

DETAILS OF ROAD

Road Name Littlewood Road Route/Road No. 112 ✓

Electoral District Nelson Creston Arterial No. _____ Page 1 of 1

Highway District Nelson Central Kootenay Foreman Area Nelson #2 A

CLASSIFICATIONS

FUNCTION	SURFACE	MAINTENANCE	
Organized:	A-PC	Summer	Winter
Arterial	A-BPM	1	A
Secondary	B	2	B
	C	3	C
Unorganized:	D	4	D
Trunk	Total open 0.2	5	E
Main	E	6	F 0.2
Collector	F	7	C 0.2
Minor 0.2	Total net	8	0.2
Total open 0.2	Total 0.2		

Definitions of these classifications may be found in the Manuals of Policy and Procedures and Maintenance Management

Initial Point Km 26.5 N-B - Hwy 3A, plan 5535 in DL 7078 KD

Terminal Point.....NE corner Lot 6, plan 5535

Establishment: When.....1965.

How.....Plan 5535

Date Compiled Dec 75

or Revised Feb 79 March 91 FEB 93

Remarks.

KILOMETRE LOG[illegible]

82 · F · 065 · 2.2



Permit Application:

Permit Type: Works: Road Works
Selected Office: West Kootenay District
Applicant File Number:
Project Description: Removal of a berm on highways right-of-way to allow for the joining of two road segments, Littlewood Rd. to the west and an unnamed section to the east, which serves as an upper access to two properties.

Location:

Order Location

Description: South Side Highway 3A between 6566 Littlewood road and 6578 Hwy 3A, Portion of highway right-of way above and between 6566 Littlewood Road and 6572 & 6578 HWY 3A

Map: 1646962.18,552136.11

Permit Application Details:

Local Government: RDCK

Drawing Or Sketch Number:

Attachments:

Permit Application Parties:

Type	Name/Company	Address	Role	Permit Holder
Applicant	s.22			<input checked="" type="checkbox"/>
Contact	s.22			<input checked="" type="checkbox"/>



BRITISH
COLUMBIA

Ministry of
Transportation

PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION

District File Number EDAS 2013-04181

Your File Number _____

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

Submit this application to the Ministry of Transportation Office or a Front Counter BC Office in your area.

I (We) hereby propose the following use or occupation requiring authorization under the *Transportation Act*, in accordance with the attached plans and specifications submitted. It is understood that this application is not complete until a covering permit has been issued.

(Please check the category below which best describes your proposal)

- | | | | |
|---|--|--|---|
| WORKS ON THE RIGHT OF WAY | <input type="checkbox"/> Mail and Newsletter Boxes | <input type="checkbox"/> Underground Cable, Telephone and Power | SPECIAL EVENTS |
| <input type="checkbox"/> Bus Stops, Shelters and Benches | <input type="checkbox"/> Polelines | <input type="checkbox"/> Wireless Communications | <input type="checkbox"/> Special Events |
| <input type="checkbox"/> Cattle Guards and Gates | <input type="checkbox"/> Roadworks | ACCESS | <input type="checkbox"/> Cattle Drive |
| <input type="checkbox"/> Exploratory Survey | <input type="checkbox"/> Sidewalks and Landscaping | <input type="checkbox"/> Controlled Access Highway | <input type="checkbox"/> Filming |
| <input type="checkbox"/> Fencing | <input type="checkbox"/> Signs | <input type="checkbox"/> Commercial Access | <input type="checkbox"/> Parade |
| <input type="checkbox"/> Fiber Optics | <input type="checkbox"/> Street Lights | <input checked="" type="checkbox"/> Residential and Agricultural | STRUCTURES |
| <input type="checkbox"/> High Pressure Pipeline | <input type="checkbox"/> Traffic Signals | <input type="checkbox"/> Resource and Industrial Road | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Low and Intermediate Pressure Pipeline | | | <input type="checkbox"/> Setback |

Describe other use or occupation _____

LOCATION (include civic address)

6578 Hwy 3A, Nelson, BC V1L6S1
6572 Hwy 3A

The proposal consists of and is described as follows:

DESCRIPTION

Upgrade two sections of driveway that service 6578
and 6572 Hwy 3A residential properties. Rains and winter damage
have left road badly rutted and eroded. Establish water bars
where none existed before

Dates (proposed): week of 16-20 Sept or week of 23-27 Sept, 2013

Times: From: 0800 (a.m./p.m.) To: 1600 a.m./p.m.

THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED

Plan 843 Lot 7078 8B

s.22

- 6578 Hwy 3A-012-379-891-Lot B, DL 7078, NEP9356

- 6572 Hwy 3A-006-830-04-Lot A DL 7078, NEP9356

PROVINCIAL PUBLIC HIGHWAY
PERMIT APPLICATION Cont'd.

HIGHWAY NAME(S)

N/S/E/W. side of the highway?

South

Between Wrightwick Rd and Grandview Estates
(landmark) (landmark)

ATTACHED DRAWING OR SKETCH ☒ Drawing Number _____

Have the necessary applications for approval been filled with the proper authorities? (i.e. RCMP, Municipality, road and bridge maintenance contractor or as documented in the notes below)
Other Authorities _____ Submitted/Approved _____

s.22

I(We) wish to have the permit issued in the name of:

NAME/ORGANIZATION (include affiliated agency where applicable)

Is this company registered with the Registrar of Companies of British Columbia?
yes ☐ no ☒ Certificate of Incorporation No. _____

MAILING ADDRESS

Telephone _____ s.22 Cellular/Pager _____ s.22
Fax _____ Email Address _____

CONTACTS (if not as above)

Project/Location Manager Name _____

Telephone _____ Cellular/Pager _____
Fax _____ Email Address _____

Director Name _____

Telephone _____

Site Contact Person _____

Telephone _____ Cellular/Pager _____
Fax _____ Email Address _____

Traffic Control Company Name _____

Telephone _____ Cellular/Pager _____

s.22

Signature (Applicant)

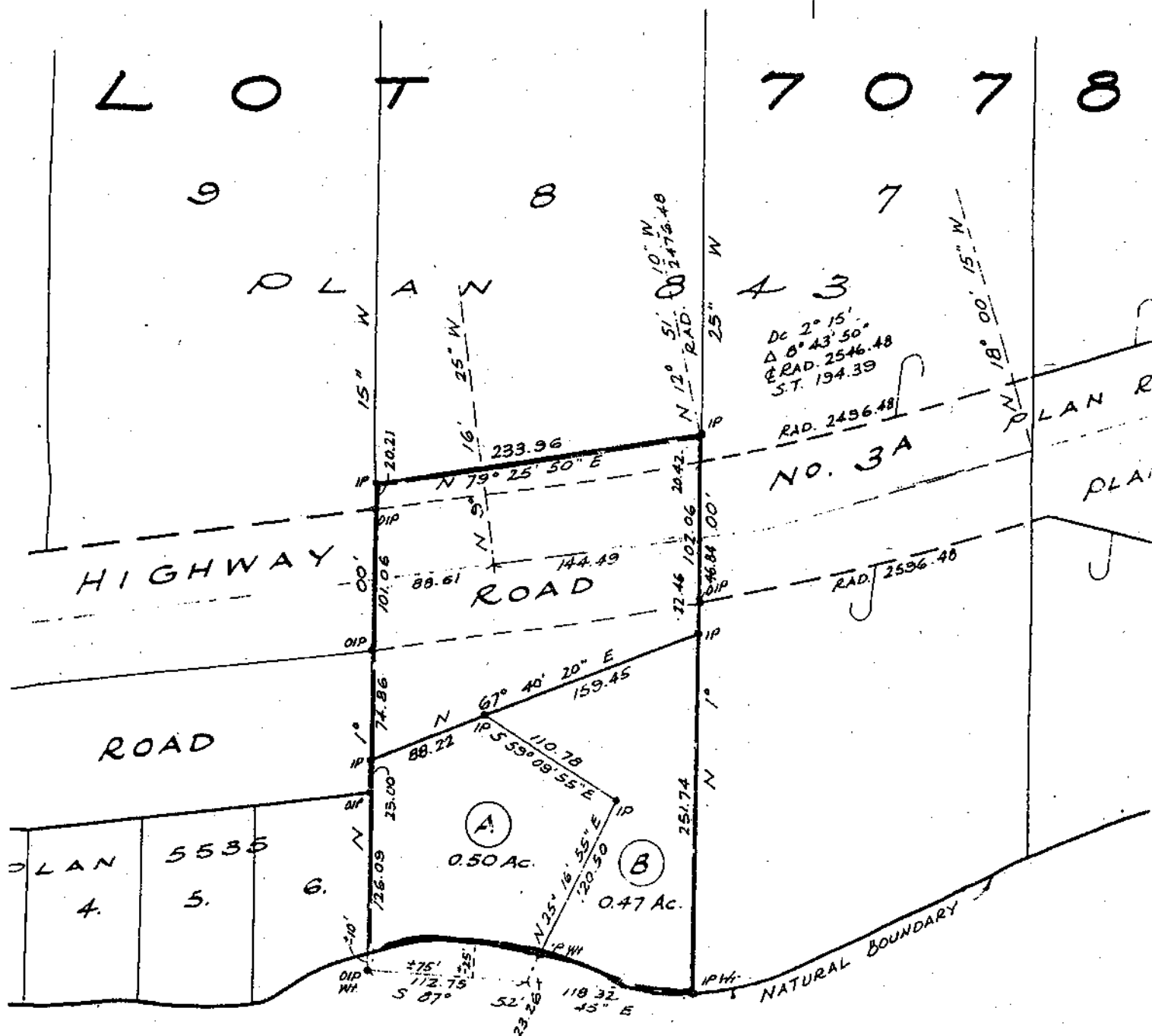
Print Name

Date (yyyy/mm/dd)

2013/09/10

Bearings are Astronomic, derived from East boundary
of Lot 9, Plan R-204, with as N 1° 00' 15" W

- OP Denotes old wood post found in place
- oIP Denotes old iron pin found in place.
- IP Denotes 1/2" x 30" square galvanized iron pin set



WEST ARM OF KOOTENAY LAKE

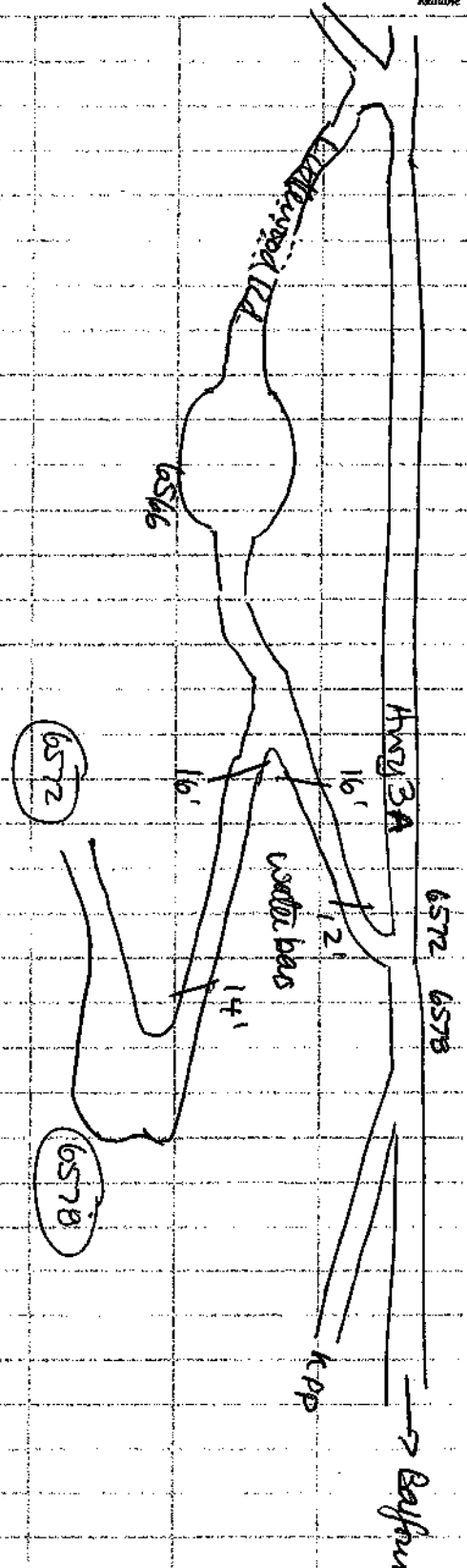
P.E.O.
OWNER

Georgina L.
OWNER

Wilma J.

Raymond George Johnson, of the City of Nelson, British Columbia, a Land Surveyor doath and say that I was present at and did personally superintend the survey ented by this plan and that the survey and plan are correct. The said survey completed on the 18th day of February, 1975.

Dredway Repairs



Material

4 grate sets (2 each) 30" long - have one set already. NO GRATES
3 fabricated sets by RD - 6 grates total

Each grate made of 11 x 6 1/2" ps 1/2" rebars
2 x 30" ps 1/2" rebars

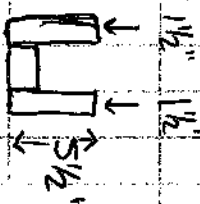
Each water bar made of treated wood
2x4 bottom + 2x6 sides

= 2 x 16' 2x4 + 4 x 16' 2x6
1 x 12' 2x4 + 2 x 12' 2x6
1 x 14' 2x4 + 2 x 14' 2x6

Wood for spacers - each 2' apart so 33 spacers - 1 x 8' 2x2
4 tubes of glue/adhesive + 2 lbs deck screws (phosphor-coated)

RDCK notice

need 66 feet of rebars.



s.22

s.22 - Littlewood Road

DRAFT

Dear ^{s.22}

Thank you for your e-mail of March 17, 2008, regarding access to and from Highway 3 on Littlewood Road between Nelson and Balfour.

Littlewood Road was not constructed to ministry standards and consequently cannot be safely maintained by my ministry's maintenance contractors. There are many similar sections of public right-of-way in British Columbia, and residents who live on them typically provide their own maintenance. Residents may also choose to upgrade the road to current standards at their own expense under permit, which would make it possible for my ministry to provide maintenance.

If you or other residents are interested in this approach, you can apply for permits at the District Office in Nelson at 310 Ward Street. Ministry staff would be happy to review your concerns and assist with recommendations on how to proceed with improvement work. If you have questions, please feel free to contact Area Manager Brent Bailey. You can contact him in Nelson at 250 354-6517 or by e-mail at Brent.Bailey@gov.bc.ca.

Thank you again for taking the time to write.

Best regards,

Kevin Falcon
Minister

Copy to: Brent Bailey, Area Manager

Fraser, Wayne S TRAN:EX

From: Parkes, Norm E TRAN:EX
Sent: April 15, 2008 11:54 AM
To: Fraser, Wayne S TRAN:EX
Cc: RDO Shared TRAN:EX
Subject: FW: ML s.22 for approval

Attachments: s.22 .doc

Wayne

It isn't clear from the reply whether this is a public road or not. Could you confirm? If not, how was it created and did we approve the subdivision that created the six lots they talk about?

Norm

From: RDO Shared TRAN:EX
Sent: Fri, April 11, 2008 3:55 PM
To: Parkes, Norm E TRAN:EX
Subject: FW: ML s.22 for approval

Norm,

For your approval, please.

