

## City of Maple Ridge

**TO:** Her Worship Mayor Nicole Read  
and Members of Council  
**FROM:** Chief Administrative Officer  
**SUBJECT:** **Environmental Management Strategy Implementation - Soil Deposit Regulation Bylaw (No. 5763 -1999) Review Process Update and Draft Bylaw**

**MEETING DATE:** December 5, 2016  
**FILE NO:**  
**MEETING:** Workshop

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### **EXECUTIVE SUMMARY:**

At the November 24, 2015 Council Meeting, Council directed staff to initiate a review of the Maple Ridge Soil Deposit Regulation Bylaw No. 5763-1999 (the Bylaw). At the July 11, 2016 Council Workshop, staff provided Council with a summary of the challenges that have been identified by residents and staff related to soil deposit activities and provided an outline of a public consultation program to engage residents on updating and enhancing the Soil Deposit Regulation Bylaw. Council endorsed the proposed public consultation process.

The purpose of this report is two-fold:

1. to provide Council with an update on the public consultation process; and,
2. to provide a summary of the Draft Bylaw amendments reflective of the feedback received from residents and local businesses.

The City's current Bylaw identifies how the depositing of soil and fill is to occur in Maple Ridge. It also provides protection for residents, infrastructure and agricultural lands through the requirements for professional studies and reports, through securities, and through enforcement direction (including fines). Over the past 5 years, residents and staff have identified areas of the Bylaw that need to be reviewed, improved and updated.

### **RECOMMENDATION:**

**This report is submitted for information only.**

### **PUBLIC CONSULTATION UPDATE:**

The public consultation process has so far included a Public Open House and a Questionnaire. The Public Open House event was held on September 29, 2016. The Questionnaire was available to residents and local businesses from September 21, 2016 until October 28, 2016.

### **Open House**

The Open House was held on September 29, 2016 from 4:30 pm until 8:00 pm and was attended by 28 people. Residents in attendance had the opportunity to review the information boards and to engage in discussions with staff. Staff documented comments received during the Open House and these comments were added to the Questionnaire results.

### **Questionnaire**

The Questionnaire was available in both hard copy and on the City's website. The hard copies were made available at the Public Open House and at the planning Front Counter at the Municipal Hall. A total of 17 completed Questionnaires have been received; three hard copies and 14 were completed online.

Staff have also received comments on the Bylaw review by email and phone calls.

### **Public Notice**

Notices for the public consultation opportunities included the following:

1. Newspaper ads were run in three newspapers over a three week period to inform residents of the Bylaw review process and public consultation opportunities including the Open House and the Questionnaire.
2. The City's website promoted the Public Open House event and Questionnaire opportunities.
3. An Information Bulletin was available at the Planning Department Front Counter as were copies of the Questionnaire.
4. Emails were sent to Consultants, Engineers, Developers and Builders as a notice of the review process, Open House and Questionnaire.
5. Emails were sent to neighbourhood associations.
6. Verbal notice to residents and local businesses as inquiries, questions and concerns were received from the community.

### **Summary of feedback**

A summary of the Public Openhouse feedback and responses and comments from the Questionnaires are provided below and are organized similar to the format provided in the Questionnaire and information Boards of the Public Open House.

#### **1. Public Notification on Soil Deposit Permit Applications**

Results from the Questionnaire were mixed on notification requirements. Of the 17 responses, 11 agreed and 6 disagreed that public notification was required. Many respondents agreed that neighbours should be notified and some commented that notification should be dependent on the size of the proposed project. One respondent comment stated that the public should have the opportunity to have input on soil deposit permit applications.

## 2. Impacts to Properties

### *Site Contamination*

Most respondents agreed that log books should be required for soil deposit sites and that soil analysis should be required for suspected contaminated material or where log books are incomplete. Respondents are interested in ensuring the material is confirmed to be free of contamination prior to deposit on project sites. One respondent was concerned over false reporting of log books and another was concerned about the safety and oversight of topsoil suppliers.

### *Drainage Impacts (wells, septic, and surface water)*

Respondents agreed that assessments and plans should be required for groundwater, stormwater and floodplain impacts. Some respondents indicated that the size of the project should dictate the level and number of assessments and plans that should be required while another commented that City staff should be able to require assessments only where necessary. One respondent commented that applicants' retained professionals may or may not be credible and that the City should hire third party professionals to undertake this work.

### *Invasive Species*

Respondents were mixed on their view of invasive species management associated with Soil Deposit Permits. Due to the existence of invasive species on many properties across the municipality and that managing invasive species on properties is not a legislated requirement, some respondents questioned whether it would be a fair requirement. One respondent questioned whether soils would require testing for seed as seed can lie dormant in soils for years. Respondents thought managing invasives on the soil permit area after it has been identified was a reasonable expectation in order to limit its spread, but were unsure whether, or how long, monitoring should be required. Some respondents questioned whether a 1 year monitoring period was long enough. One respondent stated that if invasives were observed that remediation should occur followed by cancellation of the permit for a 2 year period.

### *Aesthetics and Public Nuisance*

Respondents were supportive of a permit renewals and renewal fees. Comments indicate that renewals should be considered as the appropriate soils are not necessarily readily available, but that any site changes need to be reviewed prior to renewal. One respondent commented that after a one year period the permit holder should be forced to reapply for another permit. Respondents were mixed on the need for a buffer along property lines but were supportive of identifying a maximum grade change permissible along property boundaries. Several respondents commented that work could occur along property boundaries where changes in elevation occur or where holes or depressions are evident.

### *Agricultural Potential*

Respondents support the need for soil quality assessments and the need for log books. Comments supported protection, proper use and improvement of local farm lands but respondents were mixed on the requirement for farm plans and for the requirement for BC Farm Tax Status for Soil Deposit Permit applications. One respondent commented that not all farms require BC Farm Tax Status to operate or to produce crops or goods for personal use while another commented that farm plans may go beyond soils and therefore may be too onerous. One respondent stated that farm plans and BC Farm Tax Status requirements should be left to the Agricultural Land Commission. Two

comments stated that Professional Agrologists should be required to assess soils and one respondent stated that the City should look to hire an Agrologist for soil permits.

### **3. Road Conditions and Safety**

Respondents support the requirement for road quality assessments, log books, Erosion and Sediment Control Plans and Traffic Management Plans and an increase in Volume Fees. Respondents commented that the project sites should be responsible for road damages and costs. Some commented that the additional costs and plans were excessive and onerous, while others were interested in the road quality assessments to identify impacts. Several comments indicated that project requirements should be based on project size. One comment indicated that costs are onerous on applicants in the Agricultural Land Reserve as duplicate bonds are taken by the Agricultural Land Commission.

### **4. Enforcement**

#### *Soil Deposit Permit Non-Compliance*

Respondents support the requirements for: 1) BCLS surveys for baseline information; for 2) soil analyses for unpermitted or unaccounted for soil material; and, 3) the use of a volume-based security deposit. Comments state that permit requirements should not be onerous on small projects. Some comments state that the Security Deposit should be high enough to encourage compliance while others commented that the Security Deposit should be low enough to allow projects to proceed and to discourage illegal fill activity.

#### *Unpermitted Soil Deposit Activity*

Respondents support: 1) a graduated permit application fee structure; 2) an additional permit fee for unpermitted soil activity; 3) including dispatch companies as finable entities; and, 4) soil analyses by qualified professionals for unpermitted materials and for sites with incomplete log books. The Questionnaire results indicate that respondents were mixed (11 agree to 5 disagree) on the proposed removal of permit exemptions and considering permit fee exemptions. Respondents commented that fees and permit requirements should be relative to the proposed project size, but also that fees should cover staff time. One comment stated that the City should be able to fine all responsible parties. Another comment stated that the City should hire the Qualified Professional for soil analyses, not the permit holder due to the potential for bias.

### **5. General comments**

Additional comments from the Questionnaires and from the Public Open House include:

- i. The bylaw should be clear and enforceable ;*
- ii. Enforcement required and coordination with source of materials;*
- iii. Concerns related to cumulative impacts on urban and rural lots (soil movement, fill farming, soil compaction);*
- iv. How is soil movement being managed on Development/building sites?;*
- v. Concern over growing potential for contaminated materials;*
- vi. Need education and awareness;*
- vii. Need Regional coordination among municipalities;*
- viii. Application process is too time-consuming;*
- ix. Better to do the work and ask forgiveness;*
- x. Do not forward applications to the ALC if the projects are not proven to enhance farming;*

- xi. If the City does not hire an Agrolologist or have proper enforcement or will not properly manage sites, do not approve Soil Deposit sites; and,*
- xii. Need for comprehensive invasive plant control.*

## **6. Feedback conclusions**

Based on the responses to the Questionnaire and the comments received from the Questionnaire and at the Public Open House, it would appear that residents are supportive of greater oversight for permit applications and monitoring for permitted projects; believe that project effort and cost should be relative to the size of the project; and that protection of lands from contamination and the protection of farmland are essential.

