



BRITISH
COLUMBIA

Ministry of
Transportation

PERMIT TO REDUCE BUILDING SETBACK
(LESS THAN 4.5 METRES FROM
PROPERTY LINE FRONTING A HIGHWAY)

Highway District Lower Mainland	File/Permit Number 01-006-23129
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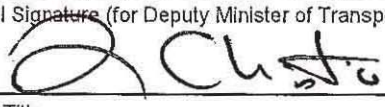
The Minister of Transportation has approved, subject as to the conditions as set out in this permit, the construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely:

Zero setback from Crystal View Road at Lot 8, District Lot 1017, Group 1, New Westminster District, Plan 10306 as shown on the attached sketch by Bill Baker of Art Site dated January 23, 2006 for Jason and Heather Wubs, S22

S22

This permit may be terminated at any time at the discretion of the Minister of Transportation, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.

This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.

Approval Signature (for Deputy Minister of Transportation) 	Print Name Terry Christie
Position Title Area Development and Operations Technician	Date 2006-01-27

cc. Islands Trust by Fax 250-247-7514

Jan. 18. 2006 6:32PM

No. 4182 P. 2/4

Ministry of
Transportation

Permit/File Number

01-006-22889

District

Lower Mainland District

The personal information on this form is collected under the authority of the Transportation Act. The information collected will be used to identify the permittee on the Highway Encroachment Permit. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation District Development Technician.

HIGHWAY ENCROACHMENT PERMIT**TRANSPORTATION ACT Section 62(2) S.B.C. 2004**

PERMIT TO AUTHORIZE EXISTING STRUCTURES
CONSTRUCTED WITHIN THE RIGHT-OF-WAY OF ANY
ARTERIAL HIGHWAY WITHIN A MUNICIPALITY OR
ANY HIGHWAY IN A RURAL AREA

British Columbia Regulation 513/2004, Section 12 Consent

Permission is hereby granted by Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Transportation (the "Minister") to the "Permittee" to use and maintain the structure comprising

Septic Tank (1.8metre x 0.9metre)

(the "Structure").

insofar as they relate to the use of that portion (the "Encroachment Area") of the public highway, described as and located at:

Lot 8, District Lot 1017, Group 1, New Westminster Group 1 District, Plan 10306

on Crystal View Road on North Thormanby Island

as shown on the attached plan prepared by: Bill Baker of Art.Site

certified correct on the 13th day of January, 2006, attached hereto as Schedule A.

If the Structure is part of a legal lot (the "Property") adjacent to the Encroachment Area the permittee will provide the legal description of the Property and produce a Certificate of Title for the Property.

-Legal Description: FID: 009-414-681, Lot 8, District Lot 1017, Group 1, New Westminster Group 1 District, Plan 10306

Agreed to by the Permittee:

Name Jason & Heather Wubs

Address

22

Telephone

Signed by

Registered Owner(s)

Print Name(s)

Date (yyyy/mm/dd)