Danielle

From: Fraser, Wayne S TRAN:EX
Sent: Friday, April 11, 2008 2:25 PM
To: RDO Shared TRAN:EX
Subject: FW: ML s.22 for approval

Danielle
Approved

Wayne

From: RDO Shared TRAN:EX
Sent: April 11, 2008 2:14 PM
To: Fraser, Wayne S TRAN:EX
Subject: FW: ML s.22 for approval

Wayne,

For your approval, please. Please 'forward' back so we don't lose the attachments. If you wish to make changes, please do so using 'track changes'. Thank you!

Danielle (RDO Shared)

Danielle

From: Writing Services, Transportation TRAN:EX
Sent: Friday, April 11, 2008 2:09 PM
To: RDO Shared TRAN:EX
Subject: ML s.22 for approval

① No. It is a driveway that is located on a
Main R/W which is carrying private
properties.

② No factual data available
Most likely created in the 60's. Widened right of
way was created to support a driveway access to the
lots. If it was for the widened R/W & subdivision
most likely would not have occurred.

Fraser, Wayne S TRAN:EX

From: Bailey, Brent F TRAN:EX
Sent: March 31, 2008 4:13 PM
To: Fraser, Wayne S TRAN:EX
Subject: RE: ML s.22 - Information Request

Wayne, here are the drafted bullets. B.B.

- Littlewood Road has not been constructed to Ministry Standards and is not maintained by the Ministry.
- Before maintenance would be provided on this section of road, the road would need to be upgraded to current standards.
- At the time of purchase these property owners should have been aware that the road was not properly constructed or maintained by the Ministry. This should have been a consideration at the time of purchase and was likely reflected in the purchase price.
- Upgrading of this nature remains a low priority for the local district, with rehabilitations and improvements to our existing maintained infrastructure the priority. At current and anticipated funding levels, I do not foresee being able to proceed with this type of upgrading in the near future.
- Parties may use this section of right of way to access their property, but in turn would be responsible for any maintenance and improvements to make the access onto Hwy 3A safe. If parties were to bring the road to current standards the Ministry could then take over maintenance.
- A permit would be required to allow parties to make improvements on the right of way and can be obtained at the local Ministry of Transportation office at 310 Ward Street, Nelson BC, V1L 5P6.

From: Fraser, Wayne S TRAN:EX
Sent: March 31, 2008 9:03 AM
To: Bailey, Brent F TRAN:EX
Subject: FW: ML s.22 - Information Request

From: RDO Shared TRAN:EX
Sent: March 28, 2008 5:19 PM
To: Fraser, Wayne S TRAN:EX
Subject: FW: ML s.22 - Information Request

Wayne,

Please provide a bulleted response by April 2nd.

Danielle

From: Writing Services, Transportation TRAN:EX
Sent: Friday, March 28, 2008 4:01 PM
To: RDO Shared TRAN:EX
Subject: ML s.22 - Information Request

Hello -

Someone has written with a safety concern about Littlewood Road on Highway 3 between Nelson and Balfour. s.2 has written Yellowhead Road and Bridge twice about it, and has received no reply.

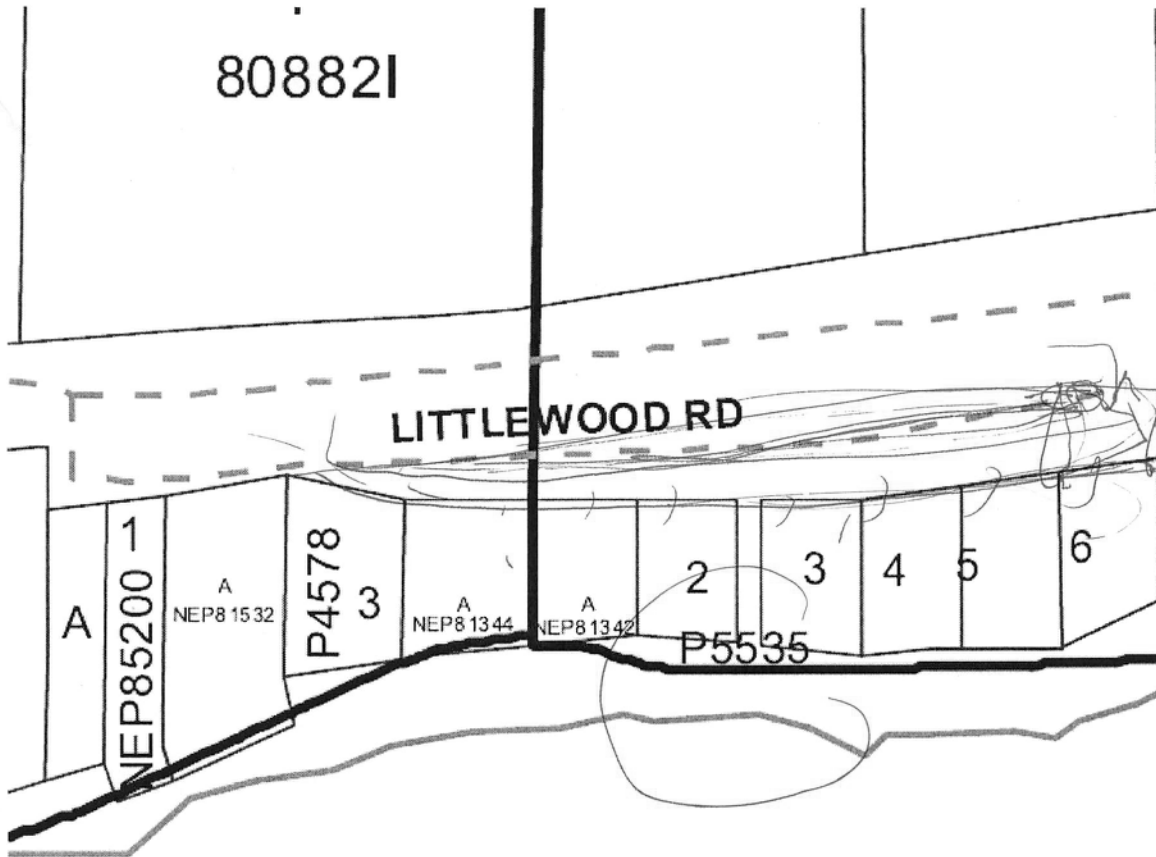
Could we please have bullets for a request by Friday, April 4.

Thanks very much,

*Maija Liinamaa, Senior Writer
Corporate Writing Services, Ministry of Transportation*

250 356-1273

<< Message: s.22 road problem >>

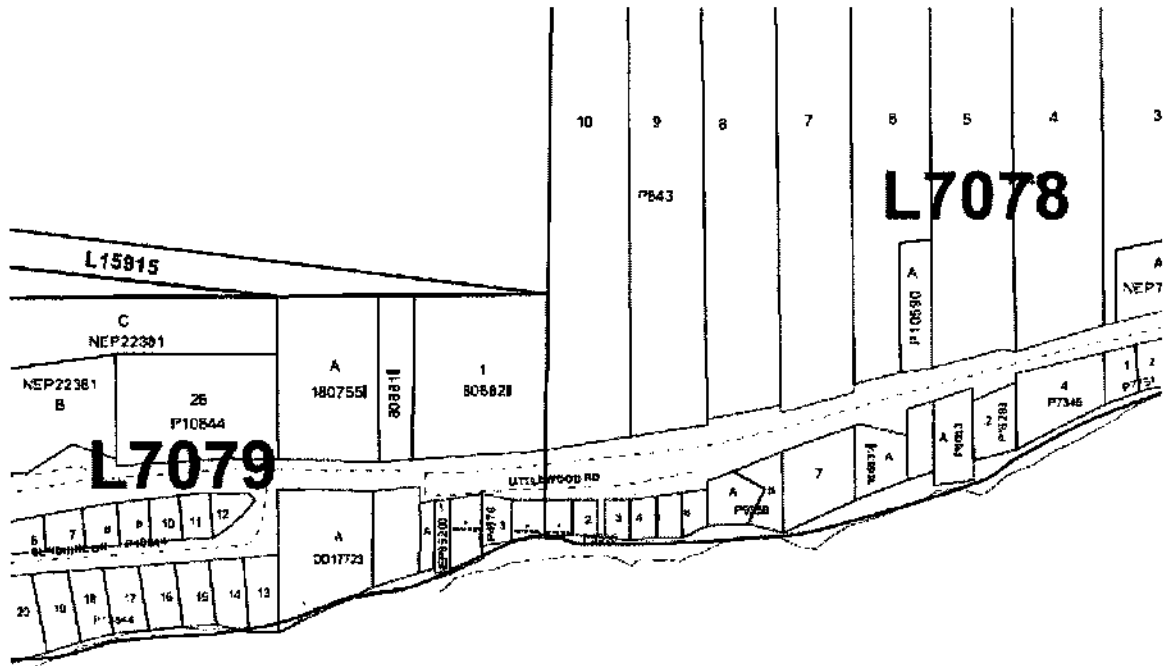


s.22

81342 nothing on title

81344

81532



s.22

s.22 Littlewood Road

Dear s.22 :

Thank you for your e-mail of March 17, 2008, regarding access to and from Highway 3 on Littlewood Road between Nelson and Balfour.

Littlewood Road was not constructed to ministry standards and consequently cannot be safely maintained by my ministry's maintenance contractors. There are many similar sections of public right-of-way in British Columbia, and residents who live on them typically provide their own maintenance. Residents may also choose to upgrade the road to current standards at their own expense under permit, which would make it possible for my ministry to provide maintenance.

If you or other residents are interested in this approach, you can apply for permits at the District Office in Nelson at 310 Ward Street. Ministry staff would be happy to review your concerns and assist with recommendations on how to proceed with improvement work. If you have questions, please feel free to contact Area Manager Brent Bailey. You can contact him in Nelson at 250 354-6517 or by e-mail at Brent.Bailey@gov.bc.ca.

Thank you again for taking the time to write.

Best regards,

Kevin Falcon
Minister

Copy to: Brent Bailey, Area Manager

Nov. 26, 2007

s.22

Yellowhead Road and Bridge
110 Cedar St.
Nelson, BC, V1L 6H2

To Whom It May Concern:

We own a house at^{s.22} Littlewood Road, which is on the lake side of the West Arm in Nelson, just off Highway 3 about five km. west of Balfour – about mile 17. Littlewood Rd. services six or seven houses, and is actually not even marked on the highway or on most maps. But our fire number^{s.22} should help you locate it.

I wanted to touch base with you because I understand that the road itself is public, and thus technically managed by you folks. The problem is that the entrance to Littlewood drops off very steeply right off the highway, and then immediately forks. There is no flat apron at the top that allows one to stop and check for traffic safely before proceeding. In the summertime, some delivery trucks refuse to drive down (for fear of not getting back up, or bottoming out), and we are unable to drive up or down with a loaded trailer for the same reason. We can only do it by posting two “lookouts” (one on the road, and one at the T junction) to allow the driver to gun it and not have to stop. Even without a trailer, it is far easier to roll up the hill onto the road without coming to a full stop (particularly in a standard), which means you have to be agile. I think the locals along the road are pretty good at negotiating the hill now in summertime, but visitors without similar ‘challenging’ experience are a different story. In extreme cases, some of the visitors to cabins along the road will refuse to drive down, and instead park on the side of the highway next to Littlewood and walk down, which creates a huge (new) blind spot for everyone else coming back out.

As you can imagine, in the winter, the problem is much worse! Not only does the smallest bit of snow increase the chances of sliding, but also visibility is reduced dramatically because the snowbanks prevent you from seeing cars until the front of your car is already out on the road. Last year we had to call the CAA when visitors slid down the entrance, and almost over the side of the edge in the bush. In another case, even with two lookouts helping to stop traffic and guide a car out we almost had an accident when someone on the highway refused to slow down (even with someone waving at them!) as a car was coming up and out. And this was after we had shovelled and sanded the steepest part of our road, and had chains on the tires. When you are by yourself, sometimes you just have to cross your fingers and hope that cars are NOT coming to get up on the road without incident, because if you dare stop, you know you will slide back down. Even with just a little bit of snow, it is unthinkable to try to drive either up or down Littlewood anytime in the winter without four-wheel drive.

The road entrance is definitely an inconvenience. For example, we are unable to store our boat at our cabin in the winter because we would never get back up on the road with it. Delivery trucks sometimes charge extra to come with their small trucks, or simply refuse to deliver at all. In the winter, we sometimes park down the highway at a pull out and walk to the cabin rather than risk going down and coming back up – especially when alone. In fact, this winter we will probably avoid coming to Nelson at all just so we don't have to worry about getting in and out.

However, it is the safety issue that concerns me far more. In so many ways, this is an accident (or three or four) waiting to happen. We've been lucky so far that we've only had to call the CAA once for a tow, and had one near-miss out on the highway (and that is just our experience – I'm sure the other residents along Littlewood have similar stories). It is not matter of being more careful either – the conditions are just not safe.
s.22 and it is hard to imagine having to deal with that road every day without incident.

What I would like to know is what can be done about the Littlewood entrance to make it safer. Our first thought was some of those large lock blocks with lots of new fill, new grading, and top paving, but I'm not an engineer. Perhaps the road entrance could be moved further west to allow a more gradual grade? Regardless, we really would like to find a solution to allow us to get in and out safely in summer or winter with or without a trailer. And my next question is; who bears the cost of that work? I know Littlewood is a public road on our side, but I'm unsure of the rules that govern work like this, whether the entrance meets current standards, etc. I would certainly be willing to help pay for any improvements if it means we get a safer road, and I suspect most of my neighbours feel the same way.

I understand that s.22 has been in touch with you folks about this as well, and has spoken to several people (s.22 most recently) about this and as well as our ongoing highway culvert problem. And I think continuing to go through s.22 as our contact is best since s.22 on Littlewood. I just wanted to add my voice to this issue in the hope that we can do something together on this soon.

Thanks for your time,

s.22

March 16, 2008

s.22

Yellowhead Road and Bridge
110 Cedar St.
Nelson, BC, V1L 6H2

To Whom It May Concern:

Last November I contacted you about a safety issue with Littlewood road on Hwy 3 between Nelson and Balfour (see attached letter dated Nov. 26 to your office). I have not heard back from you since, and with the spring season upon us, I was hoping that you could at least respond to my query.

Since November, I have taken the opportunity to talk with other neighbours along Littlewood who use the road year round, and everyone has experienced multiple “close calls” coming out of our road. It really is just a matter of time before there is an accident and/or someone is hurt. I’m not entirely sure of liability, but I would think it would be in your best interests to fix dangerous road entrances.

All I’m trying to do at this point is determine a) who is the responsible agency to whom we should be talking, and b) what the engineering and cost options are for fixing the entrance. Are you even the appropriate agency that we do this through? MoT? It is a public road, so one would presume that it is one or the other. As I’ve said before, we are all willing to be involved financially if that is what it takes – we just want it fixed! Any guidance you can provide would be appreciated.

Thank you again for your time, and I look forward to hearing from you soon.

s.22

LITTLEWOOD RD.

CENTRAL KOOTENAY DISTRICT
NELSON

57500-20/a RECEIVED

DEC 15 1998

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

Mr. Brent Bailey
Area Manager
S - 31, C - 11, RR#3
Nelson BC V1L 5P6

Ministry of Transportation and Highways
2nd Floor
310 Ward Street
Nelson BC V1L 5S4

December 7, 1998

Dear Mr. Bailey,

Further to our conversation of Friday, December 4, I would like to thank you for discussing the water conditions affecting our property at^{s.22} Littlewood Road.

