



DATE OF MEETING: November 29, 2024
TO: North Pender Island Local Trust Committee
FROM: Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Rezoning Application – Contractor and aggregate storage/sales yard
Applicant: Braedon Bigham - Big Digem Contracting
Location: 3334 Port Washington Road, Pender Island

RECOMMENDATIONS

1. That the North Pender Island Local Trust Committee directs staff to proceed with application PLRZ20240110 (Bigham) and to prepare a draft bylaw.
2. That the North Pender Island Local Trust Committee permits the current industrial land use to continue during consideration of application PLRZ20240110 in accordance with standing resolution 2020-010 policy option 15.1(b); and directs that bylaw enforcement actions, including the issuing of notices, to cease.

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application PLRZ20240110 (Bigham) and to seek direction from the North Pender Island Local Trust Committee (LTC) to proceed, or not proceed, with the application, including the preparation of a draft bylaw.

The above recommendation is supported as:

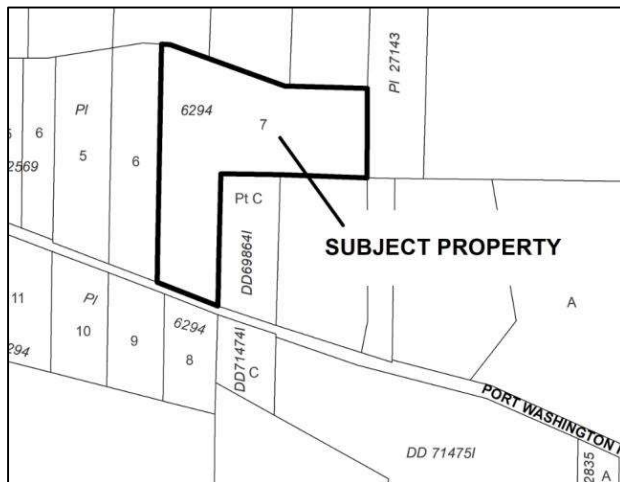
- The area proposed for rezoning is designated as Industrial and the proposed use appears consistent with the Industrial land use policies of the North Pender Island Official Community Plan No. 171 (OCP);
- The business provides an important community service, is located in a broader area designated for and actively utilized for industrial use, and has been operating via Temporary Use Permits since 2011;
- Directing staff to proceed will trigger the issuance of a terms of reference (TOR) that will identify any additional information and professional reports required from the applicant; and,
- Proceeding with draft bylaws will facilitate First Nations and agency referrals and public input to identify any issues or concerns with the proposed rezoning.

BACKGROUND

The property owner and business operator have submitted a rezoning application to permit the continued operation of aggregate storage, retail sales and associated uses on a portion of the subject property located at 3334 Port Washington Road (Figure 1), which is currently zoned Rural (R) and does not permit industrial uses.

The current industrial use on the property has been occurring for several years via Temporary Use Permits (TUPs). The business operator is now seeking to come into compliance with the North Pender Island Land Use Bylaw No. 224 (LUB) in respect of the ongoing industrial uses on the property.

Figure 1 – Subject Property



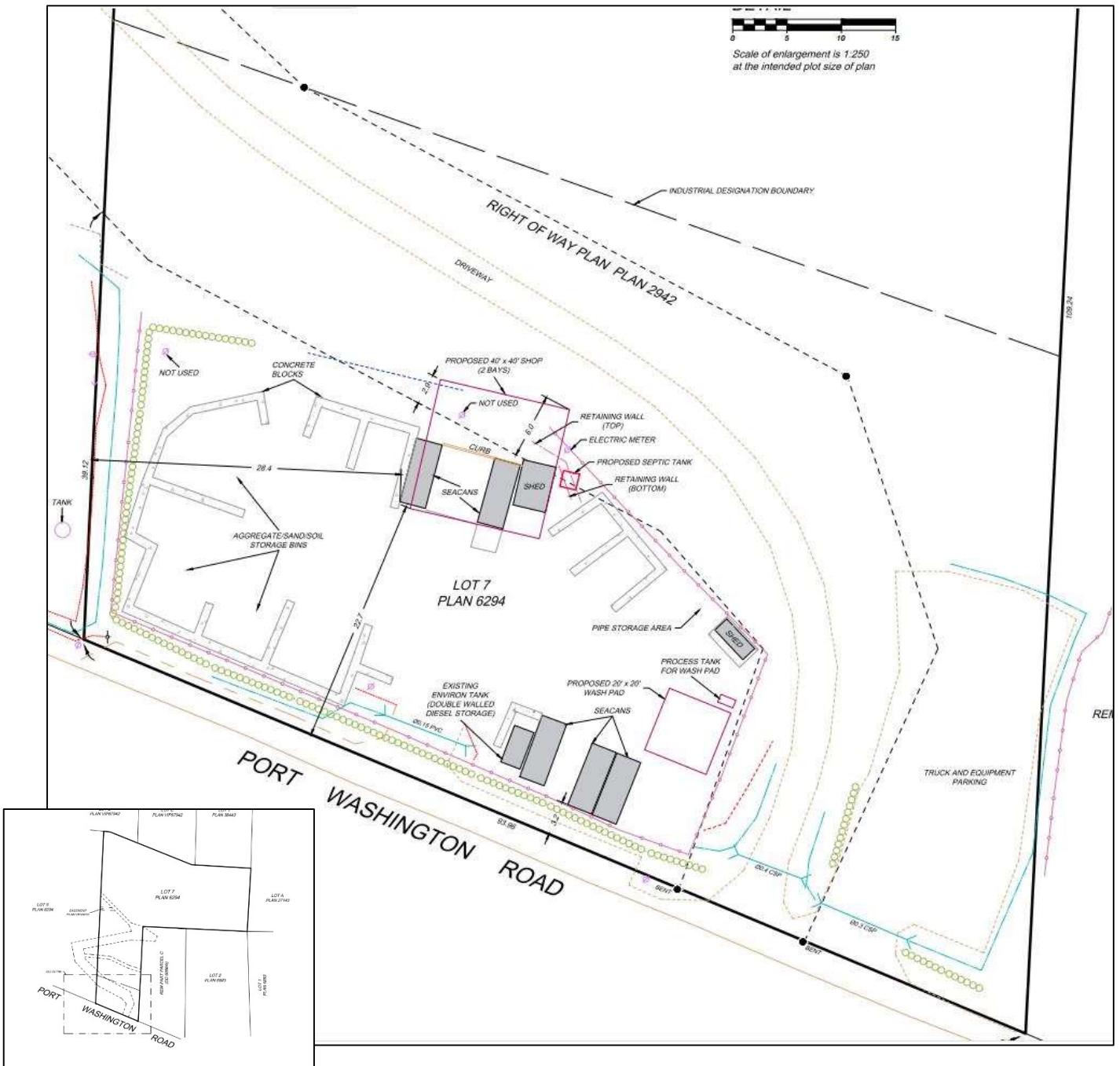
The following provides a brief history of land use:

- **2011** - TUP first issued for storage and sales of aggregate and associated uses
- **2014, 2016, 2020** - TUPs renewed for continuation of aggregate business
- **2015** - Bylaw enforcement file opened for non-permitted uses – issue addressed and file closed
- **2021** - LTC started LUB review – included consideration of zoning change to industrial
- **2022** - Bylaw enforcement file opened for non-permitted uses after TUP expired– file still open
- **2023** - LTC finished LUB review project and decided to not amend zoning through project to permit industrial uses, directed business operator to apply for rezoning rather than seeking another TUP
- **2024** - Property owner and business operator have submitted rezoning application seeking to rezone a portion of the property from Rural (R) to General Industrial (GI).

Figure 2. shows the proposed site plan for the industrial portion of the lot. Proposed uses include:

- Contractor Yard
- The storage, handling and wholesale of aggregates, soils and mulches - maximum 460 m² (550 yards)
- Storage of recreational vehicles
- Storage of motorized and non-motorized vehicles and equipment directly required for the business
- Water Wagon (500-gallon water trailer) for fire suppression / mitigation.
- Covered Trailer (plumbing / septic part storages) storage.
- Drainage/sewer pipe/culvert and new septic tank storage
- Superior Propane Tank Storage – Empty Propane Tank Storage to a maximum of 15, for island emergencies
- Storage of 10,000 liters of diesel for company use on off road equipment.
- 12 x 12 metre shop for working maintaining and servicing company owned vehicles and equipment
- 6 x 6 m concrete wash pad for washing of company owned vehicles and equipment - connected to water catchment /filtration system.

Figure 2. Site Plan of Proposed Industrial Uses



Additional site context is included as Attachment 1, and maps and plans in Attachment 2. Staff have conducted a site visit and identified no significant issues with the current operation.

The applicant has submitted a letter further describing the proposed uses and rationale. It is included as Attachment 3.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

The proposed rezoning to permit the site-specific industrial uses listed above on the portion of the lot designated for industrial use does not appear to be contrary or at variance with any Policy Statement directive policies; however a more comprehensive review with a checklist would be provided at consideration of First Reading if the application proceeds.

