

Peterson, Joe J TRAN:EX

From: Sparkes, Bill TRAN:EX
Sent: Thu, December 7, 2006 2:51 PM
To: Peterson, Joe J TRAN:EX
Subject: RE: King file - Kaleden 17486

Looks good Joe.

I tried to call a couple of time but did not get an answer. I hope to there for part of tomorrow .. I'll see how it goes.

Bill

From: Peterson, Joe J TRAN:EX
Sent: December 6, 2006 10:55 AM
To: Sparkes, Bill TRAN:EX
Subject: RE: King file - Kaleden 17486

Thanks Bill,

On another matter I would like to change the Naramata Benchlands PLA a little bit, I have added Paved to the road construction and Clause 10 we make reference to lots 33 thru 37 as being difficult to access, after reviewing the engineered drawings it appears this is not the case anymore and that there are 25 driveways with grades of more than 10%.

I would like to change the part of clause 10 to read:

It is noted that access to more then half the proposed lots appear difficult($\pm 10\%$ grade) Access design drawings to be submitted to and approved by the district official prior to the commencement of any work.

See ya tomorrow?

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

Memo



To: Bill Sparkes, Joe Peterson
Copy: Randy Kowalchuk, Jim Morrison
Date: December 18, 2006
From: Brad Elenko
Subject: Naramata Benchlands PLA – Follow-up

Further to our meeting on December 13 regarding the PLA issued by MoT for the Naramata Benchland's Stone Brook Subdivision, I wanted to follow-up with some notes and request confirmation on a few items.

The purpose of the meeting was to primarily to discuss the following four clauses contained in the PLA; clause 3 under the PLA heading "Fee Simple Plan", and clauses 2, 5 and 10 under the heading "Bare Land Strata Plan". All of these clauses relate to road and driveway grades.

Clause 3 under the PLA heading "Fee Simple Plan" refers to the portion of Arawana Road from the MoT portion of Arawana Road to the proposed Stone Brook subdivision meeting Design and construction standards as outlined in Chapter 14 of the B.C. Supplement to the TAC Guide. Jim indicated at the meeting that the grades of Arawana Road are fixed and there is simply nothing that can be done to reduce the grades on Arawana Road. This fact was acknowledged by Joe and Bill, and Jim and Brad were advised that MoT would accept the grades of Arawana Road as proposed on the design drawings submitted by Wildstone Engineering.

Clauses 2 and 5 under the PLA heading "Bare Land Strata Plan" refers to road grades and design standards of the private strata roads within the Bare Land strata subdivision. Jim advised that he has met with the Naramata Fire Chief to discuss the subdivision plan and the road grades, and the Fire Chief has no concerns with the proposed road standards and road grades. Through our discussions, it was confirmed by Joe and Bill that the only road design concern that MoT has with the bare land strata subdivision is the grade of a short portion of the curve (approximately 60 metres) that crosses the KVR. Bill indicated that grades over 13% are difficult for him to approve. Jim advised that he would take another look at the design of the short portion of the curve and would resubmit a revised design if grade adjustments could be made. Subsequent to our December 13th meeting, Wildstone reviewed the 60 metre portion of road in question and managed to reduce the grade of the 60 metre portion of the road to a grade of approximately 12.5%. Wildstone has submitted the revised design to the MoT office for approval.

Clause 10 under the PLA heading "Bare Land Strata Plan" refers to driveway grades. Brad and Jim indicated that the grades proposed for driveways in the Stone Brooke subdivision are no greater than driveways provided for hillside homes throughout the Okanagan. Bill and Joe indicated that fire protection and fire fighting equipment access up the driveways was a concern. Jim advised that he would communicate with the Fire Chief to confirm he has no concerns with the design or grade of driveways to homes within the Stone Brooke subdivision. I believe Wildstone Eng. has sent a letter to the Naramata Fire Chief getting confirmation of his approval of driveway grades.

Requested Action

Based on our discussions at the December 13th meeting, and based on the revised plans submitted by Wildstone Engineering, I am requesting that MoT provide the following:

1. Please provide written confirmation that the road design including road grades for Arawana Road is acceptable.
2. Please provide written confirmation that the road design including road grades for all private roads within the Stone Brooke subdivision are acceptable.
3. Once MoT receives confirmation from the Naramata Fire Chief that driveway grades within the Stone Brooke subdivision are acceptable, please provide written confirmation that MoT approves of the driveway grades as proposed.

It is absolutely critical that the road grade and driveway grade issues are resolved very quickly as we can not proceed any further with our plans until these issues are resolved. As we have been working with MoT for the past 5 months to resolve the road and driveway grade issue, we must now resolve the matter. Please, at your earliest convenience, review the information submitted by Wildstone Engineering, and provide written confirmation that the road designs and grades for both Arawana Road and the private strata roads within the Stone Brooke subdivision are acceptable.

Thank you for your attention to this matter. If you have any questions regarding this information, please do not hesitate to contact me.

Brad Elenko

Brad Elenko, MCIP, NP
Urban Connections

Peterson, Joe J TRAN:EX

From: Peterson, Joe J TRAN:EX
Sent: Wed, June 14, 2006 8:58 AM
To: 'Chris Harp'
Cc: Bryant, Joey TRAN:EX; Keir, Chris TRAN:EX; Sparkes, Bill TRAN:EX
Subject: RE: Naramata BL - Road Specs

Morning Chris,

Sorry for the delay in replying to your request,

Please see road design standards to be used for the Naramata Benchlands Subdivision.

Arrawana Road, this road to be designed to Rural Collector, Design Speed 60 km/h 10 metre top 8 metre paved top with 1 metre gravel shoulder.

The proposed subdivision road to be designed to Rural Local, design speed 50 km/h 8 metre top 7 metre paved top with 0.5 metre shoulder.

The sketch plan you mention never arrived.

Joe Peterson
District Development Technician
Okanagan Shuswap District, Penticton
Ph250.490.2225

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

From: Chris Harp [mailto:harp@wildstone.com]
Sent: Thu, June 1, 2006 10:41 AM
To: Peterson, Joe J TRAN:EX
Subject: Naramata BL - Road Specs

Hi Joe - We would like to get your thoughts on Road Specs for the Naramata Benchlands Sub-Div. With respect to Arrawana Road, we would propose a Two-Lane, Low-Volume (see proposed specs below). For the Sub-Div, which will involve approximately 30 homes, we would like to propose a Rural Local with a reduced paved lane width of 3.2m. We believe the reduced lane width of 3.2m is in keeping with current design principals with respect to reducing surface run-off and maximizing on-site natural infiltration. The proposed specs are below. If necessary we can send over typical section details (other than the reduced lane width for the Rural Local they will match TAC standards). A Sub-Div sketch plan has been attached for your general reference.

Arrawana Road: Two-Lane Low-Volume-Road, Paved Top. Design Speed = 60 km/h.
Paved Lane Width = 3.5m. Unpaved Shoulder = 0.5m.

Sub-Div Road: Rural Local (Two-Lane Two-Way). Design Speed = 50 km/h.
Paved Lane Width = 3.2m. Unpaved Shoulder = 0.5m.

Thank you,

Chris Harp PEng
Wildstone Engineering Limited
1-1101 Main Street, Penticton, B.C. V2A 5E6
Tel: (250) 493-3947, Fax: (250) 493-9238

Sparkes, Bill TRAN:EX

From: Sparkes, Bill TRAN:EX
Sent: November 2, 2006 4:57 PM
To: 'Urban Connections: Brad Elenko'
Cc: 'Stephen Juch'
Subject: Naramata Benchlands

Our file: 2-8-17281

Hi Brad, further to our recent emails and discussions, I understand you are anxious to receive a preliminary layout approval (PLA) for this proposal however we have a few items of concern before we issue PLA. In brief, we are looking for more information, or have concerns with the following:

Based on the revised layout dated August 21, 2006 from Wildstone for 44 proposed bare land strata lots:

- The layout does not provide proposed lots 25, 26, 27 with any frontage on the common access route.
- The entire bare land strata proposed area would need to be registered as a separate fee simple lot first. This is not a concern other than the crossing of the crown land - former KVR which would need to be included as part of the fee simple lot to become part of the bare land strata common property. Your first proposal was for this to be public road. Do you have some agreement from 'Crown Lands' for this to become private property?
- The regional district has the revised layout and are reviewing it to provide updated comments to us.
- The Ecological Assessment report prepared by Okanagan Wildlife Consulting dated July 27, 2005 has been provided and makes several recommendations. How have or will these recommendations be incorporated into the development? I note the regional district would appreciate a copy of the report for their information and file.
- Although the road design submitted has not been reviewed in any detail, the road standards proposed in this layout do not satisfy any standards we have accepted. The accepted strata road standards we use are Ministry standards - Chapter 14 - Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" and the Transportation Association of Canada (TAC) for any item not in the Ministry standard. You do not specify details of the standards used, however we do not accept the TAC "mountainous topography" standard in this area. We will consider a 30 kmh design speed in a strata development and grades that do not meet standards where justified.

W. G. (Bill) Sparkes, AScT
Provincial Approving Officer
Ministry of Transportation
Okanagan Shuswap District
cell phone 250-488-0121
phone 250-490-2229

102 Industrial Place
Penticton V2A 7C8
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fax 250-490-2231

visit our updated web site at:
www.th.gov.bc.ca/Development_Approvals/home.htm

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Sparkes, Bill TRAN:EX

From: Topolnisky, Danya ILMB:EX
Sent: November 9, 2006 11:42 AM
To: Sparkes, Bill TRAN:EX
Subject: RE: Naramata Benchlands - KVR crossing

Hi Bill,

I actually haven't even seen the file yet. I believe it is still going through the referral process at Front Counter and hasn't come over here yet. To make matters worse, I probably won't see this file until closer to the end of November as I am pretty much out of the office until at least November 20. I'm booked for a couple training courses all of next week. If you'd like to give me a call I'll be in until noon today and most of tomorrow. Although as I haven't seen the file, I don't think I can give you any more information than what Neil has already supplied.

Sorry for the inconvenience, but with many staff changes lately, things have slowed down a little (more than usual) sorry about that.

Danya Topolnisky

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

From: Sparkes, Bill TRAN:EX
Sent: November 9, 2006 10:43 AM
To: Topolnisky, Danya ILMB:EX
Subject: FW: Naramata Benchlands - KVR crossing

Your file: 3411345 ?

Hi Danya, do you have any more information about this proposed private crossing of the KVR in Naramata?

I want the applicant to secure a permanent crossing to gain access to a portion of this bare land strata subdivision proposal, and therefore a licence of occupation is not secure enough. I would prefer they own the land for the crossing however if that is not possible, I may consider an easement or some other option. Are there any other options?

Bill Sparkes, ASCT
Provincial Approving Officer
Okanagan Shuswap District

From: MacLennan, Neil ILMB:EX
Sent: November 6, 2006 4:28 PM
To: Sparkes, Bill TRAN:EX
Cc: Topolnisky, Danya ILMB:EX
Subject: RE: Naramata Benchlands - KVR crossing

Hi Bill. I think my name goes on a lot of the initial letters but other staff will actually deal with the applications. (In this cases it would be Danya Topolnisky; I believe that our file reference is 3411345.) I haven't actually seen the file.

For a crossing of the KVR, I don't think that sale of the area would be an option. It would interfere with future public use along the KVR. In some other cases we have registered easements across the KVR to ensure that there is a permanent access. One thing we may need to confirm is whether the crossing will just be used for access or if it would also accommodate utilities.

Neil MacLennan
Section Head, Crown Land Adjudication
Integrated Land Management Bureau
Ministry of Agriculture and Lands

Telephone: 250-377-7006
Fax: 250-377-7036
E-mail: neil.maclennan@gov.bc.ca
Mailing Address: 145 3rd Ave Floor 3 Kamloops BC V2C 3M1

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

From: Sparkes, Bill TRAN:EX
Sent: November 6, 2006 4:00 PM
To: MacLennan, Neil ILMB:EX
Subject: Naramata Benchlands - KVR crossing

Hi Neil, I see your name in a letter from the applicant to Front Counter BC (Mike Toews) dated August 9, 2006 and therefore I assume you know something about this.

This is a proposed subdivision in Naramata called - Naramata Benchlands Properties Ltd. The public road access to the property will be from Arawana Road (now Arawana Forest Service Road, part to be MoT road if this proceeds), and Juniper Drive for the lower part. Their original proposal was fee simple lots and new public road. This has now changed to a 44 lot bare land strata proposal.

Their current layout includes their strata road crossing the KVR - Crown land to get to 10 lots. I do not know how they proposed to secure this crossing of the KVR however the best method would be strata ownership of the land required. Any other method to secure the land such as a licence of occupation is not permanent enough.

Do you know about this application or is there someone else in your office that would?
How can they permanently secure this land for their proposed strata road?

I have a meeting with them on Thursday to discuss this.
[Our Penticton file 2-8-17281 - part of Sublot 14, DL 2711, SDYD, Plan 1190]

W. G. (Bill) Sparkes, ASCT
Provincial Approving Officer
Ministry of Transportation
Okanagan Shuswap District
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visit our updated web site at:
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Ministry of
Transportation

Okanagan Shuswap District
Development Approvals
102 Industrial Place
Penticton BC V2A 7C8

www.gov.bc.ca/tran

FAX SHEET

To: Stephen Juch
Branch/Company: Regional District of Okanagan Similkameen
Phone: 490-0237
Fax: 492-0063

From: W. G. (Bill) Sparkes, ASCT
Phone: (250) 490-2229
Fax: (250) 490-2231
E-Mail ID: Bill.Sparkes@gov.bc.ca

Date: November 27, 2006
Total pages: 2

Re: Proposed Subdivision – Naramata Benchlands

Your file: E 05-06834.000
Our file: 2-8-17281

The applicant has provided a draft revision regarding the access issue to proposed bare land strata lots 25, 26, and 27, dated November 20, 2006 (copy attached).

I note the access route to these 3 lots is now proposed as common property but to a shared driveway standard instead of the common access – strata road standard. Engineered drawings of the access route to be provided. The draft drawing shows grades up to 15% and does not show a leveled out turn around area. They did say they consulted with the Naramata Fire Department on the design.

Have you received a full set of the engineered road design drawings for this proposal from the applicant? Any comments you have including any comments from the Naramata Fire Department would be appreciated.

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If you receive this transmission in error, please notify us immediately by telephone. Thank you for your cooperation.

Sparkes, Bill TRAN:EX

From: Sparkes, Bill TRAN:EX
Sent: November 6, 2006 4:00 PM
To: MacLennan, Neil ILMB:EX
Subject: Naramata Benchlands - KVR crossing

Hi Neil, I see your name in a letter from the applicant to Front Counter BC (Mike Toews) dated August 9, 2006 and therefore I assume you know something about this.

This is a proposed subdivision in Naramata called - Naramata Benchlands Properties Ltd. The public road access to the property will be from Arawana Road (now Arawana Forest Service Road, part to be MoT road if this proceeds), and Juniper Drive for the lower part. Their original proposal was fee simple lots and new public road. This has now changed to a 44 lot bare land strata proposal.

Their current layout includes their strata road crossing the KVR - Crown land to get to 10 lots. I do not know how they proposed to secure this crossing of the KVR however the best method would be strata ownership of the land required. Any other method to secure the land such as a licence of occupation is not permanent enough.

Do you know about this application or is there someone else in your office that would?
How can they permanently secure this land for their proposed strata road?

I have a meeting with them on Thursday to discuss this.
[Our Penticton file 2-8-17281 - part of Sublot 14, DL 2711, SDYD, Plan 1190]

W. G. (Bill) Sparkes, AScT
Provincial Approving Officer
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Tracking: Recipient
MacLennan, Neil ILMB:EX

Read
Read: 06/11/2006 4:16 PM

From: Urban Connections [mailto:belenko@telus.net]
Sent: October 30, 2006 9:45 AM
To: Sparkes, Bill TRAN:EX
Cc: 'Randy'; 'Jim Morrison'
Subject: Naramata PLA

Bill,

Further to our email correspondence last week, did you get a chance to review our Naramata information and authorize Joe to prepare a PLA?

Thanks Bill.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connection / Elenko Notary Public

250.495.0499 ph
250.495.5181 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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Sparkes, Bill TRAN:EX

From: Urban Connections [belenko@telus.net]

Sent: October 31, 2006 5:04 PM

To: Sparkes, Bill TRAN:EX; Peterson, Joe J TRAN:EX

Cc: 'Randy'; 'Jim Morrison'; 'Tom Dellamater'

Bill / Joe

I just received information from Jim Morrison of Wildstone regarding your questions. Jim has advised that Arawana Rd would be constructed to MoT standards as indicated on the road section showing this is on the Arawana Road drawing. Jim also advised that all roads within the strata subdivision meet TAC standards or City of Penticton standards and these standards are shown on the appropriate cross sections which have been provided to your office. Considering that this will be a strata development the road standards within the strata subdivision do not need to meet the Ministry's standards, but are designed to meet the TAC standards or the City of Penticton standards. I trust this information will allow you to complete your review of the subdivision and provide us with PLA. Thanks Bill for your effort.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connection / Elenko Notary Public

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Sparkes, Bill TRAN:EX

From: Urban Connections [belenko@telus.net]
Sent: October 31, 2006 4:00 PM
To: Sparkes, Bill TRAN:EX; Peterson, Joe J TRAN:EX
Cc: 'Randy'; 'Jim Morrison'; 'Tom Dellamater'
Subject: RE: Naramata PLA

Bill,

Thanks for your response. I have asked Jim Morrison of Wildstone Engineering to provide his comments on your questions regarding the road design standards and the frontages for lots 25, 26, and 27. In terms of your strata question, the entire subdivision will be a bare land strata. As soon as I get information back from Wildstone, I will forward this information to you. I plan to have this information emailed to you tomorrow so you can continue with your review and hopefully provide us with PLA on Thursday.

Thanks Bill,

Regards,

Brad D. Elenko, MCIP, NP
 Urban Connection / Elenko Notary Public

250.495.0499 ph
 250.495.5181 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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From: Sparkes, Bill TRAN:EX [mailto:Bill.Sparkes@gov.bc.ca]
Sent: Tuesday, October 31, 2006 2:53 PM
To: Urban Connections
Cc: Peterson, Joe J TRAN:EX
Subject: RE: Naramata PLA

Hi Brad, Joe and I have been going through this and making progress. There is a lot going on here and to review.

Is this entire proposal now proposed as one bare land strata?

What design standards are you using for the roads?

The revised plan (August 21, 2006) still shows a few lots (25, 26, 27) with no frontage on a road (private or public).

Unfortunately, it does not look like we will get anything out today but I will be back in the Penticton office Thursday to work on it.

Bill Sparkes, ASCT
 Provincial Approving Officer
 Okanagan Shuswap District

URBAN CONNECTIONS

PLANNING & DEVELOPMENT CONSULTING

December 5, 2007

Ministry of Transportation
102 Industrial Place
Penticton, B.C.
V2A 7C8

Received

DEC 05 2007

102 Industrial Place
Penticton, BC V2A 7C8

Attention: Joe Peterson, District Development Technician

Dear Mr. Peterson:

Re: Proposed Subdivision – Sublot 14, D.L. 2711, SDYD, Plan 1190 except
Plans A62, 29843, 38736, KAP44343, KAP45544, KAP46231,
KAP54137, & KAP57167
Your File – 02-008-17281

Further to our recent conversations, and our recent meeting with Wildstone Engineering, Randy Kowalchuk and Bill Sparkes and Mitch Benke of your office, the purpose of this letter is to provide you with a package of information to address a number of the requirements in the PLA letter dated December 8, 2006. To simplify the correlation between the items provided (attached) in this letter and the December 8, 2006 PLA letter, I have numbered the items on the MoT PLA letter from 1 to 20. I have attached a copy of the renumbered PLA letter for your reference.

PLA Item (renumbered)	Information Provided or Previously Provided to Satisfy PLA Requirement	Information Still to be Provided
1.		McElhanney Associates to provide fee simple survey plan including Arawana Road dedication.
2.		Stephen Juch (RDOS) will be providing approval letter.
3.	Arawana Road design and construction has been reviewed and approved by MoT. Construction of Arawana Road has been completed, except for paving. Security (LoC) will be provided for value of paving to be completed in spring 2008.	All Arawana Road construction test results to be provided by Wildstone Engineering by December 7, 2007. LoC will be provided when survey plans are submitted for final approval.
4.	A copy of the ILMB Section 80 <i>Land Act</i> Approval is attached.	

.../2..

100 – 8305 68th Avenue, Osoyoos, British Columbia, V0H 1V0
ph 250.495.0499 fax 250.495.0489
urbanconnections@telus.net

PLA Item (renumbered)	Information Provided or Previously Provided to Satisfy PLA Requirement	Information Still to be Provided
5.	Bare land strata road design has been reviewed and approved by MoT.	
6.		John Beaupre of IHA will be providing approval letter.
7.		Stephen Juch (RDOS) will be providing approval letter.
8.		Stephen Juch (RDOS) will be providing approval letter.
9.		John Beaupre of IHA will be providing approval letter.
10.		Stephen Juch (RDOS) will be providing approval letter.
11.	Water Works Construction Permit from Public Health Engineer attached. Operating Permit to be provided once water system is operational.	
12.	Bare land strata road design and construction has been reviewed and approved by MoT.	All strata road construction test results to be provided by Wildstone Engineering by December 7, 2007.
13.	Road and drainage construction has been reviewed and approved by MoT.	All strata road construction test results to be provided by Wildstone Engineering by December 7, 2007.
14.	A copy of the ILMB Section 80 Land Act Approval is attached.	
15.	Drainage Report has been prepared by Earth Tech. and approved by MoT.	
16.		Covenant to be provided by Urban Connections by December 7, 2007.

.../3.

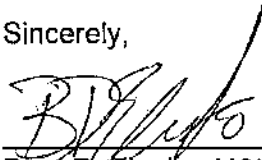
Page Three
December 5, 2007
Joe Peterson

PLA Item (renumbered)	Information Provided or Previously Provided to Satisfy PLA Requirement	Information Still to be Provided
17.	Road and drainage construction has been reviewed and approved by MoT.	
18.	Developer and RDOS have agreed to provision of cash in lieu of park dedication. RDOS letter attached.	Stephen Juch (RDOS) will provide letter confirming cash in lieu has been paid.
19.	Letter provided by Urban Connections.	
20.	Letter provided by Urban Connections.	

The information provided in this letter together with the attachments should satisfy the PLA requirements outlined in numbers 4, 5, 14, 17, 19, and 20. We have been working on this project for close to two years, and we have some very important deadlines that need to be met, so please review this information so these items don't have to be re-addressed, and you can quickly deal with the other matters once they arrive in your office.

The remaining items in the PLA will be addressed by test results and certifications provided by Wildstone Engineering, approval letter provided by IHA, approval letters provided by RDOS, geotech covenant provided by Urban Connections and subdivision plan provided by McElhanney Associates. These final items should be submitted within 1 week. Thank you very much Joe for your attention to this matter. If you have any questions regarding this information, please do not hesitate to contact me

Sincerely,



Brad D. Elenko, MCIP, NP
Urban Connections

attach.

pc Bill Sparkes, MoT
Randy Kowalchuk
Wildstone Engineering
John Beaupre, IHA
Stephen Juch, RDOS



Naramata Benchlands Properties
c/o Brad Elenko Urban Connections
12 Dogwood Place
Osoyoos, BC V0H 1V1

Your File

Our File 02-008-17281

Date (yyyy/mm/dd) 2006/12/08

Proposed Subdivision of
Sublot 14, D.L. 2711, SDYD, Plan 1190, except Plans A62, 29843, 38736, KAP44343, KAP45544,
KAP46231, KAP54137 & KAP57167

Your proposal for a 44 lot Bare Land Strata subdivision has received preliminary layout approval, subject to the following condition(s):

Fee Simple Plan:

The area proposed as the bare land strata development must first be created as a fee simple lot with a remainder of the parent property and the requirements for this first plan are:

- ✓ 1. Provision and registration of a suitable fee simple subdivision plan to first create the proposed bare land strata area as a fee simple lot, as well as providing any required road or parkland dedications.
- ✓ 2. Written confirmation from the Regional District of Okanagan Similkameen of compliance with all bylaw requirements for the creation of this fee simple lot and the remainder.
- ✓ 3. Arawana Road from existing end of the Ministry of Transportation portion - on the west side of the former KVR, to the proposed access to the new lot and remainder, to be designed, constructed, paved and dedicated to Ministry standards to the satisfaction of the district official. Design and construction standards are as per Chapter 14 - Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" local road standards with a minimum 50 km/h design speed, complete with a cul-de-sac and drainage works to a natural outfall. Said road and drainage works to be designed, supervised, and certified as having been constructed in accordance with good engineering practice and according to acceptable Ministry of Transportation standards by a qualified Professional Engineer registered in British Columbia and experienced with Ministry standards and requirements. Properly engineered drawings showing: vertical and horizontal alignments; cross sections; drainage works to a natural outfall; all utility locations; etc. to be submitted to and approved by the district official prior to the commencement of any work. All involved utility companies should be consulted and provided with the road design drawings as it relates to utility installations.

Bare Land Strata Plan:

- ✓ 4. 1. The proposed crossing of the crown land is not yet approved and we have no information if it will be approved or not. Required is written confirmation that the crossing is approved as a permanent crossing and not a just licence of occupation.
- ✓ 5. 2. As previously discussed, some of the preliminary road and driveway design grades do not satisfy accepted standards.

Local District Address

Penticton Area Office
102 INDUSTRIAL PLACE
PENTICTON BC V2A 7C8

- ✓ 6. 3. Written confirmation of approval from the Public Health Officer including satisfaction of any and all requirements they may have. I note the Public Health Inspector requires additional site inspections as work progresses and may have additional requirements that have not yet been outlined. (letter September 28, 2006)
- ✓ 7. 4. Confirmation that existing covenants KX41990 and KW114024 in the name of the Regional District of Okanagan Similkameen have been released.
- The applicant should address these requirements prior to undertaking any substantial work on the proposed subdivision as they may affect the design and/or approval of the subdivision.
- ✓ 8. 1. Written confirmation from the Regional District of Central Okanagan of compliance with all their bylaw and utility servicing requirements as outlined in their letters dated December 13, 2005 and March 29, 2006.
- ✓ 9. 2. Written confirmation of approval from the Public Health Officer including satisfaction of any and all requirements they may have.
- ✓ 10. 3. Written confirmation from the Regional District of Okanagan Similkameen / Naramata Water System of compliance with all their requirements in regards to the provision of water including the payment of all fees and charges as may be required.
- ✓ 11. 4. Written confirmation from the Public Health Engineer of compliance with the Drinking Water Protection Act and Regulation 200/2003, specifically that a construction permit and an operating permit have been issued.
- ✓ 12. 5. Proposed common access routes to be designed, constructed and paved in accordance with Ministry standards - Chapter 14 - Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" and the Transportation Association of Canada (TAC) standards for any item not in the Ministry standard complete with cul-de-sacs and drainage works to a natural outfall. Design speed shall be a minimum of 30 kmh and posted. All routes and turnarounds to accommodate emergency vehicle movements. All works to be designed, supervised, and certified as having been constructed in accordance with the required standards and with good engineering practice by a Professional Engineer registered in British Columbia and experienced with road construction, to the satisfaction of the district official. Engineered drawings showing vertical and horizontal alignments, cross-sections, and drainage works to an approved natural outfall to be submitted to and approved by the District Official prior to commencement of any works. The common property for the access route shall be established a minimum of 15 metres in width or 3m beyond the extremities of all cuts and fills. The design drawings should be supplied to all utility companies in regards to utility locations. Copies of all test results to accompany the Engineer's certification of the construction. As-built drawings to be submitted to the Ministry upon completion of road and drainage works. A stop sign shall be installed at the intersection with the public road. Any gates to the development shall be far enough back from the public road for vehicles to clear the road and turnaround if necessary without backing onto the public road.

NEED
TEST
RESULTS
RECEIVED
FOR PHASE
PERMIT
(LOC)

December 8, 2006
Brad Elenko Urban Connections

✓ 13. 6. Road and drainage construction works to be supervised and certified as having been constructed in accordance with good engineering practice and according to acceptable Ministry of Transportation standards by a qualified Professional Engineer registered in British Columbia. Test results and as-built drawings to be submitted to the Ministry upon completion of the work. A quality management plan may be required to show how road and drainage design and construction will be assured of meeting Ministry standards.

✓ 14. 7. Written confirmation of approval from Land and Water British Columbia Inc in regards to the proposed public road crossing of the former KVR property.