You recall last spring that we had quite a severe flooding problem as a result of water being dumped from a large culvert which runs under highway 3A above our house. There is no ditch at the base of this culvert so the water eroded our cul-de-sac and traced a path to our front door and over our septic system. We were able to divert much of the water with sandbags but are concerned for next spring and the damage that repeated flooding may do to our septic system.

Your suggestion to divert more water through the smaller culvert to the west may alleviate some of the problem. However, considerable damage has already been done to Littlewood Road and, without changes to the present situation, the condition will only worsen.

I understand that continued improvements to highway 3A are planned for next spring. Perhaps when the road building equipment is in the vicinity, it may be used to improve the roadway and ditch area so that this problem is not repeated.

I hope that we can work together to achieve a satisfactory resolution to this problem.

Sincerely,
s.22

Residents
s.22 Littlewood Road

MINISTRY OF TRANSPORTATION AND HIGHWAYS	COMMUNICATION RECORD	DATE <u>04.08.23</u> TIME: _____	FILE NO. _____
RECEIVED BY: <u>Juy</u>		SUBJECT _____	
SUMMARY - CALL <input checked="" type="checkbox"/> INTERVIEW <input type="checkbox"/> <small>s.22</small>			
NAME OF CALLER _____		PHONE NO. _____	
ADDRESS: _____			
DESCRIPTION OF PROPERTY AFFECTED: <u>Littlewood Road. 1 mile past Harrop ferry turnoff on Hwy. #3A. (lakeside)</u>			
DESCRIPTION OF REQUEST OR COMPLAINT: <small>s.22</small> <u>bought lot in & road doesn't look like it's been graded since.</u> <u>please grade road. rocks sticking out (car high centered); washboarding, etc.</u>			
ACTION TO BE TAKEN		DATE <u>24-08-23</u>	
<u>Road is Class B-F, and as such is not maintained by Hwy's Contractor.</u> <u>Residents have been advised of this situation. They can apply for a permit to up-grade at their own expense. Maintenance would then be undertaken.</u>			
REPORT ON ACTION TAKEN/REMARKS		SIGNATURE _____ DATE _____	
SIGNATURE _____			

MINISTRY OF TRANSPORTATION AND HIGHWAYS	COMMUNICATION RECORD	DATE <u>90-05-15</u> TIME: <u>08:25</u>	FILE NO. _____
RECEIVED BY: <u>G. Telford</u>		SUBJECT <u>Littlewood Rd</u> <u>Entrance to Highway</u>	
SUMMARY - CALL <input type="checkbox"/> s.22		s.22	
NAME OF CALLER _____		PHONE NO. <u>s.22</u>	
ADDRESS: _____			
DESCRIPTION OF PROPERTY AFFECTED: _____			
DESCRIPTION OF REQUEST OR COMPLAINT: <u>Please up-grade Littlewood</u> <u>Road entrance so that it is safe for</u> <u>winter conditions.</u>			
ACTION TO BE TAKEN		DATE <u>90-05-15</u>	
<u>Investigate and prioritize</u> <u>Possibly a permit could be issued allowing</u> <u>s.22 to do the up-grading to</u> <u>Ministry Standard.</u>			
REPORT ON ACTION TAKEN/REMARKS		SIGNATURE <u>[Signature]</u> DATE _____	
<u>[Signature]</u>			
SIGNATURE _____			

Date Received and Where Received

District Highways Office
NELSON, B.C.

JUL 24 1985

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

Ministry of Transportation
and Highways

RECORD OF CALL

Received by

Phone — Visit — Wire

(Underline which.)

or Via—

Highway
District

21-14

Copy No.

FOR THE ATTENTION OF—

Mosley

Date sent out _____, 19____

INDICATE PRIORITY

s.22

NAME OF CALLER

Phone No. No Phone

ADDRESS 17 mi North shore

POSTAL ADDRESS (if different)

LEGAL DESCRIPTION OF PROPERTY AFFECTED:

Littlewood Road

DESCRIPTION OF REQUEST OR COMPLAINT:

Requires mowing and drop-off of pavement
at entrance is dangerous.

Note:- Road is used by summer residents only!

ACTION TO BE TAKEN:

Signed:

Designation:

REPORT ON ACTION TAKEN:

Grass was cut
Tue. July 30/85

Date

8/5/85

Signed:

Designation:

M. R. H.

CLOSED

FILE

PENDING

(underline which)

BRING UP AGAIN ON

(Date.)

REMARKS:

BC MINISTRY OF TRANSPORTATION AND HIGHWAYS
DEVELOPMENT APPROVALS SYSTEM
SUMMARY SHEET

Criteria:

File No = 18425

FILE NO.: 18425

CATEGORY: Polelines

TECHNICIAN: Saviskoff, Renee

APPLICANT: NELSON HYDRO

APPLICANT FILE NO.:

BYLAW NO.:

PROJECT NAME: Littlewood Road

RFI LOCATION:

LRS LOCATION:

COMMON LOCATION:

Location: North Shore, Nelson

Road No.: 1112

Road Name: Littlewood Road

LEGAL DESCRIPTION:

Lot 4, DL 7078, KD Plan 5535

PID	LOT FROM	LOT TO	SL	PCL	PLAN BLK	DL	GR NO	BLOCK	Q	SEC	TP	R	LS	LD	PLAN	IR
--	4					7078									5535	

REFERENCE MAP

SURVEYOR NAME:

CROSS REFERENCE FILE NO(S):

ACTION

DESCRIPTION

ACTION TAKEN

ASSIGNED TO

LETTER TYPE

REFERRAL AGENCY

DATE
SENTDATE
EXPECTED

RESP?



RECEIVED
MAR 26 2002
CITY OF NELSON

File: 03-010-18425

March 22, 2002

Nelson Hydro
502 Vernon Street
Nelson, BC V1L 4E8

Attention: Carl Olsson

Dear Mr. Olsson:

Re: Permit Number 3-010-18425, Littlewood Road #1112

Enclosed is the original of the above noted permit. Please sign and return a copy to this office.

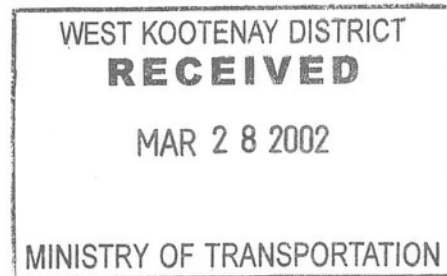
All work shall be completed to the satisfaction of the District Highways Manager.

Please quote file number 03-010-18425 when contacting this office.

Yours truly,

Kim Rowan
Development Approvals Clerk

kr
Enclosure



Ministry of
Transportation

Central Kootenay
Kootenays Region

Mailing Address:
310 Ward Street
Nelson, BC V1L 5S4

Telephone: (250)354-6521
Facsimile: (250)354-6547



The inside diameter of the casing-pipe shall be at least 25 percent 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 75 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.
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. 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 Transportation and Highways 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 canceled, 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 canceled.
18. As constructed drawings shall be provided, to the Regional and District Highways offices, covering the crossing construction permitted within the Ministry right-of-way. Drawings to be signed and sealed by a Professional Engineer stating that all work has been completed in compliance with Ministry of Transportation and Highways' standards.

PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of installation of 1 – 40 ft. secondary pole, 1 – 35 ft. secondary pole and 2 secondary anchors to supply customer with single phase power at 6552 Littlewood Road #1112, North Shore, Nelson, legally described as Lot 4, D.L. 7078, K.D., Plan 5535. The works shall be located within the conditions of this permit and as outlined in the application and drawing #1 (one) submitted for approval January 15, 2002.

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 permission to construct, use, and maintain the said work is hereby granted to Carl Olsson, Nelson Hydro, 502 Vernon Street, Nelson, B.C. V1L 4E8

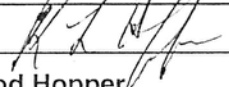
The said approval and permission to construct, use, and maintain works is, however, at all times subject to the following conditions:

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 April 2, 2002
and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the April 10, 2002.
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 traveling 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. The permittee is financially responsible for any maintenance works 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 throughways, 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.



19. The poles are to be located no closer than 6.1 metres from the centreline of the traveled portion of the road.

That these works shall be identified with this permit, number, namely **03-010-18425** in a manner satisfactory to the District Official of the Ministry of Transportation.

Ministry of Transportation	Ministry Employee Signature 
West Kootenay District	(Print Name) Rod Hopper
310 Ward Street, Nelson, B.C. V1L 5S4	Ministry Employee Title District Development Technician
Date (yyyy/mm/dd) 2002-03-21	<i>For Minister of Transportation</i>

Carl Olsson
NELSON HYDRO
MAR 28/02



File: 03-010-18425

March 22, 2002

Nelson Hydro
502 Vernon Street
Nelson, BC V1L 4E8

Attention: Carl Olsson

Dear Mr. Olsson:

Re: Permit Number 3-010-18425, Littlewood Road #1112

Enclosed is the original of the above noted permit. Please sign and return a copy to this office.

All work shall be completed to the satisfaction of the District Highways Manager.

Please quote file number 03-010-18425 when contacting this office.

Yours truly,

Kim Rowan
Development Approvals Clerk

kr
Enclosure

Ministry of
Transportation

Central Kootenay
Kootenays Region

Mailing Address:
310 Ward Street
Nelson, BC V1L 5S4

Telephone: (250)354-6521
Facsimile: (250)354-6547



PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of installation of 1 – 40 ft. secondary pole, 1 – 35 ft. secondary pole and 2 secondary anchors to supply customer with single phase power at 6552 Littlewood Road #1112, North Shore, Nelson, legally described as Lot 4, D.L. 7078, K.D., Plan 5535. The works shall be located within the conditions of this permit and as outlined in the application and drawing #1 (one) submitted for approval January 15, 2002.

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 permission to construct, use, and maintain the said work is hereby granted to Carl Olsson, Nelson Hydro, 502 Vernon Street, Nelson, B.C. V1L 4E8

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 April 2, 2002
and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the April 10, 2002.
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 traveling 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. The permittee is financially responsible for any maintenance works 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 throughways, 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.



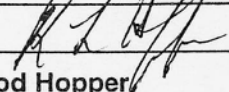
The inside diameter of the casing-pipe shall be at least 25 percent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.

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 75 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.
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. 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 Transportation and Highways 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 canceled, 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 canceled.
18. As constructed drawings shall be provided, to the Regional and District Highways offices, covering the crossing construction permitted within the Ministry right-of-way. Drawings to be signed and sealed by a Professional Engineer stating that all work has been completed in compliance with Ministry of Transportation and Highways' standards.

19. The poles are to be located no closer than 6.1 metres from the centreline of the traveled portion of the road.

That these works shall be identified with this permit, number, namely **03-010-18425** in a manner satisfactory to the District Official of the Ministry of Transportation.

Ministry of Transportation	Ministry Employee Signature 
West Kootenay District	(Print Name) Rod Hopper
310 Ward Street, Nelson, B.C. V1L 5S4	Ministry Employee Title District Development Technician
Date (yyyy/mm/dd) 2002-03-21	<i>For Minister of Transportation</i>

The works comprising of #1 application
LITTLE WOOD under or adjacent to
1112 Road, Road #
 legally described as: Parcel 4 Lot 4 SubLot
 Block 7078 District Lot(s)
 Kootenay District Plan 5535 Except part included in

The works shall be located in accordance with the conditions of this permit and as outlined in the application and drawing # (1) one submitted for approval
JAN 15/02

work is hereby granted to:

40 CARL OLSSON NELSON HYDRO
502 VERNON STREET,
NELSON BC V1L 4E8

That the construction of the said works shall be commenced on or before APRIL 2/02
 And shall be prosecuted with due diligence and to the satisfaction of the Regional Director, on or before APRIL 10/02.

Optional Clauses: (see Master List)

~~77, 78~~
~~78 (3.5) meters~~

~~79~~
 80 (6.1) meters

POSTED
 18925

Hugh,

s.22

come 1/3 see me.

Where RU? Hu.



Province of
British Columbia

Ministry of Transportation
and Highways

CENTRAL KOOTENAY DISTRICT
NELSON

RECEIVED

JAN 15 2002

MINISTRY OF TRANSPORTATION

Application for Permission to Construct Works Within Highway Right-of-Way

I (We) hereby apply for permission to construct, use, and maintain works within the limits of highway right-of-way under the jurisdiction of the Minister of Transportation and Highways, British Columbia, in accordance with the particulars, plans,* and specifications submitted herewith in triplicate. It is understood that the completion of this form constitutes an application only and that the works applied for will not be commenced until a covering permit has been issued. The proposed works consist of and are described as follows:

#1
Description of works: INSTALL 1- 40' SECONDARY POLE, 1- 35' SECONDARY POLE
AND 2 SECONDARY ANCHORS TO SUPPLY CUSTOMER WITH
SINGLE PHASE POWER AT 6552 LITTLEWOOD ROAD,
NORTHSHORE NELSON

Location of works: 6552 LITTLEWOOD ROAD, NORTHSHORE NELSON

200A
12208

Legal description of property to be served: LOT 4, PLAN 5535, D. LOT 7078
KOOTENAY DISTRICT

Drawing or sketch number: LITTLEWOOD, PDF Attached: ☒

Have the necessary plans for approval been filed with the proper authorities? (See Note 2 on back)

Name of applicant (print please) CARL OLSSON, NELSON HYDRO

P.O. address 502 VERNON STREET, NELSON, B.C. V1L 4E8

POSTED
18425

(Signed)

Carl Olsson

(Applicant)

352-8214

(Date)

JAN. 15, 2002

*See note No. 1 on back.

(OVER)

NOTE No. 1

The plans submitted may be blue-prints, and shall consist of key-map, general plan, profile, and where necessary detail plans on the following scales: **Key-map**, according to size of undertaking; **general plan**, 1:5000; **profile**, horizontal 1:5000, vertical 1:250; **details**, on suitable scales. For minor undertakings, such as small water-pipes or culverts, etc., under a road, sketches will be accepted and sections and details as to dimensions, depth of cover, etc.

The plans shall supply at least the following information:

- (a) The boundaries of highway right-of-way affected:
- (b) The position of all existing public works within such boundaries and relative thereto and the name of the authority in control of same:
- (c) The position of all private works (with names of owners) within such boundaries and relative thereto. (N.B.—Where the proposed works are upon or above the ground only such private works as are upon or above the ground, or as may be interfered with under the ground, need be shown):
- (d) The proposed position within such boundaries and relative thereto which would be occupied by the works:
- (e) The details of all tanks, manholes, lamp-poles, surface boxes, bridges, culverts, retaining-walls, or other structures to be constructed and used for the support of traffic, and details showing the method to be employed in supporting any proposed work, where any public works are affected:
- (f) Full information showing exactly in what manner and to what extent it is proposed to use any land or works under the control of the Minister of Transportation and Highways.

Specifications for the carrying-out of the work within the boundaries of all highway right-of-way shall also be submitted.

NOTE No. 2

When application is made in respect of the following works, the requisite particulars, plans, and specifications must be submitted to the proper authorities before the approval of the application by the Minister of Transportation and Highways.