Official Community Plan

The property is split designated as Rural (R) and Industrial (I) in the OCP as shown below. As the portion of the property proposed for rezoning is already designated Industrial, rezoning would not require an OCP amendment, only a LUB amendment.



The Industrial Land Use Policies of the OCP need to be considered, including minimizing impacts on neighbouring properties and the environment.

Industrial Land Use Objectives from the OCP include:

- 1) To encourage on-island industrial enterprises that do not adversely affect rural character and lifestyle.
- 2) To limit industrial development to specific areas of the island.
- 3) To prevent strip development.
- 4) To ensure that any industry is sited to minimize adverse effects upon neighbouring properties.

The most relevant associated OCP policies include:

- 2.5.1 Industrial development which may have a deleterious impact on adjacent land uses will not be permitted.
- 2.5.2 Priority may be given to the following locations for new or additional industrial development: a) **by application to rezone the industrially designated land on Port Washington Road;**

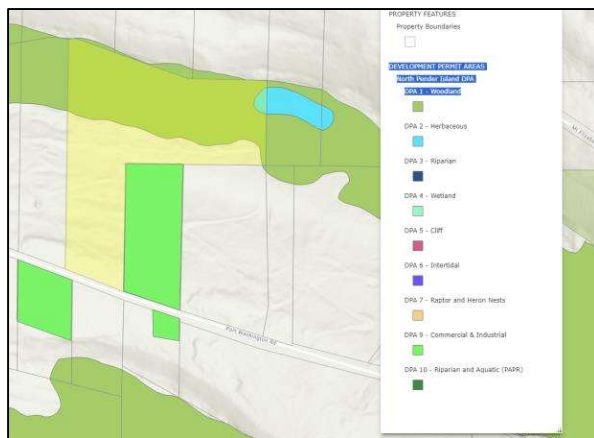
- 2.5.4 Applications for industrial rezoning must prove sustainable water supply and waste disposal capability, and include provision for remediation of any existing contamination, and in reviewing any application for new industrial uses, the local trust committee should consider potential climate change impacts.
- 2.5.6 Industrial activity, parking and storage areas should be screened.

The proposed area of rezoning on the subject property falls within the industrially designated land area referenced in Policy 2.5.2.

Consistent with policy 2.5.4, the applicant will be required to prove sustainable water supply and waste disposal capability. Screening should also be required for industrial activity, parking and storage areas. The existing GI zone includes screening requirements.

Development Permit Areas

There is DPA 2 - Herbaceous and DPA 1 – Woodland located in the upper portion of the property designated Rural. There are no DPAs in the lower portion designated Industrial.



As with all industrial zoned properties on North Pender, if the zoning amendment proceeds, the industrial zoned portion would become subject to the requirements of DPA 9 - Commercial and Industrial Form and Character. As such, the applicant would need to obtain a development permit consistent with DPA 9 prior to operating.

Land Use Bylaw

The subject property is currently zoned Rural (R) in the LUB. Rural zoning does not permit the current industrial use for aggregate storage and sales. As such, up to now, TUPs have been issued for the business to operate.

As with other industrial zoned parcels on North Pender, if the LTC proceeds, staff would recommend site-specific zoning.

Terms of Reference

Should the LTC direct staff to proceed, staff will issue a terms of reference (TOR) consistent with the [North Pender Island Development Approval Information Bylaw No. 134 \(DAI\)](#). This TOR will further describe the reporting requirements of the applicant in respect of the rezoning proposal.

Standing Resolution 2020-010

Standing resolution 2020-010 provides policy options for bylaw enforcement compliance on unlawful uses.

2020-010 (Standing)	Carried	30-Jan-2020
15.1 Policy options for Bylaw Enforcement Compliance on unlawful uses		
that the North Pender Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:		
a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and staff are directed to continue with enforcement until the use is ceased.		
b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease.		
c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee, bylaw enforcement actions, including the issuing of notices will continue		
d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.		

The applicant has requested that the LTC consider proceeding with consideration of the application while the use is continuing; and that the LTC direct that bylaw enforcement actions, including the issuing of notices, cease, consistent with 15.1(b) (request included in Attachment 1 Rationale Letter).

Section 219 Covenant

The LTC could require that the applicant grant a *s. 219 Land Title Act* covenant to the LTC for any additional restrictions not included in the LUB amendments. For example, a covenant could include ongoing conditions for water use/quality monitoring and reporting, or a more detailed site plan such as that shown in Figure 2 that describes very specifically where structures can be located, size etc.

Issues and Opportunities

Community Benefit and Surrounding Land Uses

It is understood by staff that the local business provides an important service to the island and it appears to be well operated. The area proposed for rezoning is already identified in the OCP for industrial use.

Surrounding land uses include Home Hardware, Emcon Contracting Services, BC Hydro, a specialty grocery store, and a residence. The neighbour living at 3330 Port Washington Road has raised several concerns with the current industrial land use and has expressed opposition to the rezoning proposal. Access to this property is via across the subject parcel.



Water Supply Considerations

A well was drilled on the property in October 2023, intended to service both the future residential use on the upper portion of the lot and the industrial use below. Well yield by air lifting was assumed to be 3 US gallons per minute, or an estimated 16353 litres/day (well record included as Attachment 4).

To service the residential use, the LUB standard for domestic potable water at time of subdivision is 2000 litres/day. It is typical to apply these standards at the time of rezoning. The applicant is also proposing commercial groundwater use via a bathroom facility in the proposed shop building.

To demonstrate proof of potable water, the applicant will be required to submit a report from a professional hydrogeologist confirming the well can produce a sufficient quantity of potable water for the proposed residential use plus whatever the hydrogeologist determines is a minimum volume required for the workshop use.

For other commercial water use requirements to service the business, the applicant is proposing to install a rainwater catchment system for rainwater harvesting off the proposed new shop building. Water captured, to be stored in a 3000-gallon cistern, will be used for all equipment /truck washing as well as fire suppression.

Given the proposal to use rainwater catchment, the LTC could require that no groundwater be used for any other commercial water use other than the workshop as a condition of a s. 219 covenant. Alternatively, the applicant could have the hydrogeologist estimate future additional potential groundwater use and demonstrate proof of water, as required above for the shop bathroom.

As the groundwater used for servicing the proposed shop bathroom will be for a commercial use, the applicant will also be required to obtain a commercial water license consistent with the *Water Sustainability Act*. This would be obtained through the province.

Waste Disposal Considerations

Septic

The applicant has submitted a plan from a Registered Onsite Wastewater Practitioner for a septic system to service the future residential use and the industrial workshop. The plan has been filed with Island Health (Attachment 5).

Other Wastewater and Stormwater

The applicant is proposing to construct a concrete wash pad for washing of equipment and vehicles used as part of the associated business. The wash pad will be connected to a water catchment and filtration system.

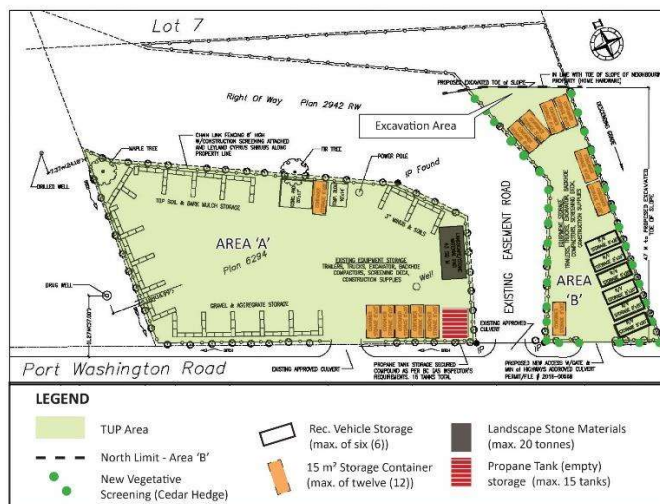
To effectively manage waste water, staff recommend that the applicant be required to submit a water management plan, from a qualified professional, that also includes consideration of stormwater management. Staff would include this as a requirement in the TOR.

The LTC could include relevant aspects of a wastewater management plan as a condition of a s. 219 covenant.

TUP Geotechnical Condition

TUP-2016.3 included the following condition with respect to proposed site excavation in Area B:

- n) This permit allows for the excavation of the area indicated as 'Excavation Area' on Schedule 'B' to facilitate an additional, level area for the uses specified in 2. above.
- o) All excavation work specified in 3) n) above shall be under the supervision of a registered Geotechnical Engineer (P.Eng.) to ensure the geotechnical stability of the sloped area to the north of the permit area and the driveway in 'Access Right of Way'.
- p) The monitoring P. Eng. cited in 3. o) above shall prepare and submit to the Islands Trust written confirmation of the geotechnical stability of the sloped area to the north of the permit area and the driveway in 'Access Right of Way' within one (1) month of the excavation work being completed.



The applicant has submitted two letters from Ryzuk Geotechnical, dated 2017 and 2018 (Attachment 6), confirming that this work is completed in accordance with Ryzuk’s recommendations and that geotechnical stability has been maintained (Attachment 6).

Highway Access Permit

The applicant has submitted an approved Highway Access Permit for the business use (Attachment 8).

