

Comox Drainage Infrastructure Protection Bylaw No. 1824
Erosion and Sediment Control (ESC) Permit Application

The information required by this form is collected under the authority of the Local Government Act and *Comox Drainage Infrastructure Protection Bylaw 1824* for the purposes of bylaw administration. Should you have any questions about the collection of this information please contact the Town of Comox Corporate Officer by emailing town@comox.ca or phone 250-339-2202.

Part 1. APPLICANT (ESC Permit holder, once issued)

Owner: _____ Owner: _____

More than two owners?

If the registered owner on a certificate of title or title search print indicates multiple names, a corporation or a society, or a strata corporation, the signatures of all registered owners or authorized corporate signatories must be included on this form. If there are more than two owners/signatories, submit additional copies of this page with those additional names indicated.

Or, Authorized Agent: _____

Owner's Authorization Of Agent

The undersigned as the registered owner of the property in the Town of Comox identified below authorizes the Authorized Agent named above to make this application on my behalf with the intention that all declarations and undertakings of the Owner made on my behalf are binding on me as if I had executed them myself.

Owner's Signature: _____

Owner's Name: _____

Address: _____

Telephone: _____

Email address: _____

Part 2. DESIGNATED ENVIRONMENTAL MONITOR

Name: _____

Telephone: _____

Email address: _____

Part 3. IDENTIFICATION OF LAND WHERE WORK WILL OCCUR

Legal Description: _____

PID _____ Civic Address: _____

Area of Parcel (hectares): _____

Part 4. NATURE OF WORK

Expected: start date: ___ / ___ / ___ finish date: ___ / ___ / ___
dd / mm / yyyy dd / mm / yyyy

CHECK ALL BOXES THAT APPLY:

- Subdivision Services** (s. 10(a) of Bylaw 1824)
- Building permit for other than Minor Development** (s. 10(b) of Bylaw 1824)
- Soil deposit or removal** (s. 10(c) of Bylaw 1824)
- Tree removal** of ten or more trees on a parcel exceeding one hectare and one or more of the circumstances below apply. (s. 10(d) of Bylaw 1824)
 - i. The area to be cleared has a slope greater than 10% measured over any horizontal dimension of the areas to be cleared;
 - ii. The area to be cleared is within the area designated on the map in the Schedule D of Bylaw 1824;
 - iii. More than 35% of the Trees on a parcel are to be removed.

IF ANY OF THE ABOVE APPLY, you are required to:

1. Have a *Designated Environmental Monitor* prepare an **ESC Plan** that conforms to:
 - a. *Section 13, Erosion and Sediment Control Plan* of Bylaw 1824 found at comox.ca/bylaw1824 and,
 - b. *Appendix I: Drafting Standards for ESC Plan*, in this application.Attach your ESC Plan to this application.
2. Complete the following, in this application:
 - a. *Appendix II: Schedule B, Acknowledgements and Certifications*.
Complete the sections titled: *Property Description, Part 1, Part 2(a), Part 3(a)*.
 - b. *Appendix III: Schedule C, Recommended Phased Scheduling for Construction Works*.
To be completed by your *Designated Professional Engineer*.

- Building Permit for Minor Development** (s. 11(b) of Bylaw 1824)

IF ONLY THIS APPLIES, you are required to:

1. In this application, *Appendix II: Schedule B, Acknowledgements and Certifications*, complete the section titled: *Property Description*.
2. If your project occurs at any time during the period of Oct 15 through May 15 then you must have a *Designated Environmental Monitor* prepare an **ESC Plan** that conforms to:
 - a. *Schedule A: Erosion and Sediment Control for Minor Development* of Bylaw 1824 found at comox.ca/bylaw1824 and,
 - b. *Appendix I: Drafting Standards for ESC Plan*, in this application.Attach your ESC Plan to this application.