Works	Authority to Whom Particulars, etc., Must Be Submitted	
1. Electrical undertakings—		
(a) Telegraph and telephone lines	Inspector of Electrical Energy	501 West 12th Ave., Vancouver, B.C.
(b) Energy generated otherwise than by water-power	Inspector of Electrical Energy	V5Z 1M6
(c) Energy generated by water-power	Inspector of Electrical Energy	
	Comptroller of Water Rights	Parliament Bldgs., Victoria, B.C.
(d) Electrical railways	Inspector of Electrical Energy	501 West 12th Ave., Vancouver, B.C.
	Deputy Minister of Transportation and Highways	Parliament Bldgs., Victoria, B.C.
2. Steam-railways	Deputy Minister of Transportation and Highways	" "
3. Logging-railways		
	Deputy Minister of Transportation and Highways and also Chief Forester	" "
4. Skid-roads		
5. Sewerage and sewerage-disposal	Waste Management Branch	
(a) Large systems	Ministry of Environment	Regional Office
(b) Small systems	Local Health Inspector	Parliament Buildings, Victoria, B.C.
6. Water-supply for domestic purposes	Local Water Management Office	
	or	
7. Waterworks undertakings other than for domestic supply	Comptroller of Water Rights	" "
8. Works to be constructed within any municipality	Municipal Official	

PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of :

Install 1 (one) – 40' secondary pole, 1 (one) – 35' secondary pole and 2 (two) secondary anchors to supply customer with single phase power at 6552 Littlewood Road, Northshore Nelson.

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 permission to construct, use, and maintain the said work is hereby granted to Nelson Hydro, 502 Vernon Street, Nelson BC V1L 4E8 (Attn: Carl Olsson)

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 April 2, 2002
and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the April 10, 2002
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 traveling 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. The permittee is financially responsible for any maintenance works 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 throughways, 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 percent 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 75 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.
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. 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.
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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 canceled, 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 canceled.
18. That these works shall be identified with this permit, number, namely **03-010-18425** in a manner satisfactory to the District Official of the Ministry of Transportation.



Ministry of Transportation	Ministry Employee Signature
	(Print Name)
	Ministry Employee Title
	<i>For Minister of Transportation</i>
Date (yyyy/mm/dd)	



File: 03-010-18425

February 24, 2002

Nelson Hydro
502 Vernon Street
Nelson, BC V1L 4E8

Attention: Carl Olsson

Dear Mr. Olsson:

Re: Permit Number 3-10-18425, Littlewood Road #1112

Enclosed is your copy of the above noted permit.

All work shall be completed to the satisfaction of the District Highways Manager.

Please quote file number 03-010-18425 when contacting this office.

Yours truly,

Renee Saviskoff
District Services Manager

rs
Enclosure

N31/102/85

Phone 354-6517
820 Nelson Avenue
Nelson, B.C. V1L 2N9

October 16, 1985

s.22

Dear s.22

RE: Application for Access to Block 10,
D.L. 7078, Plan 843, K.D.

Please be advised that application for two entrances onto Highway #3A has been "refused".

We are prepared to grant one access for residential use at the easterly boundary of the property as outlined in the attached permit No. N31/102/85. All proposed logging work must take place within the confines of your property.

The highway right-of-way must not be disturbed. During logging operations the permittee will be responsible for traffic control, signing and flagpersons in accordance with the Ministry of Highways Manual of Standard Traffic Signs.

Please comply with all other conditions listed on your permit.

Yours truly,

G.J. Sutherland, P. Eng.
District Highways Manager

GJS/GG/lc
Encl.



PERMISSION TO CONSTRUCT, USE, AND MAINTAIN ACCESS TO A PROVINCIAL HIGHWAY

The works comprising of one 6 metre wide access to serve Block 10, D.L. 7078, K.D., Plan 843 from Highway #3A. Access to be located approximately 10 metres west of the S.E. corner of the said lot. All work is to be completed to the entire satisfaction of the Nelson District Highways Manager and as per application and drawing submitted September 17, 1985.

are hereby approved in so far as they relate to the use of highway right-of-way, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, maintain and operate the said works is hereby granted to _____ s.22

The said approval and permission to construct, use and maintain the said 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 Highway Engineer.
2. That any person appointed by the Regional Highway Engineer for that purpose shall have free access to all parts of the said works for the purpose of inspecting same.
3. That the construction of the said works shall be commenced on or before the 16 day of Nov. 19 85 and shall be prosecuted with due diligence and completed to the satisfaction of the Regional Highway Engineer on or before the 16 day of Feb. 19 86, or this permit is void.
4. That the safety, economy, and convenience of the travelling public must at all times be recognized and all traffic control must be undertaken by the permittee to the satisfaction of the Regional Highway Engineer.
5. 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.
6. That the permittee 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 the said works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works. That, prior to proceeding with any excavation, the permittee will be responsible for notifying any utility company whose works may be close to or affected by the installation.
7. That the permission herein granted to use and maintain the said works is only granted for such time as the land on which the said work is constructed is under the jurisdiction of the Minister of Transportation and Highways.
8. This permission 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.
9. This permission is contingent upon the following land use residential

Any change in land use shall render the permission void.

10. That should the proposed land use not be instituted within six months of the date of this permit or should it be instituted and subsequently discontinued for a period of 30 days, this permit shall be void.

11. This permission is granted only to the person or corporation named above, and any change in ownership to the property renders this permit void.

12. That while reasonable care will be taken on the part of the Crown to do as little damage as possible to any works authorized by this permit in the carrying-out of the construction, extension, alteration, improvement, repair, maintenance or operation of any public work adjacent thereto, the Crown and its employees accept no responsibility of any kind for such damage.

13. That, after receiving notice in writing of the intention of the Crown to construct, extend, alter, or improve any public works, the permittee shall within 30 days move or alter works authorized by this permit at his own expense to such new position or in such manner as may be necessitated by the construction, extension, alteration, or improvement, and that where such movement of access point or change of grade takes place there shall be no claim against the Crown for damages arising out of the changed access conditions.

14. (a) This permit may be cancelled in the absolute discretion of the Minister of Transportation and Highways without any notice of hearing.

(b) This permit may be cancelled by the Regional Highway Engineer when alternative access becomes available as a result of the construction of a frontage road or other service road.

15. Any existing access to the property not covered by a valid permit shall be removed within 90 days of the date of this permit.

16. That the access or accesses may be restricted as to allowable movements as traffic safety and flow conditions warrant, and at that time this permit may be cancelled and a new permit issued.

17. Clauses 19, 22, 25, 28, 33, 34, 36, 40 and 43

as printed or typed overleaf on this permit, shall be deemed to apply and form part of these conditions.

Dated at 820 Nelson Ave., Nelson, B.C. V1L 2N9

this 16th day of October 19 85

G.J. Sutherland, P. Eng.

District Highways Manager

For Minister of Transportation and Highways

18. This permit cancels and replaces Permit No. _____

19. This property shall not be connected to any other property by private roadway.

20. The access (or accesses) shall be defined to the satisfaction of the Regional Highway Engineer by the erection of standard white-painted delineator posts, guard-rail, nonmountable curb, or some other substantial barrier to traffic satisfactory to the Regional Highway Engineer.

21. This permit includes permission to construct channelization within the highway right-of-way as specified by the Regional Highway Engineer, and such channelization shall be constructed at the permittee's expense and maintained and operated by the Ministry of Transportation and Highways.

22. The access (or accesses) shall be gravelled to an extent satisfactory to the Regional Highway Engineer to prevent the tracking of mud and soil onto the highway surface.

23. The access (or accesses) shall be paved to the satisfaction of the Regional Highway Engineer.

24. The highway shoulder between these accesses shall be paved to the satisfaction of the Regional Highway Engineer.

25. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.

26. The access (or accesses) shall be restricted to the following movements only _____

and the permittee shall construct and erect all necessary channelization, signs, and other traffic-control devices at his cost.

27. This permit is temporary and expires the _____ day of _____ 19 _____

28. The permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by construction of the works allowed by this permit. Replacement must be by a British Columbia land surveyor at the permittee's expense.

29. The access (or accesses) will only be open to traffic between the _____ day of _____
and the _____ day of _____ each year, and when not open shall be closed with a suitable barrier and signs.

30. Before commencing construction, intimation in writing of the intention to do so must be given to the District Highways Manager at least seven clear days before the work is begun.

31. The access (or accesses) may be used jointly with the access covered by Permit No. _____, which serves the property legally described as _____

32. The permittee shall erect a tight board fence or thick evergreen hedge so that no part of the property is visible from the highway at any point along its frontage at an eye elevation 2.5 m above highway pavement.

33. The access (or accesses) shall be constructed with 400 mm diameter _____
_____ 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.

34. Any mud, soil, debris, or other foreign material tracked onto the highway from the access (or accesses) shall be removed by the permittee at his expense, at least daily, or at any time the material unduly inconveniences traffic.

35. The access (or accesses) shall be constructed of standard concrete drop curb and sidewalk crossing, to the satisfaction of the Regional Highway Engineer.

36. The profile of the access (or accesses) shall not exceed +5 % grade from the ditchline for a distance of at least 8 metres as measured away from the highway along the centreline of the access.

37. The layout shown on permittee's drawing _____ is a condition of this permit and any change in layout without the prior consent in writing of the Regional Highway Engineer shall render the permit void.

38. Placing of speed arresters on the access (or accesses) or in the permittee's property without the prior consent in writing of the Regional Highway Engineer shall render the permit void.

39. The permittee shall, at his cost, supply, erect, and maintain standard traffic control signs, as specified by the Regional Highway Engineer.

40. The permittee shall provide offstreet parking in the amount of 2 parking stalls plus turnaround

41. This permission is subject to compliance with the conditions of approval stated in the Public Works (Canada) letter to the permittee dated _____

42. 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 Regional Highway Engineer shall render the permit void.

43. The angle of the access shall be no less than 70° for the first eight (8) metres from the highway shoulder as measured between the centreline of the highway and the centreline of the entrance.



Province of British Columbia
Ministry of Transportation and Highways

Application for Permission to Construct Works Within Crown Lands

I (We) hereby apply for permission to construct, use, and maintain works within the limits of Crown lands under the jurisdiction of the Minister of Transportation and Highways, British Columbia, in accordance with the particulars, plans,* and specifications submitted herewith in triplicate. It is understood that the completion of this form constitutes an application only and that the works applied for will not be commenced until a covering permit has been issued. The proposed works consist of and are described as follows:

Nelson Kootenay C29-707-08420-000-1-0-BL: PT 10
PL843 - DL: 7078 Block 10 District Lot 7078
Plan 843 Save Exc.

- one 3A 25 Km E of Nelson on N side of Highway
- 2 access locations - single family dwelling
- 1600 square ft. home indefinitely
- 2 access roads needed for logging now - till march.

Have the necessary plans for approval been filed with the proper authorities? (See Note 2 on back).....
s.22

Name of applicant.....
s.22

P.O. address.....
s.22

(Signed).....

(Applicant.)

(Date).....

Sept 17/85.

Ministry of Transportation and Highways

*See note No. 1 on back.

(OVER)

NOTE No. 1

The plans submitted may be blue-prints, and shall consist of key-map, general plan, profile, and where necessary detail plans on the following scales: **Key-map**, according to size of undertaking; **general plan**, 1:5000; **profile**, horizontal 1:5000, vertical 1:250; **details**, on suitable scales. For minor undertakings, such as small water-pipes or culverts, etc., under a road, sketches will be accepted and sections and details as to dimensions, depth of cover, etc.

The plans shall supply at least the following information:

- (a) The boundaries of all Crown lands affected:
- (b) The position of all existing public works within such boundaries and relative thereto and the name of the authority in control of same:
- (c) The position of all private works (with names of owners) within such boundaries and relative thereto. (N.B.—Where the proposed works are upon or above the ground only such private works as are upon or above the ground, or as may be interfered with under the ground, need be shown):
- (d) The proposed position within such boundaries and relative thereto which would be occupied by the works:
- (e) The details of all tanks, manholes, lamp-poles, surface boxes, bridges, culverts, retaining-walls, or other structures to be constructed and used for the support of traffic, and details showing the method to be employed in supporting any proposed work, where any public works are affected:
- (f) Full information showing exactly in what manner and to what extent it is proposed to use any land or works under the control of the Minister of Transportation and Highways.

Specifications for the carrying-out of the work within the boundaries of all Crown lands shall also be submitted.

NOTE No. 2

When application is made in respect of the following works, the requisite particulars, plans, and specifications must be submitted to the proper authorities before the approval of the application by the Minister of Transportation and Highways.

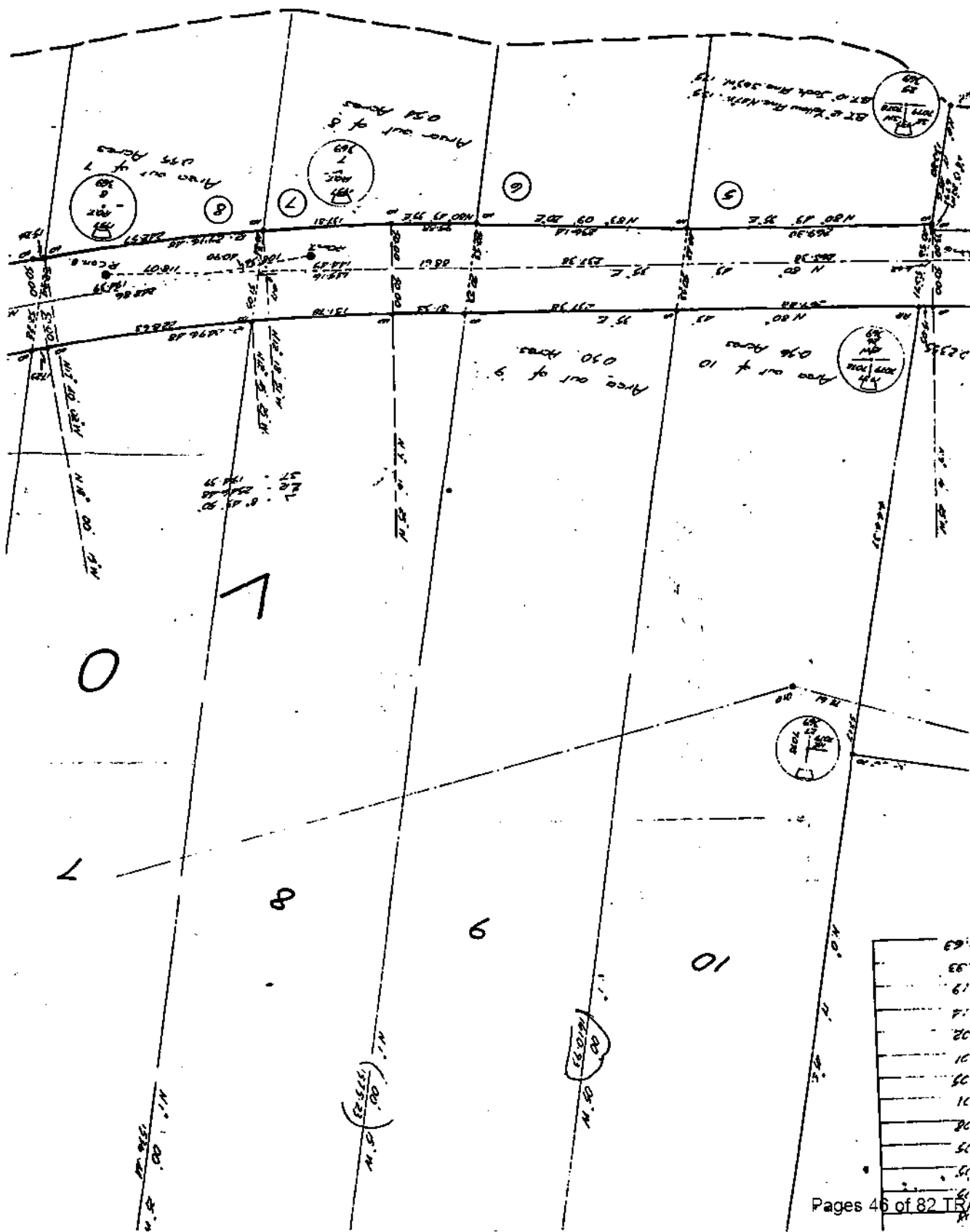
Works	Authority to Whom Particulars, etc., Must Be Submitted	
1. Electrical undertakings— (a) Telegraph and telephone lines..... (b) Energy generated otherwise than by water-power (c) Energy generated by water-power..... (d) Electrical railways.....	Inspector of Electrical Energy..... Inspector of Electrical Energy..... Inspector of Electrical Energy..... Comptroller of Water Rights..... Inspector of Electrical Energy..... Deputy Minister of Transportation and Highways	501 West 12th Ave., Vancouver, B.C. V5Z 1M6 Parliament Bldgs., Victoria, B.C. 501 West 12th Ave., Vancouver, B.C. Parliament Bldgs., Victoria, B.C.
2. Steam-railways.....	Deputy Minister of Transportation and Highways	" "
3. Logging-railways.....		
4. Skid-roads	Deputy Minister of Transportation and Highways and also Chief Forester	" "
5. Sewerage and sewerage-disposal (a) Large systems (b) Small systems	Waste Management Branch Ministry of Environment Deputy Minister of Health	Regional Office Parliament Buildings, Victoria District Highways Office NELSON, B.C.
6. Water-supply for domestic purposes.....	Deputy Minister of Health and Comptroller of Water Rights	SEP 17 1985
7. Waterworks undertakings other than for domestic supply		
8. Works to be constructed within any municipality	Municipal Official	MINISTRY OF TRANSPORTATION AND HIGHWAYS