### **PROPOSED BYLAW AMENDMENTS:**

A Draft Bylaw has been prepared (Attachment A) by incorporating the feedback that has been received to date from the community, staff and stakeholders. Residents and stakeholders have commented that Soil Deposit Permits need to have better oversight and planning before permits are issued and the Enforcement process needs to be more effective. The Draft Bylaw builds on the current bylaw that was adopted in 1999 and provides a more structured approach to permit applications and aims to provide greater assurances to residents and local businesses that soil deposit projects will be completed without impacts to property, resources or infrastructure.

Draft Amendments to the 1999 Soil Deposit Bylaw include:

1. General updates to definitions, terms and applicable and referenced legislation.
2. The removal of several permit exemptions including building and developments from the need for soil Permits. (Working with Metro Vancouver, one of the main areas where soil movement is not tracked, or well managed, is on building and development sites)
3. Assessments, reports and monitoring are required for all sites including Qualified Professionals for larger projects.
4. Graduated permit requirements (based on volume) including plans and specifications, monitoring, fees and security deposits.
5. Permit fees for Soil Deposit Permits are currently provided in the Soil Deposit Fee Bylaw (5764-1999) and are referenced in the Soil Deposit Regulation Bylaw. These permit fees have been written into the Draft Bylaw. The Soil Deposit Fee Bylaw will need to be repealed as part of this review and bylaw amendment process.

**Summary of Recommended Soil Deposit Bylaw Changes:**

Current Bylaw Section	Current Bylaw Application	Draft Bylaw Application
Exemptions (Section 5)	<ul style="list-style-type: none"> <li>• Volume of soil does not exceed 50 cubic metres (m<sup>3</sup>)</li> <li>• Where fill is placed as component of making topsoil for that property</li> <li>• Soil deposit associated with a building permit</li> <li>• Soil deposit associated with a preliminary subdivision approval</li> <li>• Septic installation</li> <li>• Soil Deposited on Agricultural Land Reserve and exemption under the Soil Conservation Act (ALC Act) has been granted by the ALC and approved by the District.</li> </ul>	<ul style="list-style-type: none"> <li>• Volume of soil does not exceed 15 cubic metres (m<sup>3</sup>)</li> <li>• Deposits for buildings, for subdivisions, for farm use, for Septic fields and for making topsoil, all require Soil Deposit Permits.</li> </ul>
Plans and Specifications (Section 7)	<ul style="list-style-type: none"> <li>• General information from applicant on fill composition, drainage, erosion and sediment control and contoured sketch plan for applications.</li> <li>• BCLS Survey and Engineer Report required for projects: proposing minimum of 1m grade change; in a floodplain; and on a slope exceeding 30% in grade.</li> </ul>	<ul style="list-style-type: none"> <li>• General information now required as formal plans separate from application form</li> <li>• BCLS Survey and Qualified Professional assessments and plans required for all permits depositing 351m<sup>3</sup> of soil or more.</li> <li>• Soil quality assessments and farm plans required for Agricultural lands.</li> <li>• Groundwater Impact Assessments required for sites within 100m of a vulnerable aquifer</li> </ul>
Public Notification (No Section)	<ul style="list-style-type: none"> <li>• Public notification not required</li> </ul>	<ul style="list-style-type: none"> <li>• Letters required for lots within 100m for the deposit of &gt; 350m<sup>3</sup>.</li> <li>• A Sign required for the deposit of &gt; 5,000m<sup>3</sup>.</li> <li>• Information meeting required for the deposit of &gt; 20,000m<sup>3</sup>.</li> </ul>
Permit Application Fees (Fee Bylaw)	<ul style="list-style-type: none"> <li>• \$204 for all permits</li> </ul>	<ul style="list-style-type: none"> <li>• \$50 for permits of 16 – 350m<sup>3</sup></li> <li>• \$350 for permits of 351m<sup>3</sup> to 5,000m<sup>3</sup>.</li> <li>• \$750 for permits of more than 5,000m<sup>3</sup>.</li> </ul>
Volume fees (Fee Bylaw)	<ul style="list-style-type: none"> <li>• \$0.15 and \$0.30 per cubic metre</li> </ul>	<ul style="list-style-type: none"> <li>• \$0.50 per cubic metre</li> </ul>
Refundable Security deposit (Section 9)	<ul style="list-style-type: none"> <li>• \$1,000 per hectare of land where filling occurs</li> <li>• Not required on ALR lands where ALC has taken a security.</li> </ul>	<ul style="list-style-type: none"> <li>• \$2 per cubic metre of soil up to 20,000m<sup>3</sup>; \$1 per cubic metre for each cubic metre above.</li> </ul>
Permit Renewal (No Section)	<ul style="list-style-type: none"> <li>• No fee required</li> </ul>	<ul style="list-style-type: none"> <li>• Fees required based on permit size (\$50, \$175, and \$375 respectively)</li> </ul>
Monitoring (Section 7)	<ul style="list-style-type: none"> <li>• May be required</li> </ul>	<ul style="list-style-type: none"> <li>• Is required for soil quality, soil sources, volume, erosion and sediment control, drainage, trees and invasive vegetation.</li> </ul>

### **Enforcement and Staffing implications**

The administration and enforcement of the bylaw will be the responsibility of the Planning Department's Environmental staff. Implementation of the bylaw will involve a review and inspection mechanism similar to the one already used by the Planning Department for the current soil deposit permit process. The Environmental Technician will review and critique permit applications and conduct site visits to confirm bylaw compliance.

As presented, the Draft Soil Deposit Bylaw is expected to increase the time required to review and process permit applications as more information and more permit applications are expected to be submitted. The increase in permit requirements and removal of some permit exemptions are expected to improve permit and bylaw compliance respectively in the long run and therefore potentially reducing enforcement related processes. The Planning Business Plan includes an incremental package for an Environmental Technician. The new position's primary focus will be on reviewing building permit and development applications. In turn this will free up time for current staff to process soil deposit permit applications. Staff are aware that there will need to be a period of education and awareness required to ensure residents are aware of a new Bylaw. Staff do suggest, however, that soil deposit activity be monitored for one year following adoption of a new Soil Deposit Bylaw and that staff then report back to Council on the effectiveness and impact of the implementation of the bylaw on staff resources and the community.

### **Inter-Departmental Implications and Legal Review**

Staff from Parks, Bylaws, Building, Engineering, Operations and other departments will continue to be included in the consultation process. Any proposed Bylaw amendments and subsequent revisions will require review by the City Solicitor prior to presentation of the Bylaw to Council for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Readings.

### **Inter-Governmental Implications**

#### *Agricultural Land Commission*

The Agricultural Land Commission will be consulted to ensure that the amended Bylaw is in alignment with the *Agricultural Land Commission Act* and Regulations. In addition, Section 46 of the *Agricultural Land Commission Act* notes that Local Governments cannot enact a Bylaw that is inconsistent with the *Agricultural Land Commission Act*. A formal referral will be sent to the Agricultural Land Commission as a component of the Step IV – Council Consideration of Bylaws.

#### *Ministry of Agriculture*

The Ministry of Agriculture will be consulted to ensure that the amended Bylaw supports viable farm practices and protects agricultural lands.

#### *Metro Vancouver*

Metro Vancouver will be consulted as part of an ongoing collaborative effort to protect farm land and in managing soils and the disposal of fill throughout the lower mainland.

## **Soil Deposit Bylaw Review Process**

On July 11, 2016 Council endorsed the Soil Deposit Regulation Bylaw Review Porcess. The Soil Deposit Bylaw review process is currently at the end of Step II with this update on the consultation process to date and the presentation of a Draft Bylaw for Council's review and consideration. The Bylaw Review Process is on schedule to be completed as presented to, and endorsed by, Council. Staff have prepared amendments to the Bylaw reflecting the comments and responses from the community and stakeholders and are seeking comments from Council prior to proceeding to Step III. Staff will present the Draft Bylaw to the community and stakeholders during Step III for review and feedback. In addition to the referrals to government agencies, an update on the Bylaw Review Process and the Draft Soil Deposit Bylaw will be provided to the Maple Ridge Environmental Advisory Committee.

