides for onsite sewage disposal purposes. It appears that there is sufficient area on that lot to meet the required covenant area but because the plot plan provided by the applicant is not a survey plan, and may not be completely accurate, it may be necessary to change the lot lines to meet the onsite sewage disposal requirements for that lot. Lot 1 is connected to an unapproved surface water system and does not have sufficient room to drill a well.

Proposed Lot 2 (the larger lot) has suitable soils and area for onsite sewage disposal. We recommend that a s. 219 covenant be placed on title for that lot to protect an area 450 m² in size to be located in the southwest portion of the lot. Because both these lots are currently connected to a non-approved "good neighbour" water system, which is not considered to be a potable water supply, we recommend that Lot 2 be supplied with water from a well.

We would like the opportunity to review the covenants and reference plan prior to final approval of this subdivision.

Page 2 of 3

J Chasch Ray
Public Health Inspector
Interior Health Authority
333 Victoria Street
Nelson, BC V1L 4K3
(250) 505-7210
(250) 505-7211 fax

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010-20957

Sept 16, 2008

Page 057 to/à Page 073

Withheld pursuant to/removed as

s.3

STACEY, TRILLO & COMPANY

Barristers, Solicitors & Notaries Public

1-405 Baker Street, Nelson, British Columbia V1L 4H7
Ph: (250)352-3125 • Fax: (250)352-3145 • e-mail: troy@stacey-trillo.com

October 18, 2010

Ministry of Transportation and Infrastructure
4th Floor – 310 Ward St.
Nelson, BC V1L 5S4

“BY HAND”

Attn.: Rajeeta Bains / Peter Muirhead

Dear Rajeeta/Peter


Re: Subdivision – Phillip Datchoff
File 02-010-20957

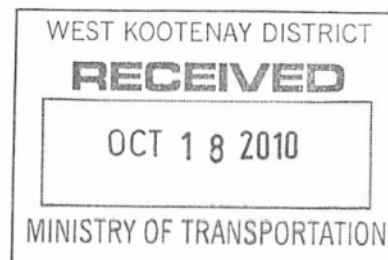
Further to your PLA dated December 3, 2008, please find enclosed the following subdivision documents for your approval:

1. Application to Deposit Plan, **for execution**, along with Plan EPP7955;
2. Approval letter from RDCK, along with supporting documentation, for review;
3. s.219 Covenant re: water potability, **for execution**;
4. s.219 Covenant re: setback, **for execution**;
5. s.219 Covenant re: septic, **for execution**, along with Plan EPP7957;
6. Easement re: waterline, for review only, along with Plan EPP7956; (PLEASE RETURN)
7. Tax Certificate;
8. Title Search; and
9. Cheque in the amount of \$250.00 payable to Minister of Finance.

Provided the foregoing is acceptable, please call when everything is signed and ready for pickup.

Sincerely,
STACEY, TRILLO & COMPANY


Per: Troy Trillo
TT/mia
encl.



Page 075 to/à Page 087

Withheld pursuant to/removed as

s.3

Rowan, Kim R TRAN:EX

From: Bains, Rajeeta TRAN:EX
Sent: Monday, March 22, 2010 9:09 AM
To: Rowan, Kim R TRAN:EX
Subject: FW: MOTI file 02-010-20957, our file (10-027)

Hi Kim

Would you please be able to send over to ward's office a copy of the IHA letter for this file

Thanks

Rajeeta

From: Peter Goodier [mailto:peter.goodier@wardengineering.bc.ca]
Sent: Thursday, March 11, 2010 4:22 PM
To: Bains, Rajeeta TRAN:EX
Cc: Yvonne Vulcano; data10@wardengineering.bc.ca
Subject: MOTI file 02-010-20957, our file (10-027)

Hi Rajeeta,

Phillip Datchkoff is our client and has requested us to provide him with an estimate for survey.

Could you please forward to me the IHA letter dated September 16, 2008, which is referred to in PLA item #4?

Thanks,

Peter G

Peter N. Goodier, BCLS
Ward Engineering and Land Surveying Ltd.
1014 Seventh Street Ph (250) 354-1660
Nelson BC V1L 7C2 Fx (250) 354-1670
email: peter.goodier@wardengineering.bc.ca

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Interior Health

file # 20957

January 27, 2010

s.22

Attention: Phillip Datchkoff

Re: Potability of Groundwater Source for Proposed Subdivision of Lot 2, DL 8773, KD, Plan NEP75332

A site visit was conducted on December 9, 2009 to assess the source and site characteristics of this water supply. It was noted by the applicant that there are two shallow wells, one for each lot, so as to forego the requirements of the *Drinking Water Protection Act*.

Please be advised of the health risks associated with using shallow wells or raw surface water for domestic purposes. You are advised to adequately treat this source of water to meet the *Guidelines for Canadian Drinking Water Quality* for bacteriological and chemical parameters, or find a safe alternative source (ie. deep well source, approved community water system).

This health advisement is in keeping with the Section 219 covenant placed on Lot 2, district lot 8773, district plan NEP75332 – "No building until the owner has obtained information from the Interior Health Authority regarding the potability of a surface or ground water source."

I trust this is adequate information required by the RDCK. If you have any questions, please contact me directly.

Sincerely,

Graham Pipher
Environmental Health Officer

cc: Shaun Malakoe, Environmental Health Officer – Team Leader, Interior Health

Bus: (250) 364-6210 **Fax:** (250) 364-6218
Email: Graham.Pipher@interiorhealth.ca
Web: interiorhealth.ca

ENVIRONMENTAL HEALTH SERVICES
Suite 2 – 1500 Columbia Ave
Trail BC V1R 1J9

Phillip Datchkoff
s.22

Your File

Our File 02-010-20957

Date (yyyy/mm/dd) 2009/11/26

Proposed Subdivision of
Lot 2, DL 8773, KD, Plan NEP75332

Your proposal for a two (2) lot fee simple subdivision has received preliminary layout approval, subject to the following condition(s):

1. Pursuant to section 87 of the Land Title Act the applicant shall provide with submission of final plans and written confirmation from the Regional District Central Kootenay (RDCK) stating all the conditions of their bylaws, policies and applicable provisions of the Local Government Act have been addressed. RDCK subdivision servicing bylaw requires proof of a year round source of water for each lot created. If ground water (well) or surface water (water license) are proposed the RDCK requires a restrictive covenant stating "No building until the owner has obtained information from the Interior Health Authority regarding the potability of a surface or ground water source". Please submit the same proof of water information that was provided to the RDCK with your final plans to the Ministry of Transportation and Infrastructure for review and filing.
2. Pursuant to **Section 86 of the Land Title Act**, the applicant shall enter into a restrictive covenant in accordance with **Section 219 of the Land Title Act** with the **Minister of Transportation** and the **Regional District of Central Kootenay**.

The following clauses should be included in a restrictive covenant for both the proposed lot(s) and the remainder:

From and after the date hereof;

Proposed Lot 1 and 2

- a) *No building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within **fifteen (15)** meters of the natural boundary of **unnamed creek***
- b) *No area used for habitation, business or storage of goods damageable by floodwaters shall be located within any building at an elevation such that the underside of the floor system, thereof, is less than **one point five (1.5)** meters above the natural boundary of **unnamed creek**.*
- c) *In the case of a mobile home, the ground level or top of the concrete or asphalt pad on which it is located shall be no lower than the above described elevation.*