MINISTRY OF TRANSPORTATION
AND HIGHWAYS

SEP 17 1985

District Highways Office
NELSON, B.C.



District Highways Office
NELSON, B.C.

SEP 17 1985

MINISTRY OF TRANSPORTATION
AND HIGHWAYS

Littlewood, Catherine TRAN:EX

From: Littlewood, Catherine TRAN:EX
Sent: Wednesday, November 6, 2013 2:43 PM
To: s.22
Cc: Ward, Katie TRAN:EX
Subject: 2013-04181 Drainage works & improvements - Littlewood Rd, Nelson
Attachments: 2013-04181 Drainage works & improvements - Littlewood Rd, Nelson.pdf

Hello John,

Please see your attached permit, and let me know if you have any questions.

Best regards,

Catherine Littlewood, BSc

District Development Technician | Ministry of Transportation & Infrastructure

310 Ward St - 4th floor

NELSON BC V1L 5S4

250-354-6318 (Tel) 250-354-6547 (Fax)

Catherine.Littlewood@gov.bc.ca



PERMIT TO CONSTRUCT, USE, AND MAINTAIN WORKS WITHIN THE RIGHT-OF-WAY OF 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

West Kootenay District
310 Ward Street
Nelson, BC V1L 5S4
Canada

("The Minister")

AND:

John Dean
6578 Highway 3A
Nelson, British Columbia V1L 6S1
Canada

("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 installation, operation, and maintenance of three (3) water bars within the right-of-way of Littlewood Rd, located PID 012-379-891, Lot B, DL 7078, Kootenay, Plan NEP9356, PID 006-830-064, Lot A, DL 7078, Kootenay, Plan NEP9356, Highway 3A, Nelson, BC, as shown on drawing submitted with application dated September 10, 2013. Grading/leveling of Littlewood Rd is also permitted.

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. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Transportation.
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 days before the work is begun.
3. That any person appointed by the Regional Director, Transportation, 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 prosecuted with due diligence and to the satisfaction of the Regional Director, Transportation, and shall be completed on or before May 6, 2014.
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 traveling public.
(b) That, unless with the consent of the Regional Director, Transportation, 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 excavation work must be carried out in accordance with the BC Occupational Health and Safety Regulation. 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 Infrastructure. The permittee is financially responsible for any maintenance works required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.

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.
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 Infrastructure. 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 highway pursuant to Section 45 of the Transportation 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 Transportation 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, Transportation.
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 canceled, 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. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the 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 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.
19. 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.
20. 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/2009/106-09.pdf



21. 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.
22. Should any survey monuments be disturbed or removed by the Permittee or his agents, they are to be replaced by a BC Land Surveyor at the expense of the Permittee.
23. Only rubber-tired equipment may be used on pavement or on shoulders of paved highways. Machines with steel tracks or flat steel pads must use swamp pads or rubber tires to protect the road surface. When heavy rubber-tired equipment is turning on the paved surface, care must be taken to prevent scarring.
24. The highway surface shall be restored and kept clear and clean of materials and equipment at the end of each day. Shoulders shall not be used to store materials and/or equipment.
25. No excavated materials will be stockpiled on the traveled portion of the highway.
26. The Permittee shall remove, pile and burn or chip all slash, trees, and tree limbs from the road allowance.
27. Roadways, ditches, and right-of-way to be restored to their previous condition or better, to that which existed prior to the work(s), and to the satisfaction of the District Highways Manager or his/her representative.
28. Any excavations outside of the road prism but within highway right-of-way shall be backfilled and compacted to a sufficient density in 15 cm layers.
29. Any works of the Permittee which cause damage to public roads will result in the Permittee being required to repair or compensate the Ministry of Transportation and Infrastructure for all costs incurred, to restore said public roads to its original condition or better, and to the satisfaction of the District Manager Transportation or his/her representative.
30. The Permittee shall ensure that the ditches and back slopes shall be neatly sloped, finished and trimmed as per the Ministry's Standard Specifications for Highway Construction manual, Sections 201.37 and 201.38. Back slopes will be 1.5:1 or flatter, except in sand or similar material which shall be 2:1 or flatter or otherwise specified by the Ministry representative. All embankment fill slopes shall be 2:1 or flatter, with the exception of slopes qualifying for roadside barrier.
31. The Permittee shall leave the area of work in a state as defined as per the Ministry's Standard Specifications for Highway Construction manual, Section 201.47.
32. 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 works consented to in this permit from the Permittee working within Ministry right-of-way. Such liability insurance shall have coverage limits of not less than TWO MILLION DOLLARS (\$2,000,000.00) 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 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.
33. Except in case of emergency, the Permittee shall be given written notice to perform remedial works. The Ministry may carry out the necessary remedial work and invoice the Permittee.
34. The Permittee is responsible for all costs of maintenance or remedial work required as a result of these works for a period of two (2) years.
35. That the Permittee may not assign any part of this Agreement without the consent, in writing, of the Minister.
36. That if the Permittee violates any of the conditions of this Permit, the Permittee shall remedy the violation as expeditiously as possible in accordance with any direction which the Minister may give. In the event of a default, the Minister shall give notice to the Permittee requiring that the default be rectified within a period reasonable, having regard to all the circumstances. Failing rectification within the period of notice, the Minister may, but shall not be obligated to remedy the default and the reasonable cost and expenses thereof shall be recoverable against the Permittee.
37. Field construction crews must have in their possession a copy of this permit, complete with location plans and any



revisions.

38. These works may require merchantable timber be removed from the right-of-way or Crown property. Should any amount of merchantable timber be removed from the right-of-way or Crown property the following must occur:
- The applicant must, 5 days prior to the commencement of harvesting operations, notify the office of the District Manager at the Kootenay Lake Forest District. Minimum information should include a map showing the location of harvest area, approximate volume, and species types.
- Any timber cut within the right-of-way or Crown lands must be decked in such a way that a self loading logging truck may access this wood at the completion of operations.
- The applicant shall inform the office of the District Manager at the Kootenay Lake Forest District of the completion of harvesting operations on the right-of-way or Crown lands. Skidding and decking of the timber shall constitute completion of harvesting operations.
- The office of the District Manager at the Kootenay Lake Forest District, will inform the applicant as to the method of selling or transporting the timber for utilization. This information will be available after the notification of commencement is received. Notifications may be sent to Kootenay Lake Forestry Centre, 1907 Ridgewood Rd, Nelson, BC, V1L 6K1, or by fax at 250-825-9657. For general information please contact the Small Scale Salvage Coordinator at 250-825-1100
39. The Permittee shall determine the location of highway right-of-way to ensure their permitted work is within Ministry jurisdiction. The Permittee is responsible for all trespass issues.
40. The Ministry contact person is Catherine Littlewood, District Development Technician, West Kootenay District, 250-354-6318.

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 Nelson, British Columbia, this 6 day of November, 2013

On Behalf of the Minister



PROVINCIAL PUBLIC HIGHWAY
PERMIT APPLICATIONDistrict File Number 2013-04181

Your File Number _____

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

Submit this application to the Ministry of Transportation Office or a Front Counter BC Office in your area.

I (We) hereby propose the following use or occupation requiring authorization under the *Transportation Act*, in accordance with the attached plans and specifications submitted. It is understood that this application is not complete until a covering permit has been issued.

(Please check the category below which best describes your proposal)

- | | | | |
|---|--|--|---|
| WORKS ON THE RIGHT OF WAY | <input type="checkbox"/> Mail and Newsletter Boxes | <input type="checkbox"/> Underground Cable, Telephone and Power | SPECIAL EVENTS |
| <input type="checkbox"/> Bus Stops, Shelters and Benches | <input type="checkbox"/> Polelines | <input type="checkbox"/> Wireless Communications | <input type="checkbox"/> Special Events |
| <input type="checkbox"/> Cattle Guards and Gates | <input type="checkbox"/> Roadworks | ACCESS | <input type="checkbox"/> Cattle Drive |
| <input type="checkbox"/> Exploratory Survey | <input type="checkbox"/> Sidewalks and Landscaping | <input type="checkbox"/> Controlled Access Highway | <input type="checkbox"/> Filming |
| <input type="checkbox"/> Fencing | <input type="checkbox"/> Signs | <input type="checkbox"/> Commercial Access | <input type="checkbox"/> Parade |
| <input type="checkbox"/> Fiber Optics | <input type="checkbox"/> Street Lights | <input checked="" type="checkbox"/> Residential and Agricultural | STRUCTURES |
| <input type="checkbox"/> High Pressure Pipeline | <input type="checkbox"/> Traffic Signals | <input type="checkbox"/> Resource and Industrial Road | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Low and Intermediate Pressure Pipeline | | | <input type="checkbox"/> Setback |

Describe other use or occupation _____

LOCATION (include civic address)

6578 Hwy 3A, Nelson, BC V1C6S1
6572 Hwy 3A

The proposal consists of and is described as follows:

DESCRIPTION

Upgrade two sections of driveway that service 6578 and 6572 Hwy 3A residential properties. Rains and winter damage have left road badly rutted and eroded. Establish water bars where none existed before

Dates (proposed):

week of 16-20 Sept or week of 23-27 Sept. 2013

Times: From:

0800

a.m./p.m.

To:

1600

a.m./p.m.

THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED

Plan 843

Lot 7078

8B

s.22

- 6578 Hwy 3A-012-379-891-Lot B, DL 7078, NEP9356

- 6572 Hwy 3A-006-830-004-Lot A DL 7078, NEP9356

HIGHWAY NAME(S)

N./S./E./W. side of the highway?

South.

Between Wightwick Rd and Grandview Estates
(landmark) (landmark)

ATTACHED DRAWING OR SKETCH ☒

Drawing Number _____

Have the necessary applications for approval been filled with the proper authorities? (i.e. RCMP, Municipality, road and bridge maintenance contractor or as documented in the notes below)

Other Authorities _____

Submitted/Approved _____

s.22

I(We) wish to have the permit issued in the name of:

NAME/ORGANIZATION (include affiliated agency where applicable)

Is this company registered with the Registrar of Companies of British Columbia?
yes ☐ no ☒ Certificate of Incorporation No. _____

MAILING ADDRESS

Telephone s.22 Cellular/Pager s.22
Fax Email Address s.22

CONTACTS (if not as above)

Project/Location Manager Name

Telephone Cellular/Pager
Fax Email Address

Director Name

Telephone
Site Contact Person

Telephone Cellular/Pager
Fax Email Address

Traffic Control Company Name

Telephone Cellular/Pager
s.22

Signature (Applicant)

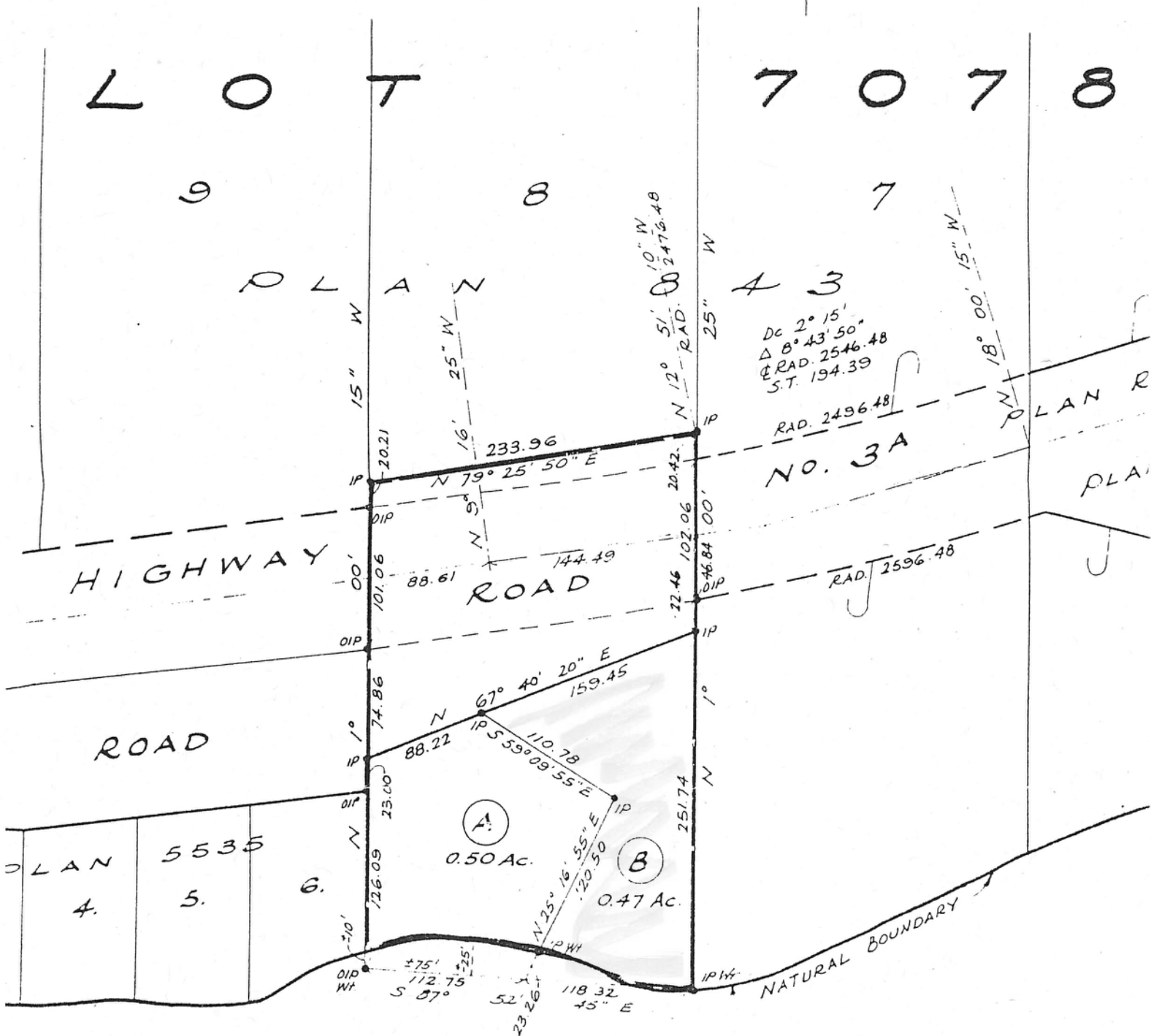
Print Name

Date (yyyy/mm/dd)

2013/09/10

Bearings are Astronomic, derived from East boundary of Lot 9, Plan R-204. N 1° 00' 15" W

- OP Denotes old wood post found in place.
- OIP Denotes old iron pin found in place.
- IP Denotes 1/2" x 30" square galvanized iron pin set.

