



Making a difference...together

Juan de Fuca Community Planning

3 – 7450 Butler Road, Sooke, BC V9Z 1N1

T: 250.642.1500 F: 250.642.5274 E: jdfinfo@crd.bc.ca

www.crd.bc.ca

Folder No: _____
Date Received: _____

SOIL PERMIT APPLICATION

I/We, the undersigned, hereby make application to the Capital Regional District regarding consideration of a Soil Permit pursuant to the regulations applicable to the CRD.

APPLICATION

This application is submitted for the:

- Removal** of _____ m³ of soil on _____ ha of land, **AND/OR**,
- Deposit** of _____ m³ of soil on _____ ha of land

For the purpose of:

Is this application submitted for activity under a *Mines Act* Permit? No Yes Permit No.: _____

Proposed completion date or duration of project: _____

OWNER/APPLICANT INFORMATION

Name of Registered Land Owner(s):

(If more than two, please list on a separate page)

1. _____
2. _____

Name of Applicant: _____

Applicant Contact Information:

Mailing Address:

Street: _____ City: _____

Province: _____ Postal Code: _____

Email: _____

Tel (*mobile*): _____ Tel (*home*): _____

Tel (*work*): _____

PROPERTY INFORMATION

Soil Removal

Land from which soil is to be **removed**:

PID: _____ Folio: _____

Lot: _____ Section: _____ Block: _____ Township: _____ Plan: _____

Land District: _____

Civic Address: _____

Soil Deposit

Land from which soil is to be **deposited**:

PID: _____ Folio: _____

Lot: _____ Section: _____ Block: _____ Township: _____ Plan: _____

Land District: _____

Civic Address: _____

CONDITIONS AND DECLARATIONS

Conditions:

Upon approval of this application, the applicant and/or owner, agrees to the following conditions prior to the issuance of a Permit:

- 1) No person shall engage in the removal or deposit of soil:
 - a) On any Sunday or Holiday; or
 - b) Between the hours of 7:00 am and 7:00 pm on any other day.
- 2) A permit constitutes written authority to conduct only those activities described in the Permit.
- 3) All plans, specifications and professional reports forming part of an application in respect of which a permit is issued shall form part of and be incorporated into the Permit, unless otherwise specified by the General Manager, and a permit issued shall be limited to the volume of soil that is to be deposited or removed.
- 4) The holder of the Permit shall post a copy of the Permit, otherwise shall post a clear and legible sign, indicating the duration and extent of the soil removal/deposit at any point of entry to the property from the main road. The sign is to be 1 m x 1 m square and must include the Permit number on it.
- 5) The holder of the Permit shall contact the Ministry of Transportation and Infrastructure and comply with its requirements for road maintenance and cleanup during and after the works.
- 6) The General Manager may require a report prepared by a Qualified Professional indicating compliance with the Permit conditions.
- 7) The holder of the Permit will comply with the provisions of the *Heritage Conservation Act*, if and when archaeological evidence is uncovered.

I have read and agree with the above conditions. _____ (initial)

Waiver and Indemnity:

I, the applicant and/or owner, assume all risks incidental to or that may arise as a result of this application and agree to save harmless and indemnify the Capital Regional District and its officials, agents, servants and representatives from and against all claims, actions, costs, expenses and demands with respect to death, injury, loss or damage to persons or property arising out of or in connection with this application. I agree to conform to all applicable bylaws. I understand that no warranty is implied for the approval of this application and that this waiver and indemnity is binding on me, my heirs, executors and assigns.

I have read and agree with the above paragraph. _____ (initial)

Authorization for Access:

I, the applicant and/or owner, hereby grant to the Capital Regional District and its officials, agents, servants and representatives, authorization to enter the land for the purposes of verifying site conditions as they relate to this application.

