















PERMIT TO CONSTRUCT SIGNS UNDER SECTION 214 OF THE "MOTOR VEHICLE ACT"

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
Courtenay Area Office
550 Comox Road
Courtenay, British Columbia V9N 3P6
Canada

("The Minister")

AND:

Comox Valley Regional District
600 Comox Road
Courtenay, British Columbia V9N 3P6
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 and maintenance of 200mm X 200mm Shore Access Signs on 1.5 metre telespar posts to provide notification of beach access on the following roads located off Seaview Road - Cosby Road (#00588), Franklin Road (#00358), Francis Road (#01305), Anchor Road (#00357), Woodbine Road (#01125), Mountain View Road (#00154), and Mahaffey Road (#01304), as shown on drawing submitted with application.

- 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 signs shall be erected only in a position approved by the Minister or any person appointed by him.
2. The signs shall be maintained at all times in a neat and tidy condition to the satisfaction of any of the above officials.
3. That this permission shall not be transferable and shall be in force only during such time as the said signs are operated and maintained by the applicants to the entire satisfaction of the Minister.
4. That this permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give right to any cause of action or claim of any nature whatsoever.
5. That the letters "H.D. and the permit number" shall be displayed on the lower right-hand corner of the sign in letters one-half inch high, minimum size, in order that the permit number is always readily visible on the sign.
6. That poor maintenance of the sign or non-compliance with the terms of this permit or with the standards of message and design as set down in the Sign Regulations shall be sufficient cause for removal of the sign by authorized employees of the Ministry of Transportation and Infrastructure. After removal, no responsibility is taken for the safety of the sign or for its return to the holder of this permit.
7. No sign is to be placed closer than 100 metres to any standard traffic sign, except where the applicant's sign is placed at an intersection as a directional sign (e.g., the type 6 or 6A sign).
8. The Ministry must be contacted for final approval of sign location in the field before installation.



9. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor or will appoint a qualified prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee or designated prime contractor will observe and perform all of the duties and obligations which fall to be discharged by the prime contractor pursuant to the Workers Compensation Act and the Occupational Health and Safety Regulation.
10. 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.
11. 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
12. 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.
13. Installation and maintenance of the sign is the responsibility of the Permittee.
14. That all portions of the sign shall be at least 3.5 metres from the edge of the nearest traveled lane.
15. Sign and posts must be installed according to Ministry of Transportation specifications. Applicant to contact Emcon Services Inc at 250-336-8897 to assist with sign installations.
16. The sign must be removed immediately if and when the right-of-way is required by the Ministry of Transportation and Infrastructure.
17. The Permittee is responsible for any damage claims that may arise due to the sign.
18. The sign and post must not block sightlines.
19. As stated in the application - volunteers will inspect the accesses regularly and pick up litter.

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 Courtenay, British Columbia, this 9 day of March, 2015

On Behalf of the Minister

From: [Molony, Anne TRAN:EX](#)
To: [Brian Allaert \(allbri@comoxvalleyrd.ca\)](mailto:allbri@comoxvalleyrd.ca)
Subject: Permit 2015-00913
Date: Monday, March 9, 2015 2:44:52 PM
Attachments: [4712217057f11.pdf](#)

Hi Brian,

Please find attached Permit 2015-00913 for the installation of shore access signs in the Seaview Road area.

As previously discussed the Ministry is not in favour of placing rocks to block access.

If you have any questions or concerns regarding this permit please let me know.

Sincerely,

Anne Molony

District Development Technician

Courtenay Area Office

Ph: 250-334-6969 Cell: 250-218-1605

Email: Anne.Molony@gov.bc.ca

PROVINCIAL PUBLIC HIGHWAY
PERMIT APPLICATION

District File Number _____

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☐ Bus Stops, Shelters and Benches☐ Cattle Guards and Gates☐ Exploratory Survey☐ Fencing☐ Fiber Optics☐ High Pressure Pipeline☐ Low and Intermediate Pressure Pipeline☐ Mail and Newsletter Boxes☐ Polelines☐ Roadworks☐ Sidewalks and Landscaping☒ Signs☐ Street Lights☐ Traffic Signals☐ Underground Cable, Telephone and Power☐ Wireless Communications**ACCESS**☐ Controlled Access Highway☐ Commercial Access☐ Residential and Agricultural☐ Resource and Industrial Road**SPECIAL EVENTS**☐ Special Events☐ Cattle Drive☐ Filming☐ Parade**STRUCTURES**☐ Encroachment☐ Setback

Describe other use or occupation post shore access signs and close some accesses to full vehicle access

LOCATION (include civic address)

eight beach access rights of way along Seaview Road as shown and listed on the attached

The proposal consists of and is described as follows:

DESCRIPTION

The regional district wishes to place 200x200mm shore access signs at the beach and road ends of each right-of-way. The signs will be on 1.5m telespar posts. Each of these accesses will also be closed to vehicles beyond the last private driveway on that access. The accesses will be closed with large rocks. Volunteers will inspect the accesses regularly and pickup litter. Additional signs will be posted to deal with issues such as fires, noise and overnight stays as the need arises.