✓ 15. 8. Provision of a detailed drainage report and runoff management plan to clearly show how the safe conveyance of all surface runoff water to a natural body of water (natural outfall) will be achieved. The report and plan must consider: the full build out of the proposed development; pre-development hydrology; uphill runoff considering potential for any further development; and the potential effect on downhill properties. The report and plan shall be prepared by a Professional Engineer certified in British Columbia and experienced in drainage engineering. Drainage system to be designed to accommodate a 1 in 10 year storm (minor system), and a 1 in 100 year storm for overland flows (major system) in accordance with all the standards outlined in Chapter 14 – Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" and the Transportation Association of Canada (TAC) standards. All required drainage works as approved by the district official shall be constructed and certified by the consulting engineer. If required, Statutory Right-of-Ways for drainage purposes are to be a minimum of 6 m in width and in a suitable location, to the satisfaction of the district official. Drainage outfall may require approvals from the Ministry of Environment. All drainage works to be supervised and certified as having been constructed in accordance with the required standards and with good engineering practice by a Professional Engineer registered in British Columbia and experienced with road construction, to the satisfaction of the district official. All proposed works to be designed and constructed in accordance with the Land Development Guidelines for the Protection of Aquatic Habitat.

✓ 16. 9. Provision of a suitably worded covenant, registerable under Section 219 of the Land Title Act which defines the safe building area in accordance with the recommendations of the Wildstone Engineering Ltd report dated August 21, 2006. The covenant is to include building restrictions as per the report including the defined set-back line required on proposed lots 25, 35 and 36 which shall be defined by bearing and distance on a plan prepared by a B.C. Land Surveyor and certified by the consulting engineer; and the lot development specific requirement for further geotechnical investigation at the time of building. Please provide 3 complete copies of the document which is to be in favor of [1] Her Majesty the Queen in the right of the Province of British Columbia as represented by the Minister of Transportation and [2] the Regional District of Okanagan Similkameen and be registered with priority over any financial charges. The notation on the final plans must accurately reflect the named parties on the covenant document.

✓ 17. 10. Access to all lots fronting a cut or fill greater than 1.5 m to be constructed to the satisfaction of the district official prior to final approval. To ensure a safe driveway, the first 6 m is to be constructed at a right angle to the road with a maximum 2 % grade. Driveways are to be lower at the ditchline than the road shoulder to ensure surface drainage from the driveway does not flow onto the road. The driveway shall not exceed a 10 % grade or have tight curves. Parking for a minimum of 2 vehicles must be provided and no parking is permitted on the road.

It is noted that access to more than half the proposed lots appear difficult(+/-10%). Access design drawings to be submitted to and approved by the district official prior to the commencement of any work.

December 8, 2006
Brad Elenko Urban Connections

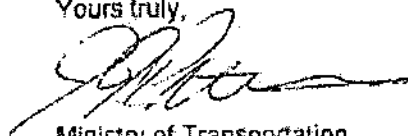
- ✓ 18. 11. Written confirmation from the Regional District of Okanagan Similkameen of compliance with Section 941 of the Local Government Act, specifically the provision of parkland.
- ✓ 19. 12. Explain how the recommendations of the Ecological Assessment dated July 27, 2006 will or have been appropriately considered and accommodated where possible to limit the affect on wildlife, to the satisfaction of the district official.
- ✓ 20. The property being subdivided is within a wildfire interface area and may be subject to a hazard of wildfire. It is therefore recommended that the owner consult the following website and review the Firesmart Manual for information about reducing the risk, www.for.gov.bc.ca/protect/ or www.partnersinprotection.ab.ca or contact the Ministry of Forests for more information. Appropriate protection measures should be implemented and maintained, and property purchasers should be advised of the risk.

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

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

If you have any questions please do not hesitate to call Joe Peterson at (250)480-8200.
(Name of Technician)

Yours truly,



Ministry of Transportation

cc: CANADA POST CORPORATION
FORTIS BC
INTERIOR HEALTH AUTHORITY
LAND AND WATER BRITISH COLUMBIA INC.
MINISTRY OF ENVIRONMENT
OKANAGAN SIMILKAMEEN REGIONAL DISTRICT
ROYAL CANADIAN MOUNTED POLICE

Jjp

Peterson, Joe J TRAN:EX

From: Sparkes, Bill TRAN:EX
Sent: Thu, February 8, 2007 3:13 PM
To: Peterson, Joe J TRAN:EX
Cc: Bryant, Joey TRAN:EX
Subject: FW: Naramata Fire District Boundary Expansion

Joe, with the emails below, I am okay with the grades. I have not looked at the road design in any detail.

We should tell them that the road crossing of the KVR trail is to meet TAC standards and be signed with bollards installed to the satisfaction of 'crown lands', the RDOS, and us. This part of the design should be reviewed in detail and we should have the written comments from crown lands and RDOS regarding the details of the crossing (grades, signs, bollards, etc.). You should also satisfy yourself and Chris regarding the Arawana public road crossing the KVR - do you want signs, bollards, etc. - is there a TAC standard?

You should also advise the applicant that Crown Lands does not mind a small fill over the KVR trail if done right - see there email for their wording. The applicant may be able to get the road grade down to 12%.

If all is good, please advise the applicant - Brad Elenko of the above and anything else you need to.

Bill Sparkes, ASCT
 Provincial Approving Officer
 Okanagan Shuswap District

From: Mark Woods [mailto:mwoods@rdos.bc.ca]
Sent: February 7, 2007 10:45 AM
To: Sparkes, Bill TRAN:EX
Cc: Stephen Juch; Urban Connections; Naramata VFD
Subject: FW: Naramata Fire District Boundary Expansion

Hi Bill,

As you can see from the email correspondence below, the Naramata Fire Department is supporting the expansion of their fire protection boundary to include the proposed 44 lot strata subdivision on the north end of Sub Lot 14, known as StoneBook. The fire department, RDOS staff and WildStone engineers met to discuss our concerns and upon reviewing the subdivision plan provided to us dated January 15th 2007, we are comfortable that the concerns were met.

There are some high percentage driveways and we have stated that it would be best to build them as low grade as possible; however we feel that the street and hydrant layout is such that fire protection service can be provided. In my report to the Corporate Board on this matter I will be qualifying that final approval of the fire protection boundary expansion will not be supported until final MoT approval.

If you have any further questions please contact me at your convenience.

Regards,

Mark Woods
Protective Services Manager

Regional District of Okanagan-Similkameen
101 Martin St. Penticton, B.C. V2A 5J9
Direct Phone: 250.490.4132 Fax: 250.492.0063
Email: mwoods@rdos.bc.ca Web: www.rdos.bc.ca
24hr. Emergency EOC/Support line: 250.809.2560

From: Grahame Baker [mailto:gbaker@rdos.bc.ca]
Sent: Sunday, February 04, 2007 12:34 PM
To: Mark Woods
Subject: Re: Naramata Fire District Boundary Expansion

Mark,

They have met the requirements that were discussed at the last meeting, so I feel approval for this subdivision should be given.
Also I would like to add it was a step in the right direction that the Fire Department was involved in this process.

Thank you
Grahame
Naramata Fire Chief.

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

From: Mark Woods
To: Naramata VFD ; Grahame Baker
Cc: Stephen Juch
Sent: Monday, January 29, 2007 12:19 PM
Subject: FW: Naramata Fire District Boundary Expansion

Hi Grahame,

My email to Brad Elenko on Jan. 19th stated that I will be recommending to the board that they approve to third reading the application for fire protection expansion for Naramata Benchlands. On that report I will also be describing that final approval will not be recommended until the subdivision receives final approval.

As you can see from the email below, we require your comments in writing regarding the application. Going back to our discussion with the engineer from Wildstone, I recall that you were comfortable with the layout and grades proposed.

Could you please reply with your comments, concerns etc. so I have some record from your department.

Thanks very much Grahame.
Cheers,
Mark

From: Sparkes, Bill TRAN:EX [mailto:Bill.Sparkes@gov.bc.ca]
Sent: Wednesday, January 24, 2007 11:41 AM
To: Stephen Juch
Cc: Peterson, Joe J TRAN:EX; Mark Woods
Subject: FW: Naramata Fire District Boundary Expansion

Hi Stephen, for this Naramata Benchlands subdivision application, one item we are wanting to resolve is the

road and driveway grades. I understood we were going to get comments from the RDOS and Naramata Fire Department on this issue. I see comments from Mark Woods below relating to a plan of the subdivision you received Dec 15, 2006. I do not know which one this is or if it included a complete road design.

The latest road design we have includes a proposed road grade near the KVR crossing of 12.5% (down from 14.5% on a previous design) around part of a tight curve. This is more than we normally approve in a strata (try to stay under 12%) however we only have guidelines for strata road design. Also, they proposed driveway grades up to 20%. Again this is more than the maximum 15% we like. Does the RDOS and/or Naramata Fire Department have comments specific to the proposed 12.5% strata road, and the proposed 20% driveway grades?

We will be meeting with Al Hare of the Integrated Land Management Bureau (Crown Lands) on Monday to try to resolve the KVR crossing. Do you have any interest in attending this meeting?

Bill

W. G. (Bill) Sparkes, AScT
Provincial Approving Officer
Ministry of Transportation
Okanagan Shuswap District
cell phone 250-488-0121
phone 250-490-2229

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From: Urban Connections [mailto:belenko@telus.net]
Sent: January 24, 2007 8:03 AM
To: Peterson, Joe J TRAN:EX; Sparkes, Bill TRAN:EX
Cc: 'Randy'; 'Jim Morrison'
Subject: FW: Naramata Fire District Boundary Expansion

Joe / Bill,

I have attached a copy of an email we received last week from Mark Woods, the RDOS Protective Services Manager, advising that they will be forwarding with the expansion of the Naramata fire protection boundary. The RDOS and the Naramata Fire Chief are comfortable with the design and grades of the roads.

On December 20th I provided you with a memo which followed up our earlier meeting regarding road design issues. With the information that has been provided to you regarding the RDOS and Naramata Fire Chief's approval of the subdivision plan, and the further reduction of the road grade that crosses the KVR, please provide us with written confirmation that all MoT road design concerns have been addressed. We have been working with MoT on this application since last spring, and with the construction season only weeks away, it is absolutely critical that we receive confirmation that our road design is acceptable as we need to firm up our construction tender documents and get this project out to tender. Please find time this week to dedicate to our project so we can move forward.

Thank you for your attention to this matter.

Brad D. Elenko, MCIP, NP
Urban Connection / Elenko Notary Public

250.495.0499 ph
250.495.5181 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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From: Mark Woods [mailto:mwoods@rdos.bc.ca]
Sent: Friday, January 19, 2007 12:23 PM
To: Urban Connections
Cc: Stephen Juch; Tracey Batten; Naramata VFD; Jim Zaffino
Subject: RE: Naramata Fire District Boundary Expansion

Hi Brad,
As a follow up to our phone conversation regarding Naramata Benchland's application, I wanted to let you know that I will be forwarding a report to the corporate board in February. After our discussions internally, with our Naramata Fire Department and with your contracted engineer (Wildstone), we feel confident supporting your application for inclusion into the fire protection area based on the subdivision plan provided to us dated December 15th, 2006.

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

Regards,

Mark Woods
Protective Services Manager

Regional District of Okanagan-Similkameen
101 Martin St. Penticton, B.C. V2A 5J9
Direct Phone: 250.490.4132 Fax: 250.492.0063
Email: mwoods@rdos.bc.ca Web: www.rdos.bc.ca
24hr. Emergency EOC/Support line: 250.809.2560

From: Urban Connections [mailto:belenko@telus.net]
Sent: Tuesday, January 09, 2007 7:16 AM
To: Mark Woods
Cc: Stephen Juch; Tracey Batten; 'Randy'
Subject: Naramata Fire District Boundary Expansion

Mark,

Happy New Year! I trust your Christmas holiday was enjoyable and relaxing.

On October 31st I sent you a letter requesting an update on the Naramata Fire District Boundary Expansion. Could you please advise me where we are in the approval process. I would like to know how this process works and as such I have a few questions:

1. Does the application have to be dealt with by any committees or the Naramata APC, or does the application proceed directly to the Board for approval?
2. Are there or will there be any staff reports prepared on the application? I would like to obtain a copy of any report prepared regarding this application.
3. Is the application scheduled for review or discussion at any upcoming committee, Board or other meetings? Please advise me of any meetings at which this matter will be dealt as we would like to have representation at these meetings.

We started this process almost 6 months ago, and we really need to get this matter resolved. Thank you. Mark
for your time.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connection / Elenko Notary Public

250.495.0499 ph
250.495.5181 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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Peterson, Joe J TRAN:EX

From: Sparkes, Bill TRAN:EX
Sent: Thu, February 8, 2007 3:15 PM
To: Peterson, Joe J TRAN:EX
Subject: FW: Road Design - StoneBrook

Joe, see related separate emails.

Bill

From: Urban Connections [mailto:belenko@telus.net]
Sent: February 7, 2007 11:47 AM
To: Sparkes, Bill TRAN:EX
Cc: 'Jim Morrison'; 'Randy'; Peterson, Joe J TRAN:EX; 'Mark Woods'; 'Stephen Juch'
Subject: Road Design - StoneBrook

Bill,

I believe you received an email from Mark Woods, Protective Services Manager for the RDOS, which provided you with an email from the Naramata Fire Chief, indicating that he feels we have met the road design requirements and indicating he feels the subdivision should be approved. I believe this is the confirmation that you have been waiting for in order to provide your approval of the road design for the StoneBrook subdivision. As the construction season is approaching very quickly, could you please provide us with confirmation that the road design for the StoneBrook subdivision is acceptable. This will allow us to concentrate on the remaining deficiencies in your PLA letter.

Thank you Bill for your attention to this matter.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connection / Elenko Notary Public

250.495.0499 ph
250.495.5181 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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Peterson, Joe J TRAN:EX

From: Sparkes, Bill TRAN:EX

Sent: Thu, February 8, 2007 3:16 PM

To: Peterson, Joe J TRAN:EX

Subject: FW: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

Joe, FYI and file...

Bill

From: Hare, Alan P ILMB:EX

Sent: February 7, 2007 9:27 AM

To: Sparkes, Bill TRAN:EX

Subject: RE: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

Hi Bill,

I have now submitted my report to Kamloops and I requested that a "Special Proviso Schedule" be included with the tenure document which deals with some of the issue that we discussed at our last meeting. My recommendations included items which require the crossing to meet the minimum specifications and standards of the Ministry of Transportation.

Benchland Properties Ltd. requested an area approximately 16 metres by 50 metres for the crossing but as this is a Section 80 which will be permitted back to the Strata, the minimum standards call for 20 metres which is what I have recommended. I also included a statement in the Proviso to address the concern with the grade at the crossing which allows for a marginal modification provided that the overall integrity of the profile of the KVR right-of-way is not substantially altered. I also mentioned about the installation of the "bollards" and signage by the developer, to address local concerns over vehicular traffic conflicting with the present use of the right-of-way as a recreational linear corridor.

I don't believe that there should be any problem with the developer meeting the requirements under the Transportation Association of Canada standards for roads crossing trails but please go ahead and discuss this directly with Brad Elenko and Jim Morrison. I don't think there's any need for involvement with ILMB unless the original design concept is substantially altered.

If there are any problems, please give me a call. Thanks!

Al Hare

Land Officer

Regional Client Services Division

Integrated Land Management Bureau

Ministry of Agriculture and Lands

Tel 250 490-8231 Fax 250 490-2231

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

From: Sparkes, Bill TRAN:EX
Sent: February 6, 2007 3:39 PM
To: Hare, Alan P ILMB:EX
Cc: Peterson, Joe J TRAN:EX; Johnson, Jerry ILMB:EX
Subject: FW: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

Thanks for this Al.

A couple of questions:

- I am not sure what standards are to be used for the crossing design. The strata road coming down and across the KVR is steeper than MoT standards and has a tighter turn. It also depends on what type of 'intersection' this is. It was suggested by the RDOS that there is a Transportation Association of Canada (TAC) standard for roads crossing trails (or trails crossing roads?). I think we should ask the developer's engineer about this.

- other than that, can we pass this on to the developer, or do you want to go through your process to do that?

I think we need to discuss this with the developer ASAP.

thanks

Bill Sparkes, ASCT
 Provincial Approving Officer
 Okanagan Shuswap District

From: Peterson, Joe J TRAN:EX
Sent: January 30, 2007 8:41 AM
To: Sparkes, Bill TRAN:EX
Subject: FW: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

Good Morning Sparky Bill,

What do ya think, shall I forward this onto Brad Elanko & Jim Morrison now for thier info.

Joe Peterson
 District Development Technician
 Okanagan Shuswap District/Penticton
 Email: Joe.Peterson@gov.bc.ca
 Ph250.490.2225

From: Hare, Alan P ILMB:EX
Sent: Mon, January 29, 2007 3:54 PM
To: Peterson, Joe J TRAN:EX

Cc: Johnson, Jerry ILMB:EX

Subject: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

This is to confirm our discussions today amongst MOT staff and myself with respect to this application.

As discussed this crossing will be authorized as a Public Road Allowance (Section 80) and dedicated in perpetuity. Highways will then issue a permit back to the Strata Corp. who will then be responsible for all future maintenance of the road. Some of the issues that will be referenced in my report are as follows:

- the road crossing shall meet minimum MOT Standards
- all pedestrian and bike traffic shall not be impeded by the proposed crossing
- concerns over grade at the crossing may be accommodated provided that the overall integrity of the profile of the KVR Right-of-way is not substantially altered
- proper signage shall be installed by the Strata Corp. to advise of the restriction to vehicular traffic
- removable "bollards" or appropriate deterrent shall be designed and installed by the Strata Corp at designated locations along the KVR Right-of-way in order to address local concerns and restrict vehicular access along the KVR

I have copied this email to Jerry Johnson for reference in the event that I have missed anything that should be included and that may have been overlooked.

Al Hare

Land Officer

Regional Client Services Division

Integrated Land Management Bureau

Ministry of Agriculture and Lands

Tel 250 490-8231 Fax 250 490-2231

Peterson, Joe J TRAN:EX

From: Sparkes, Bill TRAN:EX
Sent: Thu, February 8, 2007 3:14 PM
To: Peterson, Joe J TRAN:EX
Subject: FW: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

Joe here is another one FYI and file

Bill

From: Johnson, Jerry ILMB:EX
Sent: February 7, 2007 1:07 PM
To: Sparkes, Bill TRAN:EX
Cc: Hare, Alan P ILMB:EX
Subject: RE: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

Bill, would you please provide this information directly to the applicant since the report recommending approval has been completed. I will place this on the file. Thanks

Jerry Johnson
Senior Land Officer, Crown Land Adjudication
Integrated Land Management Bureau
Ministry of Agriculture and Lands
Phone (250)377-7027 FAX (250)377-7012
Email: Jerry.Johnson@gov.bc.ca
Mailing address: 145-3rd Ave Floor 3, Kamloops BC V2C 3M1

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

From: Sparkes, Bill TRAN:EX
Sent: February 6, 2007 3:39 PM
To: Hare, Alan P ILMB:EX
Cc: Peterson, Joe J TRAN:EX; Johnson, Jerry ILMB:EX
Subject: FW: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

Thanks for this Al.

A couple of questions:

- I am not sure what standards are to be used for the crossing design. The strata road coming down and across the KVR is steeper than MoT standards and has a tighter turn. It also depends on what type of 'intersection' this is. It was suggested by the RDOS that there is a Transportation Association of Canada (TAC) standard for roads crossing trails (or trails crossing roads?). I think we should ask the developer's engineer about this.

- other than that, can we pass this on to the developer, or do you want to go through your process to do

that?

I think we need to discuss this with the developer ASAP.

thanks

Bill Sparkes, ASCT
Provincial Approving Officer
Okanagan Shuswap District

From: Peterson, Joe J TRAN:EX
Sent: January 30, 2007 8:41 AM
To: Sparkes, Bill TRAN:EX
Subject: FW: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

Good Morning Sparky Bill,

What do ya think, shall I forward this onto Brad Elanko & Jim Morrison now for thier info.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

From: Hare, Alan P ILMB:EX
Sent: Mon, January 29, 2007 3:54 PM
To: Peterson, Joe J TRAN:EX
Cc: Johnson, Jerry ILMB:EX
Subject: File:3411345 - Benchland Properties Ltd. App. for Road Crossing KVR Right-of-way

This is to confirm our discussions today amongst MOT staff and myself with respect to this application.

As discussed this crossing will be authorized as a Public Road Allowance (Section 80) and dedicated in perpetuity. Highways will then issue a permit back to the Strata Corp. who will then be responsible for all future maintenance of the road. Some of the issues that will be referenced in my report are as follows:

- the road crossing shall meet minimum MOT Standards
- all pedestrian and bike traffic shall not be impeded by the proposed crossing
- concerns over grade at the crossing may be accommodated provided that the overall integrity of the profile of the KVR Right-of-way is not substantially altered
- proper signage shall be installed by the Strata Corp. to advise of the restriction to vehicular traffic
- removable "bollards" or appropriate deterrent shall be designed and installed by the Strata Corp at designated locations along the KVR Right-of-way in order to address local concerns and restrict vehicular access along the KVR

I have copied this email to Jerry Johnson for reference in the event that I have missed anything that should be included and that may have been overlooked.

Al Hare
Land Officer
Regional Client Services Division
Integrated Land Management Bureau
Ministry of Agriculture and Lands
Tel 250 490-8231 Fax 250 490-2231

Peterson, Joe J TRAN:EX

From: Sparkes, Bill TRAN:EX
Sent: Wed, February 14, 2007 4:37 PM
To: Peterson, Joe J TRAN:EX
Cc: Bryant, Joey TRAN:EX
Subject: RE: Stonebrook Subdivision (Naramata Benchlands) File 20-008-17281

Looks good Joe, we should get this out ASAP.

Bill

From: Peterson, Joe J TRAN:EX
Sent: February 14, 2007 3:31 PM
To: Sparkes, Bill TRAN:EX
Subject: Stonebrook Subdivision (Naramata Benchlands) File 20-008-17281

Afternoon Sparky Bill,

Please see a Draft email to be sent to Brad Elenko & Jim Morrison, could you please peruse and edit if necessary.

Thanks

The Ministry of Transportation is satisfied with your proposed road grades for the Stonebrook Subdivision proposal in Naramata.

We have had discussions with the Intergrated Land Management Bureau and they have agreed to allow that portion of the road that crosses the KVR right of way to be dedicated as road to allow for your crossing of the KVR, the crossing is to meet the minimum specifications and standards of the Ministry of Transportation.

This dedication will be road and as such will be shown on the final plan as road, you will have to apply for a permit from MOT to construct and maintain a road within the right of way and this part of the road will then be the responsibility of the strata corporation to maintain in perpetuity.

As this will be a section 80 road dedication a 20 metre road right of way is all the ILMB is willing to give up, also the ILMB is willing to allow for a marginal modification to the road bed of the KVR where Granite Court crosses the KVR, provided that the overall integrity of the profile of the KVR right of way is not substantially altered, this may aide in getting the grade of Granite Court down from the current 12.49 % to 12 % or less.

The road crossing of the KVR is to meet TAC standards, installation of "bollards" and signage at the crossing to be installed by the developer to satisfaction of Crown Lands, RDOS and the Ministry of Transportation, to address local concerns over vehicular traffic conflicting with the present use of the right-of-way as a recreational linear corridor.

Also Signs and Bollards are to be installed where the KVR leaves the Arawana Road

Please provide three copies of engineered drawings showing grades, signs & bollards for your proposed crossing of the KVR right of way, these drawings should also show how you are proposing to alter the KVR road bed.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

Peterson, Joe J TRAN:EX

From: Peterson, Joe J TRAN:EX
Sent: Tue, January 23, 2007 8:45 AM
To: Sparkes, Bill TRAN:EX
Subject: FW: Naramata KVR crossing

Morning Bill,

Any thoughts yet as I would like to get back to Al Hare. I did have some discussion with Joey and she tells me that we allow access by easement all the time whats the problem?

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

From: Peterson, Joe J TRAN:EX
Sent: Thu, January 11, 2007 5:19 PM
To: Sparkes, Bill TRAN:EX
Subject: Naramata KVR crossing

Afternoon Bill,

What do you think Billy, is it not our policy to not allow subdivision access by easement or stat right of way. I thought I would forward this to you before I comment back to Al Hare.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

From: Hare, Alan P ILMB:EX
Sent: Thu, January 11, 2007 1:33 PM
To: Peterson, Joe J TRAN:EX
Subject: RE: Your file 3411345 Naramata KVR crossing

Hi Joe, could you clarify a couple of points for me on this application before I start making any recommendations.

My understanding is that this is a strata development so on completion of the subdivision and all the lots are sold, the strata corporation will take over management of their properties as well as any community properties. Just a couple of questions as follows:

1. Will the strata be responsible for maintenance of all roads within the development or will the highways contractor maintain?
2. The only portion of the KVR that I can see that is required is the half loop. The proposed cul de sac falls within the private land. As the Crown is not able to sell this portion of the KVR and you mentioned that a statutory right-of-way was insufficient would an easement be sufficient tenure for this crossing?
3. I'm just reviewing our Roadways Policy and if this is considered a public road I could probably issue a 3 year Works

Permit and upon completion this could be a Section 80 Public Road Allowance. This would dedicate the Crown Land for a road to provide access to the privately owned subdivision.

Let me know which would be best and I'll continue on with my report. Thanks!

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

From: Peterson, Joe J TRAN:EX
Sent: January 10, 2007 1:58 PM
To: Hare, Alan P ILMB:EX
Subject: Your file 3411345 Naramata KVR crossing

Good Afternoon Al

You may or may not be aware that there is a subdivision proposed for this Sublot 14, Plan 1190, D.L.2711 SDYD, well some of the lots proposed are on the west side of the KVR and part of the subdivision approval process is that the Developer provide permanent access to these lots.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

Peterson, Joe J TRAN:EX

From: Urban Connections [belenko@telus.net]
Sent: Tuesday, July 10, 2007 1:24 PM
To: Donnelly, John FOR:EX
Cc: 'Tom Dellamater'; Peterson, Joe J TRAN:EX; Sparkes, Bill TRAN:EX; 'Randy'; 'Jim Morrison'
Subject: FW: Transfer of a Portion of Arawana Forestry Road to Mot
Attachments: Letter to John Donnelly - April 16, 2007.pdf

John,

Further to our email correspondence in April, I am inquiring whether your office has initiated the transfer documentation for Arawana Road as you noted in your April 17 email to me. We are moving forward with construction scheduling and permitting for infrastructure for an adjacent subdivision and we have been advised by MoT in Penticton that they have not received any information or correspondence regarding the transfer of Arawana Road from MoF to MoT. We would like to install water infrastructure within the Arawana Road right-of-way and MoT will not deal with the issuance of these permits as they do not own the road, nor do they have correspondence indicating that the transfer process has been initiated.

Could you please advise me of the status of the Arawana Road transfer to MoT. Thank you John for your attention to this matter.

Regards,

Brad D. Elenko, MCIP, NP
 Urban Connections / Elenko Notary Public

250.495.0499 ph
 250.495.0489 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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From: Donnelly, John FOR:EX [mailto:John.Donnelly@gov.bc.ca]
Sent: Tuesday, April 17, 2007 10:28 AM
To: belenko@telus.net
Cc: Henriksen, Bill FOR:EX; Peterson, Joe J TRAN:EX
Subject: FW: Transfer of a Portion of Arawana Forestry Road to Mot

Brad,

The email came through fine this time. We will initiate the transfer documentation from our office in the next day or 2. As far as timing for transfer goes, the 2 month was a ballpark estimate. We will place priority on it at our end, but can't guarantee how it will fit priority wise as it works its way through the system.

John Donnelly
 District Engineering Officer
 Okanagan Shuswap Forest District

() 558-1786
Fax: (250) 549-5485
<mailto:John.Donnelly@gov.bc.ca>

From: Urban Connections [<mailto:belenko@telus.net>]
Sent: Tue, April 17, 2007 7:23 AM
To: Donnelly, John FOR:EX
Subject: FW: Transfer of a Portion of Arawana Forestry Road to Mot

John,

For a third time, I'll attempt to send some information to you regarding the transfer of a portion of the Arawana Forestry Road to the Ministry of Transportation.

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

250.495.0499 ph
250.495.0489 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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From: Urban Connections [<mailto:belenko@telus.net>]
Sent: Monday, April 16, 2007 10:10 PM
To: 'JohnDonnelly@gov.bc.ca'
Subject: FW: Transfer of a Portion of Arawana Forestry Road to Mot

John,

Sorry, my first email attempt did not go through. I have tried a different email address.

Reagrds,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

250.495.0499 ph
250.495.0489 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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From: Urban Connections [mailto:belenko@telus.net]
Sent: Monday, April 16, 2007 10:04 PM
To: 'johndonnely@gov.bc.ca'
Cc: 'Randy'; 'jmor@wildstone.com'; 'Peterson, Joe J TRAN:EX'; 'Bryant, Joey TRAN:EX'
Subject: Transfer of a Portion of Arawana Forestry Road to Mot

John,

Further to our telephone conversation, I have attached a letter requesting that the Ministry of Forests initiate the internal process of transferring a portion of Arawana Road to the Ministry of Transportation. I will send the original letter in the mail. Please contact me to confirm that the Ministry will initiate the transfer process, and advise me if you will be able to allow the Ministry of Transportation to make decisions on utility installations in the Arawana Road right-of-way, considering the transfer appears to be an internal formality.

