

PLAN OF SUBDIVISION OF PART OF PARCEL C (see 18752¹),
DISTRICT LOT 2546 KOOTENAY DISTRICT
B.C.G.S. 82F.019

Scale 1:1000



Bearings and distances are in metres
This plan was within the Regional District of Central Kootenay

LEGEND

- ⊙ DENOTES STANDARD CAPPED POST FOUND
- ⊙ DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST SET
- ⊙ DENOTES WITNESS POST SET

REGISTERED OWNER

PARCEL C, BLK 2546 RD
Transwest Properties Ltd

Richard A. Jackson
Registered Surveyor
Professional Association of British Columbia

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

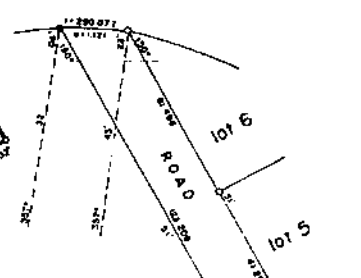
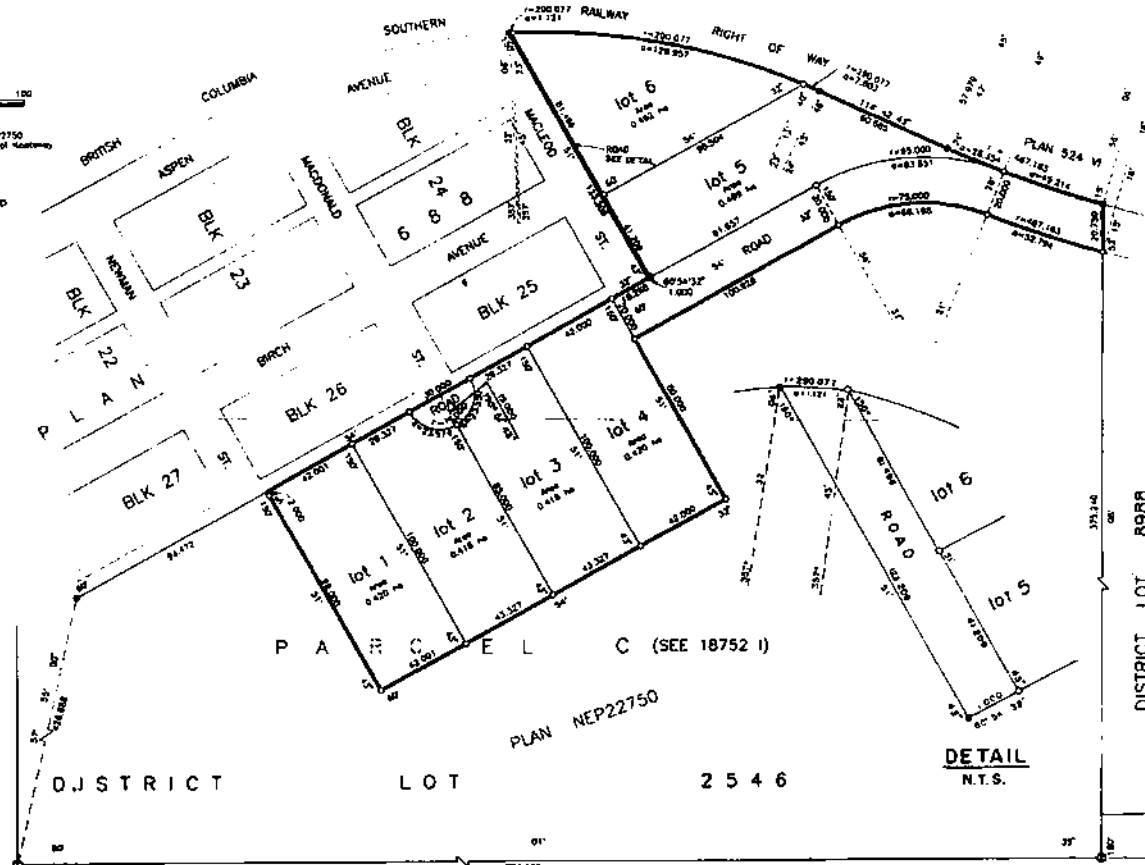
Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR

Richard A. Jackson
REGISTERED SURVEYOR
ACTING SURVEYOR



PLAN No. NEP23544

Deposited in the Land Title Office in Nelson, B.C.

on the 15th day of January 1997

Richard A. Jackson
REGISTERED SURVEYOR

Approved under the Land Title Act

on the 15th day of January 1997

James Wilson
Acting Officer for the Ministry of Transportation and Highways

The Registered Owner, Richard A. Jackson, hereby declares that he has surveyed and laid out the plan of subdivision shown on this plan in accordance with the provisions of the Land Title Act and the provisions of the Survey Act and the provisions of the Survey Regulation.

The Registered Owner(s) designated herein hereby declare that they have surveyed and laid out the plan of subdivision shown on this plan in accordance with the provisions of the Land Title Act and the provisions of the Survey Act and the provisions of the Survey Regulation.

I, Peter Reid, a British Columbia Land Surveyor of the City of Nelson, do hereby certify that I was present at and personally supervised the survey represented by this plan and that the survey and plan are correct. The survey was made on the 15th day of January, 1997.

Peter Reid
REGISTERED SURVEYOR

P.L.E. 8015

SEP 1 1997

PLAN OF SUBDIVISION OF PART OF PARCEL C (see 18752^I),
DISTRICT LOT 2546 KOOTENAY DISTRICT
B.C.G.S. 82F.019

PLAN No. NEP

Deposited in the Land Title Office at Nelson, B.C.,

this _____ day of _____, 1996

Registrar

Approved under the Land Title Act

this 1st day of January, 1997

Janice Vernon
Approving Officer for the Ministry of
Transportation and Highways

The Registered Owner(s) designated hereon
hereby declare that they have entered into
a condition or covenant with Her Majesty
the Queen in the Right of the Province of
British Columbia as represented by the
Minister of Transportation and Highways
under section 215 of the Land Title Act.

The Registered Owner(s) designated hereon,
hereby declare that they have entered into
a condition or covenant with the Regional
District of Central Kootenay and with Her
Majesty the Queen in the Right of the
Province of British Columbia as represented
by the Minister of Environment, Lands and
Parks under section 215 of the Land Title Act.

I, Peter Ward, a British Columbia Land Surveyor of the
City of Nelson, in British Columbia, certify that I was
present at and personally superintended the survey represented
by this plan and that the survey and plan are correct.
The survey was completed on the 15th day of November, 1996.

Peter Ward
Peter Ward P. Eng., B.C.L.S.

Scale 1: 1000
10 0 25 50 100
Distances are in metres

Bearings are astronomic derived from Plan NEP 22750
This plan lies within the Regional District of Central Kootenay

LEGEND

- DENOTES STANDARD CAPPED POST FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST SET
- wt DENOTES WITNESS POST SET

REGISTERED OWNER:
PARCEL C, D.L. 2546 K.D.
Tremlock Properties Ltd.

Pauline A Tremblay
Authorized Signatory
PAULINE TREMBLAY

Arthur Tremblay
Authorized Signatory
ARTHUR TREMBLAY

Myrna Schneider
Witness to above Signatures
MYRNA SCHNEIDER

Box 427, 1404 Canyon Street
Address

Creston, BC V0B 1G0

Secretary
Occupation

MORTGAGEE:
RE: XH26464

Sandra Ann Goosen
Sandra Ann Goosen

G. Riley Lawler
Witness to above Signature

7124 DRAPER ST.
Address

MISSION B.C. V4V 5K4

LAWYER
Occupation

**WARD ENGINEERING AND
LAND SURVEYING LTD**

#201, 625 Front St. Tel: 354-1660
Nelson, British Columbia Fax: 354-1670
V1L 4B6

FILE: 6015

010-13547

PLAN OF SUBDIVISION OF PART OF PARCEL C (see 18752^I),
DISTRICT LOT 2546 KOOTENAY DISTRICT

B.C.G.S. 82F.019

PLAN No. NEP 23644

Deposited in the Land Title Office at Nelson, B.C.,

this 16 day of Jan 1997

Registrar

Approved under the Land Title Act

this 1st day of January 1997

Janice Vernon

Approving Officer for the Ministry of
Transportation and Highways

The Registered Owner(s) designated hereon,
hereby declare that they have entered into
a condition or covenant with Her Majesty
the Queen in the Right of the Province of
British Columbia as represented by the
Minister of Transportation and Highways
and with the RDCK under section 215 of
the Land Title Act

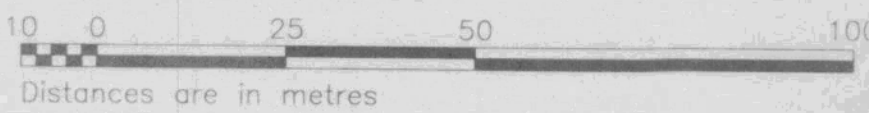
The Registered Owner(s) designated hereon,
hereby declare that they have entered into
a condition or covenant with the Regional
District of Central Kootenay and with Her
Majesty the Queen in the Right of the
Province of British Columbia as represented
by the Minister of Environment, Lands and
Parks under section 215 of the Land Title Act

I, Peter Ward, a British Columbia Land Surveyor of the
City of Nelson, in British Columbia, certify that I was
present at and personally superintended the survey represented
by this plan and that the survey and plan are correct.
The survey was completed on the 15th day of November, 1996.

Peter Ward

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

Scale 1: 1000



Bearings are astronomic derived from Plan NEP 22750
This plan lies within the Regional District of Central Kootenay

LEGEND

- ⊗ DENOTES STANDARD CAPPED POST FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST SET
- wt DENOTES WITNESS POST SET

REGISTERED OWNER:

PARCEL C, D.L. 2546 K.D.
Tremlock Properties Ltd.

Pauline A Tremblay
Authorized Signatory

Pauline Tremblay

Arthur Tremblay
Authorized Signatory

Arthur Tremblay

Myrna Schroeder
Witness to above Signatures

Myrna Schroeder

Box 427, 1404 Canyon Street
Address

Creston, BC V0B 1G0

Secretary

Occupation

MORTGAGEE:

RE: XH26464

S. A. Gossen

Sandra Ann Gossen

G. Ruby Lawler

Witness to above Signatures

Weldon W. Ruby

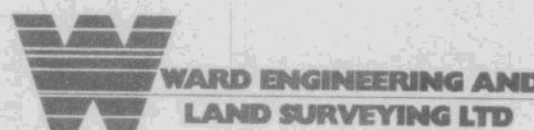
9124 DRAPER ST

Address

MISSION B.C. V2V 5K4

Lawyer

Occupation



#201, 625 Front St. Tel: 354-1660
Nelson, British Columbia Fax: 354-1670
V1L 4B6

FILE: 6015



DETAIL
N.T.S.

UNSURVEYED CROWN LAND



Your file: 18695
Our file: 03-010-13547

June 18, 1999

Lorne Mann
Notary Public
PO Box 427
Creston, BC
V0B 1G0

FILE COPY

Dear Lorne Mann:

Re: Lot 1, DL 2546, KD, Plan NEP 23644 (TREMLOCK PROPERTIES LTD.)

Please be advised that Ministry of Transportation and Highways personnel have reviewed the works which Tremlock Properties Ltd. have now completed to upgrade the road from Birch Avenue to the proposed parcel.

The monies you currently hold in trust in the sum of three thousand dollars (\$3,000.00) can now be released. Thank you for your assistance in this matter.

Yours truly,


Peter Muirhead
Provincial Approving Officer

PM/sme

cc: Dale Jeffs, District Development Technician, Central Kootenay



Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

Kootenays Region
Fourth Floor
310 Ward Street
Nelson BC V1L 5S4



Central Kootenay District
Second Floor
310 Ward Street
Nelson BC V1L 5S4

Phone: 354-6521 Fax: 354-6547


June 14, 1999

Our file: 03-010-15025

Attention: Peter Muirhead
Provincial Approving Officer

Re: Re: Lot 1, D.L. 2546, Plan Nep 23644, File 03-010-13547

Ministry of Transportation and Highways personnel have reviewed the works which Tremlock Properties Ltd. did to gain an access to this lot. The holding of monies related to the construction can now be released.

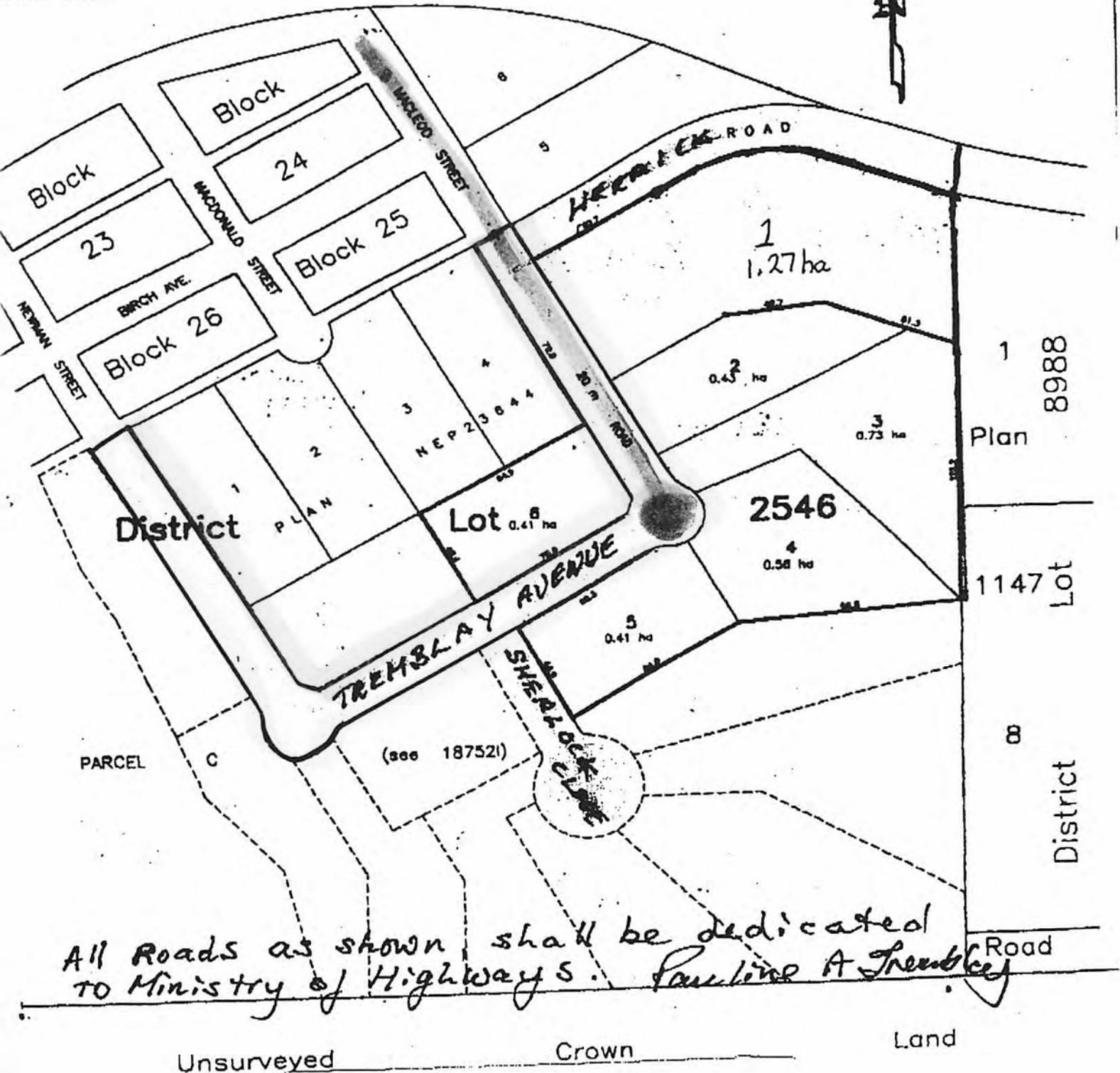

Dale Jeffs
District Development Technician

/rs

cc: Tremlock Properties Ltd, Box 57, Kitchener, BC, V0B 1W0

PLAN OF PROPOSED SUBDIVISION OF PART OF
PARCEL C (see 187521), DISTRICT LOT 2546,
KOOTENAY DISTRICT.

SCALE 1:2500



Printed By: Peter Muirhead@FINANCE
To: Dale
From: Peter Muirhead@FINANCE
Cc:
Bcc:
Subject: 13547 and 15025 Tremlock Properties DL 2546
Attachment:
Date: 6/10/99 11:37 AM

Further to your memo March 5, 1999.

It looks like # 5 has been addressed, let me know

When # 5 is confirmed please issue a PLA subject to

your....1,2,3,4,6,7,8,9 and 10 in order to address the dedicated but
unconstructed road in this plan

10) For the portion of road shown on the plan but unconstructed at this
time the following covenant is required. Applicant to enter into a
restrictive covenant with MIN of Trans and Hwys registerable under section
219 of the LTA to establish the condition "no further subdivision of the
remainder of DL 2546 or creation lots that require access from road shown
in plan _____ until said road has been constructed to the satisfaction
of the PAO."

GOVERNMENT OF BRITISH COLUMBIA
MINISTRY OF TRANSPORTATION & HIGHWAYS

FAX FAX FAX

OUR FILE: 13547, D.L. 2546
YOUR FILE: Tremlock Properties Ltd.

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Lisa

TITLE: Lorne Mann's Office

LOCATION: Creston

FAX NUMBER: (250) 428-5566

FROM: MINISTRY OF TRANSPORTATION & HIGHWAYS
Development Approvals, 4th Floor
Kootenays Regional Office
310 Ward Street, NELSON, B.C. V1L 5S4

Judi Ross
Deputy Approving Officer

FAX NUMBER: 354-6437

TELEPHONE NUMBER: 354-6444

DATE SENT: April 6, 1999

TOTAL NUMBER OF PAGES 1 (including this sheet)

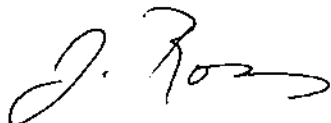
COMMENTS:

Lisa - Sorry for the oversight and any delay that has been incurred. Please accept this letter as our authorization to complete the Form C as required by the Land Title Office;

Judi Ross
4th Floor
310 Ward Street
Nelson, B.C.
V1L 5S4

Phone (250) 354-6444

Date of Execution: March 25, 1999



Judi Ross
Deputy Approving Officer

MANN



■ Affidavits

■ Contracts

■ Mobile Homes

■ Real Estate

■ Wills

■ Leases

■ Mortgages

■ Business Transfers

Notary
PUBLIC

P.O. Box 427
1404 Canyon Street
Creston, B.C.
V0B 1G0

Business: (250) 428-7194
Toll Free: (800) 649-7194
Fax: (250) 428-5566

FAX COVER SHEET

Date: April 3, 1999

To: Peter Muirhead, Min. Trans. & Hwyys.

Fax: _____

From: Lisa

We acknowledge receiving the Partial Release of Covenant for the Tremlock Properties Ltd. sale
(your file 03-010-13547). However, Judi Ross did not fill her address and telephone number
below her signature line as is required by the Land Title Office nor was your signature dated.
Please advise the said information.

..... This transmission has a total of 2 pages including this page.

Page 10

Withheld pursuant to/removed as

s.3



Your file: 18695
Our file: 03-010-13547 & 15258
and 15025

March 25, 1999

FILE COPY

Lorne Mann
Notary Public
PO Box 427
Creston, BC
V0B 1G0

Dear Lorne Mann:

Re: Lot 1, DL 2546, KD, Plan NEP 23644 (TREMLOCK PROPERTIES LTD.)

Further to your letters dated March 15, 1999 and March 23, 1999, I enclose herewith two original duly executed Partial Releases of Covenant XL1423. I confirm that you are holding the sum of three thousand dollars (\$3,000) pending our instruction and approval for release of said funds.

Yours truly,

Peter Muirhead
Provincial Approving Officer

PM/sme

enclosures

cc: Dale Jeffs, District Development Technician, Central Kootenay

*Tucki Done ✓
Haste makes
waste. huh.
P/S have
a look at
this &
call L. Mann*

**LORNE D.
MANN**



Notary
PUBLIC

■ Affidavits

■ Contracts

■ Mobile Homes

■ Real Estate

■ Wills

■ Leases

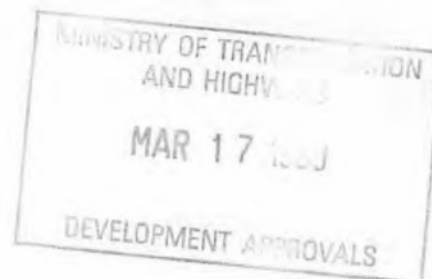
■ Mortgages

■ Business Transfers

P.O. Box 427
1404 Canyon Street
Creston, B.C.
V0B 1G0

Business: (250) 428-7194
Toll Free: (800) 649-7194
Fax: (250) 428-5566

File Ref. No: **18695**



March ¹⁵~~12~~, 1999

Ministry of Transportation and Highways
4th Floor, 310 Ward Street
Nelson, B.C.
V1L 4K3

ATTENTION: Peter Muirhead

Dear Sir:

**Re: 520 Newman Street, Kitchener, B.C. legally described as Lot 1, District Lot 2546,
Kootenay District, Plan NEP23644
TREMLOCK PROPERTIES LTD.**

Further to your recent correspondence and my conversation with you on March 10, 1999, please find enclosed herewith a duly executed Acknowledgement for your records. I confirm that I will hold the sum of Three Thousand Dollars (\$3,000.00) pending your instruction and approval.

I have also enclosed a Partial Release of Covenant XL1423 for only Lot 1. Please attend to having the same notarized by a Commissioner, Notary Public, or Lawyer and return the same to my office for registration in the Kamloops Land Title Office.

I trust the enclosed meets your satisfaction.

Yours truly,


Lorne D. Mann

LDM/lf
Enclosures

VIA REGULAR MAIL

ACKNOWLEDGEMENT

Re: Sale of Lot 2, District Lot 2546, Kootenay District, Plan NEP23644 by TREMLOCK PROPERTIES LTD. to PERRY

We, the authorized signatories of TREMLOCK PROPERTIES LTD., hereby authorized Lorne D. Mann, Notary Public, to hold the sum of Three Thousand Dollars (\$3,000.00) in trust, with interest accruing to TREMLOCK PROPERTIES LTD., until such time as confirmation is received from the approving officer of the Ministry of Transportation and Highways that the said funds can be released as per the requirements of their letter dated March 9, 1999 attached hereto as Schedule "A". Provided further, we irrevocably authorize Lorne D. Mann, Notary Public, to forward the full sum of Three Thousand Dollars (\$3,000.00) (or so much thereof as to be determined in the sole discretion of the Ministry of Transportation and Highways) to the Ministry of Transportation and Highways and/or the Minister of Finance and Corporate Relations immediately upon request by the said Ministry and at their sole discretion.