I enclosed a [non-refundable Application Fee of \\$500](#) and a [Security Deposit \(see Sections 35 and 36 of Bylaw 1824\)](#) in the form of:

- Cash
- Cheque
- Letter of credit

By signing below, I hereby declare that:

1. The information provided in this application and on the ESC Plan attached and submitted herewith is correct and true.
2. I promise to construct the Erosion and Sediment Control Facilities in accordance with the ESC Plan.
3. I am aware of the provisions of [Comox Drainage Infrastructure Protection Bylaw 1824](#), and I will abide by all applicable provisions of the Bylaw and such other terms and conditions as may be imposed in an ESC Permit.

| | | |
|-------|-----------------|----------------------|
| Date: | Applicant Name: | Applicant Signature: |
|-------|-----------------|----------------------|

Submit completed application by mail or delivery to: Town of Comox
Development Services, Building Department
1809 Beaufort Avenue, Comox BC V9M 1R9

This Application Form is available at comox.ca/escpermit

This page left blank intentionally.

APPENDIX I

Drafting Standards for ESC Plan

An ESC Plan must contain sufficient information to describe the Construction Works, ESC Facilities and the potential impact to the Drainage System to allow Municipal Engineer to review conformance with Comox Drainage Infrastructure Protection Bylaw 1824. The plan must include:

- 1) Contact information / ownership form and a 24-hour emergency contact phone number for the Designated Professional Engineer and Designated Environmental Monitor.
- 2) A site location map attached with location and width of existing or proposed access(es) to the property.
- 3) Layout of the site and lot(s).
- 4) Property lines and other legal designations of the subject property with location(s) of any existing/proposed lots, contours, drainage flows, buildings, services, or connections to existing services from the site.
- 5) The location and/or description of the following primary erosion and sediment source controls including:
 - a) For subdivision services (section 10(a) of Bylaw No. 1824), building permit other than Minor Development (section 10(b) of Bylaw No. 1824), soil deposit or removal (section 10(c) of Bylaw No. 1824), or tree removal (section 10(a) of Bylaw No. 1824):
 - (i) sediment control ponds;
 - (ii) outfall mitigation;
 - (iii) temporary fencing to physically delineate clearing boundaries;
 - (iv) perimeter ditches, swales, and interceptor ditches that divert runoff away from cleared areas during phased development and into staged primary and auxiliary sediment traps or sediment ponds where appropriate, prior to discharge off site;
 - (v) restriction of vehicle/machinery access to and from a Parcel to gravel access pads, gravel staging areas, or pavement constructed and maintained to minimize soil disturbance and the migration of sediment into the Drainage System including
 1. wheel wash facilities during the period from October 15 to May 15, and
 2. gravel access pad and staging area of a minimum 4.5 m width and minimum of 150 mm depth and comprised of 100 mm diameter angular rock;
 - (vi) prevention of concrete truck wash and construction wash of exposed aggregate surfaces from entering the Drainage System;
 - (vii) sweeping and cleaning specifications for road dedications, including road pavement, boulevards, curbs and sidewalks, abutting Parcels being developed, at least once per day and more frequently during rain events, and prohibition of roadway flushing;
 - (viii) silt fences;
 - (ix) filter fabric catch basin donuts inside all road frontage catch basins and lawn basins collecting runoff from the Parcel;
 - (x) immediate surface protection using polyethylene sheeting or tarps when rain events are expected, where slopes exceed three metres in height and are steeper than five percent at any point, or where soil types consist predominantly of clays or fines;
 - (xi) erosion protection for temporary graded areas such as straw, mulch or polyethylene tarps in non-traffic areas and a gravel cap in zones of construction traffic;
 - (xii) seeding and stabilization with native vegetative species prior to October 15th of all bare and exposed areas that will be left dormant for longer than 30 days;
 - (xiii) no native or non-native soils stockpiled or unloaded on road dedications including road pavement, boulevards, curbs and sidewalks or within 2.0 metres of ESC facilities;
 - (xiv) covering of native or non-native soil stockpiles with weighted polyethylene sheeting;
 - (xv) sediment and stormwater management controls for waters captured within building foundations, sediment ponds, or when flushing ESC facilities; and
 - (xvi) methodology to verify the operation and acceptable condition of the Drainage System prior to, and subsequent to, decommissioning of the ESC facilities;
 - (xvii) contours and drainage flows;
 - (xviii) schedule for the maintenance and final decommissioning of ESC facilities for each of the phases;

- (xiv) re-vegetation and stabilization measures for restoring disturbed or exposed soil areas,
- (xv) the maintenance of planting and revegetated areas for a minimum 1-year period; and
- (xvi) phased construction schedule, water sampling schedule for total suspended solids and turbidity analysis, and design calculations.

