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Juan de Fuca Community Planning

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

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

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SOIL DEPOSIT PERMIT APPLICATION

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

APPLICATION

PERMIT TYPE	PERMIT VOLUME	Removal of _____ m ³ of soil on _____ ha of land, AND/OR , Deposit of _____ m ³ of soil on _____ ha of land
<input type="checkbox"/> A	Up to 250 m ³	
<input type="checkbox"/> B	251 m ³ to 2,000 m ³	
<input type="checkbox"/> C	2,001 m ³ to 4,000 m ³	
<input type="checkbox"/> D	Greater than 4,000 m ³	

For the purpose of:

Proposed completion date or duration of project: _____

OWNER/APPLICANT INFORMATION

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

1. _____
2. _____

Name of Applicant: _____

Applicant Contact Information:

Mailing Address:

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

PROPERTY INFORMATION

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

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

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

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



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REGULATIONS, CONDITIONS AND DECLARATIONS

Soil Removal Regulations:

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

- 1) No person shall engage in the *removal of soil*, or in the excavation or moving of *soil* associated with *soil removal* operations:
 - i. On a or Holiday; or
 - ii. Outside the hours of 7 am to 7 pm.
- 2) No person shall engage in the *removal of soil*, or in the excavation or moving of *soil* associated with *soil removal* operations on a Residential, Rural Residential, Multiple Family Residential or Community Residential zoned parcel as defined in a land use bylaw:
 - i. Outside the hours of 8 am and 5 pm.
- 3) Where the *soil removal* is within a development permit area designated by a CRD official community plan bylaw under Section 488(1)(a) (protection of the natural environment) or Section 488(1)(b) (protection of development from hazardous conditions) of the Local Government Act, a development permit must be issued prior to the *removal of any soil*.
- 4) Where the *soil removal* is within an area for which a development permit has been issued, the *soil removal* must comply with the development permit.
- 5) Where the *removal of soil* is proposed within 5 m of a *riparian assessment area* boundary, no person shall remove soil unless the person has first installed sediment control fencing adjacent to any *riparian assessment area*, unless otherwise authorized in a development permit.
- 6) Where both the *soil removal* site and *soil deposit* site are located in the *Electoral Area*, a *permit* must be approved for the *deposit* site prior to any *soil removal*.
- 7) Any *soil removal* in excess of 100 m³ in a calendar year requires approval of the Ministry of Transportation and Transit.
- 8) Public highway rights-of-way, including travelled surfaces and roadside ditches, must remain free of *soil*, gravel, rock or other material during *soil removal* operations.

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

Soil Deposit Regulations:

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

- 1) No person shall engage in the *deposit of soil*, or in the excavation, grading or moving of *soil* associated with *deposit* operations:
 - i. on a holiday,
 - ii. or outside the hours of 7 am to 7 pm, except as authorized or further restricted in a permit.
- 2) No person shall engage in the *deposit of soil*, or in the excavation, grading or moving of *soil* associated with *deposit* operations on a Residential, Rural Residential, Multiple Family Residential or Community Residential zoned parcel as defined in a land use bylaw:
 - i. outside the hours of 8 am and 5 pm, except as authorized or further restricted in a permit.
- 3) Where the *soil deposit* is within a development permit area designated by a CRD official community plan bylaw under Section 488(1)(a) (protection of the natural environment) or Section 488(1)(b) (protection of development from hazardous conditions) of the Local Government Act, a development permit must be issued prior to the *deposit of any soil*.
- 4) Where the *soil deposit* is within an area for which a development permit has been issued, the soil deposit must comply with the development permit.
- 5) Where the *deposit of soil* is proposed to be located within 5 m of a riparian assessment area boundary, no person shall *deposit* or permit the *deposit of soil* unless they have installed sediment control fencing along the



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boundary of the riparian assessment area prior to the commencement of the *soil deposit*, except as otherwise specified in a permit.