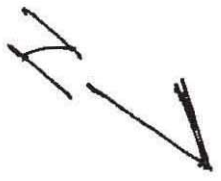
For Minister of Transportation

Terry Christie

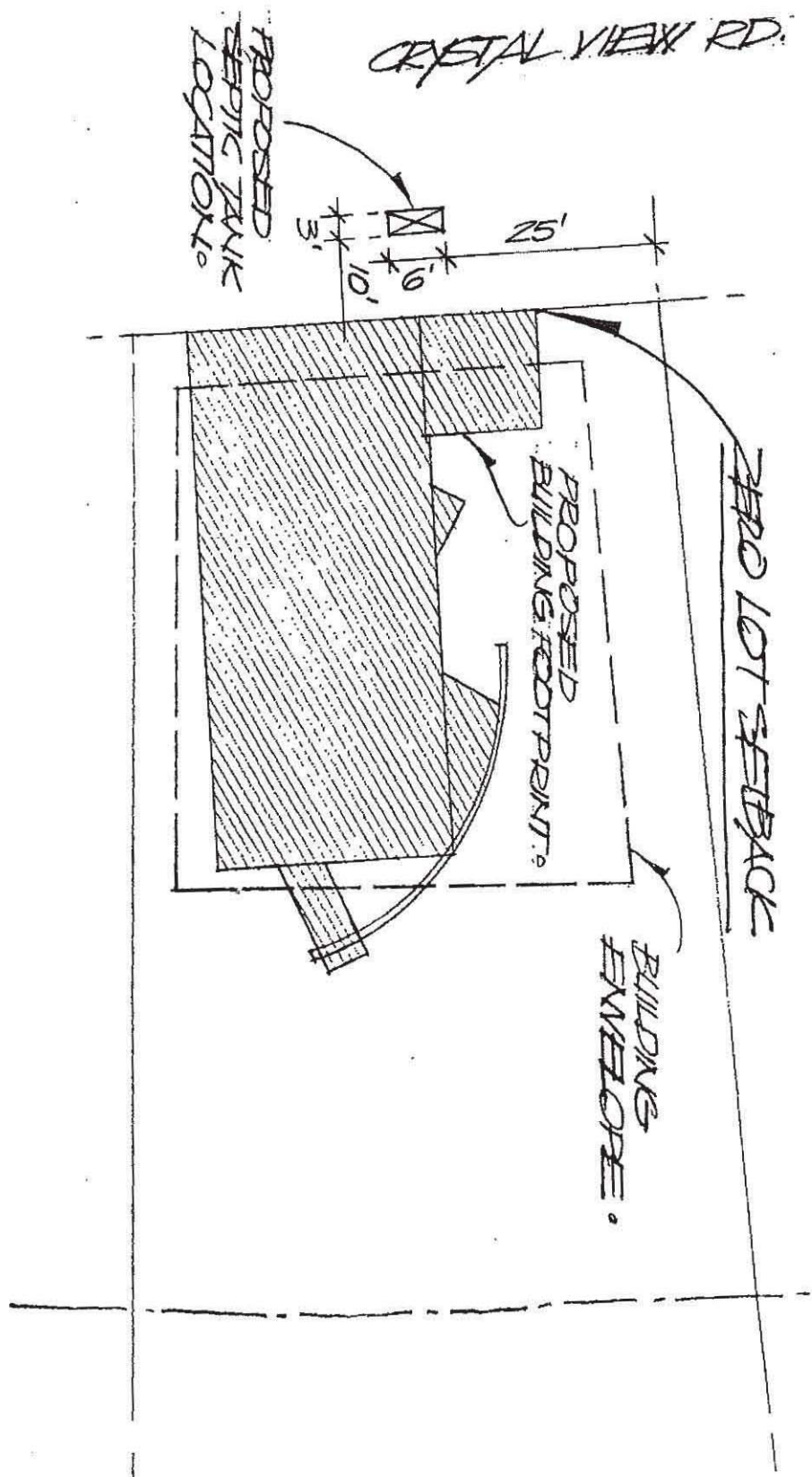
Print Name

2006-01-18

Date (yyyy/mm/dd)



SITE PLAN
SCALE 1/120"=1'-0"
LOT 8
BLK A / 12 1017
PLAN 10306
VACBOLT, NORTH THORNTONBY ISLAND





BRITISH
COLUMBIA

Minist^r of
Transportation

Permit/File Number

01-006-24852.1

District

Lower Mainland District

The personal information on this form is collected under the authority of the Transportation Act. The information collected will be used to identify the permittee on the Highway Encroachment Permit. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation District Development Technician.

HIGHWAY ENCROACHMENT PERMIT

TRANSPORTATION ACT Section 62(2) S.B.C. 2004

PERMIT TO AUTHORIZE EXISTING STRUCTURES
CONSTRUCTED WITHIN THE RIGHT-OF-WAY OF ANY
ARTERIAL HIGHWAY WITHIN A MUNICIPALITY OR
ANY HIGHWAY IN A RURAL AREA

British Columbia Regulation 513/2004, Section 12 Consent

Permission is hereby granted by Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Transportation (the "Minister") to the "Permittee" to use and maintain the structure comprising

One septic tank: 3.0 meters by 0.9 meters located no more than 3m into roadway

One Shed (8.3 by 10.5 feet)

One Fence

One Temporary Construction Shed (3.0 meter width by 6.0 meter length by 3.0 meter height) to be completely dismantled and all materials removed from the right-of-way after maximum (6) six months.

Decommission and remove existing septic tank as per Vancouver Coastal Health Requirements.

(the "Structure")

insofar as they relate to the use of that portion (the "Encroachment Area") of the public highway, described as and located at:

Lot 5, Block A, District Lot 1017, New Westminster Group 1, Plan 10306

Crystal View Road, Vaucroft Subdivision, North Thormanby Island

as shown on the plan prepared by:

Cameron Land Surveying

British Columbia Land Surveyor

certified correct on the 5th day of February, 2006, attached hereto as Schedule A.