- b) For building permit for minor development (s. 12(b) of Bylaw 1824) compliance with Schedule B of Bylaw 1824.

All plans must:

- 1) be in black ink;
- 2) utilize text and line weights sufficient to be easily readable when copied or scanned;
- 3) utilize solid black font lettering and for hard copies, lettering must not be less than 2.0 mm in height;
- 4) be in metric scale, showing bar scale and statement of metric units, and show all dimensions in metric;
- 5) be in the smallest scale that will permit all required detail and information to be shown on the plan without congestion and ensuring the information presented is clearly legible;
- 6) conform to the following scale and sheet size specifications:
 - a) Scale - 1:100, 1:125, 1:200, 1:250, 1:400, 1:500, or multiples of such scales by an integral power of 10.
 - b) The Site Plan, Landscape Plan, and any Site Servicing plan must be prepared on the same scale.
 - c) Sheet Sizes:
 - i. A size – 216 mm x 280 mm (8.5 x 11 in)
 - ii. B size – 280 mm x 432 mm (11 x 17 in)
 - iii. C size – 432 mm x 560 mm (17 x 22 in)
 - iv. D size – 560 mm x 864 mm (22 x 34 in)
- 7) be appropriately titled, which includes the street address(es) of the property or legal address if no street address has been assigned;
- 8) show a north arrow, be orientated so that the top of the plan, if practical, is north and text is arranged that it may be easily read when facing the top of the plan.
- 9) provide the street names of streets adjacent to the subject property;
- 10) provide the names of bodies of water; and
- 11) provide the Designated Professional Engineer / Designated Environmental Monitor contact information including phone number and email.

Any shading must:

- 1) utilize shading patterns on plan that are distinct from one another at both full scale and when reduced to A (letter) size format; and
- 2) be identified by label, legend, or plan/drawing title.

Altitude elevations must be in geodetic and labeled as such.

Contour intervals must:

- 1) be appropriate to convey slope information with a minimum of 0.5 m; and
- 2) be labeled on the plan including if they are existing or proposed as of the date submission.

- Submission of a revised plan must be accompanied by one copy showing revisions within a bubble/cloud indicating the area that has been changed with all changes to text shown in yellow highlight.
- Subject properties with existing structures – plans must clearly distinguish between what buildings and structures are to be removed in whole or in part and proposed new construction.
- Lot lines must be labeled and dimensioned.
- Landscape plans must also note that all landscape works must conform to the most recent BC Society of Landscape Architects / BC Nursery Trades Association Landscape Standard.

APPENDIX II

(4 page excerpt from Bylaw 1824)

THIS CONSOLIDATED BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

COMOX DRAINAGE INFRASTRUCTURE PROTECTION BYLAW 1824

SCHEDULE B

ACKNOWLEDGEMENTS AND CERTIFICATIONS

(to be attached to Erosion and Sediment Control Plan)

PROPERTY DESCRIPTION

Civic Address: _____

Legal Description: _____

| Check one ✓ | Type of development | Bylaw 1824 Section Number | Parts of this form required |
|--------------------|-------------------------------------|----------------------------------|------------------------------------|
| | Subdivision | 10(a) | 1,2(a),3(a),4,5 |
| | Building permit – minor development | 11(b) | 2(b),3(b),4,5 |
| | Building permit – other development | 10(b) | 1,2(a),3(a),4,5 |
| | Soil removal or deposit | 10(c) | 1,2(a),3(a),4,5 |
| | Tree cutting | 10(d) | 1,2(a),3(a),4,5 |

("Minor development": the construction of, addition to or alteration of a maximum of one single- or two-family dwelling, coach house, secondary suite, bed and breakfast accommodation, home occupation, or accessory buildings and structures thereto where Comox Zoning Bylaw 1850 does not permit more than one single- or two-family dwelling on a parcel.)