- 6) A person *depositing soil* shall ensure that all streams, watercourses, wetlands, and drainage facilities are kept free of silt, clay, sand, debris and other material attributable to the soil deposit activity that could obstruct, impair, or impede drainage facilities and watercourses, except as authorized by the Province.
- 7) A person that has *deposited* or is *depositing soil* shall ensure that the slope of any exposed face of deposited soil is greater than the angle of repose necessary for stability of the deposited material, except that:
 - i. The slope of any exposed face of deposited soil within 10 m of a property boundary must not be greater than 4:1 (4 vertical to 1 horizontal) or than the angle of repose necessary for stability of the deposited material, whichever is less.
- 8) A person that has *deposited* or is *depositing soil* shall ensure that the *soil* is graded so that positive gravity drainage is assured.
- 9) A person that has *deposited* or is *depositing soil* shall install and a drainage system of sufficient capacity and extent to ensure that runoff onto adjacent lands will be no greater than prior to commencement of the *soil deposit*.
- 10) *Soil* must not be deposited over a well or other water source or sewage disposal systems without prior approval by a qualified professional.
- 11) Any *soil deposit* in excess of 250 m³ in a calendar year requires approval of the Ministry of Transportation and Transit.
- 12) Public highway rights-of-way, including travel surfaces and roadside ditches, shall remain free of *soil*, gravel, rock or other material during soil deposit operations, except with written approval of the Ministry of Transportation and Transit.
- 13) *Soil* must not be *deposited* over any statutory right-of-way without first obtaining written approval of the authority having jurisdiction over the statutory right-of-way.
- 14) Where soil is *deposited* under a permit required by this Bylaw, the volume is the cumulative amount of *soil deposited* over a 5-year period starting from the completion or expiration of the most recent permit.

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

Permit Conditions:

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

- 1) A *permit* constitutes written authority under Bylaw No. 4435 to conduct only those activities described in the *permit*. All *deposit* activity must comply with the conditions of the *deposit permit* and Bylaw No. 4435.
- 2) All plans, specifications and *professional reports* forming part of an *application* in respect of which a *permit* is issued forms part of and will be incorporated into the *permit* as conditions unless otherwise specified by the *General Manager* and, without limiting the foregoing, a *permit* issued may specify the maximum *volume* of *soil* that is to be *deposited*.
- 3) In addition to the conditions specified in condition 2, a permit may include one or more conditions pertaining to the regulations of the Juan de Fuca Soil Removal or Deposit Bylaw.
 - i. Every *permit* holder must keep a daily record of all *soil deposited* on the *permit* site in the form of a *soil deposit logbook*.
 - ii. Every *permit* holder must, no later than twenty-four hours after a request to review the *soil deposit logbook*, submit the *soil deposit logbook* to the *General Manager* for review and *inspection*.
 - iii. Where information in the *soil deposit logbook* is incomplete or determined to be false, the *permit* may be suspended and the *permit* holder or owner must undertake one or more of the following measures, as determined by the *General Manager*, to renew work under the *permit*:
 - a) Submit a *soil* quality assessment, including laboratory analysis of contamination for a specified *soil deposit* footprint, completed by a *qualified professional*;
 - b) Complete the *soil deposit logbook*;
 - c) Correct any false *soil deposit logbook* records; and



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d) Agree to submit monthly *soil deposit logbook* records for all subsequent *soil deposits* under the *permit*.

- 4) Prior to the deposit of any soil under a Type ‘B’, Type ‘C’ or Type ‘D’ Soil Deposit Permit, the holder must post a copy of the permit, or otherwise post a clear and legible sign, in English, indicating the duration and extent of the soil deposit at the point of entry to the property from the main road. The sign is to be 1 m x 1 m square and must include the permit number on it.
- 5) The holder of the *permit* must contact the Ministry of Transportation and Transit and comply with its requirements for road maintenance and cleanup during and after the *soil deposit* works.
- 6) The *General Manager* may require a post-*deposit* report prepared by a *qualified professional* confirming compliance with the *permit* conditions and certifying that the land is safe for the use intended.
- 7) Where a Site Remediation Plan is required, the *General Manager* may require a post-*deposit* report prepared by a *qualified professional* one year after the date of completion of *soil deposit* activity certifying that any recommendations of the Plan have been satisfied.
- 8) Where the *General Manager* has reason to believe that *soil* being *deposited* under this Bylaw is contaminated, the *General Manager* may order the immediate cessation of *soil deposit* until the person *depositing* the *soil* provides satisfactory evidence that the *deposit* is subject to and is in accordance with an authorization, certificate of compliance, order, or exemption under the *Environmental Management Act*.