If the Structure is part of a legal lot (the "Property") adjacent to the Encroachment Area the permittee will provide the legal description of the Property and produce a Certificate of Title for the Property.

Legal Description: Lot 5, District Lot 1017, Block A, New Westminster Group 1 District, Plan 10306

Agreed to by the Permittee:

Name Kathleen Maclean

Address

S22

Telephone

Signed by

Registered Owner(s)

Print Name(s)

Date (yyyy/mm/dd)

For Minister of Transportation

Patrick Coates, Area Development & Ops Tech

Print Name

2008-12-18

Date (yyyy/mm/dd)

**This Permit is at all times subject to the following conditions, which are agreed to and accepted by
the Permittee in consideration of the granting of this Permit.**

1. Except to the extent permitted herein, the Permittee will ensure that the Structure at all times conforms with all legislation applicable to the Structure with respect to the construction and maintenance of the Structure and all specifications by regulatory bodies having jurisdiction over the Structure.
2. The Regional Director, as appointed from time to time by the Minister, having jurisdiction with respect to the Encroachment Area, or such person as the Minister may from time to time designate must have full and free access at any and all times to inspect the Structure or for such other purposes as the Regional Director may consider necessary.
3. Where the Structure comes in contact with any bridge, culvert, ditch or other existing work (the "Existing Works") the Permittee will ensure that the Structure is properly maintained and supported in such manner as not to interfere with the proper functions of the Existing Works during the existence of the Structure.
4. The Permittee will at all times take every possible precaution to ensure the safety of the public, and if requested by the Regional Director ensure that the Structure and all excavations, materials, or other obstructions in connection with the Structure are fenced, illuminated, and guarded.
5. The Permittee acknowledges that this Permit is granted only for such times as the Encroachment Area is within the jurisdiction of the Minister. This permit must not be construed as being granted for all time, and does not vest in the Permittee any right, title, or interest in or to the Encroachment Area. If the Encroachment Area becomes included within an incorporated municipality or city, this Permit is terminated unless the Highway on which the Structure is located is classified as an Arterial Highway pursuant to Section 45 of the Transportation Act.
6. This Permit may be cancelled at any time without recourse at the discretion of the Regional Director by 30 days notice in writing in the manner herein provided. Not later than 90 days after the date on which this notice has been given by or on behalf of the Minister, the Permittee must ensure that all work has been completed in connection the removal, moving or alteration of the structure in the manner required by any notice. All costs of removing, moving of altering the Structure must be borne by the Permittee.
7. Where any public works are contemplated the Permittee will cooperate with any person designated by the Regional Director in connection with any construction, extension, alteration or improvement of the public works involving the Encroachment Area.
8. The Permittee acknowledges that the Minister and any employees, agents or contractors of the Minister will not be responsible for any damage to the Structure or any property of the Permittee and the Permittee hereby expressly waives any claim for damages and forever releases and discharges all such persons with respect thereto.
9. The permission herein granted to the Permittee will be in force only during such time as the Structure is used, maintained and owned by the Permittee in strict compliance with this Permit. The Permittee will notify the Minister if the Property is offered for sale and inform any purchasers of the Property of this Permit prior to sale. The Permittee will remain liable to the Minister hereunder until such time as a subsequent permittee has agreed to assume the same liabilities and obligations with respect to the Structure.
10. This Permit is valid only for the Structure as described herein. The Permittee acknowledges that routine maintenance of the Structure is permitted but the Structure must not be expanded, increased, or its use changed in any way except as provided for in section 4 of this permit.
11. The Permittee will provide:
 - (a) the location of the Structure in relation to the Encroachment Area and the Property on Schedule A; and
 - (b) a written description of the Structure both in form and content satisfactory to the Regional Director, Ministry of Transportation for the Region in which the Structure is located.
12. The attached plan, indicated as Schedule A, showing location or position of the Structure constitutes a part of this Permit and any change without prior consent of the Regional Director will forthwith render this Permit terminated subject to section 18 of this Permit.
13. The Permittee will notify the Regional Director of any damage done to the Structure. If in the opinion of the Regional Director the Structure is destroyed or damaged such that reconstruction within the encroachment area is unwarranted this permit is terminated. The Structure must not be replaced or reconstructed on the Highway or in the Encroachment Area.
14. The Permittee shall be solely responsible for all loss or damage arising or occurring out of any act or omission, including the use, possession, control and custody, or any of them, of the Encroachment Area, of or by the Permittee, or the heirs, executors, administrators, and assigns of the Permittee, and shall indemnify and save harmless the Minister, together with the employees, agents, and contractors of the Minister, from and against any and all losses, claims, liabilities, demands, damages, actions, causes of action, costs and expenses, fines, penalties, assessments, and levies that the Minister or any of the employees, agents or contractors of the Minister may sustain, incur, suffer or be put to at any time or times (whether before or after the expiration or sooner termination of this Permit).
15. The Permittee will not interfere with any Highway or public works without separate written permission issued by the Regional Director.
16. All notices required to be given hereunder by the Minister will be effectively given if sent by mail to the address of the Permittee shown below and must be deemed to have been given at 12:00 noon on the third day after mailing. Notices to be given to the Minister by the Permittee will be effectively given if delivered to the Regional Director and must be effectively given upon delivery.
17. No termination or cancellation of this Permit will relieve or abate the obligations of the Permittee contained herein arising prior to such termination or cancellation all of which must survive the termination or cancellation of the Permit and must constitute continuing obligations of the Permittee.
18. No variation or alteration of the Permit will be effective unless in writing signed by or with the authority of the Minister.
19. The Permittee shall obtain and maintain during the term of this Permit and at the Permittee's own expense, liability insurance against third party claims arising as a result of the Permittee's possession, use, control and/or custody of the Encroachment Area shown in Schedule A.