PART 1: DESIGNATED PROFESSIONAL ENGINEER'S CERTIFICATION

The undersigned member of the Association of Professional Engineers and Geoscientists of British Columbia certifies that the Erosion and Sediment Control Plan to which this certification is attached complies in all respects with Comox Drainage Infrastructure Protection Bylaw 1824 including the external standards referenced in s. 13(a) of the Bylaw.

Name of Engineer or Geoscientist: _____

Signature: _____

Telephone Contact Number: _____

Email address: _____

Seal:

THIS CONSOLIDATED BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

PART 2(a): DESIGNATION OF ENVIRONMENTAL MONITOR AND OWNER'S ACKNOWLEDGEMENTS

The undersigned owner of the land described above acknowledges and represents to the Town of Comox that:

- 1. I have engaged _____ (the "Designated Environmental Monitor") to monitor the work that is the subject of the Erosion and Sediment Control Plan to which this certification is attached, including without limitation to sample and analyse in accordance with the Plan surface water that is being discharged from the land; to deal with any incidents of excess turbidity or suspended solids in accordance with the Bylaw and the Plan including by halting all work until the incident is resolved; to modify the Plan as required and secure the Town's approval of any such modifications and, the approval of the professional engineer or geoscientist who prepared the Plan; to notify the Municipal Engineer of any onsite or off-site deficiencies or infractions of the Bylaw that have not been resolved in 24 hours; to provide certifications to the Town preceding and following the completion of the work that the work has been performed in accordance with the Plan; and generally to ensure that the work is performed in accordance with Comox Drainage Infrastructure Protection Bylaw 1824;
- 2. I will not terminate the engagement of the Designated Environmental Monitor before the certifications mentioned above are provided to the Town, without engaging a replacement Designated Environmental Monitor and providing to the Town a replacement for this document with the replacement Designated Environmental Monitor's acknowledgement of appointment; and
- 3. The Town may, in the event of any contravention of the Bylaw or failure to comply with and implement the Erosion and Sediment Control Plan, at its discretion issue a Stop Work Order, commence a prosecution, issue a municipal ticket or use security that I have provided to remedy the contravention.

Name of Owner: _____

Signature of Owner: _____

Telephone Contact Number: _____

Email address: _____

(PART 2(b) deleted, Bylaw 1824.01, Apr 19, 2023)

PART 2(b): DESIGNATION OF ENVIRONMENTAL MONITOR AND OWNER'S ACKNOWLEDGEMENTS

THIS CONSOLIDATED BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

PART 3(a): DESIGNATED MONITOR’S CERTIFICATION

The above-named and undersigned Designated Environmental Monitor, being

an engineer, registered professional biologist, geoscientist, applied science technologist or applied science technician who is registered and in good standing in British Columbia, is trained in designing and implementing ESC plans, is responsible for inspecting, monitoring and reporting on the ESC facilities constructed and installed pursuant to an ESC plan under the Bylaw, certifies that:

1. the Erosion and Sediment Control Plan to which this certification is attached in my opinion complies in all respects with Comox Drainage Infrastructure Protection Bylaw 1824 including the external standards referenced in s. 13(a) of the Bylaw; and
2. I have been engaged by the above signed owner of the land described above to monitor the work that is the subject of the Erosion and Sediment Control Plan, including without limitation to sample and analyse in accordance with the Plan surface water that is being discharged from the land; to deal with any incidents of excess turbidity or suspended solids in accordance with the Bylaw and the Plan including by halting all work until the incident is resolved; to modify the Plan as required and secure the Town’s approval of any such modifications and, the approval of the professional engineer or geoscientist who prepared the Plan; to notify the Municipal Engineer of any onsite or off-site deficiencies or infractions of the Bylaw that have not been resolved in 24 hours; to provide certifications to the Town preceding and following the completion of the work that the work has been performed in accordance with the Plan; and generally to ensure that the work is performed in accordance with Comox Drainage Infrastructure Protection Bylaw 1824, and I acknowledge my duties to the Town in that regard.