Consultation

A draft amending bylaw would be sent to potentially affected government agencies and First Nations for referral. In this case, as there is no required OCP amendment, the LTC could choose whether to hold a public hearing or not. If the LTC chooses to not hold a public hearing, then staff would need to provide notice of first reading, and the LTC should pass the following resolution:

That, pursuant to Local Government Act s. 464(2), the North Pender Island Local Trust Committee resolves to not hold a public hearing for Bylaw No.235, and that staff give notice of First Reading in accordance with s.467 of the Local Government Act.

If a public hearing is held, public hearing notice would be posted as per statutory and bylaw requirements in advance of a public hearing, including notification of the proposed rezoning to all properties located within 100 metres of the subject property.

Typically, a Community Information Meeting (CIM) is also held prior to a public hearing. With direction from LTC, these would be scheduled either separately or concurrently after draft bylaws are complete, reviewed and have received at least First Reading. If no public hearing is held, the LTC could still choose to hold a CIM.

Archaeological Sites

Islands Trust reviews all applications/permits to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. In this case, there are no registered archaeological sites on the subject property, however there is archaeological potential identified in the vicinity.

Further to that review, staff direct the applicant to the following guidelines:

- All archaeological and cultural heritage is protected under the *Heritage Conservation Act* and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the *Heritage Conservation Act* (including all intact or disturbed sites), and require a permit from the BC Archaeology Branch. Further information regarding permits: <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits>
- In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- The area proposed for rezoning is designated as Industrial and the proposed use appears consistent with the Industrial land use policies of the North Pender Island Official Community Plan No. 171 (OCP);
- The business provides an important community service, is located in an a broader area designated for and actively utilized for industrial use, and has been operating via Temporary Use Permits since 2006;
- Directing staff to proceed will trigger the issuance of a terms of reference (TOR) that will identify any additional information and professional reports required from the applicant; and,
- Proceeding with draft bylaws will facilitate First Nations and agency referrals and public input to identify any issues or concerns with the proposed rezoning.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may refer back to staff requesting further information prior to making a decision. Recommended wording for a resolution is as follows:

That the North Pender Island Local Trust Committee request that staff report back with...

2. Deny the application

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee proceed no further with application NP-PLRZ20240110 (Bigham).

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance.

4. Receive for information

The LTC may receive the report for information

NEXT STEPS

Based on direction from the LTC, staff will initiate the drafting of an amending bylaw and issue a TOR to the applicant consistent with the DAI bylaw.

Submitted By:	Brad Smith, Island Planner	November 13, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 14, 2024

ATTACHMENTS

1. Site Context
2. Mapping and Plans
3. Proposed Uses and Rationale Letter from Applicant
4. Well Drilling Report
5. Island Health Record of Sewerage System
6. Ryzuk Geotechnical Reports 2017 and 2018
7. Highway Access Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 7, Sections 18 And 22, Pender Island, Cowichan District, Plan 6294
PID	005-837-693
Civic Address	3334 Port Washington Road, Pender Island, BC

LAND USE

Current Land Use	Rural (Residential, agriculture [grazing, orchard] and quarry.
Surrounding Land Use	North – Rural and Community Service (Library; Nu to Yu) East – Rural Residential and Agriculture South – Community Service (Community Centre) and Rural West – Industrial (site specific) and Rural

HISTORICAL ACTIVITY

File No.	Purpose
NP-TUP-2006.1, 2009.1	Historical TUP files to permit the operation of a waste transfer station
2011.1, 2014.2, 2016.3, 2020.1	TUP files to permit the operation of the current aggregate storage and service company

POLICY/REGULATORY

Official Community Plan Designations	The property is split as designated Rural (R) and Industrial (I) in the North Pender Island Official Community Plan No. 171, 2007 (OCP). (See Mapping) There is DPA 2 - Herbaceous and DPA 1 – Woodland located in the upper portion of the property designated Rural. There are no DPAs in the lower portion designated Industrial.
Land Use Bylaw	The property is zoned Rural (R) in the North Pender Island Land Use Bylaw No. 224, 2022 (LUB).
Other Regulations	None
Covenants	None
Bylaw Enforcement	NP-BE-2015.32 – Closed file - Non permitted uses in association with TUP. NP-BE-2022.14. Active file. Industrial uses of land without zoning

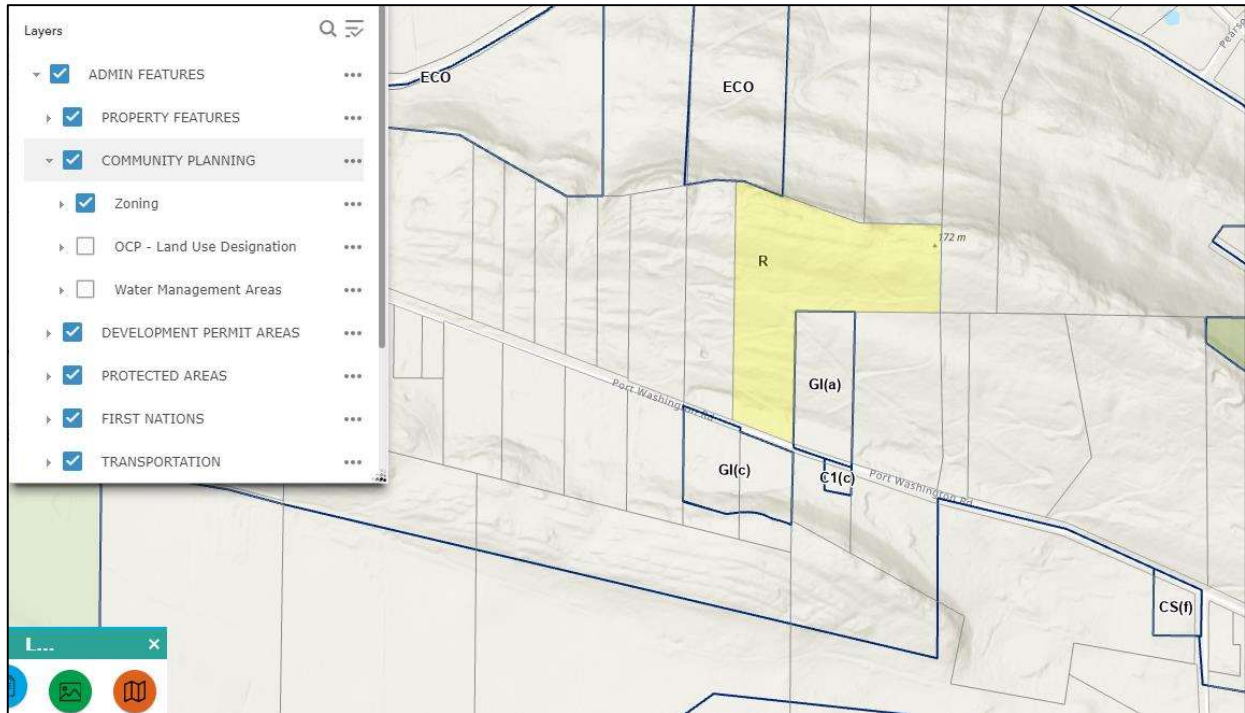
SITE INFLUENCES

Islands Trust Conservancy	The upper portion of the lot is adjacent to a parcel owned by the Islands Trust Conservancy.
Regional Conservation Strategy	N/A
Species at Risk	None
Sensitive Ecosystems	Some Woodland and Herbaceous sensitive ecosystem areas in the upper portion of the lot, none in the portion designated as Industrial.

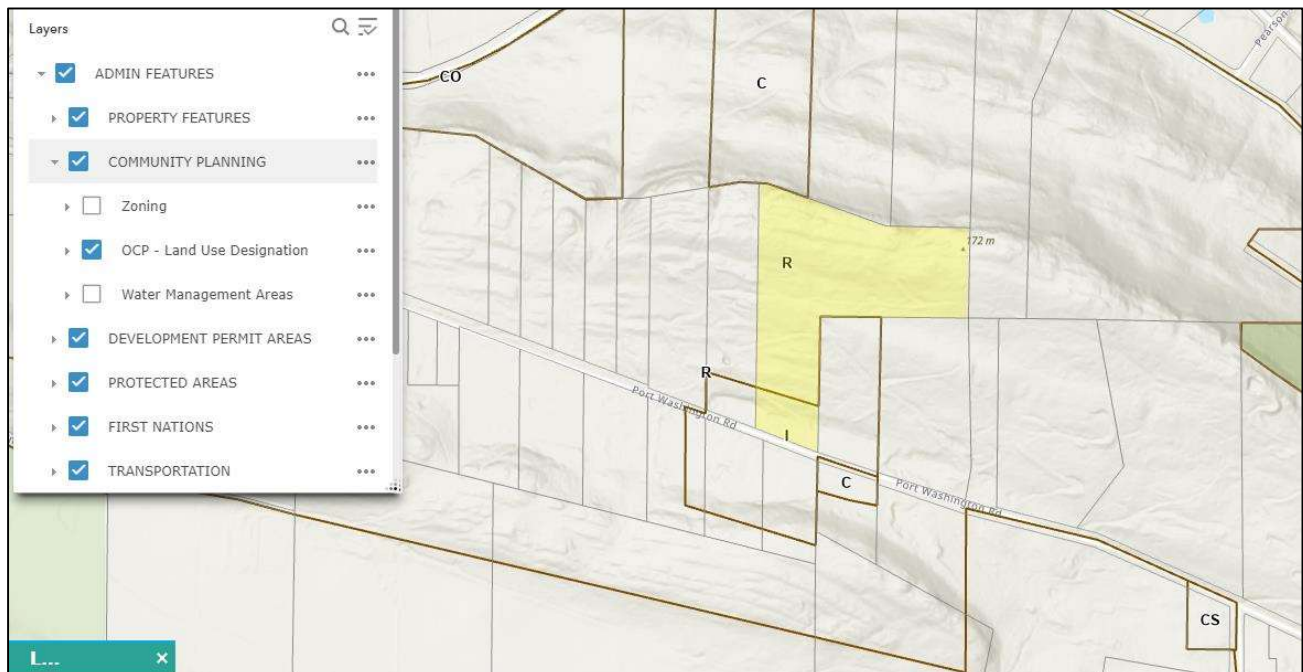
Hazard Areas	Some steep slope – predominantly low to moderate risk (see mapping)
Archaeological Sites	There are no designated archaeological sites on the property or in the immediate vicinity. However, owners and the applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	N/A
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