SIGNED this 10th day of March, 1999


ARTHUR MAURICE TREMBLAY


PAULINE ALICE TREMBLAY

SCHEDULE "A"



Province of
British Columbia

Ministry of
Transportation
and Highways

Kootenays Regional Office
Regional Director's Branch
4th Floor - 310 Ward Street
Nelson BC V1L 5S4
Phone: 354-6783 Fax: 354-6437

Your file: 03-010-13547
Our file: 15025 & 15258

March 9, 1999

Lorne D. Mann
PO Box 427
1404 Canyon Street
Creston, BC V0B 1G0

Attention: Lorne D. Mann

Dear Lorne Mann:

Re: Lot 1, District 2546, K.D., Plan NEP23644

I have had further discussions with your client Mr. Tremblay with respect to road construction. I understand that the road has not yet been upgraded from Birch Avenue to the parcel.

Rather than hold up the sale, I could release the covenant subject to Mr. Tremblay securing a bond or irrecoverable letter of credit in the amount of \$3000.00 for the yet to be completed road. Road to be completed by July 1, 1999.

The security should be made to the Minister of Finance and Corporate Relations c/o the Ministry of Transportation and Highways.

If you have any questions please call. Please see the attached sample.

Yours truly,

Peter Muirhead
Provincial Approving Officer

/wh

cc - Dale Jeffs, District Development Technician, Central Kootenay District, Nelson

Page 15

Withheld pursuant to/removed as

s.3

**LORNE D.
MANN**



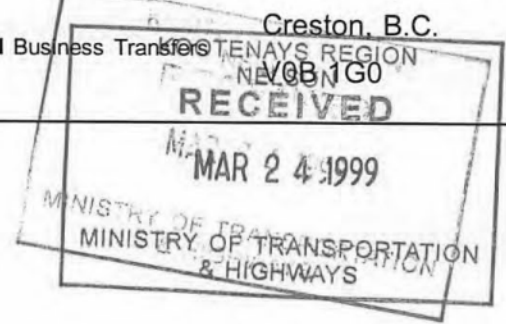
Notary
PUBLIC

■ Affidavits ■ Contracts ■ Mobile Homes ■ Real Estate
■ Wills ■ Leases ■ Mortgages ■ Business Transfers

P.O. Box 427
1404 Canyon Street
Creston, B.C.

Business: (250) 428-7194
Toll Free: (800) 649-7194
Fax: (250) 428-5566

File Ref. No: **18695**



March 23, 1999

Ministry of Transportation and Highways
4th Floor, 310 Ward Street
Nelson, B.C.
V1L 4K3

ATTENTION: Peter Muirhead

Dear Sir:

**Re: 520 Newman Street, Kitchener, B.C. legally described as Lot 1, District Lot 2546,
Kootenay District, Plan NEP23644
TREMLOCK PROPERTIES LTD.**

Further to your request in your telephone call to my office yesterday, I have enclosed herewith a Partial Release of Covenant XL1423 which shows the Transferor exactly as outlined on the original Covenant. However, I request you sign and return the enclosed Partial Release as well as the Partial Release issued to you earlier as the previous Partial Release was prepared based on the information that appears on title. In the event I experience difficulty registering the one Partial Release I will already have the other in my possession to file.

Yours truly,

Lorne D. Mann

LDM/lf
Enclosures

VIA REGULAR MAIL

Page 17 to/à Page 19

Withheld pursuant to/removed as

s.3



Notary
PUBLIC

■ Affidavits

■ Contracts

■ Mobile Homes

■ Real Estate

■ Wills

■ Leases

■ Mortgages

■ Business Transfers

P.O. Box 427

1404 Canyon Street

Creston, B.C.

V0B 1G0

Business: (250) 428-7194
Toll Free: (800) 649-7194
Fax: (250) 428-5566

File Ref. No: 18695

March 10, 1999

Ministry of Transportation and Highways
4th Floor, 310 Ward Street
Nelson, B.C.
V1L 4K3

ATTENTION: Peter Muirhead

Dear Sir:

**Re: 520 Newman Street, Kitchener, B.C. legally described as Lot 1, District Lot 2546,
Kootenay District, Plan NEP23644
TREMLOCK PROPERTIES LTD.**

I acknowledge receiving your letter of March 9, 1999. Tremlock Properties Ltd. has authorized my office to withhold the sum of \$3,000.00 in trust (see attached Acknowledgement). Please advise whether it is acceptable for my office to hold the funds in trust on the trust condition that they be released to you upon your written request and in your sole discretion.

I look forward to receiving your early response.

Yours truly,


Lorne D. Mann

LDM/lf
Enclosure

VIA FACSIMILE
(250) 354-6437



Province of
British Columbia

Ministry of
Transportation
and Highways

Kootenays Regional Office
Regional Director's Branch
4th Floor - 310 Ward Street
Nelson BC V1L 5S4
Phone: 354-6783 Fax: 354-6437

Your file: 03-010-13547
Our file: 15025 & 15258

March 9, 1999

Lorne D. Mann
PO Box 427
1404 Canyon Street
Creston, BC V0B 1G0

Attention: Lorne D. Mann

Dear Lorne Mann:

Re: Lot 1, District 2546, K.D., Plan NEP23644

I have had further discussions with your client Mr. Tremblay with respect to road construction. I understand that the road has not yet been upgraded from Birch Avenue to the parcel.

Rather than hold up the sale, I could release the covenant subject to Mr. Tremblay securing a bond or irrecoverable letter of credit in the amount of \$3000.00 for the yet to be completed road. Road to be completed by July 1, 1999.

The security should be made to the Minister of Finance and Corporate Relations c/o the Ministry of Transportation and Highways.

If you have any questions please call. Please see the attached sample.

Yours truly,

Peter Muirhead
Provincial Approving Officer

/wh

cc - Dale Jeffs, District Development Technician, Central Kootenay District, Nelson

ACKNOWLEDGEMENT

Re: Sale of Lot 2, District Lot 2546, Kootenay District, Plan NEP23644 by TREMLOCK PROPERTIES LTD. to PERRY

We, the authorized signatories of TREMLOCK PROPERTIES LTD., hereby authorized Lorne D. Mann, Notary Public, to hold the sum of Three Thousand Dollars (\$3,000.00) in trust, with interest accruing to TREMLOCK PROPERTIES LTD., until such time as confirmation is received from the approving officer of the Ministry of Transportation and Highways that the said funds can be released as per the requirements of their letter dated March 9, 1999 attached hereto as Schedule "A". Provided further, we irrevocably authorize Lorne D. Mann, Notary Public, to forward the full sum of Three Thousand Dollars (\$3,000.00) (or so much thereof as to be determined in the sole discretion of the Ministry of Transportation and Highways) to the Ministry of Transportation and Highways and/or the Minister of Finance and Corporate Relations immediately upon request by the said Ministry and at their sole discretion.

SIGNED this day of March, 1999

ARTHUR MAURICE TREMBLAY

PAULINE ALICE TREMBLAY

MEMORY TRANSMISSION REPORT

TIME : MAR 09 '99 13:16
TEL NUMBER: 250-354-6437
NAME : MOTH KOOTENAYS REGION

FILE NBR : 482
DATE : MAR.09 13:11
TO : 812504265566
DOC. PAGES : 03
START TIME : MAR.09 13:11
END TIME : MAR.09 13:16
SENT PAGES : 03

FILE NBR : 482 *** SUCCESSFUL TX NOTICE ***

4th Floor - Ward Street
Nelson, BC V1L 5S4

facsimile transmittal

To: LORNE D. MANN Fax: (250) 428-5566
From: PETER MUITHEAD Date: 03/09/99
Re: LOT 1, DIST.2546 Pages: THREE
CC:

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

Notes:



Your file: 03-010-13547
Our file: 15025 & 15258

March 9, 1999

Lorne D. Mann
PO Box 427
1404 Canyon Street
Creston, BC V0B 1G0

Attention: Lorne D. Mann

Dear Lorne Mann:

Re: Lot 1, District 2546, K.D., Plan NEP23644

I have had further discussions with your client Mr. Tremblay with respect to road construction. I understand that the road has not yet been upgraded from Birch Avenue to the parcel.

Rather than hold up the sale, I could release the covenant subject to Mr. Tremblay securing a bond or irrecoverable letter of credit in the amount of \$3000.00 for the yet to be completed road. Road to be completed by July 1, 1999.

The security should be made to the Minister of Finance and Corporate Relations c/o the Ministry of Transportation and Highways.

If you have any questions please call. Please see the attached sample.

Yours truly,

Peter Muirhead
Provincial Approving Officer

/wh

cc -- Dale Jeffs, District Development Technician, Central Kootenay District, Nelson

Bank of Montreal  Banque Montréal

3406446

3407974

~~(Signature)~~

INTERNATIONAL OPERATIONS
 395 BURNARD STREET, 31ST FLOOR FBT
 P.O. BOX 49500, VANCOUVER
 BRITISH COLUMBIA, CANADA, V7X 1L7
 TELEX: MCI 52960
 SWIFT: BOMMCA8V
 PHONE: 604-665-3712
 FAX: 604-665-7120

DATE OF ISSUE: JULY 8, 1996
 IRREVOCABLE STANDBY LETTER OF CREDIT
 DOCUMENT NUMBER

APPLICANT:

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

BENEFICIARY:

MINISTER OF FINANCE & CORPORATE
 RELATIONS, C/O THE MINISTRY OF
 ENVIRONMENT, LANDS AND PARKS, 478
 ST. PAUL ST., KAMLOOPS, B.C. V2C 2K6

*Trans 4 HWS
 310 wad.*

AMOUNT: 2,000.00 CAD
 MAXIMUM TWO THOUSAND AND 00/100'S
 CANADIAN DOLLARS

COMPANY NAME

WE HEREBY ISSUE FOR ACCOUNT ~~XXXXXXXXXXXXXXXXXXXX~~ OUR IRREVOCABLE STANDBY
 LETTER OF CREDIT NO. ~~XXXXXXXXXXXXXXXXXXXX~~ IN YOUR FAVOUR FOR CAD 2,000.00
 AVAILABLE WITH OURSELVES AGAINST PRESENTATION OF YOUR DRAFT(S) AT SIGHT DRAWING
 D. OURSELVES QUOTING OUR CREDIT NUMBER.

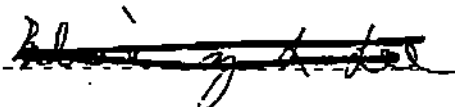
PARTIAL DRAWINGS ARE ALLOWED.

NEGOTIATION AND/OR PAYMENT UNDER THIS CREDIT IS RESTRICTED TO US ONLY.

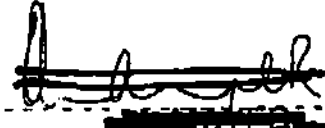
THIS CREDIT EXPIRES ON JULY 8, 1997 AT OUR COUNTERS.

THIS LETTER OF CREDIT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED ON AN ANNUAL
 BASIS WITHOUT ANY FORMAL AMENDMENT UNLESS AT LEAST THIRTY (30) DAYS PRIOR TO
 THE PRESENT EXPIRY OR ANY FUTURE EXPIRY DATE AS AUTOMATICALLY EXTENDED, WE
 SHALL NOTIFY YOU IN WRITING THAT WE ELECT NOT TO EXTEND THE LETTER OF CREDIT
 FOR ANY FURTHER PERIOD AND AT THE SAME TIME FORWARD TO YOU TOGETHER WITH SUCH
 WRITTEN NOTICE OF ELECTION A BANK DRAFT PAYABLE TO THE MINISTER OF FINANCE &
 CORPORATE RELATIONS AT THE MINISTRY OF ENVIRONMENT, LANDS AND PARKS, 478
 ST. PAUL ST., KAMLOOPS, B.C. V2C 2K6, HOLDING THE LETTER OF CREDIT IN THE AMOUNT OF CAD 2,000.00 LESS ANY
 AMOUNT PREVIOUSLY PAID UNDER THIS LETTER OF CREDIT.

THIS CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY
 CREDIT (1993 REVISION, INTERNATIONAL CHAMBER OF COMMERCE, PARIS, FRANCE,
 PUBLICATION NO. 500) AND ENGAGES US IN ACCORDANCE WITH THE TERMS THEREOF.

~~XXXXXXXXXXXXXXXXXXXX~~ 

SIGNING OFFICER (ELECT)


~~XXXXXXXXXXXXXXXXXXXX~~

AUTHORIZED SIGNING OFFICER

THIS DOCUMENT CONSISTS OF 1 PAGE(S).

**ORNE D.
MANN**



Notary
PUBLIC

■ Affidavits

■ Contracts

■ Mobile Homes

■ Real Estate

■ Wills

■ Leases

■ Mortgages

■ Business Transfers

P.O. Box 427

1404 Canyon Street

Creston, B.C.

V0B 1G0

Business: (250) 428-7194

Toll Free: (800) 649-7194

Fax: (250) 428-5566

File Ref. No: 18695

February 19, 1999

Ministry of Transportation and Highways

2nd Floor, 310 Ward Street

Nelson, B.C.

V1L 4K3

ATTENTION: Peter Muirhead and/or Dale

Dear Sir:

**Re: 520 Newman Street, Kitchener, B.C. legally described as Lot 1, District Lot 2546,
Kootenay District, Plan NEP23644
TREMLock PROPERTIES LTD.**

I request you review your file and advise whether a satisfactory access has indeed been completed in connection with Covenant XL1423 registered on the above captioned property. I wish to know whether it is acceptable for me to issue to you a Release of Covenant for execution.

I look forward to receiving your early response as this property is in the process of being sold.

Yours truly,

Lorne D. Mann

LDM/lf

Enclosures

VIA FACSIMILE

(250) 354-6547

Page 27 to/à Page 34

Withheld pursuant to/removed as

s.3

FAX**Date** 25/02/99**Number of pages including cover sheet** 1

TO: Dale Jeffs
District Development
Technician
Ministry of Transport &
Highways

Phone 250 354 6521**Fax Phone** 250 354 6547

FROM: ARTHUR M. TREMBLAY
TREMLOCK
PROPERTIES. LTD.
RR#2 - 1580, Highway 21,
Creston, BC
V0B 1G2

Phone 250 428 8911**Fax Phone** 250 428 8911

REMARKS: ☐ Urgent ☒ For your review ☐ Reply ASAP ☒ Please Comment

Hi Dale:

Attached find documentation regarding our PLA Parcel C (187521)* D.L. 2546, K.D.

Your File: 03-010-15025

Have a good week! Art.

Dale Jeffs
District Development Technician
Ministry of Transport & Highways
202 Lakeside Drive
Nelson BC
V1L 6B9

February 25th. 1999

Dear Dale:

Thank you for your prompt attention to my request to inspect our Centennial Acres Subdivision in Kitchener.

Regarding our PLA Parcel C (187521)' D.L. 2546, K.D.

Your File: 03-010-15025

We wish to request that our subdivision preliminary layout approval be renewed. Our development schedule was delayed last year because of poor economic conditions in our area, resulting in lack of sales and negative cash flow.

We have just sold the last lot in Phase I, and would like to get this released, also we would like to sell the 3 Acre parcel marked as lot 7, to provide adequate funds bring Phase II on stream.

As I stated in our conversation, we are prepared to dedicate to the Ministry of Highways, all roads as shown on the Subdivision Plan attached.

If possible we would like the PLA extension for 12 months, as we wish to work gradually at the project as funds present themselves.

We would also like to sell the 16+ acres to the West of the Alluvial Fan as a parcel. There is an existing access from Clement Road. We are also pursuing the transfer of the alluvial fan to Crown Lands as soon as possible.

Please advise of any problems.

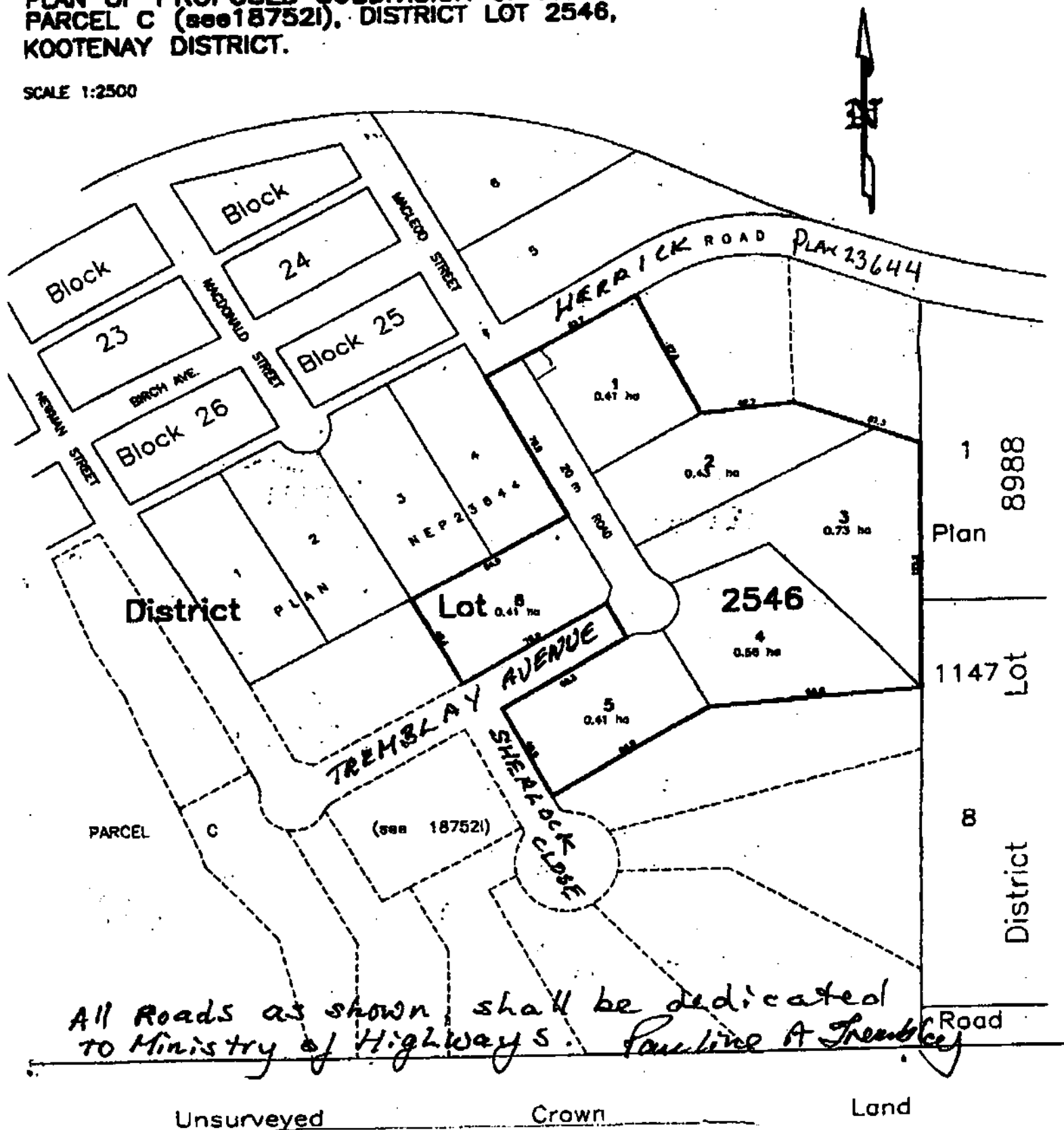
Thanks again for your assistance.



Arthur M. Tremblay

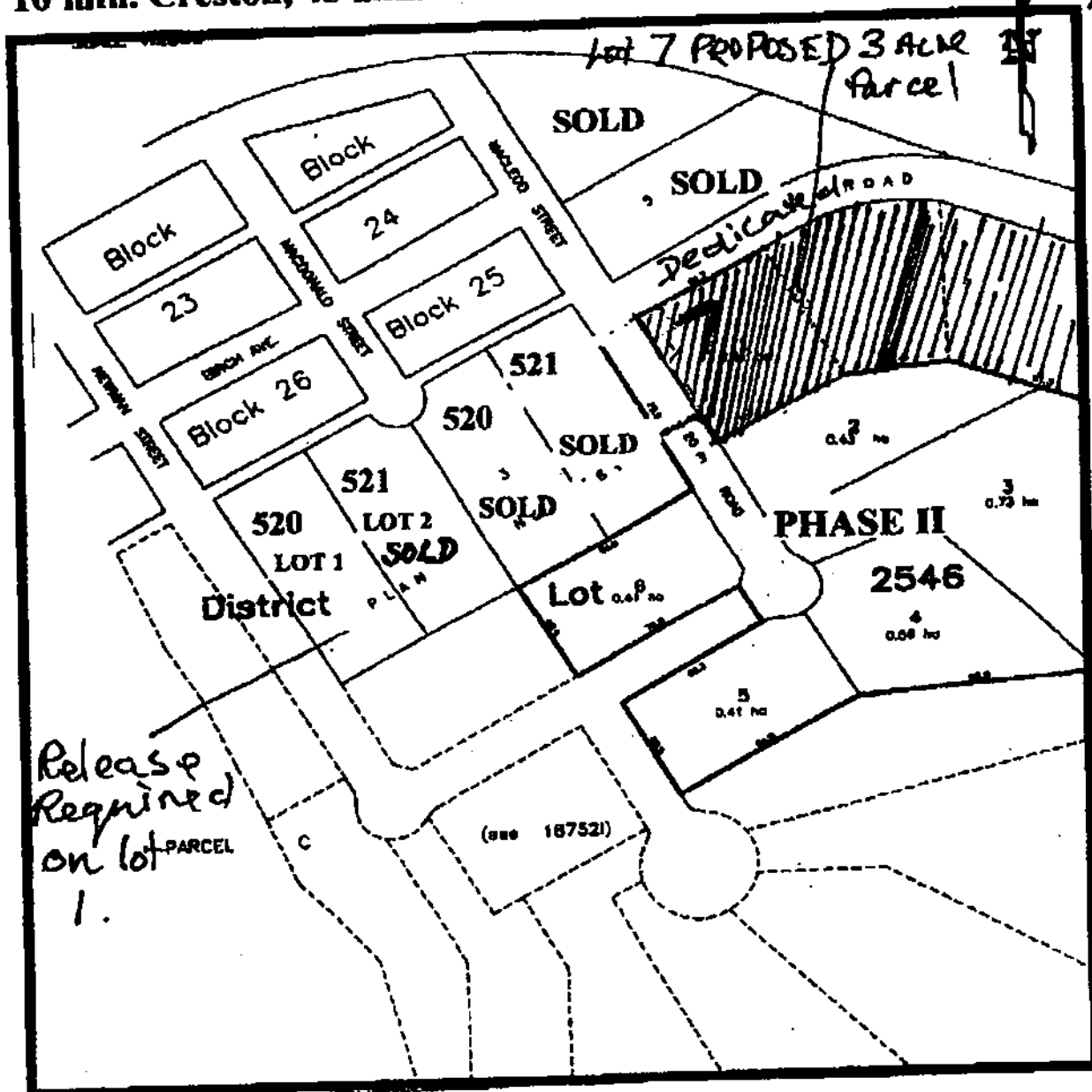
PLAN OF PROPOSED SUBDMISION OF PART OF
PARCEL C (see 187521), DISTRICT LOT 2546,
KOOTENAY DISTRICT.

