

# **Soil Deposit and Removal Regulations and Fees**

District of Highlands

## Local Government Authority

- Established in the context of the Broader Provincial Interest
- Community Charter and Local Government Act give Local Government broad regulatory authority but has limits
- Local Bylaws require Provincial Approval
  - Ministry of Energy & Mines
  - Ministry of Environment
  - Ministry of Community, Sport and Cultural Development

**Regulatory Framework**

- Power to regulate not prohibit
- Exercise those powers in manner recognizing Provincial Authority
- Mines Act
- Environmental Management Act (Contaminated Soil)

## **Regulatory Framework**

- Soil means sand, rock, silt, clay, peat, or any other substance of which land is composed
- Exemptions from Permit for:
  - Less than 10 cubic metres per parcel per year
  - Any work done by or on behalf of the District
  - Public Landfill Operations
  - Necessary for Building Permit
  - Driveway Maintenance
  - If material is relocated within the parcel it is removed from

## **Local Deposit/Removal Regulations**

- Application for Permits between 10 and 500 cubic metres are dealt with at the staff level
- Applications for Permits exceeding 500 cubic metres in quantity are sent for Council consideration to enhance community awareness (This does not impose a higher standard for the approval but rather a higher standard of notice)
  - A Notice Sign must be posted on the property
  - Notice is provided to residents within 100 metres of the parcel in order to address impacts specific to land alteration

## Local Regulations

## On-Site Issues

- Between 10 and 100 cubic metres staff determine application submission requirements
- Detailed application requirements for more than 100 cubic metres include:
  - Detailed Engineered Drawings depicting site conditions proposed slopes of fill or excavation, drainage, water courses, accesses among numerous other requirements

**Application Requirements**

## Off Site Issues

- Schedule
- Traffic Management Plan
- Transportation Routes
- For Deposit Permits information from the BC Site Registry to ascertain whether the soil involved is under provincial jurisdiction and if so that it has been removed and will be deposited in accordance with the Provincial Regulations.

**Application Requirements**

- Buffer zone of the lessor zoning setback or 7 metres
- Not to impact surface water or groundwater
- No damage to adjacent lands
- Not to contravene other Bylaws
- Not to result in use of land inconsistent with Zoning
- Not susceptible to erosion, slipping, landslides slumping or settling
- Restricted activity only undertaken between May1 and October 31
- No work on Sundays or Holidays

## Permit Restrictions



- Permits over 100 cubic metre require engineered sign off on quantities
- District retains right to access and monitor for compliance and suspend or revoke Permit for non-compliance

## Permit Monitoring

- Base Application fee based on quantity of material
- 50 cents per cubic metre Permit Fee
- 50 cents per cubic metre security fee for road damage
- Permit Security fee of \$500.00 plus \$2.00 per cubic metre of material to a maximum of \$10,000 for compliance purposes

## **Fees and Security**

- Bylaw adopted in Late 2012 and a one year review was prescribed to discuss any issues which may have arisen out of the provisions of the Bylaw.

**One year Review**

**??Questions??**