2.1 ZONING



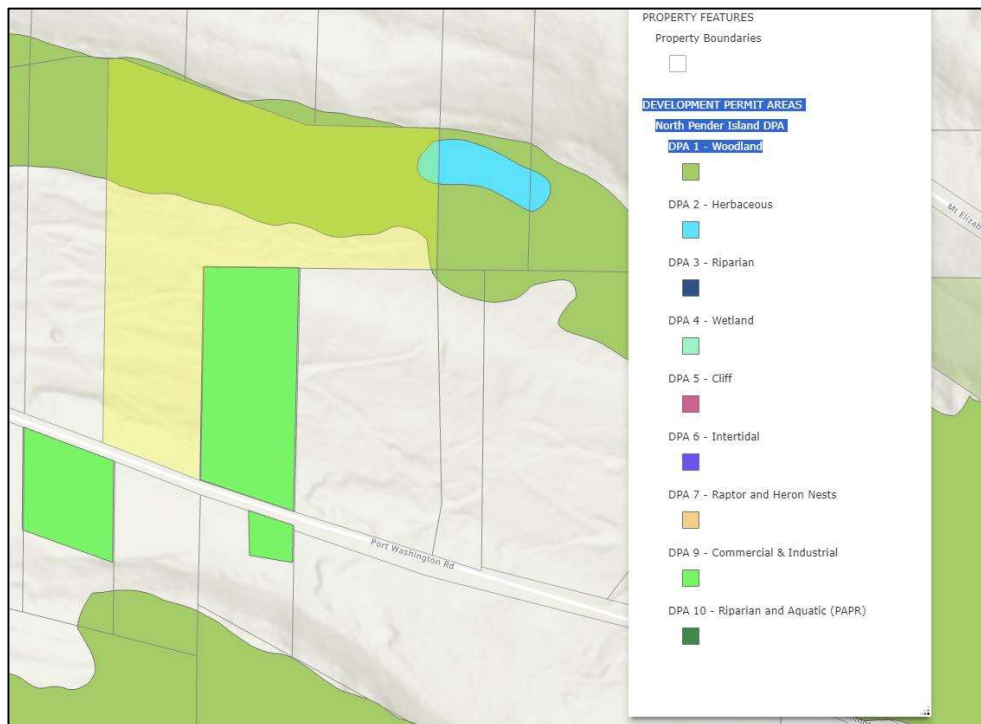
2.2 OCP DESIGNATIONS



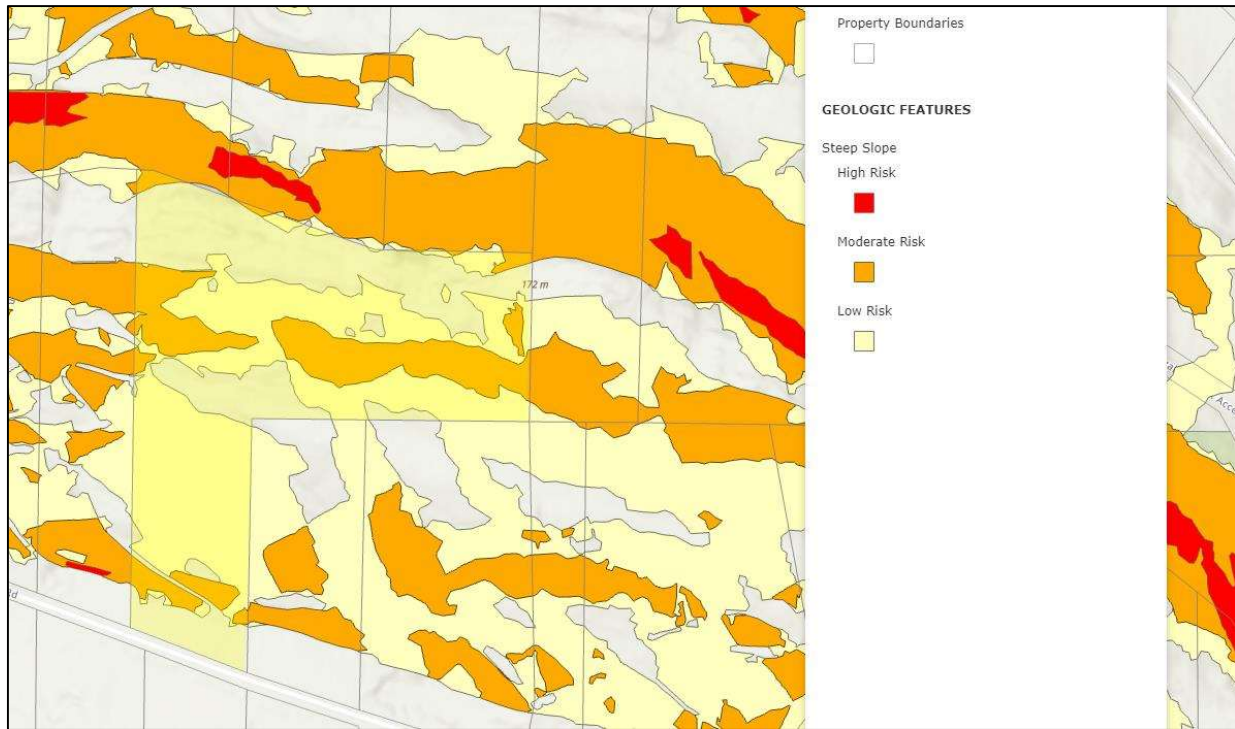
2.3 2021 ORTHO AND OCP DESIGNATIONS



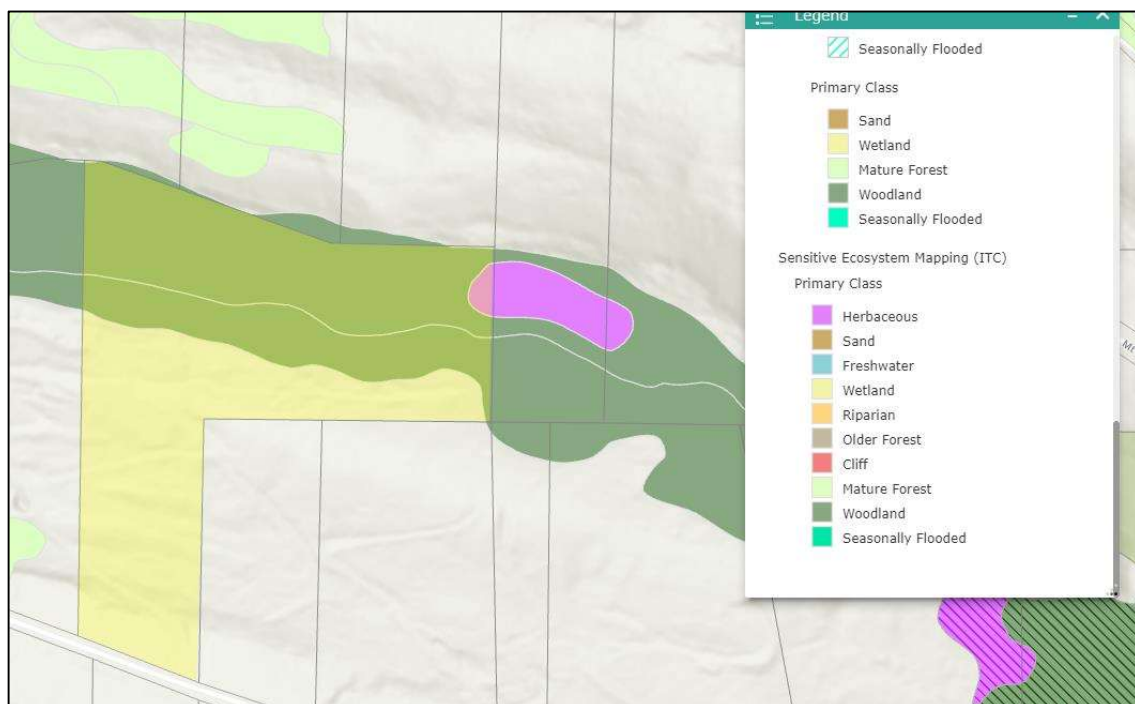
2.4 DEVELOPMENT PERMIT AREAS



2.5 STEEP SLOPE MAPPING



2.6 SENSITIVE ECOSYSTEMS





BDE Site Plan

LEGEND Operational Layers



DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Islands Trust makes no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

229.3 0 114.7 229.3 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Islands Trust

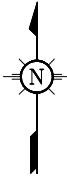


1:4,514

April 18, 2024

**SITE PLAN OF PART OF LOT 7, SECTIONS 18 AND 22,
PENDER ISLAND, COWICHAN DISTRICT, PLAN 6294**

PID 005-837-693



The intended plot size of this plan is 563mm in width by 864mm in height (D-Size) when plotted at a scale of 1:2000.