SCALE 1:2500



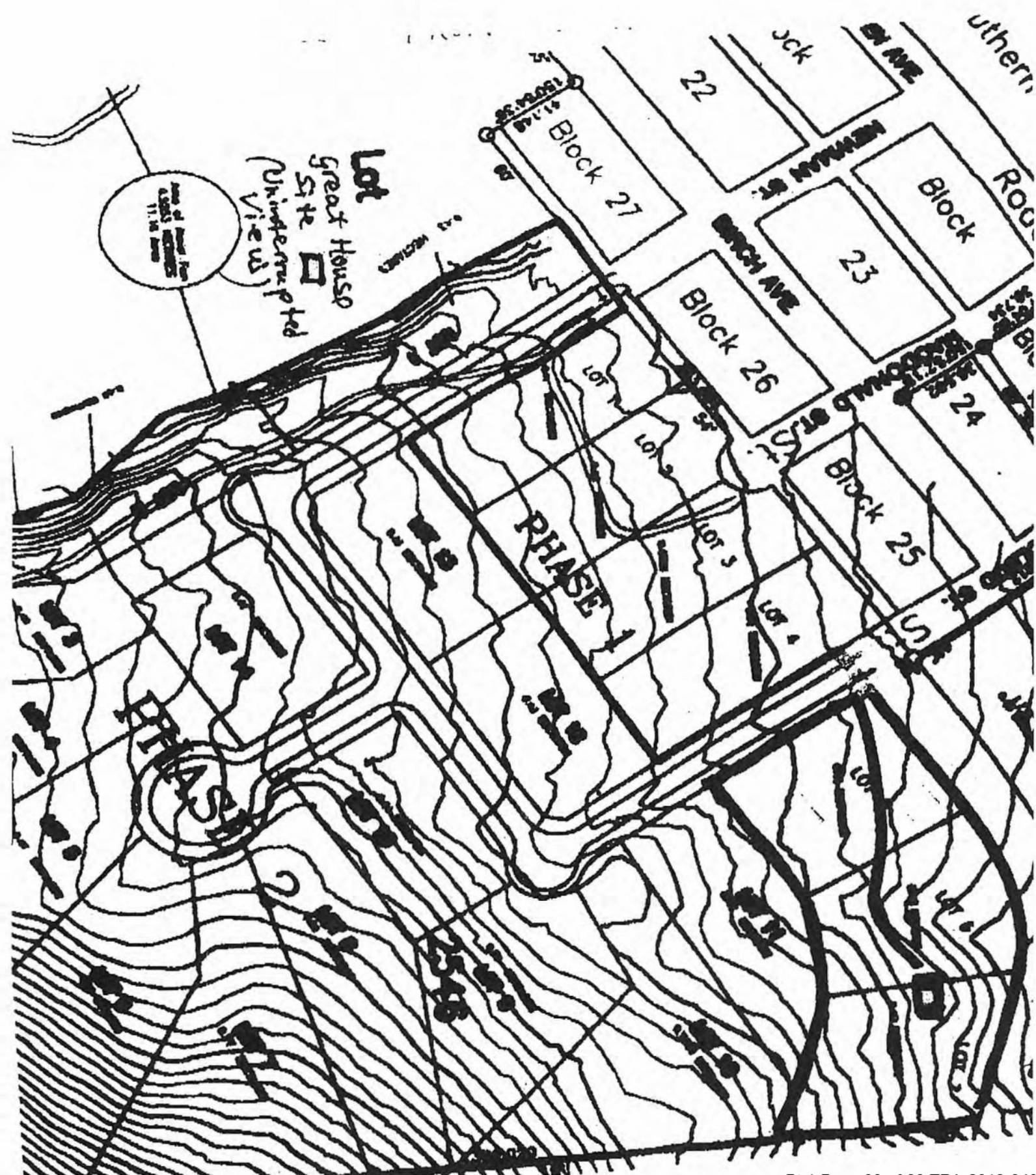
CENTENNIAL ACRES KITCHENER, BC.

Situated on Hwy. #3, in the Beautiful Kootenay Region
10 min. Creston, 45 min. Cranbrook, 15 min. USA.



TREMLOCK PROPERTIES, LTD. (250 428 8911)

We are a small "Ma & Pa" Company. Centennial is a Rural Subdivision: Minimum Lot Size 1 Acre; Treed, with Pleasant Valley and Mountain Views. Kitcheener, a former Railroad Town (1899), enjoys Clean Air & Water, and Low Taxes.



REMAINDER OF DISTRICT LOT 2546, KOOTENAY DISTRICT

APPROXIMATE AREAS

NOT TO SCALE

Parcel C (DD 1873.21)
Exc: PL NEP. 23644.

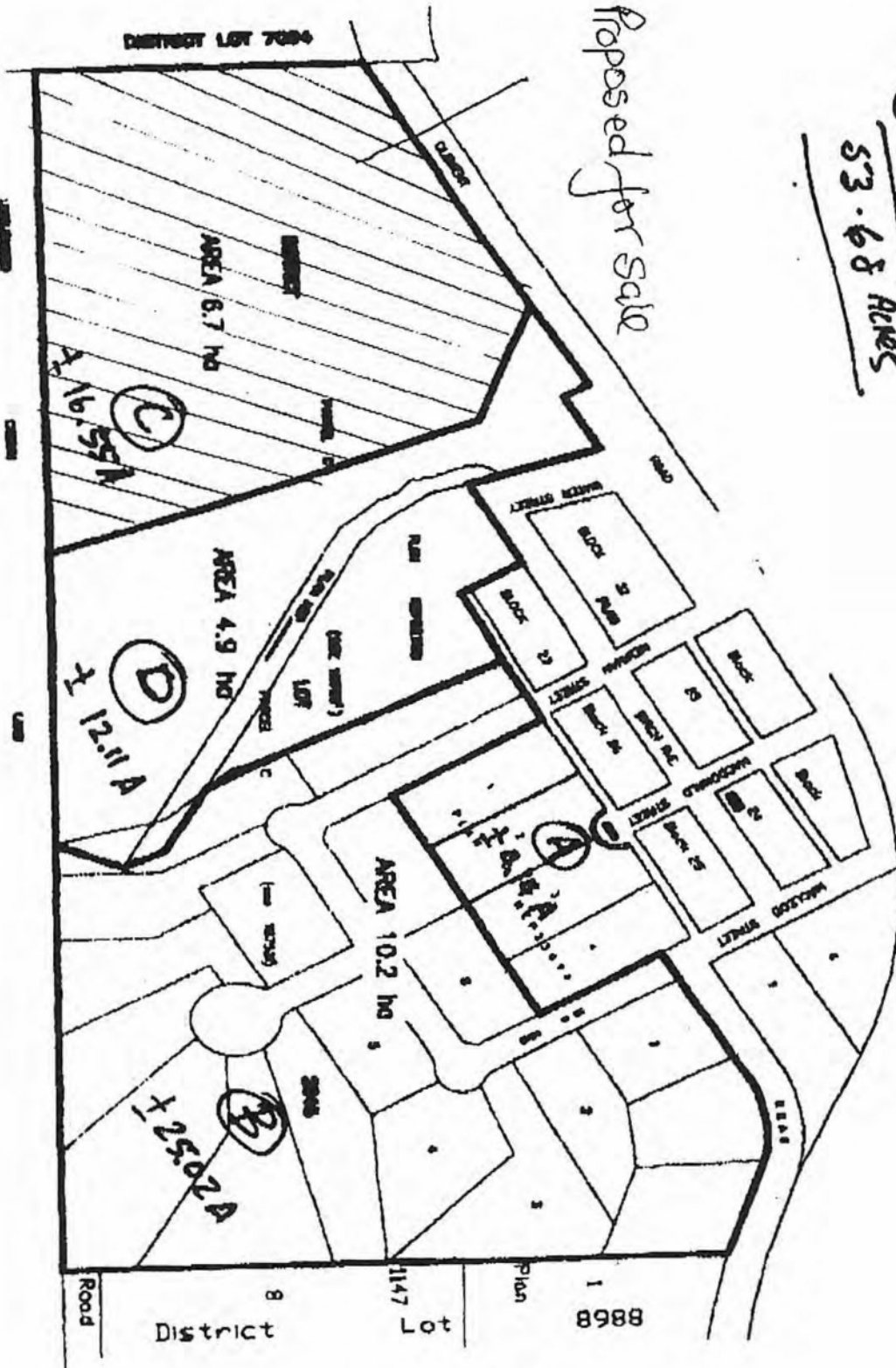
Acres: (B) 25.02

(C) 16.55

(D) 22.11

53.68 Acres

Proposed for Sale





Peter Muirhead
Provincial Approving Officer
Region 3

Central Kootenay District
Second Floor
310 Ward Street
Nelson BC V1L 5S4

Phone: 354-6521 Fax: 354-6547

March 5, 1999

Our file: 03-010-15025
03-010-13547

Re: Parcel C (see 18752-D), D.L. 2546, K.D.

Enclosed is a letter from Lorne Mann dated February 19, 1999 requesting a discharge of Covenant XL 1423 and a fax from Arthur Tremblay wishing to revise his layout.

Release of Covenant - (taking into account the amount of snow) I couldn't tell if proper access was constructed to Lot 1, Plan NEP 23644. Arthur indicated he hadn't built it. I would like to send a letter stating that the access must be constructed and that a subdivision application for Lots C and D must be submitted. Let me know.

Proposed Revised Six Lots - I looked in both files and feel that Health has approved what was formerly Lots 5, 6, and 7 of the first phase now being Lot 1 and the only real problem. I would like to know what was said regarding pavement. Even if I go with the conversation (he said, you said) on routine dealing with gravel now, pavement later, I want a Covenant on the remainder, stopping further subdivision until the road is paved. Let me know on the pavement issue.

I would like to proceed with the following:

1. Applicant to comply with revised sketch for six (6) proposed fee simple lots in accordance with sketch dated February 25, 1999.
2. Written confirmation from the R.D.C.K. stating that all their bylaw requirements have been satisfied.
3. Proposed subdivision roads as indicated highlighted in yellow on proposed sketch shall be established a minimum of twenty (20) metres in width or three (3) metres beyond the extremities of cuts or fills, whichever is greater.

(over)

4. MacLeod Street and MacLeod Street Extension shall be designed and constructed from the intersection with Aspen Road to a proposed cul-de-sac fronting proposed Lots 3, 4, 5, and 6 (as shown in pink on the revised sketch) in accordance with the Ministry's standard specifications for highway construction as outlined in the Ministry's Subdivision Engineering Requirements manual. Road shall be constructed to pavement standards.

Birch Avenue
70
5. Newman Street and Newman Street Extension shall be designed and constructed from the intersection with ~~Aspen Road~~ to a location which allows proper access into Lot 1, D.L. 2546, Plan NEP 23644 in accordance with the Ministry's standard specifications for highway construction as outlined in the Ministry's Subdivision Engineering Requirements manual. Road shall be constructed to gravel standards.

6. Applicant to submit a list of material sources and sieve analysis of all granular materials prior to any construction.

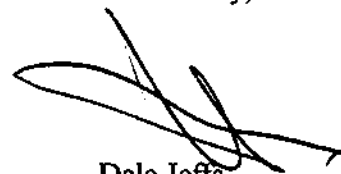
7. It is optional for the applicant to retain a Professional Engineer to supervise and certify that the road construction has been completed to Ministry specifications. If the applicant does not wish to retain an engineer, Ministry staff will complete the road inspections.

8. It will be necessary to obtain a hydrology report prepared by a Professional Engineer, registered in the Province of British Columbia, experienced in hydrology, to prepare a drainage plan to collect and direct surface water to natural outfall. All recommendations with hydrology report shall be implemented and written confirmation shall be submitted from the Professional Engineer stating that all recommendations have been completed.

9. Applicant to provide a Release of Covenant XL 1423 document for execution.

Please forward comments as soon as possible.

Yours truly,



Dale Jeffs

Development Approvals Technician

DLJ/imw
Encl.

**LORNE D.
MANN**



Notary
PUBLIC

■ Affidavits

■ Contracts

■ Mobile Homes

■ Real Estate

■ Wills

■ Leases

■ Mortgages

■ Business Transfers

P.O. Box 427
1404 Canyon Street
Creston, B.C.
V0B 1G0

Business: (250) 428-7194
Toll Free: (800) 649-7194
Fax: (250) 428-5566

File Ref. No: 18695

March 5, 1999

Ministry of Transportation and Highways
2nd Floor, 310 Ward Street
Nelson, B.C.
V1L 4K3

ATTENTION: Peter Muirhead and/or Dale

Dear Sir:

**Re: 520 Newman Street, Kitchener, B.C. legally described as Lot 1, District Lot 2546,
Kootenay District, Plan NEP23644
TREMLOCK PROPERTIES LTD.**

Further to my letter issued to you on February 19, 1999, it was my understanding from my discussion with Tremlock Properties Ltd. that an answer would be forthcoming from your office on Thursday, March 4, 1999. Please advise my office whether Covenant XL1423 can be released.

I look forward to receiving your response.

Yours truly,


Lorne D. Mann

LDM/lf

VIA FACSIMILE
(250) 354-6547

**LORNE D.
MANN**



Notary
PUBLIC

■ Affidavits

■ Contracts

■ Mobile Homes

■ Real Estate

■ Wills

■ Leases

■ Mortgages

■ Business Transfers

P.O. Box 427

1404 Canyon Street

Creston, B.C.

V0B 1G0

Business: (250) 428-7194
Toll Free: (800) 649-7194
Fax: (250) 428-5566

FAXED
1:02

File Ref. No: 18695

February 19, 1999

Ministry of Transportation and Highways
2nd Floor, 310 Ward Street
Nelson, B.C.
V1L 4K3

ATTENTION: Peter Muirhead and/or Dale

Dear Sir:

**Re: 520 Newman Street, Kitchener, B.C. legally described as Lot 1, District Lot 2546,
Kootenay District, Plan NEP23644
TREMLOCK PROPERTIES LTD.**

I request you review your file and advise whether a satisfactory access has indeed been completed in connection with Covenant XL1423 registered on the above captioned property. I wish to know whether it is acceptable for me to issue to you a Release of Covenant for execution.

I look forward to receiving your early response as this property is in the process of being sold.

Yours truly,

Lorne D. Mann

LDM/lf
Enclosures

VIA FACSIMILE
(250) 354-6547

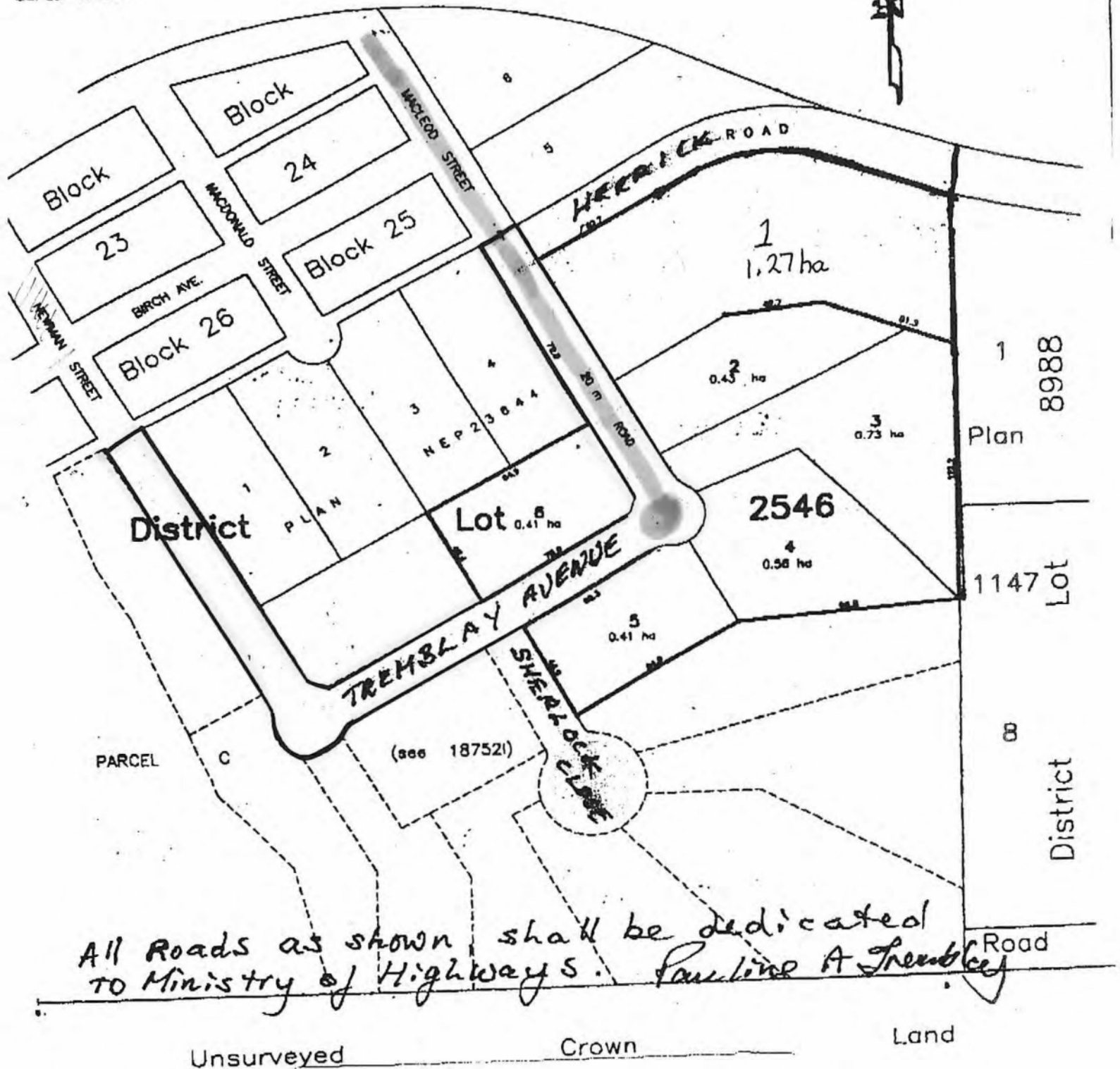
Page 45 to/à Page 46

Withheld pursuant to/removed as

s.3

PLAN OF PROPOSED SUBDIVISION OF PART OF PARCEL C (see 187521), DISTRICT LOT 2546, KOOTENAY DISTRICT.

SCALE 1:2500



B.C.G.S. 82F.019

21-CK-R-37+M-1±5

Deposited in the Land Title Office at Nelson, B.C.,

this 16 day of JANUARY, 1997

DOB Smith per PK
Registrar
XL1417-22

Approved under the Land Title Act

this 7th day of January, 1997

Jeanie Vernon
Approving Officer for the Ministry of
Transportation and Highways

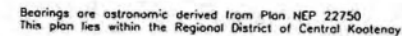
The Registered Owner(s) designated hereon, hereby declare that they have entered into a condition or covenant with Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Transportation and Highways and with the RDCK under section 215 of the Land Title Act.

The Registered Owner(s) designated hereon, hereby declare that they have entered into a condition or covenant with the Regional District of Central Kootenay and with Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Environment, Lands and Parks under section 215 of the Land Title Act.

I, Peter Ward, a British Columbia Land Surveyor of the City of Nelson, in British Columbia, certify that I was present at and personally superintended the survey represented by this plan and that the survey and plan are correct. The survey was completed on the 15th day of November, 1996.

Peter Ward F Eng BCLIS

010-13547



(C) DENOTES STANDARD CAPPED POST FOUND
 ● DENOTES STANDARD IRON POST FOUND
 O DENOTES STANDARD IRON POST SET
 w1 DENOTES WITNESS POST SET

#201, 625 Front St. Tel: 35
Nelson, British Columbia Fax: 35
V1L 4B6

#201, 625 Front St. Tel: 354-1660
Nelson, British Columbia Fax: 354-1670
V1L 4B6

FILE 6015

UNSURVEYED CROWN LAND

DETAIL
N.T.S.

DISTRICT LOT 8988 08

DISTRICT LOT 8988 08



Province of
British Columbia

Ministry of
Transportation
and Highways

Kootenays Regional Office
Regional Director's Branch
5th Floor - 310 Ward Street
Nelson, BC V1L 5S4
Phone: 354-6783 Fax: 354-6621

TO BE PICKED UP

Your file: 6015
Our file: 03-010-13547

January 8, 1997

Ward Engineering and Land Surveying Ltd.
#201 - 625 Front Street
Nelson, BC
V1L 4B6

Attention: Peter Ward, P. Eng., BCLS

FILE COPY

**Re: Proposed Subdivision of Parcel C (DD18752I), DL 2546, KD
(TREMLOCK PROPERTIES LTD.)**

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

Enclosed:

- One (1) original subdivision plan
- One (1) paper print of subdivision plan
- Two (2) original restrictive covenants

Yours truly,

Janice Vernon
Provincial Approving Officer

JMV/sme

cc: Peter Muirhead, Dist. Devel. Tech., Cent. Koot.
Regional District of Central Kootenay
Central Kootenay Health Unit, Creston
Temlock Properties Ltd., Applicant - S7F, Box 9, RR #1, Creston, BC V0B 1G0

Ministry of Transportation and Highways

REPORT ON FINAL SUBDIVISION

DATE... December 20, 1996
DISTRICT FILE NO. 03-010-13547
DATE DISTRICT REC'D... December 20, 1996

HIGHWAY DISTRICT... Cent. Kootenay REGIONAL DISTRICT... Cent. Kootenay MUNICIPALITY

REGIONAL FILE NO. REFERENCE/DATE

ROAD NAME/ROUTE NO.

LEGAL DESCRIPTION Parcel C (DD18752I), D.L. 2546, K.D.

LOCATED IN ~~XXXXXXXXXXXX~~ Kitchener

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 Tremlock Properties Ltd., S7F, Box 9, RR #1, Creston, BC V0B 1G0

AGENT Ward Engineering, #201 - 625 Front St. Nelson, BC V1L 4B6

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

☒ TX 55
☐ I.D. TAX CERTIFICATE
☐ TRANSPARENCY
☒ MYLAR
☒ PAPER PRINT
☐ 75 (1) (b)(c) DECLARATION

☒ COVENANT
☐ EASEMENT
☒ APPROVAL FEE AMOUNT? \$650.00
RECEIPT NO. 491346 H
STATE OF TITLE CERTIFICATE

COMMENTS

1. One covenant and explanatory plan submitted.
2. Submitted.
3. Satisfied.
4. Waived at this phase - to be addressed in File 15025.
5. Cul-de-sac constructed - other roads at next stage.
6. Satisfied.
7. Satisfied.

Covenant submitted tying Lot 1 to remainder due to lack of turnaround - as agreed with Janice in previous discussion.