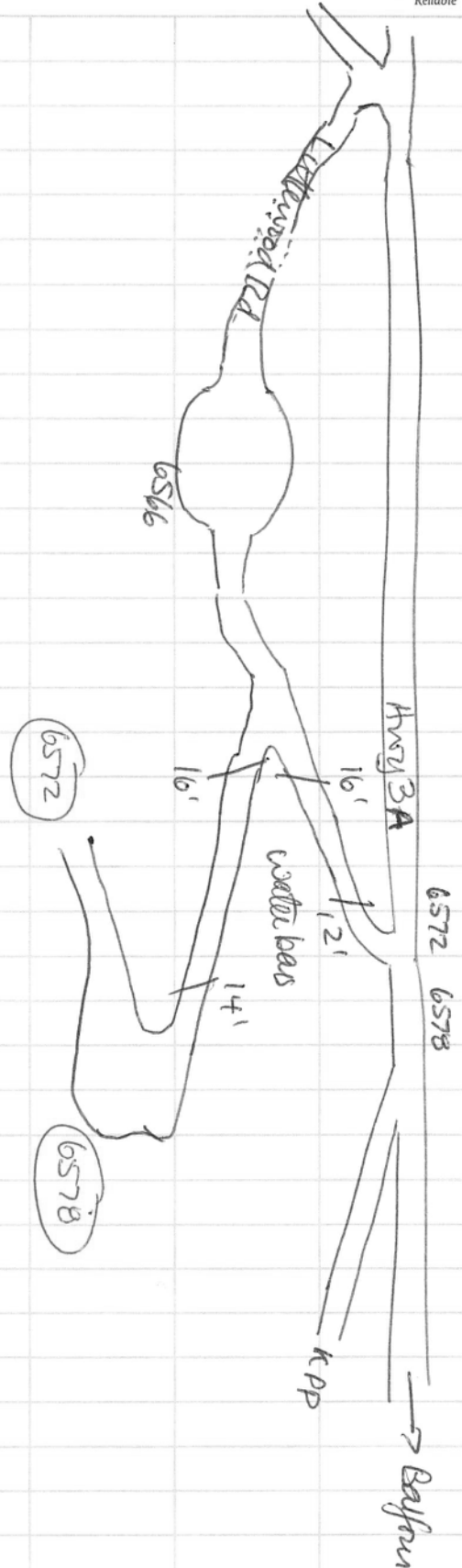


WEST ARM OF KOOTENAY LAKE

Raymond George Johnson, of the City of Nelson, British Columbia Land Surveyor oath and say that I was present at and did personally superintend the survey represented by this plan and that the survey and plan are correct. The said survey completed on the 18th day of February, 1975.

P.E.O.
OWNER
Georgia L.
OWNER

Dredway Repairs



Material

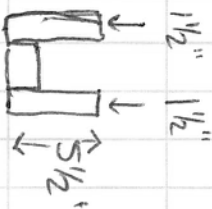
4 gate sets (2 each) 30" long - have one set already. NO GATES
3 fabricated sets by RD - 6 gates total

Each gate made of 11 x 6 1/2" pcs 1/2" rebar
2 x 30" pcs 1 1/2" rebar

Each water bar made of treated wood
2 x 4 bottom + 2 x 6 sides.

= 2 x 16' 2 x 4 + 4 x 16' 2 x 6
1 x 12' 2 x 4 + 2 x 12' 2 x 6
1 x 14' 2 x 4 + 2 x 14' 2 x 6

→ need 66 feet of rebar.



Wood for spacers - each 2' apart so 33 spacers - 1 x 8' 2x2
4 tubes R glue/adhesive + 2 lbs deck screws (phosphor-coated.)

KIDCK notice

Littlewood, Catherine TRAN:EX

From: s.22
Sent: Thursday, September 19, 2013 10:05 AM
To: Littlewood, Catherine TRAN:EX
Subject: Re: Residential driveways link

Hi, s.22

Thanks for the info. As our driveway is an existing access we will maintain the grade and width and improve it with the addition of water bars.

Our mailing address is s.22

Regards,
s.22

On 2013-09-19, at 9:38 AM, Littlewood, Catherine TRAN:EX wrote:

Hi s.22

Here's the driveway info:

http://www.th.gov.bc.ca/Development_Approvals/driveways.htm

Also, could you please send me your mailing address?

Thanks!

Catherine Littlewood, BSc

District Development Technician | Ministry of Transportation & Infrastructure
310 Ward St - 4th floor
NELSON BC V1L 5S4
250-354-6318 (Tel) 250-354-6547 (Fax)
Catherine.Littlewood@gov.bc.ca

Littlewood, Catherine TRAN:EX

From: Littlewood, Catherine TRAN:EX
Sent: Thursday, September 19, 2013 9:38 AM
To: s.22
Subject: Residential driveways link

Hi s.22

Here's the driveway info:

http://www.th.gov.bc.ca/Development_Approvals/driveways.htm

Also, could you please send me your mailing address?

Thanks!

Catherine Littlewood, BSc

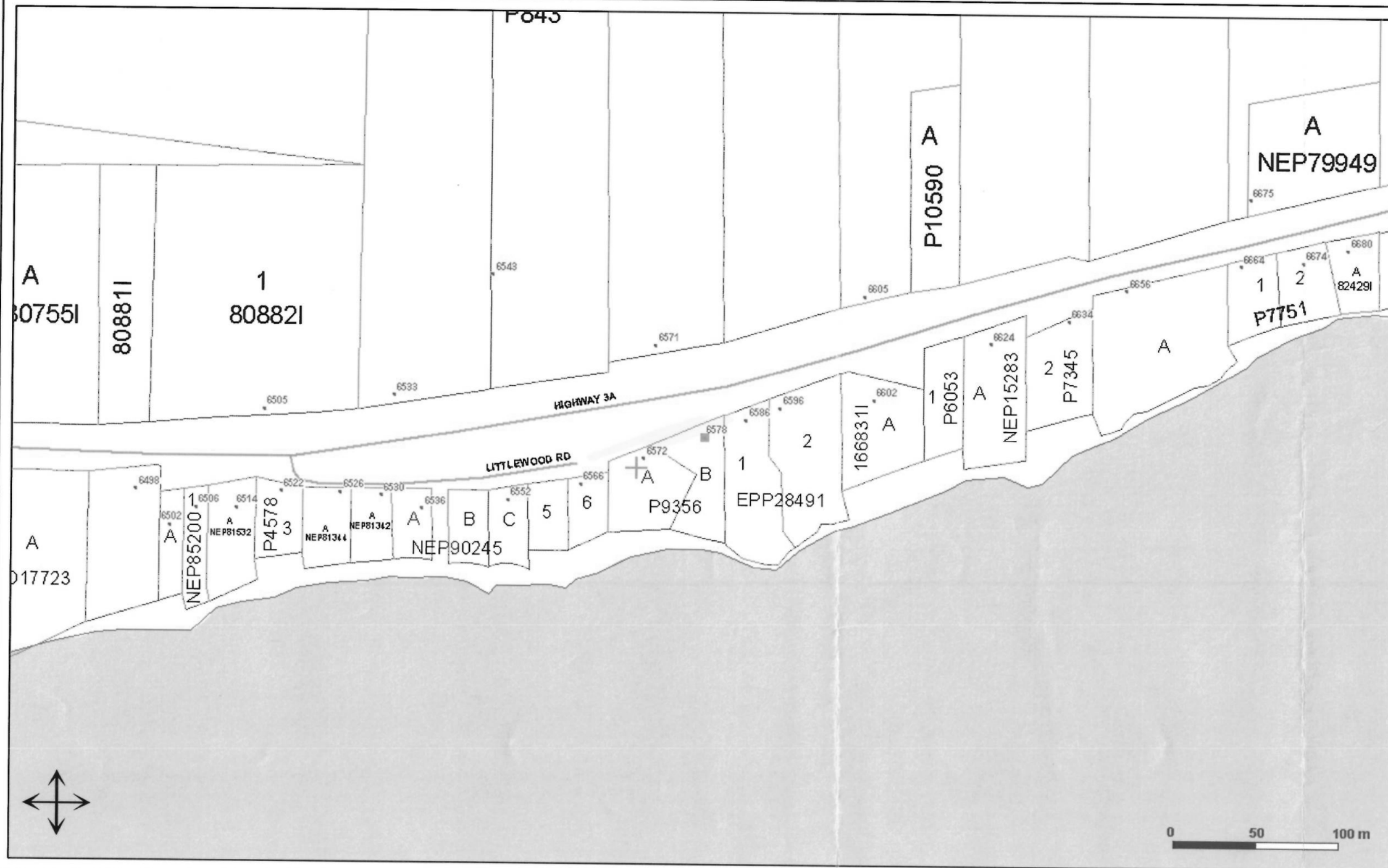
District Development Technician | Ministry of Transportation & Infrastructure
310 Ward St - 4th floor
NELSON BC V1L 5S4
250-354-6318 (Tel) 250-354-6547 (Fax)
Catherine.Littlewood@gov.bc.ca

6578 %26 6572 Hwy 3A



Legend

- House Points
- Creeks
- Roads
- ▭ RDCK Boundary
- Cadastre
- Water System**
- ☒ Other Systems
- ☒ RDCK OWNED



Disclaimer: This map was compiled by RDCK, using data believed to be accurate; however, a margin of error is inherent in all maps. This product is distributed without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability of particular purpose or use.

Scale 1:2500

10 September 2013, 12:16

Littlewood, Catherine TRAN:EX

From: Littlewood, Catherine TRAN:EX
Sent: Monday, September 10, 2012 3:12 PM
To: s.22
Subject: RE: permit for proposed works
Attachments: 2012-04420 Revised permit.pdf

Hi ^{s.22} – please see my answers to your questions in colour, below..... Let me know if you have any further questions.

Best regards,

Catherine

From: ^{s.22}
Sent: Thursday, September 6, 2012 4:19 PM
To: Ward, Katie TRAN:EX
Cc: Carruthers, Jill TRAN:EX; Littlewood, Catherine TRAN:EX
Subject: Re: permit for proposed works

Hi, Jill and Catherine. Below is my reply to Katie, whom I understand is out of the office next week. Thank you in advance for any assistance you can provide.
Dane

Thank you, Katie, for completing this so quickly.

What a daunting document! I want to do the job correctly but need clarification about what I must do. I am anxious to get this job done ^{s.22} so have a few questions to clarify all the 'jargon' in the conditions!

RE #1: Who is the Regional Director, Transportation, who will inspect the project? Do I have to contact him before beginning? If so, please provide contact info.

The Development Tech, Katie and/or me in this case, is the representative of the Regional Director, and we'll inspect as we feel is required. No need to do anything on your part.

RE #: 5(b) and #19: I have read the parts of the OHS Regulations pertaining to excavation and believe that nothing in our project fits any of the conditions mentioned. What parts of these regulations then do I need to attend to? If I hire a licenced, qualified excavator, will he know and be able to ensure that work will be done according to the regulations? Will he have the required WCB / OHS

You should ask your contractor if he/she has WorkSafe BC coverage – if not, you'll probably have to hire a different contractor who has coverage

RE #7: This is a very small job requiring only a couple of hours and none of the work is in a highly public place. I do intend to notify my neighbours of when the work will take place so they will keep themselves at a safe distance. So is fencing, etc. required?

This is one of those common-sense clauses – if you and the contractor don't feel fencing is required, then it most likely isn't

RE #8 & 33: Do I need special insurance, over and above my house insurance?

This is tricky. If your contractor has Third-Party Liability Insurance, that should theoretically be fine, but you may want to contact your insurance agent just to be sure.....

RE #19: As primary contractor, what must I do other than maintain a safe job site?

Probably a good idea to discuss this with your contractor and have them reassure you that safe practices will be observed. WorkSafe BC website will also have lots of information.

RE # 40: 2009 ????

This is a typo – I'll attach a revised permit

Further, since the work in being done to an access road and at no time involves the 'highway', can I ignore all references to 'highway'?

All roads in BC, whether numbered highways or side roads are legally referred to as "highways". I guess it would be clearer if we said "highway right-of-way"

Your prompt reply would be much appreciated.
s.22

On 2012-09-06, at 12:59 PM, Ward, Katie TRAN:EX wrote:

Hello^{s.22}

Attached is your permit for the proposed works on Littlewood Road. Please contact our office should you have any other concerns.

Thank you,

Katie Ward
District Operations Technician (TELP)
BC MOT
West Kootenay District
katie.ward@gov.bc.ca
Ph: 250-354-6427 Fax: 250-354-6547

<2012-04420^{s.22}.pdf>

Ward, Katie TRAN:EX

To: s.22
Subject: permit for proposed works
Attachments: 2012-04420 s.22 pdf

Hello s.22

Attached is your permit for the proposed works on Littlewood Road. Please contact our office should you have any other concerns.

Thank you,

Katie Ward
District Operations Technician (TELP)
BC MOT
West Kootenay District
katie.ward@gov.bc.ca
Ph: 250-354-6427 Fax: 250-354-6547

Please give to Katie
after entering.

Katie: Please issue
~~per~~ permit ASAP - site
visit done. Emphasis
on consultation
w/ neighbours.
Thanks! C.