All distances are in metres and decimals thereof, unless otherwise noted.

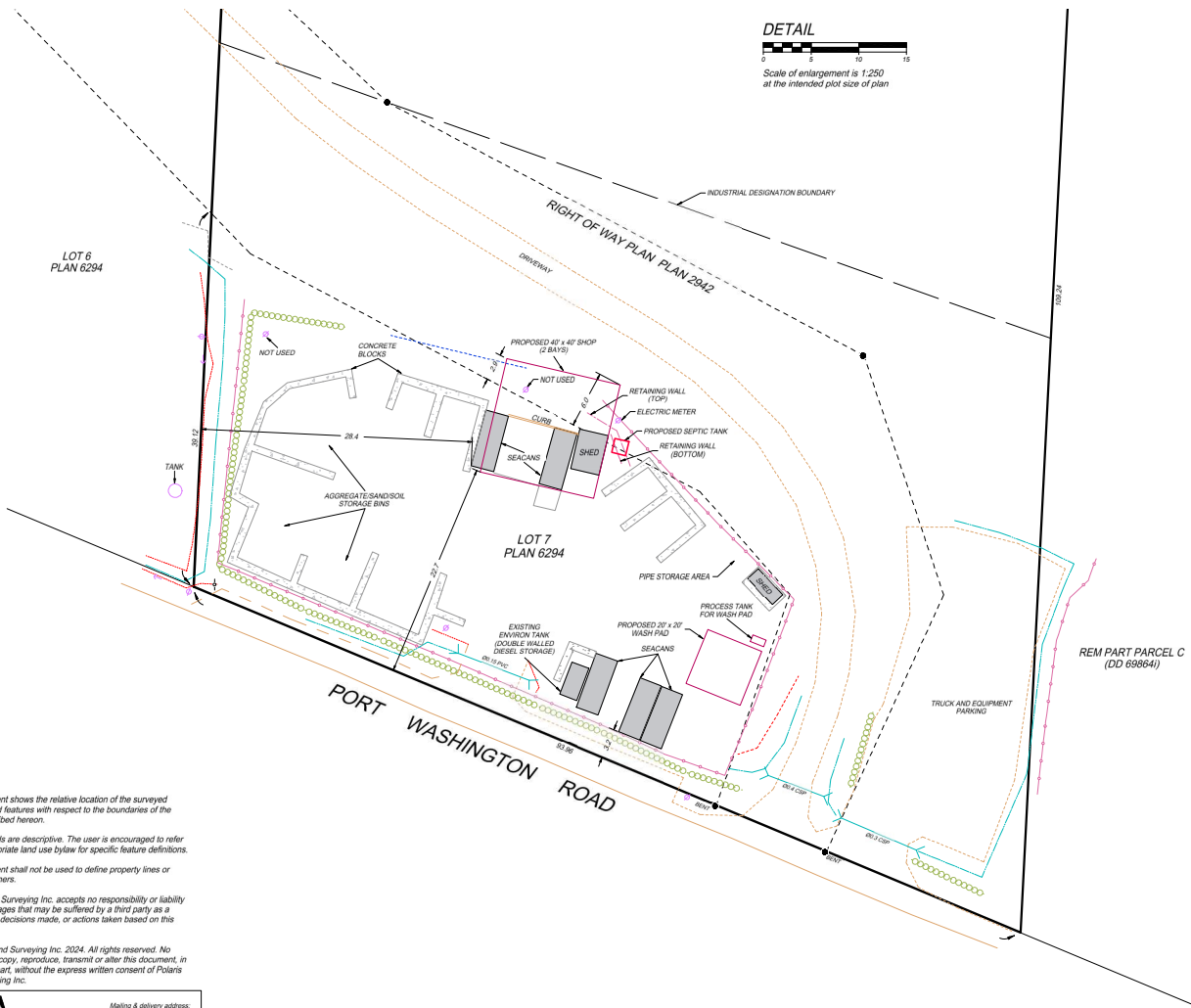
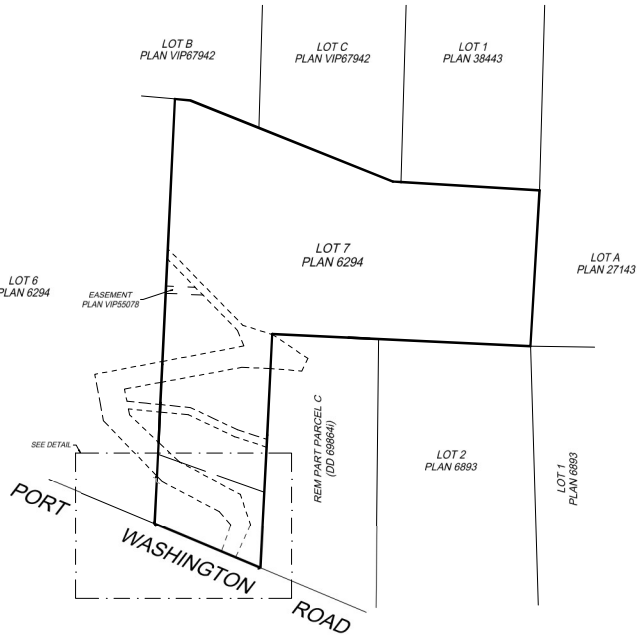
LEGEND

- denotes Standard Iron Post found
- denotes Non-Standard Post found
- ⊙ denotes Traverse Hub found
- ⊕ denotes Utility Pole
- ⊙ denotes Anchor
- ⊕ denotes Well
- ⊕ denotes Sign Post
- denotes Fenceline
- denotes Top of Bank
- denotes Bottom of Bank
- denotes Bottom of Rack
- denotes Edge of Pavement
- denotes Edge of Gravel
- denotes DPA 1 - Woodland
- denotes Hedge
- denotes Ditch Bottom
- denotes Culvert
- REM denotes Remainder

The civic address is:
3334 Port Washington, Pender Island, BC

The following non-financial charges are shown on the current Certificate of Title and may affect the property:

- E72936 - EASEMENT
- E72937 - EASEMENT
- E72938 - EASEMENT
- EF118693 - EASEMENT
- EF118695 - EASEMENT



DETAIL



Scale of enlargement is 1:250 at the intended plot size of plan

This document shows the relative location of the surveyed buildings and features with respect to the boundaries of the parcel described herein.

Feature labels are descriptive. The user is encouraged to refer to the appropriate land use bylaw for specific feature definitions.

This document shall not be used to define property lines or property corners.

Polaris Land Surveying Inc. accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

©Polaris Land Surveying Inc. 2024. All rights reserved. No person may copy, reproduce, transmit or alter this document, in whole or in part, without the express written consent of Polaris Land Surveying Inc.

Mailing & delivery address:
204 - 149 Fulford-Ganges Road,
Salt Spring Island, B.C. V0K 2T9

Toll Free: (877) 603 7388
Telephone: (250) 537 5502
S3I@plsi.ca
www.plsi.ca

Islands Trust Rezoning Application
Big Dig Em Excavating LTD
3334 Port Washington Road
Pender Island B.C.

1. Existing uses of buildings and land:

- Contractor Yard
- The storage and handling of aggregates, soils and mulches
- Wholesale of aggregates, soils and mulches
- Storage of recreational vehicles
- Maximum Materials Volumes to be stored 550 yards
- Storage of motorized and nonmotorized vehicles and equipment directly required for the business know as Big Dig Em Excavating & Trucking.
- Dump Truck and Equipment Storage
- Water Wagon (500-gallon water trailer) for fire suppression / mitigation.
- Covered Trailer (plumbing / septic part storages) storage.
- Equipment Implement storage (forks, hammers, compactors, buckets, etc.)
- Hand Tool's (compaction equipment, pumps, laser grading equipment, etc.)
- Drainage / Sewer pipe storage
- Culvert Storage and New Septic Tank Storage
- Superior Propane Tank Storage – Empty Propane Tank Storage to a maximum of 15, for island emergencies.
- Storage of 10,000 liters of diesel for company use on off road equipment. Fuel tank storage is in a "Enviro Tank" which is double walled, vacuumed sealed and monitored tank, similar to what is used at Emcon Contracting Yard.
- Servicing and maintaining heavy equipment owned by BDE.
- Shipping Container Storage.