Name of Designated Environmental Monitor: _____

Professional Designation: _____

Telephone Contact Number: _____

Email address: _____

Signature: _____

(PART 3(b) deleted, Bylaw 1824.01, Apr 19, 2023)

PART 3(b): DESIGNATED ENVIRONMENTAL MONITOR’S CERTIFICATION

THIS CONSOLIDATED BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

PART 4: PRE-CONSTRUCTION CERTIFICATION OF DESIGNATED ENVIRONMENTAL MONITOR

The undersigned certifies that all pre-construction erosion and sediment control facilities and measures identified in the Erosion and Sediment Control Plan to which this certification is attached have been installed and are operational. I acknowledge that the Town will be relying on this certification in issuing a building permit, tree cutting permit or subdivision approval.

Name of Designated Environmental Monitor: _____

Signature: _____

PART 5: POST-CONSTRUCTION CERTIFICATION OF DESIGNATED ENVIRONMENTAL MONITOR

The undersigned certifies that the Erosion and Sediment Control Plan to which this certification is attached has been implemented, that all temporary erosion and sediment control facilities have been decommissioned, that all waste materials have been properly disposed of, and that all exposed soil areas have been stabilized and revegetated including / excluding the maintenance of planting and revegetated areas for a minimum 1 year period, all in accordance with Comox Drainage Infrastructure Protection Bylaw 1824. I acknowledge that the Town will be relying on this certification in determining compliance with the bylaw.

Name of Designated Environmental Monitor: _____

Signature: _____

APPENDIX III

(2 page excerpt from Bylaw 1824)

THIS CONSOLIDATED BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

TOWN OF COMOX

Drainage Infrastructure Protection Bylaw 1824

SCHEDULE C

Recommended Phased Scheduling for Construction Works
(to be initiated by the Designated Professional Engineer)

| Initial | Construction Activity | Scheduling Sequence |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Construction Access | |
| | Construction entrance, construction routes, equipment parking and individual lot access areas. | First land-disturbing activity. Stabilize bare areas immediately with gravel pads, gravel staging area, street sweeping, and temporary silt fencing or appropriate ground cover as land disturbances take place. |
| | Sediment Traps and Barriers | |
| | Sediment traps, silt fences, and check dams and inlet and outlet protection. | Install principal erosion source controls and sediment traps after construction site is accessed. Install additional temporary traps as needed during grading. |
| | Runoff Control | |
| | Diversions, perimeter ditches or dykes, water bars, outlet protection. | Install key ESC facilities and sediment basins after principal sediment traps and before extensive lot site grading. |
| | Runoff Conveyance | |
| | Stabilize stream-banks (if applicable), setback areas, tree protection, channels, ditches, inlet and outlet protection, temporary slope drains. | If necessary, stabilize stream-banks and setback areas to protect against construction activities. Install additional principal runoff conveyance systems with runoff control measures if necessary. Install remainder of system after grading. |

Land Clearing and Grading

Site preparation - cutting, filling and grading, sediment traps, barriers, diversions, drains, surface roughening.

Begin major clearing and grading after principal sediment and runoff control measures are installed. Clear borrow and disposal areas only as needed. Install additional temporary protection measures as grading progresses. Maintain respect for riparian setback areas, environmentally sensitive areas and ESC facilities.

Initial Construction Activity Scheduling Sequence

Surface Stabilization

Temporary and permanent seeding, mulching, tarping (poly), sodding, rip rap.

Apply temporary or permanent stabilization measures immediately on all disturbed areas (exposed soils) when cutting / filling is delayed or completed within time limits.

Building Construction

Buildings, utilities, paving.

Install any additional necessary erosion and sedimentation control practices as work takes place. Maintain all sediment control facilities daily or after each rain event.

Final Stabilization

Top-soiling, permanent seeding, riprap, landscape boulevard, restoration, or landscaping requirements.

Last construction phase. Stabilize all disturbed areas except for areas of active construction. Remove and stabilize all temporary control measures. Complete all lot surface treatment and landscaping requirements.