**Table 1. Soil Deposit Regulation Bylaw Review Process**

<p><b>Step I – Council Endorse Review Process</b></p> <ul style="list-style-type: none"> <li>• Council to endorse the Soil Deposit Regulation Bylaw review and consultation process</li> </ul>	<p>July 11, 2016</p> <p>Completed</p>
<p><b>Step II – Open House with Questionnaire</b></p> <ul style="list-style-type: none"> <li>• Consultation with residents, neighbourhood groups, professional engineers, contractors, development consultants, environmental stewardship groups, and environmental and agricultural professionals.</li> <li>• <b>Consultation update to Council and Draft Soil Deposit Bylaw submitted to Council</b></li> </ul>	<p>September through November 2016</p> <p>Completed</p>
<p><b>Step III –Open House with Questionnaire</b></p> <ul style="list-style-type: none"> <li>• Proposed Draft Soil Deposit Bylaw to be provided to residents and circulated to local professional engineers, contractors, development consultants, environmental stewardship groups, and environmental and agricultural professionals.</li> <li>• Consultation update to Council</li> </ul>	<p>December 2016 through February 2017</p>
<p><b>Step IV - Council Consideration of Bylaws for 1st, 2nd, and 3rd reading and Final Adoption</b></p> <ul style="list-style-type: none"> <li>• Formal referrals to Agencies (Agricultural Land Commission, Ministry of Agriculture, Metro Vancouver) and the Environmental Advisory Committee</li> <li>• Amended Soil Deposit Regulation Bylaw</li> <li>• Amended Soil Deposit Fee Bylaw</li> </ul>	<p>1<sup>st</sup> Quarter 2017</p>

### **CONCLUSION:**

A Draft Soil Deposit Regulation Bylaw has been prepared based on the feedback received from the community, stakeholders and staff. This report provides a summary of the consultation process results to date and a summary of the substantial amendments that have been made to the Soil Deposit Regulation Bylaw.



The Bylaw Review Process is on schedule to be completed as proposed to Council. The Review Process will now proceed to Step III which will include the presentation of the Draft Soil Deposit Bylaw to the community and stakeholders for further review and feedback. Following public consultation of the Draft Bylaw, staff will amend the Bylaw accordingly and present it for First, Second, and Third Readings with the Final Adoption of the Soil Deposit Bylaw expected in the first quarter of 2017.

“Original signed by Mike Pym”

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Environmental Technician

“Original signed by Christine Carter”

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**Approved by:** Christine Carter, M.PL, MCIP, RPP  
Director of Planning

“Original signed by Frank Quinn”

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**Approved by:** Frank Quinn, MBA, P. Eng  
GM: Public Works & Development Services

“Original signed by E.C. Swabey”

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**Approved by:** E.C. Swabey  
Chief Administrative Officer

Appendix A: Draft Soil Deposit Regulation Bylaw



City of Maple Ridge

**Maple Ridge Soil Deposit Bylaw**  
**Bylaw No. ##### - 2017**

Effective Date:

City of Maple Ridge

Maple Ridge Soil Deposit Bylaw No. ##### - 2017

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## City of Maple Ridge

**Maple Ridge Soil Deposit Regulation Bylaw No. ##### - 2017**

A bylaw to regulate the deposit of soil and other material in order to protect residents, public infrastructure, agricultural lands and the City's natural resources.

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**WHEREAS** the Council of the City of Maple Ridge deems it expedient to provide for the deposit of **soil** and **other material** within the boundaries of the **City**;

And **WHEREAS** paragraph 8(3) (m) of the Community Charter, SBC 2003, c.26 provides general authority to regulate the **removal** and **deposit** of **soil** and **other material**;

**NOW THEREFORE**, the Council of the City of Maple Ridge enacts as follows:

**Part 1 Citation**

- 1.1 This bylaw may be cited as Maple Ridge Soil Deposit Regulation Bylaw No. ##### - 2017.

**Part 2 Severability**

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsequent, paragraph, subparagraph, clause or phrase.

**Part 3 Previous Bylaw Repeal**

- 3.1 Maple Ridge Soil Deposit Regulation, Bylaw No. 5763, 1999 (adopted on November 23, 1999) is hereby repealed;

**Part 4 Definitions**

- 4.1 In this bylaw:

**“Agent”** means a person that is acting on behalf of a property **owner** and who has written consent from the property **owner** to conduct business with the City.

**“Agricultural Land Reserve”** means the area of land within the City of Maple Ridge designated as agricultural land under the *Agricultural Land Commission Act*, SBC 2002, C.36, as amended.

“**Applicant**” means a property **owner** or that persons authorized **agent**.

“**Application**” means a written request by an **Applicant** for the issuance of a **Permit** in the form attached to this Bylaw as Schedule “A” as amended from time to time.

“**City**” means the City of Maple Ridge.

“**Contractor**” means the **person** or company that is paid to complete construction related work, including the excavation and **removal of soil or other material** from, or the **deposit of soil or other material** on, a privately or publicly owned parcel of land.

“**Deposit or deposition**” means the act of temporarily or permanently placing soil or other material on any lands within the **City** which is transported from another property or location from within or outside of the **City**;

“**Dispatch company or person**” means the person or company that is responsible for organizing the delivery of **soil and other material** to properties and that directs the trucks hauling **soil and other material** to properties for the purpose of deposit;

“**Highway**” includes every highway within the meaning of the Transportation Act and amendments thereto; every road, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles; and every private place or passage way to which the public, for the purpose of parking or servicing of vehicles, has access or is invited; and includes disabled zones and the roadway, shoulder, boulevard, ditch and sidewalk and whatever lands lie between the property lines of the **highway**;

“**Letter of Completion**” means a letter prepared by a permit holder or their Qualified Professional, where a Qualified Professional is required as per Schedule B, confirming the soil deposit project for which a permit has been issued is completed in substantial compliance with that permit;

“**Manager**” means the Manager of Development and Environmental Services for the City of Maple Ridge and his/or her designate;

“**Other material**” means

- a. construction, building or demolition wastes such as masonry rubble, concrete rubble, asphalt, plaster, lumber, metal, shingles, glass, gyproc or any other material derived from building demolition and construction;
- b. hog fuel, sawdust, shavings, edgings, or other wood waste which results from the manufacturing process of lumber or other wood products;
- c. land clearing wood waste, consisting of stumps, brush and logs or any other waste derived from land clearing activities;
- d. waste material derived from commercial, industrial and manufacturing activities.
- e. **Soil** material containing invasive species
- f. **Soil** material containing contaminants from a Schedule 2 activity, as set out in the provincial Contaminated Sites Regulation.

“**Owner**” means the registered owner or owners of a fee simple parcel of land, or the strata corporation of a strata lot.

“**Permit**” means a written authority granted by the **Manager** pursuant to this Bylaw for the **deposit** of **soil** or **other material**.

“**Permit holder**” means the person to whom the authority to carry out the activities or to supervise the carrying out of the activities for **soil deposit** is granted pursuant to a valid **permit**. The permit holder may, or may not be, the **owner**.

“**Person**” means an individual, association, corporation, firm, body politic, co-partnership, or similar organization, and their heirs, executors, successors, and assigns or other legal representatives, whether acting alone or by a servant, agent or employee.

“**Person responsible**” means any person, **permit** applicant, or **permit holder, contractor**, or occupant, leaseholder, or **owner** of a lot who causes, transports, allows, permits, supervises or directs **soil** or **other material** to be **removed** from or **deposited** upon a private or public lot or **highway**.

“**Qualified Professional**” means a person who is registered by a professional association that is regulated by statute; who is in good standing with the professional association; who is qualified in the particular area with respect to which services are being provided; and, who maintains professional errors and omissions liability insurance; including but not limited to a registered Professional Engineer, registered Professional Geoscientist, registered Professional Agrologist.

“**Removal**” or “**remove**” means to take, excavate or extract soil from any property or location from within or outside of the **City**;

“**Soil**” means clay, silt, sand, gravel, cobbles, boulders, peat or other substance of which land is naturally composed, but shall not include other material.

