

Corporation of the
Village of Cumberland

DEVELOPMENT PERMIT

TO: 0888128 BC Ltd **AGENT: Trilogy Properties VI Corp (Matt Portman)**

OF: Suite 1300, 777 Dunsmuir Street, PO Box 10424 Pacific Centre, Vancouver, BC V6C 0B2

This Development Permit (2016-04 DP) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as supplemented by this Permit for the purposes of initial subdivision only to create four parcels from the Lands described below.

1. This Development Permit applies to and only to those lands within the Village of Cumberland described below:

Legal Description: Part of Lot 1, District Lot 24, Nelson District, Plan V1P65482, Except Parts in Plans VIP66935 and VIP76956 (Lots 7, 9a, 9b and 10a)

Folio: 516 29039.540

PID: 023-970-260

2. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this Permit:

- a) Only the initial subdivision in accordance with the attached Schedule A is permitted.
- b) The Restricted Development Zones (RDZ) identified on the attached Schedule B "Restricted Development Zones for the Trilogy Development" must remain free of development, and further:
 - i) The following natural features within each RDZ identified in the Bio-Inventory Report (defined below) must be protected and preserved:
 - 1) Aquatic Ecosystems Areas, including wetlands;
 - 2) nesting sites and breeding areas;
 - 3) mature/old forest areas; and
 - 4) wildlife corridors;
 - ii) Riparian Areas, Streamside Protection and Enhancement Areas (SPEAs) and others areas identified in the Bio-Inventory Report as supporting fish habitat must be protected and preserved; and
 - iii) Species at Risk (SAR) areas and Environmentally Sensitive Areas (ESA), per studies completed during March, May, and July 2017 and included in the Bio-Inventory Report must be protected and preserved.

- c) The Bio-inventory Report, including the TEM Report and Hydrology Assessment attached as Schedule C, must be referenced and updated accordingly, in the preparation of a Site Plan(s) and development design proposed for the Lands, and further:
- i) Such plans may allow of the refinement of the RDZ and above noted protection and preservation areas, subject to Village approval in accordance with future development applications and processes existing at the time of those applications;
 - ii) Future development plans will consider Low Impact Development concepts such as infiltration galleries, rain gardens and/or ponds, including in consideration of the Hydrology Assessment, groundwater tables and subsurface soil types, to achieve post-development water quality and quantity, including run-off, consistent with the pre-development assessment provided in the Hydrology Assessment;
 - iii) Site plans and development design will include detailed drawings or plans clearly describing the proposed structures and the materials and type of construction to be employed, including a cross section of the proposed structure and its layout on the ground;
 - iv) Development design must reflect the objectives and guidelines of the Standards and Best Practices for Instream Works; Land Development Guidelines for the Protection of Aquatic Habitat, Stormwater Management: A Guidebook for British Columbia, Develop with Care Environmental Guidelines for Urban and Rural Land Development in British Columbia (Section 3 - Guidelines for Ecosystems and Species Protection and Section 4); Access Near Aquatic Areas: A Guide to Sensitive Planning, Design and Management and other best management practices guides produced by the provincial government which are current at the time of application;
 - v) Development shall be supported by detailed bio-inventory reports that: supports the maintenance and restoration of natural system functions; preserves natural features; maintains connectivity and linkages; protects endangered, threatened, or vulnerable species or plant communities; maintains critical habitat structures, including impact assessment and mitigation planning and implementation. All should be prepared in accordance with standards in place at the time of application;
 - vi) Detailed mapping of slopes greater than 30%;
 - vii) Detailed mapping of snags, wildlife trees, and trees with cavities shall be required at future development phases to provide timely data for development;
 - viii) Detailed mapping of Sensitive ecosystems, consistent with TEM Report.
- d) Any trail or pathway development must:
- i) Minimize the impacts of recreational use on restricted development zones and adjacent natural areas and systems

- ii) Adhere to the Village's trail and pathway design and construction practices for ESADP Areas
- iii) Be designed to prevent motorized vehicle use to the maximum extent possible

4. **Security**

No security required as condition of subdivision-only permit.

5. **Expiry**

This permit only authorizes subdivision, and expires only if the initial subdivision identified in Schedule A does not proceed within two years of issuance of this permit.

6. **Timing and Sequencing of Development**

No development is authorized by this subdivision-only permit.