Thank you John, for your assistance regarding this matter. If you have any questions, please do not hesitate to contact me.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

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250.495.0489 fax
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Peterson, Joe J TRAN:EX

From: Peterson, Joe J TRAN:EX
Sent: Tuesday, July 24, 2007 8:54 AM
To: Hughes, Kirk B FOR:EX
Subject: FW: Arawana Road

Morning Kirk,

As per John Donnelly's email response to forward everything engineering relate to you.

*EMAIL RESPONSE FROM JOHN SAYING KIRK WAS THE NEW CONTACT
 PERSON FOR ENGINEERING RELATED ISSUES AS s.22*

Joe Peterson
 District Development Technician
 Okanagan Shuswap District/Penticton
 Email: Joe.Peterson@gov.bc.ca
 Ph250.490.2225

From: Peterson, Joe J TRAN:EX
Sent: Tuesday, July 24, 2007 8:44 AM
To: Donnelly, John FOR:EX
Cc: 'Urban Connections'; Bryant, Joey TRAN:EX; Benke, Mitch TRAN:EX; Sparkes, Bill TRAN:EX
Subject: RE: Arawana Road

Morning John,

We are ok with Brad's suggestion with regard to installing the infrastructure, but we cannot issue any permits until the Arawana Road is under our jurisdiction, MOT requires that all utility installations are at a 2 metre or less offset from property line, no utilities are allowed within the road prism.

Joe Peterson
 District Development Technician
 Okanagan Shuswap District/Penticton
 Email: Joe.Peterson@gov.bc.ca
 Ph250.490.2225

From: Donnelly, John FOR:EX
Sent: Thursday, July 19, 2007 1:06 PM
To: Peterson, Joe J TRAN:EX
Cc: Hughes, Kirk B FOR:EX; Henriksen, Bill FOR:EX
Subject: FW: Arawana Road

Joe, are you ok with Brads approach? I initiated the transfer back in April and have asked my Manager to

firm who he forwarded it to. In the meantime, will MoT be issuing the developer a permit to carry out their infrastructure works, or is that something we should be doing?

John Donnelly

District Engineering Officer
Okanagan Shuswap Forest District
(250) 558-1786
Fax: (250) 549-5485
<mailto:John.Donnelly@gov.bc.ca>

From: Urban Connections [<mailto:belenko@telus.net>]

Sent: Thursday, July 19, 2007 11:50 AM

To: Peterson, Joe J TRAN:EX

Cc: Donnelly, John FOR:EX; Sparkes, Bill TRAN:EX; Bryant, Joey TRAN:EX; 'Jim Morrison'; 'Tom Dellamater'; 'Randy'

Subject: Arawana Road

Joe,

Further to my past correspondence with John Donnelly at the Ministry of Forests and with Joey at MoT, regarding the transfer of a portion of Arawana Road from MoF to MoT, the purpose of this correspondence is to advise you that we will proceed with the installation of infrastructure within the Arawana Road right-of-way in accordance with MoT standards and specifications. We have been advised that MoF was initiating the transfer process, and they have advised that they would agree to the installation of infrastructure within Arawana Road if the installation / construction met MoT standards, as the portion of Arawana Road that will contain the infrastructure would be under the jurisdiction of MoT.

Thank you Joe for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

250.495.0499 ph
250.495.0489 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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Peterson, Joe J TRAN:EX

From: Donnelly, John FOR:EX
Sent: Tuesday, July 24, 2007 8:56 AM
To: Peterson, Joe J TRAN:EX; Henriksen, Bill FOR:EX
Cc: 'Urban Connections'; Bryant, Joey TRAN:EX; Benke, Mitch TRAN:EX; Sparkes, Bill TRAN:EX; Hughes, Kirk B FOR:EX
Subject: RE: Arawana Road

Thanks Joe.

Bill, please make arrangements for issuance of a 'Works Permit' to the developer. Contact is Brad Elenko of Urban Connections. Thanks.

John Donnelly

District Engineering Officer
Okanagan Shuswap Forest District
(250) 558-1786
Fax: (250) 549-5485
<mailto:John.Donnelly@gov.bc.ca>

From: Peterson, Joe J TRAN:EX
Sent: Tuesday, July 24, 2007 8:44 AM
To: Donnelly, John FOR:EX
Cc: 'Urban Connections'; Bryant, Joey TRAN:EX; Benke, Mitch TRAN:EX; Sparkes, Bill TRAN:EX
Subject: RE: Arawana Road

Morning John,

We are ok with Brad's suggestion with regard to installing the infrastructure, but we cannot issue any permits until the Arawana Road is under our jurisdiction, MOT requires that all utility installations are at a 2 metre or less offset from property line, no utilities are allowed within the road prism.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

From: Donnelly, John FOR:EX
Sent: Thursday, July 19, 2007 1:06 PM
To: Peterson, Joe J TRAN:EX

Cc: Hughes, Kirk B FOR:EX; Henriksen, Bill FOR:EX

Subject: FW: Arawana Road

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John Donnelly

District Engineering Officer

Okanagan Shuswap Forest District

(250) 558-1786

Fax: (250) 549-5485

<mailto:John.Donnelly@gov.bc.ca>

From: Urban Connections [<mailto:belenko@telus.net>]

Sent: Thursday, July 19, 2007 11:50 AM

To: Peterson, Joe J TRAN:EX

Cc: Donnelly, John FOR:EX; Sparkes, Bill TRAN:EX; Bryant, Joey TRAN:EX; 'Jim Morrison'; 'Tom Dellamater'; 'Randy'

Subject: Arawana Road

Joe,

Further to my past correspondence with John Donnelly at the Ministry of Forests and with Joey at MoT, regarding the transfer of a portion of Arawana Road from MoF to MoT, the purpose of this correspondence is to advise you that we will proceed with the installation of infrastructure within the Arawana Road right-of-way in accordance with MoT standards and specifications. We have been advised that MoF was initiating the transfer process, and they have advised that they would agree to the installation of infrastructure within Arawana Road if the installation / construction met MoT standards, as the portion of Arawana Road that will contain the infrastructure would be under the jurisdiction of MoT.

Thank you Joe for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Regards,

Brad D. Elenko, MCP, NP

Urban Connections / Elenko Notary Public

250.495.0499 ph

250.495.0489 fax

urbanconnections@telus.net

belenko@notaries.bc.ca

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Memo

To: Bill Sparkes, Joe Peterson
Copy: Randy Kowalchuk, Jim Morrison, Tom Dellameter
Date: November 9, 2007
From: Brad Elenko
Subject: PLA Task Review

Gentlemen,

I have provided below in the left column of the table, a reference to each of the PLA requirements as outlined in the MoT letter dated December 8, 2006, and in the right column I have provided the status of the completion of the requirements. We are in the final stages of construction in the subdivision, and we will be submitting subdivision plans to MoT for approval within a month. The purpose of this (November 9th 2007) meeting is to review each of the MoT requirements as noted on the December 8, 2006 PLA letter and provide you with an update of the level of completion of each of the items and ensure that MoT is, or will be satisfied with the information that will be submitted to satisfy each of the PLA items. I have attached a copy of the PLA for reference purposes.

Items from Dec. 8/06 PLA Letter from MoT	Action Item & Person Responsible Completion Details
Page 1 Fee Simple Plan Paragraph #1.	Brad Review survey requirements with Derek of McElhanney. Need to define exact survey requirements with Bill Sparkes. Extra attention to clarify Arawana Road survey requirements is required.
Page 1 Fee Simple Plan Paragraph #2.	Brad Reviewed s/d details with Stephen Juch to ensure compliance with Fee Simple S/D requirements. Stephen has advised that he will write a letter to MoT confirming compliance.
Page 1 Fee Simple Plan Paragraph #3.	Jim / Tom Confirm Arawana Road design and construction approval with MoT.

Items from Dec. 8/06 PLA Letter from MoT	Action Item & Person Responsible Completion Details
Page 1 Bare Land Strata Plan Paragraph #1.	Brad Section 80 road dedication has been approved by ILMB under file #3411345. A copy of the ILMB approval for the KVR crossing is attached.
Page 1 Bare Land Strata Plan Paragraph #2.	Jim / Tom Confirm with MoT that road grades and driveway grades are acceptable. These are private strata roads.
Page 2 Bare Land Strata Plan Paragraph #3.	Chris Harp / Jim / Brad Information being provided to IHA to satisfy IHA concerns and requirements. IHA will provide letter to MoT confirming compliance with September 28, 2006 letter and approval from Public Health Officer.
Page 2 Bare Land Strata Plan Paragraph #4.	Brad Have met with Stephen Juch to confirm that covenants KW114023 and KX41990 (no construction above elevation 558 m) will be released once water system is operational. Stephen Juch will provide letter to MoT in this regard.
Page 2 Other Requirements Paragraph #1.	Brad Have met with Stephen Juch to confirm that he will provide letter to MoT indicating that items in December 13, 2006 and March 29, 2005 letters have been satisfied.
Page 2 Other Requirements Paragraph #2.	Chris Harp / Jim / Brad Have met with John Beaupre of IHA. IHA will provide letter confirming compliance with their requirements.

Items from Dec. 8/06 PLA Letter from MoT	Action Item & Person Responsible Completion Details
Page 2 ✓ Other Requirements Paragraph #3.	Jim / Tom Obtain letter from Andrew Reeder regarding approval of water system design and construction.
Page 2 ✓ Other Requirements Paragraph #4.	Jim / Tom Obtain letter from Public Health Engineer regarding approval of water system .
Page 2 Other Requirements Paragraph #5.	Jim / Tom Get engineer's Certification of Construction and all test results to MoT. Confirm this is a requirement as the internal roads are private strata roads.
Page 3 Other Requirements Paragraph #6.	Jim / Tom Provide MoT with test results and confirm drainage in accordance with Naramata Master Drainage Plan.
Page 3 ✓ Other Requirements Paragraph #7.	Brad Section 80 road dedication has been approved by ILMB under file #3411345. A copy of the ILMB approval for the KVR crossing is attached.

Items from Dec. 8/06 PLA Letter from MoT	Action Item & Person Responsible Completion Details
Page 3 ✓ Other Requirements Paragraph #8.	<p>Jim / Tom Confirm with MoT that drainage complies with Master Drainage Plan. Confirm drainage outfalls meet MoE approval</p> <p>Brad SROW for storm drainage water to be 6.0 m. Confirm storm SROW in favor of MoT</p> <p><i>STR ROW LOT 21? ASK RHEIS FROM ARAWANNA ROAD.</i></p>
Page 3 ✓ Other Requirements Paragraph #9.	<p>Brad Geotech covenant to be registered on lots as noted in Wildstone Geotech report.</p>
Page 3 ✓ Other Requirements Paragraph #10.	<p>Jim / Tom Confirm with MoT that designed and constructed road and driveway grades are acceptable.</p>
Page 4 ✓ Other Requirements Paragraph #11.	<p>Brad RDOS has approved 5% cash in lieu of park dedication. See attached letter. RDOS will provide letter to MoT confirming that Park dedication requirement has been satisfied once RDOS received cash payment.</p>
Page 4 ✓ Other Requirements Paragraph #12.	<p>Brad Provide letter to MoT confirming no issues with Ecological report, and explaining how wildfire issues have been mitigated.</p>


**BRITISH
COLUMBIA**

 Ministry of
Transportation

**PROPOSED SUBDIVISION
PRELIMINARY LAYOUT APPROVAL**

 Naramata Benchlands Properties
c/o Brad Elenko Urban Connections
12 Dogwood Place
Osoyoos, BC V0H 1V1

Your File

Our File 02-008-17281

Date (yyyy/mm/dd) 2006/12/08

Proposed Subdivision of

 Sublot 14, D.L. 2711, SDYD, Plan 1190, except Plans A62, 29843, 38736, KAP44343, KAP45544,
KAP46231, KAP54137 & KAP57167

Your proposal for a 44 lot Bare Land Strata subdivision has received preliminary layout approval, subject to the following condition(s):

Fee Simple Plan:

The area proposed as the bare land strata development must first be created as a fee simple lot with a remainder of the parent property and the requirements for this first plan are:

1. Provision and registration of a suitable fee simple subdivision plan to first create the proposed bare land strata area as a fee simple lot, as well as providing any required road or parkland dedications.
2. Written confirmation from the Regional District of Okanagan Similkameen of compliance with all bylaw requirements for the creation of this fee simple lot and the remainder.
3. Arawana Road from existing end of the Ministry of Transportation portion - on the west side of the former KVR, to the proposed access to the new lot and remainder, to be designed, constructed, paved and dedicated to Ministry standards to the satisfaction of the district official. Design and construction standards are as per Chapter 14 – Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" local road standards with a minimum 50 km/h design speed, complete with a cul-de-sac and drainage works to a natural outfall. Said road and drainage works to be designed, supervised, and certified as having been constructed in accordance with good engineering practice and according to acceptable Ministry of Transportation standards by a qualified Professional Engineer registered in British Columbia and experienced with Ministry standards and requirements. Properly engineered drawings showing: vertical and horizontal alignments; cross sections; drainage works to a natural outfall; all utility locations; etc. to be submitted to and approved by the district official prior to the commencement of any work. All involved utility companies should be consulted and provided with the road design drawings as it relates to utility installations.

Bare Land Strata Plan:

1. The proposed crossing of the crown land is not yet approved and we have no information if it will be approved or not. Required is written confirmation that the crossing is approved as a permanent crossing and not a just licence of occupation.
2. As previously discussed, some of the preliminary road and driveway design grades do not satisfy accepted standards.

Local District Address

 Penticton Area Office
102 INDUSTRIAL PLACE
PENTICTON BC V2A 7C8

December 8, 2006
Brad Elenko Urban Connections

3. Written confirmation of approval from the Public Health Officer including satisfaction of any and all requirements they may have. I note the Public Health Inspector requires additional site inspections as work progresses and may have additional requirements that have not yet been outlined. (letter September 28, 2006)

4. Confirmation that existing covenants KX41990 and KW114024 in the name of the Regional District of Okanagan Similkameen have been released.

The applicant should address these requirements prior to undertaking any substantial work on the proposed subdivision as they may affect the design and/or approval of the subdivision.

1. Written confirmation from the Regional District of Central Okanagan of compliance with all their bylaw and utility servicing requirements as outlined in their letters dated December 13, 2005 and March 29, 2006.

2. Written confirmation of approval from the Public Health Officer including satisfaction of any and all requirements they may have.

3. Written confirmation from the Regional District of Okanagan Similkameen / Naramata Water System of compliance with all their requirements in regards to the provision of water including the payment of all fees and charges as may be required.

4. Written confirmation from the Public Health Engineer of compliance with the Drinking Water Protection Act and Regulation 200/2003, specifically that a construction permit and an operating permit have been issued.

5. Proposed common access routes to be designed, constructed and paved in accordance with Ministry standards - Chapter 14 - Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" and the Transportation Association of Canada (TAC) standards for any item not in the Ministry standard complete with cul-de-sacs and drainage works to a natural outfall. Design speed shall be a minimum of 30 kmh and posted. All routes and turnarounds to accommodate emergency vehicle movements. All works to be designed, supervised, and certified as having been constructed in accordance with the required standards and with good engineering practice by a Professional Engineer registered in British Columbia and experienced with road construction, to the satisfaction of the district official. Engineered drawings showing vertical and horizontal alignments, cross-sections, and drainage works to an approved natural outfall to be submitted to and approved by the District Official prior to commencement of any works. The common property for the access route shall be established a minimum of 15 metres in width or 3m beyond the extremities of all cuts and fills. The design drawings should be supplied to all utility companies in regards to utility locations. Copies of all test results to accompany the Engineer's certification of the construction. As-built drawings to be submitted to the Ministry upon completion of road and drainage works. A stop sign shall be installed at the intersection with the public road. Any gates to the development shall be far enough back from the public road for vehicles to clear the road and turnaround if necessary without backing onto the public road.

December 8, 2006
Brad Elenko Urban Connections

6. Road and drainage construction works to be supervised and certified as having been constructed in accordance with good engineering practice and according to acceptable Ministry of Transportation standards by a qualified Professional Engineer registered in British Columbia. Test results and as-built drawings to be submitted to the Ministry upon completion of the work. A quality management plan may be required to show how road and drainage design and construction will be assured of meeting Ministry standards.

7. Written confirmation of approval from Land and Water British Columbia Inc in regards to the proposed public road crossing of the former KVR property.

8. Provision of a detailed drainage report and runoff management plan to clearly show how the safe conveyance of all surface runoff water to a natural body of water (natural outfall) will be achieved. The report and plan must consider: the full build out of the proposed development; pre-development hydrology; uphill runoff considering potential for any further development; and the potential effect on downhill properties. The report and plan shall be prepared by a Professional Engineer certified in British Columbia and experienced in drainage engineering. Drainage system to be designed to accommodate a 1 in 10 year storm (minor system), and a 1 in 100 year storm for overland flows (major system) in accordance with all the standards outlined in Chapter 14 – Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" and the Transportation Association of Canada (TAC) standards. All required drainage works as approved by the district official shall be constructed and certified by the consulting engineer. If required, Statutory Right-of-Ways for drainage purposes are to be a minimum of 6 m in width and in a suitable location, to the satisfaction of the district official. Drainage outfall may require approvals from the Ministry of Environment. All drainage works to be supervised and certified as having been constructed in accordance with the required standards and with good engineering practice by a Professional Engineer registered in British Columbia and experienced with road construction, to the satisfaction of the district official. All proposed works to be designed and constructed in accordance with the Land Development Guidelines for the Protection of Aquatic Habitat.

9. Provision of a suitably worded covenant, registerable under Section 219 of the Land Title Act which defines the safe building area in accordance with the recommendations of the Wildstone Engineering Ltd report dated August 21, 2006. The covenant is to include building restrictions as per the report including the defined set-back line required on proposed lots 25, 35 and 36 which shall be defined by bearing and distance on a plan prepared by a B.C. Land Surveyor and certified by the consulting engineer; and the lot development specific requirement for further geotechnical investigation at the time of building. Please provide 3 complete copies of the document which is to be in favor of [1] Her Majesty the Queen in the right of the Province of British Columbia as represented by the Minister of Transportation and [2] the Regional District of Okanagan Similkameen and be registered with priority over any financial charges. The notation on the final plans must accurately reflect the named parties on the covenant document

10. Access to all lots fronting a cut or fill greater than 1.5 m to be constructed to the satisfaction of the district official prior to final approval. To ensure a safe driveway, the first 6 m is to be constructed at a right angle to the road with a maximum 2 % grade. Driveways are to be lower at the ditchline than the road shoulder to ensure surface drainage from the driveway does not flow onto the road. The driveway shall not exceed a 10 % grade or have tight curves. Parking for a minimum of 2 vehicles must be provided and no parking is permitted on the road.

It is noted that access to more than half the proposed lots appear difficult(+/-10%). Access design drawings to be submitted to and approved by the district official prior to the commencement of any work.

December 8, 2006
Brad Elenko Urban Connections

11. Written confirmation from the Regional District of Okanagan Similkameen of compliance with Section 941 of the Local Government Act, specifically the provision of parkland.

12. Explain how the recommendations of the Ecological Assessment dated July 27, 2006 will or have been appropriately considered and accommodated where possible to limit the affect on wildlife, to the satisfaction of the district official.

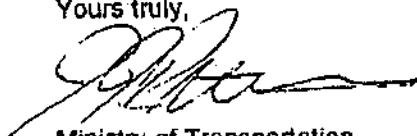
The property being subdivided is within a wildfire interface area and may be subject to a hazard of wildfire. It is therefore recommended that the owner consult the following website and review the Firesmart Manual for information about reducing the risk, www.for.gov.bc.ca/protect/ or www.partnersinprotection.ab.ca or contact the Ministry of Forests for more information. Appropriate protection measures should be implemented and maintained, and property purchasers should be advised of the risk.

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

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

If you have any questions please do not hesitate to call Joe Peterson at (250)490-8200.
(Name of Technician)

Yours truly,



Ministry of Transportation

cc: CANADA POST CORPORATION
FORTIS BC
INTERIOR HEALTH AUTHORITY
LAND AND WATER BRITISH COLUMBIA INC.
MINISTRY OF ENVIRONMENT
OKANAGAN SIMILKAMEEN REGIONAL DISTRICT
ROYAL CANADIAN MOUNTED POLICE

jip



Integrated Land Management Bureau

File: 3411345

COPY

February 16, 2007

NARAMATA BENCHLAND PROPERTIES LTD
1050 Eckhardt Ave W
Penticton, BC V2A 2C3

Dear Sir/Madam:

Re Application for Section 80 Road covering that part of Parcel A (Plan A62), Sublot 14, District Lot 2711, Similkameen Division Yale District, Plan 1190 except Plans KAP44343 and KAP72749, containing 0.10 hectares, more or less

We are pleased to approved your application for a road dedication under Section 80 of the Land Act subject to the following:

ENTERED MAR - 1 2007

1. Survey at your expense. Legal survey of the right-of-way area: 20 metres in width (10 metres either side of the centreline) or 3 metres beyond any cuts and fills, whichever is greater on this proposed road. Please submit a letter within 45 days of the date of this letter from a BC Land surveyor hired by you to complete the survey.
2. No additional fees are required.
3. You must deliver to us a Province of British Columbia Certificate of Insurance for the insurance required to be maintained under the licence. A sample certificate is enclosed. The Certificate must confirm the following:
 - You have obtained, as required under the licence, a comprehensive/commercial general liability insurance policy with a limit of \$1,000,000.00 per occurrence;
 - Her Majesty the Queen in the Right of the Province of British Columbia, is an additional insured under the policy; and
 - The policy includes cross-liability and blanket contractual liability clauses or endorsements.
4. The road must be constructed to meet the Ministry of Transportation specifications and condition of the proposed subdivision preliminary layout approval dated December 8, 2006.
5. Review the reference sites recommended by the Ministry of Environment, Ecosystem Section, pertaining to Section 4 & 5 of the Environmental Best Management Practices of Urban and Rural Land Development at <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>. Review information relating to invasive plant management also found on their web site at www.weedsbc.ca and <http://www.agf.gov.bc.ca/cropprot/weeds.htm>.

Integrated Land
Management Bureau
Ministry of
Agriculture and Lands

Regional Client Services Division
Southern Interior Region

Mailing/Location Address:
Floor 3 145 - 3rd Ave
Kamloops BC V2C 3M1
Web Address:
<http://www.al.gov.bc.ca>

Email:
Susan.Encemoan@gov.bc.ca
Telephone: 250-377-7019
Facsimile: 250-377-7038

File: 3411345

Page 2

6. To ensure that property owners within the Stonebrook subdivision are aware of the sensitivity for local use of KVR right-of-way as a recreational corridor, the strata rules shall include mention that the KVR right-of-way is not to be used for vehicular access except as authorized in their tenure agreement.
7. The crossing of the KVR right-of-way within the Stonebrook subdivision shall meet the minimum specifications and standards of the Ministry of Transportation. Responsibility for maintenance of the road crossing within the subdivision shall be permitted back to the Strata Corporation from the Ministry of Transportation.
8. There shall be no impediment to recreational users of the KVR right-of-way by the proposed crossing within the Stonebrook subdivision.
9. Proper signage shall be installed at the expense of the Stonebrook Strata Corporation to advise of the restriction to vehicular traffic along the KVR corridor.
10. Removable "bollards" or appropriate deterrent shall be installed at the expense of the Stonebrook Strata Corporation at designated locations along the KVR right-of-way to restrict vehicular access.
11. The grade at the crossing may be marginally modified provided that the overall integrity of the profile of the KVR right-of-way is not substantially altered.
12. It is acknowledged that vehicular access along the KVR right-of-way will still be required for emergency vehicles as well as Provincial and local government agencies.
13. Benchland Properties Ltd. shall submit a letter to Integrated Land Management Bureau acknowledging the termination of the outstanding "Works Permit" previously issued to Arawana Holdings Ltd under File 3406125.

If you have any questions at all, please feel free to contact Susan Engemoen at 250-377-7019.

Yours truly,



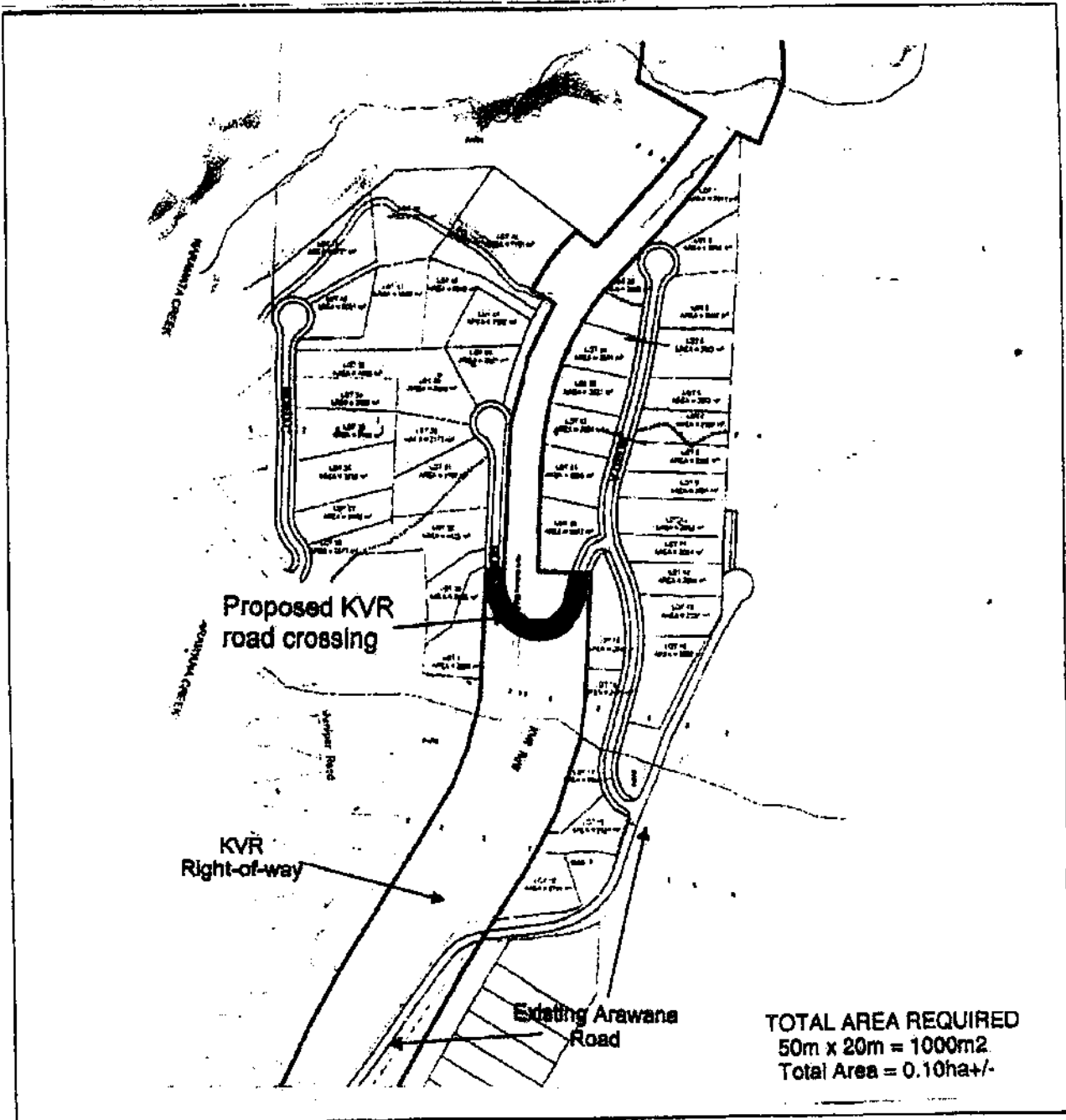
Kathy Jenkins
A/Senior Portfolio Administrator
Regional Client Services Division

ROADWAY

LEGAL DESCRIPTION SCHEDULE

File No.: 3411345
Disposition No.: 659664

That part of Parcel A (Plan A62) Sublot 14, DL 2711, SDYD, Plan 1190, except KAP _____ and KAP72749
containing
0.10 hectares more or less



TOTAL AREA REQUIRED
50m x 20m = 1000m²
Total Area = 0.10ha+/-

BCGS Mapsheet(s): 82E.053



Page _____ of _____

101 Martin Street, Penticton, British Columbia V2A 5J9

Tel: 250.492.0237 Fax: 250.492.0063

Toll Free: 877.610.3737

Email: info@rdos.bc.ca



RDOS

OKANAGAN-
SIMILKAMEEN

August 31, 2007

RDOS FILE: D 05-06834.000

MOT FILE: 17281

Naramata Benchlands Ltd.,
c/o Brad Elenko
Urban Connections
12 Dogwood Place
Osoyoos, BC V0H 1V1

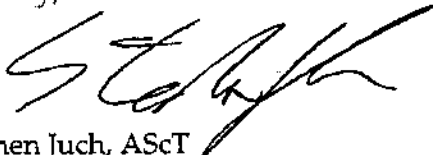
Dear Mr. Elenko:

Parkland Dedication – E 05-06834.000

The Regional District Board, at its regular meeting held June 21, 2007, resolved to accept 5% of the appraised value in lieu of park land dedication for the proposed subdivision, and that upon receipt of the funds the Regional District will notify the Ministry of Transportation that park land requirements have been satisfied.