2. Propose uses of Land and buildings:

- Continued as above. Plus - Building of 40' x 40' shop for working on BDE owned trucks and equipment. The shop building may include a small 10x10 office attached for a BDE office and staff room including a bathroom facility and first aid station. The building of the shop would be steel frame fire resistant, insulated interior with metal siding. This will help to mitigate any potential noise pollution and other negative environmental occurrences. Building of 20' x 20' concrete wash pad for washing of BDE owned equipment. The wash pad will be connected that a water catchment / filtration system.

3. Proposed timing of development or commencement of use:

- BDE is currently operating at this location and has been for 13 years
- Shop Building and Wash Pad would be built within 12 months. Relocation of 2 shipping containers and temporary canopy work shelter within 6 months. 4 shipping containers to stay onsite for storage for BDE related items.

4. Existing uses of the land and buildings on adjacent properties:

- Home Hardware, 3338 Port Washington Road.
 - Large retail building with indoor and outdoor retail spaces, including lumber, building supplies, bulk propane sales, bagged landscaping products, bagged aggregates / bagged cement products, nursery items such as plants, trees and shrubs. Tool rentals and material delivery services.

- Emcon Contracting Services, 3323 Port Washington Road.
 - Highways Maintenance Contractor. Storage of heavy equipment such as wheel loaders, backhoes, dump trucks, street sweepers. Tree trimming contractors also rent space from Emcon Services, storing bucket trucks, tree / brush chippers. Private Excavation contractor stores an excavator and truck on site. 1 large shop building with a single bay and office attached. Storage of Sand / Salt in large coverall structure. Building storing cold mix asphalt. Storage and processing of Gravel, Rock (boulders / rip rap) for road works. Fuel Storage Tanks and fluids storage building. School Bus parking. Wood waste processing / burning and firewood processing.

- B.C. Hydro.
 - Power Line Contractor. Large 2 bay shop building. 3 bunk storage units for hydro poles, electrical transformers storage, gravel storage for power pole installations. Bucket / Boom trucks stored on site as well as pick-up trucks.

- 3315 Port Washington Road.
 - Private residence, Portion of Property is designated in OCP as Light Industrial. To our knowledge no industrial activities have occurred on this land.

- 3330 Port Washington Road.
 - Property is designated in OCP as light Industrial, Industrial activities have occurred on this property for 25 plus years. Eco Source Septic Contractor - Storing and transferring of septic waste. 2 septic pump trucks, 1 hook lift bin truck with associated bins. Storage of septic waste and processing of sand and aggregates and screening of topsoil. Contractors' yard, storing of piping, septic tanks and prepackaged waste-water treatment plants.
 - Rental Yard, Boat storage, Electrical Contractor using Cube Van for Storage. B.C. Hydro stored power poles and equipment before moving across the street.

Additional Information / Reports attached:

- Ryzuk Geotechnical Assessment
 - File 8102-1, March 9, 2017 / March 20, 2018 – Report speaks about slope stability, drainage, placement of existing surrounding wells and industrial area usage.
- Well Drilling Report, Red Williams Well Drilling LTD
 - Ministry Well ID plate Number 65548, Ministry Well Tag Number 129423. Well Drilled on upper Northern Portion of Land. GPS Coordinates. Well yield by air lifting assumed to be 3 gallons per minute.
- Rainwater Capturing
 - BDE will Install a rainwater catchment system with a first flush system for rainwater harvesting off the proposed new shop building. Water captured will be used for equipment / truck washing as well as fire suppression, stored likely in a 3000-gallon cistern.
- Water Usage
 - BDE will have very limited domestic water usage requirements. Our business water requirement are minimal with water only being used for a single bathroom.
- Island Health Initial Septic Filing –
 - Record Of Sewage System File GV24/130
- MOTI Driveway access permit

Existing Buildings / Structures:

- Four 20-foot shipping containers with other units on and off site periodically as storage requirement vary.
- Plumbing Storage Shed. 6' x 12' on cement pad
- Atco Shop / Office Building. 10' x 14' on skids, connected to power and water. Use for small machine repairs, storage of tools and small office space for BDE.
- Coverall Shop Building. 20' x 33', two shipping containers with hoop canvas roof system. Covered space to work on BDE equipment, sea cans are used for shop / tool storage.

Per resolution SR 2020-010 – 15.1 b we request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and the Local Trust Committee direct that bylaw enforcement actions, including the issuing of notices, cease.



North Pender Island Local Trust Committee
Rezoning rationale for BDE Rezoning Application
3334 Port Washington Road
Pender Island B.C.
File #

Big Dig Em Excavating LTD (“BDE”) has successfully been operating under a temporary use permit (“TUP”) since early April 2011 at our current yard location at 3334 Port Washington Road. BDE has strictly followed the framework of the TUP laid out by the Local Trust Committee. Previously to BDE occupying this location there was a waste transfer site with recreational vehicle storage that also operated under a TUP for 6 years. The properties industrial use dates further back to when the site was operated as gravel pit for the purposes of ready-mix production, dating back some 50 years.

The property frontage is fully screened with Leyland Cypress’s the exception of two 7-meter-wide access points with Leyland plantings at least 2 meters in height providing a visual screen of the operation, from the road.

3334 Port Washington Road has long been designated in the North Pender Island OCP as light industrial. 3334 Port Washington Road is surrounded by commercial and industrial activities. Such businesses include Home Hardware, Emcon Services, B.C. Hydro, and Eco Source Septic. The area designated in the OCP is 0.56 hectares, which covers the entire lower portion of the property extending partially up slope. BDE activities fits in with current business operating in the Port Washington Industrial / Commercial Area.

The reasoning for this application is to come into compliance with the Islands Trust Land Use Bylaws. BDE wishes to continue its operation from this location, in a permanent legal way. Islands Trust Temporary use guidelines state “A permit may be issued for a period of up to 3 years and maybe renewed only once.” BDE has operated here for 2 of these cycles, plus during the Industrial Land Use Review was on going. We have proven the feasibility of this location for our business. The OCP / Bylaw 147 also references under section 404 Industrial, “Given the economics of operating an enterprise on these Islands, there is not anticipated to be a need to designate lands for future industrial uses.” The direction provides another solid point on why rezoning this location to follow the OCP makes the most sense. BDE provides key and essential services to the Gulf Islands and helps provide an economic drive to the Pender’s and surrounding Islands Economy. BDE employs all local people who reside with their families on Pender Island, and who are deeply rooted in the community. A number of these employees have spent time in volunteer roles with emergency services, coaching youth sports and sitting

on Island based Boards to name a few. BDE works with many of the local businesses such as building and landscape contractors, providing further economic spin off to the community.

Our everyday services provide local homeowners with soils, gravel and landscaping for their properties. We undertake the repairs, maintenance and design and installation of private waste-water systems. Our excavation services include site development (roads, utility installations, driveway building and resurfacing) and ponds.

Examples of essential services BDE provides to the community:

Snow Removal for B.C. Ferries, RCMP, Fire Dept, Pender Island Community Hall and Library. Private businesses include Driftwood Centre, Magic Lake Market to name a few. BDE also provides essential services to CRD Water and Sewer to support with routine maintenance and emergency repairs of utilities. Our services are also utilized by B.C. Hydro.

BDE helps support many local community initiatives, some recent community involvement include Pender Island Junior Sailing, Pender Island NU-TO-YU development, Pender Island Junior Baseball, Pender Parks Pump Track and are a Member of the Pender Island Chamber of Commerce.

Per resolution SR 2020-010 – 15.1 b we request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and the Local Trust Committee direct that bylaw enforcement actions, including the issuing of notices, cease.

In closing there are no other available industrial zoned or industrial designated sites on Pender Island for my business.

Braedon Bigham
Owner
Big Digem Excavating Ltd



Well Construction Report
 Well Alteration Report

RED WILLIAMS WELL DRILLING LTD
 248-5552

Ministry Well ID Plate Number: 65548
 Where ID Plate is attached: CASING
 Ministry Well Tag Number: 129423

See reverse for notes & definitions of abbreviations.

Well Class: Class of well (see note 2): WATER SUPPLY Sub-class of well: DOMESTIC
 Water supply wells: indicate intended water use: private domestic water supply system irrigation commercial or industrial other (specify):
 Start date of work (YYYY/MM/DD): 2023/10/24 End date of work (YYYY/MM/DD): 2023/10/25

Person Responsible for Work (print clearly): Name (first, last) (see note 3): ROBERT PARKER
 Person who completed the work: ROBERT PARKER Registration no. (see note 4): WD05051901
 Consultant (if applicable; name and company):

DECLARATION: Well construction, well alteration or well decommission, as the case may be, has been done in accordance with the requirements in the Water Sustainability Act and the Ground Water Protection Regulation.