I have read and agree with the above paragraph. _____ (initial)

Freedom of Information Waiver:

Personal information contained on this form is collected under the authority of the *Local Government Act* and the Juan de Fuca Electoral Area Soil Deposit and Removal Bylaw, and is subject to the *Freedom of Information and Protection of Privacy Act*. Enquiries about the collection or use of information on this form can be directed to the Juan de Fuca Electoral Area Planning office.

Signature of Registered Owner or Applicant

(Note: if more than one owner, ALL registered owners must sign)

Date



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INFORMATION TO BE SUBMITTED AT THE TIME OF PERMIT APPLICATION

- Completed application form
- Corporate structure and name of principal of company (*if applicable*)
- Written owner's authorization giving applicant permission to act on their behalf (*if applicable*)
- Written authorization from the Strata Corporation or written approval from the Strata owners (*for applications related to Strata property only*)
- Copy of current *Title Search* (*dated within 30 days*)
- Copies of any easements, covenants, rights-of-way and/or water licences listed on Title Search
- Completed Contaminated Sites Regulation Schedule 1 Site Profile or Contaminated Site Waiver
- Evidence of access approval from the Ministry of Transportation and Infrastructure. This can be in the form of a note or email documenting your conversation with the Ministry.
- Qualified Professional report addressing the following:
 - Site plan (*see below*).
 - Proposed dates for stages of deposit or removal (*if applicable*).
 - Methods to control erosion.
 - Methods to ensure that no silt seeps or flows into any watercourse, well or aquifer during or after the proposed soil deposit or removal.
 - Methods to control drainage and to protect connecting or nearby watercourses, wells or aquifers during or after the proposed soil deposit or removal.
 - Methods to stabilize the slopes of the soil, including any revegetation upon completion of the soil deposit or removal.
 - Methods to mitigate dust, noise, odour, smoke, vibration and visual impact.
 - Methods to prevent the tracking of soil or other material onto public roads.
- Site Plan to include the following:
 - Location on the property of any structures, the area where the soil is to be removed/deposited and the access points to and from the property
 - Existing contours of the area that is the subject of the application upon completion of the permit activities.
 - Proposed contours of the area that is the subject of the application upon completion of the permit activities (*these should be drawn on a separate plan*).
- BC Land Surveyor site survey identifying the location of any natural features, structures, services and property lines.

APPLICATION FEES TO BE SUBMITTED AT THE TIME OF APPLICATION

- As per Bylaw No. 3941, Juan de Fuca Soil Removal or Deposit Bylaw No. 1, 2015, Schedule A (*payable for cash, cheque or debit card*):
 - \$250 Quantities in excess of 60 m³, but less than 250 m³
 - \$550* Quantities of 250 m³ or greater, but less than 500 m³
 - \$1,000* Quantities of 500 m³ or greater

* Plus advertising costs, if required.



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INFORMATION TO BE SUBMITTED PRIOR TO RECEIPT OF A SOIL PERMIT

Security deposit

Before receiving a Soil Permit, the applicant will be required to submit to the Juan de Fuca Community Planning office, a security deposit in the form of an Irrevocable Letter of Credit, Cash or Certified Cheque drawn upon a chartered bank, in accordance with the following:

Permit Quantity	Security Deposit
Greater than 60 m ³ , but less than 250 m ³	\$2,000 per hectare, or part of, in Permit Area to have soil removed from or deposited to
250 m ³ or greater, but less than 500 m ³	\$3,000 per hectare, or part of, in Permit Area to have soil removed from or deposited to
500 m ³ or greater	\$5,000 per hectare, or part of, in Permit Area to have soil removed from or deposited to

INFORMATION TO BE SUBMITTED PRIOR TO THE RETURN OF A SECURITY DEPOSIT

- Post-construction report prepared by a Qualified Professional confirming adherence to the conditions of Permit.



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Owner's Authorization Form

All property owners registered on the Certificate of Title must provide written approval to allow the APPLICANT to act on their behalf.