Please submit a bank draft (guaranteed funds) made out to the Regional District of Okanagan-Similkameen (RDOS) for the amount of \$112,000.00; (being 5% of the appraised value of \$2,240,000.00). This is in accordance with provisions of the *Local Government Act*. Thank you.

Sincerely,



Stephen Juch, ASCT
Subdivision Supervisor

SJ/sje

c.c. T. Chapman, Director, Electoral Area 'E'
Ministry of Transportation

URBAN CONNECTIONS

PLANNING & DEVELOPMENT CONSULTING

October 9, 2007



#17281

Received

OCT 11 2007

102 Industrial Place
Penticton, BC V2A 7C8

Ministry of Transportation
102 Industrial Place
Penticton, B.C.
V2A 7C8

Attention: Joe Peterson, District Development Technician

Dear Mr. Peterson:

Re: Proposed Subdivision – Sublot 14, D.L. 2711, SDYD, Plan 1190 except
Plans A62, 29843, 38736, KAP44343, KAP45544, KAP46231,
KAP54137, & KAP57167
Your File – 02-008-17281

The purpose of this letter is to advise you that we are requesting minor modifications to the east and west sides of the above noted subdivision that will affect adjacent properties, and to provide you with the appropriate information to support our subdivision application amendment request.

Lands Adjacent to West Side of Slate Place

During the subdivision design process, it was noticed that there was going to be some surplus land on the west side of Slate Place that was unable to be efficiently used, resulting in either an excessively wide right-of-way, or a strip of unusable strata common property. It was realized that the best way to deal with the unusable land was to offer it to the adjacent property owners for consolidation with their lots which would allow the adjacent lots alternate access opportunities to their properties. In August, 2007 a meeting was held between Naramata Benchland Properties Ltd. and the 3 property owners adjacent to the west of Slate Place, to outline the lot line adjustment proposal. As a result of the information provided at the meeting, two of the three property owners have confirmed that they wish to be included in the subdivision / consolidation process.

To support the subdivision application amendment for the west side of Slate Place, I have enclosed the following information for the two adjacent properties that will be affected:

1. A Letter of Authorization from the two adjacent property owners.
2. Title searches for the two adjacent properties.
3. A plan that shows the proposed subdivision including the two properties that are west of Slate Place.

.../2.

Page Two
October 9, 2007
Mr. Joe Peterson

Lands Adjacent to the East Side of Proposed Lots 8 – 12.

Upon completion of a review of acceptable sites for septic fields for the lots in the subdivision, it was determined that there was going to be difficulties in providing septic field locations on proposed Lots 9, 10, and 11. In discussion with Interior Health, it was determined that septic field locations for these 3 lots could be off-site, as long as the lands on which the fields were located were owned by the strata. It has been determined that the septic fields could be located on lands adjacent to the east side of proposed lots 8 and 9, on a property that is currently owned by Naramata Benchland Properties.

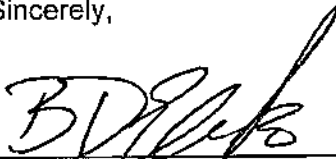
It is proposed that a strip of land be subdivided from the property adjacent to the east side of lots 8 to 12, and that the property be added to the StoneBrook subdivision and designated as common property. The narrow strip of land adjacent to lots 9, 10, 11, and 12 will be common property used for alternative access to these proposed lots.

To support the subdivision application amendment for the east side of the StoneBrook subdivision adjacent to proposed lots 8 to 12, I have enclosed the following information:

1. A copy of the correspondence provided to Stephen Pope of IHA regarding the alternative off-site septic field location.
2. A title search for the adjacent property.
3. A plan that shows the proposed subdivision including the strip of land on the east side of the subdivision that will be common property for septic field and access purposes.

I trust this information is adequate to allow us to proceed with the stated proposed amendments to the subdivision application. Please review this information and advise me if you have any questions or concerns with the information presented, or if you require additional information. Thank you for attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Brad D. Elenko, MCIP, NP
Urban Connections

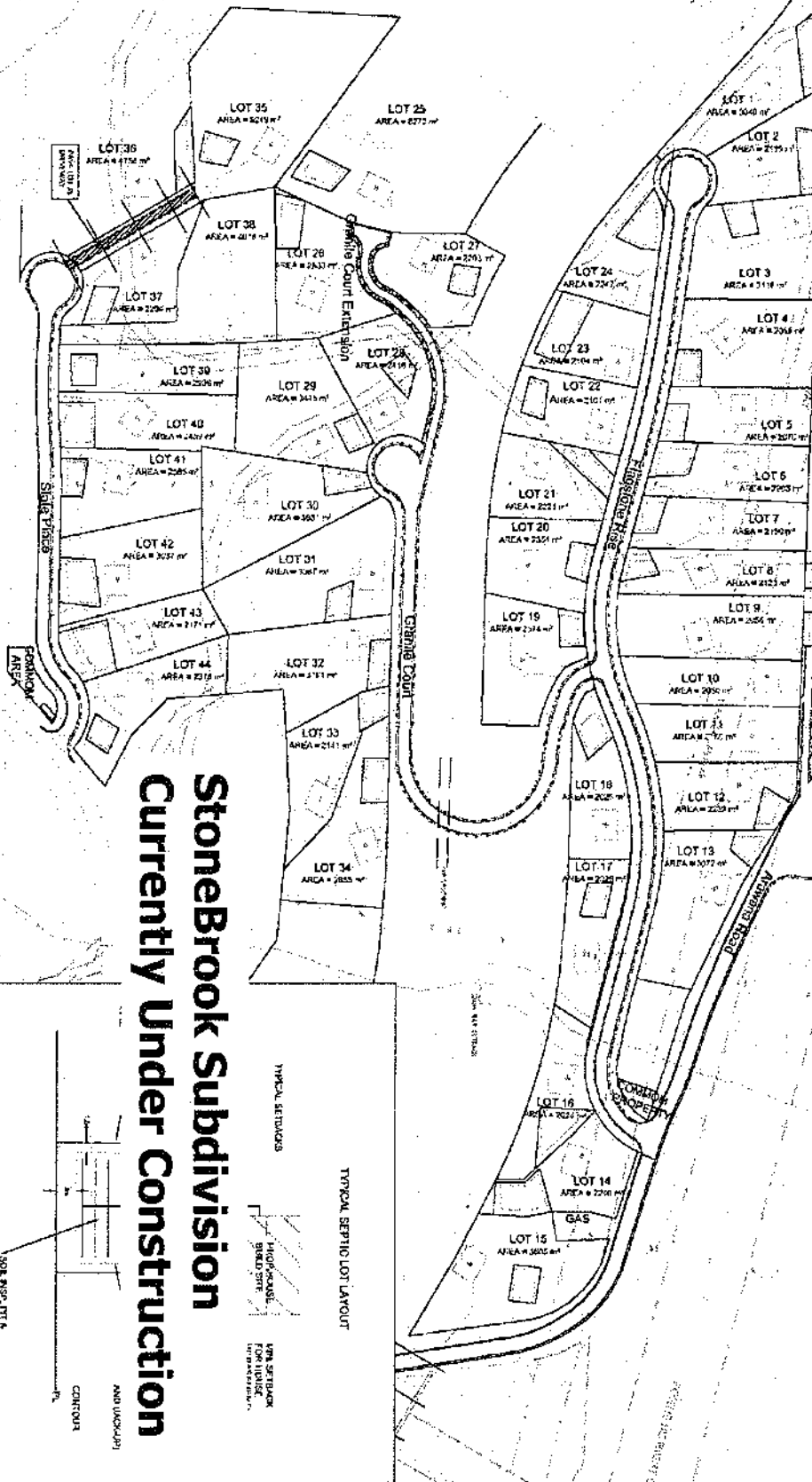
encl.

pc Bill Sparkes
Randy Kowalchuk
Wildstone Engineering
Interior Health

12 Dogwood Place, Osoyoos, British Columbia, V0H 1V1
ph 250.495.0499 fax 250.495.5181
urbanconnections@telus.net

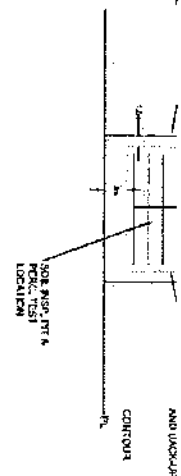
Proposed Access To Strata Road - Slate Place

Aug 1/07

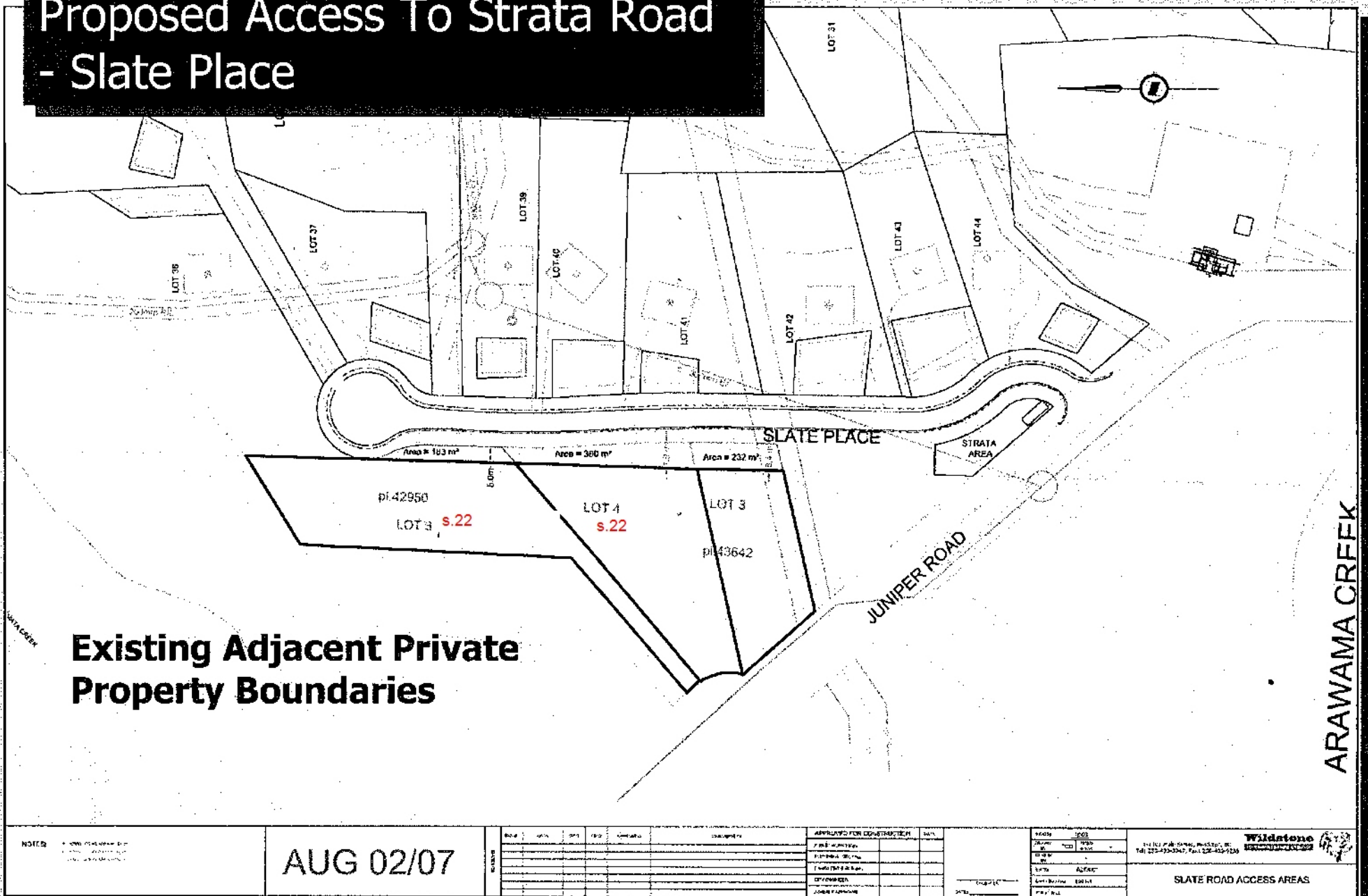


Stonebrook Subdivision Currently Under Construction

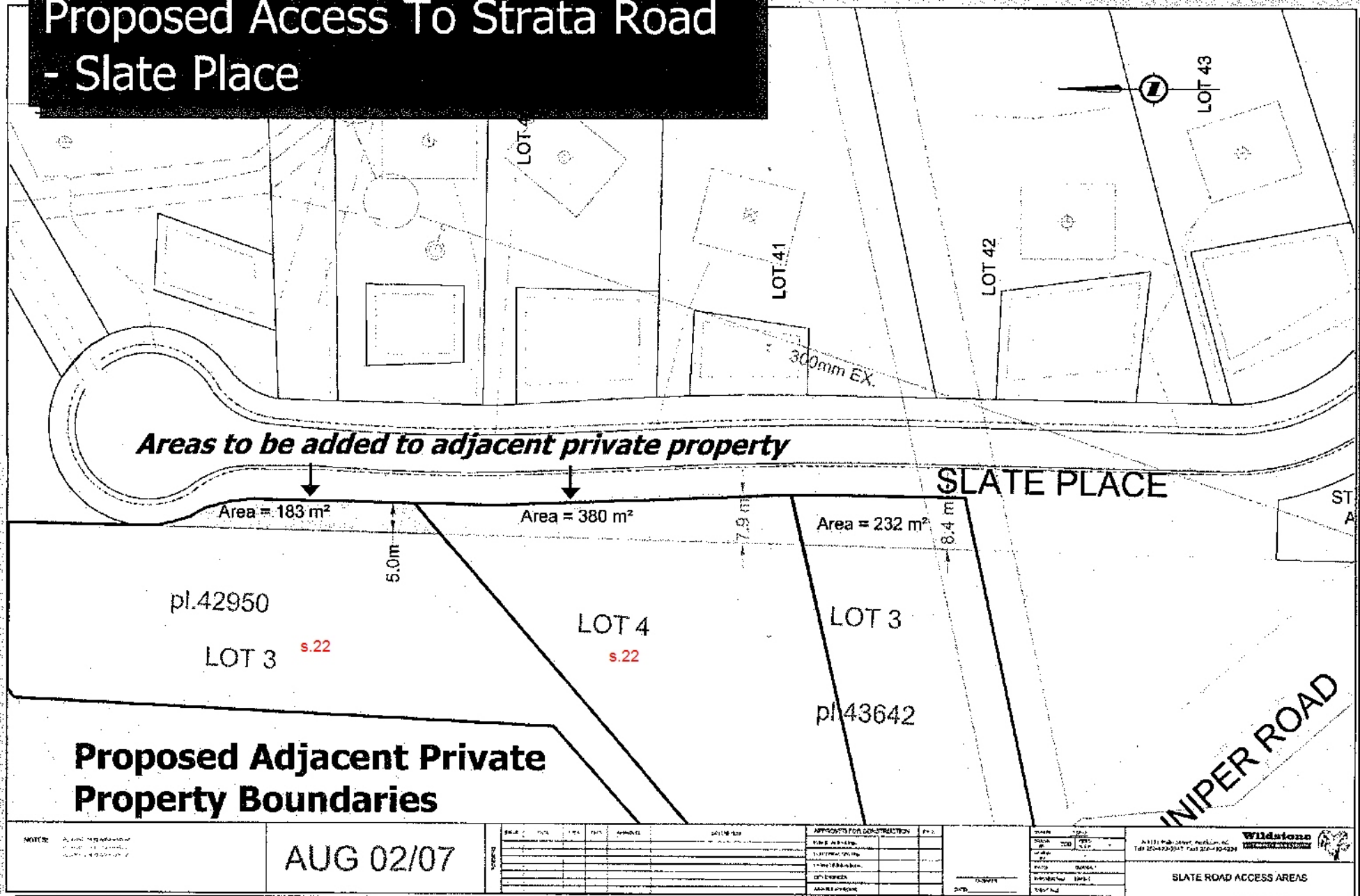
Lot	Area	Notes
1	2040	
2	2195	
3	2118	
4	2208	
5	2070	
6	2053	
7	2150	
8	2123	
9	2055	
10	2090	
11	2100	
12	2220	
13	2077	
14	2200	
15	2000	
16	2000	
17	2000	
18	2000	
19	2000	
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30	2000	
31	2000	
32	2000	
33	2000	
34	2000	
35	2000	



Proposed Access To Strata Road - Slate Place



Proposed Access To Strata Road - Slate Place



Letter of Authorization

- Lot 3, District Lot 266, Similkameen Division Yale District, Plan 42950

I, ^{s.22} owner of the above noted property which is located within the Regional District of Okanagan Similkameen, within the community of Naramata, hereby authorize Brad Elenko of Urban Connections to act on my behalf on all matters regarding the submission of a subdivision application for the above noted property.

s.22

Aug 03/2007
Date

Time: 07:39:05
Page: 001

APPLICATION FOR REGISTRATION RECEIVED ON: 20 JANUARY, 2006
ENTERED: 27 JANUARY, 2006

Page 61 of 122 TRA-2018-87960

Date: 07/10/11 TITLE SEARCH PRINT - KAMLOOPS
Requestor: (PA39822) URBAN CONNECTIONS
 TITLE - LA9673

Time: 07:39:06
Page: 002

s.22

STATUTORY RIGHT OF WAY
LB104823 2007-08-30 14:59
REGISTERED OWNER OF CHARGE:
FORTISBC INC.
LB104823
REMARKS: PART ON PLAN KAP84650

STATUTORY RIGHT OF WAY
LB104824 2007-08-30 14:59
REGISTERED OWNER OF CHARGE:
FORTISBC INC.
LB104824

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

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

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

Letter of Authorization

- Lot 4, District Lot 266, Similkameen Division Yale District, Plan 42950

We, ^{s.22} owner of the above noted property which is located within the Regional District of Okanagan Similkameen, within the community of Naramata, hereby authorize Brad Elenko of Urban Connections to act on our behalf on all matters regarding the submission of a subdivision application for the above noted property.

s.22

Aug. 13 2007
Date

Date: 07/10/11 TITLE SEARCH PRINT - KAMLOOPS
Requestor: (PA39822) URBAN CONNECTIONS
 TITLE - KD56098

Time: 07:39:49
Page: 001

KAMLOOPS LAND TITLE OFFICE TITLE NO: KD56098
 FROM TITLE NO: KD40855

APPLICATION FOR REGISTRATION RECEIVED ON: 04 JULY, 1990
 ENTERED: 05 JULY, 1990

REGISTERED OWNER IN FEE SIMPLE:
s.22

TAXATION AUTHORITY:
PENTICTON ASSESSMENT AREA

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 015-982-297
LOT 4 DISTRICT LOT 266 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 42950

LEGAL NOTATIONS: NONE

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

COVENANT
V1581 1983-01-10 13:58
REGISTERED OWNER OF CHARGE:
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
C/O MINISTRY OF TRANSPORTATION AND HIGHWAYS
V1581
REMARKS: INTER ALIA SEC 215 LTA

STATUTORY BUILDING SCHEME
KD43160 1990-05-18 12:14
REMARKS: INTER ALIA SECTION 216 LAND TITLE ACT

s.22

STATUTORY RIGHT OF WAY
LB101661 2007-08-24 10:42
REGISTERED OWNER OF CHARGE:
FORTISBC INC.
LB101661

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

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

CONTINUES ON PAGE 002

Date: 07/10/11 TITLE SEARCH PRINT - KAMLOOPS
Requestor: (PA39822) URBAN CONNECTIONS
 TITLE - KD56098

Time: 07:39:50
Page: 002

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

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

Memo

COPY

URBAN
CONNECTIONS 
PLANNING & DEVELOPMENT CONSULTING

To: Stephen Pope, Gundy Volk
Copy: Randy Kowalchuck, Jim Morrison, Tom Delameter
Date: August 1, 2007
From: Brad Elenko
Subject: Request for Offsite Septic Disposal Area

Further to my recent phone conversation with Gundy Volk, the purpose of this memo is to request that IHA allow three lots within the new StoneBrook subdivision in Naramata to be constructed with septic disposal areas on adjacent land that is owned by the developer.

StoneBrook is a 44 lot bareland strata subdivision that is being constructed on the east side of the community of Naramata, east of Juniper Road, north of Arawana Road and located on both sides of the KVR trail. On-site septic disposal areas have been confirmed by an Engineer on 41 of the lots, but on three of the lots on the upper elevation portions of the property, on-site septic disposal areas can not be provided due to bedrock.

The three lots are located on the eastern side of the proposed residential subdivision, and due to topography in the area, physical access to the three lots will be provided via a private driveway on the adjacent east property. The lands on which the private driveway will be located are owned by the developer of the StoneBrook subdivision, and the developer has indicated that the private driveway will be protected for the benefit of the three property owners by an access easement that will allow the three properties to use the driveway for access purposes in perpetuity, and a covenant could be registered that would restrict the use of the driveway area to only access for the three adjacent property owners.

As noted on the attached drawing, the area of the three proposed engineered septic disposal areas is located immediately north of the private driveway. It is proposed that the area for the three septic disposal areas would be protected by an easement to allow access to the area for construction and maintenance of the septic disposal areas as well as a covenant to restrict the use of the property to septic disposal areas for the adjacent three lots. To ensure the delineation and protection of the three proposed septic disposal areas, the lands could be enclosed by a fence to ensure the areas are physically protected and maintained for the sole purpose of septic disposal for the three adjacent lots.

The methods proposed to protect the areas for exclusive septic field disposal use will provide each of the three private property owners the same perpetual rights and privileges for the use of the lands for septic disposal use as would ownership of the property.

Due to the location of the proposed private driveway to serve the three lots, the topography of the lands adjacent to the east side of the three lots, and the location and consolidated nature of the three proposed septic disposal areas, contiguous attachment of each individual septic disposal area may not be possible.

Please consider the extenuating circumstances in this situation and based on the fact that the lands to be used for septic disposal will be protected for the exclusive use for septic disposal, please provide approval of our request to have three septic disposal areas located on adjacent private land protected by an easement and a covenant.

Provided below is a plan which shows the entire StoneBrook subdivision as well as a plan which specifically shows the three lots which can not accommodate on-site septic disposal and the proposed septic disposal areas on the adjacent property which is also owned by the developer of the StoneBrook subdivision.

Time is of the essence in this situation as construction of the subdivision is underway. I believe it would be very beneficial if you were able to meet with me, the developer / adjacent property owner, and the engineer at your earliest possible convenience, so we can further explain our proposal.

Thank you very much for your time and consideration. We look forward to communicating with you in the very near future to resolve this matter.

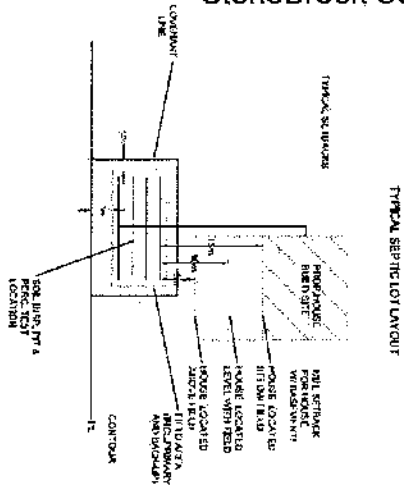
Regards,

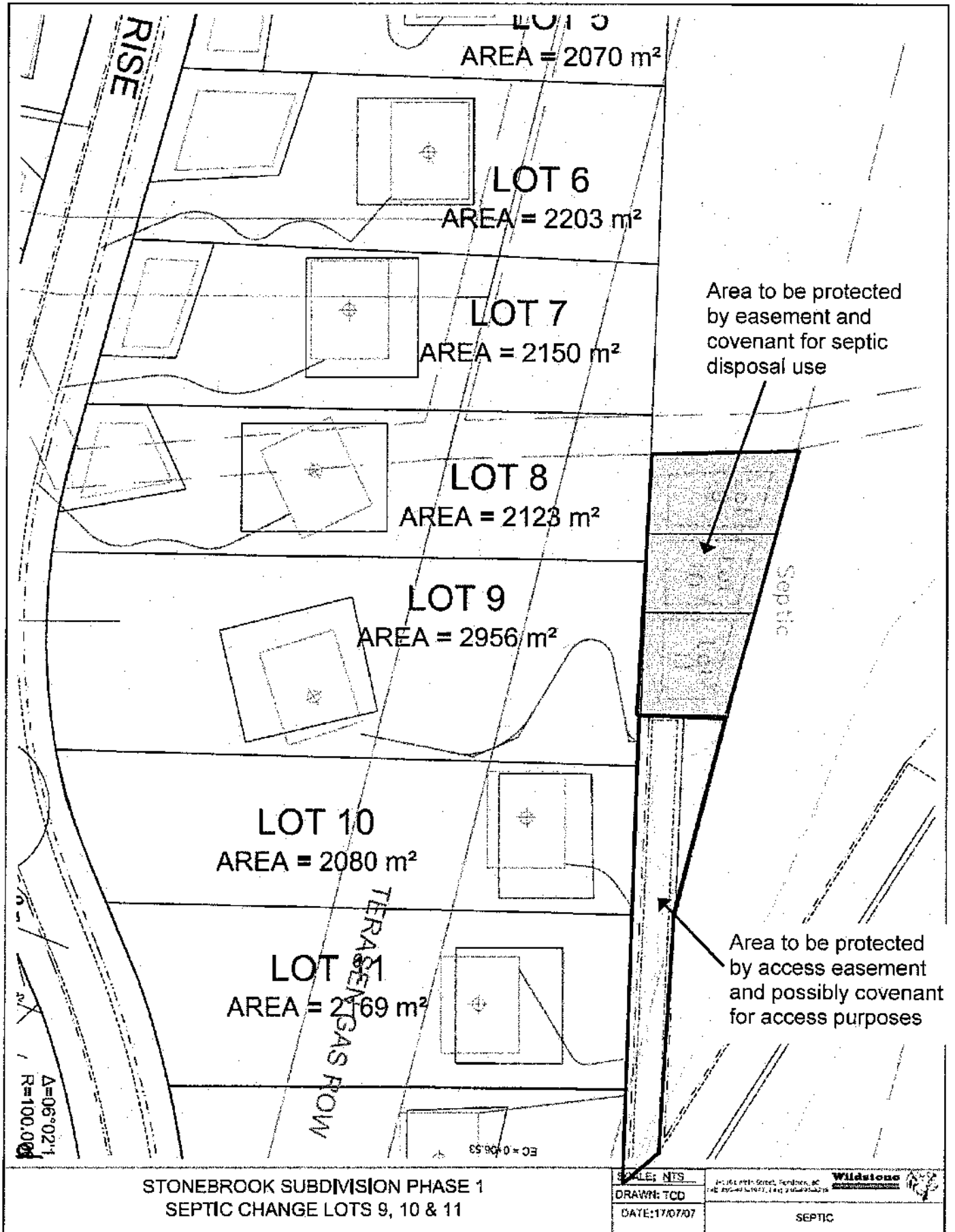
Brad D. Elenko

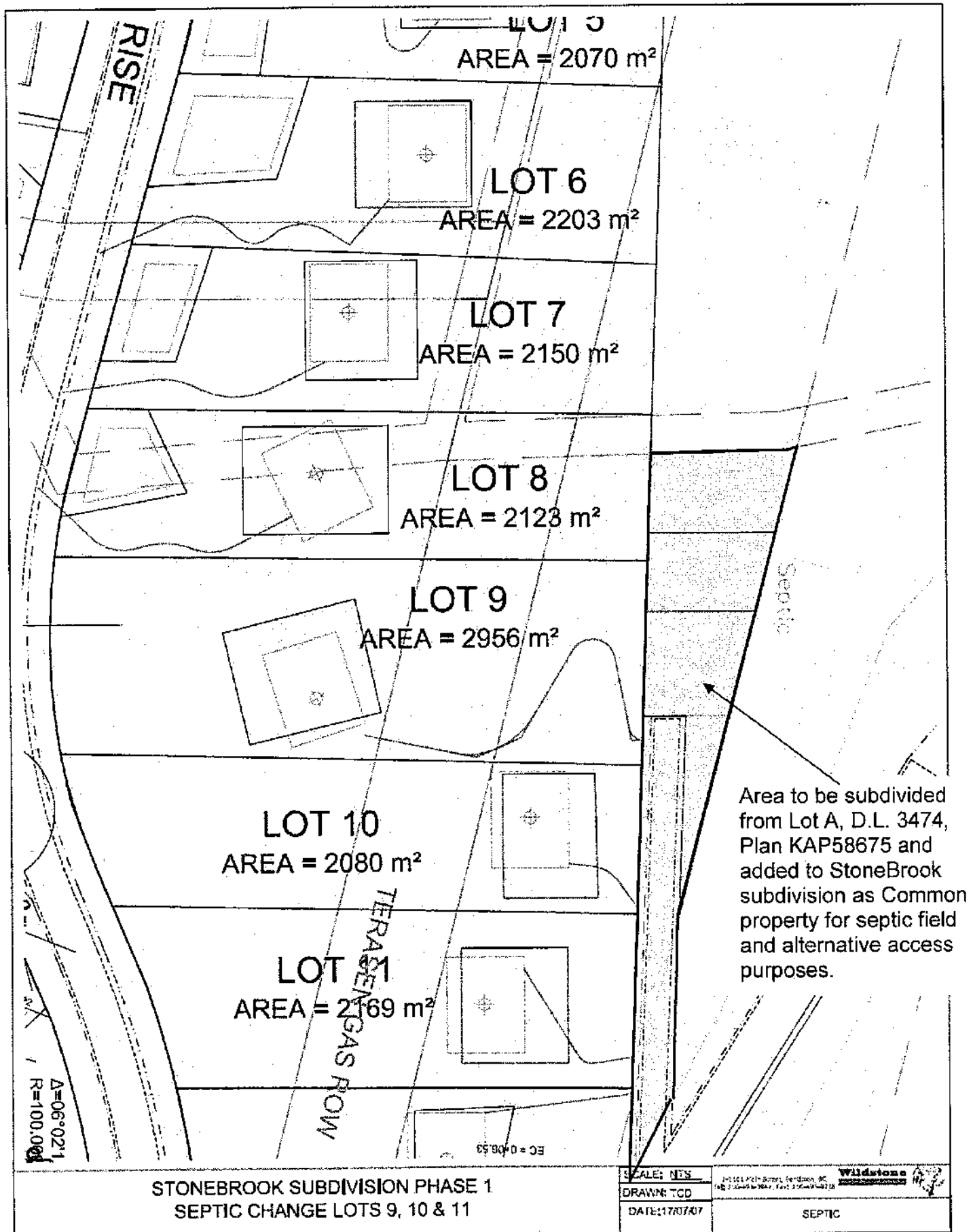
Brad D. Elenko, MCIP, NP
Urban Connections
Agent for Naramata Berichland Properties Ltd

[illegible]

Subject Area within
StoneBrook Subdivision







Peterson, Joe J TRAN:EX

From: Peterson, Joe J TRAN:EX
Sent: Thursday, September 27, 2007 11:09 AM
To: Newland, Nancy TRAN:EX
Cc: Sparkes, Bill TRAN:EX
Subject: FW: Transfer of Arawana FSR to MOT
Attachments: P44343.tif

Morning Nancy,

See the following information from ILMB regarding the portion of Forest Service Road crossing the Kettle Valley Railway right of way, previously Crown Land.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

From: Hare, Alan P ILMB:EX
Sent: Thursday, September 27, 2007 10:51 AM
To: Peterson, Joe J TRAN:EX
Cc: MacLennan, Neil ILMB:EX
Subject: FW: Transfer of Arawana FSR to MOT

Hi Joe, my supervisor has looked into this situation and doesn't see a problem from our perspective. Why don't you forward this on to your people as they may have to contact the Surveyor General's Office. Thanks!