Local District Address

West Kootenay District
310 WARD STREET
NELSON BC V1L 5S4

- d) *The required elevation may be achieved by structural elevation of the said habitable, business or storage area or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for installation of furnaces or other fixed equipment susceptible to damage to floodwater. Where landfill is used to raise the natural ground elevation, the toe of the landfill slope shall be no closer to the natural boundary than the setback requirement given in condition 1 above. The face of the landfill slope shall be adequately protected against erosion from flood flows including but not limited to wave action, ice or other debris.*
3. Gander Road to be dedicated and established a minimum of ten (10) metres from existing mean centerline or three (3) metres beyond the extremities of cuts or fills, whichever is greater.
 4. Applicant to enter into Restrictive Covenant with the **Interior Health Authority** and the **Regional District of Central Kootenay** as noted in the **Interior Health Authority** letter of September 16, 2008. Lot 1 will require a covenant to protect an area that is 1190 m² plus 3 metres on all four sides for onsite sewage disposal. Lot 2 shall have a restrictive covenant to protect an area 450 m². Covenant to have priority over all other charges. The area of the restrictive covenant to be identified on a reference or explanatory plan (as required by the registrar) prepared by a B.C.L.S. Written confirmation from **Interior Health Authority** that the document and reference or explanatory plan accurately reflects the concerns as identified in their letter dated September 16, 2008. Appropriate notation to appear on final plans.
 5. The property being subdivided is within a wildfire interface area and may be subject to a hazard of wildfire. It is therefore recommended that the owner consult the following website and review the Firesmart Manual for information about reducing the risk, www.for.gov.bc.ca/protect/ or www.partnersinprotection.ab.ca or contact the Ministry of Forests for more information. Appropriate protection measures should be implemented and maintained, and property purchasers should be advised of the risk.
 6. Provincial records indicate the proposed development is located within an area with the potential to contain archaeological sites protected by the Heritage Conservation Act. However, the likelihood for development activity to impact on archaeological resources is thought to be minimal. As such, the Provincial Approving Officer has no objections to the proposed development proceeding without the need for an archaeological impact assessment. The applicant should be aware that there is still a chance the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads and other stone tools, or even buried human remains. If such material is encountered during demolition or construction, a *Heritage Conservation Act* Permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work. Please contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property.

November 26, 2009

7. Please have your BC Land Surveyor include the Ministry's file number under the Approving Officer's signature block on the final plans.

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

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

If you have any questions please do not hesitate to call Rajeeta Bains at (250)354-6302.
(Name of Technician)

Cc: RDCK (Hs.08907.605)
IHA - Nelson

Yours truly,

Rajeeta Bains
District Development Tech
Ministry of Transportation

Bains, Rajeeta TRAN:EX

From: Bains, Rajeeta TRAN:EX
Sent: Friday, June 12, 2009 9:14 AM
To: 'Phil Datchkoff'
Subject: RE: File 02-010-20957

Hi Phil

You do not need to re-apply. Please submit your revised drawings and we can continue moving forward from there. I will send out the revised drawing to the IHA and RDCK. In your revised drawing please show the location of the septic fields. This will assist the IHA when providing comments back to our ministry.

Thank you
Rajeeta

From: Phil Datchkoff [mailto:s.22]
Sent: Friday, June 5, 2009 11:48 AM
To: Bains, Rajeeta TRAN:EX
Subject: RE: File 02-010-20957

Rajeeta,

The revised plan is in the works but I was wondering would I need an extension to my application and how does one go about it. I would hate to have to pay another \$1,700 dollars.

Regards
Phil

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

From: Bains, Rajeeta TRAN:EX [mailto:Rajeeta.Bains@gov.bc.ca]
Sent: Friday, May 29, 2009 11:01 AM
To: Phil Datchkoff
Subject: RE: File 02-010-20957

Hi Phil

Due to the number of files I am currently working on and that I have already seen your property, I will not be making another site visit. You can come by the office and drop off a revised plan of your property.

Rajeeta

From: Phil Datchkoff [mailto:s.22]
Sent: Tuesday, May 26, 2009 3:10 PM
To: Bains, Rajeeta TRAN:EX
Subject: File 02-010-20957

Rajeeta,

We have had some changes to the layout of this plan, would it be possible to make an appointment with you to do a site visit

at your convenience.
Please let me know.
Thanks.

Phil Datchkoff
District Manager
Bearing & Transmission, Castlegar/Cranbrook
A Division of Applied Industrial Technologies
PH (250) 365-7767
FAX (250) 365-2842

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Rowan, Kim R TRAN:EX

From: Ray, Chasch [chasch.ray@interiorhealth.ca]
Sent: Monday, October 6, 2008 1:04 PM
To: 'Phil Datchkoff'
Cc: Ray, Chasch; Bains, Rajeeta TRAN:EX; Rowan, Kim R TRAN:EX
Subject: RE: File 02-010-20957 - Datchkoff

Hi Phil,

Under the Drinking Water Protection Act and Regulations any water system, such as a well, that is shared is considered to be a water supply system and must meet IHA standards and have a valid operating permit. Only a well that services a single dwelling is considered to be a private source and does not need full treatment. Each lot that is created must have an approved potable water supply, either from a fully approved water system that is treated, or a private source such as a drilled well. So, you will need to provide a potable water source to service the new lot.

Chasch

J Chasch Ray
 Public Health Inspector
 Interior Health
 2nd Floor - 333 Victoria Street
 Nelson, BC V1L 4K3

(250) 505-7210
 (250) 505-7211 - fax

From: Phil Datchkoff [mailto:s.22 |]
Sent: Monday, October 06, 2008 12:51 PM
To: Ray, Chasch
Subject: RE: File 02-010-20957 - Datchkoff

Chasch,

Yes the well will be shared as that is our main source of water year round.
 Thanks for the info on the next step.
 Phil

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

From: Ray, Chasch [mailto:chasch.ray@interiorhealth.ca]
Sent: Monday, October 06, 2008 9:48 AM
To: Phil Datchkoff
Subject: RE: File 02-010-20957 - Datchkoff

Hi Phil,

Yes the next step is to get a surveyor to do a reference plan showing the covenant areas and then get a lawyer to draw up your covenant documents that reference the plan. Will the well on Lot 2 be shared or is it only for the use of Lot 1?

Chasch

J Chasch Ray

Public Health Inspector
 Interior Health
 2nd Floor - 333 Victoria Street
 Nelson, BC V1L 4K3

(250) 505-7210
 (250) 505-7211 - fax

From: Phil Datchkoff [mailto:s.22]
Sent: Monday, October 06, 2008 8:54 AM
To: Ray, Chasch; Bains, Rajeeta TRAN:EX; Rowan, Kim R TRAN:EX
Cc: Malakoe, Shaun
Subject: RE: File 02-010-20957 - Datchkoff

Will there be further correspondence from anyone of your departments as to the next steps or shall I hire a legal surveyor to start a survey plan. We will be supplying Lot 1 from a well on Lot 2 which at this time we are testing to meet the requirements.
 Please advise .

Phil Datchkoff
 District Manager
 Bearing & Transmission, Castlegar/Cranbrook
 A Division of Applied Industrial Technologies
 PH (250) 365-7767
 FAX (250) 365-2842

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

From: Ray, Chasch [mailto:chasch.ray@interiorhealth.ca]
Sent: Tuesday, September 16, 2008 10:28 AM
To: 'Bains, Rajeeta TRAN:EX'; 'Rowan, Kim R TRAN:EX'
Cc: Malakoe, Shaun; Ray, Chasch; Phil Datchkoff
Subject: File 02-010-20957 - Datchkoff

We have reviewed this proposed 2 lot subdivision and provide the following comments:

Proposed Lot 1 (the smaller of the two) has tight silty soils and therefore will require a s. 219 covenant to protect an area that is 1190 m² plus 3 meters on all 4 sides for onsite sewage disposal purposes. It appears that there is sufficient area on that lot to meet the required covenant area but because the plot plan provided by the applicant is not a survey plan, and may not be completely accurate, it may be necessary to change the lot lines to meet the onsite sewage disposal requirements for that lot. Lot 1 is connected to an unapproved surface water system and does not have sufficient room to drill a well.

Proposed Lot 2 (the larger lot) has suitable soils and area for onsite sewage disposal. We recommend that a s. 219 covenant be placed on title for that lot to protect an area 450 m² in size to be located in the southwest portion of the lot. Because both these lots are currently connected to a non-approved "good neighbour" water system, which is not considered to be a potable water supply, we recommend that Lot 2 be supplied with water from a well.

We would like the opportunity to review the covenants and reference plan prior to final approval of this subdivision.