## Part 5 Regulations

### 5.1 Bylaw Application

5.1.1 This Bylaw applies to all land within the City of Maple Ridge

5.1.2 The provisions of this Bylaw do not apply to Crown land, Provincial Highways, or for soil deposit work conducted on municipal lands by municipal staff on behalf of the **City** for the purpose of constructing, landscaping, or maintaining municipal lands or infrastructure.

5.1.3 **Soil deposit** in the **City** may be permitted and shall only occur after a **permit** has been issued by the **Manager**, unless a requirement for a valid **permit** is specifically exempted under Section 6.3 of this Bylaw.

5.1.4 Where an **application** for soil deposition is proposed for land within the **Agricultural Land Reserve** and the **application** requires approval from the Agricultural Land Commission, pursuant to the *Agricultural*

*Land Commission Act*, S.B.C, 2002, c36, as amended, no **permit** shall be issued until:

1. The Agricultural Land Commission has granted approval after receiving and considering a resolution regarding the **application** from the City Council; or,
2. An agreement between the **City** and the Agricultural Land Commission has been entered into pursuant to Section 26 of the *Agricultural Land Commission Act*, S.B.C. 2002, c.36, as amended, and City Council has granted an approval in accordance with the agreement.

5.1.5 The issuance of a **soil deposit permit** from the **City** in no way relieves the **owner** or his/her agents of the responsibility of adhering to all local bylaws of the **City** and provincial and federal legislation including, but not limited, to the *Water Sustainability Act*, the *Environmental Management Act*, the *Wildlife Act*, and the *Fisheries Act*.

5.1.6 Development Permits are required for any **soil deposition** proposed for land designated within a Watercourse Development Permit Area and/or within a Natural Features Development Permit Area as identified in the City of Maple Ridge Official Community Plan No. 6425-2014.

## 5.2 Prohibitions

5.2.1 Subject to Section 5.3 of this Bylaw, no **person** will cause or permit the placement of **soil** or **other material** on any land within the **City** without a valid **permit** issued by the **City**.

5.2.2 No **person** will cause or permit the placement of **soil** or **other material** on any **highway**, right of way, park space (or other municipally owned land) without a valid **permit** issued by the **City**.

## 5.3 Permit Exemptions

Any exemption outlined in Section 5.3 does not apply to the **deposit** of any material within a Natural Features Development Permit Area or Watercourse Protection Development Permit Area as identified in the City of Maple Ridge Official Community Plan No. 6425-2014.:

1. on slopes steeper than five metres horizontal and one metre vertical (20 percent grade);
2. within 30 metres of the crest or toe of slopes steeper than five metres horizontal and one metre vertical (20 percent grade);
3. within 30 metres of any watercourse, ravine, lake, wetland or drainage ditch;

Provided the **deposit** of **soil** is carried out in compliance with the relevant provisions of this Bylaw and subject to the provisions of the *Agricultural Land Commission Act*, a **permit** may not be required:

- 5.3.1 where the **soil** is used for the construction, improvement, repair or maintenance of public works or services undertaken by a governmental authority other than the City of Maple Ridge.
- 5.3.2 where the volume of **soil deposited** on a parcel of land over a period of 12 consecutive months does not exceed 15 cubic metres.
- 5.3.3 where fertilizers, manure, composts, mulches or soil conditioners for agricultural, farming, horticulture, nursery or domestic gardening and landscaping purposes are deposited in accordance with good agricultural practice as defined by the BC Ministry of Agriculture and the Agricultural Land Commission where the land is within the **Agricultural Land Reserve**;
- 5.3.4 where wood chips, hog fuel, bark chips, shavings, trimmings, sawdust and other wood wastes generated by sawmilling and lumber manufacturing are **deposited** and incorporated in to the native soil as per the Agricultural Waste Control Regulation, as amended from time to time, and the *Environmental Management Act*.
  - 1. readily incorporated into the soil, to a maximum depth of 10 cm for agricultural, horticultural, nursery or domestic landscaping purposes, provided the material is placed in accordance with good agricultural practice or sound landscaping practice whichever the case may be;
  - 2. used for animal bedding, or as foundation material for equestrian or construction purposes, provided the maximum area of land over which the material is deposited on any parcel of land will not exceed 25 % of the surficial area of the parcel to a maximum of 4000 square meters and the maximum depth of the material will not exceed 30 cm;
- 5.3.5 where such material is **wood waste**, the product of a processing or manufacturing activity situated on the same or adjoining parcel, a product for the **deposit** of which a **permit** or approval has been issued under the *Environmental Management Act*;
- 5.3.6 where material consists of stumps, brush and tree stockpiles from land clearing operations, the intent of which is to burn under the terms and conditions of Bylaw No. 5535-1997.



## 5.4 Permits

- 5.4.1 Any **person** who proposes to **deposit soil** on a parcel of land will first obtain a **permit** under this Bylaw; where a parcel of land is within the **Agricultural Land Reserve** the **City** may forward the **soil deposit permit application** on to the Agricultural Land Commission, upon approval by the Council, for review and resolution by the Commission.
- 5.4.2 Every **application** for a **permit to deposit soil** must be made by the **owner(s)** of the land or his/her **agent**;
- 5.4.3 Every **application** for a **permit** pursuant to this bylaw shall:
1. be made in writing to the **Manager**;
  2. include a completed and signed permit **application** form (Schedule A);
  3. include all applicable reports, plans and specifications (Schedule B);
  4. be accompanied by the applicable permit application fees (Schedule C);
  5. be accompanied by the applicable soil deposit volume fee (Schedule C); and,
  6. be accompanied by the applicable refundable security deposit (Schedule C).
- 5.4.4 Every **permit application** for the **deposit** of more than 350 cubic metres will require public notification as outlined in Schedule D of this Bylaw.
- 5.4.5 The **Manager** may refer any **application** for a **permit** to the Engineering Department, Public Works, Building Department, or consultants for comments and advice. The **applicant** may be required to provide better and more detailed information to supplement the **application**. Where further information is required by the **Manager**, the **application** will be deemed incomplete until the information is provided;
- 5.4.6 A **permit application** that has remained idle, without alteration or progression to completion, for more than 6 months will become null and void. The **permit application** fee will be forfeited. Soil deposit volume fees and refundable securities that have been paid under the **application** will be refunded. Continuance of the **application** process will require the submission of a new **permit application** and all applicable fees and securities.
- 5.4.7 A **permit** issued under this Bylaw is valid for a period of 12 months from the date of issuance and is non-transferable;

- 5.4.8 A **permit** shall not be issued if the proposed **deposit** of **soil** will:
1. endanger or otherwise adversely affect any adjacent land, structure, road, or right-of-way; or,
  2. foul, obstruct, impede or otherwise adversely affect any stream, creek, waterway, watercourse, groundwater aquifer, waterworks, ditch, drain, sewer or other established drainage facility unless the owner holds a permit to do so under the *Water Sustainability Act* and *Fisheries Act* and amendments thereto;
- 5.4.9 An **application** for the **deposit** of **soil** volume greater than 20,000 cubic metres will be referred to City Council for review and approval.
- 5.4.10 Every **permit holder** shall keep a daily record of all soil material (or other material) that is deposited on the permit site. The record must contain the following information:
1. the date, time and origin of each delivery of soil
  2. the contact information (name and number) for each project site or property where the soil originated from;
  3. total quantity of soil deposited;
  4. the company that delivered the soil and the name of the truck driver;
  5. Copies of receipts from source locations
  6. Copies of receipts from the permit site
- 5.4.11 Soil deposit records shall be submitted to the City every three months following the date of issuance of the Soil Deposit Permit;
- 5.4.12 The final soil deposit record is to be submitted within 5 business days following the earliest of either the expiration of the soil deposit permit or the completion of the soil deposit work.
- 5.4.13 Every permit holder shall, no later than twenty-four (24) hours after a request for review of the soil deposit record, provide a complete record of soil deposit activities on the permit site to the **Manager**;
- 5.4.14 Where the information in the submitted soil deposit record is incomplete or is determined to be false, the **permit** will be suspended and the **permit holder**, agent and/or land **owner** shall undertake one or more of the following measures, as determined by the **Manager**, to renew work under the **permit**:
1. a soil quality assessment, including laboratory analysis for contamination, for entire **soil deposit** footprint completed by a **Qualified Professional**;
  2. complete the soil deposit record;

3. correct the false soil deposit record;
4. where contaminated material has been detected all contaminated material will be removed to an approved contaminated sites treatment facility or approved site as directed by a **Qualified Professional** and approved by the City; and,
5. agree to submit weekly soil deposit records for all subsequent works under the **permit**.