Al Hare
Land Officer
Regional Client Services Division
Integrated Land Management Bureau
Ministry of Agriculture and Lands
Tel 250 490-8231 Fax 250 490-2231

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

From: MacLennan, Neil ILMB:EX
Sent: September 27, 2007 10:35 AM
To: Hare, Alan P ILMB:EX
Subject: RE: Transfer of Arawana FSR to MOT

I'm not sure what the problem might be in this case.

The FSR was surveyed in 1990 and is shown on Plan KAP44343 (copy attached). That plan was registered shortly after the Province acquired this part of the KVR from CP and is shown as an exclusion on the present title (Title #KV15224, PID 004-239-563). My interpretation would be that the land within Plan KAP44343 is not under

the jurisdiction of our agency and that we would have no concern with a change in administration from MOFR to MOT.

If MOT requires additional Crown land for road purposes, I'm not sure what process would be followed. That might be an issue best discussed with staff at the Surveyor General's office.

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

From: Hare, Alan P ILMB:EX

Sent: September 26, 2007 2:54 PM

To: MacLennan, Neil ILMB:EX

Cc: Johnson, Jerry ILMB:EX

Subject: Transfer of Arawana FSR to MOT

Hi Neil, I've attached some information from Joe Peterson which was an attempt by MOF to transfer a portion of Arawana FSR to MOT to accommodate the Stonebridge Subdivision which Brad Elenko has been working on. Joe has advised that MOT legal people can't make the transfer, I assume because a portion of the road crosses KVR R/W which we own.

Joe is looking for the easiest way for MOT to take ownership of the road. Would it be possible to accommodate this request by email exchange rather than formal application?

Al Hare

Land Officer

Regional Client Services Division

Integrated Land Management Bureau

Ministry of Agriculture and Lands

Tel 250 490-8231 Fax 250 490-2231

Sparkes, Bill TRAN:EX

From: Urban Connections [belenko@telus.net]
Sent: April 3, 2008 3:22 PM
To: Sparkes, Bill TRAN:EX
Cc: 'Randy'; 'Derek Blaszak'
Subject: RE: Naramata Benchland Plans
Attachments: Access Easment documents - Natures Trust - Private Property.pdf; No Build Covenant - Natures Trust Property.pdf; Letter from The Natures Trust - November 7 2007.pdf; Letter of Undertaking to MoT - April 3, 2008.pdf

Bill,

In response to your questions and requests, I offer the following information:

Fee Simple Plan

1. Copy of proposed easement document is attached for your information.
2. Copy of No Build Covenant over proposed Lot 2 is attached for your information.
3. Letter of Undertaking that No Build Covenant will be deposited with subdivision plans.
4. A copy of letter from the Doug Walker, CEO of The Natures Trust of British Columbia, confirming that Natures Trust will accept the gift of the land (proposed lot 2) from Naramata Benchland Properties Ltd. is attached for your information.
5. As you have indicated, please proceed to make the necessary wording changes you feel are necessary regarding the access by easement for proposed Lot 2.

Please call me so we can discuss what you need regarding "confirmation that the easement is usable for appropriate access" Access to the site will be almost exclusively by foot (pedestrian) unless some equipment is needed in the gully for repair or maintenance, so I am not sure what exactly you are looking for.

Strata Plan

1. As you have indicated, please proceed to make the necessary changes you feel are necessary to the strata plan notations.

I trust this information is to your satisfaction, however should you have any questions, please do not hesitate to contact me. As I noted to you yesterday, we are hopeful that you are able to sign the plans tomorrow early enough in the day to allow us to have the plans to be sent out to the Surveyor General tomorrow afternoon.

Bill, as I noted above, I am not sure what you are looking for in terms of "confirmation that the easement is usable for appropriate access" The access will be almost exclusively for pedestrian use, with only a faint possibility of the need for equipment to enter the site from this location for maintenance or repair purposes. The primary access to this property by the public will be the physical access from the KVR. Please contact me so I can get you the information that you are looking for or verbalize this information for you over the phone.

Thank you Bill for your attention to this matter.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

250.495.0499 ph
250.495.0489 fax
urbanconnections@telus.net

belenko@notaries.bc.ca

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From: Sparkes, Bill TRAN:EX [mailto:Bill.Sparkes@gov.bc.ca]
Sent: Wednesday, April 02, 2008 5:00 PM
To: Urban Connections
Subject: RE: Naramata Benchland Plans

Thanks Brad, I think we can get this finished soon.

1. For the fee simple Lot 2 please provide to following:
 - confirmation that the easement is usable for appropriate access.
 - a copy of the proposed access easement document
 - a no build covenant for all of Lot 2 - a letter of undertaking to register the covenant will be accepted in place of another plan notation
 - written confirmation that Lot 2 will be transferred to Natures Trust - something from Natures Trust, a copy of the agreement, or ?

2. For an access by easement only approval the standard plan notation wording is:

APPROVED UNDER THE LAND TITLE ACT, THIS ____ DAY OF ____ 200____,
SEE B.C. REG. 334/9, S.9 - ACCESS TO LOT 2 BEING BY EASEMENT ONLY

APPROVING OFFICER FOR THE MINISTRY OF TRANSPORTATION

If you do not want to change it, I may just add to the notation: Access to Lot 2 by easement only.

For the strata plan: Derek says he will cross off part of the plan notation or I can.

With the geotechnical report forming part of the covenant, I will accept the covenant as proposed.

I am in Kelowna all day Thursday but back in Penticton on Friday.

Bill

From: Urban Connections [mailto:belenko@telus.net]
Sent: April 2, 2008 8:09 AM
To: Sparkes, Bill TRAN:EX
Cc: 'Randy'
Subject: RE: Naramata Benchland Plans

Bill,

Thank you for your email. I offer the following comments / responses to your questions:

Fee Simple Plan

1. The Regional District decided they did not want proposed Lot 2 for Park approximately 6 to months ago, and as such, we decided to provide the land to Natures Trust. The land will be transferred to Natures Trust once the new title is raised. An easement document has been prepared which grants the Natures Trust land access over the area noted as "Access Easement" over proposed Lot 1. I believe you and Derek of McElhanney had discussed the access issue to the hooked portion of proposed Lot 2, and the decision was that the southern hooked portion of proposed lot 2 would have access by virtue of the access provided to the northern portion of proposed Lot 2. Natures Trust has no intention to build a home on the proposed Lot 2, and NBL is not interested in having Natures Trust have a house on the land that is being donated to them. We would be prepared to provide a covenant that prohibits the construction of a house on the lot. No septic or services are required to either portion of proposed lot 2 as the lot is designed for nature preservation.
2. In terms of the BC Reg. 334/79, I will contact Derek at McElhanney to find out what the problem may be with this notation.
3. I dropped off a \$450.00 application fee for the Fee Simple subdivision in the MoT office in Penticton on Tuesday afternoon.

The decision to not have park was made by the RDOS approx. 6 months ago and right after that decision was made Natures Trust consented to be the recipient of the lands. The lands will in essence be park as the Natures Trust will allow public access to the lands. The RDOS is well aware of this proposal and in fact it was Stephen Juch who brought the Natures Trust executives to the site for a site visit. The RDOS has provided you with a letter advising that everything is fine with the zoning.

Bare Land Strata

1. In terms of the plan notation for the septic disposal covenant, Derek has advised that the notation is fine.
2. In terms of the Geotech Covenant, the covenant requires that a site specific geotechnical assessment be prepared for each lot noted in Wildstone's original geotech report. This is better than designating a no build area, as every building site on the effected lots must have a site specific geotech assessment prepared to ensure the building site is safe. The reference of S82 has been replaced with S86. I have included a signature block for the Approving Officer in the Covenant. I have sent this covenant to Kamloops for review and I have been advised that the way we have structured the covenant with the attached geotech report will be acceptable and registerable.

Bill, I have attached a copy of the revised Geotech covenant for your review. I believe we have addressed all of your questions and concerns, so please at your earliest convenience sign the subdivision plans. Please call me so we can discuss this information. Thank you Bill for attention to this matter.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

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belenko@notaries.bc.ca

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and any attachments without reading the attachments. Any dissemination, distribution or copying of this communication by anyone other than the intended recipient is strictly prohibited. Thank you.

From: Sparkes, Bill TRAN:EX [mailto:Bill.Sparkes@gov.bc.ca]
Sent: Monday, March 31, 2008 4:13 PM
To: Urban Connections: Brad Elenko
Cc: Peterson, Joe J TRAN:EX
Subject: Naramata Benchland Plans

March 31, 2008

Our file: 2-8-17281

Brad, I am reviewing all the information and plans provided for this project and there are some items that I have a concern with:

For the fee simple plan to be registered first:

1. Proposed Lot 2 was originally proposed as park. It is now proposed as a separate fee simple lot which will not be part of the bare land strata plan. If approved as a separate fee simple lot, it will have a separate title and is subject to all requirements of any other lot. How is access proposed to it? I note the plan shows a proposed easement at the extreme western corner of the northern part of the proposed lot. Is this intended for access, drainage, or something else? I do not have a copy of the proposed easement. If the easement is proposed for access, is it usable for access? It appears this easement is not for access as the land is too steep. How do you get to the southern part of proposed Lot 1? This proposed Lot 1 is subject to geotechnical hazards however I do not see a proven building site or proposed covenant to restrict building in the identified hazard areas.

2. There is a plan notation regarding "access pursuant to BC Reg. 334/79" however the notation does not specify by what method is proposed, please clarify.

3. I do not have a record of final approval fees being paid for this 4 lot fee simple plan (\$450)

This plan is different from what was applied for with no parkland proposed but another lot instead. I do not know if septic disposal is adequate on the lot, or if it meets zoning bylaws, or can be provided with services. What is the purpose of this lot?

For the bare land strata plan:

1. The covenant for specific septic disposal areas is acceptable however the plan notation is incorrect. The plan notation incorrectly includes the Provincial Ministry of Health and needs to only state the Interior Health Authority as per the document.

2. The geotech covenant does not include a plan defining the no building areas as outlined as a requirement in the preliminary layout approval. In addition, the document incorrectly refers to Section 82 of the Land Title Act (page 4, item C.) which related to flood issues, but was repealed (the related section is 86). The covenant has no signing block at the end for my signature. The inclusion of the geotech report in the document is a practice I encourage and completely agree with however you may want to check with the Land Title Office for acceptability.

Bill Sparkes, AScT
Provincial Approving Officer
Okanagan Shuswap District

Sparkes, Bill TRAN:EX

From: Urban Connections [belenko@telus.net]
Sent: April 3, 2008 5:22 PM
To: Sparkes, Bill TRAN:EX
Cc: 'Stephen Juch'; 'Randy'; Hare, Alan P ILMB:EX
Subject: Release of Charges
Attachments: Release - Covenant X214731.pdf; Release - Covenant X254066.pdf; Correspondence re discharge of MoE covenant.pdf

Bill,

While you are reviewing and approving the subdivision plans for Naramata Benchland Properties' subdivision, we would also like you sign two releases to allow two unnecessary charges to be removed from proposed Lot 1 and existing Lot A, Plan 38736.

The charge to be released from proposed Lot 1 is related to construction regulations from Naramata and Arawana Creek. No part of Naramata Creek will be on proposed Lot 1 and only a small portion of Arawana Creek will be on proposed Lot 1. Construction regulations pertaining to the portion of Arawana Creek that is on proposed Lot 1 has been dealt with by the RAR Assessment that was completed, filed and approved by DFO, MoE and the RDOS. This charge is redundant and serves no purpose, and should be removed from the title. There was some discussion about who needed to sign this release, and between the RDOS, Al Hare and Brian Symonds, it was determined that the provincial Approving Officer is the person who would sign the release. I have attached a pdf of the correspondence between myself, the RDOS, Al Hare, and Brian Symonds for your information. Stephen Juch of the RDOS will be in contact with you tomorrow to confirm the RDOS's consent to the release.

The charge to be released from Lot A, Plan 38736 is related to the historic desire to have the panhandle portion of Lot A preserved and maintained for access purposes. As the entire is now being developed, this covenant is redundant and needs to be released from the title.

Could you please sign two copies these two releases when you sign the subdivision plans, and provide the executed releases back to us with the signed subdivision plans.

Thank you Bill for your attention to this matter. I'll be in contact with you tomorrow.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

250.495.0499 ph
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urbanconnections@telus.net
belenko@notaries.bc.ca

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Stephen Juch

From: Urban Connections [belenko@telus.net]
Sent: February 13, 2008 1:29 PM
To: 'Hare, Alan P ILMB:EX'
Cc: Stephen Juch
Subject: RE:

Al,

Thank you very much for the clarification. I will proceed to obtain a letter of authorization from the RDOS indicating that they approve of the release of the flood plain covenant, and then have the RDOS forward this letter to the MoT Approving Officer so the Approving Officer could sign the Form C release documents.

Thanks again Al for the clarification. I learned something today!

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

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belenko@notaries.bc.ca

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From: Hare, Alan P ILMB:EX [mailto:Al.Hare@gov.bc.ca]
Sent: Wednesday, February 13, 2008 1:18 PM
To: Urban Connections
Subject: FW:

Hi Brad, I'm forwarding for clarification of our discussion.

Al Hare
Land Officer
Regional Client Services Division
Integrated Land Management Bureau
Ministry of Agriculture and Lands
Tel 250 490-8231 Fax 250 490-2231

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

From: Symonds, Brian ENV:EX
Sent: February 13, 2008 1:12 PM
To: Hare, Alan P ILMB:EX
Cc: 'sjuch@rdos.bc.ca'
Subject: RE:

Alan,

This will require signoff by the Approving Officer. If the Approving Officer for a given area is employed by the local government then they would signoff the covenant, otherwise it is MoT.

Brian Symonds
Director
Regional Operations
Water Stewardship Division
Ministry of Environment
Tel: (250) 490-8255 Fax: (250) 490-2231

From: Hare, Alan P ILMB:EX
Sent: Wednesday, February 13, 2008 8:48 AM
To: Symonds, Brian ENV:EX
Cc: 'sjuch@rdos.bc.ca'
Subject: FW:

Hi Brian, Brad Elenko is trying to clean up some titles involving the Stonebrook subdivision in Naramata and the floodplain covenants are involved. I had a call from Steven Juch, RDOS, this morning questioning whether the Approving Officer which is MOT shouldn't be the sign off.

It is my understanding that when the legislation changed around 2003 that local government became responsible for the floodplain management regulations and RDOS in this instance would therefore be the signing authority.

Can you confirm that this information is correct for Steven. Thanks!

Al Hare
Land Officer
Regional Client Services Division
Integrated Land Management Bureau
Ministry of Agriculture and Lands
Tel 250 490-8231 Fax 250 490-2231

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

From: Urban Connections [mailto:belenko@telus.net]
Sent: February 13, 2008 7:30 AM
To: 'Stephen Juch'
Cc: Hare, Alan P ILMB:EX; 'Randy'
Subject:

Stephen,

I have contacted Al Hare regarding the flood plain covenant that is on Sublot 14, and he advised me that as of 2003, the RDOS was given the responsibility that these matters, and as such the RDOS would sign the release of the flood plain covenant. I will proceed to prepare the release documents for this covenant in anticipation of the RDOS signing the release. Thank you for your attention to this matter.

Regards,

Brad D. Elenko, MCIP, NP

04/01/2008

Page 83 of 122 TRA-2018-87960

Urban Connections / Elenko Notary Public

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belenko@notaries.bc.ca

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April 4, 2008

Our File: 2-8-17281

Your File:

Urban Connections
P.O. Box 313
Suite 100 – 8305 68th Avenue
Osoyoos, British Columbia
V0H 1V0

Attention: Brad Elenko

Re: Subdivision Plans – Naramata Benchlands – Arawana Road

The final plans for the above noted proposal are herewith returned duly signed and approved by the Approving Officer. The following documents are returned:

1. 3 mylar fee simple subdivision plans and paper prints
2. 3 mylar bare land strata subdivision plans and paper prints
3. related paper prints of easement and covenant plans
4. 3 covenant documents for septic disposal areas
5. 3 covenant documents for geotechnical issues
6. Release document for covenant X254066

The paper prints of the bare land strata plan have not been signed due to the incorrect covenant notation in regards to the septic disposal covenant. The mylar bare land strata plan covenant notation has been modified by crossing out the Province of BC/Ministry of Health as they do not represent the Interior Health Authority and the notation needs to match the document. The plan notation implies there are 3 covenants being registered with the plan however there are only two that I am aware of.

For the fee simple plan, this approval is based on your undertaking to register the no build covenant with the plan and the transfer of Lot 2 to the Natures Trust for habitat conservation purposes. I added to the plan notation regarding the access by easement, for clarity and in keeping with our standard notation for this.

... 2

Ministry of
Transportation

Okanagan Shuswap District
Southern Interior Region

Mailing Address:
102 Industrial Place
Penticton, BC V2A 7C8

Telephone: (250) 490-8200
Facsimile: (250) 490-2231
Web Address:
www.gov.bc.ca/tran

Development Approvals Website: http://www.gov.bc.ca/Development_Approvals/home.htm

Permits Website: <http://www.th.gov.bc.ca/permits/>
Urban Naramata.doc

H:\data\final letters\Penticton\new final Penticton

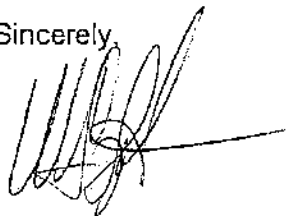
Page 85 of 122 TRA-2018-87960

Once the plans are registered and the strata corporation is formed, please ensure they apply to this office for a permit to use and maintain a portion of their strata road, within the road dedicated by these plans, to get across the former railway (KVR).

In regards to your proposed release of the existing 'flood' covenant as you have found out, 'flood' covenants require my signature for release pursuant to the Land Title Act Section 219 (9.1) and (9.2). 'Flood' covenants usually include the regional district as a transferee and therefore they would also need to approve the release. If the new lot is beyond the restrictions of the covenant as you say Lot 1 will be in regard to Naramata Creek, it is appropriate to release the covenant from Lot 1 however the restrictions of Arawana Creek will still affect part of Lot 1. This will need to remain in effect - at least on the proposed strata lots affected by the covenant restrictions. The RAR assessment and related restrictions do not relate to the potential flood hazard and therefore the RAR requirements do not eliminate any restrictions required due to a potential risk of flood. If you propose a new covenant to include both the flood hazard restrictions and any RAR restriction, I am prepared to look at it however I do not see the benefit in that. If you want to pursue the removal of the flood covenant from the strata lots that are beyond the covenant restrictions please provide proof of which lots are and are not affected.

It will be necessary to register the plans with the Kamloops Land Titles Office within 2 months of this Ministry's approval to avoid the need for reapprovals and reapproval fees. Should you have any questions I can be reached most days at 488-0121 or contact our Penticton office.

Sincerely,

A handwritten signature in black ink, appearing to be 'W. G. Sparkes', with a long horizontal line extending to the right.

W. G. (Bill) Sparkes, ASCT
Provincial Approving Officer
Enclose

Peterson, Joe J TRAN:EX

From: Peterson, Joe J TRAN:EX
Sent: Friday, April 25, 2008 8:21 AM
To: 'Urban Connections'
Subject: RE:

Morning Brad,

Thanks for the update.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

From: Urban Connections [mailto:belenko@telus.net]
Sent: Friday, April 25, 2008 8:13 AM
To: Peterson, Joe J TRAN:EX
Subject: FW:

Joe,

Please see the following email regarding the delivery of the StoneBrook subdivision plans and documents to Kamloops for registration. The email address that I used for you bounced the email back to me so I'm sending you a separate (special) email.

Have a good weekend Joe.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

250.495.0499 ph
250.495.0489 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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From: Urban Connections [mailto:belenko@telus.net]
Sent: Friday, April 25, 2008 8:06 AM

To: 'Chris Harp'; 'Jim Morrison'; 'Tom Dellamater'; 'Jodie'; 'mike@pearcetaylor.com'; 'Stephen Juch'; 'Derek Blaszak'; 'Sparkes, Bill TRAN:EX'; 'Joe.Petersen@gov.bc.ca'
Cc: 'Randy'
Subject:

Good morning everyone.

I wanted to advise everyone that has been involved in the StoneBrook subdivision that all of the required plans and document have been sent to Kamloops for registration in the LTSA office. With any luck we should have new titles raised for the 44 strata lots within a week to 10 days. If anyone has any questions, please do not hesitate to contact me.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

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belenko@notaries.bc.ca

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February 5, 2008

Regional District of Okanagan Similkameen
101 Martin Street
Penticton, B.C.
V2A 5J9

Attention: Stephen Juch, Subdivision Supervisor

Dear Mr. Juch:

Re: Release of Charges from StoneBrook Subdivision Lands

As we are preparing for the deposit of the StoneBrook subdivision plans for registration, we note that there are a number of charges on the titles of two of the parent parcels for this subdivision that we feel could be discharged either because they simply do not apply to the lands or the charges are or will be redundant after the subdivision. It is much easier and more cost effective to have the unnecessary charges removed from the parent parcels prior to subdivision than removing the charges from 44 titles after subdivision, so your cooperation in this matter would be greatly appreciated. I have listed below the charges that we are requesting be removed from the titles of Sublot 14, and Lot A, Plan 38736.

Covenant X214731 In favour of RDOS and MoE

This covenant states that no construction within 15 metres of Naramata Creek and Arawana Creek shall occur, and that construction must be 1.5 metres above natural boundary of the creeks. This covenant was placed on the property prior to the provincial flood protection standards were implemented. The zoning bylaw and the requirement for an RAR assessment duplicates the flood protection and setback requirements outlined in the covenant. As such, the covenant serves no purpose as the covenant requirements are addressed in the zoning bylaw and through the requirements of an RAR assessment if development is to occur within 100 metres of these two creeks. We respectfully request that the release of this covenant be prepared and deposited concurrently with the subdivision plan so the covenant does not appear on all 44 of the titles in the subdivision.

Covenant KW114023 and Covenant KX41990 In favour of RDOS

Although you noted in your January 31, 2008 letter that these covenants would be released once the water system and reservoir has been completed and approved by the RDOS, we believe that the security that the RDOS has obtained from Naramata Benchland Properties is sufficient to complete the required works, and therefore the covenants could be removed from the two titles at this time with no risk to the RDOS, as there are numerous methods to ensure the content of the covenants are adhered to. We respectfully request that the release of this covenant be prepared and deposited concurrently with the subdivision plan so the covenant does not appear on all 44 of the titles in the subdivision.

.../2.

Page Two
February 5, 2006
Stephen Juch

Covenant LA88314 In favour of RDOS

This covenant is the covenant that was required to be registered on Sublot 14 prior to the water district boundary being extended. The covenant obligates Naramata Benchland Properties to do certain things and pay certain fees and charges. All of the requirements outlined in the covenant have been met and the appropriate security has been provided to the RDOS, so the covenant now has no need to be on the property. We respectfully request that the release of this covenant be prepared and deposited concurrently with the subdivision plan so the covenant does not appear on all 44 of the titles in the subdivision.

Statutory Right of Way KC83636 In favour of Naramata Irrigation District

This SROW and the accompanying plan 41901 do not enter onto Sublot 14 and therefore it must be removed from the title as it has no relevance to the property.

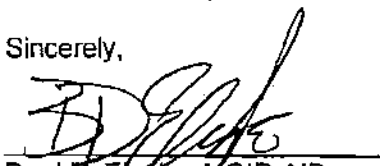
Covenant X254066 In favour of RDOS and MOT

The purpose of this covenant was to protect the panhandle portion of the Lot A, Plan 38736 for road / access purposes. The proposed subdivision will do exactly as the covenant requires, and will therefore be redundant once the subdivision plan is registered. We respectfully request that the release of this covenant be prepared and deposited concurrently with the subdivision plan so the covenant does not appear on any of the titles in the subdivision.

As I believe you have copies of covenants KW114023, KX41990, and LA88314, I have provided for your convenience a copy of covenant X214731 and X254066 and SROW KC883636.

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

Sincerely,



Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

attach.

pc Joe Peterson, MoT
Randy Kowalchuk, Naramata Benchland Property Limited
Alvin Hemmingson, McElhanney Surveyors
Tom Dellamater, Wildstone Engineering

Box 313, 100 - 8305 68th Avenue, Osoyoos, British Columbia, V0H 1V0
ph 250.495.0499 fax 250.495.0489
urbanconnections@telus.net

Benke, Mitch TRAN:EX

From: Urban Connections [belenko@telus.net]
Sent: Tuesday, January 15, 2008 11:32 AM
To: Benke, Mitch TRAN:EX; Peterson, Joe J TRAN:EX
Cc: 'Randy'; 'Tom Dellamater'; jmor@wildstone.com; Sparkes, Bill TRAN:EX
Subject: RE: Irrevocable Line of Credit (ILOC)
Attachments: PDF Servicing Agreement Appendix A.pdf

Mitch / Joe,

I have provided for your review and approval a list of the MoT unconstructed works and services on Arawana Road. You will note from the attached information (page 3 and 4) that the value of the unconstructed works and services on Arawana Road is \$125,889.00. This information was prepared by Wildstone Engineering and was certified by Jim Morrison P.Eng. We are prepared to provide MoT with an Irrevocable Letter of Credit in the amount of \$188,835.50 which is 150% of the estimated value of the unconstructed works and services. Please confirm in writing (email) that MoT will accept our LoC in the amount of \$188,835.50. If there is anything else that MoT requires to be submitted with the LoC, please advise me accordingly.