J Chasch Ray
Public Health Inspector
Interior Health Authority
333 Victoria Street
Nelson, BC V1L 4K3
(250) 505-7210
(250) 505-7211 fax

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Phillip Datchkoff

s.22

Your File

Our File 02-010-20957

Date (yyyy/mm/dd) 2008/12/03

Proposed Subdivision of
Lot 2, DL 8773, KD, Plan NEP75332

Your proposal for a two (2) lot fee simple subdivision has received preliminary layout approval, subject to the following condition(s):

1. Written confirmation from the **Regional District of Central Kootenay** stating all the conditions of their bylaws have been addressed. If ground water (well) and/or surface water is proposed, a standard restrictive covenant will be required.
2. Proof to be submitted of a year round source (2270 litres per day) of potable water, to the satisfaction of the Approving Officer, for all proposed lots and any remainders. Prior to plan approval, either a copy of a well drilling log or surface water licence is required for each lot proposed. Currently both lots are serviced by a non-approved water system. This is not adequate as a water source for subdivision purposes. Applicant to prove water sources for both lots from another source.
3. Pursuant to **Section 86** of the **Land Title Act**, the applicant shall enter into a restrictive covenant in accordance with **Section 219** of the **Land Title Act** with the **Minister of Transportation** and the **Regional District of Central Kootenay**.

The following clauses should be included in a restrictive covenant for both the proposed lot(s) and the remainder:

From and after the date hereof;

Proposed Lot 1 and 2

- a) *No building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within **fifteen (15)** meters of the natural boundary of **unnamed creek***
- b) *No area used for habitation, business or storage of goods damageable by floodwaters shall be located within any building at an elevation such that the underside of the floor system, thereof, is less than **one point five (1.5)** meters above the natural boundary of **unnamed creek**.*
- c) *In the case of a mobile home, the ground level or top of the concrete or asphalt pad on which it is located shall be no lower than the above described elevation.*

Local District Address

West Kootenay District
310 WARD STREET
NELSON BC V1L 5S4

- d) *The required elevation may be achieved by structural elevation of the said habitable, business or storage area or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for installation of furnaces or other fixed equipment susceptible to damage to floodwater. Where landfill is used to raise the natural ground elevation, the toe of the landfill slope shall be no closer to the natural boundary than the setback requirement given in condition 1 above. The face of the landfill slope shall be adequately protected against erosion from flood flows including but not limited to wave action, ice or other debris.*
4. Gander Road to be dedicated and established a minimum of ten (10) metres from existing mean centerline or three (3) metres beyond the extremities of cuts or fills, whichever is greater.
 5. Applicant to enter into Restrictive Covenant with the **Interior Health Authority** and the **Regional District of Central Kootenay** as noted in the **Interior Health Authority** letter of September 16, 2008. Lot 1 will require a covenant to protect an area that is 1190 m² plus 3 metres on all four sides for onsite sewage disposal. Lot 2 shall have a restrictive covenant to protect an area 450 m². Covenant to have priority over all other charges. The area of the restrictive covenant to be identified on a reference or explanatory plan (as required by the registrar) prepared by a B.C.L.S. Written confirmation from **Interior Health Authority** that the document and reference or explanatory plan accurately reflects the concerns as identified in their letter dated September 16, 2008. Appropriate notation to appear on final plans.
 6. The property being subdivided is within a wildfire interface area and may be subject to a hazard of wildfire. It is therefore recommended that the owner consult the following website and review the Firesmart Manual for information about reducing the risk, www.for.gov.bc.ca/protect/ or www.partnersinprotection.ab.ca or contact the Ministry of Forests for more information. Appropriate protection measures should be implemented and maintained, and property purchasers should be advised of the risk.
 7. Provincial records indicate the proposed development is located within an area with the potential to contain archaeological sites protected by the Heritage Conservation Act. However, the likelihood for development activity to impact on archaeological resources is thought to be minimal. As such, the Provincial Approving Officer has no objections to the proposed development proceeding without the need for an archaeological impact assessment. The applicant should be aware that there is still a chance the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads and other stone tools, or even buried human remains. If such material is encountered during demolition or construction, a *Heritage Conservation Act* Permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work. Please contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property.

December 3, 2008

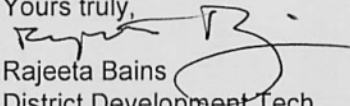
8. Please have your BC Land Surveyor include the Ministry's file number under the Approving Officer's signature block on the final plans.

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

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

If you have any questions please do not hesitate to call Rajeeta Bains at (250)354-6302.
(Name of Technician)

Cc: RDCK (Hs.08907.605)
IHA - Nelson

Yours truly,

Rajeeta Bains
District Development Tech
Ministry of Transportation

Bains, Rajeeta TRAN:EX

From: Bains, Rajeeta TRAN:EX
Sent: Wednesday, November 19, 2008 11:26 AM
To: 'Phil Datchkoff'
Subject: 20957

Attachments: 20957PLA.pdf



20957PLA.pdf (55
KB)

Hi Phil

Please find in the attachment a copy of your Preliminary Layout Approval. A hard copy will be sent in the mail

Rajeeta



BRITISH
COLUMBIA

Ministry of
Transportation

Date (yyyy/mm/dd) 2008/12/03

DAS Number 02-010-20957

Date District Rec'd (yyyy/mm/dd) 2008/04/30

REPORT ON PRELIMINARY SUBDIVISION

Highway District West Kootenay District

Regional District Central Kootenay Regional District

Road Name/Route Number GANDER / 10-A-@-05121

Legal Description Lot 2, DL 8773, KD, Plan NEP75332

Name of Applicant/Agent Phillip Datchkoff

Located 28 km ☐ N ☒ S ☐ E ☐ W of ?

Topographic Description Land is flat. There is a slope behind the house that runs into a shallow gully. About 3-4 metres Down but heavily vegetated – set back from unnamed creek/gully. No potential hazard.

Previous Reference 19060

Outcome Approved

Reference Date (yyyy-mm-dd)

Present Land Use Residential

Proposed Land Use Residential

Present Zoning None

Zoning Minimum Parcel Size n/a

Conform with OCP n/a

ALC Approval n/a Speed Zone

Street System Adequate for Additional Traffic Yes

Access All Lots Yes

Off Street Parking Yes

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

Sec. Street System Exist Yes

Require Widening? No

n/a

n/a

Alternate access n/a

75 1(a) 75 1(c)(d) Involved

(B.C. Reg. 334/79)

946 Subdivision No

Conflict Highway Design Line No

Pipeline Crossing No

Hydro/Tel Line Crossing No

RR Crossing No

Frontage Rule No

Require Community Water No

Require Community Sewer No

Conventional Sewage Disposal OK Yes

Road/Land Drainage OK Yes Require Covenant Yes

Erosion No Landslip No

Flooding No Rockfall No

Avalanche No Wildlife Yes

Road Closure No Wildfire Yes

Archaeological Site Moderate If yes, see attached form.

Contaminated Site No

Site Regraded No

Require: Site Profile No

State Title Certificate/Certificate of Title On file

COMMENTS:

File: 20957

Proposal: Two lot subdivision in Pass Creek

Referrals:

RDCK – Responded Sep 04, 2008

No objections provide compliance with Bylaw 1321

INTERIOR HEALTH – Responded Sep 16, 2008. No objections – final approval will be held until proof of septic and water is shown on final surveyed plans

ARCHEOLOGY – Mapping data indicates the probability of encountering artifacts - MODERATE

Your proposal for a two lot subdivision has been given preliminary approval provided the following conditions are satisfied;

1. Written confirmation from the **Regional District of Central Kootenay** stating all the conditions of their bylaws have been addressed. If ground water (well) and/or surface water is proposed, a standard restrictive covenant will be required.
2. Proof to be submitted of a year round source (2270 litres per day) of potable water, to the satisfaction of the Approving Officer, for all proposed lots and any remainders. Prior to plan approval, either a copy of a well drilling log or surface water licence is required for each lot proposed. Currently both lots are serviced by a non-approved water system. This is not adequate as a water source for subdivision purposes. Applicant to prove water sources for both lots from another source.
3. Pursuant to **Section 86** of the **Land Title Act**, the applicant shall enter into a restrictive covenant in accordance with **Section 219** of the **Land Title Act** with the **Minister of Transportation** and the **Regional District of Central Kootenay**.