#### 5.5 Permit Fees

- 5.5.1 An **application** for a **permit** shall be accompanied by the applicable fees as outlined in Schedule C;

#### 5.6 Security Deposits

A security for the full and proper compliance with the provisions of the Bylaw and the performance of all terms and conditions expressed in the **permit** will be required.

- 5.6.1 The **applicant** shall provide a cash deposit or irrevocable letter of credit drawn upon a chartered bank, in a form acceptable to the **City** and in the amount specified in Schedule C of this Bylaw prior to the issuance of a **permit**;
- 5.6.2 The security shall be maintained in full force and effect throughout the **permit** period plus a period of One Hundred & Twenty (120) days following expiration of the **permit**. If proper compliance with the provisions of the Bylaw is not met within Ninety (90) days following the expiration of the **permit**, the security will be cashed and held by the **City** until compliance is met or use the cash to complete the work. If the cash is insufficient for the **City** to complete the work the **applicant** will pay any deficiency to the **City** on demand;
- 5.6.3 If the **applicant** complies with the provisions of the Bylaw and meets all the terms and conditions of the **permit** the **City** will promptly return the deposit to the **applicant**. If any letter of credit will expire prior to the **applicant** complying with the provisions of the **permit**, the **applicant** will deliver to the **City**, at least 30 days prior to its expiry, a replacement letter of credit on like terms. If the **applicant** fails to provide a replacement letter of credit the **City** will draw on the original letter of credit prior to expiration and will hold cash until a replacement letter of credit is provided or the work is successfully completed whichever occurs first;
- 5.6.4 Refundable security deposits will only be released by the City once a Letter of Completion has been received by the City that clearly provides the following information:

1. Confirmation that all works as described in the plans submitted as part of the permit application have been completed as per the submitted plans under the approved permit;
2. BCLS survey showing the final grades and elevations for **permits** that are issued for the **deposit** of more than 350m<sup>3</sup> of **soil** and/or **other material**;
3. The letter is to be prepared and sealed by a Qualified Professional for permits that are issued for the **deposit** of more than 350m<sup>3</sup> of **soil** and/or **other material**;

#### 5.7 Permit Issuance

- 5.7.1 Every **permit** issued will be deemed to incorporate the plans, specifications, documents and information in the **application** as approved and will be incorporated into the terms and conditions of the **permit**. A **permit** will be substantially in the form of Schedule E attached to this bylaw;
- 5.7.2 No **application** for **soil deposit** will be complete unless all applicable **soil deposit permit** fees and refundable securities are paid pursuant to Schedule C of this Bylaw;

#### 5.8 Permit Posting

- 5.8.1 Every permit holder shall post a copy of the permit at the entrance of the permitted property in a location visible to the adjacent road right-of-way.

#### 5.9 Refusal of a Permit

- 5.9.1 An **application** for a **Soil Deposit Permit** may be refused by the **Manager** in any specific case, provided that:
  1. the **application** shall not be unreasonably refused; and,
  2. the **Manager** shall give written reasons for the refusal.
- 5.9.2 The **owner** who is subject to a decision of the **Manager** to refuse a **permit**, is entitled to appeal to Council to have the decision reconsidered. An **application** for reconsideration must be made in writing to the **City** Clerk within 30 days from the date of refusal by the **Manager**. There is no fee for an appeal application for reconsideration.

#### 5.10 Permit Renewal

- 5.10.1 A request for a **permit** renewal must be made in writing to the **Manager** within 30 days of the expiration date of an approved **permit**.

- 5.10.2 There will be no obligation upon the **City** to renew any **permit**.
- 5.10.3 If an **applicant** applies for a renewal of a **soil deposit permit**, the **Manager** may issue the renewal if all applicable reports, plans and specifications for the **soil deposit** area are updated as necessary to identify any material changes to site conditions and to demonstrate compliance with current bylaws and regulations;
- 5.10.4 No **soil deposit permit** will be renewed unless:
1. a **soil deposit permit** renewal fee is paid pursuant to permit fees outlined in Schedule C of this Bylaw;
  2. reports are submitted from all **Qualified Professionals** responsible for the **soil deposit** project providing an update on site conditions and **permit** compliance;
  3. all soil deposit records are up to date and complete; and,
  4. any and all infractions under this Bylaw and related Soil Deposit **Permit** are remedied to the satisfaction of the **City**.

#### 5.11 Insurance

- 5.11.1 Applicants for soil deposit where the volume proposed is greater than 15 cubic metres are required to carry comprehensive general liability coverage in the amount of \$5,000,000 including liability for bodily injury or death and property damage for the duration of the work. The amount of insurance may be reduced to \$1,000,000 if the volume of soil to be deposited is not more than 350 cubic metres. Insurance may be waived by the **Manager** when the **City** is the responsible party completing the soil deposit activity.

#### 5.12 Soil Deposit Requirements

**Soil deposit** activities will at all times be conducted in accordance with the following requirements.

- 5.12.1 The slope of any part of an exposed face of any deposited **soil** will not be greater than the angle of repose necessary for stability of the **soil**. Where that slope face is within 10 meters of a property boundary the maximum slope grade will be 4:1 (4 horizontal metres to 1 vertical metre).
- 5.12.2 The **deposited soil** will be graded in such a manner that positive gravity drainage is assured, and a drainage system of sufficient capacity and extent will be installed to ensure that runoff to any adjacent lands will be no greater or lesser than run-off prior to the commencement of the soil deposit project.

- 5.12.3 **Soil** must not be **deposited** over any dedicated public right-of-way or registered easement without first obtaining the written approval of the authority having jurisdiction over the right-of-way or easement, and a copy of the written approval has been provided to the **Manager**.
- 5.12.4 Where the natural subsoil is compressible, **soil** shall not be **deposited** in the immediate vicinity of any utilities or services which might be damaged by settlement of the **soil** without first obtaining written approval from the authority having jurisdiction over the right-of-way or easement, and a copy of the written approval has been provided to the General Manager, Public Works and Development Services.
- 5.12.5 **Soil** must not be **deposited** over wells or private sewage disposal systems.
- 5.12.6 All drainage facilities and natural watercourses must be kept free of silt, clay, sand, rubble, debris, gravel, and all **other material** originating from the **soil deposit** project, which might cause obstruction to drainage facilities and natural watercourses.
- 5.12.7 All damage to **City** or privately owned drainage facilities, natural watercourses, roads, lanes, or other **City** or privately owned properties or facilities, resulting from the **soil deposit** project must be promptly and properly repaired to the complete satisfaction of the **City**.
- 5.12.8 Dirt, mud, debris etc. resulting from a **soil deposit** project which is tracked onto public roads must be removed on a daily basis or as directed by the **Manager**.
- 5.12.9 Should the **permit holder** fail to remove the dirt, mud, debris etc. from public roads, the **City** may direct others to do so and the cost will be the responsibility of the **permit holder**. The **permit holder** must remit all payments within 14 days of receiving the invoice(s). If the **permit holder** fails to remit all payments within the specified time frame, the **City** may draw on all or part of the irrevocable letter of credit to cover the cost of the work and/or suspend the **permit** until all bills have been paid, or both.
- 5.12.10 The **deposited soil** and related activities must not encroach upon, undermine, damage or endanger any adjacent property or any setbacks prescribed in the **permit**.
- 5.12.11 Stockpiles of **soil** which are part of a **soil deposit** project must be located and maintained in accordance with the erosion and sediment control plan that is prepared for, and that comprises a part of, a valid **permit**.

- 5.12.12 Hauling of **soil** material and onsite **soil deposit** activities involving heavy equipment operation are prohibited on any Sunday or Statutory Holiday and are restricted to the hours of 7 a.m. to 9 p.m. any other day of the week as per the Maple Ridge Noise Control Bylaw (5122-1994).
- 5.12.13 All work authorized by a Permit shall be conducted by the Owner or by contractor that has a valid business license to work within the City of Maple Ridge.