Thank you for your attention to this matter.

Regards,

Brad D. Elenko, MCIP, NP
Urban Connections / Elenko Notary Public

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250.495.0489 fax
urbanconnections@telus.net
belenko@notaries.bc.ca

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From: Benke, Mitch TRAN:EX [mailto:Mitch.Benke@gov.bc.ca]
Sent: Tuesday, January 15, 2008 8:47 AM
To: Urban Connections
Cc: Peterson, Joe J TRAN:EX
Subject: Irrevocable Line of Credit (ILOC)

Hello Brad and Happy New Year,

I received your message late yesterday and thought it best to send this information written, rather than try to relay it over the phone. The ILOC is in the name of:

Ministry of Finance and Corporate Relations as represented by the Ministry of Transportation, District Manager, Transportation, Okanagan Shuswap District, 102 Industrial Place, Penticton, BC, V2A 7C8

The ILOC is for 150% of P.Eng. written estimate. Signed and sealed estimate to be presented to MoT for

approval prior to the execution of the ILOC. In addition to the standard conditions of the ILOC, it must be auto renewable and allow for partial draws.

Thanks,

Mitch Benke

District Development Technician

Ministry of Transportation-Okanagan Shuswap District

102 Industrial Place

Penticton, BC V2A 7C8

Tel: 250-490-2226

Fax: 250-490-2231

Cell: 250-809-8555

Website: www.th.gov.bc.ca/permits.htm

STONEBROOK PHASE 1 WORK TO BE COMPLETED

05-Dec-07

Flagstone Rise:

Work to be Completed	Calculations	Cost RDOS	Cost MoT	Per Cent Deficient	Date Comp.
Install utility trench and services 0+00 to 5+13 per WCE Stonebrook 1941-2 & Fortis Plan #65151183 Rev 4.	513 m x \$155/m	\$79,515.00		0%	
Pave road from 4+30 to 5+12 x 6.4m road per WCE Stonebrook 1491-2	82m x 6.4m x 10.60	\$5,562.00		16%	
Shoulder road 0+00 to 5+13 per WCE Stonebrook 1491-2	513m x 1m x 6.50	\$3,334.00		0%	
Test and certify all water mains per WCE Stonebrook 1491-15	513m x 2.25	\$1,154.00		0%	

Slate Place:

Work to be Completed	Calculations	Cost RDOS	Cost MoT	Per Cent Deficient	Date Comp.
Install conduit from Slate Place to new Fortis dip pole Fortis #65151183 Rev 4. 42 meters	42m x 95/m	\$3,990.00		0%	
Finish shaping of the fill slopes to a 1.5:1 grade 0+00 to 1+40 & 1+81 to 2+40 per WCE Stonebrook 1491-8	199m x 19.00	\$3,781.00		9%	
Shoulder both sides of the road 0+00 to 2+55 per WCE Stonebrook 1491-8	255m x 1m x 6.50	\$1,657.00		0%	

Appendix B

Granite Court:					
Work to be Completed	Calculations	Cost RDOS	Cost MoT	Per Cent Deficient	Date Comp.
Finish utility trench and services 0+00 to 3+20 per WCE Stonebrook 1941-4 & Fortis #65151183 Rev #4	320m x 155m	\$49,600.00		0%	
Install drainage culverts.	40m x 140/m	\$5,600.00		11%	
Shoulder road.	320m x 1m x 6.50	\$2,028.00		0%	
Test and certify water mains	320 x 2.25	\$720.00		0%	
Granite Court Extension:					
Work to be Completed	Calculations	Cost RDOS	Cost MoT	Per Cent Deficient	Date Comp.
Shape road base per WCE Stonebrook 1941-6	160m x 6m x 6.00	\$5,724.00		0%	
Install utility trench and services per WCE Stonebrook 1941-4 & Fortis #65151183 Rev #4	160m x 155m	\$24,800.00		0%	
Install water main, hydrant and services per WCE Stonebrook 1941-4	162m x 112/m + 3800 + 2700	\$24,644.00		0%	
Place and grade crushed gravel sub-base per WCE Stonebrook 1941-6	160m x 6m x 4.00	\$3,840.00		0%	
Place and grade crushed gravel base per WCE Stonebrook 1941-6	160m x 6m x 1.50	\$1,440.00		0%	
Pave road per WCE Stonebrook 1941-6	160m x 4m x 10.60	\$6,784.00		0%	
Shoulder road per WCE Stonebrook 1941-6	160m x 1m x 6.50	\$1,040.00		0%	
Install ditches 2+25 to 12+33 per WCE Stonebrook 1941-6	1008m x 15.00	\$15,120.00		0%	
Test and certify water mains	160m x 2.25	\$360.00		0%	

Arawana Road:					
Work to be Completed	Calculations	Cost RDOS	Cost MoT	Per Cent Deficient	Date Comp.
Re-grade & finish crushed gravel sub-base 7+50 to 12+48 per WCE Stonebrook 1941-10	498m x 9m x 3.50		\$15,687.00	4%	
Pave road 2+25 to 12+33 per WCE Stonebrook 1941-10	1008m x 8.5m x 10.60		\$85,478.00	0%	
Shoulder road 3+40 to 12+33 per WCE Stonebrook 1941-10	893m x 1m x 6.50		\$5,804.00	0%	
Install ditches & clean out existing ditches 2+25 to 12+33 per WCE Stonebrook 1941-10	1008m x 15.00		\$15,120.00	0%	
Test and certify water mains	750m x 2.25		\$1,800.00	0%	
Arawana Road Extension:					
Work to be Completed	Calculations	Cost RDOS	Cost MoT	Per Cent Deficient	Date Comp.
Grub & clear right of way 0+00 to 0+75 per WCE Stonebrook 1941-12	75m x 8m x 0.60	\$360.00		0%	
Shape road base 0+00 to 0+75 per WCE Stonebrook 1941-12	75m x 6m x 6.00	\$2,700.00		0%	
Install utility trench and services 0+00 to 0+75 per WCE Stonebrook 1941-12 & Fortis #65151183 Rev #4	75m x 155	\$11,625.00		0%	
Install water main 0+00 to 0+75, hydrant and services per WCE Stonebrook 1941-19	75m x 95.00 + 3800 + 2700	\$13,625.00		0%	
Place and grade crushed gravel sub-base 0+00 to 0+75 per WCE Stonebrook 1941-12	75m x 6m x 6.00	\$2,745.00		0%	
Place and grade crushed gravel base 0+00 to 0+75 per WCE Stonebrook 1941-12	75m x 6m x 1.50	\$675.00		0%	
Place and grade crushed gravel base 0+00 to 0+75 per WCE Stonebrook 1941-12	75m x 4m x 10.60	\$3,180.00		0%	

Shoulder road 0+00 to 0+75 per WCE Stonebrook 1941-12	75m x 1m x 6.50	\$487.00		0%	
Test and certify water mains	75m x 2.25	\$300.00		0%	
Reservoir & Pump House Addition :					
Work to be Completed	Calculations	Cost RDOS	Cost MoT	Per Cent Deficient	Date Comp.
Complete tank construction.	Amount remaining in contracts	\$23,000.00		9%	
Test and certify tank.	Amount remaining in contracts	\$5,000.00		0%	
Install pumps and pipes in pump house.	Amount remaining in contracts	\$32,000.00		0%	
Install pump controls and wiring.	Amount remaining in contracts	\$18,000.00		6%	
Re-wire existing pumps to new voltage.	Amount remaining in contracts	\$5,000.00		0%	
Engineering and inspection/certification services	Amount remaining in contracts	\$17,000.00	\$2,000.00		
Totals		\$376,390.00	\$125,889.00		
Contingency		\$100,000.00			
Sub-Total		\$476,390.00			
Bonding Value	120%	\$571,668.00			

Certified to be correct

James Morrison, P.Eng.



#17281

Peterson, Joe J TRAN:EX

From: Randy Kowalchuk [randy@locationswest.ca]
Sent: Tuesday, June 17, 2008 8:12 AM
To: Peterson, Joe J TRAN:EX
Subject: RE: Drainage Juniper Road & Slate Place

Joe

Thank you for this information.

Randy Kowalchuk

From: Peterson, Joe J TRAN:EX [mailto:Joe.Peterson@gov.bc.ca]
Sent: June-16-08 3:56 PM
To: Randy Kowalchuk
Subject: RE: Drainage Juniper Road & Slate Place

Good Afternoon Randy,

Please see attached plan cuttings from the Wildstone Engineering Storm Water Plan. The drainage works that remain unfinished include directing the storm water from Slate and the drainage easement to Arawana Creek.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

From: Randy Kowalchuk [mailto:randy@locationswest.ca]
Sent: Wednesday, June 11, 2008 5:11 PM
To: Peterson, Joe J TRAN:EX
Subject: RE: Drainage Juniper Road & Slate Place

Joe

Would you please forward to me a copy of the map and high light the unfinished works. Thank you for bringing this to my attention.

cheers

Randy Kowalchuk

From: Peterson, Joe J TRAN:EX [mailto:Joe.Peterson@gov.bc.ca]
Sent: June-11-08 4:29 PM
To: Jim Morrison
Cc: Randy; Keir, Chris TRAN:EX; Wiseman, Jeff TRAN:EX; Benke, Mitch TRAN:EX
Subject: Drainage Juniper Road & Slate Place

Good afternoon Jim,

I would like to bring to your attention to the unfinished drainage works on the above mentioned roads.

The Storm water Drainage plan drawing 1941 - 24 Wildstone Engineering Plan clearly identifies the storm water coming down Slate Place on both sides of Slate Place and then draining into Arawana Creek.

The Ministry of Transportation would like to know your timetable for getting this drainage utility installed as it is part of your Strata Development's Storm Water Management Plan.

You can contact Chris Keir at 250.490.2248 with the date of when the works will begin.

Joe Peterson
District Development Technician
Okanagan Shuswap District/Penticton
Email: Joe.Peterson@gov.bc.ca
Ph250.490.2225

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Checked by AVG.

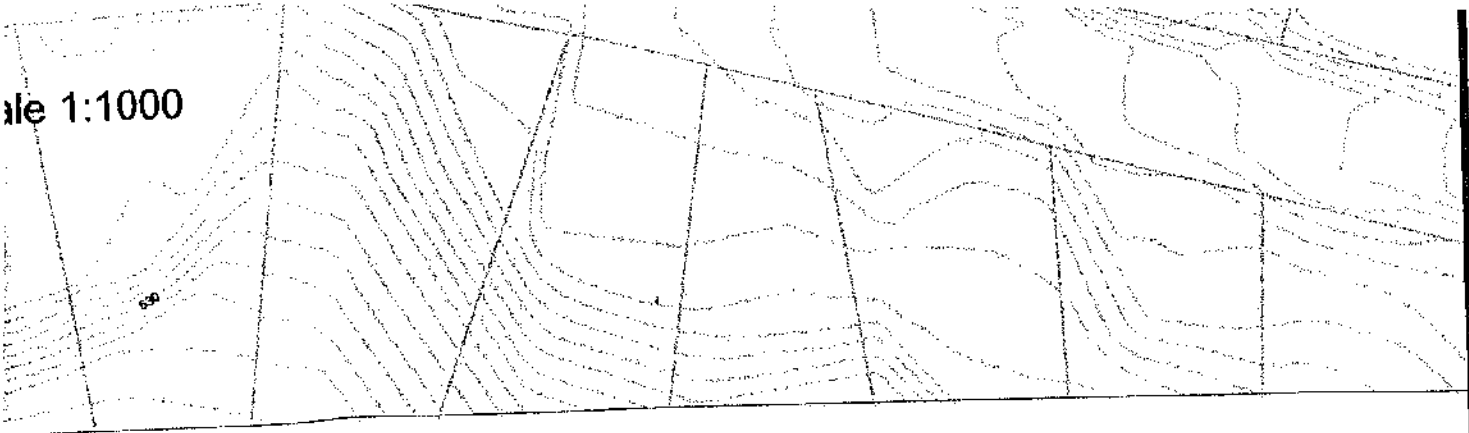
Version: 8.0.100 / Virus Database: 270.2.0/1497 - Release Date: 11/06/2008 8:32 AM

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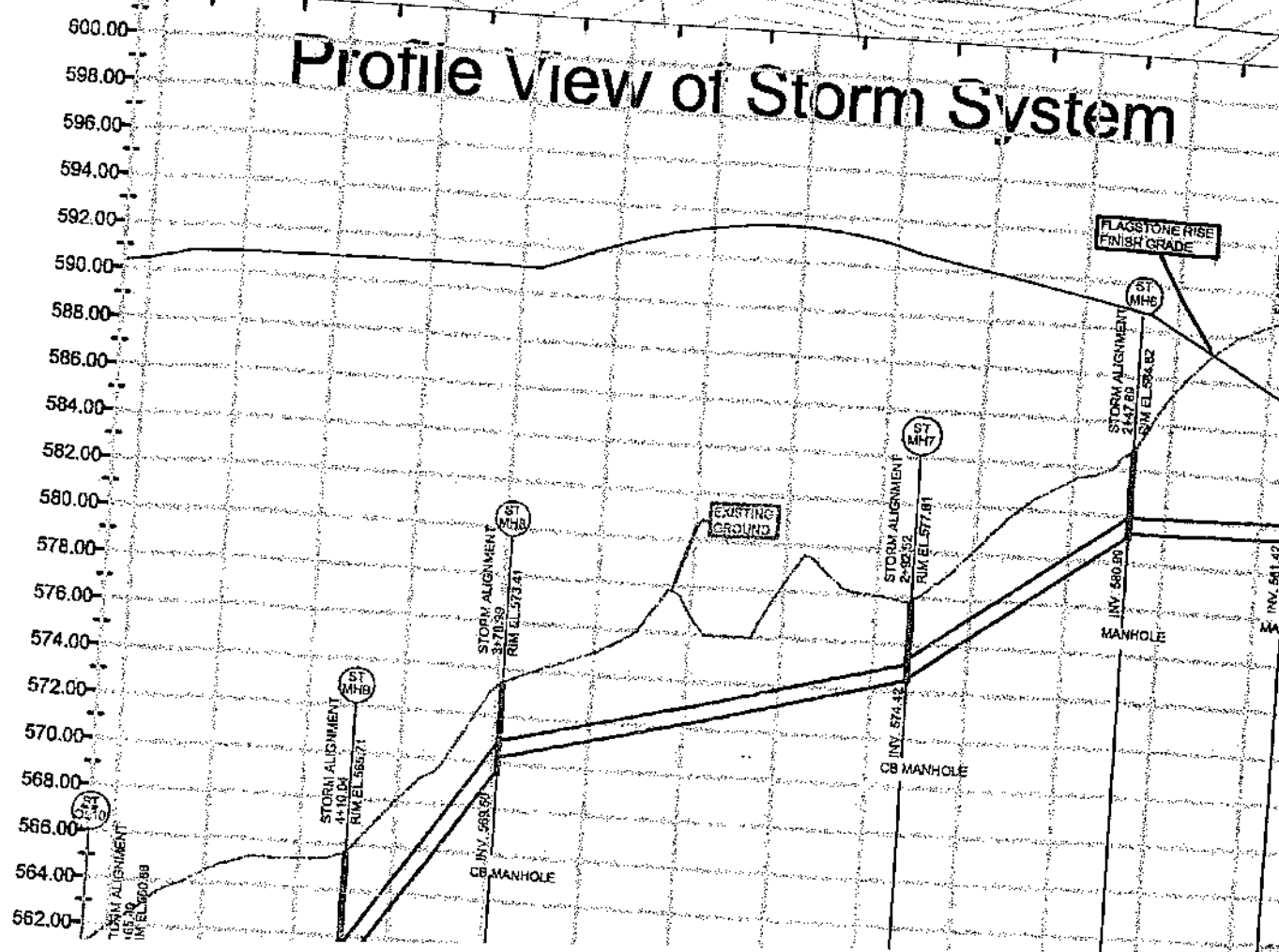
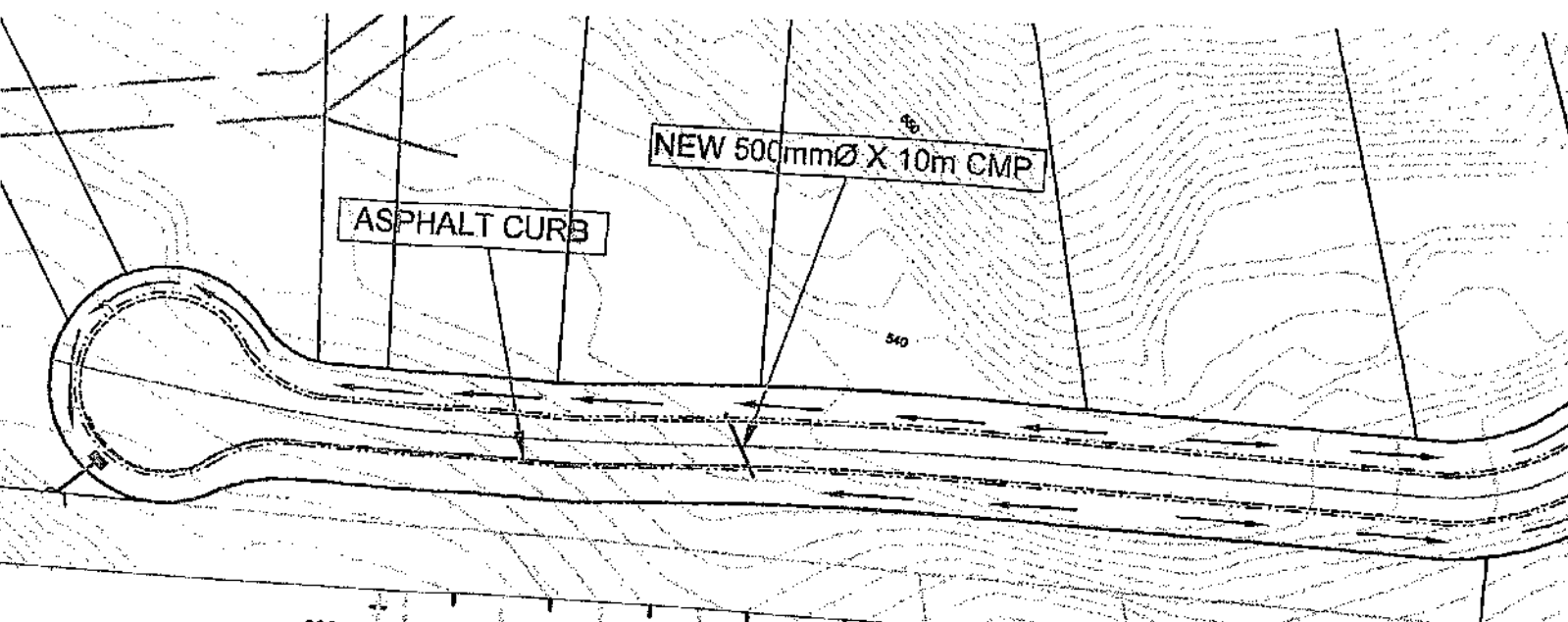


SCALE:	1:1500	
DRAWN BY:	TCD	FIELD BOOK
SIGN BY:		
DATE:	19/03/07	
DRAWING No.:	1941-24	
SHEET No.:	24/28	

Wildstone
ENGINEERING LTD.

1-1101 Main Street, Penticton, BC
Tel: 250-493-3947, Fax: 250-493-9238

Storm Drainage (Within Strata)



Sparkes, Bill TRAN:EX

From: Sparkes, Bill TRAN:EX
Sent: March 31, 2008 4:13 PM
To: 'Urban Connections: Brad Elenko'
Cc: Peterson, Joe J TRAN:EX
Subject: Naramata Benchland Plans

March 31, 2008

Our file: 2-8-17281

Brad, I am reviewing all the information and plans provided for this project and there are some items that I have a concern with:

For the fee simple plan to be registered first:

1. Proposed Lot 2 was originally proposed as park. It is now proposed as a separate fee simple lot which will not be part of the bare land strata plan. If approved as a separate fee simple lot, it will have a separate title and is subject to all requirements of any other lot. How is access proposed to it? I note the plan shows a proposed easement at the extreme western corner of the northern part of the proposed lot. Is this intended for access, drainage, or something else? I do not have a copy of the proposed easement. If the easement is proposed for access, is it usable for access? It appears this easement is not for access as the land is too steep. How do you get to the southern part of proposed Lot 1? This proposed Lot 1 is subject to geotechnical hazards however I do not see a proven building site or proposed covenant to restrict building in the identified hazard areas.

2. There is a plan notation regarding "access pursuant to BC Reg. 334/79" however the notation does not specify by what method is proposed, please clarify.

3. I do not have a record of final approval fees being paid for this 4 lot fee simple plan (\$450)

This plan is different from what was applied for with no parkland proposed but another lot instead. I do not know if septic disposal is adequate on the lot, or if it meets zoning bylaws, or can be provided with services. What is the purpose of this lot?

For the bare land strata plan:

1. The covenant for specific septic disposal areas is acceptable however the plan notation is incorrect. The plan notation incorrectly includes the Provincial Ministry of Health and needs to only state the Interior Health Authority as per the document.

2. The geotech covenant does not include a plan defining the no building areas as outlined as a requirement in the preliminary layout approval. In addition, the document incorrectly refers to Section 82 of the Land Title Act (page 4, item C.) which related to flood issues, but was repealed (the related section is 86). The covenant has no signing block at the end for my signature. The inclusion of the geotech report in the document is a practice I encourage and completely agree with however you may want to check with the Land Title Office for acceptability.

Bill Sparkes, ASCT
Provincial Approving Officer
Okanagan Shuswap District

Peterson, Joe J TRAN:EX

From: Hewitt, Rusty TRAN:EX
Sent: Tuesday, May 20, 2008 11:09 AM
To: Keir, Chris TRAN:EX; Wiseman, Jeff TRAN:EX
Cc: Peterson, Joe J TRAN:EX; Benke, Mitch TRAN:EX
Subject: RE: Storm drainage at Juniper Road

Chris,

Go for it. Charge to your Minor Betterments to get it spent. District Betterments will have some funding to help out with other small projects as the year progresses. Any special considerations with the creek / environment?

J. R. (Rusty) Hewitt
District Program Manager
Okanagan Shuswap District

Phone: 250 490-2224

><((())>

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From: Keir, Chris TRAN:EX
Sent: Wed, May 14, 2008 11:09 AM
To: Wiseman, Jeff TRAN:EX
Cc: Hewitt, Rusty TRAN:EX; Peterson, Joe J TRAN:EX; Benke, Mitch TRAN:EX
Subject: FW: Storm drainage at Juniper Road

Jeff,

The 'developer' does not have any extra funds to cover this???????

Should we force issue through subdivision process. Although the pipe was there prior to the works by developer, the downspout appears to be attached by landowner. The works on the property being developed, which include road construction and clearing of slopes above intake, has increased the run-off entering pipe at a considerably higher rate than pre-development. Run-off will again increase as houses and driveways are built on new road in the future. Our offer of materials would most likely equal cost of installation.

We did have complaints about the pipe prior to commencement of development, however, the new property owner was concerned with the downpipe and buried pipe impacting development of the property. I can find no record of how downpipe and buried pipe were installed, but they do not appear to be installed by ministry forces. No prior evidence of any substantial water running through the pipe.

chris

From: Jim Morrison [mailto:jmor@wildstone.com]
Sent: Wed, May 14, 2008 9:58 AM
To: Keir, Chris TRAN:EX
Cc: Randy Kowalchuk
Subject: RE: Storm drainage at Juniper Road

Hi Chris,

Unfortunately at this time, the developer does not any extra funds toward the problem at juniper Road. I remind you that the developer at his cost overlaid a considerable larger area on Arawana than what was called for with asphalt.

However, if MoT was to provide the materials, then the cost is lower than what I sent you before.

A budget cost for the job is as follows (providing that MoT provided the pipe and manhole and inlet structure):

Pipe 90 meters x \$ 75.00/ m	= \$ 6,750
Manhole	= \$ 750
Outlet and inlet riprap	= \$ 1,000
Engineering/ certification	= \$ 1750

Total cost = \$ 10,250

We do still have a crew in the area, so at this time there is no mob charge. In addition, the developer has agreed to donate the crush bedding needed
 Please review this and then give me a call to discuss.

Thanks,

Jim Morrison, P.Eng.

Wildstone Construction & Engineering Ltd.

1 - 1101 Main Street
 Penticton, BC. V2A 5E6
 ph 250 493 3947 fax 250 493 9238
 email jmor@wildstone.com
 web site www.wildstone.com

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From: Keir, Chris TRAN:EX [mailto:Chris.Keir@gov.bc.ca]
Sent: May 12, 2008 2:48 PM
To: Jim Morrison
Cc: Peterson, Joe J TRAN:EX; randy@locationswest.ca; Hewitt, Rusty TRAN:EX
Subject: Storm drainage at Juniper Road

Jim,

Have you completed a plan for the system to carry the run-off to outfall at Naramata Creek? As previously discussed I can supply all material including pipe and manholes, but need confirmation what material is needed.

We will probably use the same size pipe as you are using on the Eastside Road job.

chris

From: Keir, Chris TRAN:EX
Sent: Tue, February 19, 2008 1:44 PM
To: 'Jim Morrison'
Cc: Peterson, Joe J TRAN:EX; Wiseman, Jeff TRAN:EX
Subject: RE: Storm drainage at Juniper Road

Jim,

The only assistance that I can offer you at this time is to purchase materials for the project.

Due to the length of the pipe, it may make sense to add a MH/CB somewhere near the mid-point. I would also like to see a inlet structure near the intersection of Slate Place.

Could you provide an estimate of the cost of the approximately 90 meters of 500 mm pipe, 1 inlet structure and 1 man-hole/catch basin structure?

Also has consideration been given to catching surface run-off on the high side of the road along the length of the pipe?

chris

From: Jim Morrison [mailto:jmor@wildstone.com]
Sent: Mon, February 11, 2008 9:07 AM
To: Keir, Chris TRAN:EX
Cc: Tom Dellamater; Randy Kowalchuk
Subject: Storm drainage at Juniper Road

Hi Chris,

I have been away but am now back in the saddle. I have attached a sketch of a proposed diversion pipe that would take water away from the culvert that dead ends below Juniper Road. This is the pipe that we reviewed in the field last fall and that has been blocked as a result of the new house. In the event of a freshet coming down the gulley from above, there will likely be flooding issues around the new house.

A budget cost for the job is as follows:

Pipe 90 meters x \$ 120.00/ m = \$ 10,800
 Outlet and inlet riprap = \$ 1,000.
 Engineering/ certification = \$ 1750

Total cost = \$ 13,550

Please review this and then give me a call to discuss.

Thanks,

Jim Morrison, P.Eng.

Wildstone Construction & Engineering Ltd.