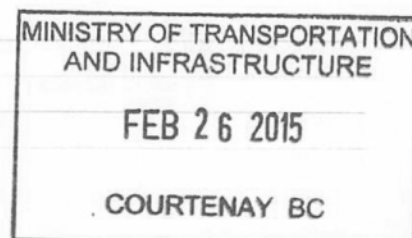
Dates (proposed): April 2015

Times: From: _____ a.m./p.m. To: _____ a.m./p.m.

THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED

Photos and details about each access is available at

http://www.comoxvalleyrd.ca/assets/Community/Documents/04_Miracle_Beach.pdf



HIGHWAY NAME(S)

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

Between _____ and _____
(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 _____

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

NAME/ORGANIZATION (include affiliated agency were applicable)

Comox Valley Regional District

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

MAILING ADDRESS

600 Comox Road, Courtenay V9N 3P6

Telephone	250-334-6000	Cellular/Pager	_____
Fax	250-334-8156	Email Address	communityservices@comoxvalleyrd.ca

CONTACTS (if not as above)

Project/Location Manager Name	Brian Allaert		
Telephone	250-334-6032	Cellular/Pager	_____
Fax	_____	Email Address	allbri@comoxvalleyrd.ca

Director Name

Telephone	_____		
Site Contact Person	_____		
Telephone	_____	Cellular/Pager	_____
Fax	_____	Email Address	_____

Traffic Control Company Name

Telephone	_____	Cellular/Pager	_____
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Signature (Applicant)

Print Name

Date (yyyy/mm/dd)