#### 5.13 Rectification Provisions

Upon completion of **soil deposition**, the **permit holder** will forthwith:

- 5.13.1 Leave all surfaces of the **soil deposit** area with a slope not greater than the grade shown on the plans filed pursuant to Section 5.4.3 and as specified in the **permit**;
- 5.13.2 Cover all surfaces of the **soil deposit** area with an established growth of grass or other suitable and approved ground cover for erosion control as specified in the submitted Erosion and Sediment Control Plan;
- 5.13.3 Should the necessary rectification of the property not be completed within a period of ninety (90) days following expiration of the **permit**, all letters of credit held as security for the project will be cashed and all monies will be held by the **City** until the completion of all required works; and,
- 5.13.4 Should the **permit holder** not complete all the rectification work as required under the permit to the satisfaction of the **City**, the **City** may enter the lands and carry out all the work necessary to complete the required rectification.
- 5.13.5 Where the refundable security is not enough to cover the cost borne by the **City** to complete the rectification work, the **City** shall recover all costs from the **permit holder** and/or property **owner**.

#### 5.14 Administration and Enforcement

- 5.14.1 This Bylaw will be administered by the **Manager**.
- 5.14.2 The **Manager**, the Bylaw Enforcement Officer and all **City** employees under their direction will have the right at all reasonable hours to enter upon and inspect any land or premises in the **City** to determine if the provisions of the Bylaw are being met.

- 5.14.3 In the event of a breach of any of the provisions of this Bylaw, or a **permit** issued under this Bylaw, the **Manager** or the Bylaw Enforcement Officer will issue to:
1. the **owner** of the lands upon which the **soil** or **other material** is being **deposited** or,
  2. the **applicant** and/or **permit** holder or,
  3. the **person responsible** for the **soil deposit** work on site or,
  4. the **person**, land **owner**, or contractor responsible for having the **soil** or **other material** removed from the source property or,
  5. the person and/or trucking company responsible for **depositing** the **soil** or **other material** or,
  6. the **dispatch company or person** (dispatcher) responsible for directing and coordinating the delivery of the **soil** or **other material** to the site
- any or all a notice of such breach. Any person receiving a notice of breach will forthwith cease and desist the deposition of **soil** or **other material**, or permitting the **deposition** of **soil** or **other material** upon the lands until the breach is remedied.
- 5.14.4 In the event that the deposition of **soil** or **other material** has occurred on a parcel of land without a valid **permit**, or approval from the **Manager**, and a notice of breach has been received, all work on the property must cease and, where a **permit** is required, a **permit application** must be submitted within 14 days with payment of all applicable fees, including an enforcement **permit** fee, pursuant to Section 5.5 and Schedule C of this Bylaw.
- 5.14.5 All **soil** or **other material** is to be removed within 14 days of receiving a notice of breach for unpermitted **deposit** of **soil** or **other material** unless a **permit application** has been submitted to the **City**.
- 5.14.6 If in the event of a breach of the provisions of this Bylaw or works in contravention of an approved **permit** the **Manager** or Bylaw Enforcement Officer may post a stop work notice anywhere on the parcel where the breach has occurred. Upon the posting of such notice all construction or **soil deposit** related works shall cease until the contravention has been remedied, and the **Manager** has authorized them to recommence.
- 5.14.7 In the event that any **person**, having received a stop work notice, fails to remedy the breach within the time frame specified by the **City**, or otherwise proceed to breach any provisions of the Bylaw and/or **permit**, the **permit** will become null and void and all monies collected with respect to the **permit** will be forfeited. Once the breach has been corrected, it will then be necessary for the **permit holder** to apply for



and obtain a new **permit** and all fees set out in the Bylaw will be due and payable as a condition of **permit** issuance.

- 5.14.8 The **City** shall not issue subsequent **Soil Deposit Permits** to any **person** who has had a **permit** revoked, unless and until such **person**, in addition to any other security required pursuant to this Bylaw, posts an additional security up to a maximum of \$100,000 as determined necessary by the **City**.
- 5.14.9 Where any **permit holder** neglects and/or refuses to carry out the works in accordance with the **permit**, then in accordance with the provisions of this Bylaw and/or conditions of said **permit**, it will be considered an offence against the Bylaw and every day that the land and/or the required works remain in a condition contrary to the provisions of this Bylaw and/or terms and conditions of the **permit**, a new offence is committed and the **permit** holder will be liable to the penalty hereinafter provided.

## Part 6 Offence and Penalty

- 6.1 Every **person** who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this bylaw, is guilty of an offence and is liable to the penalties imposed under this bylaw, and is guilty of a separate offence each day that a violation continues to exist.
- 6.2 Every **person** who commits an offence is liable on summary conviction to a fine or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the *Offence Act*.

## Schedules

- Schedule A – Permit Application Form
- Schedule B – Plans and Specifications
- Schedule C – Permit Fees and Refundable Security Deposits
- Schedule D – Public Notification
- Schedule E – Soil Deposit Permit Form

READ A FIRST TIME on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

ADOPTED by the Council on [Date]

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**PRESIDING MEMBER**

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**CORPORATE OFFICER**

## Schedule A: Permit Application Form

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### 1. Applicant Information:

Full name(s):

Address:

Postal Code:

Home Phone:

Cell Phone:

Email:

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### 2. Property Owner information (if different than applicant):

Full name(s):

Address:

Postal Code:

Home Phone:

Email:

(A consent form signed by the property owner must accompany this application if the applicant and owner are not the same)

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### 3. Company or Contractor information (if the owner is not the person completing the onsite work):

Full name (s) of the Contractor and company:

Address:

Postal Code:

Office Phone:

Cell Phone:

Email:

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### 4. Property proposed for Soil Deposit:

Street Address: \_\_\_\_\_

Or Legal Description: \_\_\_\_\_

### 5. Purpose of the proposed Soil Deposit:

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### 6. Soil type(s) to be deposited:

### 7. Surface area of the proposed Soil Deposit area:

8. **Volume of Soil** to be deposited (in cubic metres):

9. The following plans are required to complete this Soil Deposit Permit application as per Section 6.4.3 and Schedule B of the Maple Ridge Soil Deposit Regulation Bylaw (#### - 2017):

- BCLS land survey
- Site plans
- Stormwater Management Plan
- Erosion and Sediment Control Plan
- Tree Impact Assessment and Management Plan
- Invasive Species Assessment and Management Plan
- Geotechnical Assessment
- Soil Quality Assessment
- Agricultural Farm Plan
- Road Quality Assessment
- Floodplain Impact Assessment
- Groundwater Assessment
- Certification of Professional Engineer
- Government applications and approvals (provincial, federal)

FEE: Applications for a permit shall be accompanied by the prescribed fees and refundable security deposit as set out in Section 6.4.3 and Schedule C of the Maple Ridge Soil Deposit Regulation Bylaw (#### - 2017)

**I HEREBY DECLARE** that the above information is correct, that it is my intention to place fill on the property in accordance with the attached plans and specifications and information, that I am aware of the provisions of the Maple Ridge Soil Deposit Regulation By-law No. ####-2017 and that I will abide by all applicable provisions of said by-law and such terms and conditions as may form part of any Soil Deposit Permit issued pursuant to this Application.

I further agree to indemnify and hold harmless the City of Maple Ridge, its agents, employees or officers from and against any claims, demands, losses, costs, damages, actions, suits or proceedings whatsoever by whomsoever brought against the City, its agents, employees or officers by reason of the City granting the owner and contractor named herein the Soil Deposit Permit to conduct the work in accordance with the plans submitted and described in this application.

Name of applicant(s): \_\_\_\_\_

Signature of Applicant(s): \_\_\_\_\_

Date: \_\_\_\_\_

## **Schedule B: Plans and Specifications**

1. All Soil Deposit Permit applications require the following:
  - a. Address and personal contact information:
    - i. the legal description and civic address of the land on which fill is to be placed;
    - ii. the legal description and civic address of the land where the fill originates;
    - iii. the name and the address of the person applying for the permit;
    - iv. the name, address and telephone/fax numbers of the registered owner(s) of the land on which the fill is to be placed. Where there is more than one registered owner, the names, addresses and telephone/fax numbers of ALL registered owners must be provided.
  - b. The soils assessment and soil deposit plan shall include:
    - i. the composition of the proposed soil;
    - ii. the proposed method of placing the soil;
    - iii. the exact location and depths where the fill is to be placed, defined by reference to any existing buildings, structures, improvements, and parcel boundaries all of which must be shown as a dimensioned contour sketch plan in metric units;
    - iv. the proposed volume of fill including calculations, cross-sections and other pertinent information used in calculating volume; and,
    - v. the dates proposed for commencement and completion of the soil deposit.
  - c. Vegetation assessments and management plans:
    - i. Tree assessment and management plan to ensure trees on the property and on neighbouring properties will not be impacted by the soil deposit activity and the identification of species and location of significant trees;
    - ii. Identification and location of significant trees, as defined by the City of Maple Ridge Tree Management and Protection Bylaw (#7133-2015) on the property and within 5m of the property boundaries; and,
    - iii. Invasive species, including noxious weeds, assessment and management plan to ensure that additional problem species are not transferred to or from the property, and to ensure that the extent of the species is not spread across the property as a result of any soil deposit activity.
  - d. Safety considerations for the Soil Deposit Project:
    - i. measures proposed to prevent personal injury or property damage resulting from filling; and,

- ii. a **Traffic Management Plan** that includes:
  - the proposed routes to be taken by vehicles transporting soil to the land;
  - vehicle parking or staging locations on and off site;
  - the measures proposed to prevent safety concerns along transportation routes including traffic management personnel and signs; and,
  - current and proposed access on the property.
  