#1 - 1101 Main Street

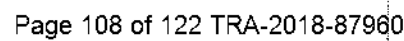
Penticton, BC. V2A 5E6

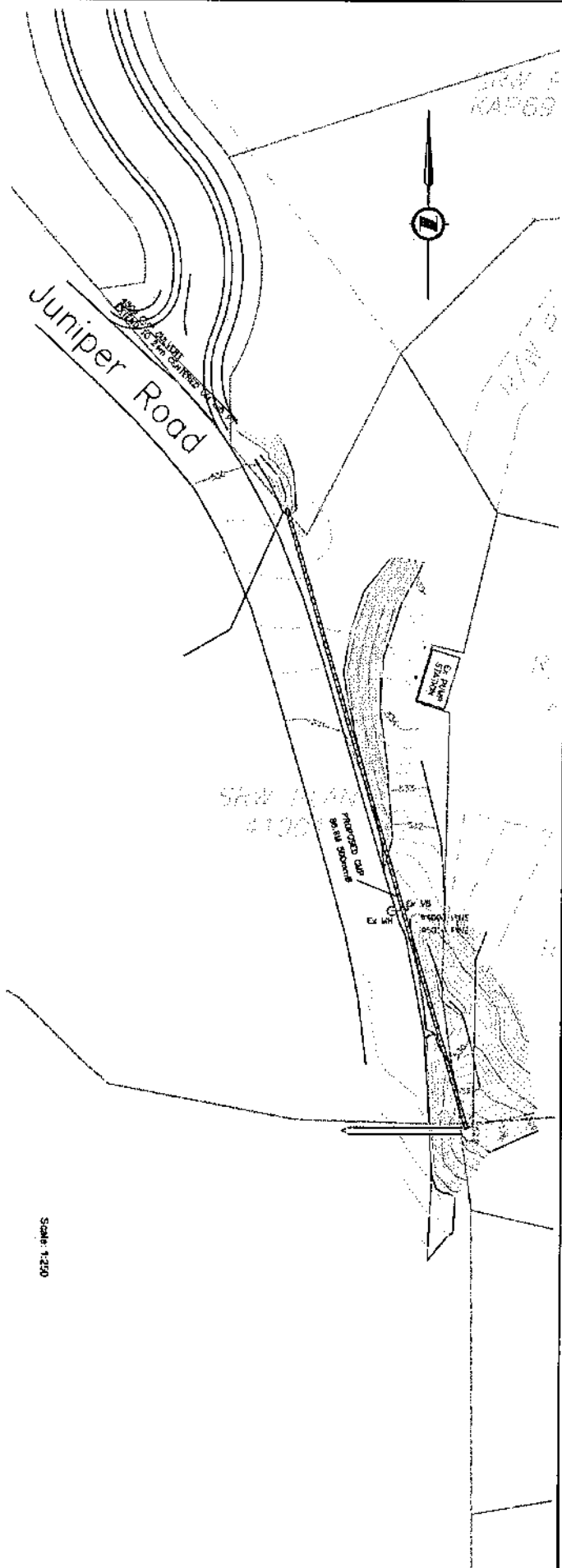
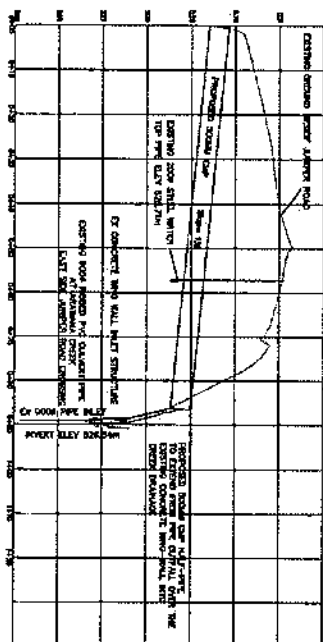
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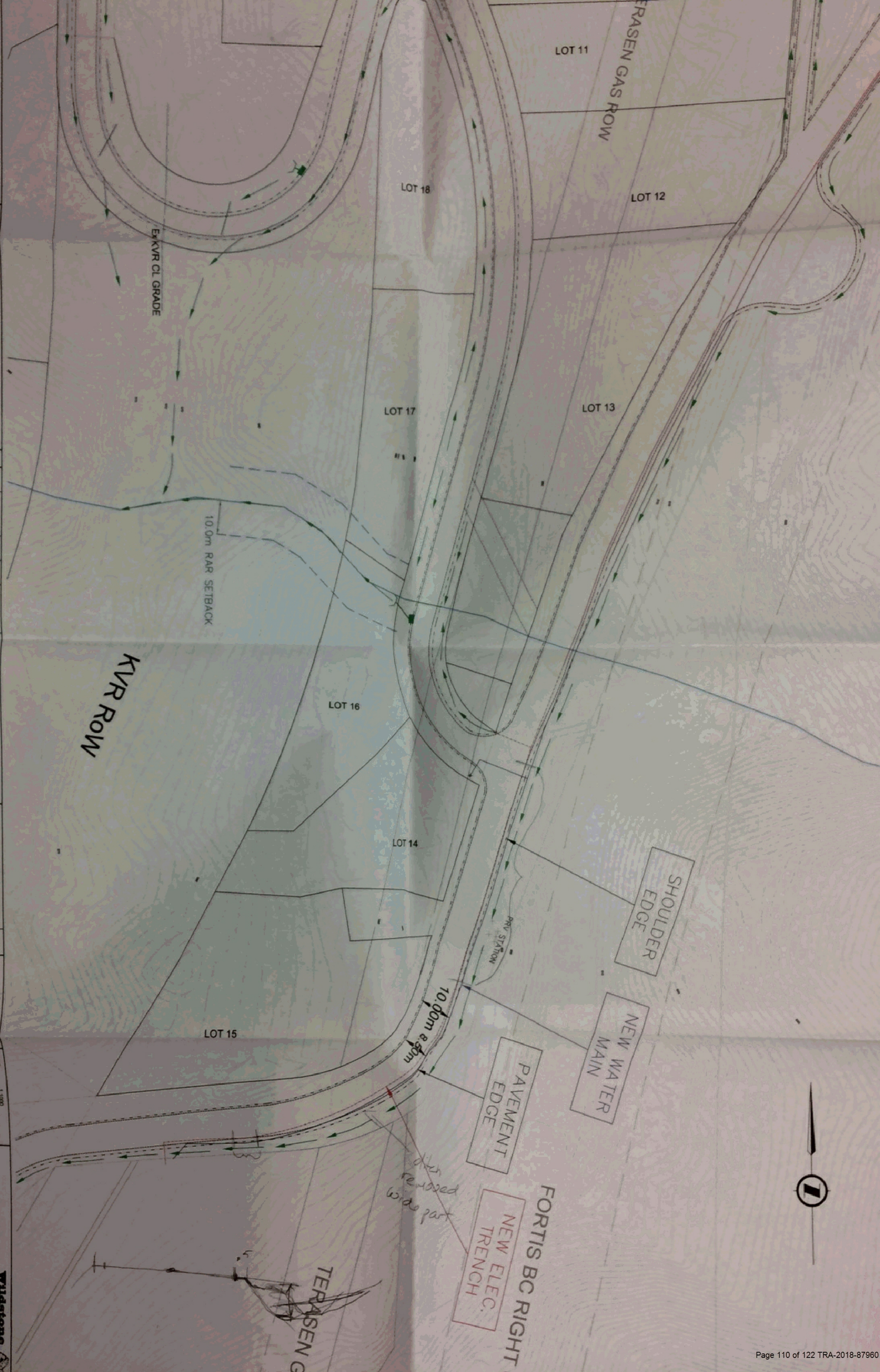
email jmor@wildstone.com

web site www.wildstone.com

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**PROFILE VIEW PROPOSED CMP JUNIPER ROAD**[illegible]



Nov 22/07

Page 110 of 122 TRA-2018-87960



REPORT ON FINAL SUBDIVISION

HIGHWAY DISTRICT Penticton Area Office	REGIONAL DISTRICT Okanagan-Similkameen Regional	MUNICIPALITY
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REGIONAL FILE NO.

REFERENCE/DATE

ROAD NAME/ROUTE NO. ARAWANA ROAD / 08-A-@-00269

LEGAL DESCRIPTION Sublot 14, D.L. 2711, SDYD, Plan 1190, except Plans A62, 29843, 38736, KAP44343, KAP45544, KAP46231, KAP54137 & KAP57167

LOCATED _____ km ☐ N ☐ S ☐ E ☐ W OF In NaramataREPORTED ON BEFORE AS ZONING _____ /LUC _____ /DEVELOPMENT PERMIT _____ /ACCESS _____ /SUBDIVISION ☒

WHAT WAS THE OUTCOME?

REFERENCE/DATE

PLA REFERENCE December 12, 2006

NO PLA. THEREFORE COMPLETED FORM H235P IS ATTACHED

WORKS INSTALLED

OR BONDED? Yes

APPROVALS/PERMITS IN HAND? Yes

NAME/ADDRESS OF APPLICANT Brad Elenko Urban Connections
12 Dogwood Place
Osoyoos BC CANADA V0H 1V1

NAME/ADDRESS OF AGENT

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

FIN 55	COVENANT	2
1 I.D. TAX CERTIFICATE	EASEMENT	
TRANSPARENCY	APPROVAL	FEE AMOUNT? \$4,500.00
6 MYLAR		RECEIPT NO.? 874811K
10 PAPER PRINT	STATE OF TITLE CERTIFICATE	
75 (1) (c)(d) DECLARATION		

COMMENTS

Strata Plans Submitted: 3 Mylars, 5 paper

Fee Simple: 3 Mylars, 5 paper

It appears that all conditions of the PLA have been met with, recommend Final signature.

Letter of Undertaking to register the covenants concurrently with the deposit of the Bare Land Strata Plans.
The Bare Land Plan notation still makes reference to the Queen, but also says Interior Health Authority as does the Covenant.

The completion of the Arawana FSR, paving, placement of bollards will be done at the end of the month,
MOT is holding a letter of credit for any works that where not completed at the end of last years construction season.

Fee Simple Plan:

The area proposed as the bare land strata development must first be created as a fee simple lot with a remainder of the parent property and the requirements for this first plan are:

1. Provision and registration of a suitable fee simple subdivision plan to first create the proposed bare land strata area as a fee simple lot, as well as providing any required road or parkland dedications. Plan attached for signature.

2. Written confirmation from the Regional District of Okanagan Similkameen of compliance with all bylaw requirements for the creation of this fee simple lot and the remainder. See tabs 2,7,8 &10 for letter
3. Arawana Road from existing end of the Ministry of Transportation portion - on the west side of the former KVR, to the proposed access to the new lot and remainder, to be designed, constructed, paved and dedicated to Ministry standards to the satisfaction of the district official. Design and construction standards are as per Chapter 14 – Subdivision Standards of the “B.C. Supplement to TAC Geometric Design Guide” local road standards with a minimum 50 km/h design speed, complete with a cul-de-sac and drainage works to a natural outfall. Said road and drainage works to be designed, supervised, and certified as having been constructed in accordance with good engineering practice and according to acceptable Ministry of Transportation standards by a qualified Professional Engineer registered in British Columbia and experienced with Ministry standards and requirements. Properly engineered drawings showing: vertical and horizontal alignments; cross sections; drainage works to a natural outfall; all utility locations; etc. to be submitted to and approved by the district official prior to the commencement of any work. All involved utility companies should be consulted and provided with the road design drawings as it relates to utility installations. ILOC & Test results provide, signed and sealed by Professional Engineer, paving and anything else required will be done at the end of March when the paving plant starts up, thus the ILOC.

Bare Land Strata Plan:

4. The proposed crossing of the crown land is not yet approved and we have no information if it will be approved or not. Required is written confirmation that the crossing is approved as a permanent crossing and not a just licence of occupation. Done, See Tab 4, letter from ILMB dated February 16, 2007
5. As previously discussed, some of the preliminary road and driveway design grades do not satisfy accepted standards. MOT has inspected and accepted the Road and Driveway design
6. Written confirmation of approval from the Public Health Officer including satisfaction of any and all requirements they may have. I note the Public Health Inspector requires additional site inspections as work progresses and may have additional requirements that have not yet been outlined.(letter September 28, 2006) Done see letter Tab marked 9 & 6, No covenant provided yet, I have asked for three copies of this covenant
7. Confirmation that existing covenants KX41990 and KW114024 in the name of the Regional District of Okanagan Similkameen have been released. Done, covered by RDOS letter, Tab marked PLA 2,7,8 &10

The applicant should address these requirements prior to undertaking any substantial work on the proposed subdivision as they may affect the design and/or approval of the subdivision.

8. Written confirmation from the Regional District of Central Okanagan of compliance with all their bylaw and utility servicing requirements as outlined in their letters dated December 13, 2005 and March 29, 2006.Done, see letter January 31, 2008, marked PLA 2,7,8,& 10
9. Written confirmation of approval from the Public Health Officer including satisfaction of any and all requirements they may have. Done, see letter dated January 17, 2008, marked Tab PLA 9 & 6
10. Written confirmation from the Regional District of Okanagan Similkameen / Naramata Water System of compliance with all their requirements in regards to the provision of water including the payment of all fees and charges as may be required. Done, see letter January 31, 2008, marked tab PLA 2,7,8 &10
11. Written confirmation from the Public Health Engineer of compliance with the Drinking Water Protection Act and Regulation 200/2003, specifically that a construction permit and an operating permit have been issued. Done, see tab marked PLA 11

12. Proposed common access routes to be designed, constructed and paved in accordance with Ministry standards - Chapter 14 – Subdivision Standards of the “B.C. Supplement to TAC Geometric Design Guide” and the Transportation Association of Canada (TAC) standards for any item not in the Ministry standard complete with cul-de-sacs and drainage works to a natural outfall. Design speed shall be a minimum of 30 kmh and posted. All routes and turnarounds to accommodate emergency vehicle movements. All works to be designed, supervised, and certified as having been constructed in accordance with the required standards and with good engineering practice by a Professional Engineer registered in British Columbia and experienced with road construction, to the satisfaction of the district official. Engineered drawings showing vertical and horizontal alignments, cross-sections, and drainage works to an approved natural outfall to be submitted to and approved by the District Official prior to commencement of any works. The common property for the access route shall be established a minimum of 15 metres in width or 3m beyond the extremities of all cuts and fills. The design drawings should be supplied to all utility companies in regards to utility locations. Copies of all test results to accompany the Engineer’s certification of the construction. As-built drawings to be submitted to the Ministry upon completion of road and drainage works. A stop sign shall be installed at the intersection with the public road. Any gates to the development shall be far enough back from the public road for vehicles to clear the road and turnaround if necessary without backing onto the public road. Done applicants engineer provided Certification of Construction of Works and inspection reports

13. Road and drainage construction works to be supervised and certified as having been constructed in accordance with good engineering practice and according to acceptable Ministry of Transportation standards by a qualified Professional Engineer registered in British Columbia. Test results and as-built drawings to be submitted to the Ministry upon completion of the work. A quality management plan may be required to show how road and drainage design and construction will be assured of meeting Ministry standards. Done, Accepted by MOT inspection, tests provided by applicants Engineer

14. Written confirmation of approval from Land and Water British Columbia Inc in regards to the proposed public road crossing of the former KVR property. Done, see tab PLA 4 & 14

15. Provision of a detailed drainage report and runoff management plan to clearly show how the safe conveyance of all surface runoff water to a natural body of water (natural outfall) will be achieved. The report and plan must consider: the full build out of the proposed development; pre-development hydrology; uphill runoff considering potential for any further development; and the potential effect on downhill properties. The report and plan shall be prepared by a Professional Engineer certified in British Columbia and experienced in drainage engineering. Drainage system to be designed to accommodate a 1 in 10 year storm (minor system), and a 1 in 100 year storm for overland flows (major system) in accordance with all the standards outlined in Chapter 14 – Subdivision Standards of the “B.C. Supplement to TAC Geometric Design Guide” and the Transportation Association of Canada (TAC) standards. All required drainage works as approved by the district official shall be constructed and certified by the consulting engineer. If required, Statutory Right-of-Ways for drainage purposes are to be a minimum of 6 m in width and in a suitable location, to the satisfaction of the district official. Drainage outfall may require approvals from the Ministry of Environment. All drainage works to be supervised and certified as having been constructed in accordance with the required standards and with good engineering practice by a Professional Engineer registered in British Columbia and experienced with road construction, to the satisfaction of the district official. All proposed works to be designed and constructed in accordance with the Land Development Guidelines for the Protection of Aquatic Habitat. Done by way of the Naramata Drainage study

16. Provision of a suitably worded covenant, registerable under Section 219 of the Land Title Act which defines the safe building area in accordance with the recommendations of the Wildstone Engineering Ltd report dated August 21, 2006. The covenant is to include building restrictions as per the report including the defined set-back line required on proposed lots 25, 35 and 36 which shall be defined by bearing and distance on a plan prepared by a B.C. Land Surveyor and certified by the consulting engineer; and the lot development specific requirement for further geotechnical investigation at the time of building. Please provide 3 complete copies of the document which is to be in favor of [1] Her Majesty the Queen in the right of the Province of British Columbia as represented by the Minister of Transportation and [2] the Regional District of Okanagan Similkameen and be registered with priority over any financial charges. The notation on the final plans must accurately reflect the named parties on the covenant document. Done, not as exactly requested by the PLA, see tab clause 16

17. Access to all lots fronting a cut or fill greater than 1.5 m to be constructed to the satisfaction of the district official prior to final approval. To ensure a safe driveway, the first 6 m is to be constructed at a right angle to the road with a maximum 2 % grade. Driveways are to be lower at the ditchline than the road shoulder to ensure surface drainage from the driveway does not flow onto the road. The driveway shall not exceed a 10 % grade or have tight curves. Parking for a minimum of 2 vehicles must be provided and no parking is permitted on the road. Done, Field inspected by MOT and accepted.

It is noted that access to more than half the proposed lots appear difficult(+/-10%). Access design drawings to be submitted to and approved by the district official prior to the commencement of any work.

18. Written confirmation from the Regional District of Okanagan Similkameen of compliance with Section 941 of the Local Government Act, specifically the provision of parkland. Done, paid money in Lieu of parkland dedication.

19. Explain how the recommendations of the Ecological Assessment dated July 27, 2006 will or have been appropriately considered and accommodated where possible to limit the affect on wildlife, to the satisfaction of the district official. Done, see letter from Urban Connections, tab marked PLA #19

The property being subdivided is within a wildfire interface area and may be subject to a hazard of wildfire. It is therefore recommended that the owner consult the following website and review the Firesmart Manual for information about reducing the risk, www.for.gov.bc.ca/protect/ or www.partnersinprotection.ab.ca or contact the Ministry of Forests for more information. Appropriate protection measures should be implemented and maintained, and property purchasers should be advised of the risk. Applicant calls this #20 of the PLA and responds with a letter, see tab PLA#20


DISTRICT DEVELOPMENT TECHNICIAN SIGNATURE

Joe Peterson

PRINT NAME

TO DISTRICT TRANS. MANAGER _____

DATE (yyyy/mm/dd) _____

REGIONAL FILE NUMBER _____

PLAN(S) RETURNED

APPROVED _____

RE-APPROVED _____

NOT APPROVED _____

ENDORSED 75 (1) (c)(d) _____

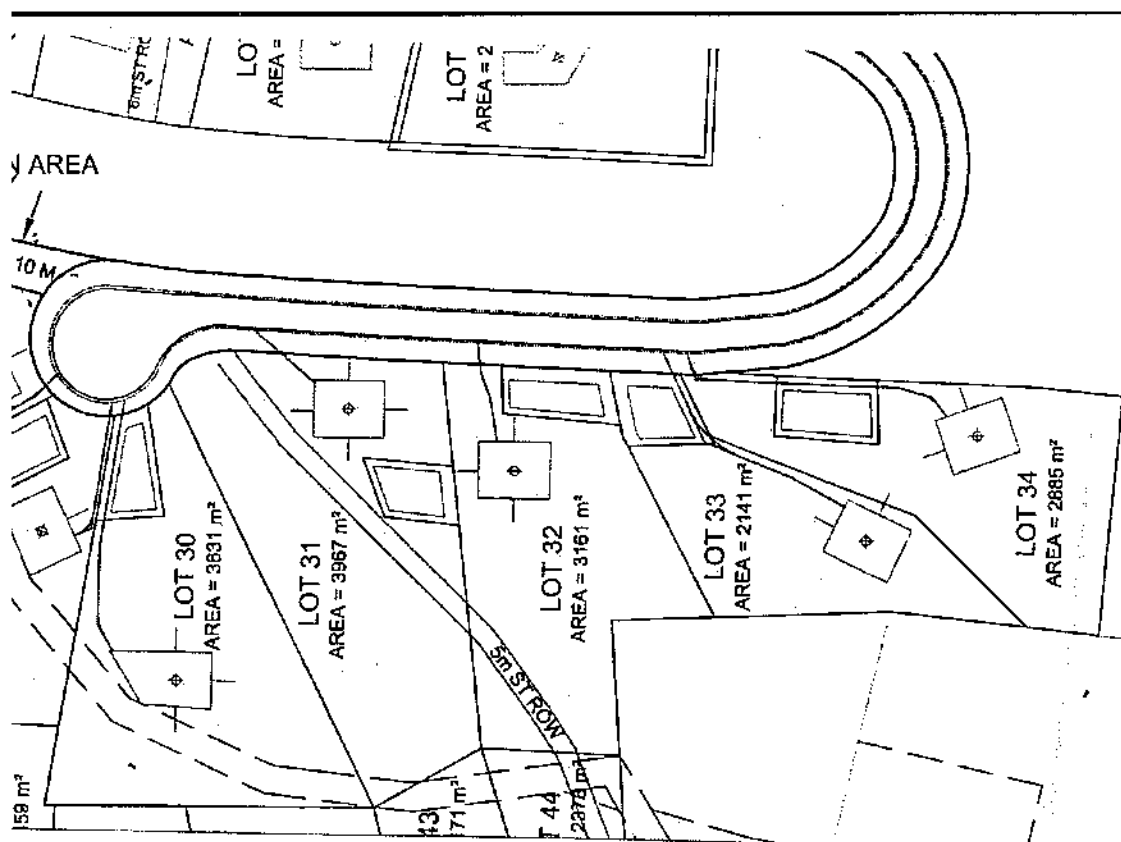
ALSO ATTACHED _____

COMMENTS _____

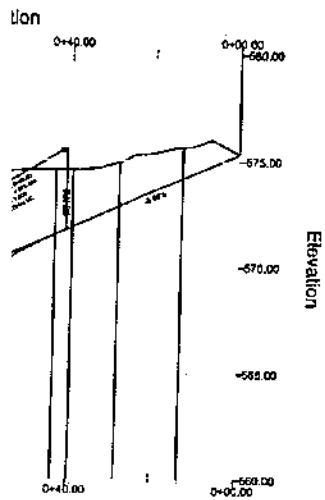
PROVINCIAL APPROVING OFFICER SIGNATURE

PRINT NAME

ljp



inment - Lot 25&26



Received

NOV 20 2006

Ministry of Transportation
102 Industrial Place
Penticton, BC V2A 7C8

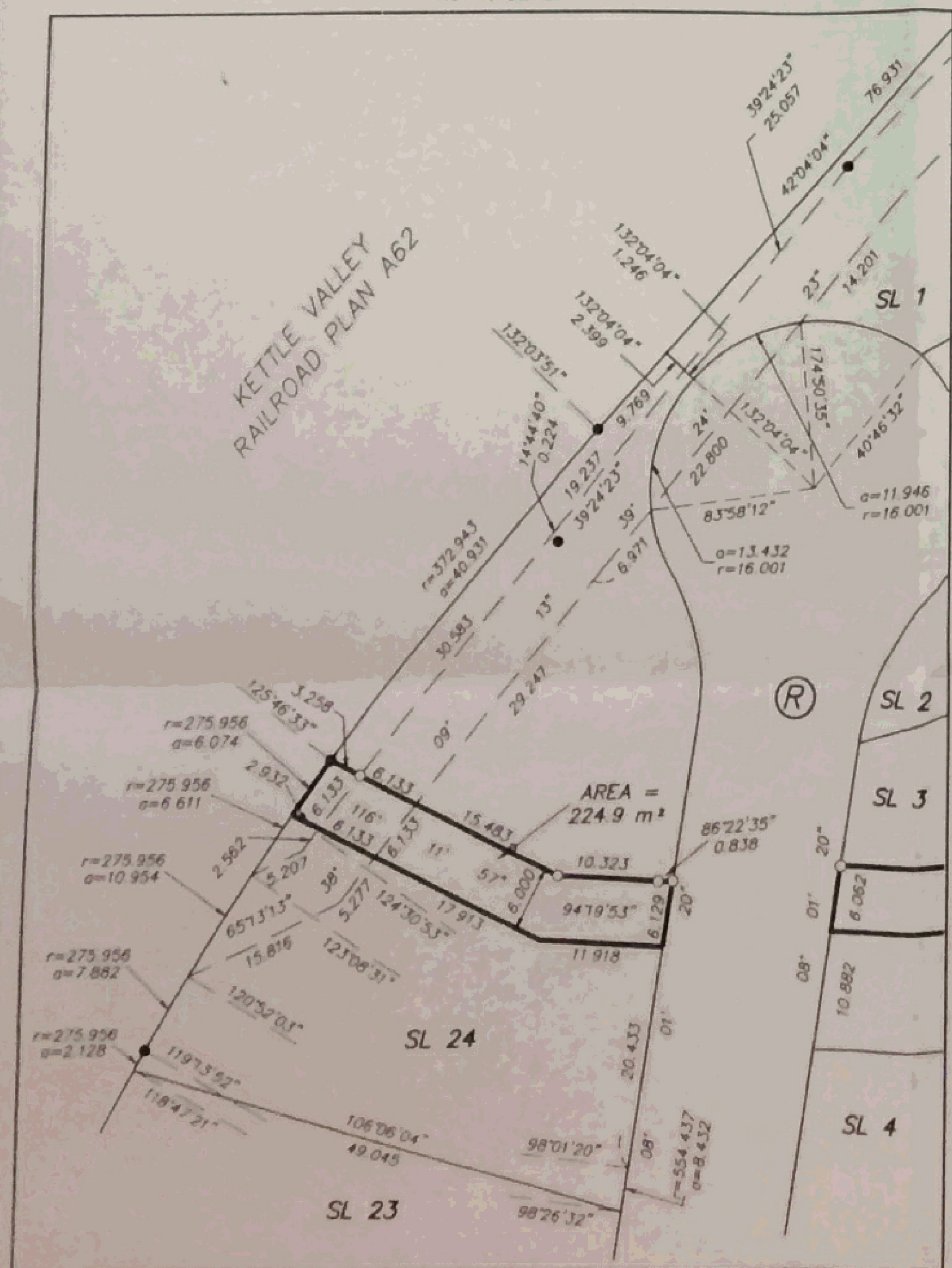
REFERENCE PLAN OF EASEMENTS OVER A PORTION OF STRATA LOTS 3, 20, 21, 24, 25, 26, 31, 32, 35, 36 AND 44, D.L. 2711 AND D.L. 3474, S.D.Y.D., PLAN KAS

PURSUANT TO SECTION 99(1)(e), LAND TITLE ACT.
B.C.G.S. 82E.053

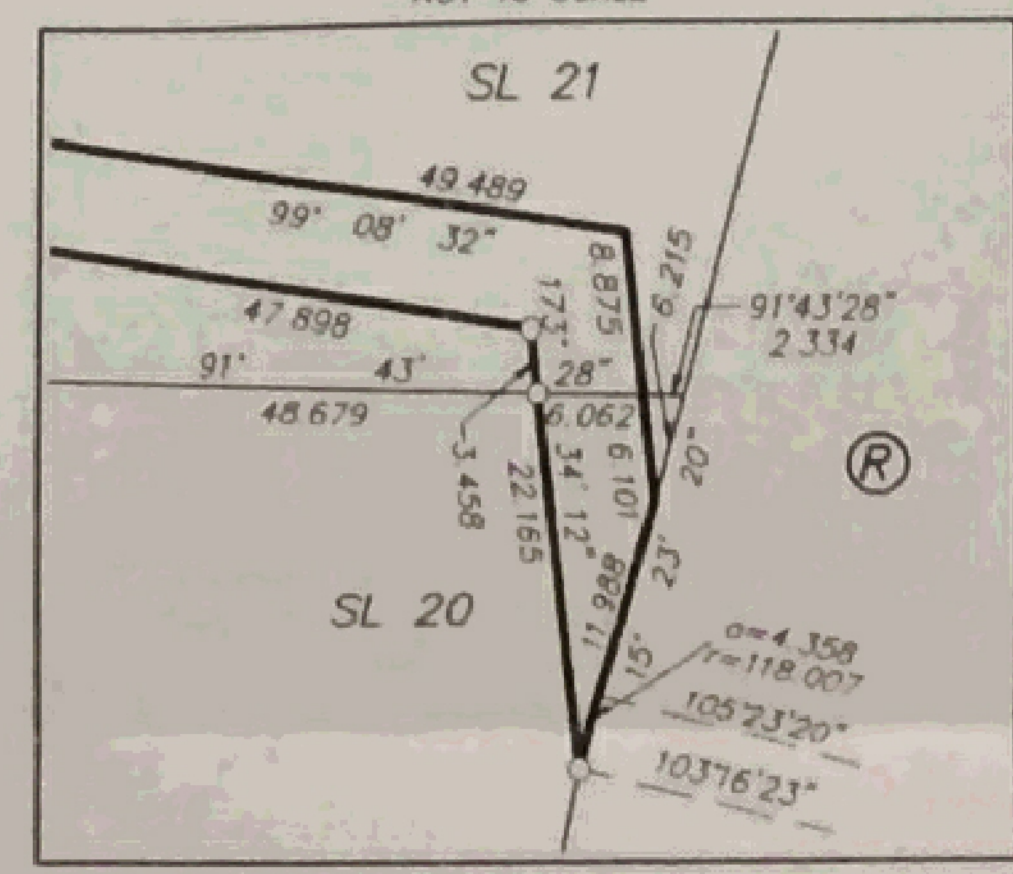
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(ALL DIMENSIONS ARE IN METRES)