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Proposed Lot 1 and 2

- a) No building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within **fifteen (15) meters** of the natural boundary of **unnamed creek**
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 - c) In the case of a mobile home, the ground level or top of the concrete or asphalt pad on which it is located shall be no lower than the above described elevation.
 - d) The required elevation may be achieved by structural elevation of the said habitable, business or storage area or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for installation of furnaces or other fixed equipment susceptible to damage to floodwater. Where landfill is used to raise the natural ground elevation, the toe of the landfill slope shall be no closer to the natural boundary than the setback requirement given in condition 1 above. The face of the landfill slope shall be adequately protected against erosion from flood flows including but not limited to wave action, ice or other debris.
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7. Provincial records indicate the proposed development is located within an area with the potential to contain archaeological sites protected by the Heritage Conservation Act. However, the likelihood for development activity to impact on archaeological resources is thought to be minimal. As such, the Provincial Approving Officer has no objections to the proposed development proceeding without the need for an archaeological impact assessment. The applicant should be aware that there is still a chance the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads and other stone tools, or even buried human remains. If such material is encountered during demolition or construction, a *Heritage Conservation Act* Permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work. Please contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property.
8. Please have your BC Land Surveyor include the Ministry's file number under the Approving Officer's signature block on the final plans.

Ministry of Transportation West Kootenay District, Southern Interior Region 310 WARD STREET NELSON BC V1L 5S4	Ministry Employee Signature
	(Print Name) Rajeeta Bains
	Ministry Employee Title District Development Technician
	<i>For Minister of Transportation</i>
Date (yyyy-mm-dd) 2008/12/03	



BRITISH COLUMBIA

Ministry of Transportation

Date (yyyy-mm-dd)

DAS Number

Date District Rec'd (yyyy-mm-dd)

2008.11.04

20957

2008.08.14

REPORT ON PRELIMINARY SUBDIVISION

Highway District WEST KOOTENAY

Road Name/Route Number

GANDER

Regional District R.D.C.K.

Legal Description

Lot 2, DL 8773, KD, Plan NEP7533Q

Name of Applicant/Agent

Phillip Datchkoff

Located

28

km

☐ N

☒ S

☐ E

☐ W

of

Topographic Description

Photos on file

land is flat

there is a slope behind the house that runs into a shallow gully. About 3-4 meters down but heavily vegetated. No potential hazard.

Previous Reference

n/a

Outcome

n/a

Approved

Present Land Use

Residential

Reference Date (yyyy-mm-dd)

n/a

Proposed Land Use

Residential

Present Zoning

None

Conform with OCP

n/a

Zoning Minimum Parcel Size

n/a

Street System Adequate for Additional Traffic

Yes

Access

All Lots

Yes

Off Street

Parking OK

Yes

Subdivision Affected by Controlled Access Highway (B.C. Reg. 8/89)

No

Sec. Street System Exist

Yes

75 1(a)

n/a

75 1(c)(d) Involved

n/a

Require Widening?

No

Alternate access

(B.C. Reg. 334/79)

n/a

948 Subdivision

Yes

NO

Conflict Highway Design Line

No

Hydro/Tel Line Crossing

No

Pipeline Crossing

No

Frontage Rule

No

RR Crossing

No

Require Community Sewer

No

Require Community Water

No

Road/Land Drainage OK

Yes

Require Covenant

Yes

Conventional Sewage Disposal OK

Yes

Flooding

No

Rockfall

No

Avalanche

No

Landslip

No

Road Closure

No

Wildfire

Yes

Archaeological Site

High Moderate

If yes, see atts

Contaminated Site

NO

Site Regraded

No

Require: Site Profile

No

State Title Certificate/Certificate of Title

On file

COMMENTS:

Ministry of Transportation

Ministry Employee Signature

(Print Name)

Ministry Employee Title Dist. Development Technician

Date (yyyy-mm-dd)

For Minister of Transportation

Page 106 to/à Page 107

Withheld pursuant to/removed as

s.3











Bains, Rajeeta TRAN:EX

From: Bains, Rajeeta TRAN:EX
Sent: Tuesday, October 21, 2008 2:30 PM
To: 'Phil Datchkoff'
Subject: RE: File 02-010-20957 - Datchkoff

Please contact the RDCK in regards to a well on the other lot. I do not believe this is permitted under your bylaws.

I don't think you will be able to carry out legal survey on your land. Ministry staff have not carried out a site visit and issued a Preliminary Layout Approval. I will most likely be out on your property tomorrow for a site inspection being that I will be in that area.

Rajeeta

From: Phil Datchkoff [mailto:s.22]
Sent: Monday, October 6, 2008 8:54 AM
To: Ray, Chasch; Bains, Rajeeta TRAN:EX; Rowan, Kim R TRAN:EX
Cc: XT:HLTH Malakoe, Shaun
Subject: RE: File 02-010-20957 - Datchkoff

Will there be further correspondence from anyone of your departments as to the next steps or shall I hire a legal surveyor to start a survey plan. We will be supplying Lot 1 from a well on Lot 2 which at this time we are testing to meet the requirements.

Please advise .

Phil Datchkoff
 District Manager
 Bearing & Transmission, Castlegar/Cranbrook
 A Division of Applied Industrial Technologies
 PH (250) 365-7767
 FAX (250) 365-2842

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

From: Ray, Chasch [mailto:chasch.ray@interiorhealth.ca]
Sent: Tuesday, September 16, 2008 10:28 AM
To: 'Bains, Rajeeta TRAN:EX'; 'Rowan, Kim R TRAN:EX'
Cc: Malakoe, Shaun; Ray, Chasch; Phil Datchkoff
Subject: File 02-010-20957 - Datchkoff

We have reviewed this proposed 2 lot subdivision and provide the following comments:

Proposed Lot 1 (the smaller of the two) has tight silty soils and therefore will require a s. 219 covenant to protect an area that is 1190 m² plus 3 meters on all 4 sides for onsite sewage disposal purposes. It appears that there is sufficient area on that lot to meet the required covenant area but because the plot plan provided by the applicant is not a survey plan, and may not be completely accurate, it may be necessary to change the lot lines to meet the onsite sewage disposal requirements for that lot. Lot 1 is connected to an unapproved surface water system and does not have sufficient room to drill a well.

Proposed Lot 2 (the larger lot) has suitable soils and area for onsite sewage disposal. We recommend

that a s. 219 covenant be placed on title for that lot to protect an area 450 m² in size to be located in the southwest portion of the lot. Because both these lots are currently connected to a non-approved "good neighbour" water system, which is not considered to be a potable water supply, we recommend that Lot 2 be supplied with water from a well.

We would like the opportunity to review the covenants and reference plan prior to final approval of this subdivision.