Doug DeMarzo

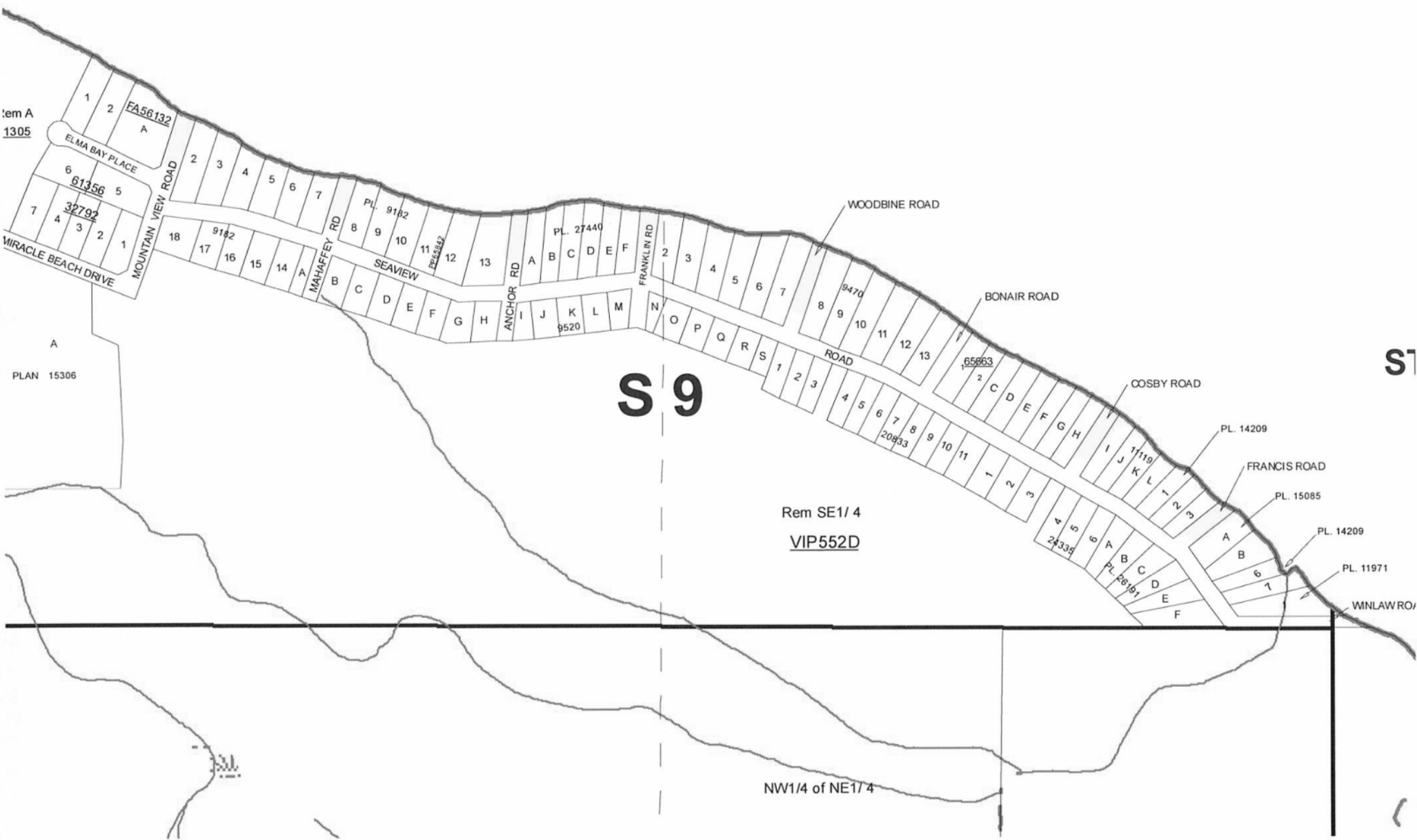
2015/02/26

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Item A
1305



S 1



STRAIT
OF
GEORGIA

LOT H

PLAN

Sec. 9

COSBY ROAD

LOT I

11119

Tp. 5

SEAVIEW ROAD

RETAINING
WALL

PRESENT NATURAL
BOUNDARY

BRICK
DRIVEWAY

ROCK WALL

77.384
33°53'01"
POLE FENCE

75.756
33°51'51"

POLE FENCE

FENCE

- DENOTES STANDARD SURVEY POST FOUND
- ⊙ DENOTES NON-STANDARD ROUND IRON PIPE FOUND

SKETCH PLAN OF IMPROVEMENTS IN THE
VICINITY OF COSBY ROAD, SOUTHEAST 1 /4,
SECTION 9, TOWNSHIP 5, COMOX DISTRICT.

SCALE 1:500

DATE: MARCH 25, 2008

DRAWN BY : JGM

REVISION No. 0



McELHANNEY ASSOCIATES
LAND SURVEYING LTD.
PROFESSIONAL LAND SURVEYORS
1371-B CEDAR STREET
CAMPBELL RIVER, B.C.
V9W 2W6
TEL. 250-287-7799
FILE 01383 DGN SKETCH-COSBY

Our File: 11050-40/588

December 12, 1995

Note to File:

The Ministry of Transportation and Highways have no objections to the retaining wall as shown on Surveyor's certificate by Bazett Land Surveying and Associates.

J T. Leet
District Development Technician

JTL/nhk



Comox-Strathcona

December 1, 1995

Our File Nos. 05508.000 &
05509.000

s.22

1434 Seaview Drive
Black Creek, BC
V9J 1J7

Dear Sir,

Re: Shoreline Protection Device
1434 Seaview Drive

Thank you for the BC Land Surveyor's Certificate of Location of Shoreline Protection Device for Lots G & H, Section 9, Township 5, Comox District, Plan 11119, prepared by Bazett Land Surveying Inc. dated November 16, 1995. The plan shows that the shoreline protection device (the "building") is located wholly on Crown Land with no encroachments on private property. The construction of a building located on Crown Land is exempt from the provisions of the Regional District By-Laws.

This letter does not constitute any approval from any other agency which may have an interest in this matter.

If I can be of any further assistance do not hesitate to call.

Sincerely,

J. Claude Bédard,
Chief Building Inspector

cc Doug Swift, DFO
Gordon Smaill, ELP
Mike Proudfoot, THWY
Linda Harvey, RDCS

enclosed BCLS Certificate



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Province of
British Columbia

Ministry of
Transportation
and Highways

550 Comox Road
Courtenay, B.C.
V9N 3P6
Phone: 334-1275

February 12, 1991

63-0-151
63-20-0
Courtenay

COSBY ROAD

s.22

1434 Seaview
Black Creek, B.C.
V0R 1C0

588

Dear Sir:

Re: Seaview Beach Access

It has been brought to my attention that your landscaping works have slightly encroached on the Cosby Road beach access right-of-way. The Ministry of Transportation and Highways has no desire to open this road at present and therefore I ask that it not be disturbed any further and be kept in its natural state.

If you have any further questions, please contact me at 334-1275.

Yours truly,

Mike Proudfoot
District Highways Manager

D.A. Olson
D.A. Olson
Area Manager

DAO/sp

Mr. Dan Bowen,
 Sr. District Development Officer,
 Ministry of Transportation & Highways
 Courtenay, B.C.

Dear Mr Bowen,

Further to our conversation of
 Feb. 11, 1991, I wish to confirm that I
 object to any clearing of the unopened part
 of the road allowance referred to as
 Cosby Road, off Seaview Road, Black Creek,
 & next to 1428 Seaview Road. (Lot I)
 I also object to the use of the
 this beach access for personal overnight
 parking and for the dumping of brush,
 wood, tires etc. for subsequent burning
 by the owner of lot H.

Yours truly,

s.22

440
D E F
FRANKLIN RD.
2 3
PLAN
4 5 6 7
8 9 10 11 12 13
9470
ROAD
A B C D E F G H
PLAN
I J K L
PL. 14209
FRANCIS ROAD •
PL. 15085
PL. 14209
POSTING PL. 5104
PL. 11971
ROAD
CREEK
S. 9