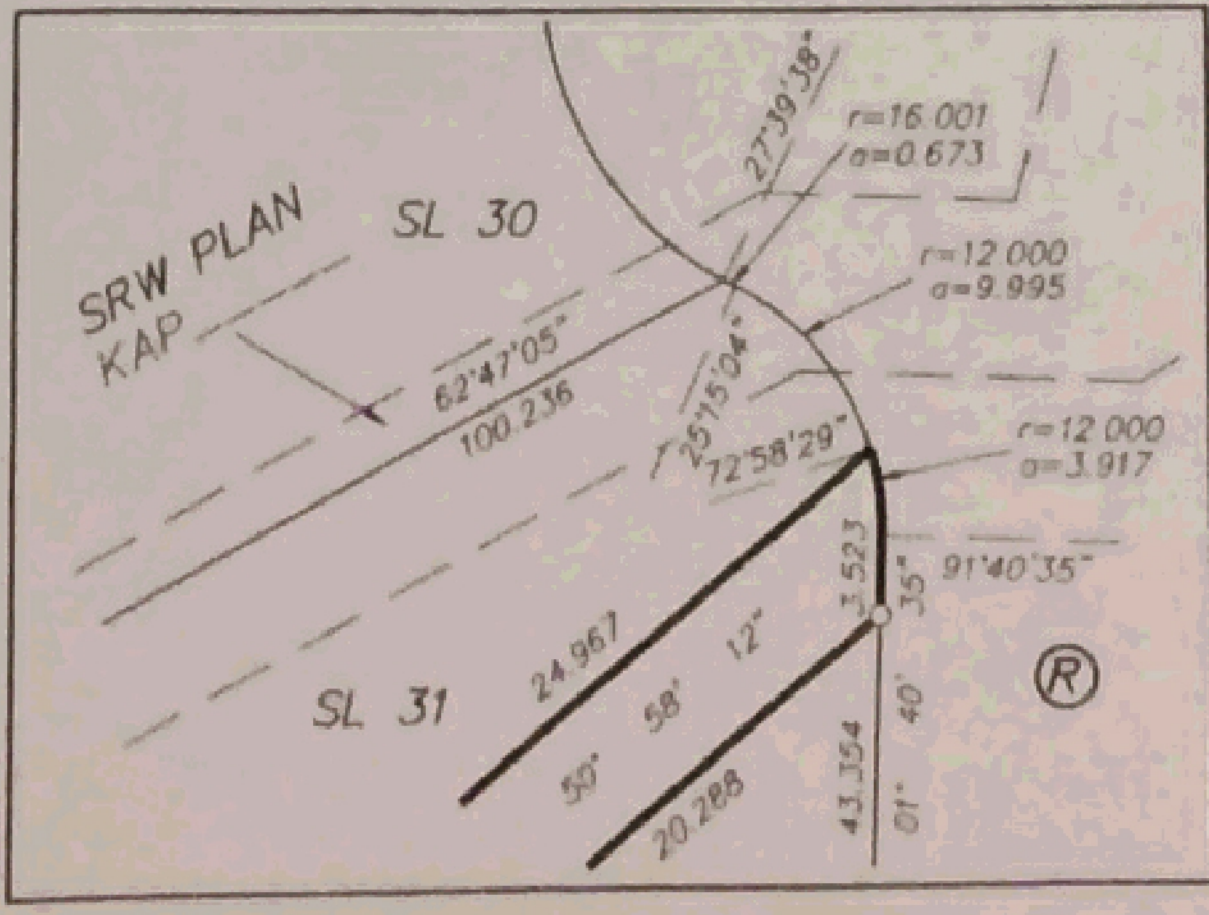
DETAIL "B"
NOT TO SCALE



DETAIL "C"
NOT TO SCALE



DETAIL "D"
NOT TO SCALE



PLAN KAP

DEPOSITED IN THE LAND TITLE OFFICE AT KAMLOOPS, B.C.
THIS DAY OF 2008

REGISTRAR

BOOK OF REFERENCE

DESCRIPTION	AREA
SL 3, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	381.0 m ²
SL 20, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	84.3 m ²
SL 21, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	342.7 m ²
SL 24, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	224.9 m ²
SL 25, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	393.5 m ²
SL 26, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	10.5 m ²
SL 31, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	469.6 m ²
SL 32, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	240.8 m ²
SL 35, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	294.6 m ²
SL 36, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	162.6 m ²
SL 44, D.L. 2711 & D.L. 3474, S.D.Y.D., PLAN KAS	565.0 m ²

LEGEND

- GRID BEARINGS ARE DERIVED FROM PLAN KAS.
- THIS PLAN SHOWS GROUND LEVEL MEASURED DISTANCES. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND LEVEL DISTANCES BY A COMBINED FACTOR OF 0.9999350.
- DENOTES STANDARD IRON POST FOUND
 - DENOTES STANDARD IRON POST SET
 - ⊕ DENOTES STANDARD CAPPED POST FOUND
 - ⊙ DENOTES NON-STANDARD POST FOUND
 - ⊗ DENOTES STANDARD ROCK POST FOUND
 - ⊕ DENOTES COMMON PROPERTY
 - ⊗ DENOTES COMMON PROPERTY (ROAD)
 - SL DENOTES STRATA LOT
 - LCP DENOTES LIMITED COMMON PROPERTY

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF OKANAGAN SIMULKAMEN.

I, DEREK BLASZAK, A BRITISH COLUMBIA LAND SURVEYOR, OF THE CITY OF PENTICTON, 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 FIELD SURVEY WAS COMPLETED ON THE 25th DAY OF FEBRUARY, 2008. THE PLAN WAS COMPLETED AND CHECKED, AND THE CHECKLIST FILED UNDER #78154, ON THE 9th DAY OF MARCH, 2008.

[Signature]

B.C.L.S. C.L.S.

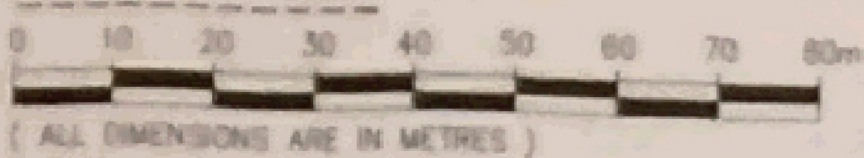
McELHANNAY ASSOCIATES
PROFESSIONAL LAND SURVEYORS
#102-130 NANAIMO AVE. WEST
PENTICTON, B.C. V2A 8G1
TEL: 492-7389
FAX: 492-5488
LTO CLIENT# 10613
OUR FILE NO. 2548-0
OUR DRAWING NO. 2548-0-STORM-EASEMENT.DWG

STATUTORY RIGHT OF WAY PLAN OF A
PORTION OF LOT 1, D.L. 2711 AND D.L. 3474,
S.D.Y.D., PLAN KAP _____ AND LOT 1, D.L.
2711, S.D.Y.D., PLAN KAP 54137.

PURSUANT TO SECTION 113, LAND TITLE ACT.

B.C.G.S. 82E.053

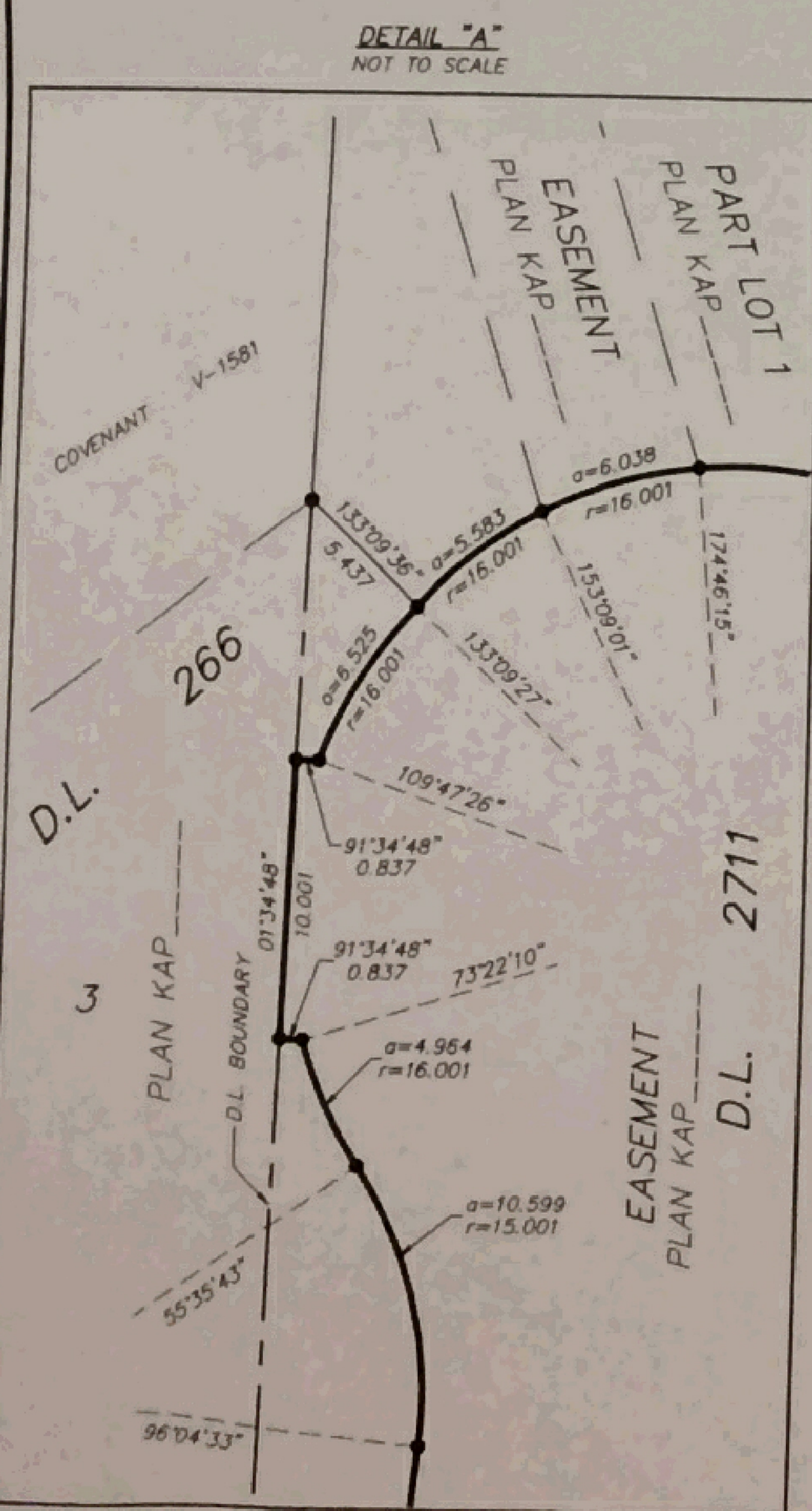
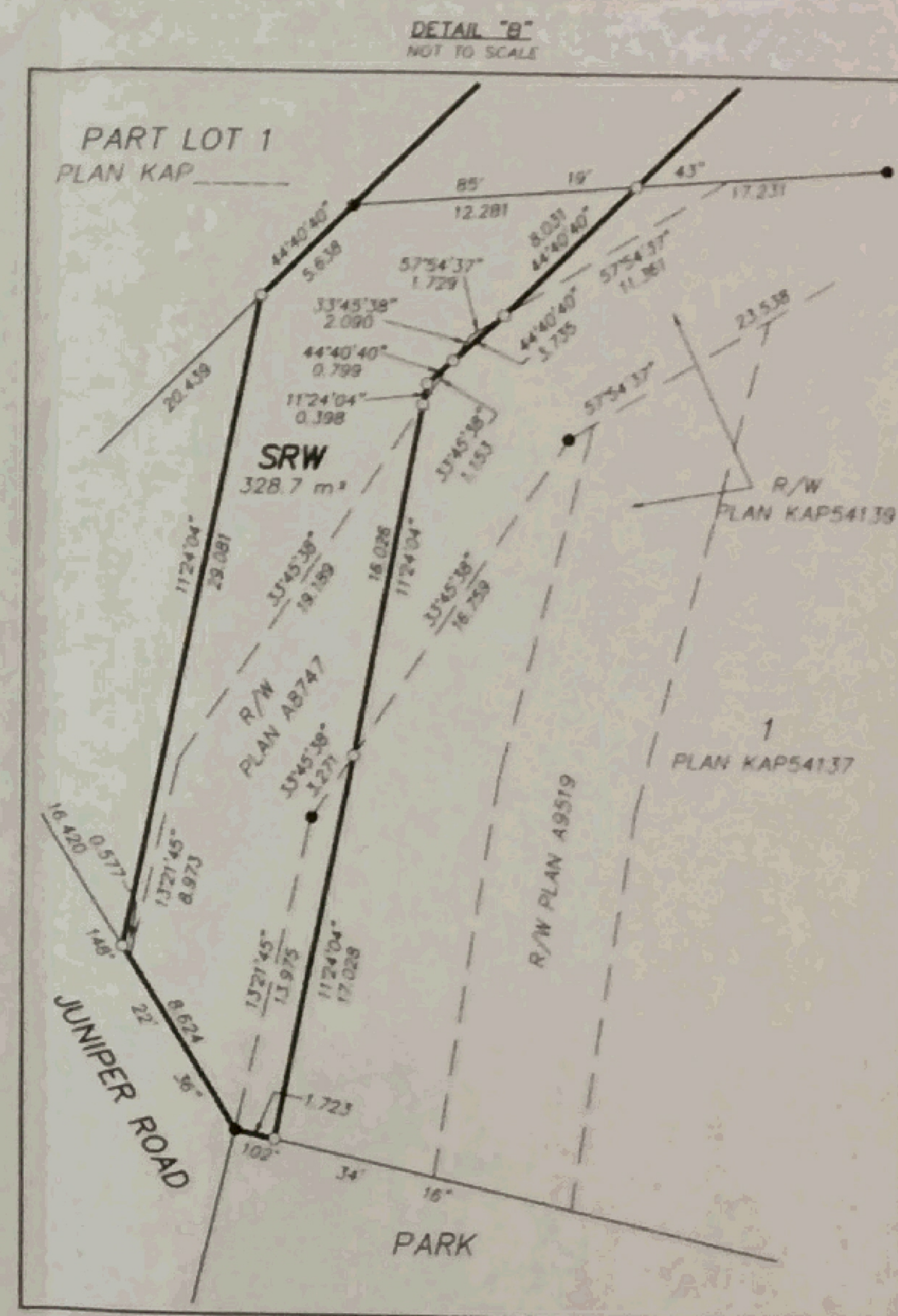
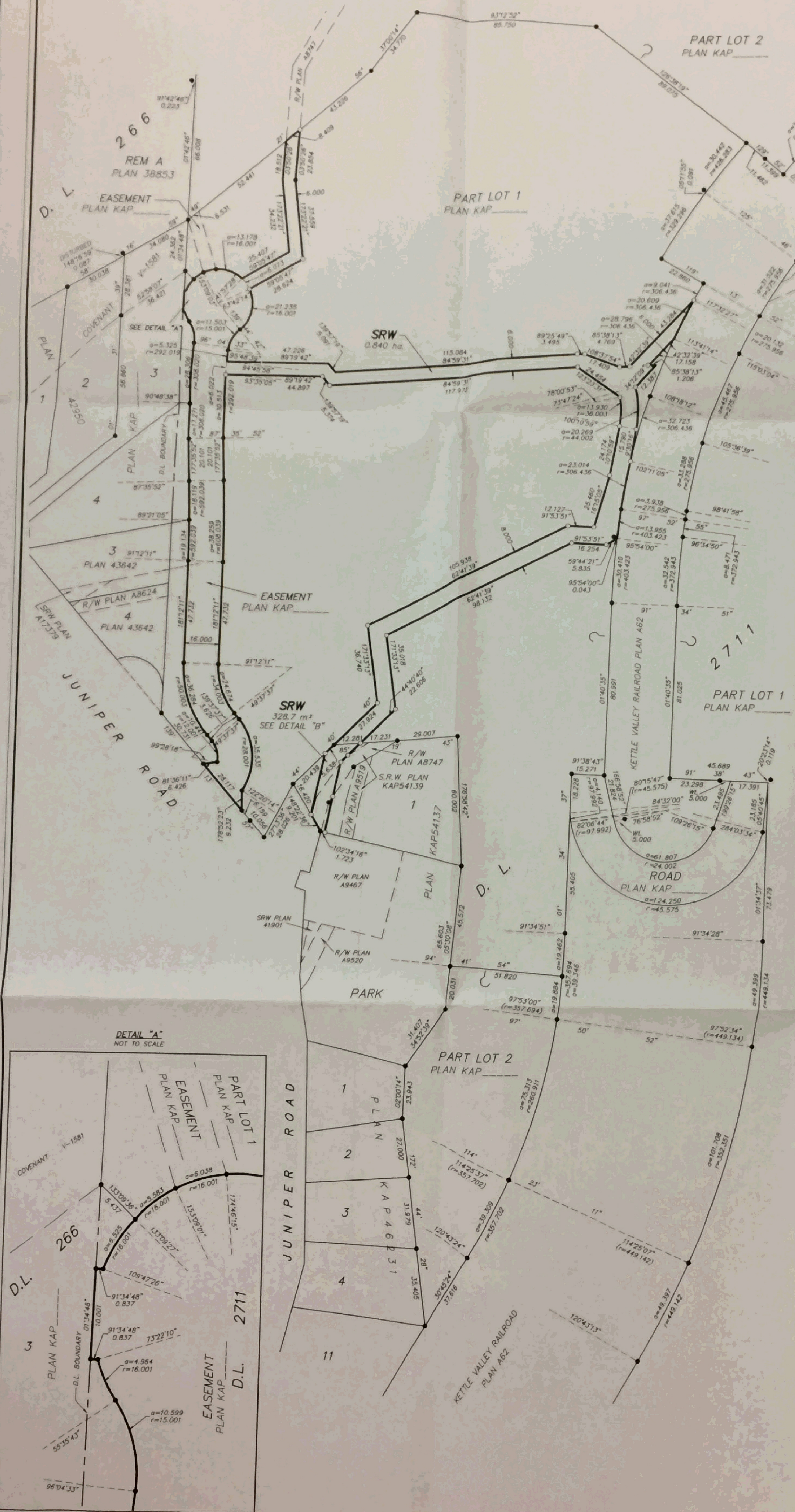
SCALE: 1:1000



PLAN KAP _____

DEPOSITED IN THE LAND TITLE OFFICE AT KAMLOOPS, B.C.
THIS DAY OF _____ 2008

REGISTRAR _____



BOOK OF REFERENCE

DESCRIPTION	AREA
LOT 1, D.L. 2711 & 3474, S.D.Y.D., PLAN KAP _____	0.840 ha
LOT 1, D.L. 2711, S.D.Y.D., PLAN KAP 54137	328.7 m ²

LEGEND

GRID BEARINGS ARE DERIVED FROM PLAN KAP _____

THIS PLAN SHOWS GROUND LEVEL MEASURED DISTANCES TO COMPUTE GRID DISTANCES. MULTIPLY GROUND LEVEL DISTANCES BY A COMBINED FACTOR OF 0.9999350.

- DENOTES STANDARD IRON POST FOUND.
- DENOTES STANDARD IRON POST SET.
- DENOTES STANDARD LEAD PLUG FOUND.
- ⊕ DENOTES STANDARD CAPPED POST FOUND.
- DENOTES NON-STANDARD POST FOUND.

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF OKANAGAN SIMILAKMEEN.

I, DEREK BLASZAK, A BRITISH COLUMBIA LAND SURVEYOR, OF THE CITY OF PENTICTON, 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 FIELD SURVEY WAS COMPLETED ON THE 7TH DAY OF MARCH 2008. THE PLAN WAS COMPLETED AND CHECKED, AND THE CHECKLIST FILED UNDER #78095, ON THE 6TH DAY OF MARCH 2008.

[Signature]

B.C.L.S. C.L.S.

McELHANNY ASSOCIATES
PROFESSIONAL LAND SURVEYORS
102-130 HANNAH AVE. WEST
PENTICTON, B.C. V2A 8D1
TEL: 492-7399
FAX: 492-5488

LOT CLIENT: 10613
OUR FILE NO: 2548-0
OUR DRAWING NO: 2548-0-WATERLINE-SRW.DWG



Naramata Benchlands Properties
c/o Brad Elenko Urban Connections
12 Dogwood Place
Osoyoos, BC V0H 1V1

Your File

Our File 02-008-17281

Date (yyyy/mm/dd) 2006/12/08

Proposed Subdivision of
Sublot 14, D.L. 2711, SDYD, Plan 1190, except Plans A62, 29843, 38736, KAP44343, KAP45544,
KAP46231, KAP54137 & KAP57167

Your proposal for a 44 lot Bare Land Strata subdivision has received preliminary layout approval, subject to the following condition(s):

Fee Simple Plan:

The area proposed as the bare land strata development must first be created as a fee simple lot with a remainder of the parent property and the requirements for this first plan are:

1. Provision and registration of a suitable fee simple subdivision plan to first create the proposed bare land strata area as a fee simple lot, as well as providing any required road or parkland dedications.
2. Written confirmation from the Regional District of Okanagan Similkameen of compliance with all bylaw requirements for the creation of this fee simple lot and the remainder.
3. Arawana Road from existing end of the Ministry of Transportation portion - on the west side of the former KVR, to the proposed access to the new lot and remainder, to be designed, constructed, paved and dedicated to Ministry standards to the satisfaction of the district official. Design and construction standards are as per Chapter 14 - Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" local road standards with a minimum 50 km/h design speed, complete with a cul-de-sac and drainage works to a natural outfall. Said road and drainage works to be designed, supervised, and certified as having been constructed in accordance with good engineering practice and according to acceptable Ministry of Transportation standards by a qualified Professional Engineer registered in British Columbia and experienced with Ministry standards and requirements. Properly engineered drawings showing: vertical and horizontal alignments; cross sections; drainage works to a natural outfall; all utility locations; etc. to be submitted to and approved by the district official prior to the commencement of any work. All involved utility companies should be consulted and provided with the road design drawings as it relates to utility installations.

Bare Land Strata Plan:

1. The proposed crossing of the crown land is not yet approved and we have no information if it will be approved or not. Required is written confirmation that the crossing is approved as a permanent crossing and not a just licence of occupation.
2. As previously discussed, some of the preliminary road and driveway design grades do not satisfy accepted standards.

Local District Address

Penticton Area Office
102 INDUSTRIAL PLACE
PENTICTON BC V2A 7C8

FILE COPY

3. Written confirmation of approval from the Public Health Officer including satisfaction of any and all requirements they may have. I note the Public Health Inspector requires additional site inspections as work progresses and may have additional requirements that have not yet been outlined. (letter September 28, 2006)

4. Confirmation that existing covenants KX41990 and KW114024 in the name of the Regional District of Okanagan Similkameen have been released.

The applicant should address these requirements prior to undertaking any substantial work on the proposed subdivision as they may affect the design and/or approval of the subdivision.

1. Written confirmation from the Regional District of Central Okanagan of compliance with all their bylaw and utility servicing requirements as outlined in their letters dated December 13, 2005 and March 29, 2006.

2. Written confirmation of approval from the Public Health Officer including satisfaction of any and all requirements they may have.

3. Written confirmation from the Regional District of Okanagan Similkameen / Naramata Water System of compliance with all their requirements in regards to the provision of water including the payment of all fees and charges as may be required.

4. Written confirmation from the Public Health Engineer of compliance with the Drinking Water Protection Act and Regulation 200/2003, specifically that a construction permit and an operating permit have been issued.

5. Proposed common access routes to be designed, constructed and paved in accordance with Ministry standards - Chapter 14 - Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" and the Transportation Association of Canada (TAC) standards for any item not in the Ministry standard complete with cul-de-sacs and drainage works to a natural outfall. Design speed shall be a minimum of 30 kmh and posted. All routes and turnarounds to accommodate emergency vehicle movements. All works to be designed, supervised, and certified as having been constructed in accordance with the required standards and with good engineering practice by a Professional Engineer registered in British Columbia and experienced with road construction, to the satisfaction of the district official. Engineered drawings showing vertical and horizontal alignments, cross-sections, and drainage works to an approved natural outfall to be submitted to and approved by the District Official prior to commencement of any works. The common property for the access route shall be established a minimum of 15 metres in width or 3m beyond the extremities of all cuts and fills. The design drawings should be supplied to all utility companies in regards to utility locations. Copies of all test results to accompany the Engineer's certification of the construction. As-built drawings to be submitted to the Ministry upon completion of road and drainage works. A stop sign shall be installed at the intersection with the public road. Any gates to the development shall be far enough back from the public road for vehicles to clear the road and turnaround if necessary without backing onto the public road.

6. Road and drainage construction works to be supervised and certified as having been constructed in accordance with good engineering practice and according to acceptable Ministry of Transportation standards by a qualified Professional Engineer registered in British Columbia. Test results and as-built drawings to be submitted to the Ministry upon completion of the work. A quality management plan may be required to show how road and drainage design and construction will be assured of meeting Ministry standards.

7. Written confirmation of approval from Land and Water British Columbia Inc in regards to the proposed public road crossing of the former KVR property.

8. Provision of a detailed drainage report and runoff management plan to clearly show how the safe conveyance of all surface runoff water to a natural body of water (natural outfall) will be achieved. The report and plan must consider: the full build out of the proposed development; pre-development hydrology; uphill runoff considering potential for any further development; and the potential effect on downhill properties. The report and plan shall be prepared by a Professional Engineer certified in British Columbia and experienced in drainage engineering. Drainage system to be designed to accommodate a 1 in 10 year storm (minor system), and a 1 in 100 year storm for overland flows (major system) in accordance with all the standards outlined in Chapter 14 – Subdivision Standards of the "B.C. Supplement to TAC Geometric Design Guide" and the Transportation Association of Canada (TAC) standards. All required drainage works as approved by the district official shall be constructed and certified by the consulting engineer. If required, Statutory Right-of-Ways for drainage purposes are to be a minimum of 6 m in width and in a suitable location, to the satisfaction of the district official. Drainage outfall may require approvals from the Ministry of Environment. All drainage works to be supervised and certified as having been constructed in accordance with the required standards and with good engineering practice by a Professional Engineer registered in British Columbia and experienced with road construction, to the satisfaction of the district official. All proposed works to be designed and constructed in accordance with the Land Development Guidelines for the Protection of Aquatic Habitat.

9. Provision of a suitably worded covenant, registerable under Section 219 of the Land Title Act which defines the safe building area in accordance with the recommendations of the Wildstone Engineering Ltd report dated August 21, 2006. The covenant is to include building restrictions as per the report including the defined set-back line required on proposed lots 25, 35 and 36 which shall be defined by bearing and distance on a plan prepared by a B.C. Land Surveyor and certified by the consulting engineer; and the lot development specific requirement for further geotechnical investigation at the time of building. Please provide 3 complete copies of the document which is to be in favor of [1] Her Majesty the Queen in the right of the Province of British Columbia as represented by the Minister of Transportation and [2] the Regional District of Okanagan Similkameen and be registered with priority over any financial charges. The notation on the final plans must accurately reflect the named parties on the covenant document.

10. Access to all lots fronting a cut or fill greater than 1.5 m to be constructed to the satisfaction of the district official prior to final approval. To ensure a safe driveway, the first 6 m is to be constructed at a right angle to the road with a maximum 2 % grade. Driveways are to be lower at the ditchline than the road shoulder to ensure surface drainage from the driveway does not flow onto the road. The driveway shall not exceed a 10 % grade or have tight curves. Parking for a minimum of 2 vehicles must be provided and no parking is permitted on the road.

It is noted that access to more than half the proposed lots appear difficult(+/-10%). Access design drawings to be submitted to and approved by the district official prior to the commencement of any work.

December 8, 2006
Brad Elenko Urban Connections

11. Written confirmation from the Regional District of Okanagan Similkameen of compliance with Section 941 of the Local Government Act, specifically the provision of parkland.

12. Explain how the recommendations of the Ecological Assessment dated July 27, 2006 will or have been appropriately considered and accommodated where possible to limit the affect on wildlife, to the satisfaction of the district official.

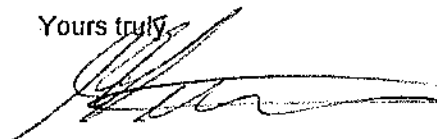
The property being subdivided is within a wildfire interface area and may be subject to a hazard of wildfire. It is therefore recommended that the owner consult the following website and review the Firesmart Manual for information about reducing the risk, www.for.gov.bc.ca/protect/ or www.partnersinprotection.ab.ca or contact the Ministry of Forests for more information. Appropriate protection measures should be implemented and maintained, and property purchasers should be advised of the risk.

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

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

If you have any questions please do not hesitate to call Joe Peterson at (250)490-8200.
(Name of Technician)

Yours truly,



Ministry of Transportation

cc: CANADA POST CORPORATION
FORTIS BC
INTERIOR HEALTH AUTHORITY
LAND AND WATER BRITISH COLUMBIA INC.
MINISTRY OF ENVIRONMENT
OKANAGAN SIMILKAMEEN REGIONAL DISTRICT
ROYAL CANADIAN MOUNTED POLICE

Jjp