J Chasch Ray
Public Health Inspector
Interior Health Authority
333 Victoria Street
Nelson, BC V1L 4K3
(250) 505-7210
(250) 505-7211 fax

Rowan, Kim R TRAN:EX

From: Ray, Chasch [chasch.ray@interiorhealth.ca]
Sent: Tuesday, September 16, 2008 10:28 AM
To: Bains, Rajeeta TRAN:EX; Rowan, Kim R TRAN:EX
Cc: XT:HLTH Malakoe, Shaun; Ray, Chasch; 'Phil Datchkoff'
Subject: File 02-010-20957 - Datchkoff

We have reviewed this proposed 2 lot subdivision and provide the following comments:

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J Chasch Ray
Public Health Inspector
Interior Health Authority
333 Victoria Street
Nelson, BC V1L 4K3
(250) 505-7210
(250) 505-7211 fax



SUBDIVISION REFERRAL RESPONSE
REGIONAL DISTRICT OF CENTRAL KOOTENAY

Box 590, 202 Lakeside Drive, Nelson, B.C., V1L 5R4
Ph: 250-352-6665 Toll free (B.C.) 1-800-268-7325 Fax: 250-352-9300

Ministry of Transportation
West Kootenay District Office
310 Ward Street
Nelson, B.C. V1L 5S4

MoT File No. 02-010-20957
Electoral Area H
Number of Lots 2
Date September 4, 2008

Re: Lot 2, DL 8773, KD, Plan NEP75332

Applicant: PHILLIP DATCHKOFF; ROBERT A. DATCHKOFF; ANNIE GASC

RDCK File Number: 4420-20-Hs-08907.605 *(Please quote in all correspondence)*

1. Zoning: n/a
2. Minimum lot size: n/a
3. Permitted land uses: n/a
4. Subdivision Bylaw 1321 Proof of Water requirements: **Bylaw Section 6.01**
5. Floodplain Bylaw 1650 requirements:
 - Watercourse/Waterbody: **Unnamed Creek**
 - Setback: **15m from natural boundary**
 - Flood construction level (FCL): **1.5m above natural boundary**
 - Alluvial Fan: **n/a**
6. Other requirements: **Proof of water outstanding. Please provide documentation from the Community Water System indicating that all taxes, tolls, connection fees, and subdivision requirements have been met.**
7. Within the Agricultural Land Reserve? n/a
8. Does the application meet all bylaw requirements? n/a

Applicant: Please thoroughly review the attached bylaw information. Information is also available at www.rdck.bc.ca

Comments: *The Regional District of Central Kootenay has no objection to the proposed subdivision subject to compliance with Subdivision Bylaw 1321.*

By:


Mark Crowe, Technician - (250) 352-8172

c.c. Area Director
Applicant

Don Munro, Area H
PHILLIP DATCHKOFF; ROBERT A. DATCHKOFF; ANNIE GASC

CL



BRITISH
COLUMBIA

Ministry of
Transportation

DEVELOPMENT APPROVALS
ACKNOWLEDGEMENT

Phillip Datchkoff

s.22

File 02-010-20957

Date 2008/08/14

Attention: ,

Re: Lot 2, DL 8773, KD, Plan NEP75332

We have received your application April 30, 2008 with respect to the above noted property.

We have contacted the following agencies for their comments:

INTERIOR HEALTH AUTHORITY - NELSON
REGIONAL DISTRICT OF CENTRAL KOOTENAY

Please ensure proposed lots are flagged, to assist inspection.

Given current work loads our goal is to complete a review of your proposal, including a site inspection, and have a response to you within 45 working days.

Please quote file number 02-010-20957 when contacting this office.

If you have any questions please do not hesitate call Rajeeta Bains at 250.354.6302.

Yours truly,

Rajeeta Bains
District Development Technician

Local District Address

West Kootenay District

310 WARD STREET
NELSON BC V1L 5S4

Telephone: (250)354-6521 Facsimile: (250)354-6547

H1161-das (2006/10)

WEST KOOTENAY DISTRICT
SUBDIVISION CHECKLIST - REFERRAL AGENCIES

ASSIGNED TO: RAJEETA BAINS, DISTRICT DEVELOPMENT TECHNICIAN

DATE: Aug 13/08
FILE NO. 20957
MAP SHEET NO. F 642: D

- ☒ Peter Muirhead - Provincial Approving Officer
- ☒ Regional District of Central Kootenay
- ☐ Land and Water B.C. Inc.
- ☒ Interior Health Nelson Nakusp Trail Creston
- ☐ Ministry of Water, Lands and Air Protection (PARKS)
- ☐ Ministry of Forestry
- ☐ Municipality: _____
- ☐ Improvement District/Water User Community: _____
- ☐ B.C. Gas
- ☐ B.C. Hydro
- ☐ Nelson Hydro
- ☐ Telus
- ☐ Aquila
- ☐ Archaeology
- ☐ Other BCAL DFO LRC Mines

Hazard mapping: Old: _____
New: _____

Copy back 100 days

WEST KOOTENAY DISTRICT SUBDIVISION CHECKLIST

SUBDIVISION TYPE:

Fee Simple / Sec. 946 / Strata

Number of Lots: 2

Composite Plan attached:
Layout plan attached:
Road closure involved
Forest Service Road

YES

NO

COMMENTS

CHARGES:

Covenants:

Ordered

On File

NOTATIONS

YES

NO

COMMENTS

E&F/Misc. Notes
Land Reserve Commission
Forest Land Reserve
Cost Sharing

ACTS/REGS

YES

NO

COMMENTS

Sec. 171/2002
Sec 75(1)(a&b)
Sec 75(1)(c&d)
Misc. Acts&Regs.

MISC. ITEMS/ISSUES

Access via upper Knappeva?

CONTACT/AGENT:

ph.

fax:

PERL TESTS
MISSING
AND PLEASE REQUEST
COVENANT KW38907
thanks
RB



BRITISH
COLUMBIA

The Best Place on Earth

RECEIPT

956526 K

THE SUM OF

ON ACCOUNT OF

Seven Hundred

XX
DOLLARS

\$ 700.00

Subdiv Appl. Gee

lot 2, PL 8773, KD, Plan NEP15332

Applicant: Phil Datchkoff

GST NUMBER

R107864738

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

RECEIVED FROM

P. Datchkoff

ON

YYYY

MM

DD

20080430

ISSUING OFFICE

Mo, 310 Ward, Nelson BC

ISSUING OFFICER'S SIGNATURE

Kim Roman

FIN 48 Rdv. 2007/3/14
OPC 7530951054 (50/Bk)

VIL 554 WHITE CUSTOMER

PINK: MINISTRY FILE

CANARY: RETAIN IN BOOK FOR AUDIT

PHIL DATCHKOFF

199

s.22

DATE 20080430
Y Y Y Y M M D D

PAY TO THE
ORDER OF

MINISTER OF FINANCE

\$ 700.00

SEVEN HUNDRED

100 DOLLARS

Security features
included.
Details on back.

HERITAGE
CREDIT UNION

MAIN BRANCH PH: (250) 365-7232
UNIT 100, 630 - 17TH STREET
CASTLEGAR, BC V1N 4G7

MEMO

MP

s.22



BRITISH
COLUMBIA

Ministry of
Transportation

PRELIMINARY SUBDIVISION APPLICATION

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

A. PROPOSAL

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

Applicant File Number

Ministry File Number

20957

Subdivision Type

☒ Conventional Subdivision

☐ Sec 946 Local Government Act

☐ Bare Land Strata

No. of Lots

2

Other (Specify)

Full Legal
Description(s) per
State of Title
Certificate(s)

PARCEL IDENTIFIER: 025-904-604
LOT 2 DISTRICT LOT 8773
KOOTENAY DISTRICT PLAN NEP 75332

Full Civic Address

3573 GANDER ROAD
KRESTOVA, B.C.

Property Location

28 Kilometers ☐ North ☒ South ☐ East ☒ West from NELSON Local Gov't

Access Road
GANDER ROAD

Property Zoning

RESIDENTIAL

Existing Land Use

RESIDENTIAL

Intended Land Use

RESIDENTIAL

Surrounding Land Use

North
RESIDENTIAL

South
RESIDENTIAL

East
RESIDENTIAL

West
RESIDENTIAL

Proposed
Sewage Disposal

☒ Septic Tank

☐ Community System

☐ Other (specify)

Proposed Water Supply

☐ Well

☒ Community System

☒ Water Licenses

☐ Other (specify)

B. APPLICATION INFORMATION

Required items include:

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

Properly engineered drawings will be required for final approval. The sketch should contain:

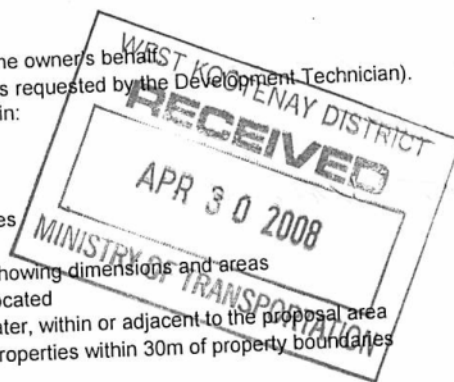
- ☐ the date it was drawn
- ☐ the scale
- ☐ north arrow
- ☐ legal description of the property being subdivided, and its adjacent properties
- ☐ outline of the subdivision in red or heavy black line
- ☐ all proposed lots, remainders, parks, rights of way, easements and roads showing dimensions and areas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

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

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

Include these items as well, where applicable

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



C. SUBDIVISION APPLICATION FEES

PAYABLE UPON

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

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

D. FURTHER INFORMATION AND COMMENTS (Attach a separate sheet if more space is required)**E. OWNER(S)/APPLICANT INFORMATION**

Property Owner(s) Full Name(s) s.22 PHILLIP DATCHKOFF		Home Telephone s.22
s.22 [Signature]		
Address		Home Telephone
		Business Telephone
E-Mail		Fax

I certify that all the information about and on all plans and other attachments is true, correct and complete.
I understand that this submission constitutes a preliminary application only.
No approvals are implied prior to receipt of written preliminary approval from the Ministry of Transportation.