- e. Protection of drainages and infrastructure:
  - i. A site plan that includes the location of all watercourses, waterworks, wells, ditches, drains, sewers, septic fields, catch basins, culverts, manholes, rights-of-way, public utilities and public works, and private structures on adjacent land parcels within 30 meters of the boundaries of the parcel on which soil is to be placed, and the measures to protect them;
  
  - ii. an **Erosion and Sediment Control plan** that includes:
    - the measures proposed to control erosion and sedimentation;
    - the measures proposed to minimize or prevent tracking of soil or other material onto municipal streets and roads and measures for cleaning the streets and roads abutting the parcel on which soil is to be placed; and,
    - the reclamation measures proposed to stabilize, landscape, and restore the land upon completion of filling.
  
  - iii. a **Stormwater Management Plan** that includes:
    - identifies current drainage features, wells, watercourses, septic systems and contours of the land;
    - identifies the proposed drainage systems during the proposed work and how existing drainage features, wells, septic systems will be protected;
    - identifies the final contours of the property and the final drainage features; and,
    - certifies that adjoining properties will not be subject to increased flooding caused directly by stormwater runoff from the soil deposit site.

- f. copies of all certificates, permits and approvals, as may be required by provincial and/or federal government agencies as required under legislation including, but not limited to, the *Water Act*, *Environmental Management Act*, *Wildlife Act*, and *Fisheries Act* and amendments thereto or any other authority having jurisdiction;
  - g. A **Watercourse Protection Development Permit** application and applicable supporting information and fees shall be submitted for any work that is proposed within 50m of a watercourse;
  - h. A **Natural Features Development Permit** application and applicable supporting information and fees shall be submitted for any work proposed on slopes, or within 30m of slopes, greater than 15% gradient, or for work proposed within a floodplain; and,
  - i. any and all other plans, reports, assessments and approvals by other agencies as deemed necessary by the Manager of Development and Environmental Services.
2. Applications for soil deposit permits for soil volumes greater than 350 cubic metres will include the following plans and specifications:
- a. all plans and assessments completed pursuant to Schedule B 1. are to be completed by Qualified Professionals;
  - b. **BCLS survey** of the property that includes:
    - i. location of all structures and private infrastructure on the property;
    - ii. location of all public infrastructure within 20m of the property;
    - iii. location of all watercourses, drainages, septic systems and wells on the property and within 30m of the property boundary;
    - iv. contour plans to a scale not smaller than one thousand to one (1000:1), showing at 0.5 meter intervals the elevations as they exist and showing 0.5 meter intervals the proposed elevations of the land after the deposit of soil;
    - v. current access to the property; and,
    - vi. location of trees within 10m of the proposed soil deposit project area, including significant trees (as defined by the City of Maple Ridge Tree Management and Protection Bylaw (#7133-2015)).
  - c. the City may require a **Road Quality Assessment** of the roads identified in the Traffic Management Plan prior to the approval of a soil deposit permit.

3. Applications for soil deposit permits where the proposed soil deposit is for agriculturally zoned lands or is for the improvement of the agricultural potential or farm use of a property will require the following plans and specifications:
  - a. An **Agricultural Farm Use Plan**; and,
  - b. A **soil assessment** and report completed by a Qualified Professional Agrologist that includes:
    - the soil characteristics of the proposed soil deposit site;
    - the soil characteristics of the proposed soil source site;
    - the benefits that the proposed soil deposit will provide for agricultural productivity and use; and;
    - any limitations, conditions or recommendations to ensure agricultural integrity is maintained and improved.
  
4. Applications for soil deposit permits where proposed soil deposit depths are to exceed 1m will require the following plans and specifications:
  - a. a report prepared by a Qualified Professional Geotechnical Engineer that certifies:
    - i. the proposed volume of soil including calculations, cross-sections and other engineering data and pertinent information used in calculating volume;
    - ii. that there will be no more settling or subsidence of land, a building or a structure forming any part of the premises or adjoining property than prior to the soil deposition;
    - iii. that the placement of soil and resulting settlement or subsidence will not prevent any use permitted under the City of Maple Ridge Zoning Bylaw No. 3510-1985;
    - iv. that adjoining properties will not be subject to increased flooding caused directly by stormwater runoff from the soil deposit site; and,
  
5. Applications for soil deposit permits for properties or lands located within a floodplain, pursuant to Section 910 of the Municipal Act, will require the following plans and specifications:
  - a. a report prepared by a qualified professional engineer in **hydrology and/or hydrogeology** that certifies that adjoining properties and infrastructure will not be subject to increased flooding and hydraulic impacts caused directly by:
    - i. an increase in floodwater due to the reduced absorption capacity of the property due to fill activity;
    - ii. a reduction in flood capacity of the general area; and,



- iii. by the blockage or redirection of floodplain flow pattern.
6. Applications for soil deposit permits for properties or lands located within 100m of a provincially designated vulnerable aquifer will require the following plans and specifications:
- a. a **Groundwater Impact Assessment** completed by a Qualified Professional.

## **Schedule C: Permit Fees and Refundable Security Deposits**

### **1. Permit Application fee:**

- a. \$50.00 for a Soil Deposit Permit application for the deposit of up to 350 cubic metres of soil material;
- b. \$350.00 for a Soil Deposit Permit application for the deposit of 351 to 5,000 cubic metres of soil material; and,
- c. \$750.00 for a Soil Deposit Permit application for the deposit of more than 5,000 cubic metres of soil material.

### **2. Volume fee** in the amount of \$0.50 per cubic metre;

### **3. Refundable Security:**

- a. \$2.00 per cubic metre for proposed volume of material up to 20,000 cubic metres of soil material to be deposited;
- b. \$1.00 per cubic metre for each proposed cubic metre over 20,000 cubic metres to be deposited; and,
- c. \$500.00 as a minimum soil deposit security.

### **4. An application for a permit renewal shall be accompanied by the applicable **Permit Renewal Fee:****

- a. \$50.00 for a Soil Deposit Permit for the deposit of up to 350 cubic metres of soil material;
- b. \$175.00 for a Soil Deposit Permit for the deposit of 351 to 5,000 cubic metres of soil material; and,
- c. \$375.00 for a Soil Deposit Permit for the deposit of more than 5,000 cubic metres of soil material.

### **5. Enforcement Permit Fee:**

- a. \$250.00 for a soil deposit permit application following a Soil Deposit Bylaw infraction, in addition to the permit application fee.

## Schedule D: Public Notification

1. For permit applications for the **deposit of up to 350 cubic metres** of soil and/or other material:
  - a. Public notification may be required by the **Manager**.
2. For permit applications for the **deposit of 351 to 5,000 cubic metres** of soil and/or other material public notification will consist of:
  - a. A letter to all property owners of parcels within 100m of the proposed soil deposit site.
3. For permit applications for the **deposit of more than 5,000 cubic metres** of soil and/or other material public notification will consist of:
  - a. A letter to all property owners of parcels within 100m of the proposed soil deposit site.
  - b. The posting of a sign in the form provided below.
4. For permit applications for the **deposit of more than 20,000 cubic metres** of soil and/or other material public notification will consist of:
  - a. Soil Deposit Information Meeting in similar format to a Development Information Meeting as per Policy 6.20.
5. For permit applications that could have a significant impact on the character of the surrounding area public notification will consist of any of the following:
  - a. A letter to all property owners of parcels within 100m of the proposed soil deposit site.
  - b. The posting of a sign in the form provided.
  - c. Soil Deposit Information Meeting in similar format to a Development Information Meeting as per Policy 6.20.