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

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

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

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

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

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

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



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INFORMATION TO BE SUBMITTED AT THE TIME OF PERMIT APPLICATION FOR PERMIT TYPE A

- Completed application form.
- Corporate structure and name of principal of company (*if applicable*)
- Written owner's authorization giving applicant permission to act on their behalf (*if applicable*)
- Written authorization from the Strata Corporation or written approval from the Strata owners (*for applications related to Strata property only*)
- Copy of current *Title Search* (*dated within 30 days*)
- Copies of any easements, covenants, rights-of-way and/or water licences listed on Title Search
- The applicable security deposit and permit fees
- Completed Contaminated Site Waiver (Schedule 'B') or a Site Disclosure Statement, as set out in Schedule 1 of the *Contaminated Sites Regulation* of the *Environmental Management Act* of British Columbia.
- A scaled and dimensioned site plan of the property where the soil is to be deposited showing:
 - Location of property boundaries.
 - Specific location on the property where the soil is to be deposited.
 - Location of the proposed crest of a fill slope and the proposed toe of a fill slope and their elevations.
 - Location of driveway accesses, internal roadways, buildings and structures located on the property.
 - Location of wells and septic fields.
 - Location of any stream, lake, pond, wetland, drainage course or the sea on the subject property or within 30 m of the soil deposit area.

ADDITIONAL INFORMATION THAT MAY BE REQUIRED

- Where a Steep Slope, as defined by the applicable Official Community Plan Development Permit designation, is created as a result of the soil deposit activity, a Soil Assessment and Deposit Plan prepared by a Qualified Professional, including:
 - Site Plan to include the following:
 - Drawn to at least 1:1000 scale.
 - Show existing contours with contours intervals of not more than 1 m.
 - Location of buildings or structures.
 - Location of watercourses, tree cover, wells, known aquifers, sewage disposal fields, and public utilities.
 - Location of proposed permit area.
 - Location of driveways, ingress and egress points from the proposed permit area to a highway.
 - Proposed contours of the parcel in its final state upon completion of the permit activities with contour intervals of not more than 1 m (*these should be drawn on a separate plan*).
 - Proposed total volume of soil to be deposited.



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INFORMATION TO BE SUBMITTED AT THE TIME OF PERMIT APPLICATION FOR PERMIT **TYPE B/C**

- Completed application form.
- Corporate structure and name of principal of company (*if applicable*)
- Written owner's authorization giving applicant permission to act on their behalf (*if applicable*)
- Written authorization from the Strata Corporation or written approval from the Strata owners (*for applications related to Strata property only*)
- Copy of current *Title Search* (*dated within 30 days*)
- Copies of any easements, covenants, rights-of-way and/or water licences listed on Title Search
- The applicable security deposit and permit fees
- Completed Contaminated Site Waiver (Schedule 'B') or a Site Disclosure Statement, as set out in Schedule 1 of the *Contaminated Sites Regulation* of the *Environmental Management Act* of British Columbia.
- A scaled and dimensioned site plan prepared by a qualified professional showing the following:
 - Location of property boundaries.
 - Specific location on the property where the soil is to be deposited.
 - Location of the proposed crest of a fill slope and the proposed toe of a fill slope and their elevations.
 - Location of driveway accesses, internal roadways, buildings and structures located on the property.
 - Location of wells and septic fields.
 - Location of any stream, lake, pond, wetland, drainage course or the sea on the subject property or within 30 m of the soil deposit area.
 - Proposed contours of the parcel in its final state upon completion of the permit activities with contour intervals of not more than 1 m.

ADDITIONAL INFORMATION THAT MAY BE REQUIRED

- Where a Steep Slope, as defined by the applicable Official Community Plan Development Permit designation, is created as a result of the soil deposit activity, a Soil Assessment and Deposit Plan prepared by a Qualified Professional, including:
 - Site Plan to include the following:
 - Drawn to at least 1:1000 scale.
 - Show existing contours with contours intervals of not more than 1 m.
 - Location of buildings or structures.
 - Location of watercourses, tree cover, wells, known aquifers, sewage disposal fields, and public utilities.
 - Location of proposed permit area.
 - Location of driveways, ingress and egress points from the proposed permit area to a highway.
 - Proposed contours and cross sections of the parcel in its final state upon completion of the permit activities with contour intervals of not more than 1 m (*these should be drawn on a separate plan*).
 - Proposed total volume of the soil to be deposited, including any pertinent information used to calculate the soil deposit volume.