_____, is hereby authorized to act as my agent for the
(Name of agent)
purpose of _____

(You may list all application types associated with your project)

Subject Property: _____

PID (Parcel Identifier-nine digit number): _____

Legal Description: Lot _____ Block _____ Section _____ Plan _____ Except _____

REGISTERED OWNER 1

Name of Registered Owner: _____
Signature of Registered Owner: _____
Date: _____ Email: _____

REGISTERED OWNER 2

Name of Registered Owner: _____
Signature of Registered Owner: _____
Date: _____ Email: _____

REGISTERED OWNER 3

Name of Registered Owner: _____
Signature of Registered Owner: _____
Date: _____ Email: _____

REGISTERED OWNER 4

Name of Registered Owner: _____
Signature of Registered Owner: _____
Date: _____ Email: _____



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CONTAMINATED SITE WAIVER FORM

I/We, the undersigned, hereby represent to the Capital Regional District the following contaminated site waiver form.

OWNER/APPLICANT INFORMATION

Name of Registered Land Owner(s): _____
(If more than two, please list on a separate page)

1. _____
 2. _____

Name of Applicant: _____

Applicant Contact Information:

Mailing Address:

Street: _____ City: _____
 Province: _____ Postal Code: _____
 Email: _____
 Tel (*mobile*): _____ Tel (*home*): _____
 Tel (*work*): _____

PROPERTY INFORMATION

Soil Removal

Land from which soil is to be **removed**:

PID: _____ Folio: _____
 Lot: _____ Section: _____ Block: _____ Township: _____ Plan: _____
 Land District: _____
 Civic Address: _____

I, the owner and/or applicant, hereby represent to the Capital Regional District, that to best of my knowledge, having done due and diligent inquiry, knowing that the Capital Regional District relies on this representation and warranty, the property in question has not been used for any of the industrial or commercial purposes and activities specified in Schedule 2 of the *Contaminated Sites Regulation* of the British Columbia *Environmental Management Act*.

Accordingly, I elect not to complete and submit a Schedule 1 Site Profile (attached) in accordance with Section 40 (1)(b) of the *Environmental Management Act*.

Signature of Registered Owner or Applicant
(Note: if more than one owner, ALL registered owners must sign)

Date

Witness

Date

Archaeology in B.C.

Archaeological sites are physical evidence of how and where people lived in the past. There are over 62,000 known sites in B.C., 90% of which are of First Nations origin. First Nations have governed and stewarded their cultural heritage and archaeological resources since time immemorial and have an ongoing connection to these sites. Many archaeological sites in B.C. are culturally sensitive, contain ancestral remains, and have important sacred and spiritual value to First Nations in B.C.

Examples of archaeological sites include:

- Remains of ancient villages and cemeteries
- Hunting and food processing sites
- Stone tool manufacturing areas
- Culturally modified trees
- Ancient rock art
- Shell midden

Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous Peoples recognizes that Indigenous Peoples have the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites and artifacts.

The Province has a legal duty to consult with First Nations on Heritage Conversation Act (HCA) permit applications that have the potential to impact their rights and title interests. All comments or concerns received during this process, including appropriate accommodations, are considered in a decision on whether or not to issue a permit, and if so, under what terms and conditions.

Protection of Archaeological Sites

Protecting heritage in B.C. is a shared responsibility.

Archaeological sites on both public and private land are protected under the HCA. This includes recorded sites and sites that have not yet been recorded. HCA protections apply even if a site has been disturbed in the past. Construction, renovations, and landscaping can damage and destroy an archaeological site. Property owners and developers have a legal responsibility to ensure archaeological sites are not disturbed without appropriate permits in place. If you are considering a construction or development project, you may need an HCA permit. Follow these steps:

STEPS FOR PROPERTY OWNERS AND DEVELOPERS:

1	Get Archaeological Information	<ul style="list-style-type: none">✓ Find out if your property contains a protected archaeological site by:<ol style="list-style-type: none">1. Talking to your local government OR2. Submitting an Archaeological Information Request [It's free!]: www.archdatarequest.nrs.gov.bc.ca/ OR3. Contracting a private consulting archaeologist✓ If there is presence or possibility of an archaeological site, you will receive a report and information on next steps
2	Plan Before You Dig	<ul style="list-style-type: none">✓ Consider low-impact building techniques✓ Contact the Housing Navigator Service to determine what authorizations, including local government permits, are needed for your project: permitconnectbc.gov.bc.ca/#one-place✓ Learn about HCA permitting requirements✓ Hire an archaeologist to help you apply for a permit www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits
3	Get a Heritage Inspection Permit	<ul style="list-style-type: none">✓ If an archaeological site may be at risk, you may need an HCA Heritage Inspection Permit✓ A Heritage Inspection Permit allows an archaeologist to conduct an archaeological assessment. This involves subsurface testing to identify if a site is present and how you can protect it during your development✓ The Province will consult with affected First Nations during the permit application process
4	Get an Alteration Permit	<ul style="list-style-type: none">✓ If a site is present, you must have an HCA Alteration Permit to impact or disturb the site✓ An Alteration Permit allows for activities such as capping a site, impacting a site, and relocating archaeological material, such as stone tools and bone fragments, in a way that ensures their care. Ground disturbing activities may require the oversight of an archaeologist during excavation or other ground disturbing activities✓ The Province will consult with affected First Nations during the permit application process

Hiring an Archaeologist

A qualified archaeologist will need to apply for, or act as a co-applicant on, any archaeological permits required for your development.

To find an archaeologist:

- Do an internet search for “archaeologists near me”
- Check local business directories
- The [British Columbia Association of Professional Archaeologists](#) keeps a list of its current members
- Get one or more quotes, and find out when an archaeologist is available to do the work
- Confirm that an archaeologist is “qualified and able” to hold permits in your area. You may email: Archaeology@gov.bc.ca to inquire about the status of an archaeologist

Visit: www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/private-commercial-or-development-property

Costs to Homeowners

- Property owners and developers are responsible for the costs of archaeological work. These costs can be minimized by taking early action and employing a low-impact approach to development
- The costs of archaeological work may vary on the scope of the work required, the location of the project, and the charge-out rates of the archaeologist.
- HCA permits and information requests issued by the Province are free

Choose low-impact building techniques

Archaeological sites are an irreplaceable part of history and critically important to First Nations communities.

By choosing low-impact construction methods you can help reduce:

- Impacts to an archaeological site
- The costs of archaeological work

Low impact building techniques include:

- Changing location of the building site or footprint to reduce or avoid impacts to an archaeological site
- Adjusting the construction techniques to reduce the degree of site impact, for example, an above ground basement or building on pads and or pilings instead of an in-ground foundation
- Use existing utilities access
- Develop within imported fill to avoid disturbing natural sediment, or soil, that may contain archaeological material.

Working with Local Governments

- Local government requirements may be different throughout B.C.
- Property development requires other permits and authorizations from municipalities, regional districts, or the Province. Local government development permits are not a substitute for archaeological permits.
- Some local governments ask property owners to obtain an Archaeological Data Report prior to issuing their own development permits.

🌐 **Visit:** www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/private-commercial-or-development-property

CONTACT THE HOUSING NAVIGATOR SERVICE

The [Housing Navigator Service](#) has dedicated staff to help you determine what applications are needed for your project and navigate the provincial process.

🌐 **Visit:** permitconnectbc.gov.bc.ca/#one-place

✉ **Email:** Housing.Authorizations@gov.bc.ca

📞 **Call:** 1-844-687-4644



For More Information

🌐 **Visit:** [Archaeology in B.C.](http://Archaeology.in.B.C.)
www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology

✉ **Email:** Archaeology@gov.bc.ca



Ministry of
Forests