7. **List of Reports or Plans attached as Schedules**

- a) Schedule A – Plan of Subdivision
- b) Schedule B – Restricted Development Zones for the trilogy Development dated January 3, 2018 prepared by EcoFish Research
- c) Schedule C – Bioinventory for the Cayet Lands dated December 2017 prepared by McElhanney Consulting Services ("**Bio-Inventory Report**"), which also includes:
 - i) Terrestrial Ecosystems Mapping of the Cayet Properties, Village of Cumberland, BC report dated December 22, 2017 prepared by Madrone Environmental Services ("**TEM Report**"); and
 - ii) Cayet Pre-Development Hydrology Assessment – Final Report dated October 2017 prepared by McElhanney Consulting Services ("**Hydrology Assessment**").

8. **Contaminated Sites Regulation**

This Permit is issued pursuant to the requirements of the *Environmental Management Act*, whereby the Owner has completed a "Site Declaration" for the subject property.

9. This Permit is **not** a Building Permit.

CERTIFIED as the **DEVELOPMENT PERMIT** approved and issued by resolution of the Council of the Corporation of the Village of Cumberland on _____, 2018.

Corporate Officer

Schedule A

PLAN EPP58451

LOT 6 & LOT 7

SUBDIVISION PLAN OF PART OF LOT 1, DISTRICT LOT 24, NELSON DISTRICT, PLAN VIP65482, EXCEPT PARTS IN PLANS VIP66935 AND VIP76956; AND PART OF SECTION 25, TOWNSHIP 10, COMOX DISTRICT, PLAN 552H EXCEPT THAT PART COMMENCING AT THE NORTH EAST CORNER OF SAID SECTION THENCE SOUTH 24 DEGREES 10 MINUTES EAST 252 FEET TO THE CENTRE OF COMOX AND UNION ROAD THENCE FOLLOWING THE ROAD SOUTH 25 DEGREES 50 MINUTES WEST 691 FEET, THENCE SOUTH 35 DEGREES 50 MINUTES WEST 541 FEET, THENCE SOUTH 18 DEGREES 30 MINUTES WEST 496 FEET, THENCE SOUTH 15 DEGREES 30 MINUTES EAST 1921 FEET THENCE SOUTH 51 DEGREES 50 MINUTES WEST 195 FEET TO POST NO. 1 OF CHINESE CEMETERY BEING THE POINT OF COMMENCEMENT THENCE SOUTH 71 DEGREES WEST 179 FEET THENCE NORTH 20 DEGREES 20 MINUTES WEST 295 FEET THENCE NORTH 78 DEGREES 30 MINUTES EAST 348 FEET THENCE SOUTH 15 DEGREES EAST 160 FEET THENCE SOUTH 39 DEGREES 50 MINUTES WEST 165 FEET MORE OR LESS TO THE POINT OF COMMENCEMENT AND EXCEPT THOSE PARTS IN PLANS 4222, 11052, 11072, 17828, 24989, 25688, 23092 AND VIP64546, VIP65968, VIP67267, VIP67596, VIP69148, VIP72564, VIP7865, AND VIP83684.

BCGS 92F.065

The intended plot size of this plan is 560 mm in width by 864 mm in height (D size) when plotted at a scale of 1:2000.

LEGEND

Bearings are NAD 83 (CSRS) 3.0 0.8C 1 N/1 grid bearings, derived from differential carrier phase GNSS observations and are referred to the central meridian of Zone 10 (121° West). To obtain local astronomic bearings referred to the meridian through the northeast corner of newly dedicated road at Grant road, subtract 1°31'33".

- denotes standard capped post found
- denotes standard iron post found
- denotes standard iron post placed

This plan shows one or more witness posts which are not set on the true corner(s).

The UTM coordinates and estimated network horizontal positional accuracy achieved are derived from GNSS dual frequency static baseline ties to the Western Canadian Deformation Array control stations at Nanaimo, Port Alberni and Ucluelet.

This plan shows horizontal ground-level distances, unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.99983945. The average combined factor has been determined based on an ellipsoidal elevation of 120 metres.

Bearings to BT's are magnetic - declination 17° E.