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INFORMATION TO BE SUBMITTED AT THE TIME OF PERMIT APPLICATION FOR PERMIT TYPE D

- Completed application form.
- Corporate structure and name of principal of company (*if applicable*)
- Written owner's authorization giving applicant permission to act on their behalf (*if applicable*)
- Written authorization from the Strata Corporation or written approval from the Strata owners (*for applications related to Strata property only*)
- Copy of current *Title Search* (*dated within 30 days*)
- Copies of any easements, covenants, rights-of-way and/or water licences listed on Title Search
- The applicable security deposit and permit fees
- Site Disclosure Statement, as set out in Schedule 1 of the Contaminated Sites Regulation of the Environmental Management Act of British Columbia.
- Soil Assessment and Deposit Plan prepared by a qualified professional, including:
 - Plans drawn to a scale of not less than 1:1000.
 - Show existing contours with contours intervals of not more than 1 m.
 - Location of buildings or structures.
 - Location of watercourses, tree cover, wells, known aquifers, sewage disposal fields, and public utilities.
 - Location of proposed permit area.
 - Location of driveways, ingress, and egress points from the proposed permit area to a highway.
 - Proposed contours and cross-sections of the parcel in its final state upon completion of the permit activities with contour intervals of not more than 1 m.
 - Proposed total volume of soil to be deposited, including any pertinent information used to calculate the soil deposit volume.
 - Estimated schedule and phasing of soil deposit activity.
 - A description of procedures for controlling access to the site.
 - A description of procedures for documenting the origin and composition of soil to be deposited, including preliminary fill source assessments, soil source Site Disclosure Statements, and truck tracking receipts.
- Environmental Assessment and Protection Plan prepared by a qualified professional, including:
 - Measures to control soil erosion and sedimentation.
 - Measures for managing on-site drainage and ensuring that adjacent properties will not be negatively impacted by water runoff from the soil deposit site.
 - Measures for protecting riparian assessment areas and for ensuring that water courses, wells and aquifers, flowing through or under the parcel, will not be negatively impacted by the soil deposit activity or by storm water runoff from the soil deposit site (may be combined with RAPR Assessment where required).
 - Measures for controlling noxious weeds and invasive species.
 - Measures to control: dust, noise, odour, smoke, vibration and visual impacts caused by the deposit on adjacent parcels, and the tracking of soil or other material onto highways.



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ADDITIONAL INFORMATION THAT MAY BE REQUIRED FOR PERMIT TYPES B/C/D

- Survey of the parcel, or in the case of a parcel exceeding 1 ha a survey of that part of *the parcel* that is the subject of the application, prepared by a British Columbia Land Surveyor (BCLS), including:
 - Location of property boundaries, and any easements, statutory rights-of-way and covenant areas.
 - Specific location on the property where the soil is to be deposited.
 - Location of driveway accesses and internal roadways, buildings and structures located on the property.
 - Location of wells and septic fields.
 - Location of all public infrastructure within 20 m of the property.
 - Location of any stream, lake, pond, wetland, drainage course or the sea on the subject property or within 30 m of the subject property.
- Site Remediation Plan prepared by a qualified professional, including:
 - Reclamation measures to stabilize, landscape and restore the land upon completion of the soil deposit activity.
 - Measures for permanent drainage and storm water management.
 - Measures to address noxious weeds and invasive species after completion the of soil deposit activity.
- Land that may be susceptible to flooding, a Hydrology Report prepared by a qualified professional certifying that adjacent property and infrastructure will not be subject to increased flooding and hydraulic impacts caused by the reduced absorptive capacity of the land, reduced flood capacity, or the blockage or re-direction of flood water flows.
- Land that is located within an aquifer that is highly vulnerable to contamination by surface sources as classified by the Province of British Columbia or a study of the CRD, written authorization from the Ministry responsible.