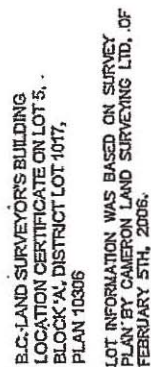
Such liability insurance shall have coverage limits of not less than ONE MILLION DOLLARS (\$1,000,000) for bodily injury, including death, and property damage and shall be endorsed as follows:

It is understood and agreed that Her Majesty the Queen in Right of the Province of British Columbia as represented by the Minister of Transportation, together with the employees, agents and servants of the Minister, hereinafter referred to as the Additional Named Insured, is added as an Additional Named Insured.

The policy shall contain a cross liability clause and a clause giving notice of cancellation or material alteration to the Minister.

The Permittee shall submit evidence satisfactory to the Minister that the above insurance has been obtained and remains in force and effect.
20. This permit is subject to any other terms or conditions as specified on the attached Schedule B.
21. Any reference to a party includes heirs, executors, administrators and assigns.

Proposed Septic Field Location.





The Best Place on Earth

Schedule B

Permit Number 01-006-24852.1

1. The existing, original septic tank and all related structures must be decommissioned and removed to the requirements of the Vancouver Coastal Health Authority.
2. The permittee shall provide evidence of insurance for all encroaching structures as per Condition 19 of the permit.
3. The temporary shed structure and all associated materials must be decommissioned and removed from the right-of-way after a maximum of (6) six months.



PERMIT TO REDUCE BUILDING SETBACK
(LESS THAN 4.5 METRES FROM
PROPERTY LINE FRONTING A HIGHWAY)

Highway District

Lower Mainland District

File/Permit Number

01-006-24851

The Minister of Transportation has approved, subject as to the conditions as set out in this permit, the construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely:

To reduce the setback from 4.5 metres to 0 metres to allow for a single dwelling subject to the following conditions:

1. The ministry of Transportation requires a final survey plan which is metric, scalable and shall show;
 - The exact offsets of the foundation and overhead of proposed or existing structure from the right-of-way boundary and the nearest internal property line.
 - Any feature or structure which limits the placement of the subject structure from being constructed at the required setback distance.
 - Any other structure on the subject property within the setback requirement area.
 - The road name, legal description, any property pins evident and north arrow.

Submit three copies of the plan if larger than 11x17

2. In case where setback is legalized and/or add to an existing structure, the plans are to be prepared by a qualified licensed professional surveyor.
3. It is the responsibility of the applicant to assure that design and construction of the structure conforms to all applicable legislation, bylaws, and codes and, all other necessary permits are supplied for.
4. A certificate of title and a letter of authorization from the registered owner(s) is to be provided where the applicant is not the owner
5. In addition you may be required to have property lines and extremities of footings of the proposed structure clearly flagged on site prior to Ministry inspection.

Legal Description:

Lot 5, District Lot 1017, Block A, New Westminster Group 1 District, Plan 10306

Applicant Name/Address:

Kathleen Maclean

S22

This permit may be terminated at any time at the discretion of the Minister of Transportation, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.