Date (yyyy/mm/dd)

Applicant/Agent Signature

Date (yyyy/mm/dd)

2008/02/25

Collection of Information:

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



Province of
British Columbia

Ministry of Health and
Ministry Responsible for Seniors

APPLICATION FOR PERMIT TO CONSTRUCT OR REPAIR A SEWAGE DISPOSAL SYSTEM

FOLIO NUMBER	DATE OF APPLICATION (Y / M / D) 1997 06 04	<input type="checkbox"/> New Construction	<input type="checkbox"/> Repair	<input checked="" type="checkbox"/> Alteration
--------------	---	---	---------------------------------	--

OWNER INFORMATION

Correspondence
to be sent to
☒ owner

NAME OF OWNER <u>ANN GASCAN</u>	TELEPHONE NUMBER
Number and Street	City
MAILING ADDRESS s.22	Postal Code

APPLICANT INFORMATION

Correspondence
to be sent to
☐ applicant

NAME OF APPLICANT <u>N/A</u>	TELEPHONE NUMBER
Number and Street	City
MAILING ADDRESS	Postal Code

LOT INFORMATION

LEGAL DESCRIPTION OF WHERE DISPOSAL SYSTEM IS TO BE CONSTRUCTED <u>Lot 38 PL. 54 86 Parcel A Dist Lot 7362 \$</u> <u>8773 (3573 Chandler Rd)</u>
STREET ADDRESS / GENERAL LOCATION

PREMISE INFORMATION

SEWAGE DISPOSAL SYSTEM WILL SERVE: <input checked="" type="checkbox"/> SINGLE FAMILY DWELLING <input type="checkbox"/> DUPLEX <input type="checkbox"/> OTHER (specify):	NUMBER OF BEDROOMS: <u>Two</u>	FINISHED BASEMENT <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DO YOU INTEND TO ADD A BASEMENT SUITE OR MORE BEDROOMS IN THE FUTURE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ESTIMATED DAILY SEWAGE FLOW:	TOTAL LIVING AREA: <u>34 X 24</u>	LOT SIZE:	

SYSTEM INFORMATION

TYPE OF SEWAGE DISPOSAL SYSTEM: <input type="checkbox"/> CONVENTIONAL <input type="checkbox"/> ALTERNATE (E.G. <input type="checkbox"/> PRIVY <input type="checkbox"/> LAGOON, <input type="checkbox"/> RAISED MOUNDS, <input checked="" type="checkbox"/> SEEPAGE BED) <input type="checkbox"/> DEEP TRENCH <input type="checkbox"/> OTHER (specify):	SEPTIC TANK MANUFACTURER <u>Unknown</u>	LIQUID VOLUME OF TANK <u>6500</u>
TOTAL LENGTH OF DRAINAGE PIPE <u>100 Feet</u>	TYPE OF DRAINAGE PIPE: <input checked="" type="checkbox"/> PVC <input type="checkbox"/> OTHER (specify):	MATERIAL OF SEPTIC TANK <u>Concrete</u>
IF PACKAGE TREATMENT PLANT IS PROPOSED GIVE: MAKE MODEL	TREATMENT CAPACITY	SEWAGE PUMP: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		FIELD DOSE VOLUME PUMPED PER CYCLE:

ALTERNATE INFORMATION

PRESSURE DISTRIBUTION PROPOSED <input type="checkbox"/> YES <input type="checkbox"/> NO	LAGOON SIZE	DEPTH OF CLAY SOIL	GARBURATOR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
--	-------------	--------------------	---

SITE INFORMATION

SOIL DESCRIPTION DEPTH OF SOIL: <input type="checkbox"/> over 1.2 m (4 ft.) <input type="checkbox"/> under 1.2 m (4 ft.) If under 1.2m (4 ft.), due to <input type="checkbox"/> rock or <input checked="" type="checkbox"/> clay at <u>3</u> ft. from surface. DEPTH TO WATER TABLE: <input type="checkbox"/> over 1.2 m (4 ft.) <input type="checkbox"/> under 1.2 m (4 ft.) If under 1.2m (4 ft.) the depth is
PERC TESTS SLOWEST RATE FROM test hole #1 <u>2</u> min./2.5 cm (1 inch) test hole #2 <u>3 min 30 sec</u> min./2.5 cm (1 inch) AVERAGE OF SLOWEST RATE FROM EACH TEST HOLE <u>3 min</u> min./2.5 cm (1 inch)
WATER INFORMATION SOURCES OF DOMESTIC WATER: DISTANCES OF PROPOSED DISPOSAL FIELD FROM: <u>300'</u> source of domestic water <u>300'</u> breakout point <u>300'</u> own well <u>300'</u> neighbouring wells <u>75'</u> stream or lake <u>75'</u> water lines

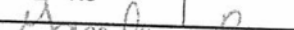
RESTRICTIVE COVENANTS

ARE THERE ANY RESTRICTIVE COVENANTS / EASEMENTS WHICH WILL AFFECT THE DESIGN OR LOCATION OF THE SEWAGE DISPOSAL SYSTEM? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain
--