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APPLICATION AND VOLUMETRIC FEES TO BE SUBMITTED AT THE TIME OF APPLICATION SECURITY DEPOSIT TO BE SUBMITTED PRIOR TO RECEIPT OF A SOIL PERMIT

- Before receiving a Soil Permit, the applicant will be required to submit to the Juan de Fuca Community Planning office, a security deposit in the form of an Irrevocable Letter of Credit, Cash or Certified Cheque drawn upon a chartered bank, in accordance with the following (*not applicable to Permit Type A*):

SCHEDULE 'A' FEES AND SECURITY DEPOSIT

- As per Bylaw No. 4435, Juan de Fuca Soil Removal or Deposit Bylaw No. 2, 2025, Schedule A (*payable for cash, credit card, cheque or debit card*):

PERMIT TYPE	PERMIT VOLUME	APPLICATION AND VOLUMETRIC FEE	SECURITY DEPOSIT	RENEWAL FEE
A	Up to 250 m ³	\$25	Not Applicable	\$25
B	251 m ³ to 2,000 m ³	\$550 <i>application</i> fee plus \$0.93 per cubic metre of <i>soil deposited</i>	\$5,000	\$550
C	2,001 m ³ to 4,000 m ³	\$2,000 <i>application</i> fee plus \$1.11 per cubic metre of <i>soil deposited</i>	\$10,000*	\$2,000
D	Greater than 4,000 m ³	\$3,000 <i>application</i> fee plus \$1.24 per cubic metre of <i>soil deposited</i>	\$15,000 per hectare, or part thereof, on which <i>soil</i> is to be <i>deposited</i> *	Not Applicable

- Prior to the issuance of a *Type 'B' or Type 'C' Soil Deposit Permit*, payment of the *application* fee, volumetric fee based on the estimated *volume* of *soil* to be *deposited*, and *security deposit* is required.
- Prior to the issuance of a *Type 'D' Soil Deposit Permit*, payment of the *application* fee, 50% of the volumetric fee, and the *security deposit* is required. The remaining 50% of the volumetric fee is due upon the *deposit* of 50% of the *volume* of *soil* authorized to be *deposited* by the *permit*, as reported by the *qualified professional* and/or *soil deposit logbook*.

* Plus advertising costs, if required.

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

- Post-construction report prepared by a Qualified Professional confirming adherence to the conditions of Permit (*not applicable to Permit Type A*).



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OWNER'S AUTHORIZATION FORM

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

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

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

Subject Property: _____

PID (Parcel Identifier-nine digit number): _____

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

REGISTERED OWNER 1

Name of Registered Owner: _____

Signature of Registered Owner: _____

Date: _____ Email: _____

REGISTERED OWNER 2

Name of Registered Owner: _____

Signature of Registered Owner: _____

Date: _____ Email: _____

REGISTERED OWNER 3

Name of Registered Owner: _____

Signature of Registered Owner: _____

Date: _____ Email: _____

REGISTERED OWNER 4

Name of Registered Owner: _____

Signature of Registered Owner: _____

Date: _____ Email: _____



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SCHEDULE 'B' CONTAMINATED SITE WAIVER FORM

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

PROPERTY INFORMATION

Land from which soil is to be removed:					
PID: _____		Folio: _____			
Legal Description: _____					
Lot: _____	Section: _____	Block: _____	Township: _____	Plan: _____	
Land District: _____					
Civic Address: _____					
Land on which soil is to be deposited:					
PID: _____		Folio: _____			
Legal Description: _____					
Lot: _____	Section: _____	Block: _____	Township: _____	Plan: _____	
Land District: _____					
Civic Address: _____					

OWNER/APPLICANT INFORMATION

Name of Registered Owners:		1. _____
(If more than two, please list on a separate page.)		2. _____
Name of Applicant: _____		
Applicant Contact Information:		
Mailing Address:		
Street: _____	City: _____	
Province: _____	Postal Code: _____	
Tel (work): _____	Tel (home): _____	
Tel (mobile): _____	_____	
Email: _____	_____	

OWNER DECLARATION

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

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

Signature of Owner dd / mm / yy

Signature of Owner dd / mm / yy