PERMIT TO CONSTRUCT, USE, AND MAINTAIN WORKS WITHIN THE RIGHT-OF-WAY OF 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

West Kootenay District
310 Ward Street
Nelson, BC V1L 5S4
Canada

("The Minister")

AND:

Dane Allison
309 Beasley Street
Nelson, British Columbia V1L 5M5
Canada

("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 installation, operation, and maintenance of Removal of a berm on highways right-of-way to allow for the joining of two road segments, Littlewood Rd. to the west and an unnamed section to the east, which serves as an upper access to two properties. within Littlewood Rd , located South Side Highway 3A between 6566 Littlewood road and 6578 Hwy 3A, Portion of highway right-of way above and between 6566 Littlewood Road and 6572 & 6578 HWY 3A, 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. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Transportation.
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 days before the work is begun.
3. That any person appointed by the Regional Director, Transportation, 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 October 1, 2012 and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Transportation, and shall be completed on or before the October 30, 2012



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 traveling public.
(b) All excavation work must be carried out in accordance with the BC Occupational Health and Safety Regulation. Care shall be taken to protect adjacent property.
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.
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 Infrastructure. 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 highway pursuant to Section 45 of the Transportation 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 Transportation 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, Transportation.
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 canceled, 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 in a manner satisfactory to the District Official of the Ministry of Transportation and Infrastructure.
19. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the 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 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.
20. 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.
21. 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

22. 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.
23. Should any survey monuments be disturbed or removed by the Permittee or his agents, they are to be replaced by a BC Land Surveyor at the expense of the Permittee.
24. Only rubber-tired equipment may be used on pavement or on shoulders of paved highways. Machines with steel tracks or flat steel pads must use swamp pads or rubber tires to protect the road surface. When heavy rubber-tired equipment is turning on the paved surface, care must be taken to prevent scarring.
25. The highway surface shall be restored and kept clear and clean of materials and equipment at the end of each day. Shoulders shall not be used to store materials and/or equipment.
26. No excavated materials will be stockpiled on the traveled portion of the highway.
27. The Permittee shall remove, pile and burn or chip all slash, trees, and tree limbs from the road allowance.
28. Roadways, ditches, and right-of-way to be restored to their previous condition or better, to that which existed prior to the work(s), and to the satisfaction of the District Highways Manager or his/her representative.
29. Any excavations outside of the road prism but within highway right-of-way shall be backfilled and compacted to a sufficient density in 15 cm layers.
30. Any works of the Permittee which cause damage to public roads will result in the Permittee being required to repair or compensate the Ministry of Transportation and Infrastructure for all costs incurred, to restore said public roads to its original condition or better, and to the satisfaction of the District Manager Transportation or his/her representative.
31. The Permittee shall ensure that the ditches and back slopes shall be neatly sloped, finished and trimmed as per the Ministry's Standard Specifications for Highway Construction manual, Sections 201.37 and 201.38. Back slopes will be 1.5:1 or flatter, except in sand or similar material which shall be 2:1 or flatter or otherwise specified by the Ministry representative. All embankment fill slopes shall be 2:1 or flatter, with the exception of slopes qualifying for roadside barrier.
32. The Permittee shall leave the area of work in a state as defined as per the Ministry's Standard Specifications for Highway Construction manual, Section 201.47.
33. 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 works consented to in this permit from the Permittee working within Ministry right-of-way. Such liability insurance shall have coverage limits of not less than TWO MILLION DOLLARS (\$2,000,000.00) 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 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.
34. Except in case of emergency, the Permittee shall be given written notice to perform remedial works. The Ministry may carry out the necessary remedial work and invoice the Permittee.
35. The Permittee is responsible for all costs of maintenance or remedial work required as a result of these works for a period of two (2) years.
36. That the Permittee may not assign any part of this Agreement without the consent, in writing, of the Minister.
37. That if the Permittee violates any of the conditions of this Permit, the Permittee shall remedy the violation as expeditiously as possible in accordance with any direction which the Minister may give. In the event of a default, the Minister shall give notice to the Permittee requiring that the default be rectified within a period reasonable, having regard to all the circumstances. Failing rectification within the period of notice, the Minister may, but shall not be obligated to remedy the default and the reasonable cost and expenses thereof shall be recoverable against the Permittee.



38. Field construction crews must have in their possession a copy of this permit, complete with location plans and any revisions.
39. The Permittee shall determine the location of highway right-of-way to ensure their permitted work is within Ministry jurisdiction. If no right-of-way exists, the road is considered Section 42 under the Transportation Act and in these instances works shall be restricted to the travelled portion only. The Permittee is responsible for all trespass issues.
40. The construction of the said works shall be prosecuted with due diligence and shall be completed on or before December 1, 2009. If work is to continue past December 1, 2009, further review is required to assess access restrictions. The Permittee shall notify the ministry contact person by November 1, 2009, if work is anticipated beyond December 1, 2009.
41. It is the Permittee's responsibility to consult with affected property owners prior to and for the duration of the proposed works.
42. The Ministry contact person is Catherine Littlewood, District Development Technician, West Kootenay District, 250-354-6318.

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 Nelson, British Columbia, this 6 day of September, 2012

Katie Ward
On Behalf of the Minister

Carruthers, Jill TRAN:EX

From: Carruthers, Jill TRAN:EX
Sent: Friday, September 7, 2012 8:57 AM
To: s.22
Subject: RE: permit for proposed works


Hi s.22

You can proceed with the works as planned. I will go into your permit on file and change the dates to December of this year. As for the inspection, just contact us after the works have been completed and we can set up a date and time to inspect.

Hope this answers all your questions. Have a great Friday!

Jill Carruthers

District Development Approvals (TELP)
BC MOT
West Kootenay District
Jill.carruthers@bc.gov.ca
Ph: 250-354-6158 Fax: 250-354-6533

 Please consider the environment
before printing this email.

From: s.22
Sent: Thursday, September 6, 2012 11:13 PM
To: Ward, Katie TRAN:EX
Cc: Carruthers, Jill TRAN:EX; Littlewood, Catherine TRAN:EX
Subject: Re: permit for proposed works

Sorry for interrupting your long weekend, Katie! Thanks, for these answers and clarification.

The licenced excavator whom I have contacted tells me that he does have the necessary 'coverage'.

#40 states that construction shall be completed "on or before December 1, 2009". Does this date have to be changed? Strangely, #4 lays out the timeline for my job --- start on or before October 1, 2012 with completion by October 31, 2012 so not sure why #40 even exists. Or maybe I read it wrong. ;-(

My excavator plans to do the work on Monday and I will be on site to observe. Do I need to schedule an inspection? If so, what would work for you? s.22

Thanks again to all of you for your quick responses to my requests. Hope this all goes through smoothly.

Sincerely,
s.22

On 2012-09-06, at 5:15 PM, Ward, Katie TRAN:EX wrote:

Hi s.22

Please see me comments below....hope this helps to clarify

Thank you for reading so carefully.

1. We as the regional directors delegates can inspect the works. As you are planning to start work immediately you can consider this your notification.

5,19 and 8 and 33 if you hire a licensed operator this should cover WCB, insurance and prime contractor. You can inquire with the operator regarding this.

The parts about excavation and OHS were included in the case your project included digging below ground to remove material. The biggest concern is that there are no holes left unattended. As you mentioned probably does not apply to your project.

Notifying your neighbors and ensuring that they keep a safe distance should be sufficient.

I cannot recall what #40 2009 is in reference to offhand.

'Highway' refers to all ministry roads and sideroads, littlewood road included.

Thanks, hope this helps

Katie

s.22
From:
Sent: Thursday, September 06, 2012 04:18 PM
To: Ward, Katie TRAN:EX
Cc: Carruthers, Jill TRAN:EX; Littlewood, Catherine TRAN:EX
Subject: Re: permit for proposed works

Hi, Jill and Catherine. Below is my reply to Katie, whom I understand^{s.22}
Thank you in advance for any assistance you can provide.

s.22

Thank you, Katie, for completing this so quickly.

What a daunting document! I want to do the job correctly but need clarification about what I must do. I am anxious to get this job done^{s.22} so have a few questions to clarify all the 'jargon' in the conditions!

RE #1: Who is the Regional Director, Transportation, who will inspect the project? Do I have to contact him before beginning? If so, please provide contact info.

RE #: 5(b) and #19: I have read the parts of the OHS Regulations pertaining to excavation and believe that nothing in our project fits any of the conditions mentioned. What parts of these regulations then do I need to attend to? If I hire a licenced, qualified excavator, will he know and be able to ensure that work will be done according to the regulations? Will he have the required WCB / OHS

RE #7: This is a very small job requiring only a couple of hours and none of the work is in a highly public place. I do intend to notify my neighbours of when the work will take place so they will keep themselves at a safe distance. So is fencing, etc. required?

RE #8 & 33: Do I need special insurance, over and above my house insurance?

RE #19: As primary contractor, must I do other than maintain a safe site?

RE # 40: 2009 ????

Further, since the work in being done to an access road and at no time involves the 'highway', can I ignore all references to 'highway'?

Your prompt reply would be much appreciated.

s.22

On 2012-09-06, at 12:59 PM, Ward, Katie TRAN:EX wrote:

Hello^{s.22}

Attached is your permit for the proposed works on Littlewood Road. Please contact our office should you have any other concerns.

Thank you,

Katie Ward
District Operations Technician (TELP)
BC MOT
West Kootenay District
katie.ward@gov.bc.ca
Ph: 250-354-6427 Fax: 250-354-6547

<2012-04420^{s.22}.pdf>



BRITISH
COLUMBIA

Ministry of
Transportation

PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION

District File Number 2012-04420

Your File Number _____

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

Submit this application to the Ministry of Transportation Office or a Front Counter BC Office in your area.

I (We) hereby propose the following use or occupation requiring authorization under the *Transportation Act*, in accordance with the attached plans and specifications submitted. It is understood that this application is not complete until a covering permit has been issued.

(Please check the category below which best describes your proposal)

- | | | | |
|---|--|---|---|
| WORKS ON THE RIGHT OF WAY | <input type="checkbox"/> Mail and Newsletter Boxes | <input type="checkbox"/> Underground Cable, Telephone and Power | SPECIAL EVENTS |
| <input type="checkbox"/> Bus Stops, Shelters and Benches | <input type="checkbox"/> Polelines | <input type="checkbox"/> Wireless Communications | <input type="checkbox"/> Special Events |
| <input type="checkbox"/> Cattle Guards and Gates | <input checked="" type="checkbox"/> Roadworks | ACCESS | <input type="checkbox"/> Cattle Drive |
| <input type="checkbox"/> Exploratory Survey | <input type="checkbox"/> Sidewalks and Landscaping | <input type="checkbox"/> Controlled Access Highway | <input type="checkbox"/> Filming |
| <input type="checkbox"/> Fencing | <input type="checkbox"/> Signs | <input type="checkbox"/> Commercial Access | <input type="checkbox"/> Parade |
| <input type="checkbox"/> Fiber Optics | <input type="checkbox"/> Street Lights | STRUCTURES | |
| <input type="checkbox"/> High Pressure Pipeline | <input type="checkbox"/> Traffic Signals | <input type="checkbox"/> Residential and Agricultural | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Low and Intermediate Pressure Pipeline | | <input type="checkbox"/> Resource and Industrial Road | <input type="checkbox"/> Setback |

Describe other use or occupation _____

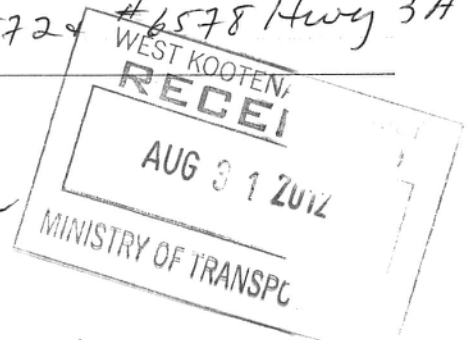
LOCATION (include civic address)

Portion of highways right-of-way above and between
6566 Littlewood Road, Nelson and #6572 & #6578 Hwy 3A

The proposal consists of and is described as follows:

DESCRIPTION

Please see attached Addendum



Dates (proposed): Within 3-5 days of permit approval
Times: From: 8 a.m./p.m. To: 5 a.m./p.m. as needed
and determined by person doing work.

THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED

lot 6, Plan 5535, District lot 7078, Kootenay land
District

PROVINCIAL PUBLIC HIGHWAY
PERMIT APPLICATION Cont'd.

HIGHWAY NAME(S) South side of Hwy 3A
N./S./E./W. side of the highway?

Between 6566 and 6578
(landmark) (landmark)

ATTACHED DRAWING OR SKETCH ☒

Drawing Number Please see attached photos

Have the necessary applications for approval been filled with the proper authorities? (i.e. RCMP, Municipality, road and bridge maintenance contractor or as documented in the notes below)

Other Authorities

N/A

Submitted/Approved

s.22

I(We) wish to have the permit issued in the name of:

NAME/ORGANIZATION (include affiliated agency where applicable)

Is this company registered with the Registrar of Companies of British Columbia?
yes ☐ no ☒ Certificate of Incorporation No. _____

MAILING ADDRESS

s.22

Telephone _____ s.22 Cellular/Pager _____ s.22
Fax _____ Email Address _____ s.22

CONTACTS (if not as above)

Project/Location Manager Name _____
Telephone _____ Cellular/Pager _____
Fax _____ Email Address _____

Director Name _____
Telephone _____
Site Contact Person _____

Telephone _____ Cellular/Pager _____
Fax _____ Email Address _____

Traffic Control Company Name _____
Telephone _____ Cellular/Pager _____

s.22

2012/08/31

Signature (Applicant)

Print Name

Date (yyyy/mm/dd)

PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION
ADDENDUM – s.22

DESCRIPTION:

My proposal consists of the removal (at my expense) of a berm on highways right-of-way property to allow for the joining of two road segments --- Littlewood Road to the west and an unnamed section to the east which serves as an upper access to the two properties, 6572 & 6578 Highway 3A. The berm consists of dirt, branches and rock that would be hauled away. The road segment above 6572 & 6578 has a gentle slope and level entrance to Highway 3A that I feel would be safer for me to use.

RATIONALE:

I have lived at s.22 Littlewood Road for s.22 and have accessed my property via the entrance at the west end of this road. The access is very steep at the highway and immediately presents an abrupt, steep and sharp curve to the east. Below the curve is a deep drop-off with no barrier or retaining wall.

During the year when road conditions are 'good' --- dry and clear --- negotiating this access to or from the highway is dangerous and scary because of the steepness, the sharp curve and the drop-off. But when road conditions are less than ideal, especially in the winter when there are ice and snow, this access is treacherous and very unsafe. Please see photos as evidence of access conditions.

According to the highways department, Littlewood Road is an "unmaintained" road, therefore is not ploughed, graded or sanded by their crews. I and other property owners on the road have done whatever maintenance has been done, including snow removal and sanding in the winter.
s.22

Until recently, I believed that the berm and road to the east of Littlewood were situated on private property. Now that I know that they are indeed on public property, I realize that a safer option is available. Therefore, I wish to pursue this option by way of this proposal.