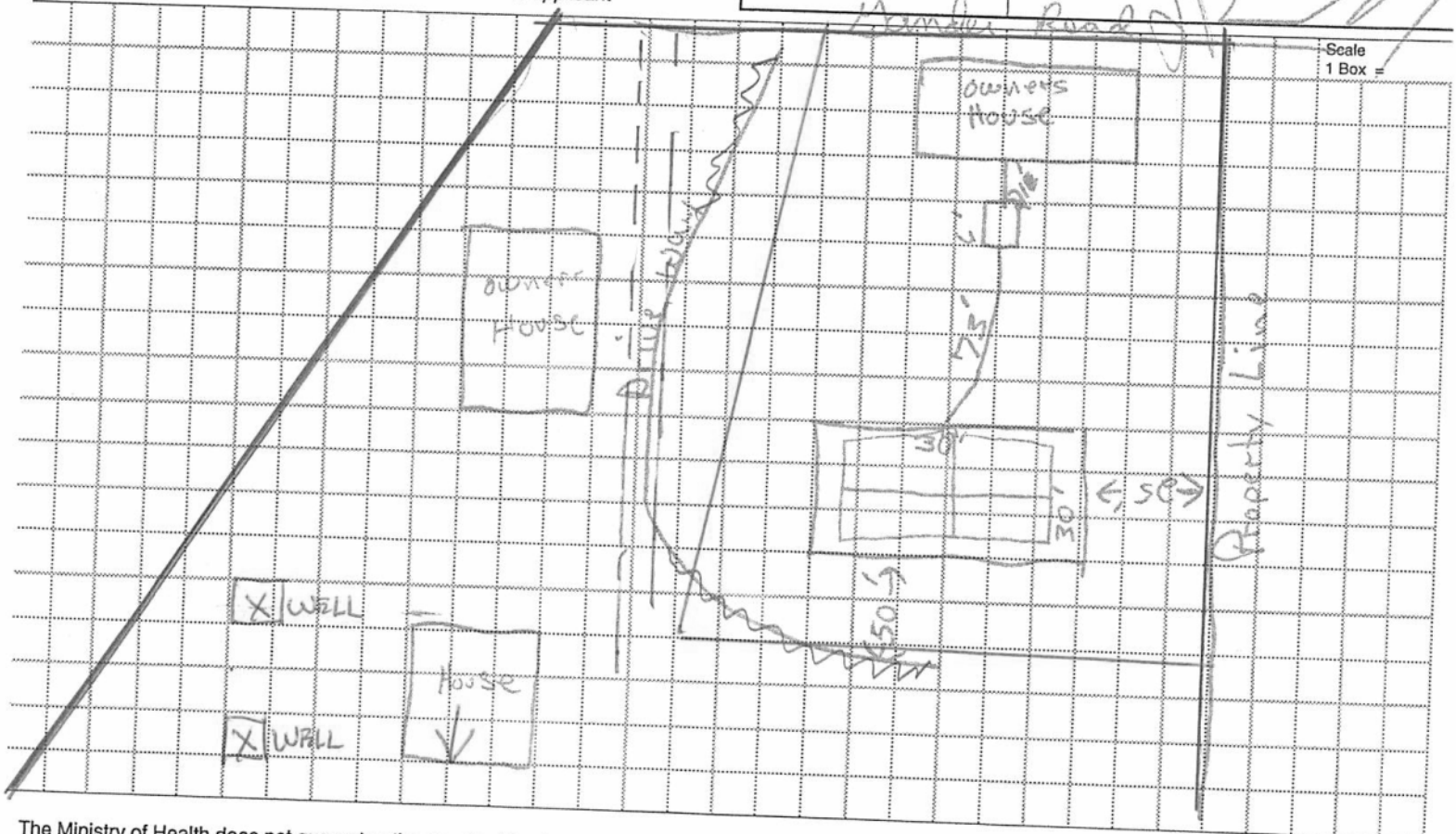
APPLICANT SIGNATURE

The information on this application is accurate and true to the best of my knowledge: <input checked="" type="checkbox"/> Owner or <input type="checkbox"/> Agent Signature s.22	Date <u>June 5 1997</u>	OFFICE USE ONLY PAID: <u>\$100.00 cash</u> DATE: <u>97/06/05</u> <u>nh</u> <u>11.9.1997</u>
---	----------------------------	--

AUTHORIZATION TO OPERATE A SEWAGE DISPOSAL SYSTEM

FOLIO NUMBER		DATE OF APPLICATION (Y/M/D)		NAME OF OWNER		NAME OF CONTRACTOR	
		97/06/04		Ann Gascon		Jim's Dirt Works / Bobcat	
LEGAL DESCRIPTION OF LOT				STREET ADDRESS / GENERAL LOCATION			
Lot 38 PL 54 86 Parcel A				3575 Gander Rd. Service			
Dist. Lot 7362 # 8773				Krestova Jim Braverosoff			
AS BUILT DIAGRAM : to be completed by the contractor or applicant				INSTALLED AS PER REGULATIONS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
				SIGNATURE OF OWNER / APPLICANT			
							

AS BUILT DIAGRAM : *to be completed by the contractor or applicant*



The Ministry of Health does not guarantee the useable life of the sewage disposal system. The life of the system is affected by the use and maintenance it receives. Pump out the septic tank every 2-3 years. For servicing of package treatment plants, consult your local service agent. For service guarantees, consult your local sewage disposal contractor. If the system needs repair or modification, a new permit is required. *If the system is not authorized for backfilling and if corrections are required, a re-inspection fee of \$100 must be paid for each time the Public Health Inspector checks to see that the faults have been corrected.*

DATE BACKFILL / USE AUTHORIZED	SUBJECT TO THE FOLLOWING CONDITIONS:
July 3-97 landscaped surface	max 16" bell over perf pipe to top of landscaped surface
SIGNATURE PUBLIC HEALTH INSPECTOR / EHO: <i>Shelly Stisko</i>	
FOR PUBLIC HEALTH INSPECTOR / EHO USE ONLY	
<p>septic tank</p> <p><input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p><i>600 gal concrete</i></p> <p>package treatment plant</p> <p><input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>other (e.g.lagoon,holding tank) specify:</p> <p><input checked="" type="checkbox"/> <i>sepage bed 30'x30'</i> <input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>field laterals</p> <p><input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>distribution box</p> <p><input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>siphon</p> <p><input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p>	<p>curtain drain</p> <p><input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>interceptor drains</p> <p><input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>pump</p> <p><input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>drain rock</p> <p><input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>set back distances</p> <p><input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input type="checkbox"/> NOT APPLICABLE</p> <p>fill</p> <p><input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED <input checked="" type="checkbox"/> NOT APPLICABLE</p> <p><i>a bit dirt</i></p>

**FAX COVER SHEET**

ATTENTION: Chasch Ray **FAX#:** 250-505-7211

COMPANY: Interior Health **DIRECT** 1-877-221-3388

FROM: Phil Datchkoff District Manager **LINE:**

DATE: July 14, 2008 **# Of pages including cover sheet:** 2

RE: File # 02-010-20957

Chasch,

I received this letter on Friday, hope you can address Rajeeta's request. Also my information shows Covenant KD 38907 as an Interior Health file, would you have a copy to forward to MOT.

Thank You.
Phil.

IECO / BEARING & TRANSMISSION

Division of Applied Industrial Technologies Ltd.
2243 6TH AVENUE
CASTLEGAR, BC V1N 2W1

TEL: 250-365-7767
FAX: 250-365-2842

BRITISH
COLUMBIAMinistry of
TransportationDEVELOPMENT APPROVALS
ACKNOWLEDGEMENTPhillip Datchkoff
s.22

File 02-010-20957

Date 2008/07/10

Re: Lot 2, DL 8773, KD, Plan NEP75332

We have received your application with respect to the above noted property.

It appears that this file has incomplete perc test information. Could you please provide perc tests, or a letter from Chasch Ray at Interior Health informing us that she is familiar with the area and the soils.

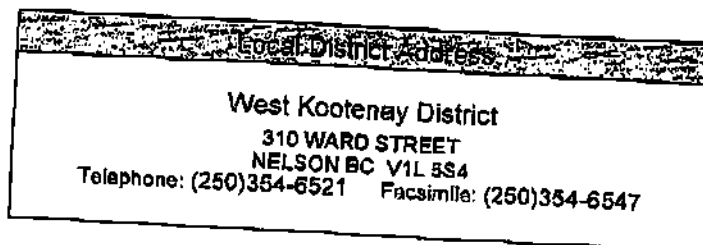
Also please submit a copy of Covenant KD38907 for the file (available at Service BC (Government Agent)).

Please quote file number 02-010-20957 when contacting this office.

If you have any questions please do not hesitate call Rajeeta Bains at 250.354.6302.

Yours truly,

Kim Rowan
Development Approvals Clerk



H1161-das (2008/10)



Phillip Datchkoff

s.22

File 02-010-20957

Date 2008/07/10

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Yours truly,

Kim Rowan
Development Approvals Clerk

Local District Address

West Kootenay District

310 WARD STREET
NELSON BC V1L 5S4

Telephone: (250)354-6521 Facsimile: (250)354-6547

Hwys File No.: _____

Date: _____

I, PHILIP DATCHROFF, hereby acknowledge that the **Waste Management**
(Print Applicant/Agent Name)

Act (RSBC 1996) 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 26.1 of the Act.

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

s.22

Applicant/Agent Signature

s.22

Witness Signature

Print Witness Name

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

Ministry of
Transportation

Kootenays Region
Regional Director's
Branch

Mailing Address:
4th Floor - 310 Ward St
Nelson BC V1L 5S4

Telephone: (250) 354-6783
Facsimile: (250) 354-6437

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Withheld pursuant to/removed as

s.3

Bains, Rajeeta TRAN:EX

From: Bains, Rajeeta TRAN:EX
Sent: Wednesday, August 13, 2008 1:22 PM
To: 'Phil Datchkoff'; Ray, Chasch
Subject: RE: Perc test Gander Road (Datchkoff)

I am attaching this email to file and will release the hold. Phil, I can understand how this situation got confusing. In reading the emails below, I now understand that the application simply needed Chasch's email attached and would have been fine to process.