Signature of Person Responsible: per ROBERT PARKER

Owner name: WILLIAM D SINGLEHURST and KAREN E SINGLEHURST
 Mailing address: 4305 PORT WASHINGTON, PENDER ISLAND, BC Postal Code: V0N 2M1
 Well Location (see note 6): Address: Street no. 3334 Street name: PORT WASHINGTON RD PENDER ISLAND
 Legal description: Lot 7 Plan VIP6294 D.L. _____ Block _____ Sec. 18 Twp. _____ Rg. _____ Land District 16
 PID: 005-837-693 and Description of well location (attach sketch, if nec.): 1/22 WITHIN PROPERTY BOUNDARIES

Well Location:
 NAD 83: Zone: 10 and UTM Easting: 478423 m or Latitude (see note 8): _____
 (see note 7) UTM Northing: 5406254 m or Longitude: _____
 Method of drilling: air rotary dual rotary cable tool mud rotary auger driving jetting other (specify):
 Orientation of well: vertical horizontal Ground elevation: 436' ft (asl) Method (see note 9): GPS/ACCURACY/4'

Lithologic description (see notes 10-15)

From ft (bgl)	To ft (bgl)	Material Description	Moisture			Colour							Hardness							Observations (e.g. other geological materials (e.g. boulders), est. water bearing flow (USgpm))						
			Dry	Damp	Moist	Black	Blue	Brown	Green	Grey	Var-coloured	Red	Tan	White	Dense	Hard	Loose	Medium	Soft		Stiff	Very Hard	Very Soft			
0	2	SANDSTONE																								
2	245	SANDSTONE																								

Casing Details:
 Type: Surface Production Open Hole Steel Removed

From ft (bgl)	To ft (bgl)	Dia in	Casing Material/Open Hole (see note 16)	Wall Thickness in	Drive Shoe
0	18'	6	STEEL	.219	

Screen details:

From ft (bgl)	To ft (bgl)	Dia in	Type (see note 17)	Slot Size

Surface seal: Type: BENTONITE Depth: 18' ft
 Method of installation: Poured Pumped Thickness: 2" in
 Backfill: Type: _____ Depth: _____ ft
 Liner: PVC Other (specify): _____
 Diameter: _____ in Thickness: _____ in
 From: _____ ft (bgl) To: _____ ft (bgl)
 Perforated: From: _____ ft (bgl) To: _____ ft (bgl)

Intake: Screen Open bottom Uncased hole
 Screen type: Telescope Pipe size
 Screen material: Stainless steel Plastic Other (specify): _____
 Screen opening: Continuous slot Slotted Perforated pipe
 Screen bottom: Bail Plug Plate Other (specify): _____
 Filter pack: From: _____ ft To: _____ ft Thickness: _____ in
 Type and size of material: _____

Developed by: Air lifting Bailing Jetting Pumping Surging Other (specify): _____ Total duration: 2 hrs

Notes: _____
 Well yield estimated by: Pumping Air lifting Bailing Other (specify): _____
 Rate: 3 USgpm Duration: 2 hrs SWL before test: 180' ft (btoc) Drawdown: _____ ft (btoc)
 Hydro-fracturing: Yes No Increase in Well Yield due to Hydro-fracturing: _____ USgpm

Water Quality: Water sample collected: Yes No
 Date (YYYY/MM/DD) _____ Water quality odour: _____
 Characteristics: Clear Cloudy Fresh Gas Salty Sediment Other (specify): _____
 Colour: Black Black flecks Brown Clear/none grey
 Slight colour/milky Orange Other (specify): _____
 Comments: _____

Final well completion data:
 Total depth drilled: 245' ft Finished well depth: 245' ft (bgl)
 Final casing stick up: 24" in Depth to bedrock: 0 ft (bgl)
 SWL: 180' ft (btoc) Estimated well yield: 3 USgpm
 Artesian flow: _____ USgpm, or Artesian pressure: _____ ft
 Type of well cap: VERMIN PROOF Well disinfected: Yes No
 Confirmation/alternative specs. attached
 Original well construction report attached



RECORD OF SEWERAGE SYSTEM

1. Property Information

New Construction Alteration

Filing # (OFFICE USE ONLY)

GV241/130

Repair

Amendment - Original Filing #

Tax Assessment Roll #

01-764-05693.000

PID #

005-837-693

Legal Description (Plan, Lot, District Lot, Block Numbers)

Lot 7 Sections 18 & 22 Plan 6294 Cowichan District 16

Street (Civic) Address or General Location

3334 Port Washington Road

City

Pender Island

2. Owner Information

Name of Legal Owner

Douglas Singlehurst

Mailing Address

4305 Port Washington Road

Phone

250-526-0104

City

Pender Island

Prov

BC

Postal Code

V0N 2M1

3. Authorized Person Information

Name of Authorized Person

Lois Kinnersley

Mailing Address

1332 Mackinnon Road

Phone

250-629-3588

City

Pender Island

Prov

BC

Postal Code

V0N 2M1

Registration #

OW0180

Email

penderseptic@shaw.ca

4. Structure Information

Sewerage System Will Serve:

Single Family Dwelling Other Structure (specify) garage/shop Other Dwelling (specify) n/a

The sewerage system is designed for an estimated minimum daily domestic sewage flow of (check one)

Less than or equal to 9,100 litres More than 9,100 litres but less than 22,700 litres

5. Site Information

Depth of native soil to seasonal high water table or restrictive layer (cm)

48 inch

Information respecting the type, depth and porosity of the soil is attached Yes No

GPS Location of System (decimal degrees)

Latitude: 48.48.32N

Longitude: 123.17.36W

Horizontal Accuracy (m) +/-3m

Recreational GPS Differential GPS

6. Drinking Water Protection

Will the sewerage system be located less than 30 m from a well? Yes No

If yes, attach a professional's report and specify the intended distance n/a (m)

Distance of proposed sewerage system to the closest body of surface water 500 m+ (m)

7. System Information

Sewerage treatment method Type 1 Type 2 Type 3

8. Legal or Regulatory Considerations

Construction of the proposed sewerage system will not conflict with legal instruments registered on the property.

Is this filing submitted as the result of an order from the Health Authority? Yes (attach a copy of the order) No

9. Plot Plan and Specifications

Plot Plan (to scale) and specifications are attached Yes No

The plans and specifications are consistent with Standard Practice

Source of Standard Practice: Ministry of Health Standard Practice Manual Other

10. Authorized Person's Signature

Signature

L Kinnersley

OFFICE USE ONLY

Filing Accepted Date

April 26, 2024

Date

April 26, 2024

Receipt Number

241041KSD 38438

Lois Kinnersley

ROWP#0180

penderseptic@shaw.ca

Proposed System for Plan VIP6294 Lot 7 Section 18 & 22

Land District 16 Cowichan Bay

3334 Port Washington Road , Pender Island

New Construction

Proposed house 2500 square feet with 4 bedrooms

And 1600 square foot garage

Daily flow 400 gallons

MBBR 600 Treatment Plant with 400 gallon trash trap and pump

Connected to 10 x 40 Sand Mound

No Garborator to be installed

Property is 15 acres

Main well is 200 feet from system

Neighbouring wells 200 feet from system

System is 500 m from marine body of water



RYZUK GEOTECHNICAL

Engineering & Materials Testing

28 Crease Avenue, Victoria, BC, V8Z 1S3 Tel: 250-475-3131 Fax: 250-475-3611 www.ryzuk.com

March 9, 2017
File No: 8102-1

Big Dig Em Excavating
4605 Bedwell Harbour Road
Pender Island, BC
V0N 2M0

Attn: Mr. B Bigham

Dear Mr. Bigham,

Re: Geotechnical Assessment
3334 Port Washington Road – Pender Island, BC

As requested, we visited the referenced site recently to review the existing hydrogeologic conditions. We understand that it is proposed to extend the existing materials wholesale depot within the lower eastern portion of the industrially zoned property. This report has been prepared in support of this proposal in general accordance with the North Pender Island Official Community Plan. Our associated observations, comments, and recommendations in this regard are contained herein. Our work has been carried out in accordance with, and is subject to, the attached Terms of Engagement.

The existing facility comprises several 'U' shaped alcoves bounded by concrete lock blocks for storage of select sand, gravel, mulch, and organic soils. The new area would maintain a similar site usage and would be limited to the gently sloped southern areas of the property slightly above the elevation of Port Washington Road.

The local terrain generally consists of a moderately steep bedrock controlled slope rising to the north of the area where shallow sandstone bedrock exists. The bedrock comprises massive, thick to medium bedded sandstone, mapped as the Geoffrey Formation. Bedding planes dip to the southwest at approximately 25 degrees from horizontal, being coincident with the slope fall. Anecdotal evidence suggests that the native subsurface soils are variable and comprise both glaciofluvial sand and gravel, as well as silty gravelly sand till.

At the time of our visit, we observed a small drainage ditch alongside the existing gravel driveway easement which bisects the lower portions of the site. This drainage, as well as the runoff from the site, merge into the existing roadside ditch along the north side of Port Washington Road which flows from this area down towards the west.