COMMUNICATION WITH NEIGHBOURS:

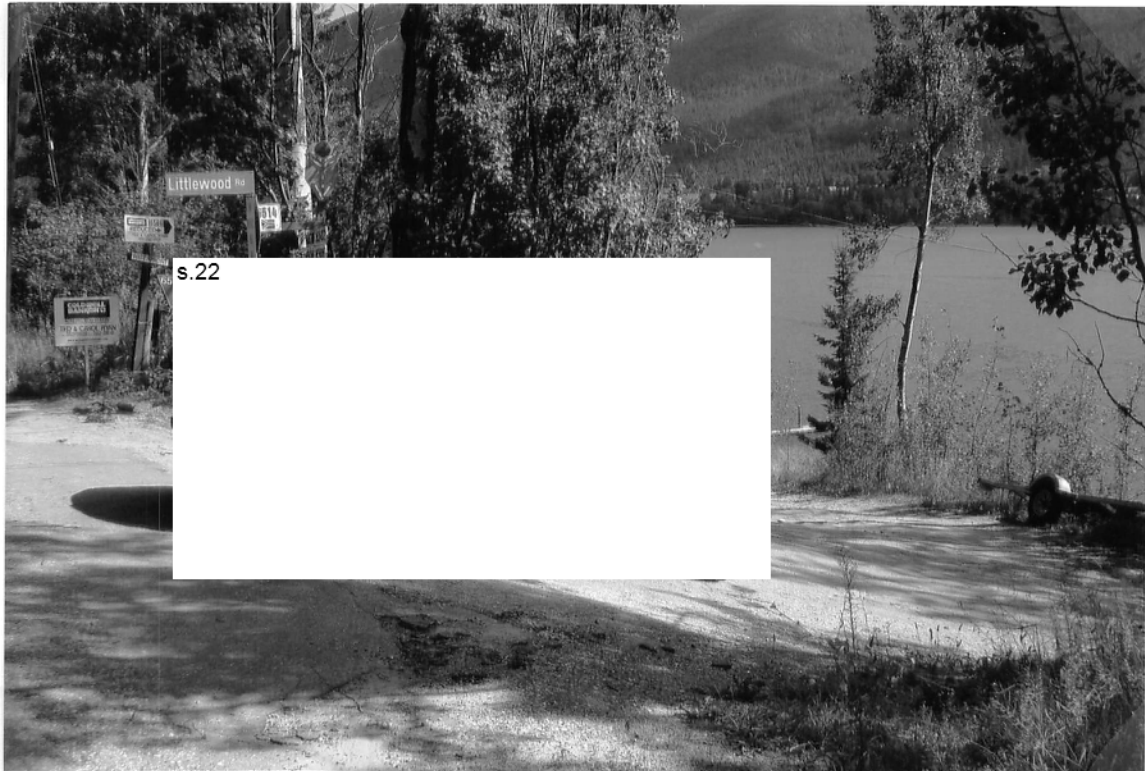
When considering this action, I realized that the removal of the berm and the joining of the roads would directly impact my neighbours at s.22. Before proceeding, I contacted to let them know of my plan and invited them to share their concerns. What I have heard is that their main concerns are loss of privacy and increased traffic that would require additional maintenance of the road and therefore extra cost.

I have attempted to address their concerns by offering some suggestions / observations. Over the past s.22, I have had many encounters with my neighbours on Littlewood regarding issues that affect all of us. Each has been met cooperation, generosity and friendliness. Therefore, I have suggested that these same neighbours would be very happy to share in the cost and work to maintain the new extended road. Further, I have suggested that privacy can be achieved in a variety of ways (fences, shrubs, trees) based on the wishes of the individual.

PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION
ADDENDUM - PHOTOS

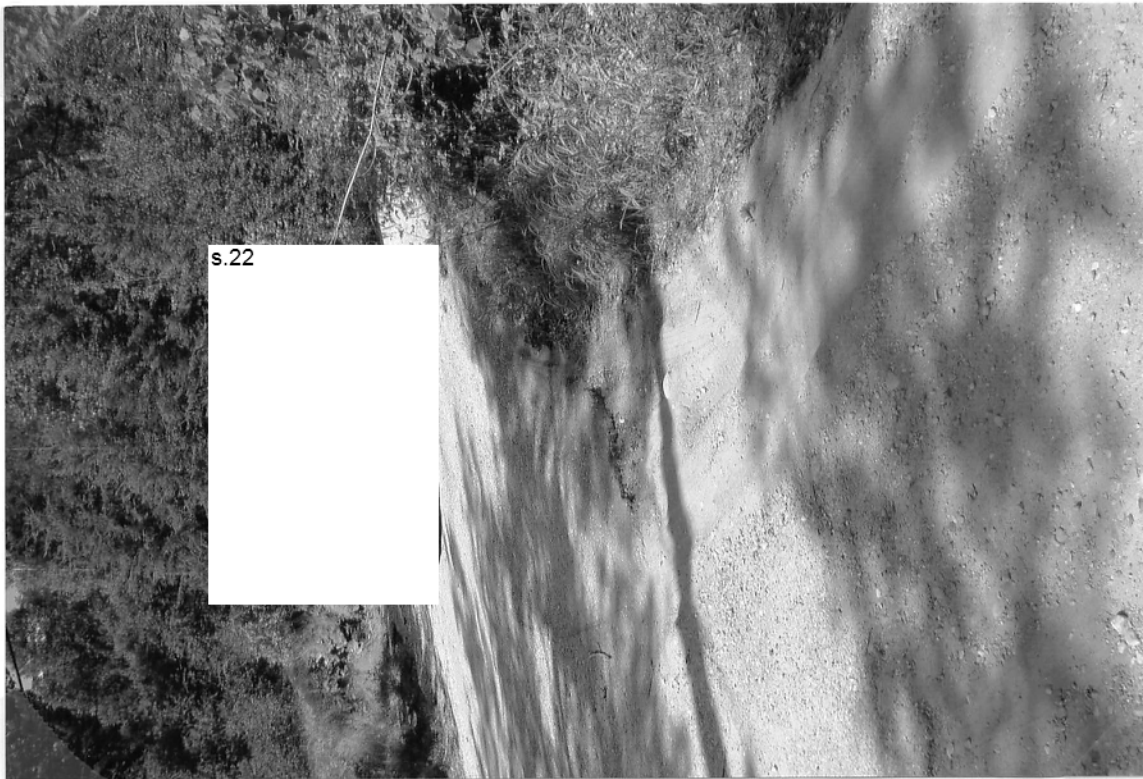


A1 – Entering Littlewood Road (looking east)



A2 – Sharp curve to left and deep drop-off (below boat trailer toward lake)

PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION
ADDENDUM - PHOTOS

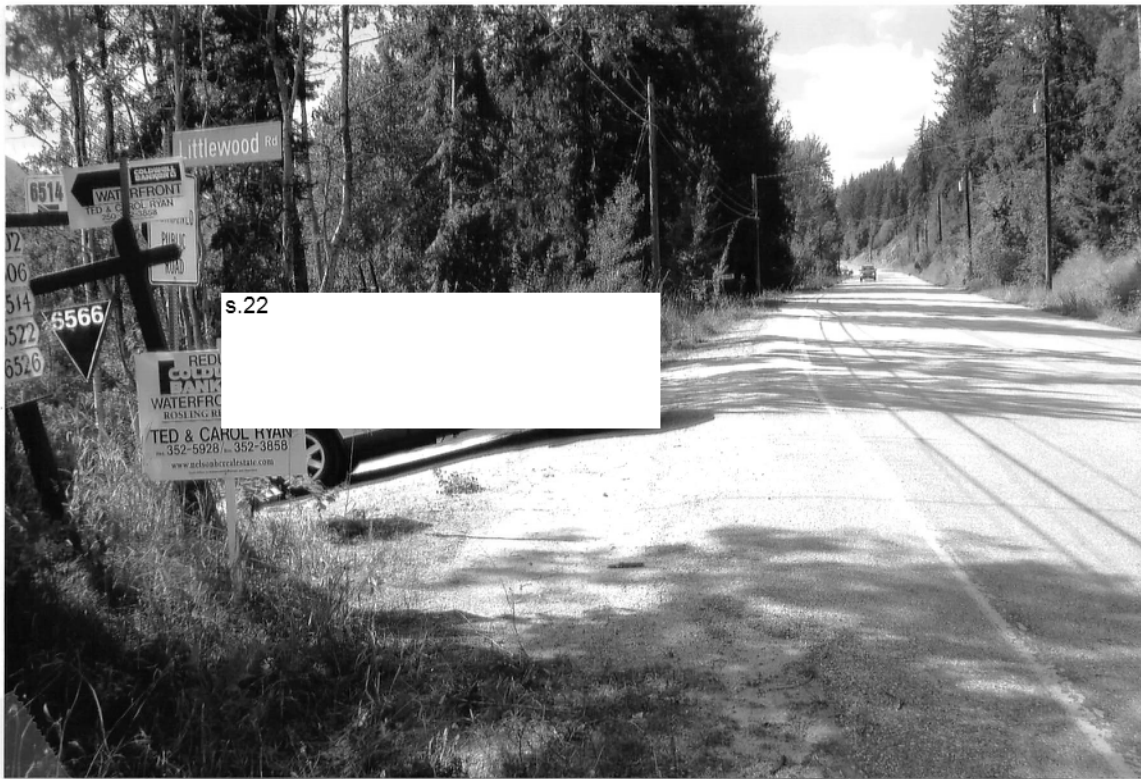


A3 – Sharp curve from lower part of road



A4 – Exiting Littlewood Road (looking east)

PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION
ADDENDUM - PHOTOS



A5 – Exiting Littlewood Road (looking west)



B1 – Berm as seen from top of s.22 property (looking east)

PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION
ADDENDUM - PHOTOS



B2 – Close- up of west side of berm



B3 – Berm from highway (north) side

PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION
ADDENDUM - PHOTOS



B4 – East side of berm where parking space has been created



B5 – South side of berm

**PROVINCIAL PUBLIC HIGHWAY
PERMIT APPLICATION Cont'd.**

NOTES FOR WORKS PERMITS

The plans submitted may be blueprints, and shall consist of key-map, general plan, profile, and where necessary, detail plan on the following scales: **Key-map**, according to size of undertaking; **general plan**, 1:5000; **profile**, horizontal 1:5000, vertical 1:250; **details**, on suitable scales. For minor undertakings, such as small water-pipes or culverts, etc., under a road, sketches will be accepted and sections and details as to dimensions, depth of cover, etc.

The plans shall supply at least the following information:

- | | |
|---|---|
| (a) The boundaries of highway right-of-way affected; | (d) The proposed position within such boundaries and relative thereto which would be occupied by the works; |
| (b) The position of all existing public works within such boundaries and relative thereto and the name of the authority in control of same; | (e) The details of all tanks, manholes, lamp-poles, surface boxes, bridges, culverts, retaining-walls, or other structures to be constructed and used for the support of traffic, and details showing the method to be employed in supporting any proposed work, where any public works are affected; |
| (c) The position of all private works (with the names of owners) within such boundaries and relative thereto. (N.B. – Where the proposed works are upon or above the ground only such private works as are upon or above the ground, or as may be interfered with under the ground, need be shown); | (f) Full information showing exactly in what manner and to what extent it is proposed to use any land or works under the control of the Minister of Transportation. |

Specifications for the carrying-out of the work within the boundaries of all highway right-of-way shall also be submitted.

When application is made in respect of the following works, the requisite particulars, plans, and specifications must be submitted to the proper authorities before the approval of the application by the Minister of Transportation.

WORKS	AUTHORITY TO WHOM PARTICULARS, ETC., MUST BE SUBMITTED	
1. Electrical Undertakings (a) Telegraph and telephone lines (b) Energy generated otherwise than by water-power (c) Energy generated by water-power (d) Electrical railways	Inspector of Electrical Energy Inspector of Electrical Energy Inspector of Electrical Energy Comptroller of Water Rights Inspector of Electrical Energy Deputy Minister of Transportation	453 West 12th Ave., Vancouver BC V5Y 1V4 Parliament Bldgs., Victoria BC 453 West 12th Ave., Vancouver BC V5Y 1V4 Parliament Bldgs., Victoria BC
2. Steam – railways 3. Logging – railways	Deputy Minister of Transportation	Parliament Bldgs., Victoria BC
4. Skid – roads	Deputy Minister of Transportation and also Chief Forester	Parliament Bldgs., Victoria BC
5. Sewerage and sewerage – disposal (a) Large systems (b) Small systems	Environmental Protection Division Water, Land & Air Protection Regional Health Authority	Regional Office Regional Office
6. Water – supply for domestic purposes 7. Waterworks undertakings other than for domestic supply	Local Water Management Office or Comptroller of Water Rights	Regional Office Parliament Bldgs., Victoria BC
8. Works to be constructed within any municipality	Municipal Office	

**PROVINCIAL PUBLIC HIGHWAY
PERMIT APPLICATION Cont'd.**

NOTES FOR STRUCTURES PERMITS

1. Plans shall be metric, scaleable, and shall show:
 - the exact offsets of the foundation and overhand 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.
an inset or additional plan showing the profile of the structure and terrain to the travelled road edge.
 - the nearest edge of shoulder of the physical road.
 - the road name, legal description, any property pins evident and a north arrow.Submit three copies of the plan if larger than 11" x 17".
2. In cases where setback is to legalize 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; that all other necessary permits are applied 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 the property lines and extremities of the footings of the proposed structure clearly flagged on site prior to Ministry inspection.

NOTES FOR HIGHWAY ACCESS PERMITS

1. Property described must have highway frontage.
2. Insert number of accesses requested.
3. Insert specific land use proposed (for example, single-family dwelling, farm, motel and restaurant, service-station, furniture factory, etc.).
- 3a. Indicate the permitted uses for the existing zoning on the property. This can be obtained from your local government.
4. Insert figures indicating number of dwelling units, square metres of floor area of buildings, sleeping units, employees, seats in restaurant, etc.
 - (a) Insert the word "indefinitely" if required for long-term use; or
 - (b) Insert the specific number of months or years if required for temporary period
5. (a) Insert "myself" or "ourselves" if required by owner or lessee; or
 - (b) Insert name and address of person or company who will actually develop the property and construct, use and maintain the access works, if required by other party (for example, property is under option and owner proposes to sell or lease same); or
 - (c) If access required for land beyond, give name of owner(s) and legal description of parcel involved.

NOTES FOR FILMING PERMITS

1. For location, please specify the highway name, and landmarks that indicate the outer boundaries of where you are filming.
2. Your description should include:
 - the dates and times of filming
 - the nature of what you are filming
 - whether you will be using special effects or stuntsPlease give a more detailed schedule and description of any special effects and/or stunts.
3. Specify the production company name and phone number, and its Certificate of Incorporation number, if applicable.
4. Authorities you will need to notify include:
 - the police
 - the municipalityInclude here the name and phone number of the traffic control company you will be using.
5. Please give the names and phone numbers for:
 - the location manager
 - the on-site contact person
 - the producer and/or director
6. Provide appropriate Certificate of Insurance (H0111)

NOTES FOR EVENTS AND CATTLE DRIVE PERMITS

- | | |
|---|---|
| <p>1. For location, please specify the highway name, and specific locations on the highway between which you are holding your event.</p> <p>2. Under Description, provide the following information:</p> <ul style="list-style-type: none">• dates and times of event• time of event, from starting hour to finishing hour (including set up and tear down). | <p>3. Specify the person(s) or organization legally responsible for the event.</p> <p>4. Check with the municipality or regional district, if applicable that you have their authority for the event.</p> |
|---|---|

Provide a letter indicating the scope and nature of the event, including the type and number of participants (cyclists, pedestrians, runners, youth group, etc.)

Include a traffic management plan.

Specify any animals you propose to have involved and their experience in traffic, if relevant.

Give the number of escort vehicles and how you propose to use them.

Specify if it is a fundraising event.

Provide an appropriate Certificate of Insurance.

Specify your parking requirements, such as the number of vehicles requiring parking.