Have a good day both of you!

Rajeeta

From: Phil Datchkoff [mailto:s.22]
Sent: Wednesday, August 13, 2008 11:36 AM
To: Ray, Chasch; Bains, Rajeeta TRAN:EX
Subject: RE: Perc test Gander Road (Datchkoff)

Chasch,

I have called s.22 to get a copy of the perc tests that were done and supposedly your office has all that information. I will get copies and forward to Rajeeta but I thought you would pass those on as Rajeeta has my file on hold and this small subdivision is going nowhere. I have been told by various government officials that I need to be proactive with my application and should not sit around waiting for everyone to get on board. I realize your work loads in both departments so should I be speaking with s.22 who might push for extra help or will this just complicate the issues. I have tried to follow the outline of the application process so as to avoid any unnecessary delays but seem to be caught in some missing actions. I will kindly ask again what I need to do to move this along..

Regards.

Phil Datchkoff
District Manager
Bearing & Transmission, Castlegar/Cranbrook
A Division of Applied Industrial Technologies
PH (250) 365-7767
FAX (250) 365-2842

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

From: Ray, Chasch [mailto:chasch.ray@interiorhealth.ca]
Sent: Tuesday, August 05, 2008 10:48 AM

2008-08-13

To: Bains, Rajeeta TRAN:EX; Phil Datchkoff
Cc: Ray, Chasch
Subject: FW: Perc test Gander Road (Datchkoff)

Hi Rajeeta,

I'm forwarding this email on to you regarding Phil Datchkoff's proposed subdivision. Phil can you please print off a copy and attach it to your application for subdivision in lieu of the usual soils information. Please be advised that I may still require soils testing after my initial site inspection depending on what I see at that time.

Chasch

J Chasch Ray
Public Health Inspector
Interior Health
2nd Floor - 333 Victoria Street
Nelson, BC V1L 4K3

(250) 505-7210
(250) 505-7211 - fax

From: Phil Datchkoff [mailto:^{s.22}]
Sent: Tuesday, May 20, 2008 9:37 PM
To: Ray, Chasch
Cc: Malakoe, Shaun
Subject: RE: Perc test Gander Road (Datchkoff)

Chasch,

Thank you for the reply, please call me on my cell ^{s.22} if I can assist you in any way.
Regards.
Phil

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

From: Ray, Chasch [mailto:chasch.ray@interiorhealth.ca]
Sent: Tuesday, May 20, 2008 4:54 PM
To: Phil Datchkoff
Cc: Malakoe, Shaun
Subject: RE: Perc test Gander Road (Datchkoff)

Hi Phil,

I'm sorry that I can't remember our conversation off hand – I'm so busy, and reply to so many requests, it's hard to keep them all straight. Usually I say it's okay to dig one test hole in areas that I am familiar with and know have consistent well draining soils. I understand from speaking with ^{s.22}, that one of the test holes that was dug on your property shows that the soil profile is not straight sand, but is in fact fairly compact and there may even be a restrictive layer. I suppose that since I told you one test hole would be okay we'll go with that and I'll do my inspection with only one test hole per lot to look at. Should I have concerns after doing the inspection I may ask for another test hole to be dug.

Chasch

J Chasch Ray
Public Health Inspector
Interior Health

2nd Floor - 333 Victoria Street
Nelson, BC V1L 4K3

(250) 505-7210
(250) 505-7211 - fax

From: Phil Datchkoff [mailto:^{s.22}]
Sent: Tuesday, May 20, 2008 12:04 PM
To: Ray, Chasch
Subject: Perc test Gander Road (Datchkoff)

Chasch,

I had submitted my Subdivision application 2 weeks ago to highways and was asked at that time to ask you for letter confirming that this property qualified for the subdivision. At that time I went to your office and left you a note and a map of the subdivision, later that week you called me at ^{s.22} and asked that we have someone come in to do a perc test and that being Krestova only one observation hole was required per property, Jim's Dirt Works and ^{s.22} came to do the testing. Today when I called Jim for the data so that I could pass on to you I was told that you were not aware of all this and that Jim would have to go back to the property to redo the testing.

I'm really hoping you will remember our phone conversation as it would be a big expense to get Jim back there.

Regards.

Phil Datchkoff
District Manager
Bearing & Transmission, Castlegar/Cranbrook
A Division of Applied Industrial Technologies
PH (250) 365-7767
FAX (250) 365-2842

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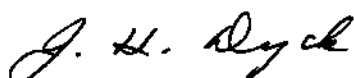
s.3

THE PROVINCE OF BRITISH COLUMBIA - WATER ACT

CONDITIONAL WATER LICENCE

The owner of the land to which this licence is appurtenant is hereby authorized to divert and use water as follows:

- (a) The stream on which the rights are granted is Gander Creek.
- (b) The point of diversion is located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is 15th September, 1980.
- (d) The purposes for which this licence is issued are irrigation and domestic.
- (e) The maximum quantity of water which may be diverted for irrigation purpose is 0.625 acre feet per annum and for domestic purpose is 1500 gallons a day.
- (f) The period of the year during which the water may be used for irrigation purpose is 1st April to 30th September and for domestic purpose is the whole year.
- (g) The land upon which the water is to be used and to which this licence is appurtenant is Parcel A (see 176015I) of Lot 38, District Lot 8773, Kootenay District, Plan 5486 of which 0.50 acre may be irrigated.
- (h) The works authorized are diversion structures, division tank, tanks, pipe and sprinkler system, which are located approximately as shown on the attached plan.
- (i) The construction of the said works has been completed and the water is being beneficially used. The licensee shall continue to make beneficial use of the water in the manner authorized herein.
- (j) This licence authorizes the use of water for domestic purpose in three dwellings located approximately as shown on the attached sketch.
- (k) This licence is issued in substitution of Conditional Water Licence 67718.



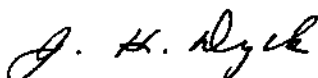
J.H. Dyck, P. Eng.
Regional Water Manager

MINISTRY OF ENVIRONMENT, LANDS & PARKS

PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The holder of Conditional Water Licence 111676 whose licence authorizes the diversion and use of water from Gander Creek, is hereby authorized to occupy Crown land by constructing, maintaining and operating thereon the works authorized under the said licence.

- a) The Crown land which is authorized to be occupied under this permit is a portion of unsurveyed Crown Land, Kootenay District, the location of which is shown approximately on the plan attached to the said water licence.
- b) The approximate area of the Crown land authorized to be occupied under this permit is 1.75 acres, being 5,100 feet in length and 15 feet in width for diversion structures, division tank, tanks and pipeline.
- c) Prior to the cutting, destruction or flooding of any timber necessary for the construction, operation and maintenance of the said works, the permittee shall apply for and obtain a licence to cut timber from the District Manager of the Ministry of Forests. The amount of stumpage, royalty and (or) compensation payable to the Crown in respect to trees, including merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum or sums fixed by the Forest Service of the Province of British Columbia.
- d) This permit is appurtenant to the land, mine or undertaking to which the aforesaid water licences are appurtenant.
- e) This permit shall become void if the water licences with respect to which the permit is issued should terminate, be abandoned or cancelled, or amended so as to render this permit unnecessary.
- f) This permit is issued and accepted on the understanding that the permittee shall indemnify and save harmless the Government of the Province of British Columbia for all loss, damage to works, cost or expense suffered by the permittee by reason of the Crown land or any portion thereof being submerged or damaged by erosion or otherwise affected by flooding.
- g) The holder of this permit shall not be entitled to compensation if the Crown grants permits to other persons to occupy the land affected by this permit.
- h) In the event of a dispute at any time with respect to the area or boundaries of the land affected by this permit, the holder shall, at his own expense, have the said land surveyed by a duly qualified surveyor.
- i) This permit replaces Permit No. 16745.



J.H. Dyck, P. Eng.
Regional Water Manager
duly authorized designate of the
Minister of Environment, Lands & Parks