## Public Notification: Soil Deposit Information Letters

The applicant shall be responsible for all notification of the Soil Deposit Project. The applicant must mail or otherwise deliver a Soil Deposit Information letter to all property owners and residents within 100 metres of the proposed soil deposit site and to the Planning Department as soon as possible following the submission of a Soil Deposit Permit application and prior to an application review by City Staff. The Planning Department will provide the applicant with a list of mailing addresses for all property owners and residents. The letter must contain the following project specific information:

- a. The application number;
- b. The property address(es) of the proposed soil deposit;
- c. The volume of soil proposed for deposit;
- d. A map showing the location of the soil deposit site (note: not the location of the meeting);
- e. A sketch of the proposed soil deposit area;
- f. The purpose of the application; and,
- g. An invitation to obtain information from the applicant, including contact information and the Planning Department's contact information.

# Public Notification: Soil Deposit Information Sign

Please note that all text must be approved by the Planning Department prior to construction of the sign. All text is Helvetica and all colour must be black. The sign background is white. Sign dimensions are to be 2.4 m (h) x 1.2 m (v). The inset Map is to be 0.6m (h) x 0.6 m (v).

SOIL DEPOSIT PERMIT APPLICATION

No. 2016-001-SP 10 cm

Address for proposed soil deposit: 12345 100 Street

Volume of Soil for Deposit: 1234 cubic metres

Applicant: John Smith 6.5cm  
604-123-4567

Planning Department  
604 467 7341  
www.mapleridge.ca

SUBJECT MAP

- Subject parcel shaded
- North arrow
- Adjoining roads and parcels
- Road names and addresses in bold

See below for the information to be added to this area as required

This soil deposit permit application will be presented at a Soil Deposit Information Meeting at \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ pm

Install on sign min. 10 days before information meeting  
BACKGROUND COLOUR-OLYMPIC BLUE

This soil deposit permit application will be presented to Council in the Council Chambers at the Municipal Hall on \_\_\_\_\_ at \_\_\_\_\_ am/pm

Install on sign min. 10 days before presentation to City Council  
BACKGROUND COLOUR-TOMATO RED

4 cm

## Public Notification: Soil Permit Information Meetings

- 1) An applicant shall be required to hold a Soil Deposit Information Meeting when an application involves the following:
  - a) The deposit more than **20,000 cubic metres**; or
  - b) any deposit, where in the opinion of the Director of Planning, the development could have a significant impact on the character of the surrounding area.
- 2) The meeting is the responsibility of the applicant to host and all costs related to the meeting are to be assumed by the applicant. The arrangement for and provision of facilities for the Soil Deposit Information Meeting are the responsibility of the applicant.
- 3) A fee may be charged by the City of Maple Ridge to cover the cost of staff time, as set out in the current *Development Application Fee Bylaw No. 6592-2008*, should attendance as an observer be required, at the discretion of the Director of Planning.
- 4) Applicants will be required to discuss the timing and location of the Soil Deposit Information Meeting with the Planning Department and agree upon the appropriate scheduling of the meeting. The meeting should be scheduled at a time that ensures adequate opportunity for the public to attend and time to provide feedback about the project (not less than two hours in length). The location of the meeting should be in close proximity to the project site and should be large enough to accommodate the anticipated turnout. Appropriate venues may include community halls, schools or churches, but do not include private homes, or the applicant's office. An applicant who holds a Soil Deposit Information Meeting without having reached agreement on the time and place of the meeting with the Planning Department may be required to re-schedule another meeting at their cost, at an agreed upon time and location.
- 5) The following materials must be made available at the Soil Deposit Information Meeting:
  - i. Site Plan, showing:
    - all areas of proposed disturbance
    - proposed tree removals
    - fill depths on 0.5m contours
    - stormwater drainages
    - existing infrastructure or natural features
  - ii. Supporting professional reports;
    - i. Submission information as outlined in Schedules F, G, and J of the *Development Procedures Bylaw No. 5879 – 1999*, if the application is subject to a Watercourse Protection or Natural Features; and
    - ii. Meeting records:
      - Sign-in sheet to record number of attendees\*;
      - Comment sheets for attendees\*; and

- Copies of any emails or correspondence that may have been submitted.

The above listed information must be reviewed by the Planning Department prior to presentation at the Development Information Meeting. Records from the meeting are to be kept by the applicant and forwarded to the City within three days of the meeting.

\*Sign-in and comment sheets must include the following disclaimer:

*“Please note that all comment and attendance sheets produced as a result of this Development Information Meeting will be provided to the City of Maple Ridge and form part of the public record that is available for viewing by the public upon request.”*

- 6) The applicant shall be responsible for all notification of the Soil Deposit Information Meeting. The applicant must mail or otherwise deliver a Soil Deposit Information Meeting letter to all property owners and residents within 100 metres of the development site and to the Planning Department at least 10 days in advance of the meeting date. The Planning Department will provide the applicant with a list of mailing labels for all property owners and residents. The letter must contain the following project specific information:
  - h. The application number;
  - i. The property address(es) of the proposed soil deposit;
  - j. The volume of soil proposed for deposit;
  - k. A map showing the location of the soil deposit site (note: not the location of the meeting);
  - l. The purpose of the application;
  - m. The date, place, start and end times of the Soil Deposit Information Meeting; and
  - n. An invitation to obtain information from the applicant, including contact information and the Planning Department’s contact information.
- 7) A Soil Deposit Information Meeting advertisement must be published in at least two consecutive issues of a local newspaper, the last publication to appear not less than three and not more than ten days before the meeting. The notice must be a minimum of three columns width, or 9 cm by 12 cm (3.54 in. by 4.72 in.) in size. The advertisement must include the project specific information listed in 6) a) through f).
- 8) A notification decal shall be posted on the Soil Deposit site’s sign(s) a minimum of 10 days prior to the meeting in accordance with the Council Policy 6.21 – *Development Sign Policy*.

- 9) The applicant shall be responsible for the format of the meeting and the keeping of a detailed record of the meeting. Within three days of the Soil Deposit Information Meeting, a summary report shall be submitted to the Planning Department containing the following:
- a) completed meeting records including: sign-in sheets, comment sheets; and copies of any emails or correspondence that may have been submitted;
  - b) summary notes or minutes from the meeting;
  - c) analysis of the comment sheets; and
  - d) summary on how the issues and concerns identified from the Soil Deposit Information Meeting will be addressed in the project.





## Schedule E: Soil Deposit Permit Form

CITY OF MAPLE RIDGE

SOIL DEPOSIT PERMIT NO. \_\_\_\_\_

Pursuant to the Maple Ridge Soil Deposit Regulation Bylaw No. ##### - 2017, permission is hereby granted to:

\_\_\_\_\_  
(Name)

of \_\_\_\_\_  
(Address; telephone #; email address)

to deposit \_\_\_\_\_ cubic metres upon

\_\_\_\_\_  
(Address of property)

\_\_\_\_\_  
(Legal description of property)

in accordance with the provisions of the Maple Ridge Soil Deposit Regulation Bylaw No. ##### - 2017 **Application No.** \_\_\_\_\_ and the plans, specifications and other supporting documents filed therewith as approved, and initialed as approved by the permit holder, all which form a part of this Permit and constitute the terms and conditions of this Permit.

**PERMIT CONDITIONS:** (to be stipulated by the City of Maple Ridge)

**Fees:** Received from \_\_\_\_\_ on this day \_\_\_\_\_ (date), the sum of \$ \_\_\_\_\_ as Soil Deposit Permit Application Fee, Receipt No. \_\_\_\_\_; the sum of \$ \_\_\_\_\_ as Soil Deposit Volumetric Fee, Receipt No. \_\_\_\_\_; and, the sum of \$ \_\_\_\_\_ refundable Security Deposit, Receipt No. \_\_\_\_\_.

This Soil Deposit Permit is issued \_\_\_\_\_ (date) on the condition that the permit holder fully complies with all provisions of the Maple Ridge Soil Deposit Regulation Bylaw No. ##### - 2017 and all the terms and conditions herein of this Permit. This Permit shall expire twelve months after the day of issuance, namely \_\_\_\_\_ (date). Any proposed extension of the Soil Deposit Permit shall be applied for within 30 days of the end this period.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Manager of Development and Environmental Services