I recommend approval.

Phone Ward Engineering for pick-up. (354-1660)

Peter Muirhead

District Development Technician

DISTRICT HIGHWAYS MANAGER

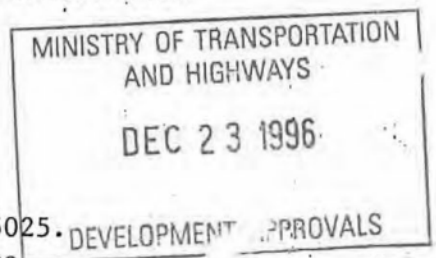
TO DISTRICT HIGHWAYS MANAGER DATE

REGIONAL FILE NO.

PLAN(S) RETURNED: APPROVED RE-APPROVED NOT APPROVED 75 (1)(b)(c)

ALSO ATTACHED

COMMENTS





**WARD ENGINEERING AND
LAND SURVEYING LTD**

December 18, 1996

Our File: 6015

MoTH File: 13547

CENTRAL KOOTENAY DISTRICT
NELSON

RECEIVED

DEC 20 1996

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

Ministry of Transportation & Highways
202 Lakeside Drive.
Nelson, B.C. V1L 6B9

Attention: Peter Muirhead
District Development Technician

Re: **Proposed subdivision of part of Parcel C (DD 18752I)
District Lot 2546, Kootenay District.**

We submit herewith for final approval the following:

1. Original mylar and three paper prints
2. A section 215 covenant as required by item 2 of your PLA.
3. Two paper prints of the explanatory plan for the section 215 Covenant referred to in item 2.
4. A letter from the RDCK dated December 6, 1996 indicating that their bylaws have been met.
5. A section 215 covenant with MOTH indicating that proposed lot 1 can not be sold separately from the remainder of Parcel C (DD 18752I).
6. A Tx 55 for Parcel C (DD 18752I) District Lot 2546 Kootenay District.
7. A plan examination fee in the amount of \$ 650.00.

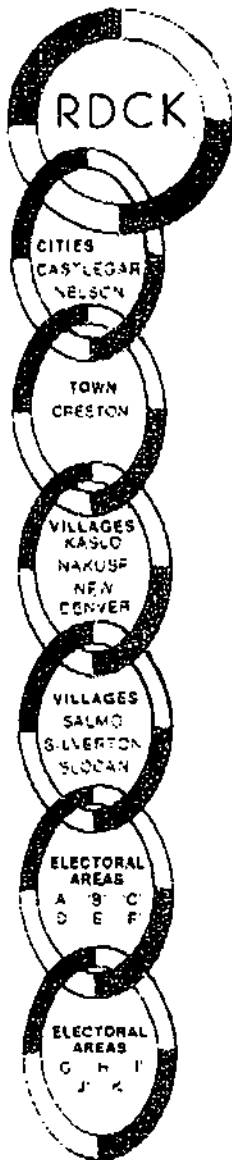
Yours truly,

WARD ENGINEERING AND LAND SURVEYING LTD.

Per:

PETER WARD, P.Eng., B.C.L.S.

PW/
encl.



Regional District of Central Kootenay

801 VERNON ST

NELSON, B.C.
V1L 4E9

PHONE 352-6665
FAX 352-9300

OFFICE OF Planning
FILE NO.

December 6, 1996

District Development Technician
Min. of Transportation & Highways
Comp. 1, Lakeside Drive Group Box
Central Kootenay District Office
NELSON, B.C. V1L 6B9

Attention: Dale Jeffs

Re: **Proposed Subdivision of Part of Parcel C (DD187521) D.L. 2546 K.D.**
MoTH File No. 03-010-13547

Please be advised that the Regional District has received documentation confirming compliance with the applicable requirements of Bylaw 795 and Subdivision Bylaw No. 399 for the proposed subdivision.

If I may provide further assistance in this matter, please call.

Yours truly,

Corine (Cory) Gain
Planning Assistant

cc: Peter Ward

WARD ENGINEERING AND LAND SURVEYING LTD.

TEL: (604) 354-1660 / FAX: (604) 354-1670
#201, 625 FRONT STREET
NELSON, BC V1L 4B6

0271

DEC 18 19 96

PAY TO THE
ORDER OF

MINISTER OF FINANCE

SIX HUNDRED & FIFTY

100
DOLLARS

\$ 650⁰⁰

RE TREASURY 6015



Bank of Montreal
298 BAKER STREET TEL: (604) 352-5321
NELSON, B.C. V1L 4H3

WARD ENGINEERING AND LAND SURVEYING LTD.

PER

s.21



Province of
British Columbia

RECEIPT

Cheque

491346 H

THE SUM OF

Six hundred & fifty

DOLLARS

\$ 650.00

ON ACCOUNT OF

Re: File No. 03-D10-13547

Part of P.C. (DD 187521), DL2546, KD.

GST NUMBER

R107864738

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

RECEIVED FROM

WARD ENGINEERING
#201-625 FRONT ST.
NELSON, BC V1L 4B6

ON

Dec. 20

19 96

ISSUING OFFICE

MOTH, 202 LAKESIDE, NELSON

ISSUING OFFICER'S SIGNATURE

FIN 48 Rev. 01/3/28 (GP 4109)

WHITE: CUSTOMER

PINK: MINISTRY FILE

CANARY: RETAIN IN BOOK FOR AUDIT



Province of
British Columbia

Ministry of Finance
and Corporate Relations

TAX CLEARANCE CERTIFICATE

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

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

EXPIRY
DATE

970531

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 DIL 2546 PARCEL C, (DD 187521)

LAND DISTRICT

TAX ROLL FOLIO NO.

ASSESSED OWNER

Kootenay

26-786-04307.000-1-1

TREMLOCK PROPERTIES LTD.

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



SUBDIVISION — HIGHWAYS APPROVING OFFICER

(SECTION 83, LAND TITLES ACT; TO ACCOMPANY A SUBDIVISION PLAN TENDERED TO THE MINISTRY OF TRANSPORTATION AND HIGHWAYS ENGINEER FOR EXAMINATION AND APPROVAL.)



FORESTS

(ASSIGNMENT, RENEWAL OR ABANDONMENT OF _____ (INDICATE TYPE OF TENURE — I.E. SUP. ROAD PERMIT, ETC. AND IDENTIFYING NUMBER) ISSUED BY FORESTRY, IF AVAILABLE.)



LANDS REGIONAL OPERATIONS

(ASSIGNMENT, RENEWAL OR ABANDONMENT OF _____ (INDICATE TYPE OF TENURE — I.E. LEASE, LICENCE, ETC. AND IDENTIFYING NUMBER) ISSUED BY LANDS & PARKS, IF AVAILABLE.)

DATED AT

Nelson

THIS

20

DAY

OF

Dec

, 19

96

COLLECTOR SIGNATURE

[Signature]

PROVINCIAL COLLECTOR
310 WARD ST., NELSON
BRITISH COLUMBIA
V1L 5S4

**LORNE D.
MANN**

Notary
PUBLIC

■ Affidavits

■ Contracts

■ Mobile Homes

■ Real Estate

■ Wills

■ Leases

■ Mortgages

■ Business Transfers

P.O. Box 427
1404 Canyon Street
Creston, BC
V0B 1G0

Business:
(604) 428-7194

Toll Free:
1-800-649-7194

Fax:
(604) 428-5566

Our File: 15751

December 16, 1996

Ward Engineering and
Land Surveying Ltd.
#201, 625 Front Street
Nelson, B.C.
V1L 4B6

DELIVERED BY HAND
BY TERRA REGISTRY

Attention: Peter Ward

Dear Sir:

RE: Tremlock Properties Ltd. Subdivision of
Pcl. C (See 18752I), D.L. 2546, K.D.

Enclosed please find the Covenant in triplicate executed by
Tremlock Properties Ltd. and Sandra Goosen with respect to the
above noted matter.

I trust you will find the enclosed to be in order.

Yours truly,


LORNE D. MANN
NOTARY PUBLIC

LDM/ms
Encls.

Peter:
Please let me know when this registers.
Thanks
Lorne

**LORNE D.
MANN**

Notary
PUBLIC

■ Affidavits

■ Contracts

■ Mobile Homes ■ Real Estate

■ Wills

■ Leases

■ Mortgages

■ Business Transfers

P.O. Box 427
1404 Canyon Street
Creston, BC
VOB 1G0

Business:
(604) 428-7194

Toll Free:
1-800-649-7194

Fax:
(604) 428-5566

Our File: 15751

December 2, 1996

Ward Engineering and
Land Surveying Ltd.
#201, 625 Front Street
Nelson, B.C.
V1L 4B6

VIA GREYHOUND

Attention: Peter Ward, P. Eng.

Dear Sir:

RE: Tremlock Properties Ltd. Subdivision
Pcl. "C" (See 18752I), D.L. 2546, K.D.

Enclosed please find the Tremlock Properties Ltd. documentation, being the subdivision plans and the Restrictive Covenant in triplicate. I would ask that you please note that the Restrictive Covenant plan number has not been entered in the documents as I did not receive the same.

I trust this is acceptable. Please call if you have any further questions or concerns.

Yours truly,


LORNE D. MANN
NOTARY PUBLIC

LDM/ms
Encls.

Page 57 to/à Page 69

Withheld pursuant to/removed as

s.3

EXPLANATORY PLAN OF PART OF PARCEL C (SEE 18752^I),
DISTRICT LOT 2546, KOOTENAY DISTRICT.
PURSUANT TO SECTION 99 (1) (e) OF THE LAND TITLE ACT
(FOR COVENANT PURPOSES)
B.C.G.S. 82F.019

PLAN No. NEP
Deposited in the Land Title Office at Nelson, B.C.,
this _____ day of _____, 1996
Registrar

Scale 1: 1000
10 0 25 50 100
Distances are in metres
Bearings are astronomic derived from Plan NEP22750
This plan lies within the Regional District of Central Kootenay



Page 71 to/à Page 76

Withheld pursuant to/removed as

s.3

96/112/09

Spoke to Peter Ward about the proposed lot which is on the plan, but doesn't have access. He wanted a res. cov. to prohibit building until the access was provided. I said that I would prefer an L.C. which would bind the lot to the rem. where one could not be sold without the other, and go on the title of both the lot & rem. He agreed. Mentioned to Peter Muirhead.

James



Province of
British Columbia

Ministry of
Transportation
and Highways

Central Kootenay District
Comp. 1, Lakeside Drive Group Box
202 Lakeside Drive
Nelson BC V1L 6B9
Phone: 354-6521 Fax: 354-6547

MINISTRY OF TRANSPORTATION
AND HIGHWAYS
AUG 07 1996
DEVELOPMENT APPROVALS

Our file: 02-010-13547

August 2, 1996

Tremlock Properties Ltd.
Site 7F, Box 9, RR 1
Creston, BC
V0B 1G0

Attention: Arthur M. Trembley:

**Re: Proposed one lot subdivision of:
Parcel C (DD18752-I), DL 2546, KD**

With regard to the above mentioned property, please be advised that a 180 day extension has been granted, subject to all conditions of the Preliminary Layout Approval dated January 19, 1996. The extension date is January 28, 1997.

Yours truly,

Peter Muirhead
District Development Technician

PKM/jk

cc: Janice Vernon, Provincial Approving Of

Finals to come for 5 lots,

Lots 2, 3, 4, 8 & 9

Intended For:

This Item is In Progress

Author: Janice Vernon

Subject: sub 010-13547

Re: Proposed 24 lot subdivision of Parcel C (DD18752-I), DL 2546, KD
(TREMLOCK PROPERTIES LTD.)

s.22

so I thought I's send this to you. Can you
send out an extension for this proposal? Subject to all previous conditions.
Thank you.



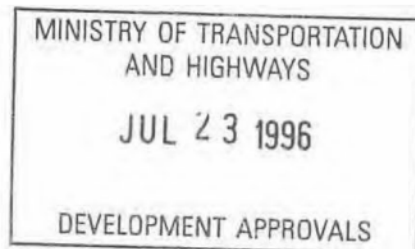
Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

G. J. Sutherland, P. Eng.
Regional Director, Kootenays

Central Kootenay District
Comp. 1, Lakeside Drive Group Box
202 Lakeside Drive
Nelson BC V1L 6B9



Phone: 354-6521 Fax: 354-6547

July 18, 1996

Our file: 03-010-13547

Attention: Janice Vernon, Provincial Approving Officer

**Re: Proposed Subdivision of Parcel A (DD187521) DL 2546,
Kootenay District (Tremlock Properties Phase 1)**

Please find enclosed letter requesting extension for Preliminary Layout Approval.

I recommend extension.

Peter Muirhead
Development Approvals Technician

PKM/jk



CENTRAL KOOTENAY DISTRICT
NELSON
RECEIVED

JUL 17 1996

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

Ministry of Transportation & Highways
202 Lakeside Drive.
Nelson, B.C. V1L 6B9

July 17, 1996
MoTH File: 13547
Our File: 6015

Attention: Peter Muirhead
District Development Technician

Re: Proposed Subdivision of Parcel A (DD18752I) D.L. 2546,
Kootenay District (Tremlock Properties Phase 1)

We request that the Preliminary Layout Approval for this file dated January 19, 1996 be extended 180 days.

Should you have any questions do not hesitate to contact the undersigned.

Yours truly,

WARD ENGINEERING AND LAND SURVEYING LTD.
Per:

PETER WARD, P.Eng., B.C.L.S.

PW/
cc: Tremlock Properties Ltd.

Intended For:

This Item is In Progress

Author: Janice Vernon

Subject: sub 010-13547

Re: Proposed subdivision of Parcel C (DD18752-I) DL 2546, KD (TREMLOCK PROPERTIES LTD.)

Peter, Peter Ward came in today to talk about the concept for their next phase. He had a plan showing two cul-de-sacs. I discussed it with him, and he understands that we would not approve a design like that. Instead, he will look at a loop road, with a short cul-de-sac off to the south.

Access to lands beyond was also an issue. I told him that if there is no rational way to provide that via roads that will be needed in his proposal, then access to those lands could be looked at elsewhere. For your info and file.



**PROPOSED SUBDIVISION
PRELIMINARY LAYOUT APPROVAL**

Tremlock Properties Ltd.
Site 7F, Box 9, R.R. #1
CRESTON, BC V0B 1G0

Your File _____
Our File 03-010-13547
Date January 19, 1996

MINISTRY OF TRANSPORTATION AND HIGHWAYS
JAN 23 1996
DEVELOPMENT APPROVALS

Proposed Subdivision of Parcel C (DD18752I), D.L. 2546, K.D.

Your proposal for a nine (9) lot subdivision has received preliminary layout approval, subject to the following conditions:

1. Restrictive Covenant pursuant to Section 215 of the Land Title Act to be established pursuant to the Ministry of Environment, Lands & Parks' letter of December 8, 1995. Area to be covered by the Restrictive Covenant requires an Explanatory Plan, which must be a schedule on the Restrictive Covenant. Applicant's BC Land Surveyor is advised to deal with the Ministry of Environment to determine the area of restriction. Area of restriction to be shown on Explanatory Plan. Once that area has been determined, a sketch showing the area of the proposed remainder left outside the Covenant must be submitted to the Approving Officer before final plans are prepared, to ensure that the proposed remainder has a suitable building site. Covenant to contain priority over all financial charges and appropriate notation is to be made on plan. ✓

2. Submission of a letter from the Regional District of Central Kootenay stating that the conditions of their bylaws have been satisfied. Please contact the Planning Department of the Regional District of Central Kootenay for details. ✓ see letter of Dec 16/95

3. Roads shall be a minimum of twenty (20) metres in width. Any roads unconstructed or any panhandles must be demonstrated to be sufficient in width to construct a road to Ministry standards. The end of constructed roads must be constructed with a Ministry standard cul-de-sac. ✓

4. The following roads shall be paved:
Macleod Street fronting Lot 9 to cul-de-sac at Lot 7.
MacDonald from Birch to cul-de-sac at Lots 2 and 3.
Newman Road constructed to gravel standards.

5. The roads listed above shall be constructed to Ministry subdivision road standards as shown in yellow on attached plan. Roads shall be constructed using approved construction methods and approved materials. Road construction to be supervised by a professional engineer registered in the Province of British Columbia. Engineer to submit written confirmation that road construction is in accordance with Ministry standards and policies. (Copy of Subdivision Engineering Requirements Manual is available at a cost of \$16.00 plus GST plus PST.)

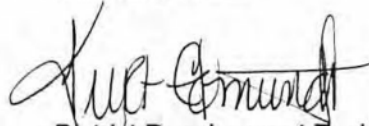
6. Applicant to submit engineered drawings prepared by a professional engineer detailing vertical and horizontal alignments of the proposed road and cul-de-sac for approval prior to any construction.

7. Applicant to submit a list of material sources for approval prior to construction.

Submission of Final Plans to be accompanied by a current Tax Certificate (TX 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 and Corporate Relations.

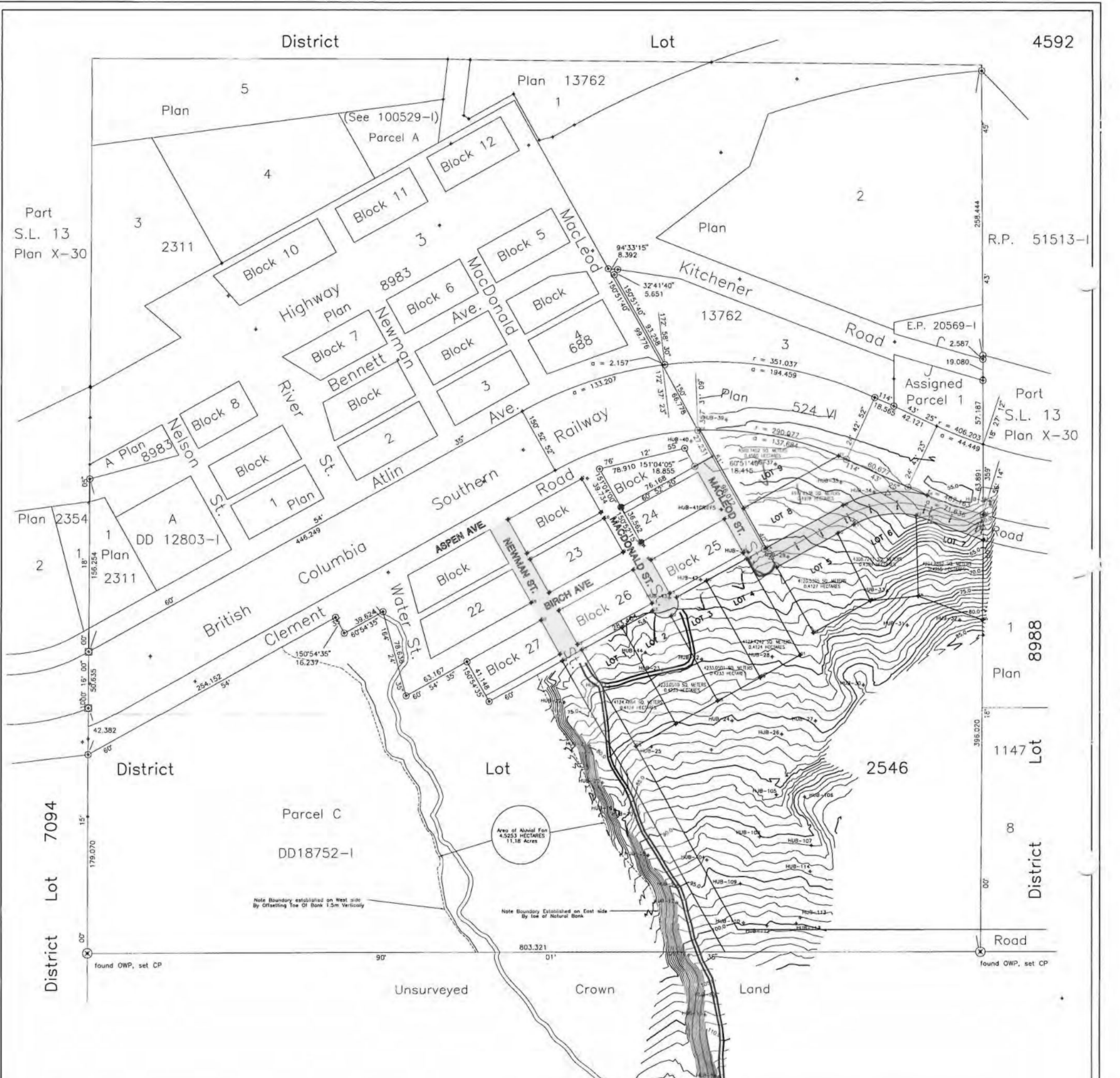
The approval granted is only for the general layout of the subdivision and is valid for 180 days from this letter. However, if at any time there is a change in legislation, regulations or bylaws this preliminary layout approval is automatically cancelled.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kurt Gmund', written over a horizontal line.

District Development Technician,
Ministry of Transportation and Highways

cc: Regional District of Central Kootenay
East Kootenay Health Unit, Creston
Janice Vernon, Provincial Approving Officer, Region 3



CONTROL POINTS

PT #	NORTH	EAST	ELEV. DESC.	PT #	NORTH	EAST	ELEV. DESC.
1	179.070	15.00	0.00	1	179.070	15.00	0.00
2	179.070	15.00	0.00	2	179.070	15.00	0.00
3	179.070	15.00	0.00	3	179.070	15.00	0.00
4	179.070	15.00	0.00	4	179.070	15.00	0.00
5	179.070	15.00	0.00	5	179.070	15.00	0.00
6	179.070	15.00	0.00	6	179.070	15.00	0.00
7	179.070	15.00	0.00	7	179.070	15.00	0.00
8	179.070	15.00	0.00	8	179.070	15.00	0.00
9	179.070	15.00	0.00	9	179.070	15.00	0.00
10	179.070	15.00	0.00	10	179.070	15.00	0.00
11	179.070	15.00	0.00	11	179.070	15.00	0.00
12	179.070	15.00	0.00	12	179.070	15.00	0.00
13	179.070	15.00	0.00	13	179.070	15.00	0.00
14	179.070	15.00	0.00	14	179.070	15.00	0.00
15	179.070	15.00	0.00	15	179.070	15.00	0.00
16	179.070	15.00	0.00	16	179.070	15.00	0.00
17	179.070	15.00	0.00	17	179.070	15.00	0.00
18	179.070	15.00	0.00	18	179.070	15.00	0.00
19	179.070	15.00	0.00	19	179.070	15.00	0.00
20	179.070	15.00	0.00	20	179.070	15.00	0.00
21	179.070	15.00	0.00	21	179.070	15.00	0.00
22	179.070	15.00	0.00	22	179.070	15.00	0.00
23	179.070	15.00	0.00	23	179.070	15.00	0.00
24	179.070	15.00	0.00	24	179.070	15.00	0.00
25	179.070	15.00	0.00	25	179.070	15.00	0.00
26	179.070	15.00	0.00	26	179.070	15.00	0.00
27	179.070	15.00	0.00	27	179.070	15.00	0.00
28	179.070	15.00	0.00	28	179.070	15.00	0.00
29	179.070	15.00	0.00	29	179.070	15.00	0.00
30	179.070	15.00	0.00	30	179.070	15.00	0.00
31	179.070	15.00	0.00	31	179.070	15.00	0.00
32	179.070	15.00	0.00	32	179.070	15.00	0.00
33	179.070	15.00	0.00	33	179.070	15.00	0.00
34	179.070	15.00	0.00	34	179.070	15.00	0.00
35	179.070	15.00	0.00	35	179.070	15.00	0.00
36	179.070	15.00	0.00	36	179.070	15.00	0.00
37	179.070	15.00	0.00	37	179.070	15.00	0.00
38	179.070	15.00	0.00	38	179.070	15.00	0.00
39	179.070	15.00	0.00	39	179.070	15.00	0.00
40	179.070	15.00	0.00	40	179.070	15.00	0.00
41	179.070	15.00	0.00	41	179.070	15.00	0.00
42	179.070	15.00	0.00	42	179.070	15.00	0.00
43	179.070	15.00	0.00	43	179.070	15.00	0.00
44	179.070	15.00	0.00	44	179.070	15.00	0.00
45	179.070	15.00	0.00	45	179.070	15.00	0.00
46	179.070	15.00	0.00	46	179.070	15.00	0.00
47	179.070	15.00	0.00	47	179.070	15.00	0.00
48	179.070	15.00	0.00	48	179.070	15.00	0.00
49	179.070	15.00	0.00	49	179.070	15.00	0.00
50	179.070	15.00	0.00	50	179.070	15.00	0.00

To: Kurt Edmunds
From: Janice Vernon
Subject: sub 010-13547

KOO/REG OFFICE
Security: General
Date Received: 96/01/18

Re: Proposed nine lot subdivision of Parcel C (DD 18751-I), DL 2546, KD
(TREMLOCK PROP. LTD.)