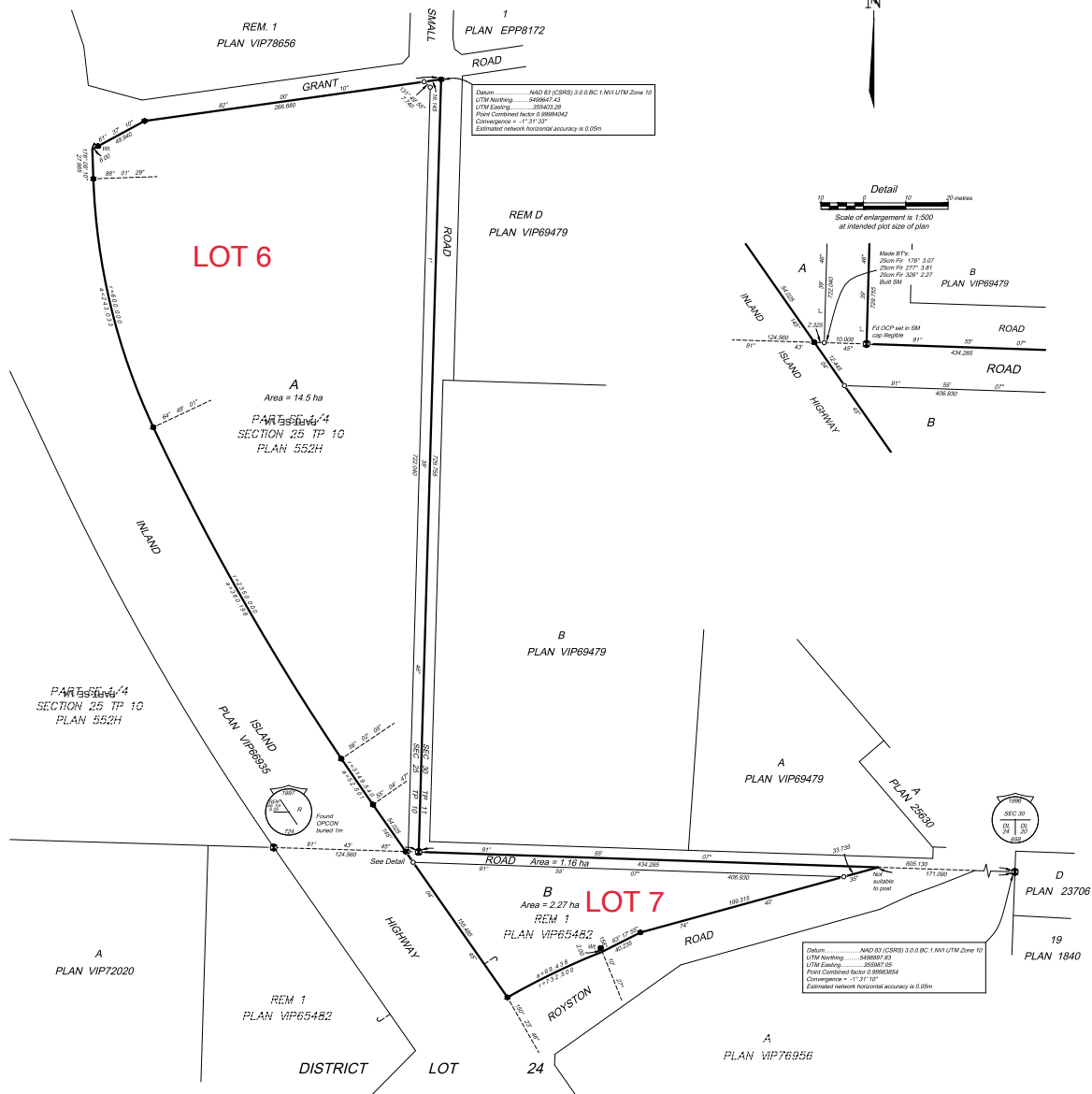
All distances are in metres and decimals thereof.

DRAFT

This plan lies within the jurisdiction of the Approving Officer for the Village of Cumberland.

This plan lies within the jurisdiction of the Approving Officer for the Minister of Transportation and Infrastructure.

Ministry File:



This plan lies within the Comox Valley Regional District and The Village of Cumberland

The field survey represented by this plan was completed on the 16th day of December, 2015
David C. Bazzett, CLS, BCLS (576)

PLAN EPP58452

LOT 10

The field survey represented by this plan was completed on the ____ day of _____, 2018
David C. Bazett, C.I.S., R.C.I.S. (576)