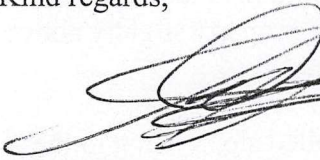
We reviewed the conditions within the lower portions of the adjacent property to the west and noted a drilled well casing protruding from the surface at approximately 8 m west of the property boundary near the toe of the bedrock slope. A concrete lid was noted within several meters of the roadside ditch at the southeast corner of this lot which we understand may be a dug well being not a potable water source. Neither of these wells are denoted on the Provincial Well Database and do not appear to be active. With regards to the drilled well, however, we expect that the steel casing would have been extend into the bedrock and sealed likely within a few meters depth below the existing surface, assuming the installation was carried out properly. All other existing wells denoted in the Provincial Database are deep bedrock aquifer wells and are located at least 75 m away from the existing and proposed materials depot limits.

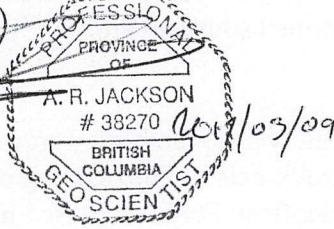
We consider that the addition of several more storage alcoves containing the same materials being currently stored within the adjacent areas will not result in a significant change to the current drainage and contamination risk of the subsurface. We note that the contamination risk to the groundwater resource from such materials would generally be limited to shallow effects, or if direct surface flow were to ingress a well head. These risks are perceived to be negligible based on the site conditions and offset of the adjacent supply wells.

Given the above, we consider that the expansion of the industrial site usage would be feasible while maintaining adequate protection of the groundwater quality of the existing service wells within the area. The storage of materials would be limited to the noted inert sand and gravel, crushed rock, bark mulch, and organic soils, and we recommend that all fuel and equipment is properly managed and any spills are cleaned up entirely and immediately.

We trust that the preceding is suitable for your current requirements. Please call if you have questions.

Kind regards,


Andrew Jackson, P. Geo.
Geoscientist



Attached – Terms of Engagement

File

E-MAILED
20.03.18

16:39



RYZUK GEOTECHNICAL
ENGINEERING & MATERIALS TESTING

28 Crease Avenue
Victoria, B.C.
V8Z 1S3
Tel: 250-475-3131
Fax: 250-475-3611
mail@ryzuk.com

Geotechnical Field Review / Site Instruction

Project No: 8102-1
Project: Geotechnical Assessment - 3334 Port Washington Road - Pender Island, BC
Client: Big Dig Em Excavating
Contact: Breadon Bigham
Email / Fax No: raevinequipment@shaw.ca ✓
Date: March 20, 2018

Copy to:	Email / Fax:	Copy to:	Email / Fax:
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	

As requested, we have reviewed the photographs you provided of the finished slope conditions within the northeastern portion of the referenced site where a recent permanent slope excavation occurred. Our associated observations and comments are contained herein.

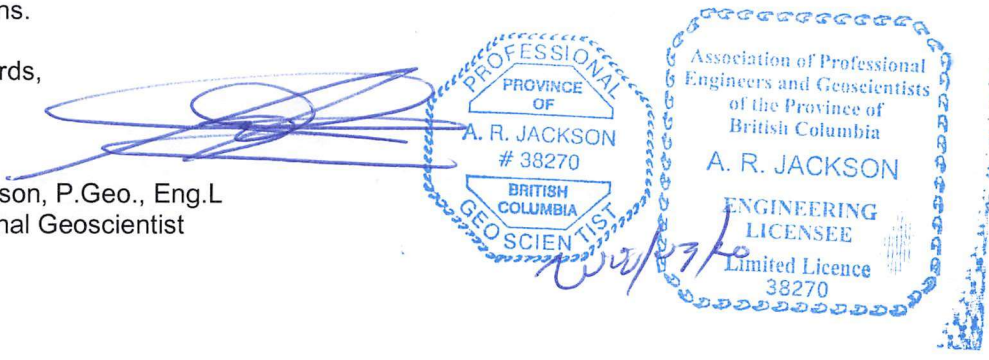
The photographs show that the area has been excavated whereby the overburden soils consisting of native sand and gravel have been removed to expose the native sandstone bedrock. The sandstone bedrock is sloping at approximately 30° from horizontal and is generally consistent with the conditions within the adjacent terrain. We consider the rock slope as observed to be globally stable.

We consider that the work has been carried out in accordance with our recommendations and that the work has not resulted in an increased risk of slope instability at the referenced site.

We trust the proceeding is suitable for your current requirements. Please contact us if you have any questions or concerns.

Kind regards,

A.R. Jackson, P.Geo., Eng.L
Professional Geoscientist





PERMIT TO CONSTRUCT, USE, AND MAINTAIN ACCESS TO A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Saanich Area Office
240-4460 Chatterton Way
Victoria, BC V8X 5J2
Canada

("The Minister")

AND:

BIG-DIG-EM Excavating
4605 Bedwell Harbour Road
Pender Island, British Columbia V0N 2M1
Canada

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way...
B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:
The installation, operation, and maintenance of an access to a small parcel of industrial land...
C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

- 1. The Minister shall designate an official ("the Designated Ministry Official") who shall act as the Minister's agent...
2. The Use shall be carried out according to the reasonable satisfaction of the Designated Ministry Official.
3. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia...
4. The Permittee shall make diligent attempts to determine if there are other users of the right of way...
5. The Minister shall take reasonable care to do as little damage or interference, as possible, to any Use authorized by this permit...



thereto, but the Minister shall not be responsible for any damage regardless.

6. The Minister at the absolute discretion of the Minister may, at any time, cancel this permit for any reason upon giving reasonable notice; provided, however, that in the case of default by the Permittee or in the case of an emergency no notice shall be necessary. The Minister shall not be liable for any loss incurred as a result of permit cancellation.
7. Placing of speed arresters on the access (or accesses) or in the Permittee's property without the prior consent in writing of the Designated Ministry Official shall render the permit void.
8. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
9. The Permittee shall remove any mud, soil, debris, or other foreign material tracked onto the highway from the access authorized herein. Such removal shall be at the Permittee's expense and shall be done at any time the material unduly inconveniences traffic and, in any event, daily.
10. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
11. At the end of the term of this permit, or when the permit is cancelled or abandoned, the Permittee shall, if so requested by the Minister, remove all installations and shall leave the site as near as reasonably possible in the condition it was in before this permit was issued or such other condition as shall reasonably be required by the Designated Ministry Official. If the Permittee refuses to comply with these obligations, the Minister may perform them as required and the Permittee shall be liable to the Minister for the costs of doing so.
12. The rights granted to the Permittee in this permit are not assignable without the consent of the Minister.
13. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor or will appoint a qualified prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee or designated prime contractor will observe and perform all of the duties and obligations which fall to be discharged by the prime contractor pursuant to the Workers Compensation Act and the Occupational Health and Safety Regulation.
14. The permittee is advised and acknowledges that the following hazards may be present at the work location and need to be considered in co-ordinating site safety: overhead hazards, particularly electrical or telecommunications lines; buried utilities, particularly electrical, telecommunication, and gas lines; traffic, danger trees, falling rocks, and sharp or infectious litter.
15. Any works within the Ministry right-of-way that fall within the scope of "engineering" under the Engineers and Geoscientists Act will be performed by a Professional Engineer, and shall comply with this Ministry's "Engineer of Record and Field Review Guidelines". The Guidelines can be viewed on the Ministry's website at http://www.th.gov.bc.ca/publications/Circulars/All/T_Circ/2009/t06-09.pdf
16. The permittee is responsible for preventing the introduction and spread of noxious weeds on the highway right-of-way as defined by the British Columbia Weed Control Act and Weed Control Regulation.
17. The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void.
18. The Permittee shall take all reasonable precautions to attempt to ensure the safety of the public in connection with the Use. In particular, but not so as to limit this obligation, the Permittee shall, if so required by the Designated Ministry Official on reasonable grounds, prepare and implement a traffic control plan. The contents of the plan and the manner in which it is implemented must meet the reasonable satisfaction of the Designated Ministry Official.
19. The access (or accesses) shall be graveled to an extent satisfactory to the Designated Ministry Official to prevent the tracking of mud and soil onto the highway surface.
20. The access (or accesses) shall be constructed with 400mm culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the Permittee.
21. The profile of the access (or accesses) shall not exceed 10% grade from the ditchline for a distance of at least 5 metres as measured away from the highway along the centerline of the access.
22. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
23. Access to be constructed at 90 degrees to the highway for a distance of 5 metres from the highway shoulder.



- 24. The Permittee will ensure that the works do not, impair, impede or otherwise interfere with;
 - I. public passage on the Highways;
 - II. the provision of highway maintenance services by the Province, or by its servants, contractors, agents or authorized representatives of the Province in connection with the Highways; or
 - III. the operation of the Highways;
- 25. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
- 26. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.
- 27. **The permittee will be responsible for the improvement of sightlines on either side of the access through the removal of brush or other obstructions. This shall be done to the satisfaction of the designated Ministry official.**
- 28. **The permittee shall, at his cost, erect a No Parking sign on the east side of the proposed access in accordance with the Ministry of Transportation and Infrastructure Manual of Standard Traffic Signs and Pavement Markings.**

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Victoria, British Columbia, this 9 day of February, 2016

On Behalf of the Minister