Please issue pla as per Peter's report, however, amend condition #1 to the following:

1. Restrictive covenant pursuant to Sec. 215 to be established pursuant to Ministry of Environment, Lands and Parks letter of December 8, 1995. Area to be covered by the restrictive covenant requires an explanatory plan, which must be a schedule on the restrictive covenant. Applicant's B.C.L.S. is advised to deal with the Ministry of Environment to determine area of restriction to be shown on explanatory plan. Once that area has been determined, a sketch showing the area of the proposed remainder left outside the covenant must be submitted to the approving officer before final plans are prepared, to ensure that the proposed remainder has a suitable building site. Covenant to contain priority over financial charges and appropriate notation to be made on plan.

9/6/13

33' in 300'

$$\frac{33}{300} = \frac{x}{100} \quad 11\%$$

- | | |
|--------------------------|--------------------------|
| 1) 0.424 h ₂ | 5) 0.4127 h ₂ |
| 2) 0.4233 h ₂ | 6) 0.4389 h ₂ |
| 3) 0.4233 h ₂ | 7) 0.4255 h ₂ |
| 4) 0.4124 h ₂ | 8) 0.4978 |
| | 9) 0.4560 |

MECP - Res. Cov. for proposed remainder.

Needs explanatory plan - get info. from MECP. A.O. needs to see exp. plan to ensure that sum. still has building site.

Health - sewage disposal okay, must be connected to Kitchener Water System, which must have disinfection treatment installed.

RDCR - 4000 m² with com. water

bylaw 399

Not in ACR.

Page 88

Withheld pursuant to/removed as

DUPLICATE



MEMORANDUM

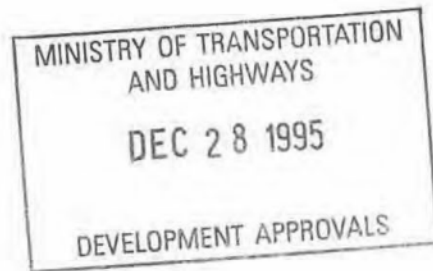
Janice Vernon
Provincial Approving Officer
Region 3

Central Kootenay District
Comp. 1, Lakeside Drive Group Box
202 Lakeside Drive
Nelson BC V1L 6B9

Phone: 354-6521 Fax: 354-6547

December 19, 1995

Our file: 03-010-13547



Re: Proposed Subdivision of
Parcel C (DD18752I), D.L. 2546, K.D.

The Ministry of Health has provided two letters: one confirms the availability of suitable ground conditions for 24 lots and the second indicates a first stage of six (6) lots is okay. The 24 lot proposal addresses these nine (9) lots adequately.

The Ministry of Environment has approved.

The R.D.C.K. has rejected the proposal. *no they haven't! see letter of Sept 25/95*

I recommend an approval be issued for the nine (9) lot proposal subject to:

1. The applicant shall enter into a Restrictive Covenant to establish the conditions of the Regional Water Manager's letter dated December 8, 1995.

2. Submission of a letter from the Regional District of Central Kootenay stating the conditions of their bylaws have been satisfied. Please contact the Planning Department of the R.D.C.K. for details.

3. Roads shall be a minimum of twenty (20) metres in width. Any roads unconstructed or any panhandles must be demonstrated to be sufficient in width to construct a road to Ministry standards. The end of constructed roads must be constructed with a Ministry standard cul-de-sac.

...../2

4. The following roads shall be paved:

Macleod Street fronting Lot 9 to cul-de-sac at Lot 7.

MacDonald from Birch to cul-de-sac at Lots 2 and 3.

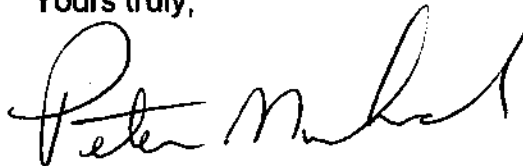
Newman Road constructed to gravel standards.

5. The roads listed above shall be constructed to Ministry subdivision road standards as shown in yellow on attached plan. Roads shall be constructed using approved construction methods and approved materials. Road construction to be supervised by a professional engineer registered in the Province of British Columbia. Engineer to submit written confirmation that road construction is in accordance with Ministry standards and policies. (Copy of Subdivision Engineering Requirements Manual is available at a cost of \$16.00 plus GST plus PST.)

6. Applicant to submit engineered drawings prepared by a professional engineer detailing vertical and horizontal alignments of the proposed road and cul-de-sac for approval prior to any construction.

7. Applicant to submit a list of material sources for approval prior to construction.

Yours truly,

A handwritten signature in black ink, appearing to read "Peter Muirhead". The signature is fluid and cursive, with the first name "Peter" being more prominent than the last name "Muirhead".

Peter Muirhead

Development Approvals Technician

PKM/imw
Attach.



MINISTRY OF TRANSPORTATION AND HIGHWAYS

FACSIMILE

TO: JANICE VERNON
APPROVING OFFICER

Phone: _____

Fax No.: _____

Date: 9/6/01/12

FROM: Central Kootenay District
Compartment #1
Lakeside Drive Group Box
Nelson, B. C.
V1L 6B9

Phone: 354-6521

Fax No.: 354-6547

Pages sent 19 (including this page)

Comments:

RE: FILE # 03 010. 13547

Attached are referral letters for
the above.

1/4



**Province of
British Columbia**Ministry of Environment Lands and Parks
and Minister Responsible for
Multiculturalism and Human Rights**BC
Environment**CENTRAL KOOTENAY DISTRICT
NELSON#401 -333 Victoria Street
Nelson, British Columbia
V1L 4K3
Telephone: (604)354-6333
Main Fax: (604)354-6332
EP Fax: (604)354-6367

RECEIVED

DEC 18 1995

Our File: 35150-40/09243

Your File: 03-010-13547

December 8, 1995 MINISTRY OF TRANSPORTATION
AND HIGHWAYSDistrict Development Technician
Ministry of Transportation and Highways
Central Kootenay
Lakeside Drive Group Box
Comp # 1
Nelson BC V1L 6B9

Dear Sir/Madam:

**Re: Proposed Subdivision of Parcel C (DD187521), D.L. 2546,
Kootenay District - Russell Creek**

This letter is in response to your correspondence of September 7, 1995. As the duly authorized designate of the Minister of Environment, Lands and Parks, consent is hereby given on his behalf, pursuant to Section 82 of the Land Title Act, for the approval of the above mentioned plan of subdivision subject to the subdivider entering into the attached covenant(s) registerable under Section 215 for proposed remainder. Outside of filling in the blanks provided, editorial changes are to be limited to the CONSENT portion of the document (to fit the situation at hand). No substitute/amended/copied documents should be accepted without our expressed written consent.

The attached restrictive covenant is to be registered with priority over any financial charges registered against the property whenever they exist. Where no financial charges exist, the Approving Officer can delete all reference to the matter from the attached restrictive covenant. The covenant must be tendered with the application to deposit the subdivision plan.

This consent to the approval of the proposed subdivision applies only to the requirements under Section 82 of the Land Title Act, and does not apply to any other approval which may be required. If you require any further information,

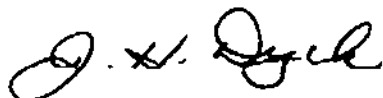
.../2

To avoid confusion, as to which set of covenants is to be registered against which proposed lot, the proposed lot number will be noted at the bottom of the last page of the proposed covenant, after the words "END OF DOCUMENT".

-2-

please contact Ric Baker, Floodplain Engineer of the Ministry of Environment, Lands and Parks, Water Management, Engineering Section, Telephone: 354-6387.

Yours truly,



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

cc: Environmental Health Officer, Creston
RDCK, 601 Vernon Street, Nelson BC V1L 4E9

attachment

RWDJ:lp

Page ____ of ____

Terms of Instrument - Part 2**Restrictive Covenant**

THIS AGREEMENT made this ____ day of _____, 19____

BETWEEN: _____

(hereinafter called the "Grantor")

OF THE FIRST PART

AND:

HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF BRITISH COLUMBIA represented
by the Minister of Environment, Lands
and Parks, Parliament Buildings,
Victoria, British Columbia, V8V 1X5

(hereinafter called the "First Grantee")

OF THE SECOND PART

AND:

Regional District of Central Kootenay601 Vernon StreetNelson British Columbia V1L 4E9

(hereinafter called the "Second Grantee")

OF THE THIRD PART

Page ____ of ____

WHEREAS the Grantor is the registered owner in fee simple of the following lands in the Province of BC, more particularly known and described as:

Parcel C (DD187521), District Lot 2546, Kootenay District

(hereinafter called the "Lands");

AND WHEREAS the Grantor proposes to subdivide the Lands, according to a plan of subdivision of

Parcel C (DD187521), District Lot 2546, Kootenay District

(hereinafter called the "Lands");

completed and certified correct on the _____ day of _____, 19____, by _____

British Columbia Land Surveyor. The grantor proposes to grant to the grantee a covenant under Section 215 of the Land Title Act against the following lands contained in the subdivision:

(hereinafter called the "Lots");

AND WHEREAS a covenant under Section 215 of the Land Title Act is required as a condition of the consent to approval of the subdivision of the Lands by the Minister of Environment, Lands and Parks, under Section 82 of the Land Title Act:

AND WHEREAS Section 215 of the Land Title Act provides that there may be registered as a charge against the title to any

Page ____ of ____

land a covenant in favour of the First Grantee and the Second Grantee in respect to the use of the land or that land is not to be subdivided except in accordance with the covenant;

AND WHEREAS, a portion of this property is situated on the alluvial fan of Russell Creek.

AND WHEREAS, alluvial fans being landforms which develop down slope from the point where steep mountain streams emerge onto wider valley bottoms and therefore are subject to surface flow, especially during periods of high runoff, when Russell Creek transports coarse bedload material (gravel to cobble sized rock fragments) and timber debris from the watershed onto the fan.

AND WHEREAS the Grantor is aware of and hereby acknowledges that there is a potential flood danger to the Lots.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE (\$1.00) DOLLAR of lawful money of Canada and other good valuable consideration paid by the First and Second Grantees to the Grantor, the receipt of which is hereby acknowledged, the Grantor does hereby covenant and agree with the First and Second Grantees under section 215 of the Land Title Act of the Province of British Columbia as follows:

Page ____ of ____

1. The Grantor hereby covenants and agrees with each of the First Grantee and Second Grantee, as a covenant in favour of each of the First Grantee and Second Grantee pursuant to Section 215 of the Land Title Act, it being the intention and agreement of the Grantor that the provisions hereof be annexed to and run with and be a charge upon the Lots, that from and after the date hereof:

a) No building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within the Restricted Area outlined on Plan NEP ____.

2. The Grantor acknowledges that the First and Second Grantees do not represent to the Grantor, nor to any other person that any building, modular home, mobile home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots will not be damaged by flooding or erosion and the Grantor, with full knowledge of the potential flood or erosion danger and in consideration of the approvals given by the First Grantee hereby:

a) agrees to indemnify and to save harmless the First and Second Grantees and their employees, servants or agents from all loss, damage, costs, actions, suits, debts, accounts, claims and demands which the First and Second Grantees or any of their employees, servants or agents,

Page ____ of ____

may suffer or incur or be put to arising out of or in connection with any breach of any covenant or agreement on the part of the Grantor or his heirs, executors, administrators, successors and assigns contained in this Agreement or arising out of or in connection with any personal injury, death or loss or damage to the Lots, or to any building, modular home, mobile home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots caused by flooding, erosion or some such similar cause; and

- b) does remise, release and forever discharge the First and Second Grantees and their employees, servants or agents from all manner of actions, cause of actions, suits, debts, accounts, covenants, contracts, claims and demands which the Grantor or any of his heirs, executors, administrators, successors and assigns may have against the First and Second Grantees and their employees, servants or agents for and by reason of any personal injury, death or loss or damage to the Lots, or to any building, modular home, mobile home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots, caused by flooding, erosion or some such similar cause.

Page ____ of ____

3. Nothing in this Agreement shall prejudice or affect the rights, powers and remedies of the First and Second Grantees in relation to the Grantor, including his heirs, executors, administrators, successors and assigns, or the Lots under any law, bylaw, order or regulation or in equity all of which rights, powers and remedies may be fully and effectively exercised by the First and Second Grantees as if this Agreement had not been made by the parties.
4. The Grantor will do or cause to be done at his expense all acts reasonably necessary for the First and Second Grantees to gain priority for this Agreement over all liens, charges and encumbrances which are or may be registered against the Lots save and except those specifically approved in writing by the First and Second Grantees.
5. The parties agree that this Agreement shall not be modified or discharged except in accordance with the provisions of Section 215(5) of the Land Title Act.
6. The Grantor shall do or cause to be done all things and execute or cause to be executed all documents and give such further and other assurance which may be reasonably necessary to give proper effect to the intent of this Agreement.

Page ____ of ____

7. Whenever the singular or masculine or neuter is used herein, the same shall be construed as including the plural, feminine, body corporate or politic unless the context requires otherwise.
8. If any section or any part of this Agreement is found to be illegal or unenforceable, then such sections or parts shall be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, shall be unaffected thereby and shall remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.
9. This agreement shall be interpreted according to the laws of the Province of British Columbia.
10. Where there is a reference to an enactment of the Province of British Columbia in this agreement, that reference shall include a reference to any subsequent enactment of the Province of British Columbia of like effect, and unless the context otherwise requires, all statutes referred to herein are enactments of the Province of British Columbia.
11. Every reference to the Minister of Environment, Lands and Parks, in this Agreement shall include the Minister of Environment, Lands and Parks, the Deputy Minister of

Page ____ of ____

Environment, Lands and Parks and any person designated by either of them to act for or on their respective behalf with respect to any of the provisions of this Agreement.

Page ____ of ____

IN WITNESS WHEREOF the parties hereto have executed this Agreement
on the day and year first above written.

SIGNED, by the Grantor(s),

)

)

(name of Grantor(s))

)

)

in the presence of:

)

)

Witness

)

) Grantor(s)

)

Address

)

Title or Occupation

This is the instrument creating the condition of Covenant pursuant
to section 215 of the Land Title Act by the Grantor referred to
herein.

Page ____ of ____

Approving Officer, Ministry
Transportation and Highways OR

holder of (Mortgage/type of charge) _____
registered under Number _____

CONSENT

WHEREAS by an instrument registered in the Land Title Office
at _____ in British Columbia, on the _____th day of

Page ____ of ____

____ 199____, under Number _____,
("the Prior Chargee") was granted a Mortgage ("the Prior Charge") in
respect of the land described in the attached _____
____ ("the Subsequent Charge").

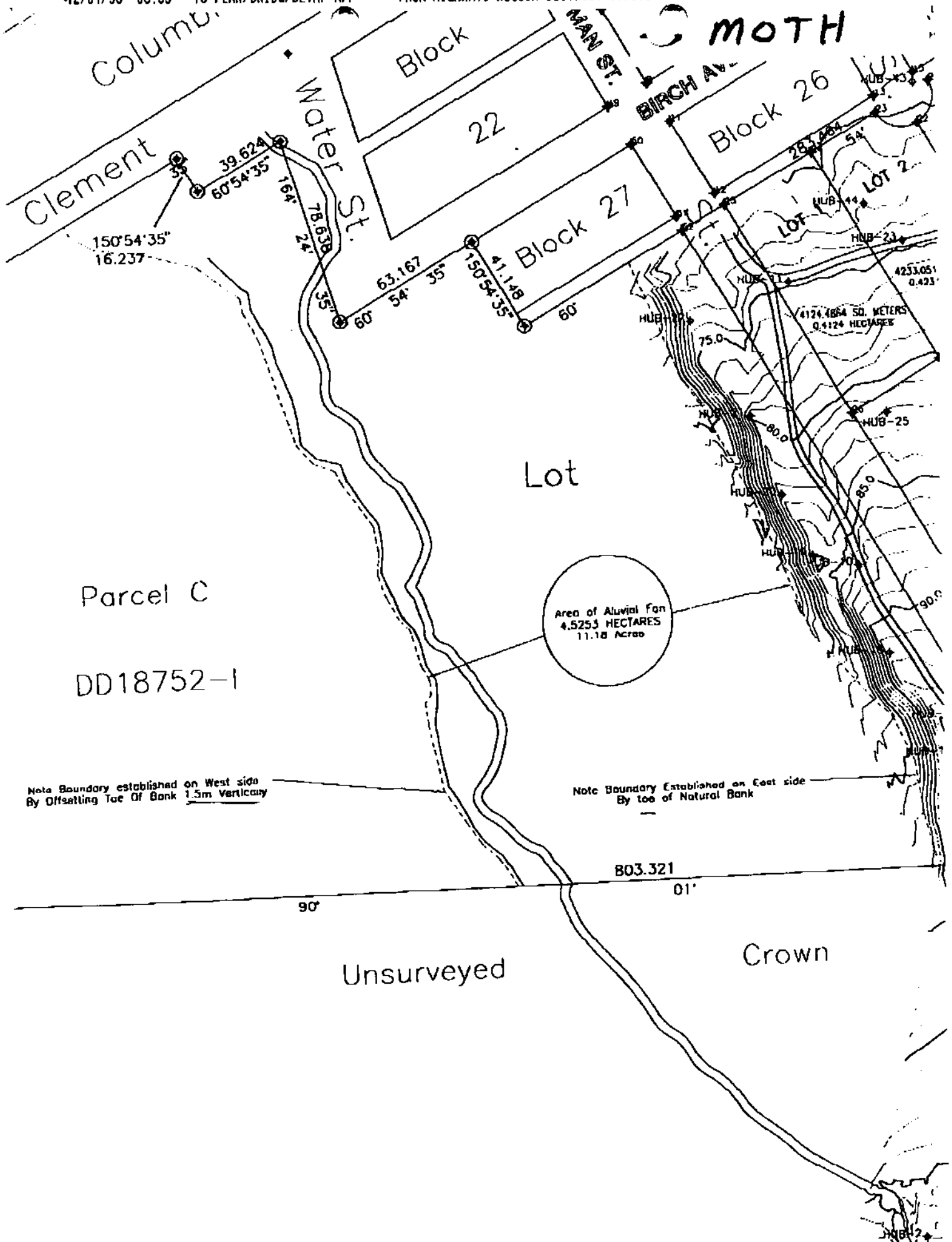
AND WHEREAS the Prior Chargee consents to and agrees that the
Subsequent Charge shall have priority over the Prior Charge.

THEREFORE the Prior Chargee hereby approves of, joins in,
consents to and grants to _____
("the Subsequent Chargee") priority over the interest of the Prior
Chargee in the land and postpones the right, title and interest of
the Prior Chargee in the land to the Subsequent Chargee as if the
Prior Charge had been registered immediately after the registration
of the Subsequent Charge and notwithstanding the respective dates
and time of execution and registration of the charges or the
respective dates of advancement of moneys under them.

IN WITNESS WHEREOF this Consent has been executed on one or more
pages of the General Instrument.

END OF DOCUMENT

Proposed Remainder





Province of
British Columbia

Ministry of
Health

Health Programs
East Kootenay Health Unit
531 — 17th Avenue South
Box 1370
Creston, B.C.
V0B 1G0

Telephone: (604) 428-3605 / 3547

October 5, 1995

Your file: 03-010-14052

Our file: 60-2

CENTRAL KOOTENAY DISTRICT
NELSON

RECEIVED

OCT 11 1995

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

District Development Technician
Peter Muirhead
Ministry of Transportation
& Highways
Central Kootenay District
Compartment #1
Lakeside Drive Group Box
Nelson, B.C.
V1L 6B9

Dear Sir:

Re: Proposed subdivision of Parcel C (DD 187521), D.L. 2546,
K.D., Kitchener, B.C. (Tremlock Properties Ltd).

This previous subdivision of 24 lots has been revised to a first stage 6 lot proposal.

Our comments and recommendations of September 6, 1995 remain the same reiterating that as soon as the Kitchener Water System has been upgraded to meet the Ministry of Health Safe Drinking Water Regulations are we prepared to recommend approval of this proposed subdivision.