This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.

Approval Signature (for Deputy Minister of Transportation)	Print Name Shawna Heming	
Position Title Senior District Development Technician		Date (yyyy/mm/dd) 2007/11/26



**PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE
PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY**

**PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE
MOTOR VEHICLE ACT.**

BETWEEN:

The Minister of Transportation and Infrastructure

Sechelt Area Office
Box 950
Sechelt, BC V0N 3A0
Canada

("The Minister")

AND:

Lawrence Straith

S22

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:
- The construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow a reduction of the minimum setback requirement from the front lot line abutting a Ministry of Transportation road right of way from 5 m (16.41 ft) to 3 m (9.8 ft) to permit the construction of a shed (accessory building), the total floor area to be no greater than 18 sq m (200 sq ft). no greater than 200 sq ft within 4.5m setback from, , located at PID 009-414-941, Lot 32, Blk A, DL 1017, New Westminster Group 1, Plan 10306, Thormanby Island, 0 km Northeast from Ambleswood Road, as shown on drawing .**
- 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. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.

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 Sechelt, British Columbia, this 17 day of February, 2010

On Behalf of the Minister



PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of construction of a rock retaining wall to stabilize the shoreline across the right-of-way of Vaucroft Beach Road to serve Lots 3 to 8, D. L. 1017, Plan 10306, Group 1, N. W. D. as shown on drawing submitted with your application dated December 12, 1994.

are hereby approved in so far as they relate to the use of Crown lands, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, and maintain the said work is hereby granted to Westview Dredging Ltd., P. O. Box 236, Powell River, B. C., V8A 4Z6

The said approval and permission to construct, use, and maintain works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Highways.
2. That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven clear days before the work is begun.
3. That any person appointed to the Regional Director, Highways, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on or before the 27th day of February, 1995
and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the as soon as possible after date of commencement.
5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the travelling public.
(b) That, unless with the consent of the Regional Director, Highways, no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.
(c) All trenches and excavations shall be shored, if necessary, according to the Workers' Compensation requirements. Care shall be taken to protect adjacent property.
(d) That all excavations shall be carefully back-filled with suitable material, which is to be tamped into place, and that the permittee shall restore the surface of the road and shoulders and ditches at his own expense. All surplus material is to be removed from the Provincial Crown lands, or deposited where and as required by the District Official of the Ministry of Transportation and Highways. The permittee is financially responsible for any maintenance work required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.
(e) The pipeline crossing installation is to be placed by drilling and (or) jacking in such a manner as to afford minimum grade settlement. No water jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On thoroughways, freeways, and main highways no open cuts will be allowed.
(f) That all pipelines in excess of a nominal diameter of 5 cm., whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing-pipe or conduit-pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing-pipe shall be suitably sealed and, if required, properly vented above the ground with vent-pipes not less than 5 cm. in diameter, and extending not less than 1.2 metres above ground surface. Vent-pipes shall be connected 30 cm. from the ends of the casing-pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers.
All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand.
The inside diameter of the casing-pipe shall be at least 25 per cent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.
The top of the casing-pipe, or the pipeline where casing is not required, shall be located as directed by the District Official, and shall in no case be less than 1.2 metres below the surface of the highway and not less than 60 cm below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.
6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition.
7. 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.
8. That the person or persons for whom these works are being constructed, or by whom these works are maintained, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by these works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works.

(OVER)

9. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation and Highways. This permission is not to be construed as being granted for all time, and shall not be deemed to vest in the permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial or primary highway pursuant to Part III of the *Highway Act*.

10. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at his or their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.

11. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.

12. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the *Highway Act* and *Ministry of Highways and Public Works Act*, or other Acts governing Crown lands and public works or their use by the public.

13. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the Regional Director, Highways.

14. That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.

15. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.

16. This permit may be cancelled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.

17. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be cancelled.

18. That these works shall be identified with this permit number, namely, "H. 01-005-11909," in a manner satisfactory to the District Official of the Ministry of Transportation and Highways.

19. It is the sole responsibility of the permittee to obtain any other agencies permission necessary for this work.

20. The permittee shall ensure that construction of this wall does not impede ordinary access to the shore.

Ministry of Transportation and Highways

Box 740

Gibsons, B. C., V0N 1V0

January 27, 19 95


R. G. DeGraff

District Development Technician
For Minister of Transportation and Highways