Yours truly,

K.A. Nilsson, C.E.H.O. (C)
Environmental Health Officer

KAN/cw

MINISTRY OF TRANSPORTATION AND HIGHWAYS
Central Kootenay District Office
Comp. 1, Lakeside Drive Group Box
NELSON, B.C. V1L 6B9

Hwys File No. 03-010-13547
Map No. 82-F-019-3-2
Electoral Area B
Number of Lots 23
Date ~~August 17, 1995~~ **Sept. 25/95** *RR*

**Regional District of Central Kootenay
SUBDIVISION REFERRAL QUESTIONNAIRE**

Re: *Pcl C (DD 187521), DL 2546, K.D.*
Applicant: Tremlock Properties Ltd, S-7f, Box 9, RR-1, CRESTON, B.C. V0B 1G0

1. What zoning is in place? *Single & Two Family Residential (R1A) of Bylaw 795*
2. Minimum lot size? *4000 m2 with community water- Sec. 6A.2 of Bylaw 795*
3. Permitted land uses? *see Section 6A.1 of Bylaw 795*
4. What bylaw requirements:

Community Water?	<i>Bylaw 795</i>	Bylaw Section	<i>6A.2</i>
Community Sewer?	<i>N/A</i>	Bylaw Section	
Proof of Water?	<i>Bylaw 399</i>	Bylaw Section	<i>7.01 - 7.03</i>

Other requirements? *1) Minimum useable site area = 1100 m2: see Sec. 6.02 of Bylaw 399; (2) if surface water is to be used as a domestic water source, then a restrictive covenant requiring Ministry of Health approval for water quality is required; (3) all other applicable requirements of Subdivision Bylaw 399 and Land Use Bylaw 795.*

5. Within Agricultural Land Reserve? *No*
6. Does the application meet all your bylaw requirements? *See above.*

Comments: *The subject property has now been successfully rezoned to permit 4000 m2 lots. Therefore, the Regional District of Central Kootenay has no objection to the proposed subdivision subject to compliance with the applicable requirements of Subdivision Bylaw No. 399 and Land Use Bylaw No. 795.*

By: *[Signature]*
Ric Gerzey
Planning Assistant

c.c. Area Director
Applicant
E.H.O

Elvin Masuch, Area B
Tremlock Properties Ltd
Alex Nilsson

CENTRAL KOOTENAY DISTRICT
NELSON
RECEIVED
SEP 26 1995

MINISTRY OF TRANSPORTATION
AND HIGHWAYS





Province of
British Columbia

Ministry of
Health

Public Health Programs
East Kootenay Health Unit
531 — 17th Avenue South
Box 1370
Creston, B.C.
V0B 1G0
Telephone: (604) 428-

September 6, 1995

Your file: 03-010-14052

Our file: 60-2

CENTRAL KOOTENAY DISTRICT
NELSON

RECEIVED

SEP 11 1995

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

District Development Technician
Peter Muirhead
Ministry of Transportation
& Highways
Central Kootenay District
Compartment #1
Lakeside Drive Group Box
Nelson, B.C.
V1L 6B9

Dear Sir:

Re: Proposed subdivision of Parcel C (DD 187521), D.L. 2546,
K.D. Kitchener, B.C., Tremlock Properties Ltd.

The above mentioned proposed 24 lot subdivision has been inspected and we have following comments and recommendations.

1. Sewage Disposal: All lots 1:00 acre in size have acceptable ground conditions for installation of sewage disposal systems.

2. Water Supply: The subdivider proposes to supply water to the subdivision from the Kitchener Water System. The Kitchener Water system does not presently meet the Ministry of Health Safe Water Regulations in regard to water quality as the source consists of surface supply (Russel Creek) with no disinfection. Plans are under way to reconstruct the Intake and install disinfection treatment to meet the Ministry of Health requirements.

RECOMMENDATIONS:

As soon as the proposed Water Supply has been updated to meet the Ministry of Health Safe Drinking Water Regulations are we prepared to recommend approval of this proposed subdivison.

Yours truly,



K.A. Nilsson, C.E.H.O. (C)
Environmental Health Officer

KAN/cw

cc: Tremlock

Ric Gerzey



Province of
British Columbia

Ministry of
Transportation
and Highways

Central Kootenay District
Comp. 1, Lakeside Drive Group Box
202 Lakeside Drive
Nelson BC V1L 6B9
Phone: 354-6521 Fax: 354-6547

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

SEP 14 1995

DEVELOPMENT APPROVALS

Our file: 03-010-13547

September 7, 1995


Ministry of Health
Central Kootenay Health Unit
2nd Floor - 333 Victoria Street
Nelson, BC V1L 4K3

Dear Sir/Madame:

Re: Proposed Subdivision
Parcel C (DD187521), D.L. 2546, K.D.

Enclosed please find REVISED LAYOUT for the above proposal, submitted
September 6, 1995. May we have your updated comments, please.

Yours truly,

 Peter Muirhead
Development Approvals Technician

PKM/imw
Encl.

cc: Janice Vernon, Provincial Approving Officer, Region 3

JV 9/5/95



Province of
British Columbia

Ministry of
Transportation
and Highways

Central Kootenay District
Comp. 1, Lakeside Drive Group Box
202 Lakeside Drive
Nelson BC V1L 6B9
Phone: 354-6521 Fax: 354-6547

Our file: 03-010-13547

September 7, 1995

Ministry of Environment, Lands & Parks
Water Management Branch
#401 - 333 Victoria Street
Nelson, BC V1L 4K3


Attention: Ric Baker, Engineer

Dear Ric:

Re: Proposed Subdivision
Parcel C (DD18752I), D.L. 2546, K.D.

Enclosed please find REVISED LAYOUT for the above proposal, submitted September 6, 1995. May we have your updated comments, please.

Yours truly,

 Peter Muirhead
Development Approvals Technician

PKM/imw

Encl.

cc: Janice Vernon, Provincial Approving Officer, Region 3



Province of
British Columbia

Ministry of
Transportation
and Highways

Central Kootenay District
Comp. 1, Lakeside Drive Group Box
202 Lakeside Drive
Nelson BC V1L 6B9
Phone: 354-6521 Fax: 354-6547

Our file: 03-010-13547

September 7, 1995

West Kootenay Power
300 Erickson Road
P.O. Box 1189
Creston, BC V0B 1G0


Attention: Doug Fergusson, Area Supervisor

Dear Sir:

Re: Proposed Subdivision
Parcel C (DD18752I), D.L. 2546, K.D.

Enclosed please find REVISED LAYOUT for the above proposal, submitted September 6, 1995. May we have your updated comments, please.

Yours truly,

 Peter Muirhead
Development Approvals Technician

PKM/imw

Encl.

cc: Janice Vernon, Provincial Approving Officer, Region 3



Province of
British Columbia

Ministry of
Transportation
and Highways

Central Kootenay District
Comp. 1, Lakeside Drive Group Box
202 Lakeside Drive
Nelson BC V1L 6B9
Phone: 354-6521 Fax: 354-6547

Our file: 03-010-13547

September 7, 1995


BC Telephone Company
45 - 12th Avenue South
Cranbrook, BC
V1C 2R9

Dear Sir/Madame:

Re: Proposed Subdivision
Parcel C (DD18752I), D.L. 2546, K.D.

Enclosed please find REVISED LAYOUT for the above proposal, submitted September 6, 1995. For your information and files - no response is required.

Yours truly,

 Peter Muirhead
Development Approvals Technician

PKM/imw

Encl.

cc: Janice Vernon, Provincial Approving Officer, Region 3



Province of
British Columbia

Ministry of
Transportation
and Highways

Central Kootenay District
Comp. 1, Lakeside Drive Group Box
202 Lakeside Drive
Nelson BC V1L 6B9
Phone: 354-6521 Fax: 354-6547

Our file: 03-010-13547

September 7, 1995

Regional District of Central Kootenay
601 Vernon Street
Nelson, BC V1L 4E9


Attention: Ric Gerzey, Planning Assistant

Dear Ric:

Re: Proposed Subdivision
Parcel C (DD18752I), D.L. 2546, K.D.

Enclosed please find REVISED LAYOUT for the above proposal, submitted
September 6, 1995. May we have your updated comments, please.

Yours truly,

 Peter Muirhead
Development Approvals Technician

PKM/imw
Encl.

cc: Janice Vernon, Provincial Approving Officer, Region 3

S.E.L. SURVEY AND DESIGN
509A LAKE ST.
NELSON, B.C.
V1L 6C2

CENTRAL KOOTENAY DISTRICT
NELSON

RECEIVED

SEP 07 1995

Sept. 6, 1995

M.O.T.H
202 LAKESIDE DRIVE
NELSON B.C.

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

RE: [03-010-13547]

Dear [Mr. Muirhead]:

[Please find enclosed the preliminary plans for the proposed Subdivision of Parcel C, D.L. 2546, K.D.,]

This proposal is in 3 stages the first being of 9 Lots plus remainder and the 2nd. stage the development 8 lots to the South of Phase 1. Then Phase 3, the remainder of the lot as permitted by the construction of suitable road access as determined by detailed topography of the remaining area.

The requested access across the property from Newman St. thru Macleod St. will be provided in Stage 2.

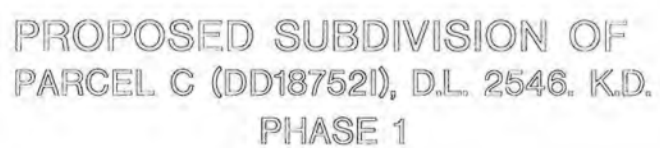
The road access has been computer designed to M.O.T.H standards with a R/W of 20m. this should allow for placement of a 6m. paved surface. Plan and Profiles are avail. upon request. Please contact me if you wish any further information.

Sincerely,



[W.P. Sproul]

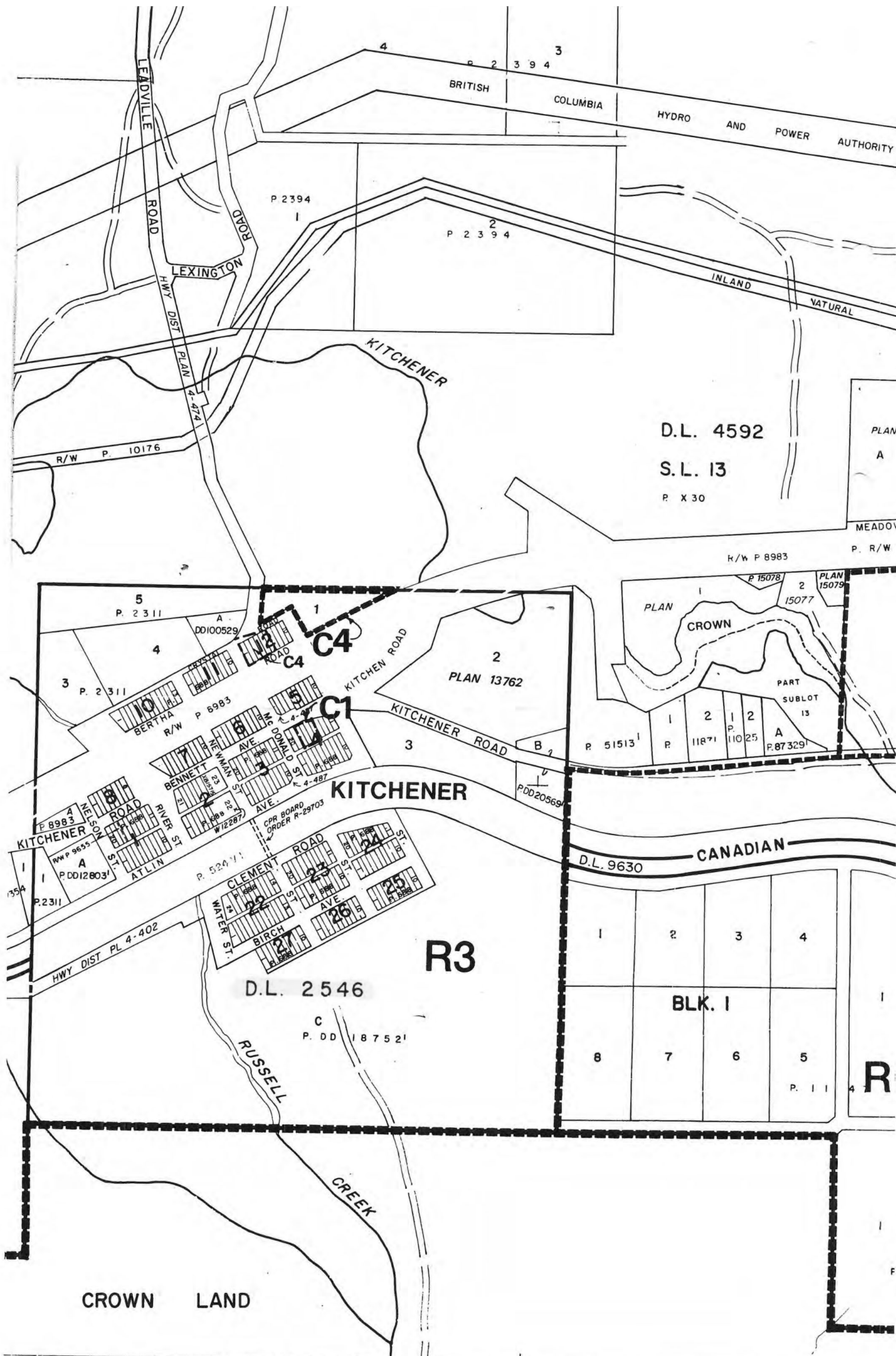
Sproulers' Enterprises Ltd.



B.C. SOUTHERN RAILWAY PLAN 524 V.I. D.D.14319

D.L. 2546
C
P.D.D. 187521

[illegible]





REGIONAL DISTRICT OF CENTRAL KOOTENAY
BYLAW No. 1089

A Bylaw to amend Creston Valley Land Use Bylaw No. 795, 1989, defined portion of Electoral Areas A, B, and C

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Creston Valley Land Use Bylaw No. 795, 1989, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay in open meeting assembled enacts as follows:

1. Bylaw No. 795 is amended by adding Section 6A as described in Schedule 'A' which is attached hereto and forms part of this bylaw.
2. That Schedule 'A', Sheet 38 of 49 of Land Use Bylaw No. 795, 1989 be amended by rezoning District Lot 2546, Parcel C (DD 18752I), Kootenay District located outside of the Russell Creek Alluvial fan from Rural Residential (R3) to Single and Two Family Residential (R1A) as shown on Schedule 'B' which is attached hereto and forms part of this bylaw.
2. This Bylaw shall come into force and effect upon its adoption.
3. This Bylaw may be cited as **Land Use Amendment Bylaw No. 1089**

READ A FIRST TIME this 18th day of February, 1995.

READ A SECOND TIME this 18th day of February, 1995.

WHEREAS A Public Hearing was held on the 2nd of May , 1995.

READ A THIRD TIME this 13th day of May, 1995

APPROVED under Section 57 of the Highways Act this 6th day of July, 1995.

"Peter Muirhead"

District Development Technician, Ministry of Transportation and Highways

ADOPTED this 15th day of July, 1995.

Chairperson

~~Secretary~~

I hereby certify that this is a true and correct copy of Land Use Amendment Bylaw No. 1089 as read a third time by the Regional District of Central Kootenay Board, on the 13th day of May, 1995.

DATED at Nelson, B.C. this 15th day of May, 1995.

Secretary

Bylaw 1089 to amend Bylaw No. 795
page 2

I hereby certify that this is a true and correct copy of the Land Use Amendment Bylaw No. 1089

DATED at Nelson, B.C. this day of , 199 .

Secretary

6A.0 SINGLE AND TWO FAMILY RESIDENTIAL (R1A)

Permitted Uses

6A.1 Land, buildings and structures in the Single and Two Family Residential zone shall be used for the following purposes only:

- (a) single family dwellings;
- (b) two family dwellings;
- (c) parks and playgrounds;
- (d) schools, churches, community halls, hospitals and day care facilities;
- (e) extensive agriculture;
- (f) nurseries, greenhouses and florists;
- (g) sale of agricultural produce;
- (h) unattended public utility buildings and structures;
- (i) bed and breakfast accommodations;
- (j) home occupations;
- (k) accessory buildings and structures.

Lot Area

- 6A.2** (1) The minimum lot area shall be 4000 square metres (43,057 square feet) where serviced by a community water system, 1 hectare (2.47 acres) where not serviced by a community water system.
- (2) The minimum lot area requirements do not apply to the uses in clauses (c) and (h) of section 6.1.

Setbacks

- 6A.3** (1) No principal or accessory building or structure may be located within 7.5 metres (24.60 feet) of the front or exterior side lot lines, or within 1.5 metres (4.92 feet) of the rear or an interior side lot line.
- (2) No buildings, structures or enclosures used for housing more than 0.5 animal units; no drinking or feeding troughs; and no manure piles may be located within 25 metres (82 feet) of a lot line.
- (3) Subsection (2) does not apply to fences adjacent to lot lines which are used for enclosures for the grazing of animals.

Fences and Landscape Screens

- 6A.4 (1) Except as otherwise provided, landscape screens or fences not exceeding a height of 1 metre (3.28 feet) may be sited on any portion of a lot.
- (2) Landscape screens and fences not exceeding a height of 2 metres (6.56 feet) may be sited to the rear of the front face of the principal building on a lot.

Height

- 6A.5 (1) No principal building may exceed 10 metres (32.81 feet) in height.
- (2) No accessory buildings or structures may exceed 6 metres (19.69 feet) in height, except towers; tanks and bunkers; retaining walls; radio and television antennae; church spires, belfries and domes; monuments; chimneys; flag poles; stadium bleachers; lighting poles; elevator shafts; stair towers and scenery lofts.

Buildings Per Lot

- 6A.6 No more than one single family dwelling or one two family dwelling may be located on a lot.

Lot Coverage

- 6A.7 Buildings and structures shall not cover more than 33 percent of the lot area.

Accessory Buildings

- 6A.8 The floor area of an accessory building or structure shall not exceed 55 square metres (592 square feet).

Keeping of Farm Animals

- 6A.9 (1) On lots of less than 5000 square metres (1.24 acres), the total number of farm animals and poultry shall not exceed 0.5 animal units.
- (2) On lots of greater than 5000 square metres (1.24 acres), the total number of farm animals and poultry shall not exceed two animal units per hectare.

- (3) No person may keep swine on a lot.
- (4) Farm animals and poultry shall be caged, fenced or housed at all times.

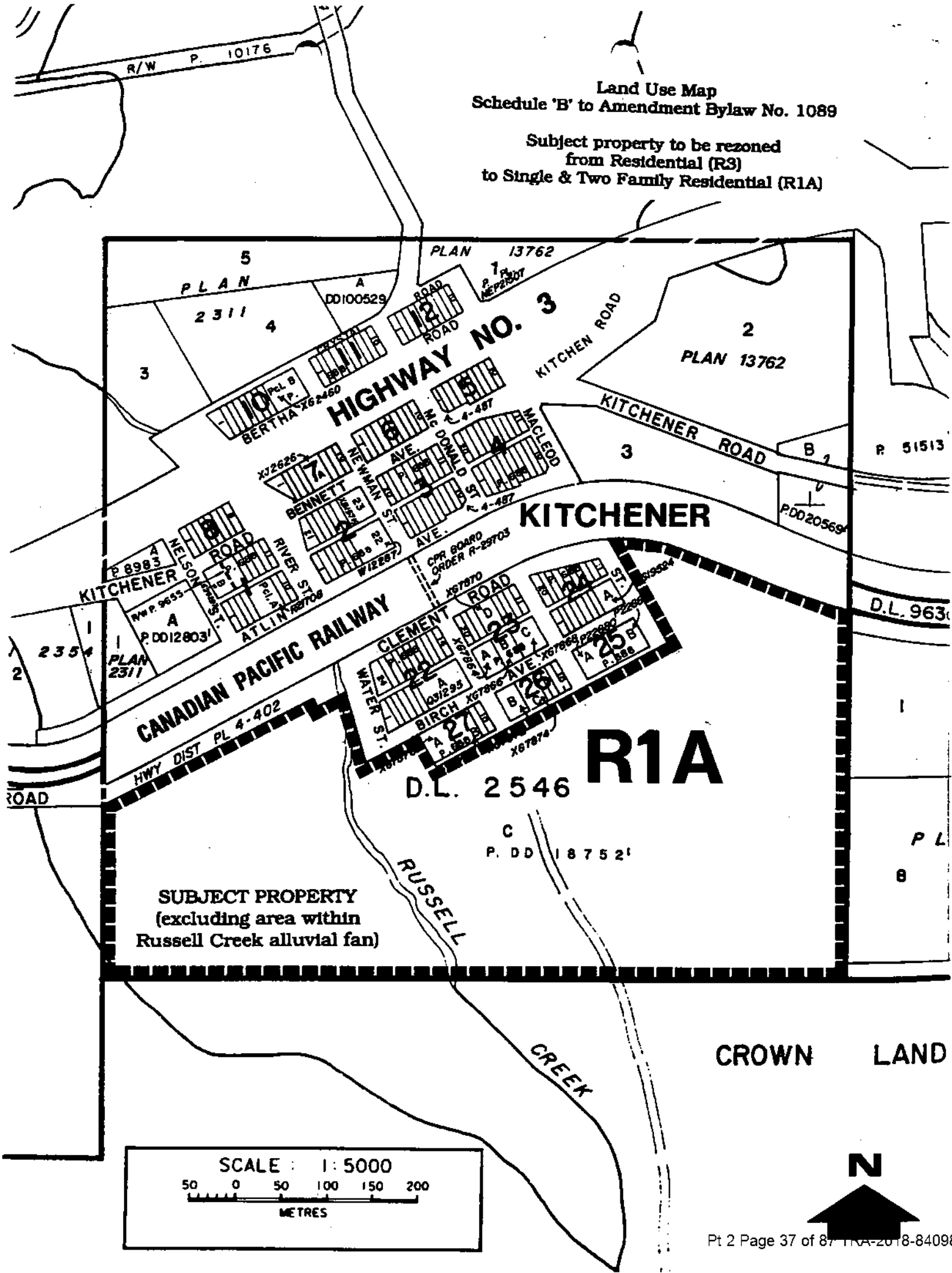
Storage

- 6A.10 No lot may be used as a junkyard, autowrecking yard or for the outdoor storage of vehicles which are not in running order.

Parking

- 6A.11 Off-street parking shall be provided in accordance with the provisions of section 4.8.

**Subject property to be rezoned
from Residential (R3)
to Single & Two Family Residential (R1A)**





Province of British Columbia
Ministry of Transportation and Highways

Tremlock Properties Ltd.
1580 Highway #21
Site 7F, Box 9, R.R. #1
CRESTON, British Columbia
VOB 1G0

Proposed subdivision of Parcel C (DD18752I), D.L. 2546, K.D.

Your proposal for a 24 lot subdivision has not been given approval by the Ministry of Transportation and Highways for the following reasons:

- A. The Ministry of Health have not confirmed that the lots have the capability or capacity for a on site sewage disposal.
- B. Pursuant to Section 82 of the Land Title Act the proposal has not received the approval of the Ministry of the Environment, Lands & Parks.
- C. The Regional District of Central Kootenay have advised that the proposal does not comply with land use Bylaw #795.

If the applicant overcomes these objections and complies with any conditions arising from them, the following conditions will apply:

- 1. All roads within the proposal shall be dedicated a minimum of twenty (20) metres in width. Clement Road shall be dedicated a minimum of twenty (20) metres in width.
- 2. Roads shall be constructed Ministry paved standards throughout the proposal.
- 3. Applicant to dedicate a twenty (20) metre wide right-of-way between McLeod, Newman and Water Street in accordance with attached sketch.
- 4. Submission of a letter from the R.D.C.K. stating the conditions of their bylaws have been satisfied.
- 5. Proposal can only be submitted in phases where lots are grouped together, lots cannot be separated or scattered for phasing.

Tremlock Properties Ltd.
1580 Highway #21
Site 7F, Box 9, R.R. #1
CRESTON, British Columbia
VOB 1G0

Our File: 03-010-13547
Date: June 21, 1995

Re: Proposed Subdivision of Parcel C (DD18752I), D.L. 2546, K.D.

6. Pursuant to Section 75 (1) 9A) of the Land Title Act proposal shall dedicated a twenty (20) metre right-of-way at a suitable location to provide access
- a) roads shown in Block 1, D.L. 8988
 - b) crown lands lying south of the proposal.

If you desire to discuss this further please do not hesitate to phone me to arrange time and place for meeting.

Very truly yours,



Peter Muirhead
District Development Technician
District Highways Manager,

Ministry of Transportation and Highways

cc: Regional District of Central Kootenay
East Kootenay Health Unit
Janice Vernon, Provincial Approving Officer

Page 2 of 2

[illegible]

TREMLOCK PROPERTIES LTD

RR1 SITE 7F BOX 9

CRESTON, BC V0B 1G0

PHONE & FAX 604 428 8911

ARTHUR & PAULINE TREMBLAY

NOVEMBER 7TH, 1994

**Province of British Columbia
Ministry of Transportation and Highways**

Tremlock Properties Ltd.
1580 Highway #21
Site 7F, Box 9, R.R. #1
CRESTON, British Columbia
VOB 1G0

Proposed subdivision of Parcel C (DD18752I), D.L. 2546, K.D.

Your proposal for a 24 **lot subdivision has not been given approval by the Ministry of Transportation and Highways for the following reasons:**

- A. The Ministry of Health have not confirmed that the lots have the capability or capacity for a on site sewage disposal.
- B. Pursuant to Section 82 of the Land Title Act the proposal has not received the approval of the Ministry of the Environment, Lands & Parks.
- C. The Regional District of Central Kootenay have advised that the proposal does not comply with land use Bylaw #795.

If the applicant overcomes these objections and complies with any conditions arising from them, the following conditions will apply:

- 1. All roads within the proposal shall be dedicated a minimum of twenty (20) metres in width. Clement Road shall be dedicated a minimum of twenty (20) metres in width.
- 2. Roads shall be constructed Ministry paved standards throughout the proposal.
- 3. Applicant to dedicate a twenty (20) metre wide right-of-way between McLeod, Newman and Water Street in accordance with attached sketch.
- 4. Submission of a letter from the R.D.C.K. stating the conditions of their bylaws have been satisfied.
- 5. Proposal can only be submitted in phases where lots are grouped together, lots cannot be separated or scattered for phasing.

Tremlock Properties Ltd.
1580 Highway #21
Site 7F, Box 9, R.R. #1
CRESTON, British Columbia
VOB 1G0


Our File: 03-010-13547
Date: June 21, 1995

Re: Proposed Subdivision of Parcel C (DD18752I), D.L. 2546, K.D.

6. Pursuant to Section 75 (1) 9A) of the Land Title Act proposal shall dedicated a twenty (20) metre right-of-way at a suitable location to provide access
- a) roads shown in Block 1, D.L. 8988
 - b) crown lands lying south of the proposal.

If you desire to discuss this further please do not hesitate to phone me to arrange time and place for meeting.

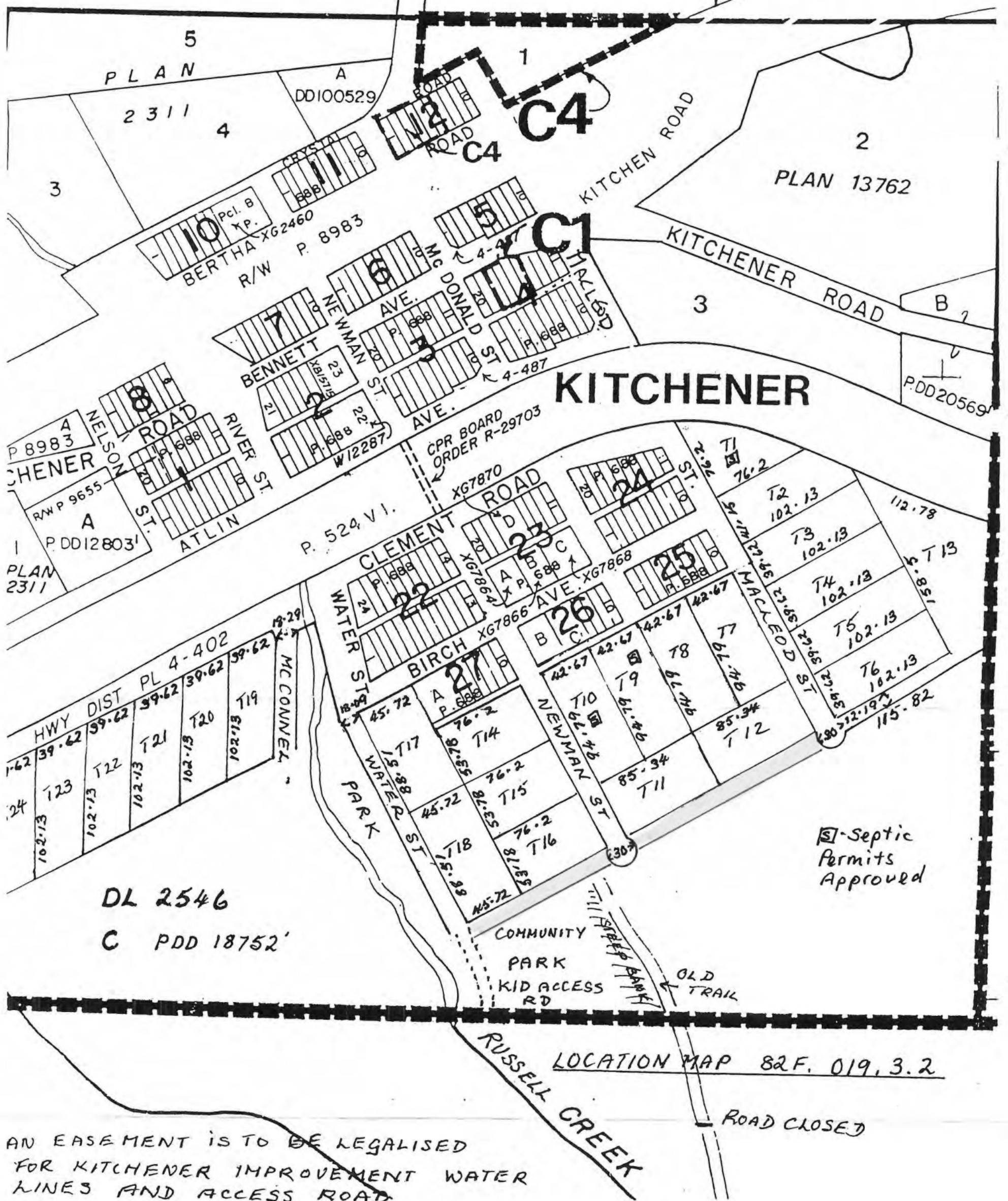
Very truly yours,


Peter Muirhead
District Development Technician
District Highways Manager,
Ministry of Transportation and Highways

cc: Regional District of Central Kootenay
East Kootenay Health Unit
Janice Vernon, Provincial Approving Officer

Page 2 of 2

PLAN OF PROPOSED SUBDIVISION OF ALL C PDD18752' DISTRICT LOT 2546 KOOTENAY LAND DISTRICT 4.



TREMLOCK PROPERTIES LTD. RRI SITE 7F BOX 9

CRESTON, BC V0B 1G0

PHONE & FAX 604 428 8911

ARTHUR & PAULINE TREMBLAY

NOVEMBER 7TH. 1994

Lots in Kitchener (Tremlock Properties Ltd.)
3 phases -

Phase I - 8 lots
Phase II - 8 lots
Phase III - 8 lots
Total 24 lots

RDCK - bylaw #399
presently the property does not
comply with zoning.

Health - no response.

Environment no response.
phasing creates problems

Intended For: PETER MUIRHEAD

This Item is In Progress

Author: Kurt Edmunds

Subject: FILE: 03-010-13547

RE: 24 lots plus remainder of Parcel C, (DD 18752I), DL 2546, KD.

PETER:

P.L.N.A.

A) The Ministry of Health have not confirmed that the lots have the capability or capacity for on site sewage disposal.

B) #2 of your reason for refusal.

C) The Regional District of Central Kootenay have advised that the proposal does not comply with land use bylaw #795.

-The if clause..

1) Your condition of approval A,

2) Your condition of approval B, (attach a set of standards?)

3) Applicant to dedicate a 20 metre wide right of way between McLeod, Newman and Water Street in accordance with attached sketch.

4) Your condition #D as per your report.

NOTE TO PETER: Is access to Lands beyond an issue here, if so we should be asking for compliance with section 75 (1) (a) of the Land Title Act.

5) Proposal can only be submitted in phases where lots are grouped together, lots cannot be seperated or scattered for phasing.

Kurt

MINISTRY OF TRANSPORTATION
AND HIGHWAYS
REPORT ON PRELIMINARY SUBDIVISION



Date May 16, 1995

District File No. Central Kootenay

Date District Rec'd Nov. 16, 1994

Highway District Central Kootenay

Regional District/Municipality Central Kootenay

Regional File No. 03-010-13547

Road Name/Route No. Various Kitchener Streets

Legal Description Parcel C (DD18752I) , D.L. 2546, K.D.

Name of Applicant/Agent Tremlock Properties Limited

Located at km of Kitchener

Topographic Description Alluvial Fan

Previous Reference _____

Outcome _____ Reference Date _____

Present Land Use Vacant residential

Proposed Land Use Residential

Present Zoning R3...@ ha...Applied for rezoning to .2 ha Parcel Size OK by Zoning? no

Conform with OSP? no In ALR? no Speed Zone NA

Street System Adequate for Additional Traffic yes Access all lots yes, construction required Off Street Parking OK yes

Sec. Street System exist yes

Require Widening? yes

75 1(a) Lands beyond is crown...This land may have future potential for residential use.

(B.C. Regs. 334/79) no

Conflict Location Line no Pipeline Crossing no

Hydro/Tel Line Crossing no RR Crossing no

Frontage Rule OK Require Community Water yes

Require Community Sewer no Conventional Sewage Disposal OK no comments received

Road/Land Drainage OK yes Require Covenant yes Erosion yes Landslip no Flooding yes

Rockfall no Avalanche no Wildlife no Road Closure no If yes, see attached information form.

State of Title Certificate/Certificate of Title no

COMMENTS:

24 lots

Does not conform to zoning.

Is in the Russell creek alluvial fan

Does not have a Health response.

I recommend PLNA for the following reasons:

1. The proposal does not have approval from the Ministry of Health for onsite sewage disposal.
2. Pursuant to section 82 of the Land Title Act the proposal has not received the approval of the Ministry of the Environment, Lands & Parks.
3. The proposal has not received the approval of the Regional District Central Kootenay.

Should the applicant overcome these objections and comply with any conditions arising from them the following conditions are among those in any eventual approval.

- A. All roads within the proposal shall be dedicated a minimum 20 meters in width. Clement road shall be dedicated a minimum 20 meters in width.
- B. Roads shall be constructed Ministry paved standards throughout the proposal.
- C. Macleod, Newman and Water streets shall be connected by a 20 meter right of way.
- D. Submission of a letter from the R.D.C.K. stating the conditions of their bylaws have been satisfied.

Peter Muirhead D.D.T.

REGIONAL DISTRICT OF CENTRAL KOOTENAY
DRAFT BYLAW No. (LUP) FILE No. Z-94-09-B (Tremlock)

**A Bylaw to amend Creston Valley Land Use Bylaw No.
795, 1989, defined portion of Electoral Areas A, B, and C**

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Creston Valley Land Use Bylaw No. 795, 1989, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay in open meeting assembled enacts as follows:

1. Bylaw No. 795 is amended by adding Section 6A as described in Schedule 'A' which is attached hereto and forms part of this bylaw.
2. That Schedule 'A', of Land Use Bylaw No. 795, 1989 be amended by rezoning District Lot 2546, Parcel C (DD 18752I), Kootenay District from Rural Residential (R3) to Single and Two Family Residential (R1A) as shown on Schedule 'B' which is attached hereto and forms part of this bylaw.
2. This Bylaw shall come into force and effect upon its adoption.
3. This Bylaw may be cited as **Land Use Amendment Bylaw No.**

READ A FIRST TIME this day of

READ A SECOND TIME this day of

WHEREAS A Public Hearing was held on the of

READ A THIRD TIME this day of

APPROVED under Section 57 of the Highways Act this day of

District Development Technician, Ministry of Transportation and Highways

ADOPTED this day of

Chairperson

Secretary

I hereby certify that this is a true and correct copy of **Land Use Amendment Bylaw No.** as read a third time
by the Regional District of Central Kootenay Board, on the day of , 199 .

DATED at Nelson, B.C. this day of , 199 .

Secretary

I hereby certify that this is a true and correct copy of the **Land Use Amendment Bylaw No.**

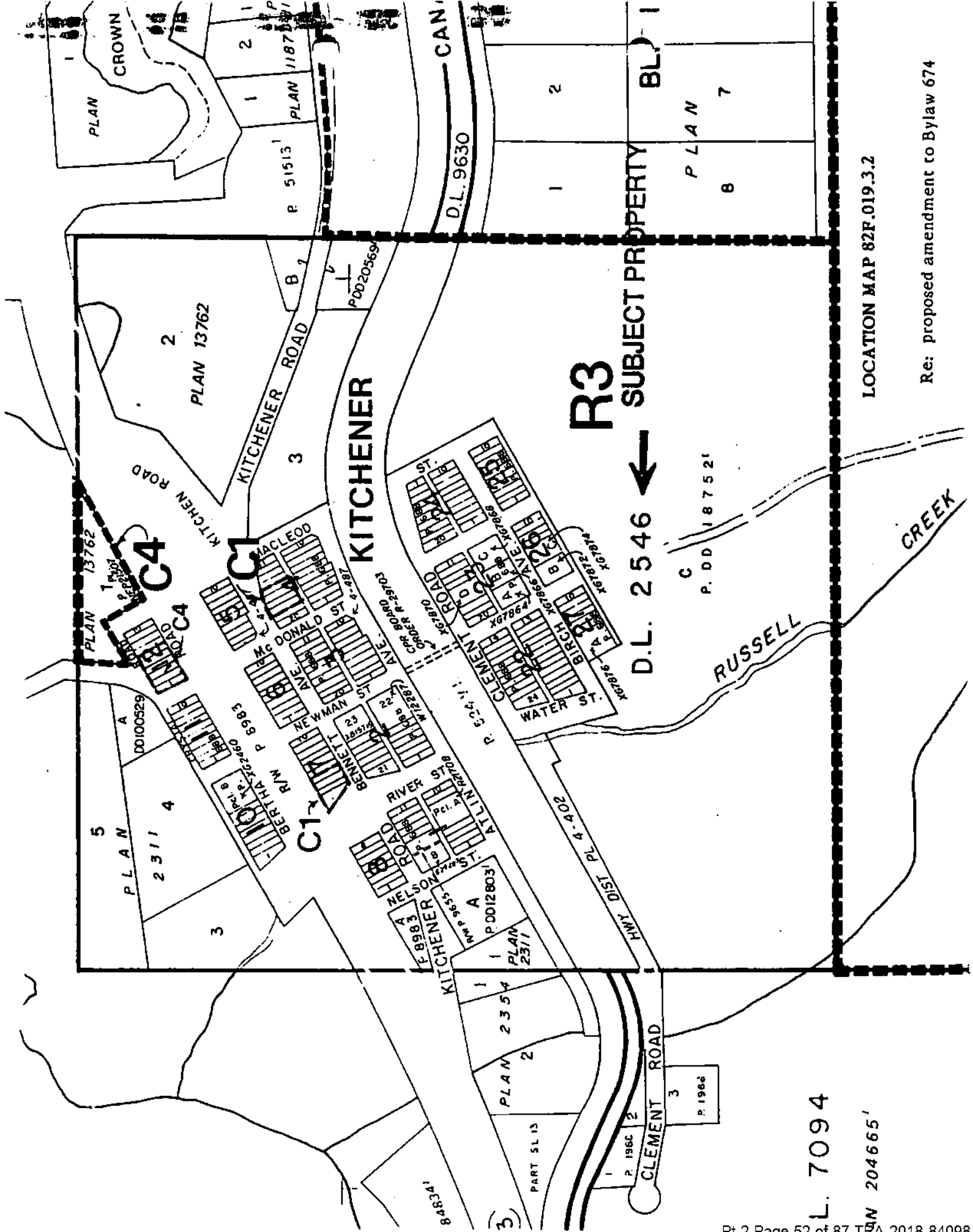
DATED at Nelson, B.C. this day of , 199 .

Secretary

Page 49 to/à Page 51

Withheld pursuant to/removed as

NR

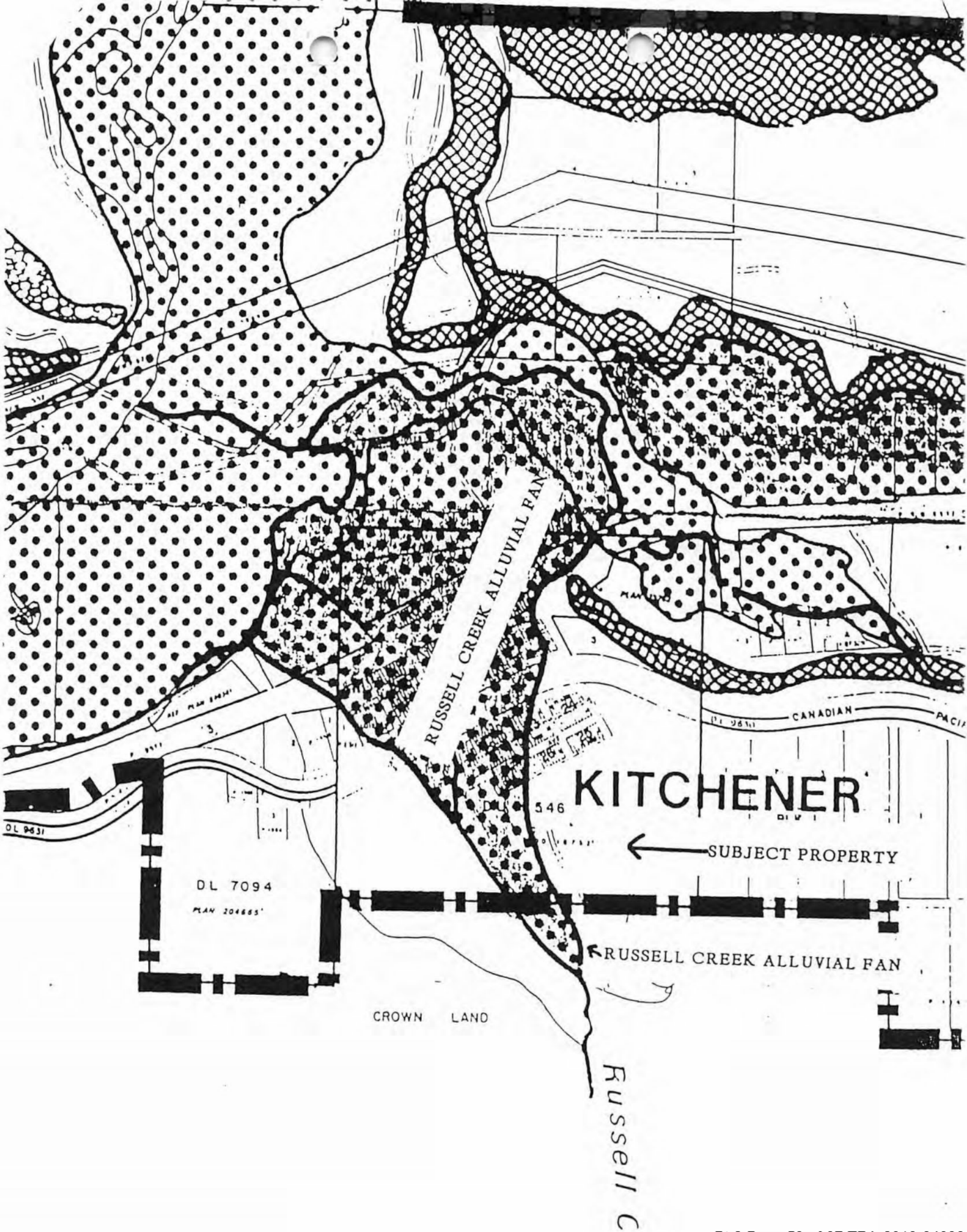


LOCATION MAP 82P.019.3.2

Re: proposed amendment to Bylaw 674

L. 7094

PLAN 204665'



REGIONAL DISTRICT OF CENTRAL KOOTENAY
DRAFT BYLAW No. (OCP) FILE No. Z-94-09-B (Tremlock)

A Bylaw to amend Bylaw No. 674, 1989, being an Official Community Plan Designation Bylaw for a defined portion of Electoral Areas A, B, and C

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Official Community Plan Designation Bylaw No. 674, 1989, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay in open meeting assembled enacts as follows:

1. That Section 4.2 (7.1) be added to Bylaw No. 674 to read as follows:

 (7.1) Residential Growth Area No. 4 - Kitchener
 The minimum lot size for single family or two family residences within the Residential Growth Area No. 4 as designated on the LAND USE PLAN Schedule 'B' shall be 2000 square metres if the properties are serviced by a community water system meeting Provincial health regulations. If lots are not serviced by a community water system, a one hectare minimum lot size shall be required.
2. That Schedule 'B', Sheet of 2, of Bylaw 674 be amended by redesignating District Lot 2546, Kootenay District from Rural Residential to Residential Growth Area No. 4 - Kitchener as shown on Schedule 'A' which is attached hereto and forms part of this document.
3. This Bylaw shall come into force and effect upon its adoption.
4. This Bylaw may be cited as the **Official Community Plan Amendment Bylaw No.**

READ A FIRST TIME this day of

READ A SECOND TIME this day of

WHEREAS A Public Hearing was held on the of

READ A THIRD TIME this day of

APPROVED by the Minister of Municipal Affairs this day of

ADOPTED this day of

Chairperson

Secretary

Bylaw to amend Bylaw 674

page 2

I hereby certify that this is a true and correct copy of Official Community Plan Amendment Bylaw No. as
read a third time by the Regional District of Central Kootenay Board, on the day of , 199 .

DATED at Nelson, B.C. this day of , 199 .

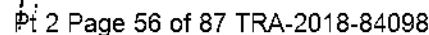
Secretary

I hereby certify that this is a true and correct copy of Official Community Plan Amendment Bylaw No.

DATED at Nelson, B.C. this day of , 199 .

Secretary

Subject property to be redesignated from Rural Residential to Residential Growth Area No. 4 - Kitchener



EXCERPT FROM ZONING BYLAW 674
existing designation

4. RESIDENTIAL

4.1 Objectives

- (1) To provide for a range of residential choices in the community plan area.
- (2) To facilitate compatible land use development and environment conservation.
- (3) To protect agriculture and other rural resources by accommodating low density residential development, as well as commercial and industrial uses on a site specific basis.

4.2 Policies

- (1) Consideration shall be given to the clustering of residential development provided that density requirements for the lot are maintained.
- (2) Consideration shall be given to the development of new mobile home parks in Residential Growth Areas and the expansion of existing mobile home parks, on a site specific basis and subject to criteria listed in the Regional District of Central Kootenay Mobile Home Parks Bylaw.
- (3) Residential Growth Areas are considered suitable for residential development of varying densities and for small scale commercial uses.
- (4) Most residential development is encouraged to occur in growth areas in order to protect agricultural land, minimize development in areas with hazardous conditions and protect sand, gravel, wildlife, and water resources.
- (5) Residential Growth Area No. 1 - Erickson South

The minimum lot size for single family or two family residences within the Residential Growth Area No. 1 as defined on the LAND USE PLAN Schedule 'B' shall be 2,000 square metres provided that the property is served by a community water system meeting Provincial Health regulations.

(6) Residential Growth Area No. 2 - West of Highway No. 3A

The minimum lot size for single family or two family residences within the Residential North Growth Area No. 2 as designated on the LAND USE PLAN Schedule 'B' shall be 2000 square metres if the properties are serviced by a community water system meeting Provincial health regulations. If lots are not serviced by a community water system, a one hectare minimum lot size shall be required.

(7) Residential Growth Area No. 3 - Erickson North

The minimum lot size for single family or two family residences within the Residential North Growth Area No. 3 as designated on the LAND USE PLAN Schedule 'B' shall be 2000 square metres if the properties are serviced by a community water system meeting Provincial health regulations. If lots are not serviced by a community water system, a one hectare minimum lot size shall be required.

PROPOSED
DESIGNATION
See Proposed
Bylaw attached.

(8)

Rural Residential 1

The minimum lot size for the single family or two family residences in the Rural Residential - 1 area designated on the LAND USE PLAN Schedule 'B' shall be one hectare.

(9)

Rural Residential 2

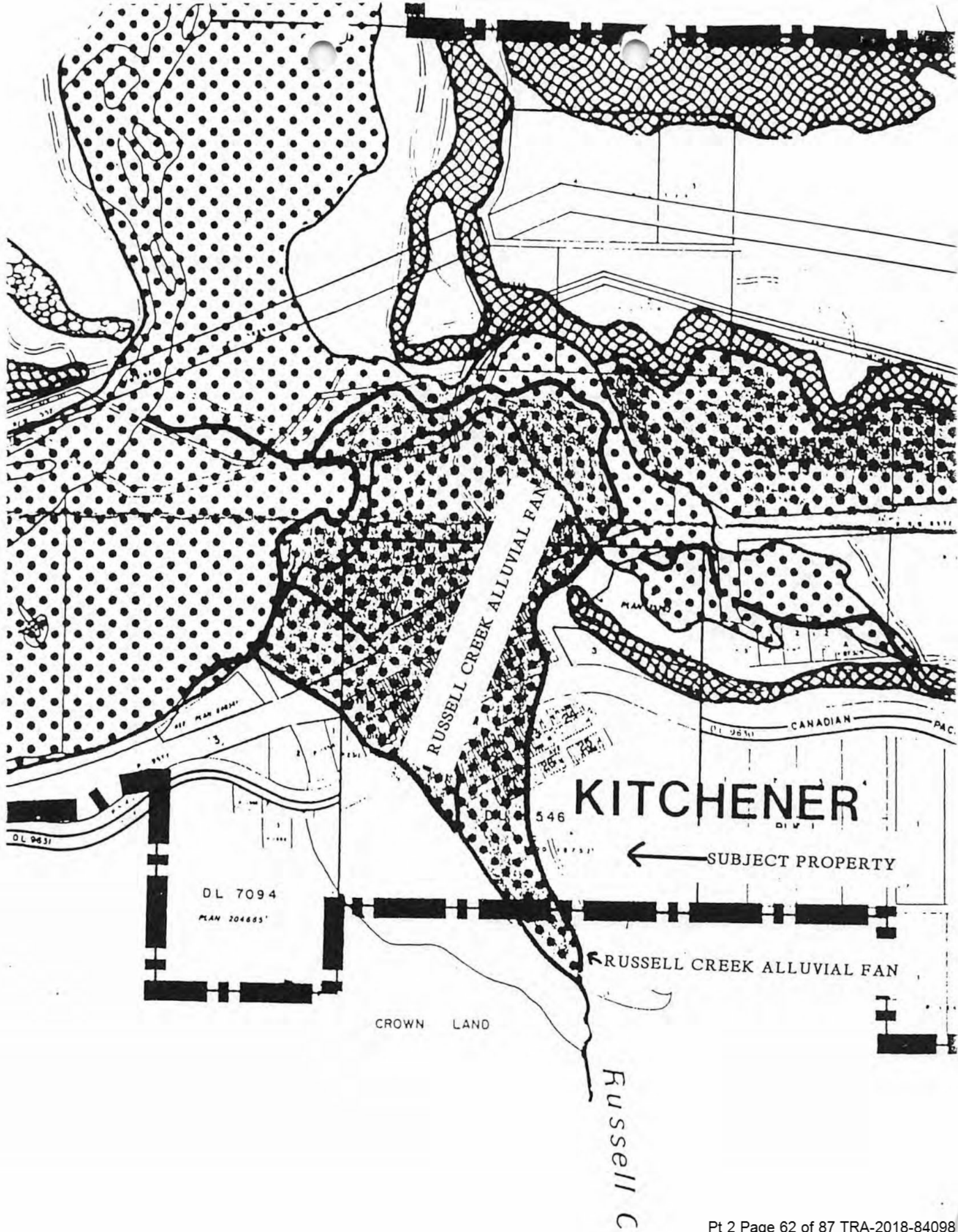
EXISTING
DESIGNATION

The minimum lot size for single family or two family residences in the Rural Residential - 2 area designated on the LAND USE PLAN Schedule 'B' shall be two hectares.

Page 59 to/à Page 60

Withheld pursuant to/removed as

NR



SCHEDULE 'A' TO BYLAW No.

6A.0 SINGLE AND TWO FAMILY RESIDENTIAL (R1A)

Permitted Uses

6A.1 Land, buildings and structures in the Single and Two Family Residential zone shall be used for the following purposes only:

- (a) single family dwellings;
- (b) two family dwellings;
- (c) parks and playgrounds;
- (d) schools, churches, community halls, hospitals and day care facilities;
- (e) extensive agriculture;
- (f) nurseries, greenhouses and florists;
- (g) sale of agricultural produce;
- (h) unattended public utility buildings and structures;
- (i) bed and breakfast accommodations;
- (j) home occupations;
- (k) accessory buildings and structures.

Lot Area

- 6A.2 (1) The minimum lot area shall be 4000 square metres (43,057 square feet) where serviced by a community water system, 1 hectare (2.47 acres) where not serviced by a community water system.
- (2) The minimum lot area requirements do not apply to the uses in clauses (c) and (h) of section 6.1.

Setbacks

- 6A.3 (1) No principal or accessory building or structure may be located within 7.5 metres (24.60 feet) of the front or exterior side lot lines, or within 1.5 metres (4.92 feet) of the rear or an interior side lot line.
- (2) No buildings, structures or enclosures used for housing more than 0.5 animal units; no drinking or feeding troughs; and no manure piles may be located within 25 metres (82 feet) of a lot line.
- (3) Subsection (2) does not apply to fences adjacent to lot lines which are used for enclosures for the grazing of animals.

Fences and Landscape Screens

- 6A.4 (1) Except as otherwise provided, landscape screens or fences not exceeding a height of 1 metre (3.28 feet) may be sited on any portion of a lot.
- (2) Landscape screens and fences not exceeding a height of 2 metres (6.56 feet) may be sited to the rear of the front face of the principal building on a lot.

Height

- 6A.5 (1) No principal building may exceed 10 metres (32.81 feet) in height.
- (2) No accessory buildings or structures may exceed 6 metres (19.69 feet) in height, except towers; tanks and bunkers; retaining walls; radio and television antennae; church spires, belfries and domes; monuments; chimneys; flag poles; stadium bleachers; lighting poles; elevator shafts; stair towers and scenery lofts.

Buildings Per Lot

- 6A.6 No more than one single family dwelling or one two family dwelling may be located on a lot.

Lot Coverage

- 6A.7 Buildings and structures shall not cover more than 33 percent of the lot area.

Accessory Buildings

- 6A.8 The floor area of an accessory building or structure shall not exceed 55 square metres (592 square feet).

Keeping of Farm Animals

- 6A.9 (1) On lots of less than 5000 square metres (1.24 acres), the total number of farm animals and poultry shall not exceed 0.5 animal units.
- (2) On lots of greater than 5000 square metres (1.24 acres), the total number of farm animals and poultry shall not exceed two animal units per hectare.

- (3) No person may keep swine on a lot.
- (4) Farm animals and poultry shall be caged, fenced or housed at all times.

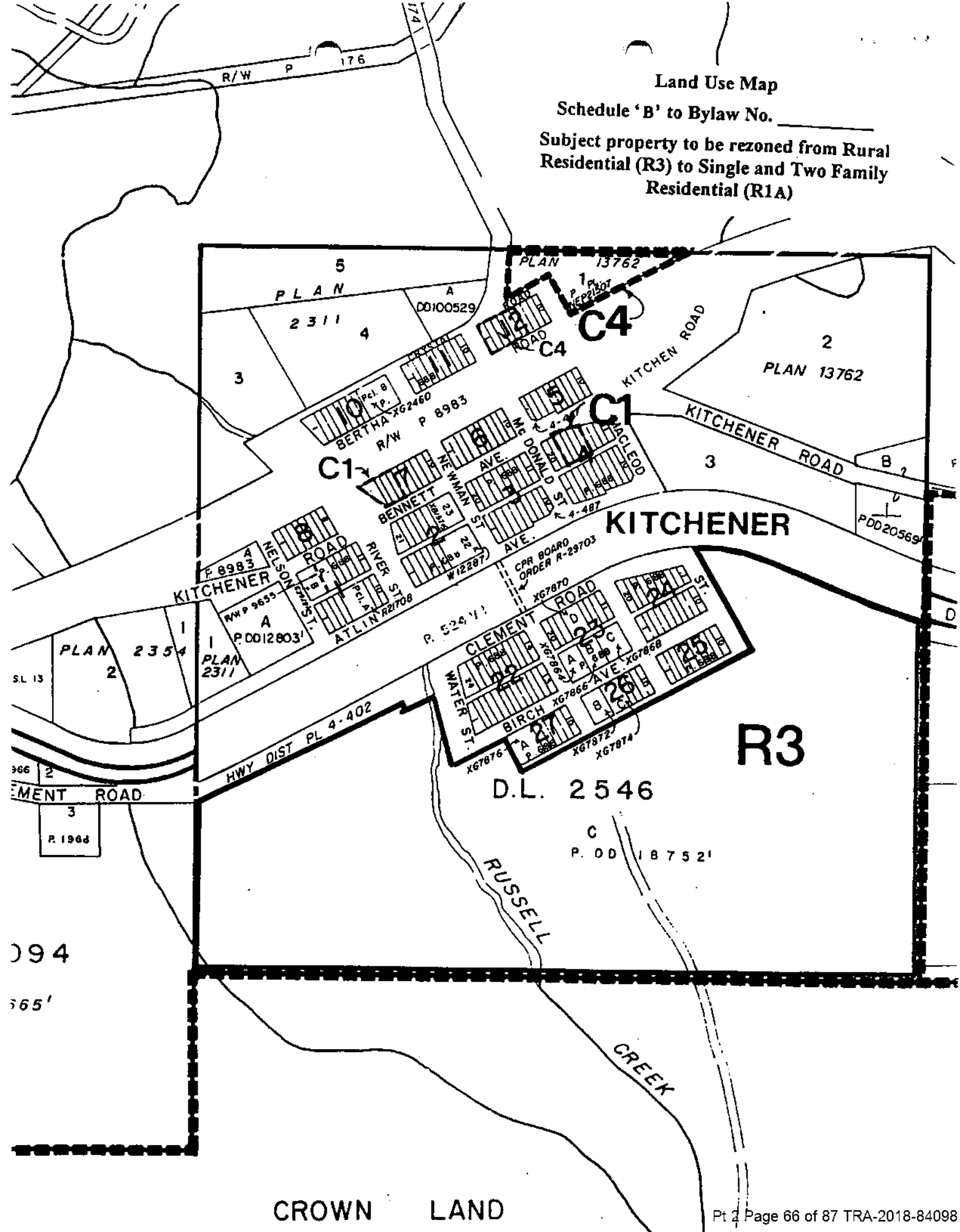
Storage

- 6A.10 No lot may be used as a junkyard, autowrecking yard or for the outdoor storage of vehicles which are not in running order.

Parking

- 6A.11 Off-street parking shall be provided in accordance with the provisions of section 4.8.

Subject property to be rezoned from Rural Residential (R3) to Single and Two Family Residential (R1A)



Page 67

Withheld pursuant to/removed as

NR

Regional District of Central Kootenay

OFFICIAL COMMUNITY PLAN AND
ZONING AMENDMENT APPLICATION

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION
AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

This form is to be completed in full and submitted with all requested
information to the Regional District of Central Kootenay, 601 Vernon Street,
Nelson, B.C. V1L 4E9 (Telephone: 352-6665).

Applicant and Registered Owners

Applicant's Name TREMLOCK PROPERTIES, LTD
Address RR#1 Site 7F Box 9 CRESTON Postal Code V0B 1G0
Telephone: Business 604 428 8911 Home FAX 604 428 8911

Registered Owners' Name(s) ARTHUR MAURICE & PAULINE ALICE TREMBLAY
Address As above Postal Code _____
Telephone: Business As above Home _____
(use reverse, if necessary)

As owner(s) of the land described in this application, I/we hereby authorize
ARTHUR MAURICE TREMBLAY to act as applicant in regard to this
Community Plan and Zoning Amendment Application.

Owners' Signatures:

Arthur M Tremblay
Pauline A Tremblay

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.
- (2) An Application Fee as set out in Schedule 'B' (applicable section of which is attached) shall be made payable to the Regional District of Central Kootenay and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensioned Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

4. General Information

- a) Services Currently Existing or Readily Available to the Land (check as applicable)

Services	Currently Existing		Readily Available*	
	YES	NO	YES	NO
Road Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Supply	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Indv Septic	<input type="checkbox"/>
Hydro	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Telephone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
School Bus Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Readily Available means existing services can be easily extended to the subject property.

- b) Proposed Water Supply Method: Kitchener Improvement District
An upgrade of the system is currently being undertaken with input from Water Management Ministry of Health.
- c) Proposed Sewage Disposal Method: Single septic tanks with disposal fields (excellent drainage in this area)
- d) Do any buildings currently exist on the land?

Yes ☐ No ☒

If yes, list the use, size and date of construction:

	Use	Size	Date Constructed
a)			
b)			
c)	<u>n/a</u>		
d)			
e)			

- e) If applicable, provide the following information regarding the proposed building or addition: All mobiles will be 1984 or newer.
- a) Size: Width 14' Length 30' Area 900 + sq. ft.
- b) Proposed setback from property lines: Units placed to give utmost privacy.
 Minimum - Front 25' Rear 25' Side 25'
- c) Maximum roof height: Average Peaked Roof Units
- d) Use or purpose: Single Family Dwelling

1/4 ARTHUR MAURICE TREMOLAY hereby apply for:

1. An amendment to the text of Official Community Plan Bylaw No. 674, as follows:

Parcel C (P.DD18752') DL 2546, KOOTENAY LD
61.5' acre parcel in KITCHENER TOWNSITE
REZONED FROM R3 to R1

2. An amendment to the text of Zoning/Land Use Bylaw No. 795, as follows:

Rezone to accomodate 1 acre parcels.
Re-zone from R3 - to R1.

3. An amendment of the community plan/zoning designation of:

- a) Current Legal Description of the Land in Full: PARCEL C
(P.DD18752') DL 2546, KOOTENAY LD
- b) Location of the Land (General Description): KITCHENER
TOWNSITE : 61.5' Vacant Acres
located on southern side of Town.
- c) Present Community Plan Designation of the Land:
R3
- d) Proposed Community Plan Designation of the Land:
R1
- e) Present Zoning of the Land: R3 of Bylaw 795.
- f) Proposed Zoning of the Land: R1 of Bylaw 795.
- g) Description of the Existing Use/Development of the Land:
Raw land - recently logged, slash
piles & debris. not disposed of. Community
trash, ie. old cars, trucks, garbage dumped
indiscriminately.
- h) Description of the Proposed Use/Development of the Land:
One acre parcels, with mobile homes
set up to CMHC standards to
provide single family dwellings.

3. Reasons and comments in support of the application (use separate sheet if necessary) Continue re-vitalization of Kitchener
Townsite. Provide affordable family housing
with ease of finance, particularly for
first home buyers. There is an acute
shortage of good, affordable rural homes
in the area - we hope to meet this need.

5. Neighbouring Tenants

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of this application. As it is not possible for the Regional District to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (196.85 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the Regional District.

Please print the tenants names and their mailing addresses on a separate sheet and attach to this application.

6. Attendance at Advisory Planning Commission Meeting

The Municipal Act entitles applicants and/or their agents to attend and be heard at a meeting of the Advisory Planning Commission (A.P.C.) if a meeting is to be held. If you or your agent wish to attend this meeting indicate your intentions in the appropriate space below. This will aid the Advisory Planning Commission in making the necessary arrangements to inform you of the date, time and place of the meeting if one is to be held.

Applicant/Agent wishes to attend Advisory Planning Commission meeting.*

Yes ☒ No ☐

S.22

(*NOTE:

The applicant/agent may only attend and A.P.C. meeting to be heard on his application and is not entitled to be present for the duration of the meeting or to hear the discussion of the meeting or to hear the discussion on his or another applicant's application.)

I/we hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

Arthur M. Gromley and/or *Arthur M. Gromley*
Applicant's Signature Owner's Signature

MINISTRY of TRANSPORTATION & HIGHWAYS

FACSIMILE COVER SHEET

To: Dale Jeffs/Peter Muirhead
DISTRICT DEVELOPMENT TECHNICIAN

District: Central Kootenay

From: Janice Vernon
PROVINCIAL APPROVING OFFICER
Ministry of Transportation & Highways
Kootenays Region
Nelson

Date: February 6, 1995

Pages: 1 - including cover sheet

Re: 60 Day Preliminary Report Reminder

Preliminary reports are now due for the following files:

03-010-13545 (DL 6498)
03-010-13546 (DL 1237)
03-010-13547 (DL 2546)
03-010-13549 (DL 383)
03-010-13550 (DL 382)

Page 73 to/à Page 77

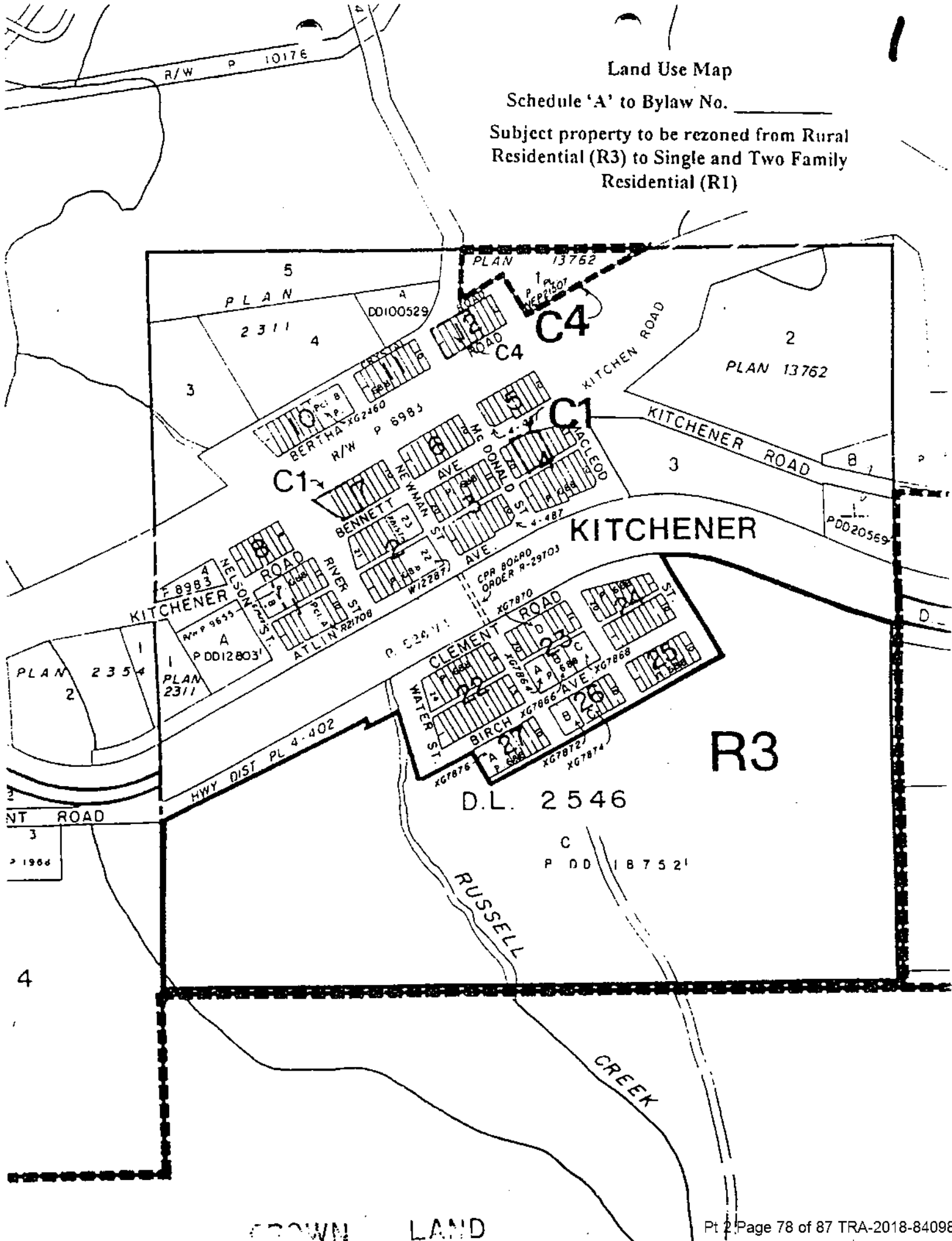
Withheld pursuant to/removed as

NR

Land Use Map

Schedule 'A' to Bylaw No. _____

Subject property to be rezoned from Rural
Residential (R3) to Single and Two Family
Residential (R1)



Page 80 to/à Page 83

Withheld pursuant to/removed as

NR

Page 84 to/à Page 87

Withheld pursuant to/removed as

s.3